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BICYCLE ADVISORY COMMITTEE

TERMS OF REFERENCE



1. SCOPE

The Bicycle Advisory Committee was established as a special committee of the Northern Midlands Council on 28 June 2021 (min. ref. 212/21) pursuant to section 24 of the *Local Government Act 1993*.

2. PURPOSE

The Bicycle Advisory Committee ('the Committee') has been established to provide advice and recommendations on:

- Preparation of the Northern Midlands Council: Municipal Bicycle and Shared Path Plan; and
- Implementation of actions identified in the Northern Midlands Council: Municipal Bicycle and Shared Path Plan that include:
 - Planning for the development of bicycle pathways and routes which link key assets of our municipality;
 - Prioritisation of developments, ensuring changes are coordinated and reflect the needs of the community and users;
 - Improvements to the safety of users and community members accessing the bicycle pathways;
 - Opportunities to increase participation in cycling usage across the municipality.

3. PARTIES TO THE AGREEMENT

This agreement is between the Northern Midlands Council and the members of the Bicycle Advisory Committee.

4. MEMBERSHIP

Membership of the Bicycle Advisory Committee shall comprise of a of eight (9) members.

Members are appointed for a term of two (2) years (term of membership).

Members are to comprise of:

- Two Northern Midlands Council Councillors;
- One Health Sector Representative;
- One Recreation Sector Representative;
- Four Community Members representing the Cycling Community;
- Works Manager or Delegate.

The Northern Midlands Council will, at its next Ordinary Meeting, following a local government election, appoint Councillor representatives to the Bicycle Advisory Committee.

The Works Manager will invite representatives of designated sectors (Health and Recreation) to be members of the Advisory Committee.

Community Members will be selected through an application process. Applications are to include details of: community involvement, previous experience of committee membership and connection to cycling and recreation.

Prior to the expiration of each membership term, membership is to be advertised at least 6 weeks, but no more than 8 weeks prior to expiration of the term, as follows: in the Northern Midlands Courier newspaper, on Council's website and via social media.

Should the number of applications for membership exceed the number of vacancies, Council's Executive (comprising

Mayor, Deputy Mayor and one Councillor) will determine the successful applicants in consultation with the Councillor representative/s to the Committee.

Membership is to be ratified by the Northern Midlands Council at an ordinary Council meeting prior to the commencement of the term of membership.

Community membership will be subject to current registration as a Council Volunteer and as such the contract with Council as a Volunteer extends to membership of the Committee; with Volunteer registration and induction to be completed prior to the commencement of membership.

In the event that insufficient applications are received to fill the number of vacancies, Council will, periodically, re-advertise the positions in the Northern Midlands Courier Newspaper, on Council's website and via social media.

Applications for the Committees with less than 4 community members can be made at any time; however, applications will not be accepted for ratification within the final 3 months of a two-year term. In all other instances, the vacancy will be filled to reflect the composition of the Committee as identified in Section 4: Membership.

At the conclusion of the term of office, members are eligible to reapply for membership of the Committee.

The Committee shall have the power to appoint from within the membership the following officers:

- Chairperson; and
- Vice Chairperson.

All officers shall be appointed at the Inaugural General Meeting and thereafter at the Biennial General Meeting held at the commencement of the two-year term.

The office of a member becomes vacant if the member is absent from 3 consecutive ordinary meetings of the Committee.

Council will give consideration to an application for an extended leave of absence which has been endorsed by the Committee on a case by case basis.

Committee members who resign should submit their resignation in writing to the Chairperson.

5. ROLES AND RESPONSIBILITIES

The Bicycle Advisory Committee is an Advisory Committee of Council and has been established in accordance with section 24 of the *Local Government Act 1993*. The Committee is empowered to do the following:

- Recommend development of bicycle tracks and shared pathways;
- Provide feedback regarding suggested changes or modifications to bicycle tracks and shared pathways;
- Identify and report public risk issues relevant to bicycle tracks and shared pathways;
- Consult with users and the local community so that, where possible, funding allocations and improvements reflect the needs of bicycle tracks and shared pathways users;
- Disseminate information to user groups and interested parties relevant to bicycle tracks and shared pathways.

The Committee does not have the power to commit Council to any decision or action, or to direct Council staff in their duties. The Committee may make recommendations for consideration by Council, but Council reserves the right to accept or reject recommendations from the Committee. This includes recommendations regarding the expenditure of funds allocated to the Committee, if applicable.

Council will:

- Document minutes of each scheduled meeting and distribute minutes to members;
- Ensure the minutes of the meetings of the Bicycle Advisory Committee are reported to the Northern Midlands Council as an information item to the next Council meeting and published on Council's website;
- Ensure, whenever possible, that a Council officer or delegate is present at all committee meetings;

- Advertise in the Northern Midlands Courier newspaper, on Council's website and via social media for nominations for community representatives;
- Notify the Committee of approved committee membership;
- Publicise on Council website the agreed schedule of meetings;
- Provide timely feedback (and if applicable, timelines) of Council's consideration of recommendations reflected in the Committees minutes and report back to the Committee the outcome of the motions;
- Assist with identifying funding opportunities;
- Provide additional support as required to ensure the effective operation of the Committee;
- The Northern Midlands Council will, at its next Ordinary Meeting, following a local government election, or earlier if required, review the function and purpose of the Committee and determine if the committee will continue.

6. MEETING PROCEDURES

Meetings are to be governed in accordance with the procedures stated below, and in the event, this Terms of Reference is silent in respect to a procedure, reference is to be made to the *Local Government (Meeting Procedures) Regulations 2015* for the appropriate procedure.

Meetings are to be held at a minimum once per quarter.

Meetings are to be held during office hours and duration of the meeting is not to exceed 1.5 hours.

Notice of a meeting is to be given to the members of the Bicycle Advisory Committee at least 4 days but not more than 14 days prior to an ordinary meeting.

A calendar of meeting dates is to be determined and published prior to the commencement of each calendar year.

An agenda for the meeting is to be provided to the members of the Bicycle Advisory Committee at least 4 days prior to an ordinary meeting.

A meeting quorum is a majority of the Bicycle Advisory Committee current membership. For example, if the total number of members is 8, the quorum is 5.

A decision by the Bicycle Advisory Committee is to be made by consensus (half the members present at a meeting, plus one). In the event the decision is split, the Chair is to make the final decision.

Guests (individuals and groups) may be invited to attend Bicycle Advisory Committee meetings to provide specialist advice and may only participate on invitation by the Chair. Guests must not be involved in the decision-making process, cannot vote on any issue and must abide by meeting protocol.

Minutes of an ordinary meeting are to be circulated as soon as practicable after the meeting, but no more than 10 working days following the meeting.

7. COMMUNICATION, INFORMATION SHARING AND CONSULTATION

Councillor and Officer representatives will be participating members entitled to move and vote on any decisions made by the committee.

Minutes of the meetings of the Bicycle Advisory Committee are to be reported to the Northern Midlands Council as an information item to the next Council meeting after the meeting of the Committee.

If the Bicycle Advisory Committee wishes Council to investigate a matter it must put a motion to the Northern Midlands Council for consideration. The Secretary is to have listed in the next Council Meeting Agenda any motions reflected in the Committees minutes and report back to the Committee the outcome of the motions.

Any incoming (or outgoing) official correspondence received (or sent) by the Chair, or the membership on behalf of the Chair, in relation to the Bicycle Advisory Committee, which has not been referred to the Committee by Council or

generated by Council, is to be provided to Council within 14 days of receipt thereof. Correspondence will be recorded by Council and a formal response provided by Council. Approval of any correspondence to be sent by the Bicycle Advisory Committee is to be sought from Council's General Manager.

8. REVIEW AND EVALUATION

Council retains the right to review this Terms of Reference at any time.

At the Inaugural General Meeting and thereafter at the Biennial General Meeting of the Bicycle Advisory Committee held at the commencement of each term of appointment, the Committee is to review the provisions of this Terms of Reference, execute the document and suggest amendments to its content.

9. RESOURCES

The following resources are provided by the Northern Midlands Council to the Bicycle Advisory Committee:

- Secretarial assistance at scheduled bi-monthly meetings, during normal office hours.

BICYCLE ADVISORY COMMITTEE

.....
CHAIRPERSON

DATE:

NORTHERN MIDLANDS COUNCIL

.....
MAYOR

DATE:

WITNESS:

.....
GENERAL MANAGER

DATE:

Minutes of Devon Hills Neighbourhood Watch and Residents Committee

11th December 2022

COVID-19 Safe Plan & Agreement for Hire of Community Hall COVID-19 Requirements for Northern Midlands Council signed and returned prior to meeting.

Present: Phill & Cheryl Canning, Margaret Webster, Alira Davis, Janet Lambert, Lisa Buckby, Paul Terrett, Jason Horton, Lance Turner

Apologies: Ted Davis, Virginia Tempest, Ian Goninon, Jamie Buckby, Marlyn Page

Meeting Opened: 3.30pm

Previous Minutes:

Moved as Corrected: Cheryl Canning

Seconded: Margaret Webster

All in Favour: All

Business Arising From Previous Meeting

- 1) Garage Sale Day 12th Nov: Very Successful day with 25 Stall Holders & BBQ, Profit \$431.80
- 2) Fire Safety Plan: Phill & Cheryl Canning visited Launceston Fire Station. Professional opinion was that after looking on Google Earth Devon Hills no longer need a Fire Plan. With their suggestion being that individuals do their own Fire Safety Plan.

Tas Alert Website has Devon Hills listed as a Fire Prone Area.

: Do we need to become part of Perth Fire Plans?

: For building plans we need to have Assessment Ratings which we pay for, is their Legislation for communities to have Fire Plans?

: Can Northern Midlands Council take up with Fire Department on our/community behalf?

Motion: Devon Hills/ Gibbet Hill/ Range Road Fire Plan to be developed as a matter of urgency.

To enable contingency plans to be put in place and actioned before Fire Season.

Devon Hills is listed as A Fire Prone Area on State Government Website Tas Alert.

Motioned: Janet Lambert

Seconded: Phill Canning

Favour: All in Favour

3) Cat Traps: Program has started.

Treasurers Report: Tabled by Margaret Webster
Devon Hills Residents Committee Account Balance
Opening Balance: \$1,786.57
In Garage Sale \$431.80
Out NHW Fee \$30.00
Closing Balance: \$2,184.67

Moved as Correct: Margaret Webster

Seconded: Cheryl Canning

All in favour: All

Motion: To pay Perth Fire Brigade for Santa Run \$60.00

Motioned: Phill Canning

Seconded: Jason Horton

All in Favour: All

General Business:

1) Crime Report by Phill Canning: 8th October 2022 – 1st December 2022

During this period there were no crimes of public interest reported to police.

2) Passing of dedicated Community & Committee member Graeme Gliddon. Condolence Card has been passed onto Adele, Graeme's wife from The Committee.

Adele returned the keys Graham had.

3) Email NMC: 28th November 2022 Council meeting Council appointed Deputy Mayor Janet Lambert & Cr Paul Terrett as Council representative to the Committee.

4) Neighbourhood Watch AGM: Phill & Cheryl Canning attended AGM at the Casino Launceston with approximately 74 in attendance. 10 & 15 year service awards were given. Survey: Do meetings continue in Launceston? Phill agreed as it is a central location for all who attend but may be time to look into Zoom options as well. Peter Edwards was to speak with Casino regarding a couple of catering issues; amount of food, service was not up to standards.

Neighbourhood Watch fence/gate signs, stickers, calendars are available if anyone in the community would like them.

5) Phill Canning to return Graeme Gliddons Keys to Northern Midlands Council and sign them back in.

Lance Turner will then sign responsibility for the keys.

- 6) Garage Sale: Next Garage Sale Pencilled in for Saturday 28th March 8am Start
- 7) Tas Police Traffic Division now stationed at new Police Station in Longford. Has been as increase in Police presence in the area, very welcomed in keeping the area safe.
- 8) Thankyou Card to Ian Goninon for the countless years of ongoing service and dedication to the Devon Hills Community and our organisation. We hope there are countless years to come.
Motioned: Phill Canning
Seconded: Lisa Buckby
Favour: All
- 9) Santa Run: 23rd Dec with Perth Fire Brigade doing the lolly run.
Free Sausage Sizzle with be run by Devon Hills Community, starting at 5pm. BYO Drinks and anything else for the BBQ. Lisa Buckby to organise bread, onion, sauce. Phill Canning to organise sausages.

Next Meeting: Sunday 12th February 2023 3:30pm

Apologies: Lisa Buckby, Janet Lambert

Meeting Closed: 4.24pm

Attention Northern Midlands Council

Devon Hills Neighbourhood Watch and Residents Committee

Meeting 11th December 2022

Motion: Devon Hills/ Gibbet Hill/ Range Road Fire Plan to be developed as a matter of urgency.

To enable contingency plans to be put in place and actioned before Fire Season.

Devon Hills is listed as A Fire Prone Area on State Government Website Tas Alert.

Motioned: Janet Lambert

Seconded: Phill Canning

Favour: All in Favour



NORTHERN
MIDLANDS
COUNCIL

BICYCLE ADVISORY COMMITTEE

MEETING # 2

MINUTES

WEDNESDAY, 7 DECEMBER 2022

COUNCIL CHAMBERS

13 SMITH STREET, LONGFORD

1 ATTENDANCE

1.1 Members

Mr Cullimore
Mr Aalbregt
Mr Mackinnon
Mr Atkinson

1.2 Apologies

Cr Lambert
Cr McCullagh
Mr Cocker
Mr Burston
Mr Miller
Guest, Mayor Knowles

2 DECLARATIONS OF ANY PECUNIARY INTEREST BY A MEMBER (OR CLOSE ASSOCIATE OF THE MEMBER) OF A SPECIAL COMMITTEE OF COUNCIL

As per the *Local Government Act 1993*, Part 5, S48A – S56, a councillor or member of a Special Committee must not participate in any discussion or vote on any matter in respect to which the councillor/member:

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

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

Local Government Act 1993, Part 5 - Pecuniary Interests

48. Declaration of pecuniary interest by councillor

(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.

Penalty: Fine not exceeding 20 penalty units.

(2) A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.

Penalty: Fine not exceeding 50 penalty units.

(3) On declaring that he or she has an interest, the councillor is to leave the room in which the meeting is being held.

Penalty: Fine not exceeding 20 penalty units.

(4) The councillor, by notice in writing, is to advise the general manager of the details of any interest that the councillor has declared under this section within 7 days of so declaring.

Penalty: Fine not exceeding 20 penalty units.

(5) The general manager is to –

- (a) ensure that the declaration of interest is recorded in the minutes of the meeting at which it is made; and
- (b) record the details of any interest declared in the register of interests kept under section 54 .

(6) In addition to any penalty imposed under this section, a court may make an order –

- (a) barring the councillor from nominating as a candidate at any election for a period not exceeding 7 years; and
- (b) dismissing the councillor from office.

48A. Declaration of pecuniary interest by member

(1) At any meeting of a special committee or controlling authority, or the board of a single authority or joint authority, a member must not participate in any discussion, or vote on any matter, in respect of which the member –

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

Penalty: Fine not exceeding 20 penalty units.

(2) A member must declare any interest that he or she has in a matter before any discussion on that matter commences.

Penalty: Fine not exceeding 50 penalty units.

(3) On declaring an interest that he or she has, the member is to leave the room in which the meeting is being held.

Penalty: Fine not exceeding 20 penalty units.

(4) A member of a special committee or controlling authority, by notice in writing, is to advise the general manager of the details of any interest that he or she has declared under this section within 7 days of that declaration.

Penalty: Fine not exceeding 20 penalty units.

(5) A member of a board of a single authority or joint authority, by notice in writing, is to advise the chief executive officer of that authority of the details of any interest declared by the member under this section within 7 days of that declaration.

Penalty: Fine not exceeding 20 penalty units.

(6) The general manager or chief executive officer is to –

- (a) ensure that the declaration of interest is recorded in the minutes of the meeting at which it is made; and
- (b) record the details of any declared interest in the register of interests kept under section 53B or 54A .

3 COMMITTEE ESTABLISHMENT & APPOINTMENTS

3.1 Committee Establishment

The Bicycle Advisory Committee was established as a special committee of the Northern Midlands Council on 28 June 2021 (min. ref. 212/21) pursuant to section 24 of the *Local Government Act 1993*

At the Council meeting of 16 May 2022, Minute reference 22/170, the Membership of the Committee was appointed, membership comprises:

- Health Sector Representative:
 - Marcus Burston, Perth
- Recreation Sector Representative;
 - Tony Cullimore, Longford
- Community Members representing the Cycling Community
 - Eric Aalbregt, Longford
 - Hugh Mackinnon, Longford
 - Colin Cocker, Longford
 - Sam Miller, Perth

Mr Trent Atkinson has been appointed as the Council's officer delegate to the Committee.

At the Council Meeting of the 28th November 2022 Minute reference 22/390 the following Councillors were appointed

- Councillors Lambert and McCullagh

3.2 Purpose & Roles And Responsibilities

The Terms of Reference has identified the following:

Purpose:

The Bicycle Advisory Committee ('the Committee') has been established to provide advice and recommendations on:

- Preparation of the Northern Midlands Council: Municipal Bicycle and Shared Path Plan; and
- Implementation of actions identified in the Northern Midlands Council: Municipal Bicycle and Shared Path Plan that include:
 - Planning for the development of bicycle pathways and routes which link key assets of our municipality;
 - Prioritisation of developments, ensuring changes are coordinated and reflect the needs of the community and users;
 - Improvements to the safety of users and community members accessing the bicycle pathways;
 - Opportunities to increase participation in cycling usage across the municipality.

Roles & Responsibilities

The Committee is empowered to do the following:

- Recommend development of bicycle tracks and shared pathways;
- Provide feedback regarding suggested changes or modifications to bicycle tracks and shared pathways;
- Identify and report public risk issues relevant to bicycle tracks and shared pathways;
- Consult with users and the local community so that, where possible, funding allocations and improvements reflect the needs of bicycle tracks and shared pathways users;
- Disseminate information to user groups and interested parties relevant to bicycle tracks and shared pathways.

The Committee does not have the power to commit Council to any decision or action, or to direct Council staff in their duties. The Committee may make recommendations for consideration by Council, but Council reserves the right to accept or reject recommendations from the Committee. This includes recommendations regarding the expenditure of funds allocated to the Committee, if applicable.

3.3 Appointment Of Chairperson

RECOMMENDATION

Thatbe appointed as Chairperson of the Bicycle Advisory Committee until the conclusion of the term at 30 June 2023.

Defer to next meeting (quorum not met).

3.4 Appointment Of Deputy Chairperson

RECOMMENDATION

That Mr Cullimore be appointed as Deputy Chairperson of the Bicycle Advisory Committee until the conclusion of the term at 30 June 2023.

3.5 Meeting Schedule

In accordance with the Terms of Reference, meetings of the Committee will be held on a bi-monthly basis.

It is suggested that meetings be held at 4pm on the first Wednesday of the month.

The following schedule of dates has been identified for the remainder of the 2022 calendar year:

- 8 March 2023
- 7 June 2023
- 6 September 2023
- 6 December 2023

These dates do not represent bi-monthly as stated above. Looking at the meeting procedures, meetings are to be held at a minimum of once per quarter. Will include on next agenda if Committee would like to meet every second month or bi monthly.

4 NEW BUSINESS

4.1 PLN22-0040: Road & Streetscape Works - Wellington Street, Longford

Further discussion on the Longford Main Street (Wellington Street) upgrades. Power point presentation will be presented.

Below is the motion that the Committee moved at our previous meeting for reference.

Mr Burtson, Mayor Knowles left the meeting at 5:02pm

DECISION

Mr Cocker/Mr Cullimore

*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.*

Carried

Voting for the Motion:

Cr Lambert, Cr Adams, Mr Cullimore, Mr Burston, Mr Aalbrecht, Mr Cocker and Mr Atkinson

PowerPoint presentation presented, good discussion.

Defer to next meeting (quorum not met).

4.2 Consideration Of Additional Membership Application

This matter is listed for consideration by the Committee.

The Terms of Reference currently provides for the following public representatives on the Committee:

- One Health Sector Representative;
- One Recreation Sector Representative;
- Four Community Members representing the Cycling Community;

There are currently no vacancies on the Committee, however, Council has received a further membership application. Given the level of interest in this committee, it is recommended that the Terms of Reference be amended to provide for a total membership complement of 10 members, as follows:

- Two Northern Midlands Council Councillors;
- One Health Sector Representative;
- One Recreation Sector Representative;
- Five Community Members representing the Cycling Community;
- Officer Delegate.

Further, prior to the establishment of the Committee, Cr Goninon was approached by a Launceston City Council Alderman to recommend that Council establish a special committee of Council to provide advice and recommendations on the planning for the development of bicycle pathways and routes which link key assets of our municipality and neighboring municipalities.

Cr Goninon has suggested that the Alderman be invited to apply for membership of the Bicycle Advisory Committee.

If the Committee were to agree to the proposal to invite the Alderman to apply for membership and if the Alderman were to apply for membership, the membership complement would need to be increased to a total of 11 members.

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This matter be listed for consideration by the membership of the Committee at this inaugural meeting.

Alternately the Committee may wish to consider requesting Council to write to the Launceston City Council Alderman to advise of the establishment of the Committee and extend an invitation to him to attend a meeting or meetings as a guest.

OPTIONS FOR CONSIDERATION BY THE COMMITTEE

Agree or not agree to recommend to Council

- to increase the membership complement;
 - to appoint the additional applicant as a member;
 - to extend an invitation to the Launceston City Council Alderman
 - to apply for membership and consequently extend the committee membership further;
- OR
- to attend a future meeting (or meetings) as a guest attendee

RECOMMENDATION

That the Bicycle Advisory Committee recommend to Council

- A) That Council extend the Bicycle Advisory Committee Terms of Reference (ToR) to provide for a membership complement of 5 Community Members representing the Cycling Community;
 - B) That Council appoint the additional applicant (Community Member Representative) to the membership of the Bicycle Advisory Committee
 - C) That Council
 - i)
 - a) write and invite the Launceston City Council Alderman to apply for membership of the Bicycle Advisory Committee, and
 - b) should an application be received, extend the Bicycle Advisory Committee Terms of Reference (ToR) to provide for the inclusion of a new category *Local Government Regional Representation* with Council to determine an appropriate membership allocation for the sector;
- OR
- ii) write to the Launceston City Council Alderman to advise of the establishment of the Committee and extend an invitation to him to attend a future meeting (or meetings) of the Committee as a guest attendee.

Defer to next meeting (quorum not met).

4.3 Update On The Illawarra Road/Back Creek Pathway/Crossing

Requesting an update from Council on safe access to Bishopsbourne Road & Tannery Straight.
Trent Atkinson to meet with Hugh Mackinnon onsite to get a better understanding of the area and to include in next agenda.

4.4 Update On The Bicycle Pathway from Patenna Road to Longford

Requesting an update from Council on progress with the relevant stakeholders.

4.5 Wayfinder Proposal

Numbering system for bike sections/routes throughout the municipality:

- Cost associated with system
- something to be looked at in the future
- Dedicated bike paths first
- Good idea

4.6 Bicycle Committee Topic Suggestions

See attached suggestion Word document for reference

Covered some items in meeting, ran out of time to cover all. Will leave on for next agenda.

CLOSURE & NEXT MEETING

The Chairperson closed the meeting at 5:10pm.

The next meeting to be held at the Council Chambers on 8th March 2023 at 4:00pm

**MINUTES OF THE MEETING OF THE LLDC HELD AT THE LONGFORD RSL MEMORIAL CLUB ON
WEDNESDAY 01 FEBRUARY 2023, COMMENCED AT 5.33 PM**

MINUTES

- 1. PRESENT** -Tim Flanagan (chair), Annette Aldersea, Bronwyn Baker, Doug Bester, Peter Munro and Neil Tubb,
- 2. IN ATTENDANCE** – Dick Adams and Matthew Brooks
- 3. APOLOGIES** – Simon Bower, J Clark, D Pettyfor

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

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

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

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

No declaration of any financial interest was declared by any person present

5 CONFIRMATION OF MINUTES

The minutes of the meeting of the Longford Local District Committee held on January 04, 2023 to be confirmed as a true and correct record of proceedings.

