



**NORTHERN  
MIDLANDS  
COUNCIL**

# **MINUTES**

**ORDINARY MEETING OF COUNCIL**

**MONDAY, 16 OCTOBER 2023**



MINUTES of the Ordinary Meeting of the Northern Midlands Council held on 16 October 2023 at 5.01pm in person at the Council Chambers, 13 Smith Street, Longford

## **1 ATTENDANCE**

### **PRESENT**

Mayor Mary Knowles OAM, Deputy Mayor Janet Lambert, Cr Alison Andrews AM, Cr Richard Archer, Cr Matthew Brooks, Cr Richard Goss, Cr Paul Terrett

### **In Attendance**

Mr Des Jennings - General Manager, Miss Maree Bricknell - Corporate Services Manager, Mr Leigh McCullagh - Works Manager (to 7.57pm), Mr Paul Godier - Senior Planner (to 6.10pm), Ms Rebecca Green - Consultant Planner (to 6.10pm), Ms Victoria Veldhuizen - Executive Officer, Mrs Gail Eacher - Executive Assistant (to 7.57pm)

### **APOLOGIES**

Cr Dick Adams OAM, Cr Andrew McCullagh



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Council **RESOLVED** to note the withdrawal of Item 11.4 Planning Application PLN23-0059 - 7 Bedford Street, Campbell Town from the Council Agenda.



### 3 ACKNOWLEDGEMENT OF COUNTRY

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

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

#### MINUTE NO. 23/0355

#### DECISION

Cr Terrett/Cr Andrews

Council resolved to accept the following Declarations of Interest:

- Mayor Mary Knowles - Open Council Item 5.4: Questions on Notice; and Closed Council Item 2.3
- Deputy Mayor Janet Lambert - Open Council Item 5.4: Questions on Notice; and Closed Council Item 2.3
- Councillor Richard Goss - Open Council Item 15.4: Assistance for Events - Round 2 (Tasmanian Trout Expo)

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

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

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



## 5 PROCEDURAL

### 5.1 CONFIRMATION OF COUNCIL MEETING MINUTES

#### 5.1.1 Confirmation Of Minutes: Ordinary Council Meeting

##### MINUTE NO. 23/0356

###### DECISION

Cr Terrett/Cr Archer

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 18 September 2023, be confirmed as a true record of proceedings, subject to inclusion of the following entry in

##### **17.1 CLOSED COUNCIL DECISIONS RELEASED**

##### **4.2 BACK CREEK 1% ARI CLIMATE CHANGE MODELLING**

##### **MINUTE NO. 23/0346**

###### DECISION

Cr Archer/Cr Adams

That Council

- a) accept the new flood mapping for the 1% AEP climate change event and make the flood mapping available to the public; and
- b) in relation to this matter
  - i) consider whether any discussion, decision, report or document is kept confidential or released to the public; and
  - ii) determined to release only the decision (and the documents referred to in the decision) to the public.

*Carried Unanimously*

*Voting for the Motion:*

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

*Voting Against the Motion:*

*Nil*

*Carried Unanimously*

###### **RECOMMENDATION**

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 18 September 2023, be confirmed as a true record of proceedings, subject to inclusion of the following entry in

##### **17.1 CLOSED COUNCIL DECISIONS RELEASED**

##### **4.2 BACK CREEK 1% ARI CLIMATE CHANGE MODELLING**

##### **MINUTE NO. 23/0346**

###### DECISION

Cr Archer/Cr Adams

That Council

- a) accept the new flood mapping for the 1% AEP climate change event and make the flood mapping available to the public; and
- b) in relation to this matter
  - i) consider whether any discussion, decision, report or document is kept confidential or released to the public; and
  - ii) determined to release only the decision (and the documents referred to in the decision) to the public.



*Carried Unanimously*

*Voting for the Motion:*

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

*Voting Against the Motion:*

*Nil*

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## **5.2 DATE OF NEXT COUNCIL MEETING**

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 20 November 2023 in person only.

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### 5.3 MOTIONS ON NOTICE

The following notice of Motion/Motions have been received.

#### 5.3.1 Notice Of Motion: Waiver Of Hire Fees For District Committees

Responsible Officer: Des Jennings, General Manager

#### MINUTE NO. 23/0357

##### DECISION

Cr Terrett/Deputy Mayor Lambert

That Council waiver all fees and charges for District Committees when meeting in council facilities.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

#### OFFICER'S RECOMMENDATION

That Council Officer's prepare a report on the notice of motion: "that Council waiver all fees and charges for District Committees when meeting in council facilities" to be presented to a future Council Meeting..

Councillor Terrett has requested the below Notice of Motion be tabled at the 16 October 2023 Council Meeting.

#### NOTICE OF MOTION

That Council waiver all fees and charges for District Committees when meeting in council facilities.

#### BACKGROUND

District Committees are established as special committees of council under section 24 of the Local Government Act as such they should enjoy the ability to have meetings without having to pay hall hire fees and charges.

Recently the Longford District Committee was required to have its meetings in premises not controlled by council. Council should do all it can to facilitate the smooth running of the District Committees and assist the Committees have these meetings in council facilities without cost.

#### ATTACHMENTS

Nil



### 5.3.2 Notice Of Motion: Review Of Management Committees

Responsible Officer: Des Jennings, General Manager

#### DECISION

Cr Terrett/Cr Brooks

- (i) Council undertakes a review of all management committees of council and look at ways of assisting the management committees operate and function; and
- ii) Council conducts a review of all fees and charges for all council halls and recreation facilities managed by Management Committees

Lost

Voting for the Motion:  
Cr Brooks and Cr Terrett

Voting Against the Motion:  
Mayor Knowles, Deputy Mayor Lambert, Cr Andrews, Cr Archer and Cr Goss

#### **OFFICER'S RECOMMENDATION**

That Council not endorse the Notice of Motion as the review of the Management Committees is to be undertaken in early 2024 prior to their expiration on 30 June 2024.