Moved - Neil Tubb and seconded Annette Aldersea

Please note that these minutes were forwarded to members and NMC on January 05, 2023 but were not included on the agenda for the NMC's January 30, 2023 meeting,

6.BUSINESS ARISING FROM THE MINUTES

PROMOTIONAL ISSUES:

6.1. Signage for Longford Roundabout (cf minutes of November 02 and December 07, 2022, 7.1).

Cr M Brooks raised this issue at NMC meeting Jan 30, 2023, unfortunately no progress. Member again spoke of a sign such as are at Perth.

COMMITTEE RECOMMENDATION

Moved B Baker, seconded D Bester

'The LLDC requests that the NMC provide a report on the 'Longford' sign on the roundabout on the northern side of Longford, as to why this issue has not progressed'

CARRIED

6.2. Traffic study of main street (cf minutes 7.2) further discussions on reducing speed limits in the town. Peter Munro flagged in 'Other business' that he has requested a report from the EPA.

AESTHETIC ISSUES:

6.3. Pullover area on Pateena Road (cf minutes 7.5 from November 02 & 7.5 from December 07, 7.4 from January 04, 2023),

Motion from December 07, 2022 meeting "That NMC consider viewing area with platform at historic Newry corner, and that LLDC delegation meet with NMC officers on site, to discuss our proposals"

The NMC at its meeting on January 30, 2022 and voted unanimously that 'Council officers meet with LLDC members on site at Newry Corner and provide a report back to Council about the proposal including infrastructure requirements and associated costs, for consideration.'

COMMITTEE RECOMMENDATION

Moved N Tubb, seconded A Aldersea.

'The LLDC wishes to express its appreciation in progressing our suggestion of a viewing platform being constructed on Newry Corner'.

CARRIED

Plan: A. Aldersea will organize a suitable time for an on-site meeting of LLDC members, prior to meeting NMC officers.

SAFETY ISSUES:

6.4 Illawarra Road Response State Growth nothing further

Cr M Brooks said he raised this issue at the BNMC meeting on January 30, 2023. The outcome is disappointing, Cr Adams said it now depends on the Tasmanian Government's State Growth department putting it in for a further planning and budgetary consideration for that.

SAFETY & AESTHETIC ISSUE:

6.5 Wellington & Marlborough Streets Intersection (Sticky Beaks) – (cf minutes from Dec 07, 2022 item 7.8 - Motion 'In acknowledgement of the historical importance of Longford's Heritage precinct, concerns for safety, and disapproval within the community, we respectfully request that NMC remove the large concrete blocks and yellow bollards from the corner and replace with black bollards, similar to those outside town hall.' Carried at our last meeting, however this motion has yet to be presented to the NMC meeting.

The issue was discussed at NMC's December 12, 2022 which hadn't seen our motion then, nor at its January 30 meeting. However NMC officers are doing a report re the various issues associated with that corner.

6.6 Environmental & noxious weeds (cf minutes 10.4 from October 07, and 7.9 from November 02, 7.9 from December 07, 2022)

L Wyatt of NMC said NMC is doing a plan, and it will include a calendar; and on the website is a 'Weed Action Plan' albeit from 2011; and will

Ongoing work of making the NMC website more user friendly.

6.7 Induction –Lorraine Wyatt stated that after new committees are appointed in June 2023 this issue will need to be done.

Committee agreed to remove this topic from the agenda.

TOWN IMPROVEMENT ISSUES

6.8 Bendigo Bank Community Branch for Longford - A. Aldersea was thanked by the Committee for developing a 9 page summary of what is required for any business to undertake this proposition.

6.9 Planting in the garden beds of the Village Green, in particular the corner of Wellington and Archer Streets.

B Baker reported the Garden Club was not able to assist.

Committee agreed to remove this topic from the agenda.

6.10 Parking in Marlborough Street – P Munro said he had spoken to 4 businesses in the main street earlier in the day, and none reported any problems.

Committee agreed to remove this topic from the agenda.

RECREATIONAL ISSUE:

6.11 Access to levee banks (T. Flanagan) – Initially High Street to Malcombe Street

COMMITTEE RECOMMENDATION

Moved A Aldersea, seconded B Baker.

That the NMC consider creating a walking track along the levee from High Street to Malcombe Street'.

CARRIED

7 NEW BUSINESS

PROMOTIONAL ISSUES:

7.1 Motor racing themed Street Sign in Longford

This is an idea Jan Pitt passed on to Neil Tubb and is analogous to the Trout adornments to the street signs in Cressy. Suggestions included a small, chequered flag, analogous to the tartan used on street signs in Bothwell. It was thought this may be stated as part of the Wellington Street upgrade.

COMMITTEE RECOMMENDATION

Moved N Tubb, seconded D Bester.

'That the NMC consider new street signs that promote motor-racing'.

CARRIED

7.2 Longford Tourism – Street Map and Where to Find?

Issue raised by N. Tubb, who showed the committee a series of former ones used in Longford, and other members had them from St Helens and Oatlands.

COMMITTEE RECOMMENDATION

Moved N Tubb, seconded A Aldersea.

'That existing Longford tourism maps believed to be at the NMC office, be found and redistributed around businesses in Longford.'

CARRIED

LLDC members offered to distribute them around appropriate businesses in our town.

7.3 Norfolk Plains Heritage Collection, currently held at Clarendon.

A Aldersea raised this issue.

T Flanagan said this is an old and vexatious one, which was vigorously pursued by former committee member the late Len Langdan without success.

A Aldersea to go and view the collection at Clarendon.

T Flanagan to speak to Woolmers re whether they would have space where this collection could be securely stored, with a view to displaying it.

7.4 March long weekend in Longford/Motorama – A Aldersea raised this issue. T Flanagan reminded members that this issue has received considerable publicity in the media as the original proponent was given a State Government grant and they are seeking to have it repaid to them. D Bester said the event has been reformatted new organisers and will be held at Woolmers.

TOWN IMPROVEMENT ISSUE:

7.5 FOGO (Food organic garden Organic) Bins -.

L Wyatt said pamphlets were to have been delivered.

An interesting discussion ensued, some committee members were surprised tea-bags cannot be put in a FOGO bin, because they contain plastics which leach out and prevent being bio-degraded.

(Tea bags include various plastics most particular I have just done a survey ly food grade nylon or polyethylene terephthalate (PET). These teabags begin breaking down and leaching chemicals into water at temperatures well below those used to make tea.

T Flanagan made the point that loose leaftea is plastic free and cheaper, though after being challenged rfe this has done a consumer survey this afternoon (2.2.23) at IgA Express take-away and for Bushells Tea - 250 g of loose tea leaves costs \$3.75 (= \$1.50 per 100g, and I use 2.5 g every time I make a cup of tea for myself); Tea bags cost \$2.49 for 90 g which contains 50 teabags which comes out at \$2.77 per 100g, or a 180 g packets which contains 100 tea-bags costs \$2.22 per 100g

COMMITTEE RECOMMENDATION - Motion of thanks and consideration to NMC:

Moved T Flanagan, seconded P Munro

'The LLDC thanks the NMC for providing free FOGO bins, and we look forward to Australia post delivering the explanatory pamphlets'.

CARRIED

RECREATIONAL ISSUE:

7.6 Mill Dam access road – NMC notification of whether open or closed.

L Wyatt said such information is on the NMC website under 'parks and reserves', unless of course the road is closed at a weekend, or on an evening.

8.REPORTS FROM SUBCOMMITTEES

8.1 Railway Committee- Cr Adams reported that Tas Rail have guaranteed \$40,000, which in addition to the \$50,000 already at hand, to complete the project of re-erecting the Greek columns on this bridge. Manufacture of the columns will hopefully start in a few months.

8.2 Longford Legends – The committee met with council officers last week, and 5 legends have been put forward.

8.3 Longford Town Hall Arts Committee – see attachment.

10. OTHER BUSINESS

11.1 Rabbits (D Bester) Due to time constraint, discuss at our March meeting.

11. NMC Meeting dates for 2023:

20 February

20 March

26 April

15 May

26 June

17 July

21 August

18 September

16 October

20 November

11 December

12. CLOSURE- 7.03 pm

13. NEXT MEETING – March 01, 2023

ADDENDA- As promised this afternoon (2.2.'23) I have carried out a consumer survey of tea, at the IgA Express Takeaway in Longford.

For Bushell's Tea:

- Loose leaf tea \$3.75 for a 250 g packet (= \$1.50 per 100g), and I use 2.5 g every time I make a cup of tea for myself.
- Tea bags cost \$2.49 for 90 g packet (=\$2.77 per 100g) and contains 50 teabags
or \$3.99 for 180 g packet (=\$2.22 per 100g) and contains 100 teabags

Minutes for the Campbell Town District Forum Meeting held 7 February 2023

Minutes

1 OPENING

The Chairperson welcomed everyone and declared the meeting open at 9.30am.

2 ATTENDANCE

Jillian Clarke	Chairperson
Jill Davis	Member
Sally Hills	Member
Owen Diefenbach	Member
Danny Saunders	Member
Christopher Beach	Member
Elizabeth Porter	Member

IN ATTENDANCE

Paul Terrett	Councillor
Lorraine Wyatt	Executive & Communications Officer (Minutes)

APOLOGIES

Tracy Spencer-Lloyd	Member
Jo Taylor	Member
Alison Andrews	Councillor

ABSENT

Nil

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

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

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

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

3 CONFIRMATION OF MINUTES

DECISION

Moved Danny Saunders, seconded Jill Davis

That the minutes of the meeting of the Campbell Town District Forum held on **Tuesday, 6 December 2022** be confirmed as a true and correct record of proceedings.

CARRIED

The Chairperson thanked Sally Hills for completing the 6 December 2022 minutes in the absence of the Executive & Communications Officer.

4 BUSINESS ARISING FROM THE MINUTES

4.1 Outcome of recommendations made to Council discussed at the Council meeting held 30 January 2023.

At the ordinary meeting of the Campbell Town District Forum held on 6 December 2022 the following motion/s were recorded for Council's consideration:

CAMPBELL TOWN UNDERPASS

DECISION

Deputy Mayor Lambert/Cr Adams

That Council write to State Growth and convey the Campbell Town District Forum suggestion for a Community Art Project at the underpass.

Carried Unanimously

Officer Recommendation:

That Council write to State Growth and convey the Campbell Town District Forum suggestion for a Community Art Project at the underpass.

Committee Recommendation:

Council request State Growth to work with the community to beautify the underpass e.g.: Community Art Project – in order to enhance the community safety and appeal.

Officer Comment:

The installation of the underpass has caused disharmony for some in the Campbell Town community, however a Community Art Project enhancing the appeal of the underpass, will provide an opportunity for positive engagement, improving relationships within the community and across the two tiers of government (state and local).

Council's mission states:

Northern Midlands is an enviable place to live, work and play. Connected communities enjoy safe, secure lives in beautiful historical towns and villages. Our clean, green agricultural products are globally valued. Local business and industry is strongly innovative and sustainable.

Northern Midlands Council's ambition is that everyone in our community has opportunities to lead happy and healthy lives. This project demonstrates that the health and wellbeing of all the Northern Midlands communities is important and provides the Campbell Town community with an opportunity to establish social cohesion and leadership that can be replicated and reinforced when other/similar community projects are identified and implemented.

KING STREET RESERVE: WILLOW TREE IN THE RIVER (OLD SWIMMING POOL)

Council RESOLVED to note the recommendation which has been completed.

Officer Recommendation:

That Council note the recommendation which has been completed.

Committee Recommendation:

That the removal of the willow tree in the river (old swimming pool) near the King Street Reserve be made a priority by Council.

Officer Comment:

Council's Works Manager was already aware of this issue and the tree has now been removed.

ERADICATION OF WILD RABBIT POPULATIONS

DECISION

Cr Adams/Cr Archer

That Council note the committee recommendation.

Carried Unanimously

Officer Recommendation:

That Council note the committee recommendation.

Committee Recommendation:

That Council investigate the eradication of the rabbit population in Campbell Town

Officer Comment:

Management of invasive species such as wild rabbits is the responsibility of the Department of Natural Resources and Environment Tasmania (DNRET), not by Council.

According to the DNRET website, the Calicivirus, also known as Rabbit haemorrhagic disease virus (RHDV1), was not released in the first half of 2022 (summer and autumn) and there are several contributing factors which consequently are hampering its release on an ongoing basis.

Specifically, there is currently an abundance of food available, (especially green grass) providing ideal conditions for rabbits to breed, meaning they are less likely to take calicivirus treated bait.

In addition, young rabbits (up to 12 weeks) may also develop immunity from calicivirus if exposed. Release of calicivirus in the presence of large numbers of young rabbits therefore increases the risk of developing calicivirus immunity within rabbit populations.

RHDV1 is a viral disease which only affects European rabbits. It was introduced into Australia in 1996 and Tasmania in 1997, and since then it has spread throughout most of Australia. It is also worth noting that the effectiveness of a biological control agent reduces over time, so research is ongoing to find a different strain of the virus to release, to boost effectiveness.

MOWING ON THE EASTERN SIDE OF WEST STREET

DECISION

Cr Brooks/Cr McCullagh

That Council note the Committee recommendation and advise that the verge on the eastern side of West Street between Church Street to Pedder Street, only to the end of the houses in West Street, will be included in the Council mowing schedule.

Carried Unanimously

Officer Recommendation:

That Council note the Committee recommendation and advise that the verge on the eastern side of West Street between Church Street to Pedder Street will not be included in Council mowing schedule.

Committee Recommendation:

The verge on the eastern side of West Street from Church Street to Pedder Street to be included in Council mowing.

Officer Comment:

Consultation with Council's Works Manager identified that the area identified as the eastern side of West Street between Church Street to Pedder Street, is defined as undeveloped land which is slashed annually to reduce fuel loads and maintain appropriate fire safety protocols.



Ref: picture retrieved from Google Maps (<https://www.google.com/maps/place/West+St,+Campbell+Town+TAS+7210/@-41.9216156,147.4804291,17z/data=!3m1!1e3m4!1s0xaa70ffc4d3f1d577:0xd8afe4e49d92722c!8m2!3d-41.9216156!4d147.4826178>)

Slashing is used to maintain large areas of undeveloped land whereas mowing is utilised in developed areas such as parks and residential street verges.

4.2 Actions from the Previous Minutes

4.2.1 – Entrance Statement

The entrance statement on the corner of West Street and High Street – is it possible to raise, as the bottom writing cannot be seen.

There is nothing on the back of the entry statement to say, “thank you for visiting Campbell Town”.

Can the letters be put on the brickwork so that it is distinguishable? Also, the sun creates a shadow which makes it harder to read.

The entry statement on the southern end is fine.

4.2.2 Convict Brick Trail

Next year is the 20th anniversary of the brick trail. Through a conversation with John, Tracy was informed that there have been bricks returned to him when Queen Street and High Street corner was redesigned.

Tracy happy to receive names to form a committee for a celebration to mark the 20th year in August 2023. If you would like to be involved, please contact her on 0419 484 115.

No update was provided due to committee member being providing an apology and being absent from the meeting.

5 NEW BUSINESS

5.1 Meeting Dates for 2023

7 February

7 March
4 April
2 May
6 June
4 July
1 August
5 September
3 October
7 November
5 December

5.2 Street Furniture

Reports of street furniture being left out at night.

Section 6(1) of the *Footpath Trading By-Law No. 1 of 2022* states:

All Structures and objects used for footpath trading must:

g) be removed from the road reserve when the business is closed. And any footpath sockets unplugged.

All, "footpath trading" requires a permit.

This matter can be removed from future Agenda's.

5.3 High Street to Esplanade, Footpath (Opposite Butcher Shop)

Disability Access and Inclusion: Can't wheel a walker down this area and the ground is uneven.

This is about "liveability" in the community.

Members reported that this is also an issue for able bodies persons who have tripped on the uneven surface.

Action: Executive & Communications Officer to advise Works and Services.

Response: An inspection of the area was carried out and it was reported that the crossfall of the footpath is of a grade that was standard at the time it was installed. This will be rectified as part of the main street upgrade.

5.4 East Street Drainage Outlet

Debris is blocking the outlet and needs to be cleaned out.

This item was dealt with as a customer request. The outlet was inspected and the debris will be removed in the coming weeks when the contractor is available.

Committee Recommendation

Moved Jill Davis, seconded Sally Hills

That Council investigate and rectify the stormwater problem from the recreation ground to East Street.

CARRIED

5.5 Tree Limb Blackburn Park

There is a tree limb near the walkway/bridge which needs to be removed.

This is a customer request which has been addressed.

5.6 Traffic Management – West Street Campbell Town

Concerns about traffic management and the impact trucks will have on West Street (eastern side) with the building of an Elders Store opposite the residents.

Traffic for the site will enter and leave through West Street, a residential street, which is not designed for regular vehicle movements and will have an impact on the road surface and increased truck noise in West Street.

The intersection at the Midland Highway and West Street is difficult for vehicles to turn and currently not suitable for trucks to enter. Corners were widened but this has been ineffective. Could Council investigate the possibility to have trucks enter and leave from the Midland Highway?

Committee Recommendation

Moved Liz Porter, seconded Chris Beach

That Council investigate the additional truck movements caused by the proposed new shed at Lot 3 Midland Highway Campbell Town and the impact on West Street Campbell Town.

CARRIED

5.7 Customer Requests

Reminder that customer requests must be lodged via the Council website or by phoning Council and cannot be included in Agenda or Minutes.

5.8 Antisocial Behaviour Causing Concern

Members reported a range of antisocial behaviour including; pulling out plants; playing in flood water and pretending to drown thinking it is funny; filling dog excrement bags full of water and throwing them; banging on fences and dogs barking; and more.

The offenders are very young and the behaviour and age is of concern to community members. Members also expressed concern that the children may aggravate dogs and could be attacked.

Committee members were advised that concerned residents should report the behaviour to police for follow up including welfare checks.

5.9 Recycling Committee

Members asked if the Recycling Committee was going to continue as there had not been a meeting for some time and were advised that a meeting would be convened at the end of February.

5.10 Bicentennial Park

Cr Terrett asked the committee what they would like to see happen with Bicentennial Park? Members provided Cr Terrett with background and an update about the Harold Gatty Memorial and expressed an interest in both parks being developed collectively.

Committee Recommendation

Moved Chris Beach, seconded Liz Porter

That the Campbell Town District Forum work with Council to develop plans to upgrade the Harold Gatty Memorial, Bicentennial Park and the Campbell Town Museum in collaboration with the Tasmanian Aviation Historical Society (TAHS).

CARRIED

5.11 West Street and Macquarie Road

Liz Porter advised that she had contacted the Premiers office and was told he has written to State Growth and is still waiting for a reply. The matter is between Council and Boral.

Liz reported that four (4) 'B' doubles were in the same vicinity, 2 driving carefully and 2 driving at speed. The Premiers office has advised that Liz should record everything.

Chris reported that Macquarie Road had been restored to a lesser standard than it was originally.

Action: The Works and Infrastructure Manager will be advised.

5.12 Planning Applications

The Chairperson advised that it was great to see planning applications being shared with Committee members.

6 CLOSURE

The Chairperson closed meeting at 10.50am.

7 NEXT MEETING

Next meeting to be held on **7 March 2023 commencing at 9.30am** at the Town Hall, upstairs meeting room.

MINUTES

THE ROSS LOCAL DISTRICT COMMITTEE MEETING HELD AT THE READING ROOM, ROSS, ON TUESDAY 7th FEBRUARY 2023, COMMENCING AT 11.15AM.

1 PRESENT

Arthur Thorpe (Chairperson), Christine Robinson, Jill Bennett, Candy Hurren (left meeting at 11:50), Marcus Rodrigues, Ann Thorpe (Hon Secretary).

2 IN ATTENDANCE

Cr Richard Archer, Herbert Johnson, James Dennis, Keith Blacklock, Phil Brown, Bill McKean.

3 APOLOGIES

Helen Davies, Sally Langridge, Michael Smith.

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

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

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

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

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

Nil Declared

5 CONFIRMATION OF MINUTES

*That the minutes of the meeting of the Ross Local District Committee held on **Tuesday 6th December, 2022** be confirmed as a true and correct record of proceedings.*

The following two amendments have been requested to 7.1 Round Table Discussion:

Christine Robinson

That it be noted that Council was requested to advise the RLDC as to the current status of the dual renaming of the Tinamirakuna/Macquarie Rivers.

Cr Richard Archer

That the minuted notation;

e.g. Longford, Port Arthur Authority, etc. Parramatta Female Factory Authority is looking to join heritage groups and if successful, will assume responsibility to look after all the convict heritage buildings Australia wide. A number of grants are available through this system as well. Need to look at the core of the town of Ross, instead of just one item, e.g. bridge.

Be replaced with the notation;

e.g. Longford "Australian Convict sites World Heritage Property (ACS).
Parramatta Female Factory is looking to achieve National Heritage recognition (and maybe World Heritage inclusion in ACS) and ACS has an interest in over 3000 convict sites or structures in Australia.
Inclusion in National Heritage brings access to an annual grants program and Ross needs to look at the core of the town instead of just one item e.g. bridge".

Minutes confirmed subject to the above amendments - Christine Robinson / Marcus Rodrigues

6 BUSINESS ARISING FROM THE MINUTES

6.1 Clearing The Macquarie River

A low river level is necessary before Council can clear debris and Cumbungi, so it will probably be summer before the river is low enough to commence work. An undertaking was received from NMC / State Growth, that they will look at this issue when feasible.

NMC have again been contacted in late January, however to date we have received no further information.

Matter ongoing.

6.2 Weather Damage to Ross Reading Room

The cornerstones and the bottom course of sandstone bricks at the entrance of the reading room are weathering away and in need of attention. Although the sandstone is actually in reasonable condition, remediation work to the damaged sandstone will be carried out by a stonemason once the weather warms up.

Works Manager has advised they are awaiting the availability of a qualified stonemason.

Matter ongoing.

6.3 Missing (Stolen) Street Sign Nivelles Street

Customer request 61740 has been lodged with Council requesting the missing (stolen) sign be replaced.

Sign has now been reinstalled - no further action required.

6.4 Damaged Wall South End Of Church Street & Damaged Sandstone Kerbing.

Wall at the top (south end) of Church Street has top stones missing and looks very disordered. Customer request 61699 has been raised requesting rectification.

Kerbing in the centre car parking area opposite the Town Hall has been damaged by a truck, needs to be repaired. Chair has asked Council to repair the kerbing in conjunction with the sandstone wall at the southern end of Church Street.

Works Manager has advised they have acquired the necessary sandstone and are awaiting the availability of a qualified stonemason.

Matter ongoing.

6.5 Closure Of High Street Pedestrian Rail Crossing

A number of Ross residents are unhappy with the closure of this crossing.

Chair has been advised that NMC will be conducting a cost and feasibility study, for a legally compliant pedestrian rail crossing linking the two sides of High Street. Once the report has been prepared it will be submitted to Council for consideration.

Works Manager has progressed this matter and NMC recently met with State Rail who have advised what is required to form a legally compliant pedestrian crossing. These requirements will be incorporated into the cost and feasibility study being prepared by NMC.

A member of the public requested lighting be considered as part of the upgrade.

Matter ongoing.

6.6 Ross Village Green – Entry Of Dogs On Leash

NMC has voted on this and advised that dogs on leads are allowed in the Ross Village Green subject to a 12 month review, however dogs are not permitted within 10 metres of the children's playground area.

Will a sign be erected regarding dogs not being allowed within 10 metres of children's playground? Where will this be located and hopefully, it will not too conspicuous. Issues with dog faeces has been raised and we trust people will be responsible.

Mr Blacklock requested a Doggie Bag station also be situated in Church Street, perhaps at the Campbell Town end, as it has been noticed visitors park, let animals defecate on footpath as they have no bags close by to use, and move on. Customer request 95124 has been raised requested a Doggie Bag installation at the suggested location - currently awaiting a reply from NMC.

Off-lead Dog Park area is finished, and Works Manager advised they are plumbing water into the area in the near future. There will also be infrastructure for a dog water bowl in the area.

Chair to discuss with Works Manager the quantity and location of dog signage at the Ross Village Green.

Matter ongoing.

6.7 Painting Of Town Hall Entrance Foyer

The Town Hall entrance foyer and the toilets at the rear of the Town Hall were scheduled for painting during the current financial year. Foyer has been painted, however not sure if the light shade has been replaced as yet.

The new carpet for the old Council Chambers used by the Church Group was not laid last financial year. Chair has liaised with the Church Group to ascertain the carpet definitely needs replacing. Group has occupied this space for nearly 30 years, moving in after Ross Council amalgamated with the NMC in 1993, and the carpet looks like it has been there all that time. Carpet is patched in one area and could be trip hazard to Church goers.

Toilets at the rear of Town Hall are also to be painted by end of June 2023.

Matter ongoing.

6.8 Maintenance Of Ross Footpaths

Several gravel footpaths around Ross need remediation; photos have been sent to Council, and Customer Request 78015 has been raised.

Council has replied –

“Unfortunately, due to the recent weather events this has disrupted multiple works throughout the municipality. Our priority atm is for roads to be repaired, but we do acknowledge your request and will have them addressed as soon as practicable.”

Attendees discussed and agreed that the path to the female factory is the most important one and should be repaired as a matter of priority. Update requested from Council on 30/1/2023, and we are awaiting advice from NMC.

Matter ongoing.

7 NEW BUSINESS

7.1 Updates

- Discussion regarding the dual naming of the Tinamirakuna/Macquarie River. Tinamirakuna is the name approved by the Minister on 23rd December 2021.

The RLDC as a group, were given the undertaking that the RLDC would be advised

before this matter was taken any further, and that the opportunity for Community Consultation on the proposed co-naming of the Macquarie River would be provided. It was noted that the proposed co-naming was advertised by Placenames Tasmania (NRET) for public submissions from 5.10.21 to 30.11.21, however this was not brought to the attention of the RLDC, possibly because of staff changes at the NMC. Members felt it was disappointing that the RLDC was not involved in consultation process.

Cr Archer mentioned that the Macquarie River also flows through Longford and surrounding districts, and that he had not heard of any opportunity for public consultation either.

- Disabled Parking outside the Town Hall was raised with Works Manager and unfortunately, it is not feasible to legally widen the current parking space. Chair and Works Manager discussed perhaps placing an additional 2 spaces in Ross, maybe 1 adjacent to the old garage in High Street. Discussion with members whereby they agreed that we ask for the 2 additional spaces. Candy mentioned that somewhere outside the pub would also be a good space.

7.2 Budget Request List

Please bring ideas to March Meeting, as list needs to be with NMC by 31/3/2023. Chair explained to attendees that these ideas relate to Capital Works Budget items and it is only a “wish list”. It is submitted to NMC and they choose which items to fund and place in the budget. Not all items on the list are funded in the coming financial year.

Some suggestions for capital funding were the High Street pedestrian rail crossing, additional disabled parking, the Ross Entrance Sign having a more definitive bridge depiction as per the Red Bridge depiction on the Campbell Town entrance statements, and covering over the new park benches near the caravan park.

Chair mentioned during discussion that perhaps Phil Brown and Grant Larkman would be good conduits for ideas from the community to include in the wish list. Chair to pass on to these gentlemen, forms and previous items from years past as an example.

7.3 Round Table Discussion

Arthur Thorpe

- Thanked NMC for installing the new seat behind the Ross War Memorial. As well as being an excellent place to sit and admire the magnificent Ross streetscape, the seat will also be very handy for the older members of our community to use at commemorative services, etc at the War Memorial.

C Robinson

- Broken concrete bollard outside the Catholic Church.
- Hooning still occurring in Ross at the 4 corners and also the Recreation Ground on the outer grassed area. Police need to be informed.

Cr R Archer

- NMC are happy to formulate policies, however need input from the community as to what they want included. One such policy could be regarding solar panels, especially in heritage areas.

J Bennett

- Top of one of the bollards along Bridge Street adjacent to the caravan park has been broken off.

H Johnson

- Electric Car Charging stations, do we know where this is up to? Chair advised that NMC and the proponents of this project met quite some time ago, however he would contact council and follow up.
- Plastic and sand bags up against walls at the caravan park. Looks unsightly and can they please be removed now the threat of flood is over.
- Piles of gravel have been dumped in the Quarry Car Park meaning there is nowhere for visitors to park.
- No space for caravans etc., to park and then turn at the Female Factory. This matter has been raised previously. Unable to progress as there is no land available for a turning circle - a sign has been placed at the Female Factory entrance stating no entry/turning circle for large vehicles.

J Dennis

- Discussion regarding planning applications and solar panels in Heritage Zone. Chair to print copy of Heritage Zones and Heritage Overlay and pass on.
- Annual Events leaving Ross to go to other towns. Shame as local businesses lose out.
- During discussions, matter also raised that the BBQs in the Village Green appear to have not been connected as yet. Chair to follow up with Works Manager.
- Matter was raised that the sprinkler systems in Church Street from Bakery 31 to High Street are not working. Also, sprinkler heads further along Church Street appear to have been damaged from the mower. Chair to raise matters with Works Manager.

K Blacklock

- Interested in the High Street Rail Crossing, however his questions have already been answered previously.

P Brown

- Resident asked if trees on the cnr of Bond St and The Boulevards that have died can they please be replaced.
- Ross Marathon, what is happening and when does the Ross Marathon intend talking to business owners and residents? RLDC is not involved and has not heard anything in relation to this, nor do they have the authority to organise and run events. Mr Brown felt the accommodations made by everyone at the last marathon did not work. The RLDC do not have the authority to approve or disapprove events, this is solely the responsibility of NMC.

B McKean

- No FOGO flyers received on the eastern side of the line – why?
- Could the solid line markings on the north and south entrance roads be broken up to allow overtaking when passing cyclists?

8 NEXT MEETING/CLOSURE

The Chair closed the meeting at 12:18 pm.

Next meeting – Tuesday 7th March 2023 commencing 11.15am in the Ross Reading Room.

MINUTES EVANDALE ADVISORY COMMITTEE

MINUTES OF THE COMMITTEE MEETING HELD AT THE EVANDALE COMMUNITY CENTRE ON TUESDAY, 7 FEBRUARY 2023,
AT 4.00PM

1 ATTENDANCE

John Lewis	Chairman
Henrietta Houghton	
Barry Lawson	
Bruce Argent-Smith	
Michael Weir	
Louis Sauer	

In Attendance:

Paul Terrett	Councillor
Leon Lange	Lange Designs
Tony Purse	Loop Architecture
Lorraine Wyatt	Executive & Communications Officer (Minutes)

2 APOLOGIES

Stephanie Ann Kensitt	
Janet Lambert	Deputy Mayor

3 CONFIRMATION OF MINUTES

DECISION

Moved Henrietta Houghton, second Barry Lawson

That the minutes of the ordinary meeting of the Evandale Advisory Committee held on Tuesday, 6 December 2022 be confirmed as true and correct record of proceedings subject to a spelling correction at item 6.1 being "Sauer" instead of "Sayer"

Carried

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

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

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

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

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

No declarations were received.

5 PRESENTATION

Leon Lange from Lange Designs and Tony Purse from Loop Architecture sought feedback from members about a draft plan for the enhancement of Pioneer Park.

Members have been asked to provide any additional feedback to Lorraine Wyatt Executive and Communications Officer, over the next couple of weeks which will be incorporated into the feedback provided at this meeting.

Leon Lange, Tony Purse and Councilor Paul Terrett left the meeting at 4.49pm

6 BUSINESS ARISING FROM THE MINUTES

6.1 information Board for the Village

Lou Sauer raised the need for an information board in the village. It was pointed out that there was already one at the Information Centre and that when the Time Traveller Park had a notice board, it was rarely used. Facebook was raised as an alternative and if a board was to be provided, it would have to be user friendly – not under lock and key. The matter could be one for a future wish list.

Lou Sauer provided an update to the committee including the following locations.

- Entrance to the Park on Russell Street
- Grocery Store (used to be IGA)
- Existing kiosk, Time Traveller (west side)

There is also no indicator that “You are here” on the map.

6.2 Short Stay Accommodation Policy

At the ordinary meeting of the Evandale Advisory Committee held on 6 December 2022 the following motion was recorded for Council’s consideration:

SHORT STAY ACCOMMODATION

DECISION

Cr Andrews/Deputy Mayor Lambert

That the request by Evandale Advisory Committee, that Council develop a Short Stay Accommodation policy, be investigated and a report provided to Council.

Carried Unanimously

Officer Recommendation:

That the request by Evandale Advisory Committee, that Council develop a Short Stay Accommodation policy, be investigated and a report provided to Council.

Committee Recommendation:

That Council Develop a Short Stay Accommodation policy.

Officer Comment:

The Evandale Advisory Committee is concerned that too many houses are moving towards short-stay accommodation. This is a sentiment which has been echoed by other communities particularly considering housing affordability however, it must also be balanced against the need for accommodation to promote events/festivals, and tourism which have a range of social and economic benefits, as it injects money into the local economy.

The Tasmanian Government imposes the planning requirements for visitor accommodation. According to the Planning in Tasmania website (<https://planningreform.tas.gov.au/planning/short-stay-accommodation-act-2019>), “Short stay accommodation refers to houses, apartments and other types of dwellings that are let out to paying guests for overnight accommodation, generally on a temporary basis and usually to people who are on holiday or vacation.

You do not require a planning permit if you meet the ‘home-sharing’ exemption, which applies if the dwelling is used by the host (as owner or occupier) as their main place of residence and:

- *the dwelling is only let to visitors while they are on vacation or are temporarily absent, or*
- *visitors are accommodated in not more than four bedrooms while the host is living there.*

For all other instances, a planning permit subject to specific planning requirements is required from the relevant local council.

Planning requirements may currently vary from council to council while the staged implementation of the single Tasmanian Planning Scheme is rolled out across councils.”

According to the “Report on data collection Quarter 1 2022, Short Stay Accommodation Act 2019” compiled by the state government, there is approximately 61 short term accommodation options in the Northern Midlands municipality (extract from report attached).

Council does not have a Short Stay Accommodation Policy and must decide if one is required balanced against the statutory planning requirements, community benefits and consequences.

6.3 Significant Tree Register

Barry Lawson advised that he had commenced work on developing a significant tree register for public lands within Evandale. While the initial emphasis was on trees with historic significance, he has plagiarised from the significant tree register of Hobart to include other reasons for significance. He also advised the committee of an idea for homeowners to provide photos, stories and data on significant trees on their land for the purposes of a book (e.g. "Significant Trees of Evandale"). Without a formal motion, the committee resolved to recommend Council develop a significant tree policy to link with the National Trust Significant Tree Register.

The Committee was subsequently advised that at the 28 November 2022 Council meeting, the following recommendation was made by the Longford Local District Committee to Council:

"NMC to consider a register of significant trees in our local government zone with community support".

The officer report and Council decision is repeated below for Evandale Advisory Committee consideration.

Committee Recommendation:

Our Town Motto "1814 history and Gardens Entwined": NMC to consider a register of significant trees in our local government zone with community support.

Officer Comment:

A tree register is currently maintained by Council however the register is used for maintenance purposes rather than registering trees of significance such as those of heritage or historic value.

A list of 110 significant trees is included in the Northern Midlands Local Provisions Schedule to the Tasmanian Planning Scheme. The trees in this list are identified from the National Trust's Register of Significant Trees and supported by a report commissioned by the Council, 'Establishing Location of Heritage Trees within Northern Midlands Council, March 2019, Bushways Environmental Services – Tasmania'.

To further develop the list of significant trees, and include them in the planning scheme for protection, would require engaging a consultant to identify and record additional trees, and to apply to the Tasmanian Planning Commission to amend the list of significant trees in the planning scheme.

Officer Recommendation:

That

1 - Officers seek quotes for identifying and recording additional significant trees for inclusion in the planning scheme;

2 - Provision is listed in 2023/2024 draft budget for Council consideration.

MINUTE NO. 22/384

DECISION

Cr Adams/Cr Andrews

That

1 - Officers seek quotes for identifying and recording additional significant trees for inclusion in the planning scheme;

2 - Provision is listed in 2023/2024 draft budget for Council consideration.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Lambert, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil

7 MATTERS FOR NOTING

7.1 Meeting dates 2023

In accordance with the MOU meetings of the Committee will be held at 4pm on the first Tuesday of the month, schedule of dates follows:

Meeting Dates for 2023

7 March
4 April
2 May
6 June
4 July
1 August
5 September
3 October
7 November
5 December

8 MATTERS PENDING

Nil

9 COMMUNITY GROUP REPORTS

9.1 Community Centre

The Community Centre is progressing well with visitation and attendance as expected,

9.2 Memorial Hall

Issue with the location of the air conditioner. Members advised there was concern that it will be hit by a vehicle, causing damage to the hall.

9.3 Neighbourhood Watch

Nil reports available

10 NEW BUSINESS

Budget wish list for works and improvements. Committee members are reminded that they need to start thinking about this soon as this information will be requested in the coming months.

11 CLOSURE & NEXT MEETING

Chairperson closed meeting at 5.36pm.

The next meeting to be held at the Evandale Community Centre on Tuesday, **7 March 2023 at 4pm.**

Section 28ZK (7) of the *Local Government Act 1993* requires that any person who receives a determination report must keep the determination report confidential until the report is included within an item on the agenda for a meeting of the relevant council. Failure to do so may result in a fine of up to 50 penalty units.

Local Government Act 1993

CODE OF CONDUCT PANEL DETERMINATION REPORT NORTHERN MIDLANDS COUNCIL CODE OF CONDUCT

Complaint made by Mr Andrew McCullagh against Councillor Richard Goss

Code of Conduct Panel

- Lynn Mason AM (Chairperson)
- David Sales (Local Government Member)
- David Palmer (Legal Member)

Date of Determination: 30 January 2023

Content Manager Reference: C25287

The complaint

The complaint relates to Councillor (Cr) Richard Goss's alleged disclosure of confidential council information to a member of the public. The incident is alleged to have occurred on or about 27 August 2022, at the Longford market. The complaint also alleged that Cr Goss had endeavoured to interfere with the election process, presumably, the election process governing the Tasmanian Local Government elections, which were to be conducted in October 2022.

The complaint alleged that the following section of the Aldermanic Code of Conduct, adopted by the Northern Midlands Council on 29 January 2019, was breached:

Part 5 – Use of Information

2. A councillor must only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

Initial assessment of the complaint

Following receipt of the complaint, the Chairperson invited Mr McCullagh (now Cr McCullagh) to provide further information about the allegation that Cr Goss had endeavoured to interfere with the election process; specifically, how Cr Goss had done this. No response was received from Mr McCullagh. That part of the complaint was therefore dismissed in accordance with section 28ZB(1) of the *Local Government Act 1993* (the Act).

The Chairperson then conducted an initial assessment of the remaining part of the complaint in accordance with the requirements of section 28ZA(1) of the Act. Having assessed the part of the complaint against the provisions of sections 28ZB and 28ZC of the Act, the Chairperson determined that:

- the complaint was not frivolous, vexatious or trivial. The complaint appeared to relate to matters of substance under the Council's Code of Conduct and did not appear to be trifling, insignificant or a misuse of the Panel's resources;
- the reasons for not attempting to resolve the complaint directly with the respondent were adequately explained; and
- the complaint was not made in contravention of
 - a determination made by the Chairperson under subsection (2); or
 - a determination of the Code of Conduct made under section 28ZI(3).

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The Chairperson determined that the complaint should be investigated and determined by the Code of Conduct Panel (the Panel) as the allegation substantially related to alleged contraventions of the Code. If proven, they were capable of constituting breaches of the Code.

The complainant, respondent Councillor and the General Manager of Northern Midlands Council were notified of the outcome of the initial assessment by letter dated 28 October 2022.

Material considered by the Panel

- The Northern Midlands Council Code of Conduct for Elected Members, approved 20 January 2020;
- The complaint from Mr McCullagh, 12 pp, dated 25 September 2022, attached to a Statutory Declaration;
- The response from Cr Goss, 2 pp, on a Statutory Declaration dated 14 November 2022;
- The Statutory Declaration received from Mr. Terrett regarding the contents of the discussion between Cr Goss and himself, 1 p, dated 25 November 2022¹;
- Information supplied by Council Officers on 1 December 2022, viz, the minutes of the Ordinary Meeting of Council – Closed Council GM Review dated 16 May 2022, including minute No. 22/174².

Procedure

In accordance with section 28ZE of the Act, the Panel investigated the complaint.

The Panel met on 21 November 2022. On the same day Mr McCullagh was invited to provide further information, specifically, particulars of the information about the General Manager's contract which Cr Goss was alleged to have disclosed – information which was not otherwise available to the public. On 22 November 2022 Mr McCullagh responded by email that Cr Goss had been speaking to a council candidate for the upcoming elections, Mr Paul Terrett (now Cr Terrett), and that it was Mr Terrett who was directly privy to the conversation. Mr McCullagh was then asked to request Mr Terrett to provide evidence of the incident as part of, or attached to, a Statutory Declaration, and to have said evidence to the Panel by 28 November 2022.

The Statutory Declaration from Mr Terrett was received on 25 November 2022.

The Panel met on 29 November 2022 and determined that in accordance with section 28ZG(1) of the Act, it would conduct a hearing into the matter, and that it would call Mr Paul Terrett as a witness. The parties were notified of this decision on 14 December 2022.

The Hearing

The hearing was conducted by video conference on 17 January 2023. Cr Goss was permitted to have his wife in attendance as his support person.

The complainant, the respondent and his support person were all sworn/affirmed at the outset of the hearing.

Mr McCullagh and Cr Goss gave evidence and each was permitted to question the other. The Panel asked questions of the parties. The Panel called Mr Terrett as a witness, and he read the affirmation prior to answering questions from the complainant and respondent, and from the Panel. Neither Mr McCullagh nor Cr Goss called witnesses.

¹ The Statutory Declaration is part of the Addendum, to be dealt with in closed council, in accordance with section 28ZK(5) of the Act.

² The information provided by Council officers is part of the Addendum, to be dealt with in closed council, in accordance with section 28ZK(5) of the Act.

The parties then made closing submissions, after which Cr Goss was offered the chance to make a submission on sanction, in the event that the complaint was upheld. Cr Goss submitted that he would abide by any decision reached by the Panel.

Determination

Pursuant to section 28ZI(1)(a), the Panel upholds the complaint against Cr Goss.

Reasons for determination

The Panel noted that there was a discrepancy between the date of the incident according to Cr Goss and Mr McCullagh, and the date of the incident given by Mr Terrett. The Panel determined that this discrepancy was not material to the outcome of its investigation.

The Panel's decision rested on the evidence provided by Cr Goss and Mr Terrett. Although Mr McCullagh was the complainant, he was not a witness to the event at the Longford market, and therefore could not provide any evidence regarding the words used by Cr Goss in speaking to Mr Terrett.

Neither Cr Goss nor Mr Terrett disputed that an exchange had taken place at the Longford market, and that reference had been made to the Council's General Manager, and specifically, to his contract of employment. The Panel therefore had to decide whether on the balance of probabilities, and in addition, whether it had a sense of actual persuasion that Mr Terrett's recollection of the words spoken was more likely to be accurate than Cr Goss's recollection, and that the conversation with Cr Goss had in fact occurred as Mr Terrett alleged in his statutory declaration and in his oral evidence given as a witness at hearing.

At the hearing, Mr. Terrett gave his evidence in a clear and definite manner, repeating the information contained in his statutory declaration. When questioned he reiterated that specific information relating the General Manager's contract was mentioned by Cr Goss.

Cr Goss was less definite in giving his evidence and said he could not remember the specific terms of the General Manager's contract, despite being present at the Council Meeting when the decision was made, and when the decision was made that the details of the agenda item should remain confidential.

In the circumstances the Panel felt it should give more weight to the evidence of Mr. Terrett.

The Panel was of the view that specific information relating to the Contract was mentioned in the discussion between Cr Goss and Mr Terrett which occurred (according to Mr Terrett) on or about 30 July 2022, and that the only place that this information could have been obtained was in the confidential session of the Council Meeting which occurred relatively close in time on 16 May 2022, as recorded in the Council's minutes of meeting of that date, and which were in evidence.

The Panel noted that Cr Goss stated that even at the time of the hearing, he could not say with any certainty what the nature of one of the most important details of the General Manager's contract was. This was despite the fact that the General Manager's contract was discussed on 16 May 2022 by the Councillors in the closed council meeting, which Cr Goss attended and during which he voted.

The Panel concluded that in the face of this uncertainty about an important subject debated in the closed session of the council meeting of 16 May 2022, and Cr Goss's uncertainty about what he had said to Mr Terrett, it was satisfied that the version of the interchange provided in Mr Terrett's very clear verbal and written evidence was more accurate.

The Panel however was of the view that Cr Goss had not intended to disclose confidential information concerning the renewal of the General Manager's Contract, nor breach the Code of Conduct.

Sanction

Under section 28ZI(2) of the Act, the Panel may impose one or more of the sanctions listed therein. The Panel considers that the details revealed by Cr Goss were details which would become known within the community within a relatively short period of time. The consequences of the breach of the Code were

therefore minor. The Panel also takes into consideration Cr Goss's good record of long service to the Council, and considers that the breach was unintentional and unlikely to be repeated.

The Panel therefore does not impose any sanction on Cr Goss.

Timing of the Determination

The time taken to reach a determination in this matter has exceeded 90 days. The delay was owing to the occurrence of the Christmas/New Year holiday period before the hearing could be conducted.

Right to review

A person aggrieved by the determination of the Code of Conduct Panel, on the ground that the Panel failed to comply with the rules of natural justice, is entitled under section 28ZP of the Act to apply to the Magistrates Court (Administrative Appeals Division) for a review of that determination.



Lynn Mason AM
Chairperson



David Palmer
Legal Member



David Sales
Member

Date: 30 January 2023

Section 28ZK (7) of the *Local Government Act 1993* requires that any person who receives a determination report must keep the determination report confidential until the report is included within an item on the agenda for a meeting of the relevant council. Failure to do so may result in a fine of up to 50 penalty units.

Local Government Act 1993

CODE OF CONDUCT PANEL DETERMINATION REPORT

NORTHERN MIDLANDS COUNCIL CODE OF CONDUCT

Complaint brought by Councillor Mary Knowles and Mr Ian Goninon against Councillor Matthew Brooks

Code of Conduct Panel

- Jill Taylor (Chairperson),
- Liz Gillam (Local Government Member)
- Jennifer O'Farrell (Legal Member)

Date of Determination: 06 February 2023

Content Manager Reference: C25505

Summary of the complaint

A code of conduct complaint was submitted by Councillor (Cr) Knowles of the Northern Midlands Council and Mr Goninon against Councillor (Cr) Matthew Brooks to the General Manager of the Northern Midlands Council on 1 November 2022.

The complaint alleged that on 15 October 2022 and during the Longford Show, Cr Brooks breached the following parts of the Northern Midlands Council's Model Code of Conduct for Elected Members, adopted on 20 January 2020:

Part 3.1 – The actions of a councillor must not bring the Council or the office of councillor into disrepute.

Part 3.2 – A councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.

Part 8.7 – The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council.

The complaint alleged, amongst other things, that during the Longford Show, Cr Brooks asked a Mr Russell Redmond to assist in a 'clean-out' of Council. Cr Brooks and Mr Redmond were both candidates in the 2022 Northern Midlands Council elections. At the time the alleged comments were made, voting in the elections was open.