Councillor Terrett has requested the below Notice of Motion be tabled at the 16 October 2023 Council Meeting.

#### **NOTICE OF MOTION**

- (i) Council undertakes a review of all management committees of council and look at ways of assisting the management committees operate and function; and ii) Council conducts a review of all fees and charges for all council halls and recreation facilities managed by Management Committees

#### **BACKGROUND**

Management committees of council are established as special committees of council under section 24 of the Local Government Act:

##### **24.Special committees**

- (1) A council may establish, on such terms and for such purposes as it thinks fit, special committees.*
- (2) A special committee consists of such persons appointed by the council as the council thinks appropriate.*
- (3) The council is to determine the procedures relating to meetings of a special committee.*

A recent review of a local management committee highlighted a number of deficiencies in their operation including failure to provide minutes, disclosures of pecuniary interest required under section 48A of the Local Government Act, failure to meet in accordance with the management agreement, unauthorised discounting of hall hire, lack of management committee bank account, lack of proof of insurance from hirers, lack of facilities hire agreements and general lack of understanding or reporting processes and appointment of committee members without council's consideration.

These committees are run by volunteers who help council maintain and manage halls and other facilities. Council needs to support these committees better and identify ways to make their operation easier and better.

Some special committees have failed to provide council with minutes of their meetings (as at August 2023) these include:



### ***Special Committee***

- Avoca Community Centre and Memorial Hall Management Committee - No minutes received.
- Avoca Museum and Tourist Centre - No minutes received since 7 May 2019
- Campbell Town Museum - Last minutes 21 February 2023
- Cressy Memorial Hall - No minutes since 14 May 2019
- Longford Recreation Ground Management Committee (In Recess) - No minutes received.
- Perth Recreation Ground Management Committee - Last meeting 8 February 2021

The review should include the process of appointment of management committee members, the process of filling vacancies, terms of reference for the committee and servicing of committees.

The review should also look at ways to assist the management committees with its statutory requirements as special committees, review of management agreements and compliance.

It is suggested that council look at preparing a few templates to assist committees including standard meeting minutes and agenda, financial reports, online booking and payments, provision of secretarial support (if needed), email addresses for each management committee to assist in managing communication with hirers.

### **OFFICER'S RECOMMENDATION**

The Management Agreement's for Council's Facility Management Committee's expire on 30 June 2024. In early 2024, the Management Agreement's are to be reviewed. It is suggested the review of the Management Agreement's can consider and include (where appropriate) improvements to be made to the operation and functioning of the Management Agreements, including some of the issues identified above.

The Executive Officer has recently audited the Management Committees and has taken appropriate action, including reminding the Management Committees of their reporting obligations. This will be an ongoing work item of the Executive Officer.

The Management Agreement's provide that one of Council's obligations is to allow the Management Committee to manage and maintain the facility without interruption. Council does not micromanage this and entrusts the operation of the facilities to the Management Committees. Should Council interfere in this process, there is a risk the Management Committees will not be satisfied and potentially cease to operate Council's facilities.

The review proposed will be a very involved and time consuming task given Council has 15 Management Committees. This will significantly limit the Officer's available time to undertake other duties. Such review is not likely to be a quick process and given the Management Agreements will be reviewed in early 2024, will potentially result in duplication of work. Furthermore, some of the recommendations will have greater financial implications for Council.

For the above reasons, it is recommended that the proposed review in this Notice of Motion is not endorsed and does not proceed.

### **ATTACHMENTS**

Nil



## 5.4 QUESTIONS ON NOTICE

*Mayor Knowles and Deputy Mayor Lambert declared their interest in Item 5.4 Questions on Notice, signed the register and left the meeting at 5.07pm; at which time Cr Archer took the Chair.*

### MINUTE NO. 23/0358

#### DECISION

Cr Brooks/Cr Andrews

That Council receive the Questions on Notice and note the answers provided.

Carried Unanimously

Voting for the Motion:

Cr Andrews, Cr Archer, Cr Brooks, Cr Goss and Cr Terrett

Voting Against the Motion:

Nil

*Mayor Knowles and Deputy Mayor Lambert returned to the meeting at 5.08pm, at which time Mayor Knowles resumed the Chair.*

#### **RECOMMENDATION**

That Council receive the Questions on Notice and note the answers provided.

Councillor McCullagh has submitted the following questions on notice to the Acting General Manager / General Manager.

- 1) Has the Mayor of the Northern Midlands Council initiated any legal action or received any legal advice and services, relating to the Northern Midlands Council in the last 90 days.  
*Yes*
- 2) If yes to question 1, has the Deputy Mayor of the Northern Midlands Council been party to the same action?  
*Yes*
- 3) If yes to question 1, on what basis (personal or professional) did the Mayor initiate such proceedings?  
*Professional*
- 4) If yes to question 1, on what basis (personal or professional) did the Deputy Mayor play in such proceedings?  
*Professional*
- 5) Please give a General description of what the action was.  
*This is to be provided in closed session as it is related to a Local Government (Meeting Procedures) Regulations section 15 (2) (a), (e), and (i).*
- 6) Please provide the specific legislation that the action was taken under.  
*Local Government Act 1993 sections 27(1) (c); (h); and (g).*
- 7) Please provide the costs associated with the action to date.  
*This is to be provided in closed session as it is related to a Local Government (Meeting Procedures) Regulations section 15 (2) (a), (e), and (i)*
- 8) Please state when the action was taken to a full Council meeting for approval.  
*Not applicable.*
- 9) If the Council was not taken to Council, please state why.  
*Not required. The council has obtained legal advice that legal costs associated with the Mayor performing her functions and powers should be paid by the Council and that there is no requirement for her to advise councillors in*