Initial assessment

Following receipt of the complaint, the Chairperson conducted an initial assessment of the complaint in accordance with the requirements of section 28ZA of the *Local Government Act 1993* (the Act). Having assessed the complaint against the provisions of sections 28ZB and 28ZC of the Act, the Chairperson determined that:

- the complainant had made a reasonable effort to resolve the complaint. The Chairperson arrived at this conclusion based on the statement contained in the joint complaint that "I have spoken in the past to Cr Brooks but his ongoing attitude is that the Council is not managed well and I don't believe this attitude will change no matter how much effort is made to resolve the complaint". (At the hearing Cr Knowles confirmed this statement);

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- the complaint in relation to parts 3.1, 3.2 and 8.7 of the Northern Midlands Council's Code of Conduct for Elected Members should be further investigated;
- these parts of the complaint should not be dismissed on the grounds of being frivolous, vexatious or trivial. The reasons for this conclusion were that, if proven, Cr Brooks may have brought the Council and office of councillor into disrepute; and
- having made enquiries of the Code of Conduct Executive Officer, there was no relevant direction under sections 28ZB (2) or 28ZI of the Act that would apply to the complainant and the complaint.

On this basis, the Chairperson determined that the complaint be further investigated by the Code of Conduct Panel (the Panel).

The complainants, respondent councillor and the General Manager were notified of the outcome of the initial assessment by letter dated 17 November 2022.

In addition to the Chairperson (Ms Jill Taylor), Ms Jennifer O'Farrell, legal representative and Ms Liz Gillam, community representative were appointed to the Panel and in accordance with section 28ZA(3)(iii) were provided with copies of the complaint. Cr Brooks submitted his response to the complaint on 25 November 2022. Both the complaints and Cr Brooks each provided statutory declarations from two witnesses.

Investigation

In accordance with section 28ZE of the Act, the Code of Conduct Panel investigated the complaint and determined in accordance with section 28ZG(1) that a hearing be held.

It proved difficult to reach agreement with the parties and the four witnesses (two for both the complainants and the respondent) for a mutually convenient time to hold the hearing. The Panel determined that a Directions Conference should be held to ascertain whether the parties were of a mind to cross-examine the other party's witnesses. This was held on 15 December 2022 and all parties agreed that they did not wish to cross-examine the third-party witnesses.

The following documents were presented to the Panel to consider as evidence in this matter:

- The complaint by Cr Knowles and Mr Goninon dated 1 November 2022 under cover of statutory declarations by both complainants dated 1 November 2022
- Statutory declaration by Mr Brian Mitchell MP dated 2 November 2022
- Statutory declaration by Ms Kristy Springer dated 4 November 2022
- Response from Cr Brooks dated 25 November 2022 under cover of statutory declaration dated 25 November 2022
- Statutory declaration by Mr Paul Terrett dated 24 November 2022
- Statutory declaration by Mr Russell Redmond dated 24 November 2022
- Northern Midlands Council Code of Conduct for Elected Members adopted on 20 January 2020

Hearing

As per section 28ZH of the Act, a hearing into this complaint was held on 18 January 2023. Panel members attended the Office of Local Government offices in Hobart and Cr Knowles and Mr Goninon attended virtually from the Northern Midlands Council offices with Cr Brooks attending virtually from a separate location. The Chairperson outlined the procedure for the hearing and the process that would follow at the conclusion of the hearing. At the commencement of the hearing Cr Knowles, Mr Goninon and Cr Brooks affirmed to tell the truth in relation to the evidence they would submit at the hearing.

Cr Knowles spoke first stating that on the date of the incident, she received a phone call from then Cr Goninon (now Mr Goninon – the joint complainant), in which he expressed concerns that Cr Brooks and another person, Russell Redmond, were 'canning' Council over the loudspeaker at the Longford Show. At the

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time, both Cr Brooks and Mr Redmond were candidates in the Council elections. Voting was open in those elections.

This prompted her to contact others who were at the event, including Ms Kristy Springer (the Secretary of the Longford Show). Ms Springer said that she had not actually heard the words allegedly spoken by Cr Brooks, but that Mr Brian Mitchell had conveyed to her what Cr Brooks had said. Cr Knowles said that Ms Springer told her that Cr Brooks had been given a five-page script to follow as the announcer at the event and she asked him to keep to the script. Cr Knowles said that in the lead up to the Council election there had been a "concerted campaign against most of the existing councillors" and indicated that, in her opinion, Cr Brooks was involved in this campaign.

Cr Knowles alleged that Cr Brooks interviewing Mr Redmond was "politically motivated" and part of that campaign. Cr Knowles said that the Longford Show was a local event for local people to enjoy and that it was not the place for campaigning. She said another event, which took place at the Longford Town Hall, as identified by Cr Brooks during the hearing, was set up for the purpose of questioning candidates.

In response to Cr Knowles' evidence, Cr Brooks asked if she had proof that there was a five-page script given to the announcer because he had never had one and he had been a volunteer announcer at that event for over a decade. Cr Knowles said that she got that information from Ms Springer. Later in the hearing in response to a question from the Panel, Cr Brooks described the "running sheet" as a list of sponsors with some information about them so that he could "plug" their business in return for their sponsorship. It also contained the timing and place of events for him to announce. Cr Brooks then asked what evidence Cr Knowles had to state that it was a "nasty campaign". Cr Knowles said that it was evident from "a Facebook page" which promoted Cr Brooks and some other selected candidates. Cr Brooks refuted that he had any involvement in this Facebook page.

Mr Goninon was then given the opportunity to reference his complaint. Mr Goninon referred to Cr Brooks' statement where he stated that Mr Brian Mitchell and other people (including himself) were members of the Australian Labor Party. Mr Goninon stated that this was not true in relation to him. Mr Goninon said that he supported Cr Knowles' complaint and evidence, and he believed that all the witnesses had stated that Cr Brooks had referred to the need for "new blood" in Council.

The complainants were asked by the Panel whether they thought describing the incident at the Longford Show as "horrific" was over stating the incident. Cr Knowles said that it was how Cr Lambert described it to her.

In response to the complaint, Cr Brooks stated that he had been an announcer at the Longford Show for longer than he has been a councillor and that he volunteered for this role as a supporter of his community. He said that it was not part of his councillor's role but that of a private citizen. In this role Cr Brooks told the hearing that he is like a roving reporter and does not have a list of people to interview. He added that he meets up with different people who agree to be interviewed on the spot. He said that the interviews were light-hearted. Cr Brooks said that over the years he has interviewed politicians of all persuasions. During the 2022 show Cr Brooks came across Mr Redmond and, knowing he was a candidate for Council elections, decided to interview him. This was spontaneous and not planned. Cr Brooks said that if he had come across other candidates, he would have given them the opportunity to be interviewed as well. He added that there was no political motivation behind the interview with Mr Redmond and that Cr Brooks did not recall Mr Redmond or himself saying that the Council needed to be "cleaned out".

Cr Brooks stated that Cr Knowles' statutory declaration is hearsay and should be disregarded. Additionally, he points to Ms Springer's statutory declaration which is also hearsay. It sets out what Mr Mitchell told Ms Springer and his recollection of what he had heard.

Cr Brooks denied that he had made or supported any statement that "Council needed a clean-up" or words to that effect. Cr Brooks said that neither Cr Knowles nor Mr Goninon made any attempt to discuss this matter with him. In the complaint, it was stated that Cr Brooks had been spoken to previously about his ongoing role in campaigning against Council and that they did not believe any effort to resolve the complaint with Cr Brooks would have made a difference. Cr Brooks said that he was confident if an external mediator had been appointed, the matter would have been resolved.

In response to a question from the Panel as to whether Ms Springer asked him to "stick to the script", Cr Brooks said that she came to him and told him to refrain from any political announcements. Cr Brooks took that to mean not to interview Mr Mark Shelton (Liberal Party), Mr Brian Mitchell (Labor Party) and Ms Jacqui

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Lambie (JL Network), which he usually did each year. He told the hearing that he had complied with Ms Springer's request. In response to another question from the Panel about the detail of the conversation with Mr Russell Redmond regarding Council needing "young blood", Cr Brooks said that he wasn't promoting Mr Redmond as he would have been doing himself a disservice, being a candidate himself. Cr Brooks went on to say he was supportive of young people putting themselves forward, saying that mostly there were older people then on Council. When asked if he thought he was one of the councillors who should be replaced he replied by saying "if the community saw fit not to re-elect me then I would have accepted that". Cr Brooks said that because of his work in the community he has been re-elected without spending a significant amount of money.

When offered the opportunity to question Cr Brooks, Cr Knowles told the hearing that a Facebook page was set up by a third person which promoted certain candidates, including Cr Brooks. Cr Brooks responded by saying that whilst his name might have been on the list, he did not post that information on Facebook.

Cr Knowles put it to Cr Brooks that he had a "distinct negative view of our Council" and in previous conversations she had with him, Cr Brooks told her "there is a lot I can say about other councillors, the gloves are off". Cr Brooks refuted these allegations, adding that he had often emailed the General Manager but did not get responses from him and that it was Cr Brooks who initiated conversations with Cr Knowles.

Cr Knowles then asked Cr Brooks whether the statement he made in his statutory declaration "in fact, it would be far more damning were this matter to go further..." was a threat. Cr Brooks replied by saying it was meant to convey that should the details of this complaint become public it would bring the Council into disrepute.

Mr Goninon acknowledged that Cr Brooks did not initiate the Facebook post that contained his name, but asked whether Cr Brooks had requested his name be removed. Cr Brooks stated that he did not see it.

During her submissions to the Panel, Cr Knowles said that she would like Cr Brooks to undertake to act professionally when performing duties as a councillor; that he complies with the Code of Conduct and does not continue to bring Council into disrepute. Mr Goninon supported the comments made by Cr Knowles and said that he believed Cr Brooks needed some professional support to assist him in his role as councillor.

In his submissions to the Panel, Cr Brooks re-iterated that he constantly gives time to community through the various roles he undertakes. He said that from time to time there may be a slip up but there is never any malice intended nor does he push any political agenda. He added that he has been a councillor for thirteen years and has never had a Code of Conduct complaint against him. He said he was flabbergasted and disappointed that this complaint has been made by the Mayor and former councillor.

Determination

Pursuant to section 28ZL(1)(b) of the Act, the Panel determines that the complaint against Cr Matthew Brooks be dismissed.

Reasons for determination

The Panel concluded that it was not clear exactly what was said by Cr Brooks in his role as announcer at the Longford Show. The evidence produced by Cr Knowles, Mr Goninon and Ms Springer was hearsay reported to them by others. Mr Mitchell stated that he heard Cr Brooks state that he agreed with Mr Redmond that the Council needed a "clean up". Cr Brooks refuted saying the Council needed to be cleaned up or words to that effect. Cr Brooks did agree he supported Mr Redmond's view that younger people are needed on Council. However, Cr Brooks said that this was not a statement of support to promote Mr Redmond's candidacy, but a general view of the need for younger people to stand for Council. In all, the evidence as to who said what was unclear and subject to differing views. The Panel also considers that the conversation between Cr Brooks and Mr Redmond was likely to be light-hearted and 'tongue-in-cheek', given the context in which it occurred.

In relation to each of the parts of the code the Panel finds as follows:

Part 3.1 – The actions of a councillor must not bring the Council or the office of councillor into disrepute.

Cr Brooks told the hearing that the role he performed at the Longford Show was as a private citizen and not a councillor. The Panel accepts Cr Brooks explanation, however, notes that there is a fine line once a person is

Local Government Code of Conduct Panel

23/415022

Page 4 of 5

known in their community as a councillor a reasonable person may not make this distinction in circumstances such as that occurring at the Longford Show. That aside, it was the Panel's decision that none of the evidence presented brought the Council or office of councillor into disrepute. In the context in which they were made, the comments were, on Cr Brooks' evidence, light-hearted. The Panel accepts this is likely to be the case. Neither complainant was personally present to be able to give evidence to the contrary. This part of the complaint is dismissed.

Part 3.2 – A councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.

Cr Brooks confirmed that he during his conversation with Mr Redmond at the Longford Show, he made a statement to the effect that Council needed "young blood". However, he said he was not promoting himself or Mr Redmond for the upcoming Council election. The evidence presented to the Panel and in particular the context in which those comments were made, do not lead to the conclusion that Cr Brooks used his position as a councillor to seek advantage for himself or Mr Redmond. This part of the complaint is dismissed.

Part 8.7 – The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council

The Panel has concluded, based on the evidence before it, including the context in which the alleged comments were made, that the performance of Cr Brooks as an announcer at the Longford Show did not reflect or have the potential to reflect adversely on the reputation of the Council. This part of the complaint is dismissed.

Right to review

A person aggrieved by the determination of the Code of Conduct Panel, on the ground that the Panel failed to comply with the rules of natural justice, is entitled under section 28ZP of the Act to apply to the Magistrates Court (Administrative Appeals Division) for a review of that determination. In accordance with section 17 of the *Magistrates Court (Administrative Appeals Division) Act 2001*, an appeal must be lodged within 28 days of the date of receipt of this determination.



Jill Taylor
Chairperson



Liz Gillam
Member



Jennifer O'Farrell
Member

Date: 06 February 2023

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

<p>OWNER: M. A. ELLINGSEN M. G. & F. EMERY</p> <p>FOLIO REFERENCE: F/R 52041-1, F/R 52041-2 F/R 129045-1</p> <p>GRANTEE: PART OF 20 000 ACRES GTD TO ROBERT KEATE, BUTLER ELPHINSTONE, JAMES DRUMMOND & STEWART MARJORIBANKS</p>	<p>PLAN OF SURVEY</p> <p>BY SURVEYOR: PAUL HODGETTS of MICHELL HODGETTS SURVEYORS 25 YORK STREET, LAUNCESTON, 7250</p> <p>LOCATION: TOWN OF CRESSY</p> <p>SCALE 1:500 LENGTHS IN METRES</p>	<p>REGISTERED NUMBER SP183763</p> <p>APPROVED EFFECTIVE FROM 29 NOV 2022</p> <p><i>Paul Hodgetts</i> Recorder of Titles</p>
<p>ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN</p>		
<p><i>Paul Hodgetts</i> Registered Land Surveyor Date: 5/05/2022</p>	<p><i>[Signature]</i> Council Delegate Date: 14-11-2022</p>	



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number SP 183763
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	

PAGE 1 OF 3 PAGES

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Lot 2 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) "ABFEG" on the plan

Lot 2 is subject to a right of carriageway (appurtenant to lot 3) over the land marked RIGHT OF WAY (PRIVATE) "BCDEF" passing through that lot on the plan

Lot 2 is subject to a right of drainage in gross (in favour of Northern Midlands Council) over the land marked DRAINAGE EASEMENT 3.00 WIDE "JKPQLM" passing through that lot on the plan


Lot 2 is subject to a pipeline and services easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE & SERVICES EASEMENT 3.00 WIDE "JKLM" ("the Easement Land") passing through that lot on the plan

Lot 3 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) "BCDEF" on the plan

Lot 3 is subject to a right of carriageway (appurtenant to lot 2) over the land marked RIGHT OF WAY (PRIVATE) "ABFEG" passing through that lot on the plan

Lot 3 is subject to a right of drainage in gross (in favour of Northern Midlands Council) over the land marked DRAINAGE EASEMENT 3.00 WIDE "HJMN" passing through that lot on the plan

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: M A ELLINGSEN FOLIO REF: 52041-1 & 2 SOLICITOR: GRANT TUCKER (220822)	PLAN SEALED BY: NORTHERN MIDLANDS COUNCIL DATE: 14-11-2022 PLN-17-319-01; 21/003/788 REF NO.  Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 3 PAGES	Registered Number SP.183763
SUBDIVIDER: M A ELLINGSEN FOLIO REFERENCE: 52041-1 & 2	

Lot 3 is subject to a pipeline and services easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE & SERVICES EASEMENT 3.00 WIDE "HJMN" ("the Easement Land") passing through that lot on the plan

FENCING PROVISION

In respect to the lots on the plan the vendor (Marc Albert Ellingsen) shall not be required to fence

INTERPRETATION

"TasWater" means Tasmanian Water & Sewerage Corporation Pty Ltd (ACN 162 220 653) its successors and assigns

"Pipeline and Services Easement" means-

FIRSTLY, the full and free right and liberty for TasWater and its employees, contractors, agents and all other persons duly authorised by it, at all times to:

- (1) enter and remain upon the Easement Land with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse, repair, remove and replace the Infrastructure;
- (4) run and pass sewage, water and electricity through and along the Infrastructure;
- (5) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
 - (a) without doing unnecessary damage to the Easement Land; and
 - (b) leaving the Easement Land in a clean and tidy condition;
- (6) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and any other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any vehicle entry and cross the Lot to the Easement Land; and

M A Ellingsen:

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 3 PAGES	Registered Number SP.183763
SUBDIVIDER: M A ELLINGSEN FOLIO REFERENCE: 52041-1 & 2	

(7) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot

SECONDLY, the benefit of a covenant in gross for TasWater with the registered proprietor of the Easement Land and their successors and assigns not to erect any building, or place any structures, objects, vegetation, or remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land, without the prior written consent of TasWater to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof may be annexed to the easement herein described

"Infrastructure" means infrastructure owned or for which TasWater is responsible and includes but is not limited to:

- (a) sewer pipes and water pipes and associated valves;
- (b) telemetry and monitoring devices;
- (c) inspection and access pits;
- (d) electricity assets and other conducting media (excluding telemetry and monitoring devices);
- (e) markers or signs indicating the location of the Easement Land or any other Infrastructure or any warnings or restrictions with respect to the Easement Land or any other Infrastructure;
- (f) anything reasonably required to support, protect or cover any other Infrastructure;
- (g) any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water, or the running of electricity, through the Easement Land or monitoring or managing that activity; and
- (h) where the context permits, any part of the Infrastructure.

Signed by MARC ALBERT ELLINGSEN being the registered proprietor)

of Folio 52041-1 & Folio 52041-2 in the presence of-)

Witness signature:)

Print Full Name: Timothy Goss

Postal Address: 5 main st Cressy
7302 TAS

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

LEGEND
PAGE 1# COVER PAGE
PAGE 2# LOCALITY PLAN
PAGE 3# EXISTING SITE SURVEY PLAN
PAGE 4# DRIVEWAY ACCESS PLAN
PAGE 5# SITE PLAN
PAGE 6# LANDSCAPING PLAN
PAGE 7# STRATA PLAN
PAGE 8# SITE PLUMBING PLAN
PAGE 9# SOIL AND WATER MANAGEMENT PLAN
PAGE 10# CAR PARKING PLAN
PAGE 11# FLOOR PLAN UNIT 1
PAGE 12# FLOOR PLAN UNIT 2
PAGE 13# ELEVATIONS
PAGE 14# ELEVATIONS
PAGE 15# ROOF PLAN

COUNCIL – NORTHERN MIDLANDS COUNCIL
ZONE – GENERAL RESIDENTIAL
CODE – BUSHFIRE PRONE AREA
LANDSLIDE BAND – NIL

TITLE REF. = 183763/2

CLIMATE ZONE FOR THERMAL DESIGN = 7
REFER TO ENERGY REPORT BY 2DR

ALPINE AREA – N/A LESS THAN 900m AHD

CORROSION ENVIRONMENT – MODERATE

OTHER HAZARDS – N/A

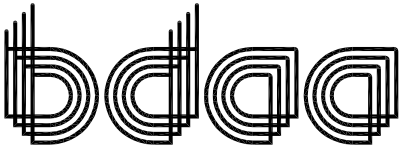
ALL DIMENSIONS SHOWN ARE TO OUTSIDE OF BRICKWORK
CLADDING OR TIMBER FRAMING ON CLAD HOUSES UNLESS
NOTED OTHERWISE

CONFIRM ALL DIMENSIONS AND SERVICES ON SITE PRIOR TO
COMMENCEMENT OF WORKS

IF IN ANY DOUBT ABOUT BEARING AND BOUNDARIES SHOWN
THEN THESE MUST BE CONFIRMED ONSITE BY A SURVEYOR
PRIOR TO SETOUT

ENSURE DRAWINGS USED ONSITE ARE STAMPED 'APPROVED'
PLANS BY BUILDING SURVEYOR AND PERMIT AUTHORITY

AS PER NCC 3.8.7 CONDENSATION MANAGEMENT.
REFER TO THE GUIDANCE IN THE "GUIDE FOR CONTROL OF CONDENSATION
AND MOULD IN TASMANIAN HOMES" AND THAT SHOULD BE ADHERED TO
WHERE POSSIBLE. AND "CONDENSATION IN BUILDINGS TASMANIAN
DESIGNERS' GUIDE – VERSION 2"



**BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA**

PROPOSED UNIT DEVELOPMENT FOR M AND A ELLINGSEN AT LOT 2 OFF 12 KING STREET CRESSY 7302

**Received
09.01.2023**



**BRADLEY
VAN ZETTEN**

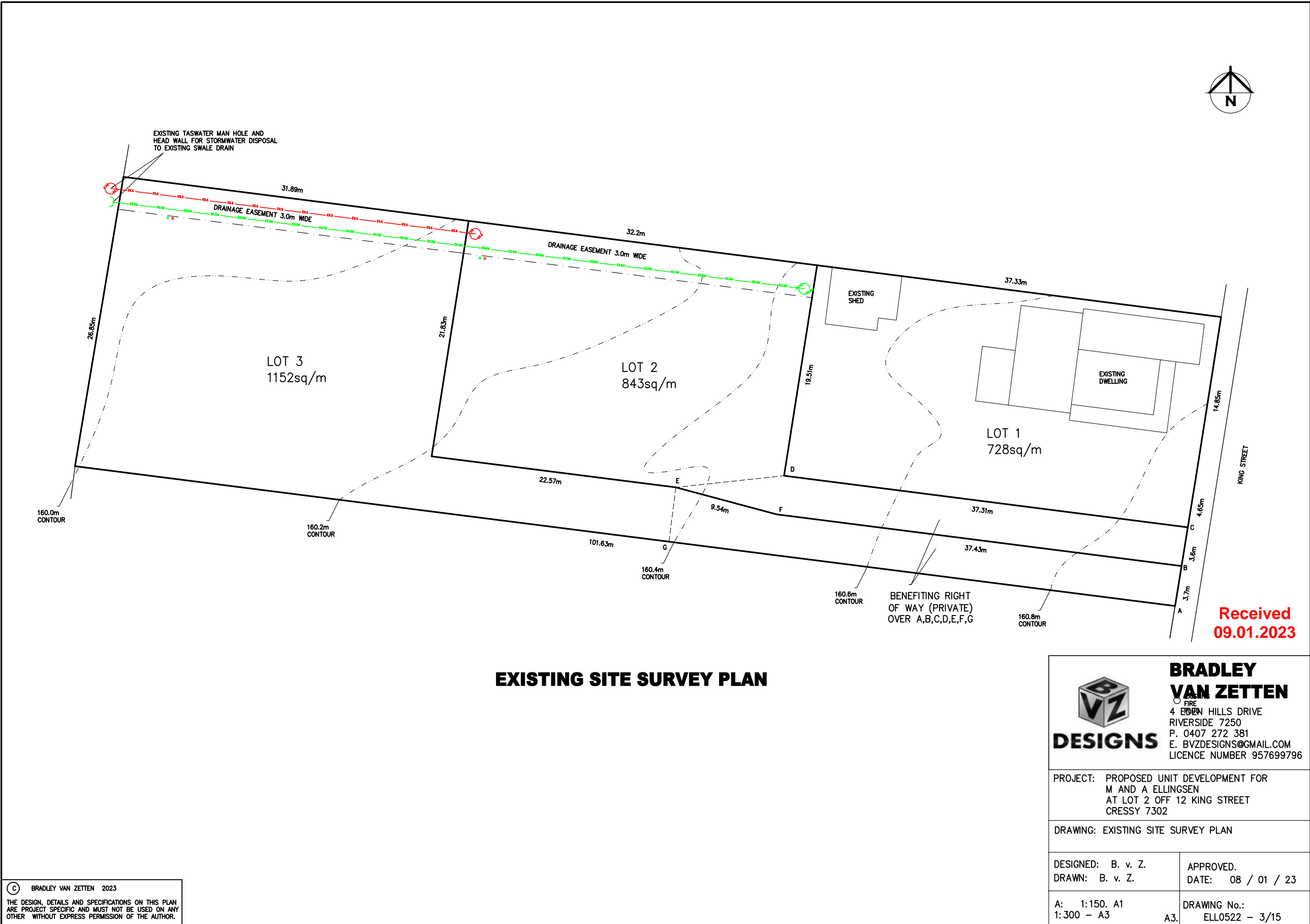
4 EDEN HILLS DRIVE
RIVERSIDE 7250
P. 0407 272 381
E. BVZDESIGNS@GMAIL.COM
LICENCE NUMBER 957699796

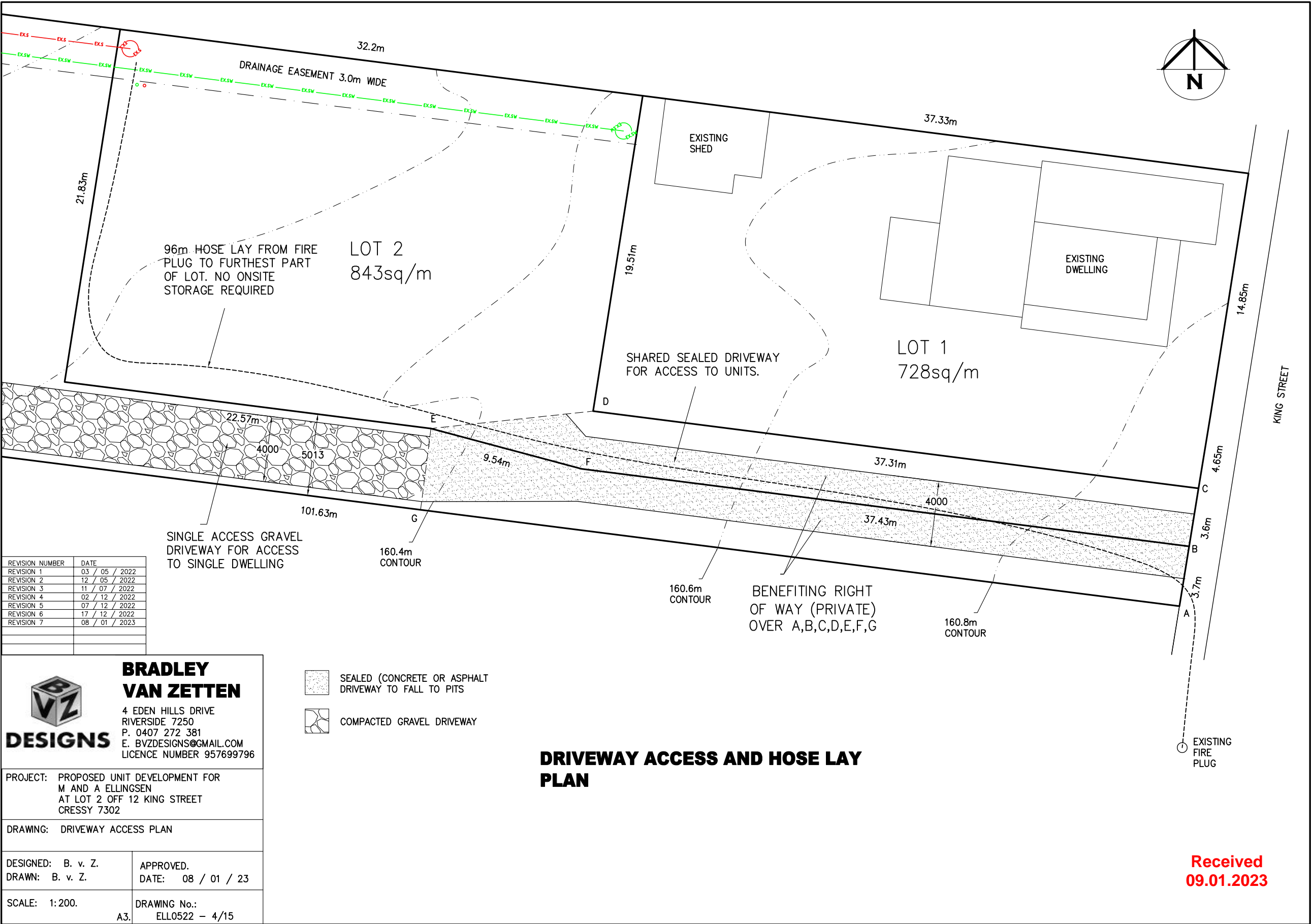
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REVISION 2	12 / 05 / 2022
REVISION 3	11 / 07 / 2022
REVISION 4	02 / 12 / 2022
REVISION 5	07 / 12 / 2022
REVISION 6	17 / 12 / 2022
REVISION 7	08 / 01 / 2023

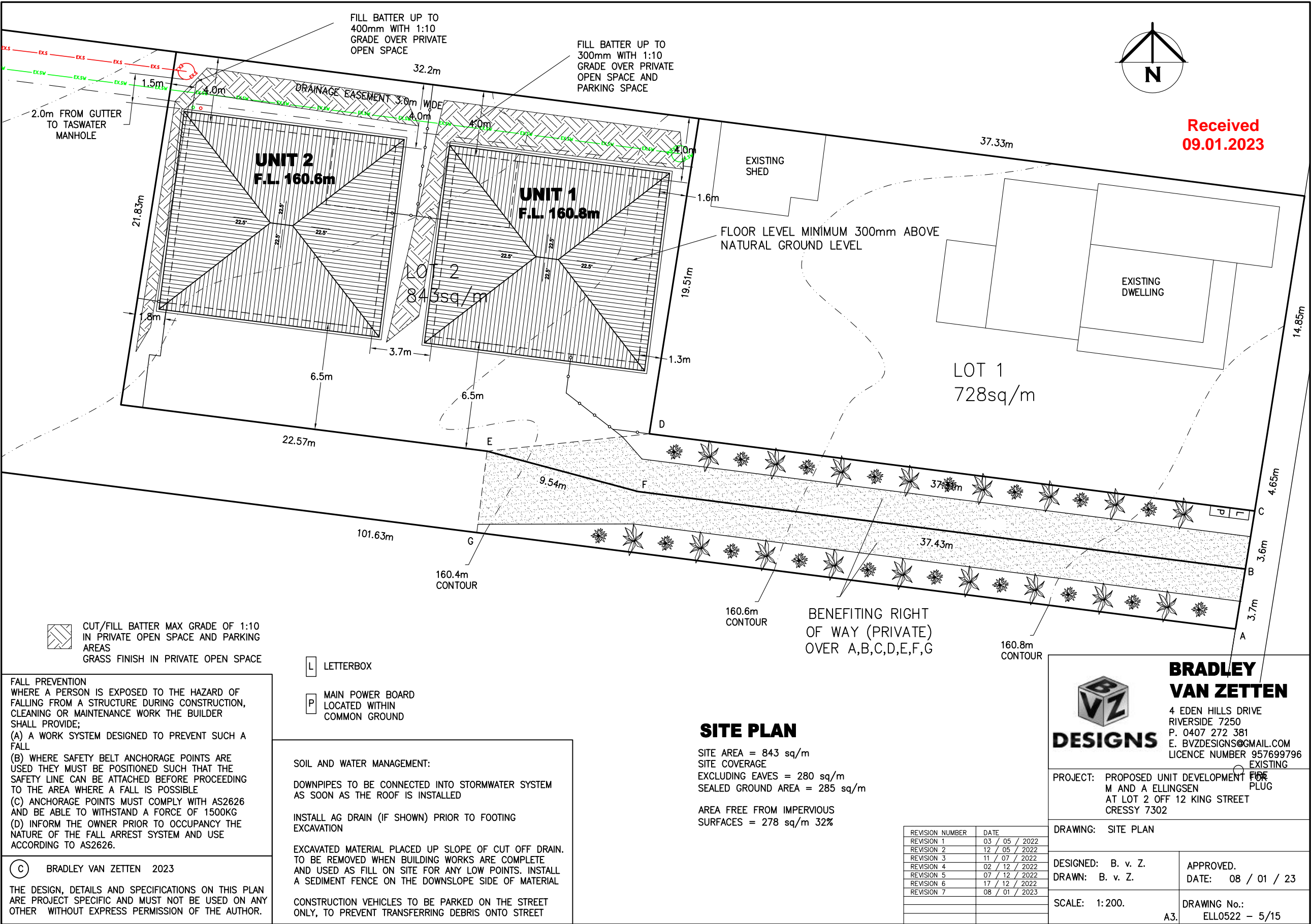
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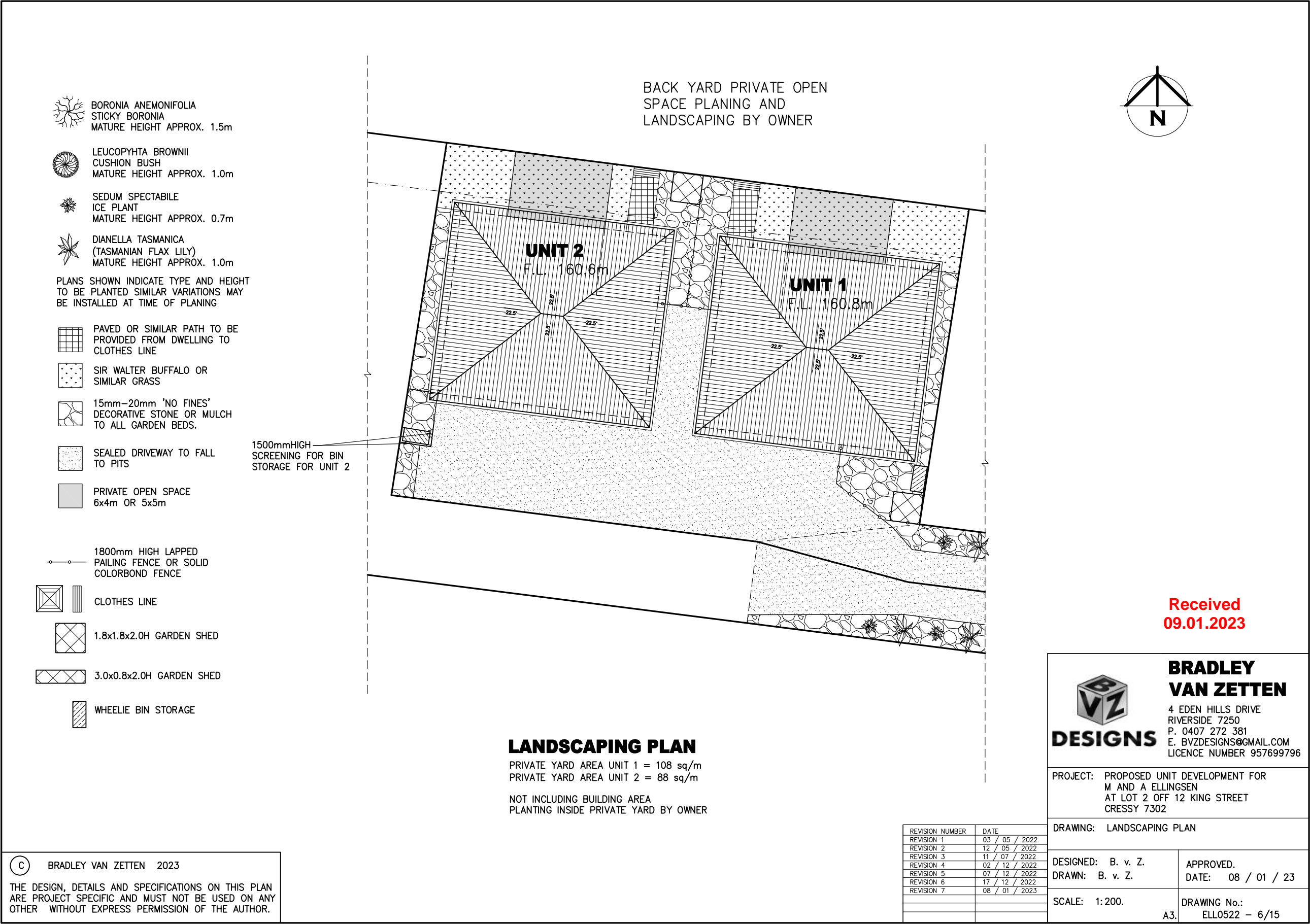
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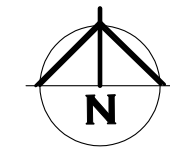












COMMON
PROPERTY

UNIT 1 STRATA TITLE

UNIT 2 STRATA TITLE

Received
09.01.2023



DESIGNS

**BRADLEY
VAN ZETTEN**

4 EDEN HILLS DRIVE
RIVERSIDE 7250
P. 0407 272 381
E. BVZDESIGNS@GMAIL.COM
LICENCE NUMBER 957699796

PROJECT: PROPOSED UNIT DEVELOPMENT FOR
M AND A ELLINGSEN
AT LOT 2 OFF 12 KING STREET
CRESSY 7302

DRAWING: STRATA PLAN

DESIGNED:	B. v. Z.
DRAWN:	B. v. Z.

APPROVED.
DATE: 08 / 01 / 23

SCALE: 1:200.

A3. DRAWING No.: ELL0522 - 7/15

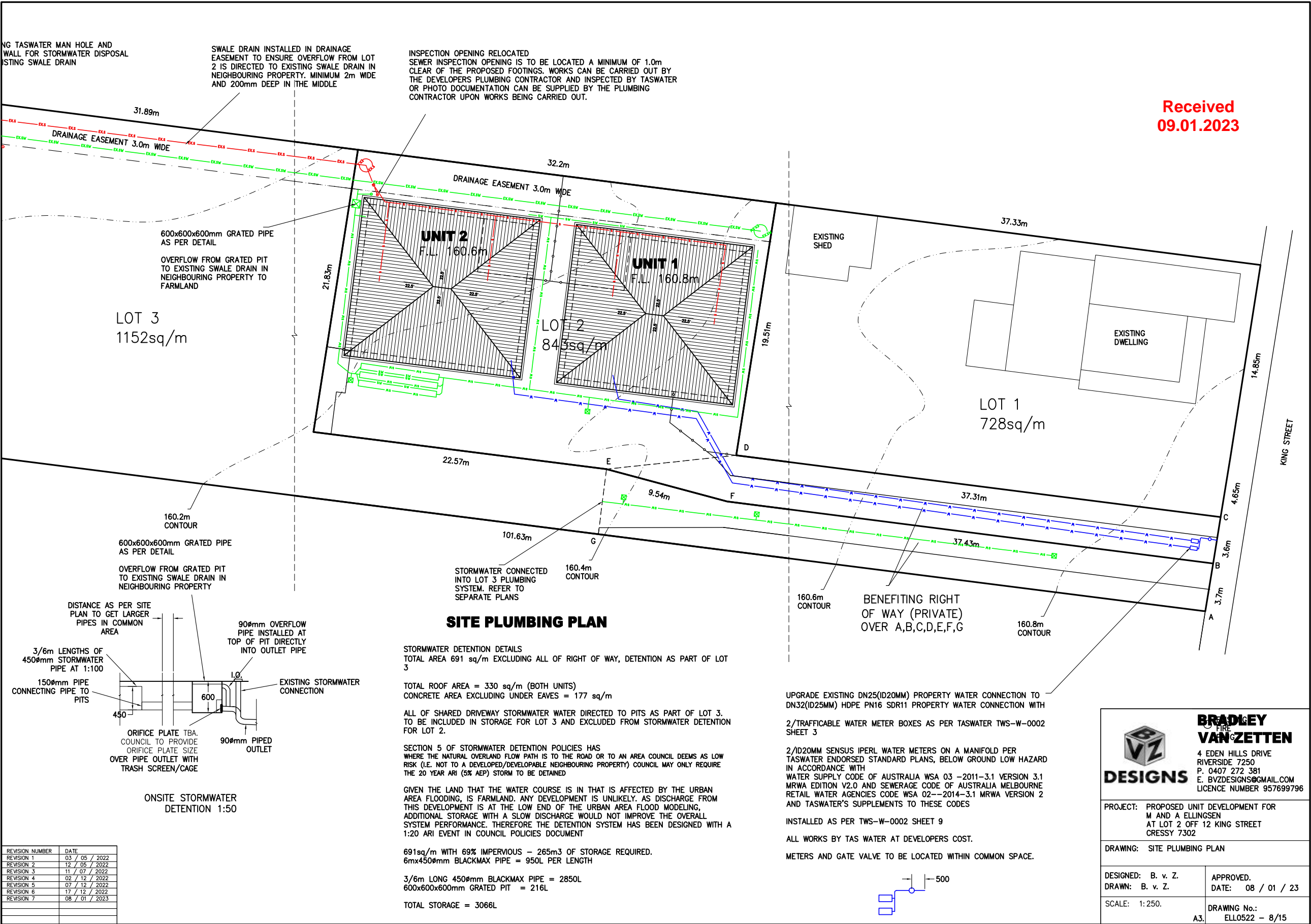
STRATA PLAN 1:200

EXACT STRATA BOUNDARY TO BE
CONFIRMED ONCE CONSTRUCTION IS
COMPLETED AND STRATA PLAN IS
COMPLETED BY LAND SURVEYOR

REVISION NUMBER	DATE
REVISION 1	03 / 05 / 2022
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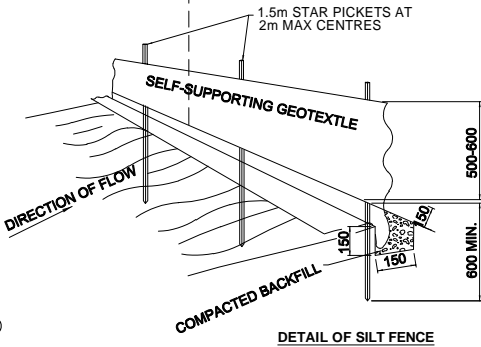
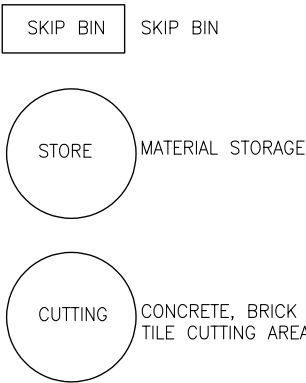
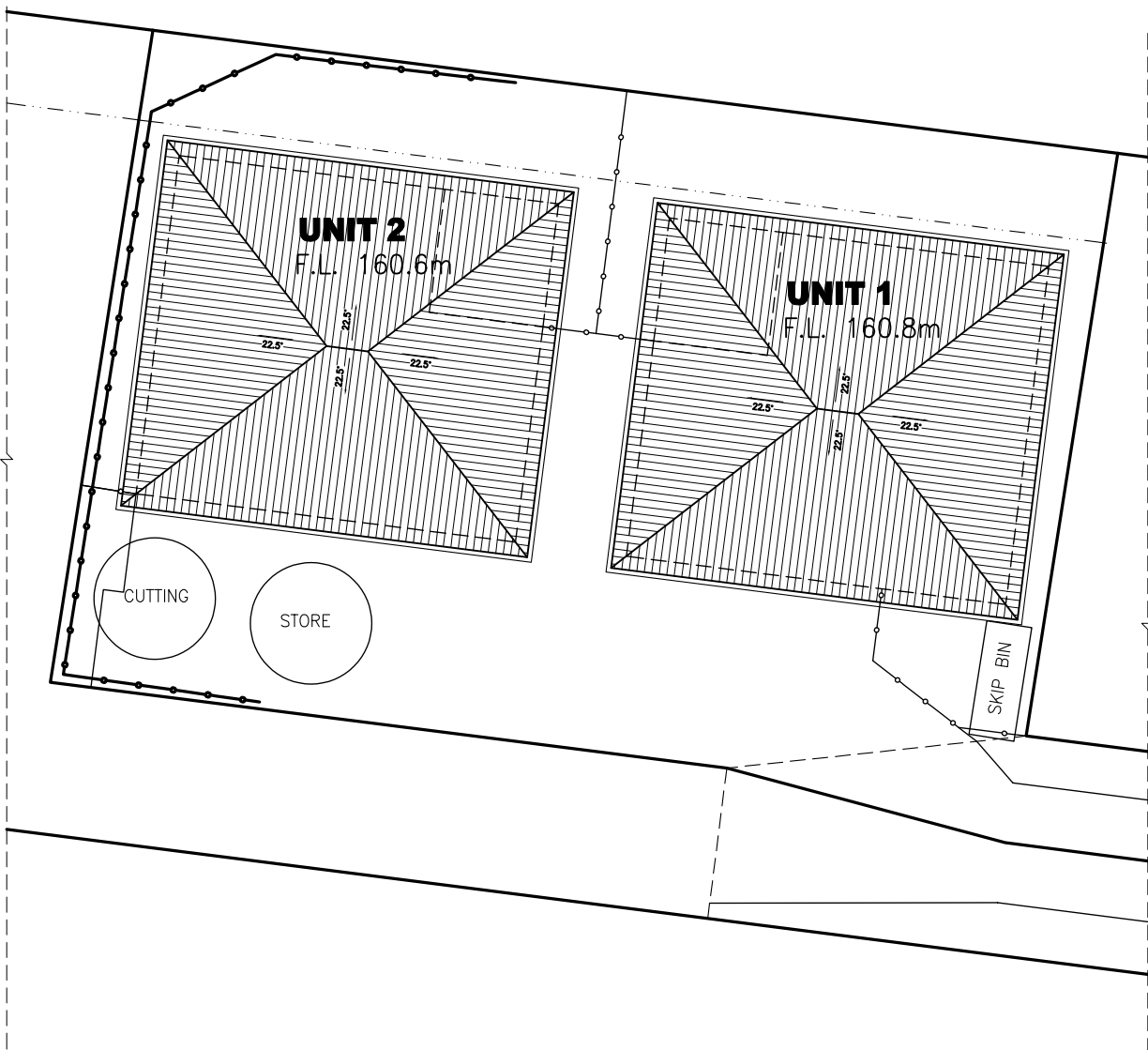
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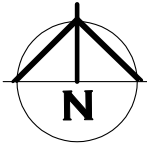
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09.01.2023



SEDIMENT FENCE NOTES:

1. SURVEY AND MARK OUT LOCATION OF SEDIMENT FENCE, ENSURE IT IS PARALLEL TO THE CONTOURS OF THE SITE AND TO DRAIN IN THE CORRECT DIRECTION
2. DIG A 150 MM TRENCH IMMEDIATELY ABOVE THE PROPOSED FENCE LINE.
3. PLACE THE BOTTOM OF THE FABRIC TO THE BASE OF THE TRENCH AND RUN FABRIC UP THE DOWNSLOPE SIDE OF THE TRENCH
4. BACKFILL THE TRENCH AND COMPACT TO SECURE ANCHORAGE OF THE FABRIC.
5. DRIVE 1.5 M STAR PICKETS INTO GROUND, 2 M APART TO SUPPORT THE SEDIMENT FENCE FABRIC. TENSION AND FASTEN FABRIC TO PICKETS USING UV STABILISED ZIP TIES OR WIRE TIES.
6. JOIN SECTIONS OF FABRIC AT A SUPPORT POST WITH A 2 M OVERLAP.
7. ANGLE THE ENDS OF THE SEDIMENT FENCE UPSLOPE TO REDUCE SCOURING



BUILDING SITE DURING CONSTRUCTION TO COMPLY WITH EPA TASMANIA, SOIL AND WATER MANAGEMENT ON BUILDING SITES
WHERE POSSIBLE. REFER TO FACT SHEETS 1-19
EPA.TAS.GOV.AU/ENVIRONMENT/WATER/STORMWATER/SOIL-AND-WATER-MANAGEMENT-ON-BUILDING-SITES

FACT SHEET 3 – SOIL AND WATER MANAGEMENT.
PLAN TO BE KEPT ONSITE AND ALL TIMES AND ALL WORKERS UNDERSTAND THE SWMP

FACT SHEET 4 – DISPERSIVE SOILS, NOT APPLICABLE.