*advance or obtain their approval of the steps she intends to take in the performance of her functions and powers for those costs to be paid by the Council.*

- 10) Please advise whether the usual General Manager, Mr Jennings has been actively communicating with yourself, the Mayor, the Deputy Mayor, and Councillors, or any member of the Council during his sick leave period.  
*Yes.*
-



## 6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES

### MINUTE NO. 23/0359

#### DECISION

Deputy Mayor Lambert/Cr Andrews

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

Carried Unanimously

Minutes of meetings of the following Committees are attached:

Date	Committee	Meeting
12/07/2023	Morven Park Management Committee	Ordinary
28/08/2023	Longford Town Hall Management Committee	Ordinary
07/09/2023	Local Youth, Future Thinkers: Northern Midlands Youth Advisory Group	Ordinary
12/09/2023	Evandale Community Centre and Memorial Hall Management Committee	Ordinary
13/09/2023	Morven Park Management Committee	Ordinary
13/09/2023	Ross Community Sports Club Management Committee	Ordinary
19/09/2023	Cressy War Memorial Swimming Pool Management Committee	AGM
19/09/2023	Cressy War Memorial Swimming Pool Management Committee	Ordinary
27/09/2023	Cressy Local District Committee	Ordinary
03/10/2023	Campbell Town District Forum	Ordinary
03/10/2023	Evandale Advisory Committee	Ordinary
03/10/2023	Ross Local District Committee	Ordinary
03/10/2023	Perth Community Centre Management Committee	AGM
03/10/2023	Perth Community Centre Management Committee	Ordinary
04/10/2023	Longford Local District Committee	Ordinary

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

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



## 7 COUNCIL COMMITTEES - RECOMMENDATIONS

### 7.1 CRESSY LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Cressy Local District Committee held on 27 September 2023 the following motion/s were recorded for Council's consideration:

#### **SPEED LIMIT: CRESSY MAIN STREET**

##### **MINUTE NO. 23/0360**

###### DECISION

Cr Goss/Deputy Mayor Lambert

That Council note the concerns of the Cressy Local District Committee and write to the Department of State Growth requesting a consistent reduced speed limit from the town boundaries through the centre of Cressy.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

##### **MINUTE NO. 23/0361**

###### DECISION

Cr Goss/Cr Terrett

That Council put out a statement about the reduction in the speed limit within Cressy and that the Department of State Growth refuse to support the reduction; and that Council publicise contact details for State politicians so that the public can contact them to discuss the matter, together with a media release.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

#### **Officer Recommendation:**

That Council note the concerns of the Cressy Local District Committee and write to the Department of State Growth requesting a consistent reduced speed limit from the town boundaries through the centre of Cressy.

#### **Committee Recommendation:**

That CLDC request the NMC make a public statement to the community regarding the lack of insight from State Growth who refuse to lower the limit on the main road of Cressy, and that State Growth are disregarding the safety of the public, who cross this road many, many times each day.

#### **Officer Comment:**

Council previously wrote to State Growth in August 2018 to advocate for a reduction in the speed limit through the Cressy Main Street as follows:

*Request that DSG consider lowering the speed limit to 50km on the section of Cressy Road from approximately the proposed parklet which we have previously discussed to the pool. Council believes that a 50km limit will be more appropriate than the current speed limit once the parklet is installed. Can you please advise if DSG would be prepared to consider this change.*



The response from State Growth advised the following:

*The Department is not supportive of introducing a 50km/h speed limit taking into consideration the following factors;*

- *The parklet will be an isolated feature. Essentially Australian Standards and Guidelines indicate that lower speed limits should not be used to address isolated geometric deficiencies or localised roadside activity.*
- *The general road environment / lane width / roadside development is consistent through the length of the built up area with no physical traffic management or calming measures that would provide credibility for a 50km/h limit.*
- *Due to the lengths involved an isolated section of lower speed limit will introduce 'chop and change' i.e. 80 - 60 - 50 - 60 - 100 over a relatively short distance.*
- *There is not a high level or concentration of pedestrian crossing activity over a prolonged period.*
- *The current speed zone arrangement is consistent with typical speed zones along other rural town main streets throughout the State and in alignment with the Australian guidelines for setting speed limits.*

Council could request the Department of State Growth consider a reduced speed limit of 50kph on a consistent basis replacing the 60kph limit to alleviate the “chop and change” as outlined above.



## 7.2 EVANDALE ADVISORY COMMITTEE

At the ordinary meeting of the Evandale Advisory Committee held on 3 October 2023 the following motion/s were recorded for Council's consideration:

### REVIEW OF LOCAL DISTRICT COMMITTEES:

#### MINUTE NO. 23/0362

##### DECISION

Deputy Mayor Lambert/Cr Terrett

That Council note the feedback provided.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

##### **Officer Recommendation:**

That Council note the feedback provided.

##### **Committee Recommendations:**

Recommendation 1 – Meeting Frequency

That the Evandale Advisory Committee recommends meeting bi-monthly (every two months) with the understanding that the committee can meet more frequently in special circumstances if required.

Recommendation 2 - Acknowledgement of Country

That the Acknowledgement of Country should be undertaken at the first meeting of each year as an enduring message for the remainder of the meetings rather than at each consecutive meeting

Recommendation 3 – All other District Committee Review MOU Recommendations

That the committee accepts all other recommendations made in the District Committee Review MOU.

##### **Officer Comment:**

At the Evandale Advisory Committee meeting held 3 October 2023, members considered the officer recommendations as outlined in the Council Report 13.2 - Review of Local District Structure and the draft MOU resulting in the recommendations noted.

The Chairperson of Evandale Advisory Committee has formally provided a response to the Review to the relevant Council Officer as required for inclusion into the final report to Council.



### 7.3 LONGFORD LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Longford Local District Committee held on 4 October 2023 the following motion/s were recorded for Council's consideration:

#### REQUEST TO PLACE A PUBLIC SHOWER AT THE MEMORIAL HALL:

##### MINUTE NO. 23/0363

##### DECISION

Deputy Mayor Lambert/Cr Brooks

That Council investigate the need for a public shower within Longford and if appropriate, including a suitable location by way of a future report to Council; and that Helping Hand and other community groups be included in the discussions.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

##### **Officer Recommendation:**

That Council investigate the need for a public shower within Longford and if appropriate, including a suitable location by way of a future report to Council.

##### **Committee Recommendation:**

LLDC request NMC look at putting in place a shower for public use, considering the increasing number of homeless people in Longford, at the Memorial Hall, which should be done during the current redevelopment.

##### **Officer Comment:**

The Memorial Hall plans are finalised and the redevelopment is substantially progressed. The inclusion of accessible showers at this stage would increase costs and extend the timeframe of the project if approvals were achieved.

Prior to making a decision, Council should rely upon a further report to Council inclusive of a needs analysis and suitable locations if required.



## 7.4 ROSS LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Ross Local District Committee held on 3 October 2023 the following motion/s were recorded for Council's consideration:

### REVIEW OF LOCAL DISTRICT COMMITTEE STRUCTURE

#### MINUTE NO. 23/0364

##### DECISION

Cr Archer/Cr Andrews

That Council note the request which forms part of a separate report to Council.

Carried

Voting for the Motion:

Mayor Knowles, Deputy Mayor Lambert, Cr Andrews, Cr Archer, Cr Brooks and Cr Goss

Voting Against the Motion:

Cr Terrett

##### **Officer Recommendation:**

That Council note the request which forms part of a separate report to Council.

##### **Committee Recommendation:**

That Council as soon as possible, provide and resource a workshop to be held in both Longford and Campbell Town for Local District Committee and Forum members to attend, for the purposes of considering Council's report into the review of Local District Committees, and the proposed changes to the MOU under which they will operate. Council's letter dated 19th September 2023 to the Chairs of Local District Committee/Forums, should also be included for discussion.

In the case of the Ross Local District Committee it is felt that a brief review at the monthly RLDC meeting is totally insufficient to review, comment on, and suggest additions, modifications or deletions to the draft MOU.

##### **Officer Comment:**

Council wrote to all Local District Committees on 19 September 2023 requesting feedback by 8 October 2023. The Chairperson of the Ross Local District Committee acknowledged receipt of the email on 19 October 2023 and subsequently forwarded the letter and report to Ross Local District Committee members on 20 September to ensure informed discussions could take place at the meeting held 3 October 2023.



## 8 INFORMATION ITEMS

### MINUTE NO. 23/0365

#### DECISION

Cr Brooks/Deputy Mayor Lambert

That the Open Council Information Items be received.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

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### 8.1 COUNCIL WORKSHOPS/MEETINGS HELD SINCE THE LAST ORDINARY MEETING

Responsible Officer: Des Jennings, General Manager

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

Date Held	Purpose of Workshop
02/10/2023	<b>Council Workshop</b> Presentations <ul style="list-style-type: none"><li>Demonstration: Audio Live Streaming</li><li>Rural Alive &amp; Well</li><li>Tasmania Police</li><li>Perth Tasmania Historical Society</li></ul> Discussion included: <ul style="list-style-type: none"><li>Dealing with Difficult Customers Policy and Customer Service Charter</li><li>Campbell Town &amp; Longford Main Street Upgrades</li><li>Conara Park</li><li>RACT Installation</li></ul>
16/10/2023	<b>Council Workshop</b> Discussion: <ul style="list-style-type: none"><li>Council Meeting Agenda items</li></ul>
	<b>Council Meeting</b>

### 8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Acting Mayor's Activities Attended for the period 18 September 2023 to 4 October 2023 are as follows:

Date	Activity
18 Sept 2023	Meeting with Acting GM, Longford
18 Sept 2023	Meeting with Councillor Terrett
18 Sept 2023	NMC Workshop and Council Meeting
19 Sept 2023	JBS Swift -on site meeting, Longford
19 Sept 2023	Visit TAS AGM – Tailrace Center
20 Sept 2023	NTDC Priority Projects Presentations, Launceston
20 Sept 2023	NMBA AGM, Perth
27 Sept 2023	Cressy DHS Inspiring Futures Charter Signing, Cressy
27 Sept 2023	AEC Stakeholder Briefing, Zoom
27 Sept 2023	NRM North AGM, Hotel Verge, Launceston
29 Sept 2023	Clifford Craig Foundation business breakfast, Launceston





Date	Activity
29 Sept 2023	Meeting Paul Richards AM, Harold Gatty Memorial, Launceston
2 Oct 2023	NMC Workshop
4 Oct 2023	John Tucker MP meeting, Longford
5 Oct 2023	Deputy Mayor LGAT workshop, Launceston
	Attended to correspondence, emails, phone calls, signing letters, etc.