FACT SHEET 5 - MINIMISE SOIL DISTURBANCE.

DO TRACK MACHINERY UP AND DOWN THE SLOPE TO CREATE GROOVES FROM THE WHEELS/ OR TRACKS THAT WILL CATCH RAINFALL. THE GROOVES WILL ROUGHEN THE SURFACE IN A WAY THAT WILL SLOW RUNOFF. AS PER FACT SHEET CLEARING FOR WORKS TO BE LIMITED TO WITHIN 5 METRES FROM THE EDGE OF ANY ESSENTIAL CONSTRUCTION ACTIVITY. NO TOPSOIL SHALL BE REMOVED FROM LAND OUTSIDE THE AREAS OF GROUND DISTURBANCE SHOWN. ALL AREAS OF GROUND DISTURBANCE MUST BE DRESSED WITH TOP SOIL AND WHERE APPROPRIATE REVEGETATED AND STABILISED TO PREVENT FUTURE EROSION OR SILTATION.

FACT SHEET 6 - PRESERVE VEGETATION.
WHERE EXISTING TREES ARE TO REMAIN ON THE SITE, ESTABLISH NO GO AREA AROUND TREES OF BRIGHT TAPE ON STAR PICKETS MINIMUM 1m AWAY FROM BASE OF TREE
EXISTING GROUND VEGETATION TO BE RETAINED WHEN EVER POSSIBLE. MINIMUM 400mm WIDE GRASS STRIPS TO BE RETAINED ON BACK OF KERB FOR FILTERING RUNOFF. INSTALLED AS PER FACT SHEET

FACT SHEET 7 – DIVERT UP-SLOPE WATER
DIVERSION CHANNEL TO BE CONSTRUCTED ON HIGHSIDE OF SITE MINIMUM 150MM DEEP WITH 10% MAX FALL WITH A CURVED SHAPE WITH EXCAVATED SOIL FROM THE CHANNEL ON THE DOWN-SLOPE SIDE TO INCREASE DIVERSION CHANNEL CAPACITY. LEVEL SPREADER TO END OF DIVERSION CHANNEL TO ENSURE WATER DISCHARGE IS SLOW MOVING MINIMUM 4M WIDE.
INSTALLED AS PER FACT SHEET

FACT SHEET 8 - EROSION CONTROL MATS AND BLANKETS
WHERE FINISHED BATTERS ARE PROPOSED TO BE STEEPER THAN 1:3 EROSION CONTROL BLANKETS TO BE INSTALLED ON
BATTER FOR SITE REHABILITATION. INSTALLED AS PER FACT SHEET

FACT SHEET 9 - PROTECT SERVICES TRENCHES AND STOCKPILES
ALL STOCKPILES TO BE POSITIONED CLEAR OF WATER COURSES AND TO ENSURE THAT NO SILT RUNOFF CAN ENTER A WATER COURSE.
TOP SOIL TO BE STOCKPILED SEPARATELY AND SPREAD OVER BACKFILLED AREAS. SPOIL TO BE STOCKPILED IN A NARROW CORRIDOR ON THE UPSTREAM SIDE OF ALL EXCAVATION. TEMPORARY CATCH DRAINS TO BE CONSTRUCTED ON THE UPSTREAM SIDE OF STOCKPILES AND EXCAVATED AREAS, DIRECTING RUNOFF TO EXISTING STORMWATER SYSTEM.
SERVICE TRENCHES TO HAVE SOIL PLACED ON TOPSIDE OF TRENCH TO DIVERT WATER FLOW AWAY FROM THE TRENCH LINE.

FACT SHEET 10 - EARLY ROOF DRAINAGE CONNECTION
DOWNPIPES TO BE CONNECTED INTO STORMWATER SYSTEM AS SOON AS THE ROOF IS INSTALLED.
TEMPORARY DOWNPIPES TO DIRECT WATER TO TUFTED AREAS.

FACT SHEET 11 – SCOUR PROTECTION
NOT APPLICABLE AS NO NEW DAMS/ CULVERTS

FACT SHEET 12 – STABILISED SITE ACCESS
DIVERSION HUMP INSTALLED ON ROAD ACCESS WITH WATER DIRECTED TO SEPARATE SILT FENCE.
INSTALLED AS PER FACT SHEET

FACT SHEET 13 – WHEEL WASH
EVERY EFFORT TO BE MADE TO MINIMISE SPREADING SEDIMENT ON TO SEALED AREAS WHEN VEHICLES LEAVE THE SITE,
INCLUDING THE WASHING DOWN OF TYRES.

FACT SHEET 14 - SEDIMENT FENCES
SEDIMENT FENCE INSTALLED AS PER DETAIL AND FACT SHEET

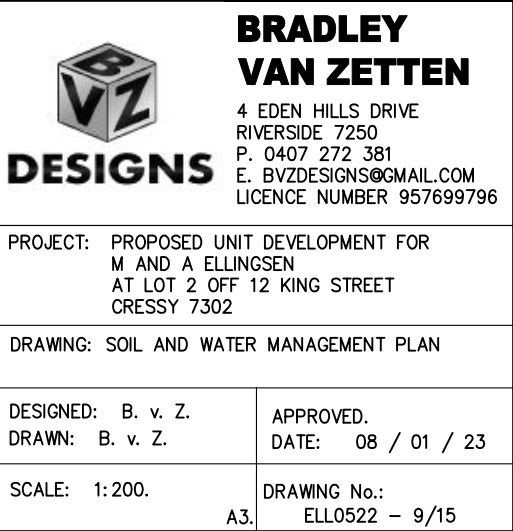
FACT SHEET 15 - PROTECTION OF STORMWATER PITS
PITS INSTALLED ONSITE TO BE CONSTRUCTED WITH DRIVEWAY AT END OF JOB AFTER FINISHED CONSTRUCTION OF BUILDING.
THEREFORE NO REQUIREMENTS FOR PITS.

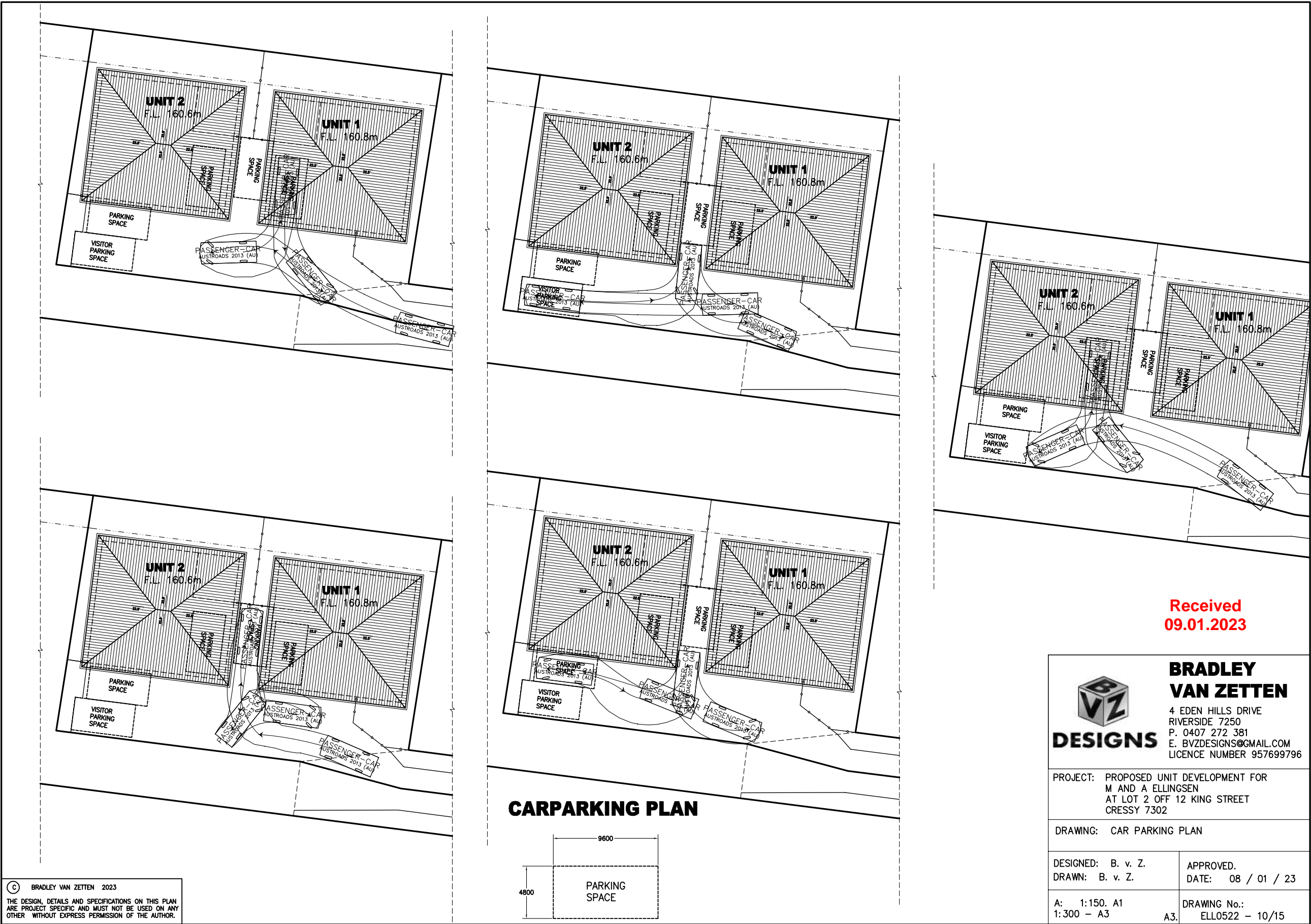
FACT SHEET 16 - PROTECTED CONCRETE, BRICK AND TILE CUTTING
ALL CUTTING TO BE INSIDE NOMINATED AREA AS PER SWMP WITH FILTER SOCKS INSTALLED ON LOW SIDE. SLURRY TO BE
DISPOSED OFF IN GEOTEXTILE LINED DITCH OR DRUMS

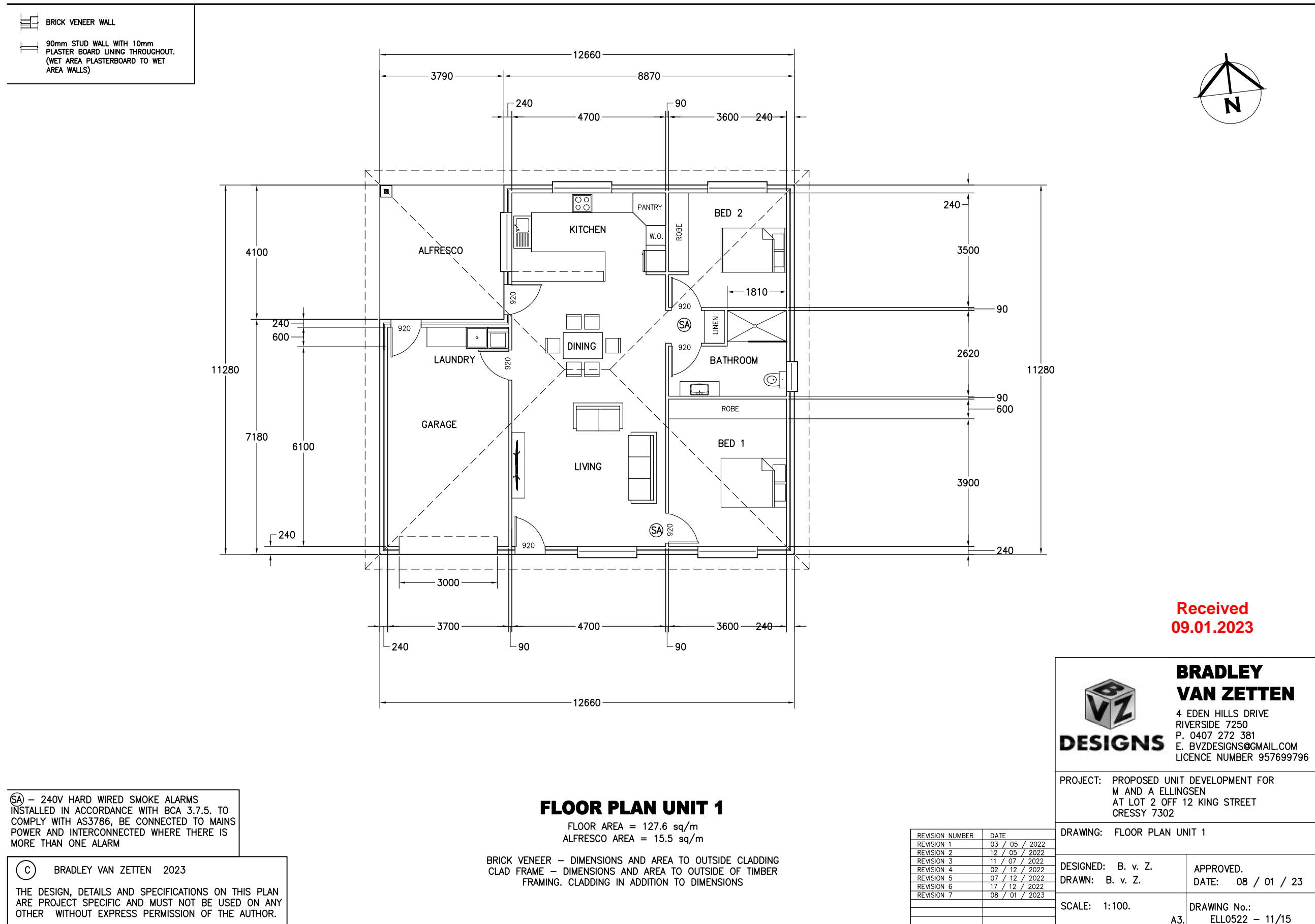
FACT SHEET 17 - SEDIMENT BASINS
NOT REQUIRED DUE TO SCALE OF WORKS.

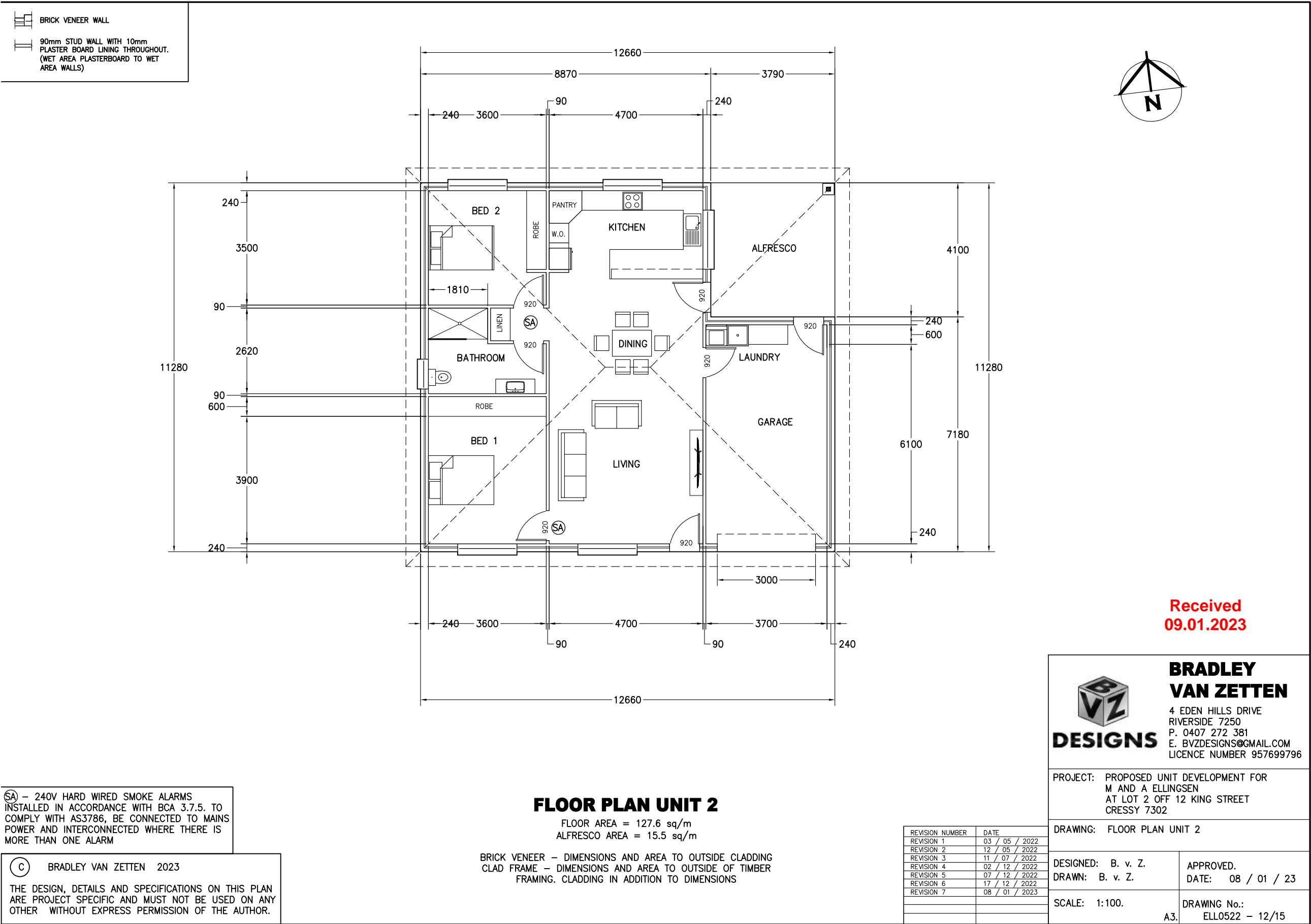
FACT SHEET 18 – DUST CONTROL
DURING EXTENDED PERIODS OF DRY WEATHER, DAMPEN THE SITE SLIGHTLY WITH A LIGHT APPLICATION OF WATER DURING
EXCAVATION OR WHEN DUST IS BEING RAISED

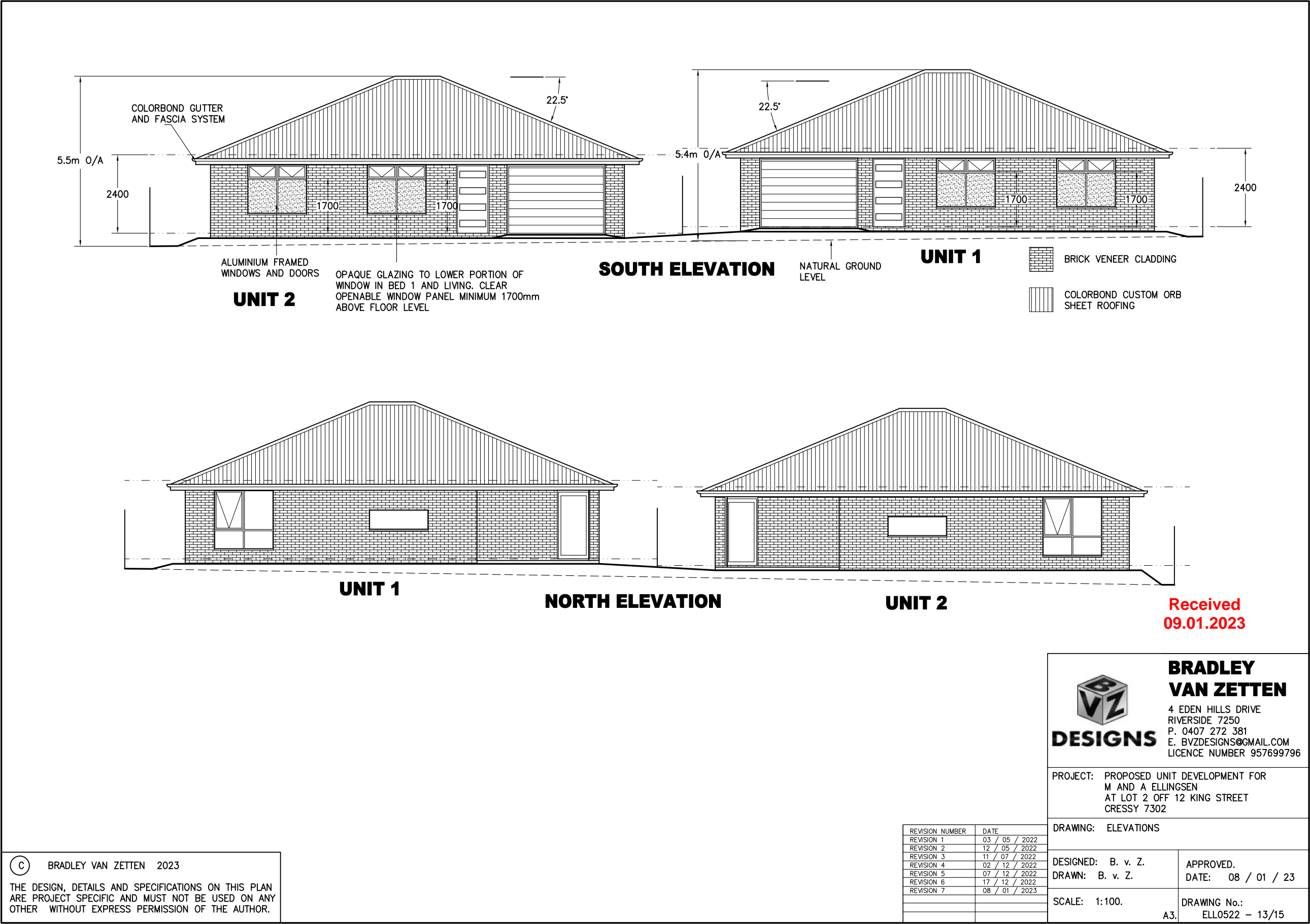
FACT SHEET 19 - SITE REVEGETATION
ALL OF SITE THAT IS NOT FINISHED IN HARD SURFACES TO BE REVEGETATION WITH GRASS OR MULCH AS PER LANDSCAPING
PLAN OR TO OWNERS DETAILS