Mayor's Activities Attended for the period 5 October 2023 to 16 October 2023 are as follows:

Date	Activity
5 October 2023	Attended community meeting, Avoca
7 October 2023	Attended community function, Avoca
10 October 2023	Attended TRANSLink Stakeholder meeting, Longford
10 October 2023	Attended Recycling meeting, Longford

### 8.3 GENERAL MANAGER'S ACTIVITIES

Acting General Manager's Activities Attended & Planned for the period 12 September to 8 October are as follows:

Date	Activity
12 September	Met with Deputy Mayor Lambert
13 September	Attended DPAC's October 2022 Flood Recovery Debrief in Launceston
18 September	Met with service provider re drug and alcohol testing
18 September	Met with Acting Mayor Lambert and Cr Terrett
18 September	Attended Council Workshop and Meeting
19 September	Met with representatives of the Longford Local District Committee
20 September	Attended Northern Tasmania Development Corp. (NTDC) Regional Collaboration Forum
20 September	Attended Northern Midlands Business Association (NMBA) - Business Leaders Even at Adams Distillery, Perth
21 September	Met with Peter Rawlings, SES
21 September	Met with Councillor Goss re Cressy Pool
22 September	Attended KPI meeting
26 September	Met with ERA's Emma Riley, re Tourism Tasmania project
27 September	Met with lessee re Falls Park, Evandale
28 September	Attended Local Government Child and Youth Safe Standards Forum
2 October	Attended Council Workshop
4 October	Met with service provider re Campbell Town Caravan Park business plan
5 October	Met with Veterans Cricket Tasmania re Ross Recreation Grounds
5 October	Met with Longford Legends

General Manager's Activities Attended & Planned for the period 9 October to 11 October are as follows:

Date	Activity
10 October	Met with stakeholders re TRANSLink Intermodal Facility

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

### 8.4 PETITIONS

#### PURPOSE OF REPORT

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

#### OFFICER'S COMMENT

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

[Section 57. Petitions](#)

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



- (1) A person may lodge a petition with a council by presenting it to a councillor or the general manager.
- (2) A person lodging a petition is to ensure that the petition contains –
- (a) a clear and concise statement identifying the subject matter and the action requested; and
  - (b) in the case of a paper petition, a heading on each page indicating the subject matter; and
  - (c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and
  - (d) a statement specifying the number of signatories; and
  - (e) at the end of the petition –
    - (i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and
    - (ii) in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.
- (3) In this section –
- electronic petition** means a petition where the petition is created and circulated electronically and the signatories have added their details by electronic means;
- paper petition** means a petition where the petition is created on paper which is then circulated and to which the signatories have added their details directly onto the paper;
- petition** means a paper petition or electronic petition;
- signatory** means –
- (a) in the case of a paper petition, a person who has added his or her details to the paper petition and signed the petition; and
  - (b) in the case of an electronic petition, a person who has added his or her details to the electronic petition.
- 58. Tabling petition**
- (1) A councillor who has been presented with a petition is to –
- (a) . . . . .
  - (b) forward it to the general manager within 7 days after receiving it.
- (2) A general manager who has been presented with a petition or receives a petition under subsection (1)(b) is to table the petition at the next ordinary meeting of the council.
- (3) A petition is not to be tabled if –
- (a) it does not comply with section 57; or
  - (b) it is defamatory; or
  - (c) any action it proposes is unlawful.
- (4) The general manager is to advise the lodger of a petition that is not tabled the reason for not tabling it within 21 days after lodgement.

## PETITIONS

No petitions received.

## ATTACHMENTS

Nil

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## 8.5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

The following report was filed by Councillor Matthew Brooks.

### National Local Roads, transport & Infrastructure Congress – Canberra, 6 & 7 September 2023

- Commonwealth funding for Local Government has failed to keep up with costs
- Local Government spending on transport has grown much more slowly than other areas like environment protection, recreation, culture and religion, housing and community amenities
- Remote councils have the largest gap between required and actual road maintenance spending on sealed roads
- A large road network and small population make regional councils more reliant on Commonwealth funding
- The Northern Territory and Tasmania support many more remote and regional communities than other states across Australia
- Every State Grants Commission allocates roads funding using a different criteria, Tasmania uses road length, road type, remoteness, traffic/freight, environment and minimum standards
- Many councils around Australia are not adequately planning with an Asset Management Plan, Long Term Financial Plan and Integrated Asset and Financial Plan
- Remote and regional councils have less staff dedicated to Asset Management
- We need more money for local roads and we need it now, untied funding is not going where it is most needed and tied funding imposes unnecessary burdens and many councils need help to improve their processes
- Regional and remote councils are in an extremely difficult position where pavement failure is allowing water ingress and these roads become a priority for pavement renewal and reseal which is pretty much all we have
- We have a baseline level of service to meet budget constraints, however, community expectations are higher



- Staff do their best to manage risk within the available budget, this means we often get to fix things people are complaining about which makes our reputation in the community worse
- Land development and its use is invariably serviced by the road network and also serviced by heavy vehicles
- Heavy vehicle activity is an essential service to many critical sectors of the economy, agriculture, communications, construction, defence, energy, forestry, manufacturing, mining, retail and transport systems
- Industry priorities are shortened turn around times, increased access certainty, end to end networks, consistent approach to road access
- Disaster and the co-benefits of nature based solutions for flooding are carbon sequestration, water quality improvement, erosion reduction, biodiversity conservation, support for recreation and tourism industries, health and wellbeing
- Catching debris during flood events at multiple points can reduce damage to infrastructure and overall flood peak, which also assists with clean up after events
- Bank and slope stability to reduce landslips and bank collapse
- Disaster funding recovery arrangements, do we have in place and ask the questions (1) is the damage event related? (2) do we have both pre and post event condition evidence? (3) do we have detailed invoices from suppliers? (4) is the evidence we are providing linked to essential assets? (5) engaging engineering and project management with some costs claimed? (6) long term strategy for asset management? and (7) digital photos or go pro that GPS enabled?

#### What is FOGO?

- Food services allow our communities to put their food and garden waste in their green kerbside collection bins which are collected by councils and delivered to recycling facilities for processing and manufacture of compost. Many councils provide kitchen caddy bins to further encourage them to put food waste in their green bins
- Councils providing food bins
  - South Australia 47%
  - Victoria 45%
  - New South Wales 33%
  - Tasmania 21%
  - Western Australia 11%
  - Queensland 1%
  - Australian Capital Territory 0%
  - Northern Territory 0%
- Building communities that are safer, stronger, smarter
- Bin harmonization – currently only 30% have access to a full FOGO collection service, while over 70% have access to a garden collection service

#### Circular Waste Innovation

- Moving to a circular economy where waste is designed of the system and resources, are valued, will bring down business costs, support new industries and jobs, and reduce greenhouse gas emissions.
- Environment Minister Susan Ley said states and local governments had to harmonise waste collection in a bid to meet ambitious targets set by the National Waste Policy Action Plan
- The role of Community education
  - There is a big gap in consumer awareness and the need for ongoing education
  - Customer motivations are key to driving behaviour change
  - There is a need to better champion local processors
  - When compost is returned to residents there is greater appreciation and understanding of the process

#### Federal and State policy framework signaling investment

- Collaborating for Climate Ready Infrastructure
- State and Territory Funding Directly Targeting Road Safety
  - Road Safety Program
  - Black Spot Program
  - Regional Level Crossing Upgrade Fund
  - Roads Upgrade Pilot Program
  - Heavy Vehicle Safety and Productivity Program
  - Bridges Renewal Program
  - Remote Roads Upgrade Pilot Program

#### Local Government Funding



- Local Roads and Community Infrastructure Program
- Roads to Recovery Program

#### Local Roads and Community Infrastructure Program

- Almost 10,000 projects nationally
- Upgrades and improvements that raise the standard of the network and improve safety for road users
- Active transport projects (bicycle and walking paths)
- Large and varied range of community infrastructure projects
- \$750 Million additional funding (from 1 July 2023)
- Projects completed by 30 June 2025
- 550 funding recipients (\$500 Million for roads and community infrastructure)
- 466 funding recipients (\$250 Million for roads in rural, regional and outer urban areas)

#### Roads to Recovery Program

- Last year of the current five-year program life (2019-2024)
- Funding may still be available
- Project delivery by 30 June 2024
- More than 13,000 projects have been funded over this program life
- Types of projects
  - 32% on reconstruction/rehabilitation
  - 30% on resealing
  - 21% on gravel sheeting / re-sheeting

#### Heavy Vehicle Rest Area Initiative

- The Australian Government has committed \$140 Million of 10 years to support new and upgraded heavy vehicle rest areas

#### National Road Safety Action Plan 2023-25 Update

- Network Safety Plans
- Vehicle Safety
- ADR 108/00 – reversing technologies

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## 8.6 132 & 337 CERTIFICATES ISSUED

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

#### **S132. Certificate of liabilities**

- (1) A person referred to in [subsection \(2\)](#) may apply to the general manager for a certificate stating–
- (a) the amount of any liability for rates, whether due or not on the land and outstanding interest or penalty payable in relation to the land;
  - (b) any amount received on account of rates that is held in credit against future liabilities for rates in relation to the land; and
  - (c) the amount of any charge on the land recoverable by the council.

#### **S337. Council land information certificate**

- (1) A person may apply in writing to the general manager for a certificate in respect of information relating to land specified and clearly identified in the application.
- (2) The general manager, on receipt of an application made in accordance with [subsection \(1\)](#), is to issue a certificate in the prescribed form with answers to prescribed questions that are attached to the certificate.
- (3) A certificate under [subsection \(2\)](#) relates only to information that the council has on record as at the date of issue of the certificate.
- (4) A prescribed fee is payable in respect of the issue of a certificate.
- (5) The general manager, on request, may provide in or with the certificate any other information or document relating to the land that the general manager considers relevant.
- (6) A council does not incur any liability in respect of any information provided in good faith from sources external to the council.
- (7) A person, with the consent of the occupier or owner of specified land, may request in writing to the general manager that an inspection be carried out of that land to obtain supplementary information relevant to that land.
- (8) If the general manager agrees to a request under [subsection \(5\)](#) or [\(7\)](#), the general manager may impose any reasonable charges and costs incurred.
- (9) In this section –
- land** includes –
- (a) any buildings and other structures permanently fixed to land; and
  - (b) land covered with water; and
  - (c) water covering land; and



(d) any estate, interest, easement, privilege or right in or over land.

	No. of Certificates Issued 2022/2023 year												Total 2023/2024 YTD	Total 2022/2023	Total 2021/2022
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June			
132	88	63	68										219	763	995
337	23	34	29										86	391	530

## 8.7 ANIMAL CONTROL

Prepared by: Maree Bricknell, Corporate Services Manager

Item	Income/Issues 2022/2023		Income/Issues for Sept 2023		Income/Issues year to date 2023/2024	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,229	108,313	753	\$19,475	3,484	\$89,605
Dogs Impounded	44	3,545	1	\$71	5	\$738
Euthanised	2				2	
Re-claimed	36		1		1	
Re-homed/Dogs Home	6					
New Kennel Applications	10	745				
Renewed Kennel Licences	83	3,818			85	\$3,984
Infringement Notices (paid in full)	53	9,465	4	\$975	9	\$3,092
Legal Action						
Livestock Impounded						
<b>TOTAL</b>		<b>\$125,886</b>		<b>\$20,521</b>		<b>\$97,419</b>

### Audits:

Ongoing including Dangerous Dogs, Kennel Licences, Fire Hazards.