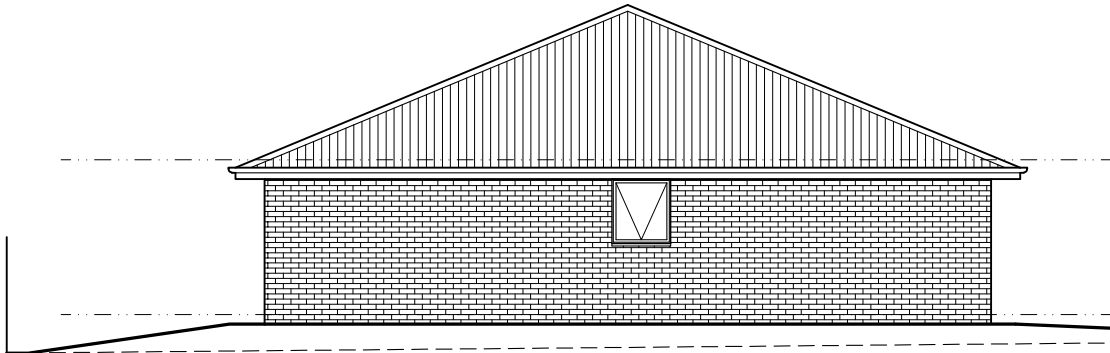




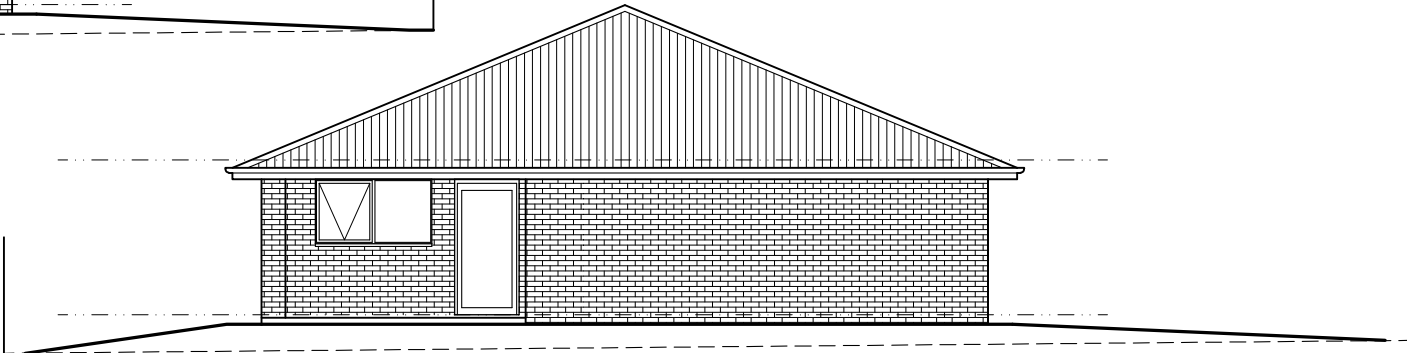




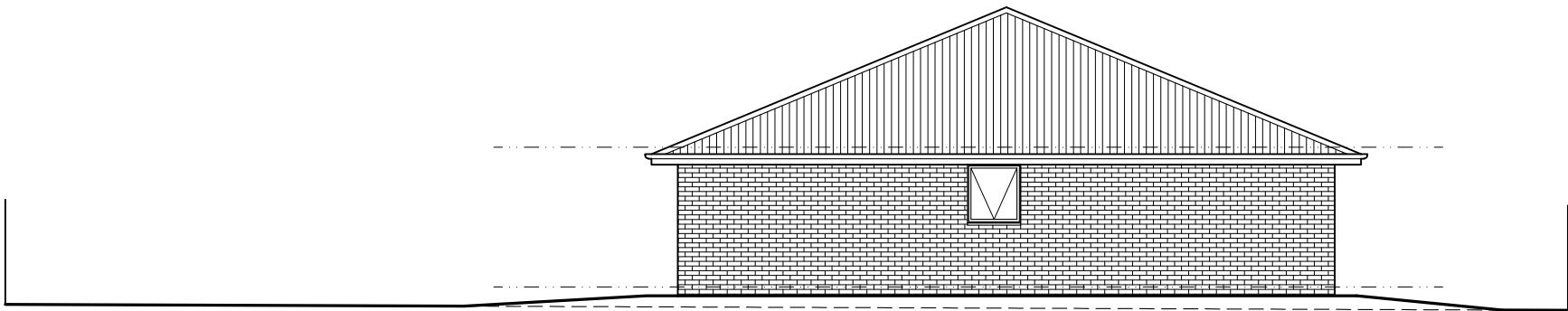




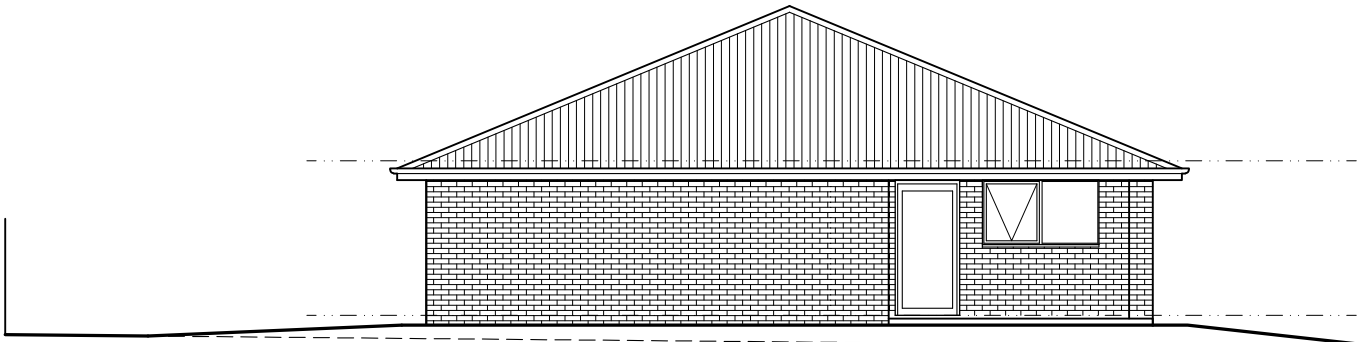
WEST ELEVATION UNIT 2



WEST ELEVATION UNIT 1




EAST ELEVATION UNIT 1



EAST ELEVATION UNIT 2

Received
09.01.2023



**BRADLEY
VAN ZETTEN**
4 EDEN HILLS DRIVE
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E. BVZDESIGNS@GMAIL.COM
LICENCE NUMBER 957699796

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M. AND A. ELLINGSEN
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CRESSY 7302

DRAWING: ELEVATIONS

DESIGNED: B. v. Z.
DRAWN: B. v. Z.

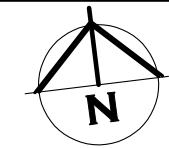
APPROVED.
DATE: 08 / 01 / 23

SCALE: 1:100.

DRAWING No.:
ELL0522 – 14/15

© BRADLEY VAN ZETTEN 2023
THE DESIGN, DETAILS AND SPECIFICATIONS ON THIS PLAN
ARE PROJECT SPECIFIC AND MUST NOT BE USED ON ANY
OTHER WITHOUT EXPRESS PERMISSION OF THE AUTHOR.

REVISION NUMBER	DATE
REVISION 1	03 / 05 / 2022
REVISION 2	12 / 05 / 2022
REVISION 3	11 / 07 / 2022
REVISION 4	02 / 12 / 2022
REVISION 5	07 / 12 / 2022
REVISION 6	17 / 12 / 2022
REVISION 7	08 / 01 / 2023



REVISION NUMBER	DATE
REVISION 1	03 / 05 / 2021
REVISION 2	12 / 05 / 2021
REVISION 3	11 / 07 / 2022
REVISION 4	02 / 12 / 2022
REVISION 5	07 / 12 / 2022
REVISION 6	17 / 12 / 2022
REVISION 7	08 / 01 / 2023

Received
09.01.2023



BRADLEY VAN ZETTEN

4 EDEN HILLS DRIVE

RIVERSIDE 7250

P. 0407 272 381

E. BVZDESIGNS@GMAIL.COM

LICENCE NUMBER 957699796

Reply to the planning scheme
For Lot 2 off 12 King Street Cressy

NOR-S3.7.1 Residential density for multiple dwellings

P1

Multiple dwellings must only have a site area per dwelling that is less than 400m², if the development will not exceed the capacity of infrastructure services and:

- (a) is compatible with the density of existing development on established properties within the area; or*
- (b) provides for a significant social or community benefit and is:*
 - (i) wholly or partly within 400m walking distance of a public transport stop; or*
 - (ii) wholly or partly within 400m walking distance of a Village Zone, Local Business Zone, or General Business Zone.*

P1, While the total site area is 843sq/m which is over the minimum requirement, after taking out the shared driveway there is a total remaining area of the lot of 690sq/m divided by the two units is then 345sq/m. This is over the minimum general residential requirement that the zoning is but under the additional specific area plan requirement of 400 sq/m per unit.

While there is not a major shopping centre in Cressy it is within a 400m walk to the main street which has public transport and restaurants/shops within the local business zoning.

Kind Regards

A handwritten signature in blue ink, appearing to read 'BVZ', followed by a horizontal line.

Bradley Van Zetten

Ryan Robinson

From: Brad van zetten <bvzdesigns@gmail.com>
Sent: Tuesday, 17 January 2023 9:04 AM
To: NMC Planning
Subject: Re: (ECM:1278585) FW: Additional Information Required PLN-22-0268 and PLN-22-0269
Attachments: (Amended) Late appeal letter to Appellant.pdf; (Amended) Late appeal letter to Appellant.pdf

Hi Ryan

They did not pay it until the 15th day so see attached letter from Tascat saying it was not valid

Thanks, Brad Van Zetten

BVZ Designs
4 Eden Hills Drive, Riverside TAS 7250
Mobile 0407 272 381
E: BVZDesigns@gmail.com

On Tue, Jan 17, 2023 at 8:57 AM NMC Planning <planning@nmc.tas.gov.au> wrote:

Hi Brad,

The applications are both ready to advertise. However, we cannot proceed until TASCAT confirm with us that the appeal has been withdrawn by the appellant.

Kind regards,

Ryan Robinson

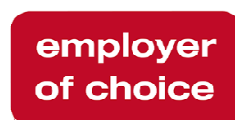
Planner | Northern Midlands Council



Council Office, 13 Smith Street (PO Box 156), Longford Tasmania 7301

T: (03) 6397 7303 | F: (03) 6397 7331

E: ryan.robinson@nmc.tas.gov.au | W: www.northernmidlands.tas.gov.au



From: Brad van zetten <byzdesigns@gmail.com>
Sent: Monday, 16 January 2023 9:14 AM
To: NMC Planning <planning@nmc.tas.gov.au>
Subject: Re: Additional Information Required PLN-22-0268 and PLN-22-0269

Hi Ryan

The clients would like both of them just advertised and we can deal with any conditions later :P

Thanks, Brad Van Zetten

BVZ Designs
4 Eden Hills Drive, Riverside TAS 7250
Mobile 0407 272 381
E: BVZDesigns@gmail.com

On Thu, Jan 12, 2023 at 12:20 PM NMC Planning <planning@nmc.tas.gov.au> wrote:

Hi Brad,

Council can proceed with the planning application assessment process based on the application documents provided to date. However, please note that regardless of whether a permit is issued for planning, Council is unlikely to allow a connection to Council drainage infrastructure without first approving a plan that demonstrates stormwater management for a 1% AEP storm event.

This is due to the adjoining property (to which overflow in the current proposal would be directed in a 5% AEP storm event) is not 'low risk' (i.e. the relevant land is developable).

Please indicate whether you would like to proceed with the assessment process, and if so, the applications PLN-22-0268 and PLN-22-0269 will be placed on public exhibition.

Kind regards,

Ryan Robinson

Planner | Northern Midlands Council



Council Office, 13 Smith Street (PO Box 156), Longford Tasmania 7301

T: (03) 6397 7303 | F: (03) 6397 7331

E: ryan.robinson@nmc.tas.gov.au | W: www.northernmidlands.tas.gov.au

**employer
of choice**

Tasmania's Historic Heart

From: Brad van zetten <bvzdesigns@gmail.com>
Sent: Sunday, 8 January 2023 5:43 PM
To: NMC Planning <planning@nmc.tas.gov.au>
Cc: Andrea Ellingsen <andrea.ellingsen@bigpond.com>
Subject: Re: Additional Information Required PLN-22-0268 and PLN-22-0269

Hi Ryan

See attached reply to the planning scheme and updated plans including stormwater detention on the site plumbing plan for both jobs. Since its the same issue, I sent it in one email.

Marc, the owner had been and see Paul last week as of course the 14 days disappeared quickly when everyone closes.

What I believe is the best way (for the owner and council) to push on with both the jobs is that in the council SW policy, it does allow for 1:20 events to be used where the overflow is to low-risk land. Is added these notes in, I understand it does require the assumption from the council to agree with my views.

With lot 2 I understand this is then through lot 3 but as it has the whole stormwater pipe for just lot 1 and 2 there is no way it will be overloaded so I do not think the overland path would even really be required.

The owner's real issue was he is at the bottom of the stormwater capture so the quicker his water gets away the better. While I don't disagree with his thinking, the council policy is the council policy and it does show overland flooding in the swale drain behind his property but this starts on Gatenby street which of course is the owner's point.

So I am hoping we can meet in the middle with the detention for a 1:20 event and not require the 1:100 event since it does not overflow to the street but it's just to farmland. This way we are still providing it within the discretion is there within the document for the unusual circumstances.

Thanks, Brad Van Zetten

BVZ Designs
4 Eden Hills Drive, Riverside TAS 7250
Mobile 0407 272 381
E: BVZDesigns@gmail.com

On Wed, Dec 21, 2022 at 10:30 AM NMC Planning <planning@nmc.tas.gov.au> wrote:

Dear Brad,

Thank you for your response to the Additional Information Request dated 15/12/2022. Points 2 and 3 of that request are satisfied. However, further information is required as per the attached letter.

Kind regards,

Ryan Robinson



Planner | Northern Midlands Council

Council Office, 13 Smith Street (PO Box 156), Longford Tasmania 7301

T: (03) 6397 7303 | F: (03) 6397 7331

**employer
of choice**



Our ref: 6749143; PLN-22-0268;
Enquiries: Ryan Robinson

21/12/2022

4 Eden Hills Dr
RIVERSIDE 7250
via email: bvzdesigns@gmail.com

Dear BVZ Designs

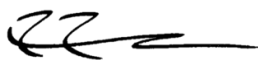
Additional Information Required for Planning Application PLN-22-0268 - Multiple Dwellings x 2 (Vary Front Setback Unit 1) at Lot 2, 12 King Street, Cressy

I refer to the abovementioned application, which has been further reviewed by Council's Planners. The following information is required to allow consideration of your application under the *Northern Midlands Interim Planning Scheme 2013*:

1. A detailed response to the provisions of Clause NOR-S3.7.1 P1 (a);
Whilst the site has a total area of 843m², "site area per dwelling" is defined in the Planning Scheme as:
"*...the area of a site, excluding any access strip, divided by the number of dwellings on that site.*"
The area of the subject site, excluding the access strip, is approximately 692m². As such, the site area per dwelling for the proposal is approximately 346m².
2. Council's Engineering Officer has requested the following information:
Please provide a stormwater plan prepared by a suitably qualified person showing onsite stormwater in accordance with Council's detention policy (attached).

Therefore, in accordance with Section 54 of the *Land Use Planning and Approvals Act 1993*, the statutory period for processing the application will not recommence until the requested information has been supplied to the satisfaction of the Planning Authority. It is a requirement of the Planning Authority that all correspondence, if emailed, is sent to planning@nmc.tas.gov.au and referenced with the planning application number PLN-22-0268. If you have any queries, please contact Council's Planning Section on 6397 7301, or e-mail planning@nmc.tas.gov.au

Yours sincerely,



Ryan Robinson
Planner



NORTHERN MIDLANDS COUNCIL COUNCIL POLICIES

ON-SITE STORMWATER DETENTION

Originated Date: Adopted 24 June 2019 (min. ref. 178/19)

Amended Date/s:

Applicable Legislation: Urban Drainage Act 2013
Australian Rainfall and Runoff 2016
State Stormwater Strategy 2010
AS3500.3:2003 Plumbing and Drainage

Dataworks Reference:

Objective To ensure that stormwater runoff generated by new developments does not adversely impact downstream properties.

1. PURPOSE

This policy details the safeguards enforced by Council to ensure that stormwater runoff generated by new developments does not adversely impact downstream and surrounding properties for all storm events up to and including the 100-year Average Recurrence Interval (1% Annual Exceedance Probability) event.

2. DEFINITIONS

<i>Annual Exceedance Probability (AEP)</i>	The probability that a given rainfall total accumulated over a given duration will be exceeded in any one year.
<i>Average Recurrence Interval (ARI)</i>	The average or expected time period between exceedances of a given rainfall total accumulated over a given duration. It is implicit in this definition that the periods between exceedances are generally random.
<i>Catchment</i>	The land area draining to a point of interest.
<i>Council</i>	Means Northern Midlands Council established in accordance with the <i>Local Government Act 1993</i>
<i>Councillors</i>	Means the individuals holding the office of a member of Northern Midlands Council
<i>Council officer</i>	Means the General Manager and staff of Council appointed by the General Manager.
<i>Discharge</i>	Rate of flow of stormwater expressed in unit volume per unit time (litres per second).
<i>Drainage System</i>	Comprises all components of stormwater infrastructure from the legal point of stormwater discharge to the receiving water body. Includes both constructed assets (pipes, culverts, overland flow paths, roadways, kerb and gutters) and natural assets (waterways and creeks).
<i>On-site Stormwater Detention (OSD)</i>	Temporary storage and controlled discharge of stormwater runoff intended to reduce the peak flow from a site.
<i>Overland Flow</i>	The surface flow of stormwater runoff that occurs when the volume of runoff exceeds the capacity of the piped drainage system.
<i>Permissible Site Discharge (PSD)</i>	The Permissible Site Discharge (PSD) is the maximum allowable post-development discharge from a site for the selected discharge design storm and is estimated on the basis that flows in the downstream stormwater drainage system will not be increased.
<i>Runoff</i>	The portion of rainfall that does not infiltrate into the soil, resulting in the presence of surface water.



NORTHERN MIDLANDS COUNCIL COUNCIL POLICIES

3. APPLICATION

This policy applies to:

- All commercial, industrial and special use (e.g. community, educational, recreational) buildings or structures
- Multiple dwellings, and where
- The existing drainage system is unable to accommodate an increase in stormwater discharge from the site.

Refurbishment of existing buildings and hardstand which does not increase the impervious area of the site is exempt from this policy.

4. CONTEXT

Australian Rainfall and Runoff 2016 and *Australian Standard AS3500.3:2003 Plumbing and Drainage* establish that stormwater runoff in all storm events up to and including the 1% AEP storm event must be conveyed safely and not present a hazard to people, vehicles, or cause significant damage to property.

Council has a responsibility under the *Urban Drainage Act 2013* to ensure that new developments within the municipal district do not adversely impact on the performance of the local stormwater drainage system or cause an unreasonable flow of water on to downstream or surrounding properties.

This will be achieved by ensuring that on-site stormwater detention systems are incorporated into intensely developed sites to reduce the peak flow of stormwater from the site. The on-site detention system reduces the peak flow by temporarily storing stormwater runoff within the development site while discharging to the Council drainage system at a controlled rate.

The need for an on-site stormwater detention system will be assessed by Council upon receipt of a planning or plumbing application. The installation of an on-site stormwater detention system will be enforced as a planning permit condition or plumbing permit condition.

5. EXCEPTIONS

Council may consider waiving a requirement for on-site stormwater detention where:

- The downstream drainage system has been upgraded to accommodate the increase in runoff from the site for all storm events up to and including the 1% AEP event; or
- Where the natural overland flow path is to the road or to an area Council deems as low risk (i.e. not to a developed/developable neighbouring property) Council may only require the 20 year ARI (5% AEP) storm to be detained

6. DESIGN OBJECTIVES

The on-site stormwater detention system must:

- Restrict the rate of stormwater discharge to the permissible rate of discharge during the design storm event specified by Council (up to and including the 1% AEP);
- Provide sufficient storage to ensure peak flow rates at any point within the downstream drainage system do not increase as a result of the development during the design storm event specified by Council (up to and including the 1% AEP), unless the downstream drainage system has been designed to accommodate an increase in stormwater discharge from the site;
- Drain within 72 hours to ensure the storage volume is available for a subsequent storm event.

The on-site stormwater detention system should:

- Be integrated into the design of the development so that adequate storage areas are included in the initial stages of the site design.



NORTHERN MIDLANDS COUNCIL COUNCIL POLICIES

7 DESIGN GUIDELINES

- Based on the size of the site and the proposed proportion impervious surfaces Council will provide the permissible site discharge (PSD) of the total development (refer to Table 1).
- For developments where the overland flow path is to the road and/or to an area Council deems as low risk, and the 5% AEP storm event is detailed, Council will provide the required PSD and detention volume (refer to Table 1). This volume is applicable only where the entire site drains to a single detention volume.
- For developments where the 1% AEP storm event is detailed and where the entire site drains to a single detention volume, the detention volume may be calculated as the peak volume from a range of storm durations using methods such as the Boyd or Culp methods. Alternatively, modelling may be undertaken.
- For complicated detention arrangements, i.e. where detention is being provided within a number of separate storages and/or connections, the arrangement must be proven to achieve the permissible site discharge from the entire site, in accordance with methods described *Australian Rainfall and Runoff 2016*. Council require evidence of how the individual elements and entire system behaves during the duration of the design rainfall events.
- In all situations calculations and/or modelling must be presented to Council which show the PSD is not exceeded.
- Design of the detention system must be undertaken by an accredited engineer eligible for membership of Institute of Engineers Australia or equivalent.

8 MAINTENANCE REQUIREMENTS

The property owner is responsible for the operation, maintenance and replacement of the on-site stormwater detention system. Where the on-site stormwater detention system is located on common property within a multi-dwelling site, the body corporate is responsible for the operation, maintenance and replacement of the system.

Council recommends that on-site stormwater detention systems are installed with anti-blockage devices, e.g. trash screens to prevent orifice blockages, and are cleared of debris and sediment at least once per year to ensure correct operation.

The clearing of below ground storage facilities should be conducted in accordance with the requirements and risk control measures specified in *AS2865-2009 Confined Spaces*.

7. REVIEW

The next review of this document is scheduled for completion by 30 June 2023.



NORTHERN MIDLANDS COUNCIL COUNCIL POLICIES

TABLE 1: PERMISSIBLE SITE DISCHARGE (L/s) AND MINIMUM 1:20 ARI DETENTION VOLUME (M³)

Block size (m ²)	Peak Permissible (L/s)	Fraction Impervious					
		50%	60%	70%	80%	80%	100%
100	0.879	0.20	0.29	0.38	0.48	0.58	0.70
200	1.758	0.41	0.57	0.76	0.96	1.17	1.39
300	2.636	0.61	0.86	1.13	1.43	1.75	2.09
400	3.515	0.81	1.14	1.51	1.91	2.34	2.79
500	4.394	1.02	1.43	1.89	2.39	2.92	3.48
600	5.273	1.22	1.72	2.27	2.87	3.50	4.18
700	6.151	1.42	2.00	2.65	3.34	4.09	4.87
800	7.030	1.62	2.29	3.03	3.82	4.67	5.57
900	7.909	1.83	2.58	3.40	4.30	5.25	6.27
1000	8.788	2.03	2.86	3.78	4.78	5.84	6.96
1100	9.667	2.23	3.15	4.16	5.25	6.42	7.66
1200	10.545	2.44	3.43	4.54	5.73	7.01	8.36
1300	11.424	2.64	3.72	4.92	6.21	7.59	9.05
1400	12.303	2.84	4.01	5.29	6.69	8.17	9.75
1500	13.182	3.05	4.29	5.67	7.16	8.76	10.45
2000	17.576	4.06	5.72	7.56	9.55	11.68	13.93
2500	21.970	5.08	7.16	9.45	11.94	14.60	17.41
3000	26.364	6.09	8.59	11.35	14.33	17.51	20.89
3500	30.757	7.11	10.02	13.24	16.72	20.43	24.37
4000	35.151	8.12	11.45	15.13	19.10	23.35	27.86
4500	39.545	9.14	12.88	17.02	21.49	26.27	31.34
5000	43.939	10.15	14.31	18.91	23.88	29.19	34.82
5500	48.333	11.17	15.74	20.80	26.27	32.11	38.30
6000	52.727	12.18	17.17	22.69	28.66	35.03	41.78



Our ref: 6749143; PLN-22-0268;
Enquiries: Ryan Robinson

15/12/2022

4 Eden Hills Dr
RIVERSIDE 7250
via email: bvzdesigns@gmail.com

Dear BVZ Designs

Additional Information Required for Planning Application PLN-22-0268 - Multiple Dwellings x 2 (Vary Front Setback Unit 1) at Lot 2, 12 King Street, Cressy

I refer to the abovementioned application, which has been further reviewed by Council's Planners. The following information is required to allow consideration of your application under the *Tasmanian Planning Scheme – Northern Midlands*:

A detailed response to the provisions of:

1. Clause NOR-S3.7.1 P1 (a);
2. Clause 8.4.6 A3 or P3; and
3. Clause C2.5.2 A1 or P1.

Therefore, in accordance with Section 54 of the *Land Use Planning and Approvals Act 1993*, the statutory period for processing the application will not recommence until the requested information has been supplied to the satisfaction of the Planning Authority. It is a requirement of the Planning Authority that all correspondence, if emailed, is sent to planning@nmc.tas.gov.au and referenced with the planning application number PLN-22-0268. If you have any queries, please contact Council's Planning Section on 6397 7301, or e-mail planning@nmc.tas.gov.au

Yours sincerely,

Ryan Robinson
Planner



Submission to Planning Authority Notice

Council Planning Permit No.	PLN-22-0268	Council notice date	15/12/2022
TasWater details			
TasWater Reference No.	TWDA 2022/02047-NMC	Date of response	19/12/2022
TasWater Contact	Shaun Verdouw	Phone No.	0467 901 425
Response issued to			
Council name	NORTHERN MIDLANDS COUNCIL		
Contact details	Planning@nmc.tas.gov.au		
Development details			
Address	12 KING ST, CRESSY	Property ID (PID)	9114755
Description of development	Multiple Dwellings x 2 (CT183763/2)		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Bradley Van Zetten Designs	ELL0522 – 8/15	5	7/12/22
Conditions			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any supply and installation of water meters and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. <p>DEVELOPMENT ASSESSMENT FEES</p> <ol style="list-style-type: none"> 3. The applicant or landowner as the case may be, must pay a development assessment fee of \$226.71 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater. <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p>			
Advice			
<p>Water Submetering</p> <p>As of July 1 2022, TasWater's Sub-Metering Policy no longer permits TasWater sub-meters to be installed for new developments. Please ensure plans submitted with the application for Certificate(s) for Certifiable Work (Building and/or Plumbing) reflect this. For clarity, TasWater does not object to private sub-metering arrangements. Further information is available on our website (www.taswater.com.au) within our Sub-Metering Policy and Water Metering Guidelines.</p> <p>General</p> <p>For information on TasWater development standards, please visit https://www.taswater.com.au/building-and-development/technical-standards</p> <p>For application forms please visit https://www.taswater.com.au/building-and-development/development-application-form</p>			



Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

- (a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure.

Further information can be obtained from TasWater.

- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit <https://www.taswater.com.au/building-and-development/service-locations> for a list of companies.

- (c) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

NOTE: In accordance with the WATER AND SEWERAGE INDUSTRY ACT 2008 - SECT 56ZB A regulated entity may charge a person for the reasonable cost of –

- (a) a meter; and

- (b) installing a meter.

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

PLANNING APPLICATION
Proposal

Description of proposal: Subdivision and change of use (222m²)
lot to Passive Recreation.

(attach additional sheets if necessary)

If applying for a subdivision which creates a new road, please supply three proposed names for the road, in order of preference:

1..... 2..... 3.....

Site address: Lot 2 main Street, Cressy

CT no: 160400/2

Estimated cost of project \$ 5000
(include cost of landscaping, car parks etc for commercial/industrial uses)

Are there any existing buildings on this property? Yes / No
If yes – main building is used as

If variation to Planning Scheme provisions requested, justification to be provided:

See separate written response

(attach additional sheets if necessary)

Is any signage required? No
(if yes, provide details)

RECORDER OF TITLES

Page 86



Mr. Paul Godier
Planning Department
Northern Midlands Council
PO Box 156
LONGFORD TAS 7301

19 October 2022

Dear Paul,

RE: Development Application - 2 Lot Subdivision and Passive Recreation use (Lot 1)

This letter is prepared in support of a proposal for a two lot subdivision at Lot 2 Main Street, Cressy identified in CT 160400/2.

The aim of the proposal is to allow for the creation of a lot (Lot 1) which is being acquired/gifted to the Northern Midlands Council by the current landowners to be used for public purposes – passive recreation.

Currently the one title (totalling approximately 115.9 hectares) support grazing and cropping activity. The proposal is to create a small title in the north-eastern corner of the site comprising an area of 222m² and transferred to the Northern Midlands Council for passive recreation use. The small lot will be developed with 2 car parking spaces accessed off the eastern end of Macquarie Street, a gravel footpath and picnic tables. The balance will continue to be used for resource development with the area in which to be subdivided located outside the area under irrigation by pivot.

The subject land is zoned Rural Resource within the *Northern Midlands Interim Planning Scheme 2013* (the Scheme). The site is subject to the Bushfire-Prone Areas overlay; the western section is subject to the Urban Growth Boundary with the eastern portion subject to the Flood Prone Areas overlay.

Passive Recreation land use is proposed for the new 222m² lot. Passive Recreation is defined under the Scheme as:

“use of land for informal leisure and recreation activities principally conducted in the open. Examples include public parks, gardens and playgrounds, and foreshore and riparian reserves.”

Passive Recreation is a ‘No Permit Required’ land use in accordance with Table 26.2.



26.3 Use Standards

26.3.1 Discretionary Uses if not a single dwelling

Proposal complies with A1 to A5 as the use of the 222m² lot is a no permit required use.

26.3.2 Dwellings

Not applicable.

26.3.3 Irrigation Districts

The passive recreation use of the proposed 222m² lot will ensure that the balance will provide for all land on the subject site under irrigation. The small, proposed lot is not under the area capable of being irrigated and is land not providing any benefit to current and future irrigation potential of the land due to operation impracticalities. The proposal is consistent with the performance criteria, P1.

26.4 Development Standards

26.4.1 Building Location and Appearance

Not applicable, the proposal does not include any buildings.

26.4.2 Subdivision

The purpose of the subdivision is to provide for utilities and is required for public use by a municipality. The proposal meets A1 a).

E1 Bushfire Prone Areas Code

A Bushfire Hazard Assessment Report (RGA-B2161, dated: 19 October 2022), has been undertaken by Rebecca Green, accredited practitioner BFP-116 (please see attached), demonstrating compliance with the Bushfire-Prone Areas Code.

E4 Road and Railway Assets Code

The balance lot will retain existing access to Main Street and Macquarie Street. Lot 1 will provide for vehicle access via the construction of two car parking spaces to be located immediately adjacent to the eastern end cul-de-sac of Macquarie Street. The development does not require a new access nor will the subdivision result in any intensification to either existing access. Therefore, E4 Road and Railway Assets Code does not apply to this proposal.



E5 Flood Prone Areas Code

E5.5.1 Use and Flooding

The proposal does not include any habitable rooms, complying with A1.

The use of passive recreation is not located in an area subject to a medium or high risk in accordance with the risk assessment in E5.7. The consequences are insignificant, resulting in a low risk. The proposal complies with A2.

E5.6.1 Flooding and Coastal Inundation

The passive recreation use and associated works on Lot 1 (222m² lot), is subject to a low risk assessment. The proposal meets P1.1 a). P1.2 and P1.3 are not applicable.

E6 Car Parking and Sustainable Transport Code

No change is proposed to the land use of Balance. The Passive Recreation use proposed on proposed Lot 1 (222m² lot) is not required to provide for any parking, in accordance with Table E6.1. However, two gravel car parking spaces will be formalised as part of this proposal within the new lot off the cul-de-sac at the eastern end of Macquarie Street. The car parking spaces will be constructed in accordance with the Council requirements and standards and can be appropriately conditioned in any approval as to their requirement.

E9 Water Quality Code

The proposed use and development is within 50 metres of a watercourse and therefore this Code is applicable. The proposal meets the acceptable solutions. Regarding E9.6.5, the subdivision component of the proposal does not involve any works, the change of land use proposed for Lot 1 will, but the subdivision itself does not, and therefore A1 is met.

The proposal for subdivision and passive recreation on Lot 1 does not provide any new access to the watercourse, nor does it propose to fill, pipe or channel the watercourse. No buildings are proposed and therefore stormwater is not to be collected or disposed from any roofed area. No native vegetation is required to be removed as part of this proposal.



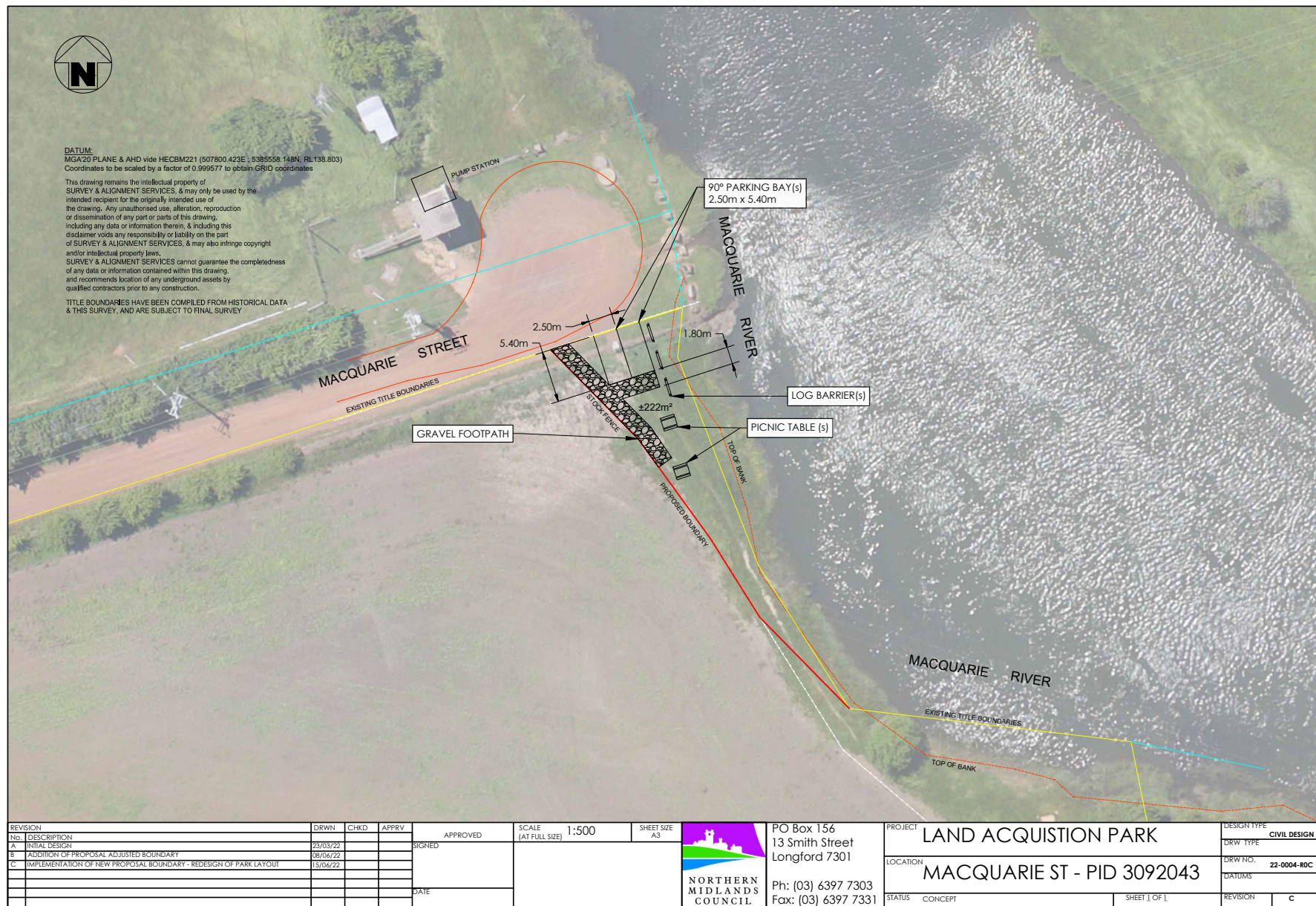
The proposal is consistent with the applicable acceptable solutions/ performance criteria and furthers the Objectives, and Intent and Desired Character of the Rural Resource Zone, within the *Northern Midlands Interim Planning Scheme 2013*, and should therefore be considered for approval.

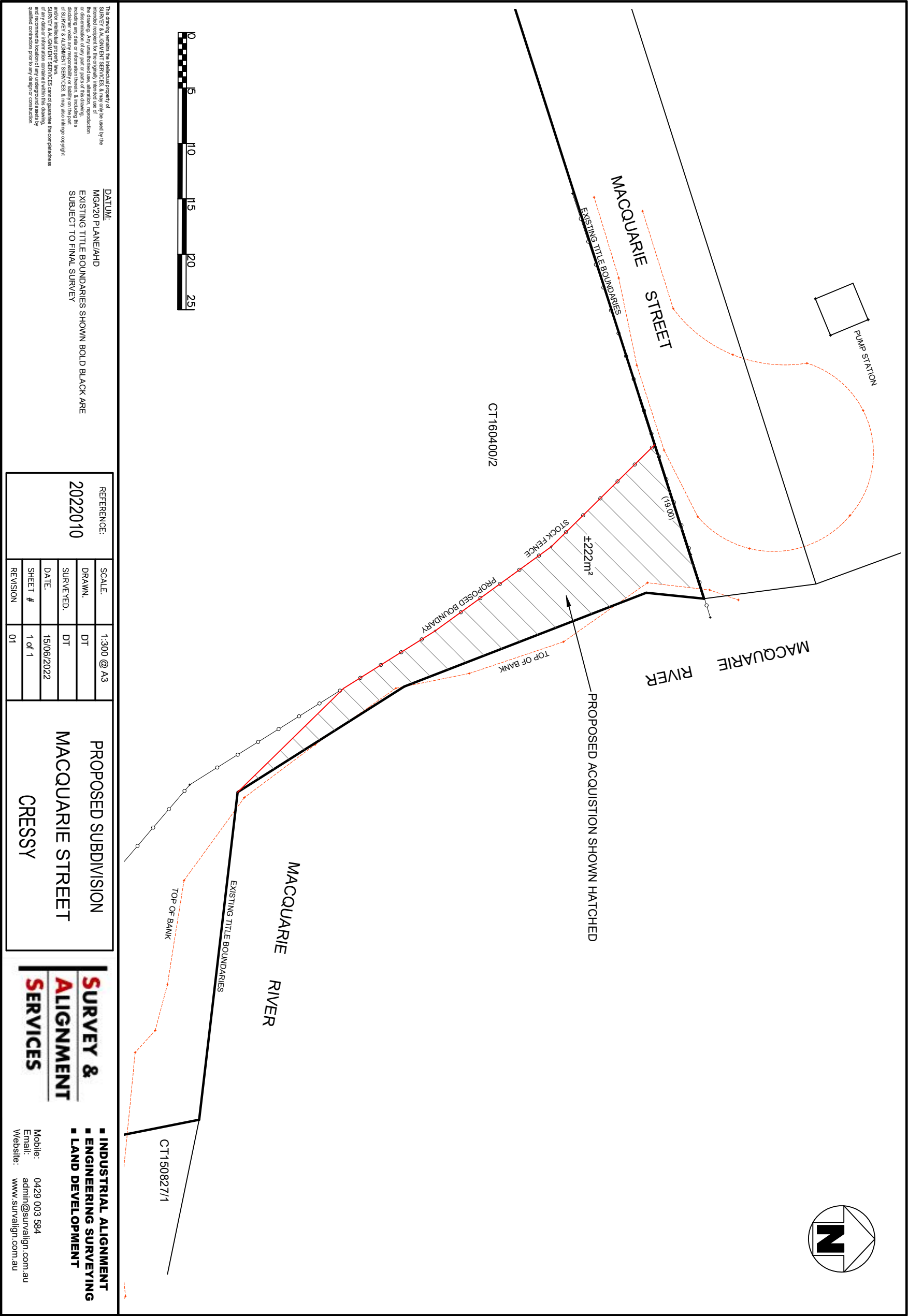
Kind Regards,

A handwritten signature in black ink that reads 'R Green'.

Rebecca Green

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Bushfire Hazard Assessment Report

Lot 2 Main Street, Cressy





Prepared for (Client)

Northern Midlands Council

PO Box 156

LONGFORD TAS 7301

Assessed & Prepared by

Rebecca Green

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Version 1

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Job No: RGA-B2161



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1.0 Scope & Limitations

1.1 Scope

This report was commissioned to identify the bushfire risk for the existing property and whether any exemption was possible. ALL comment, advice and fire suppression measures are in relation to compliance with *Bushfire-Prone Areas Code* of the Northern Midlands Interim Planning Scheme 2013.

1.2 Limitations

The report provided on the understanding that:-

1. The report only deals with the potential bushfire risk, all other statutory assessments are outside the scope of this report.
2. The report only identifies the size, volume and status of vegetation at the time the site inspection was undertaken and cannot be relied upon for any future development.
3. Impacts of future development and vegetation growth have not been considered.

No action or reliance is to be placed on this report; other than for which it was commissioned.



2.0 Property Details

2.1 Locality Plan

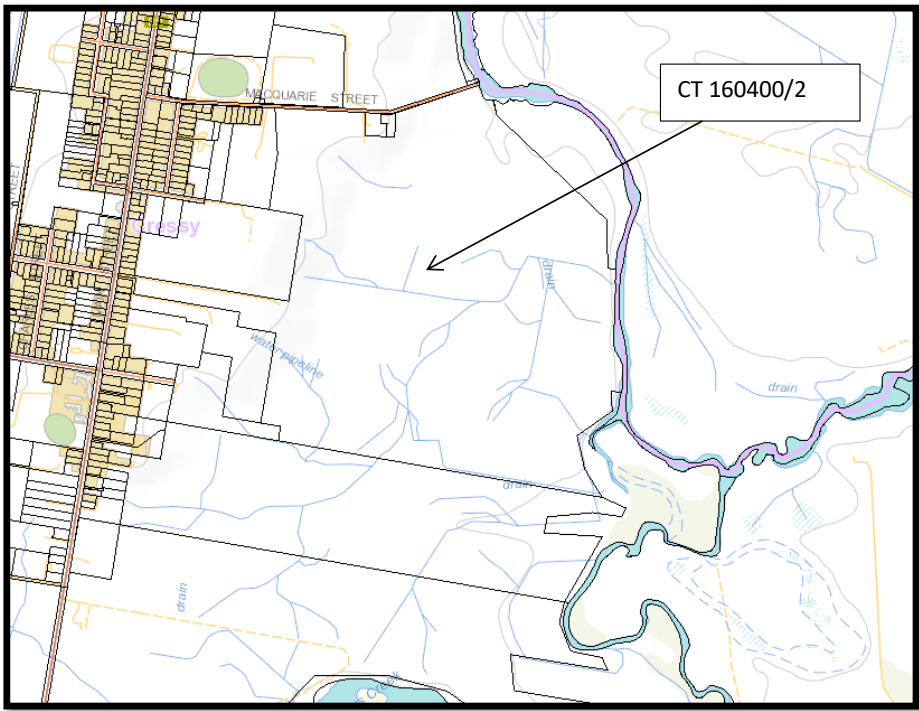


Figure 1: Locality Plan

2.2 Site Details

Property Address	Lot 2 Main Street, Cressy
Certificate of Title	Volume 160400 Folio 2
Council	Northern Midlands
Description	Rural
Water Supply	On site
Road Access	Street Frontage – Macquarie Street and Main Street



3.0 Proposed Development

Application is made for a subdivision for Lot 1 and balance of CT 160400/2 to allow for Northern Midlands Council to provide land for passive recreation (public park area) of an area of land comprising 222m² which is being gifted from the landowner to Council.

The proposal is to provide for two car parking spaces, a gravel footpath and picnic tables along the edge of the Macquarie River adjacent to the cul-de-sac at the eastern end of Macquarie Street.

The current title comprises an area of 115.9ha. A small area to the north-east of land used for cropping and outside that under irrigation is to be gifted for the park space.

The proposal is applied for under the subdivision requirements of the Rural Resource Zone, of the *Northern Midlands Interim Planning Scheme 2013*.

The proposal is to provide a lot (Lot 1) to be transferred to Northern Midlands Council for public purposes, with the existing rural use and access to remain on the balance.

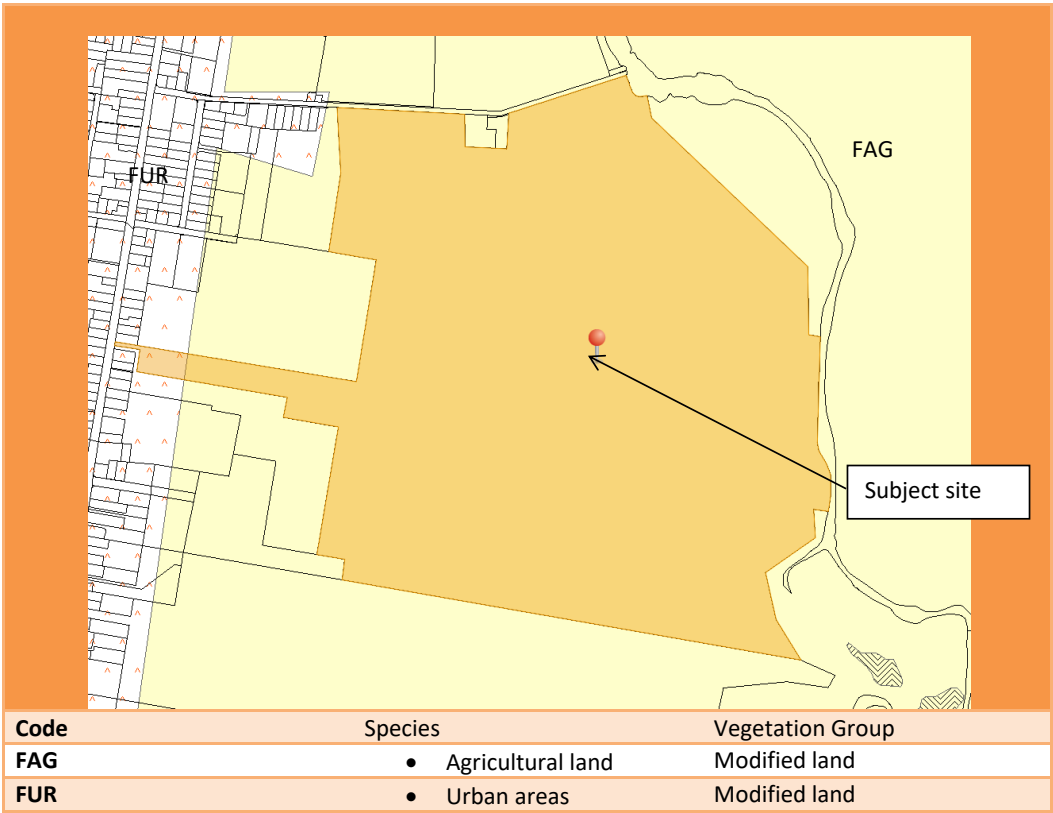


4.0 Site Analysis & Risk

4.1 Vegetation Analysis

4.1.1 TasVeg Classification

Reference to Tasmanian Vegetation Monitoring & Mapping Program (TASVEG) indicates the land in and around the property is generally comprising of varying vegetation types including:



4.2 Risk

The land is within a Bushfire Prone Area, mapped within the Northern Midlands Interim Planning Scheme 2013.

The proposed subdivision of the existing title to provide for Lot 1 of 222m² for public use is considered to have an insufficient increase in risk to the development from bushfire to warrant any specific bushfire measures for Lot 1 and balance, due to the purpose of the subdivision for creation of Lot 1. According to TasVeg 4.0, vegetation is predominantly grassland. The land is currently used for resource development (grazing/cropping) purposes. The predominant wind direction is north-westerly. No habitable use is proposed nor likely to ever be proposed for Lot 1 given planning



constraints, purpose of the subdivision and locality and size. The balance lot will still be of a considerable size, following the subdivision. The creation of Lot 1 will ensure that this area will be improved in terms of risk, as the proposal will result in a constructed gravel pathway, car parking spaces and picnic tables, resulting in land which would otherwise have been unmanaged (outside the area of the pivot irrigator) to a low threat state with the grass being maintained by Council on a regular basis. The proposal will not change the boundaries of the Balance to the west, and south at all, with no increase in risk in either of those directions. To the north-east, Lot 1 is proposed, and together with the proposed development and use of this lot, this will result in an improvement to the current risk, although considered a low risk, in this direction. The title boundaries of Balance are sufficient and adequate, given the vegetation classification, predominant wind direction and should the Balance lot be further developed into the future, it is not likely the proposal will affect any future BAL level for building purposes. The balance lot does not contain any habitable buildings.

4.3 Road Access

The balance lot will retain existing access from Main Street and Macquarie Street. There are no access requirements as the proposal is exempt due to insufficient increase in risk to warrant any mitigation measures.

4.4 Water Supply

There are no water requirements as the proposal is exempt due to insufficient increase in risk to warrant any mitigation measures.