### Attacks:

1 attack

## 8.8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: Kate Clark, Environmental Health Officer

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

Ensure safe standards of food offered for sale are maintained.

Investigations/ Licences Issued	Inspections/ 2020/2021	Prior Years	
		2021/2022	2022/2023
Notifiable Diseases	0	1	8
Inspection of Food Premises	67	170	133
Place of Assembly Approvals	1	14	9

Actions	2023/2024													
	YTD	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	
Routine Fixed Food Inspections	50/ 231	10	15	25										
Routine Mobile/Market stall Food Inspections	13	5	2	6										
Preliminary Site Visits – Licensed Premises	1	0	1	0										
On-site wastewater Assessments	13	4	5	4										
Complaints/Enquiries – All Types	214	67	75	72										
Place of Assembly approvals	0	0	0	1										
Notifiable Diseases	4	1	1	2										

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



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

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

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

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

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

The following is applicable regarding food business registrations:

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

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

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

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

## 8.9 CUSTOMER REQUEST RECEIPTS

Operational Area	20/21	21/22	22/23	YTD 23/24	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Animal Control	35	26	28	11	4	3	4									
Building & Planning	17	77	52	17	9	6	2									
Community Services	26	54	44	11	5	2	4									
Corporate Services	13	48	23	11	2	5	4									
Governance	6	15	21	3	2	-	1									
Waste	1	12	11	4	-	4	-									
Works	352	368	352	86	31	27	28									

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

Date	Recipient	Purpose	Amount \$
18-Jul-23	Danielle Smith	Representation - International Netball Festival	\$100.00
18-Jul-23	Courtney Goss	Representation - International Netball Festival	\$100.00
18-Jul-23	Hunter McGee	Representation - Tas Thunder State Touch Football Team	\$100.00
18-Jul-23	Lucy Johnston	Representation - Tas Interschools Equestrian Team	\$100.00
23-Aug-23	Poppy Beaumont	Representation – Tas Touch Football Girls U14 Team	\$100.00
		TOTAL	\$500.00



## 8.11 ACTION ITEMS: COUNCIL MINUTES

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
18/09/2023	7 4.1	Bicycle Advisory Committee	Completed	Bicycle Advisory Committee endorses the following Priorities for inclusion and Consideration into the Northern Midlands Council Municipal bicycle and shared pathway plan or strategy: Bicycle/Shared Pathways Priorities List	Trent Atkinson	09/10/2023 Trent Atkinson Formalising strategy to progress
18/09/2023	7 4.1	Bicycle Advisory Committee	Completed	The Bicycle Advisory Committee has now identified potential bicycle treatments and listed their priorities. The committee would like Council to initiate the commencement of a municipal bicycle and shared pathway strategy by Council Officers, prior to public consultation, bring the draft strategy back to the committee for comment & endorsement. Once the Strategy has been endorsed by Council, Council to allocate funding annually for implementation and seek external funding opportunities when they arise.	Trent Atkinson	09/10/2023 Trent Atkinson Formalising strategy to progress
18/09/2023	7 4.1	Bicycle Advisory Committee	Completed	Bicycle advisory committee endorses the following maps for inclusion & consideration into the Northern Midlands Council municipal bicycle and shared pathway strategy: Potential Bicycle Treatments Routes Ross; Potential Bicycle Treatments Routes Cressy; Potential Bicycle Treatments Routes Evandale; Potential Bicycle Treatments Routes Longford; Potential Bicycle Treatments Routes Campbell Town; Potential and Existing Bicycle Treatments Routes Perth; Potential Bicycle Connectivity for the Northern Towns; Potential Bicycle Connectivity for Longford and Cressy; Potential Bicycle Treatments for the Central Midlands	Trent Atkinson	09/10/2023 Trent Atkinson Formalising strategy to progress
18/09/2023	7 3.3	CCTV at the Dog Park	Completed	That the matter of funding for, and the installation of CCTV, at the Perth Dog Park be investigated and the Committee be advised accordingly.	Jonathan Galbraith	06/10/2023 Gail Eacher Estimated cost \$15,000, mobile connection would be required for installation as services are not available. Likely to require future budget consideration. Next round of grant funding not yet announced; likely future funding will target high volume pedestrian precincts and areas of high vehicle activity. LDC to be advised.
21/08/2023	7 2.2	CLDC Recommendation: Upgrades to Play Equipment a Bartholomew Park, Cressy	Completed	That Council note the request from the Cressy Local District Committee to discuss what play equipment will be installed at Bartholomew Park.	Trent Atkinson	09/10/2023 Trent Atkinson Officer to attend Committee meeting for consultation.
18/09/2023	7 4.5	Devon Hills Neighbourhood Watch & Residents Committee: Bike and Walkway	Completed	That Council investigate this request and refer it to the Northern Midlands Bicycle Advisory Committee.	Trent Atkinson	09/10/2023 Trent Atkinson Shared pathway included in maps for strategy, Bicycle Advisory Committee to include in its priorities list at next Committee meeting.
18/09/2023	7 4.4	Devon Hills Neighbourhood Watch & Residents Committee: Car Parking Haggerston Road	Completed	That Council investigate this request.	Jonathan Galbraith, Leigh McCullagh, Victoria Veldhuizen	28/09/2023 Gail Eacher Reviewed by Council officers, confirmed sufficient space along Haggerston Road for cars to pull aside and park without the need for specified car parking spaces. Committee to be advised. 10/10/2023 Victoria Veldhuizen Letter to Committee drafted.





Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
18/09/2023	7 4.3	Devon Hills Neighbourhood Watch & Residents Committee: Street Signs Haggerston Road	Completed	That Council continue to work with the Department of State Growth to investigate improved signage.	Jonathan Galbraith, Leigh McCullagh, Victoria Veldhuizen	28/09/2023 Gail Eacher Comment sought from DSG, advice received - There continues to be no warrant for a Stop sign. To clarify the concern, the facility is a shared path and does not have priority over vehicular traffic, path users need to give way to vehicles by holding either on the side of the road or in the central median island refuge. An on road bike lane would pass in front of the holding line and then necessarily has priority over vehicles entering from the side road. DSG to review road treatment to ensure path users are aware that they must give way to vehicles (signs or markings). Committee to be advised. 10/10/2023 Victoria Veldhuizen Letter to Committee drafted.
18/09/2023	13.3	Further Education Bursary Program 2023	Completed	That Council appoint Council's Executive - Cr Knowles, Cr Lambert and Cr Archer - to the Further Education Bursary Committee for the term of 2023-2026.	Lorraine Green	25/09/2023 Lorraine Green Membership of selection committee noted
21/08/2023	13.6	Live Streaming of Council Meetings	Completed	That Council a) Notes the report. b) Determines to live stream Council meetings via audio only and review visual streaming after legal advice is provided. c) ... d) Commences live streaming Council meetings on a six month trial basis, with a review to occur in six months time. e) Engages a contractor for a period of up to six months to establish and commence live streaming of Council meetings, including technical support and training for Officers.	Ben Badcock, Victoria Veldhuizen	30/08/2023 Victoria Veldhuizen Consultant engaged to commence live streaming (audio only), meeting scheduled to discuss practical implementation of live streaming with consultant.
18/09/2023	15.2	Naming of New Roads: Three in New Subdivision, Western Junction	Completed	That Council approve the names Tiger Moth Court, Gypsy Moth Court and Corbould Close for new roads created by subdivision off Evandale Road, Western Junction.	Natalie Horne	26/09/2023 Natalie Horne submitted new names to Placenames Tasmania, waiting for approval. 03/10/2023 Natalie Horne Nomenclature have approved the names Tiger Moth and Gypsy Moth. Minor change to spelling of Gypsy as plane name is spelt Gipsy. Nomenclature also wanted the generic to be different for each road to make it easier to locate. Names approved are Gypsy Moth Place and Tiger Moth Court. Name Corbould Close was rejected as is still a living person and does not comply with rules for place names in Tasmania. discussion held with officer from nomenclature and new names suggested, new name to be taken to next council meeting for approval.
18/09/2023	15.3	Naming of Street: Keppoch Drive, Perth	Completed	That Council approve the name Keppoch Drive for the new road created by subdivision at 70 Haggerston Road, Perth.	Natalie Horne	03/10/2023 Natalie Horne Nomenclature have approved the name Keppoch, minor change to generic as Drive was not correct one, generic changed to Lane. New name id Keppoch Lane.
18/09/2023	13.1	Northern Tasmania Sports Facility Plan 2023	Completed	That Council accepts the Northern Tasmania Sports Facility Plan 2023, and takes the recommendations of the plan into consideration when planning Council's future sport and recreation infrastructure; and seeks acknowledgement in the report of discussions held with the Northern Midlands Council that Council's swimming pool facilities be upgraded so that they are accessible throughout the year.	Lorraine Green	25/09/2023 Lorraine Green Council's decision has been forwarded to Northern Tasmania Development Corporation that coordinated the development of the Sports Facility Plan.
18/09/2023	13.4	Policy Review:	Completed	That Council endorses and accepts the	Gail Eacher	20/09/2023 Gail Eacher Policy update





Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		Meeting Procedures		amendments to the Meeting Procedures Policy.		complete.
18/09/2023	13.5	Policy Review: Youth, Town Entrance Statements, Related Party Disclosure, Elected Member Professional Development, Reduction in Planning Fees, Public Liability for Community Projects	Completed	That Council endorse the minor amendments to the following policies: a) Youth; b) Town Entrance Statements; c) Related Party Disclosure; d) Elected Member Professional Development; e) Reduction in Planning Application Fees for Community Projects; f) Public Liability Insurance Requirements for Use of Council Facilities.	Gail Eachar	20/09/2023 Gail Eachar Policy updates complete.
18/09/2023	13.6	Policy: Dealing with Difficult Customers (New Policy); and Customer Service Charter (Review)	Completed	That the matter be deferred for Workshop discussion.	Gail Eachar, Maree Bricknell	20/09/2023 Gail Eachar Listed for discussion at 2 October 2023 Council Meeting. 06/10/2023 Gail Eachar Report to Council.
18/09/2023	7 3.5	Replacement of Banners	Completed	That a review of all street banners be undertaken and new banners and/or replacements be procured as the need arises; and the Committee be advised accordingly.	Gail Eachar, Leigh McCullagh	28/09/2023 Gail Eachar Audit of all banners completed. Contemporary banners for Avoca severely damaged by wind, alternate fabrication method to be trialled. All other banners in good condition with little to no colour deterioration when compared to proofs/artwork prior to original fabrication. In mid-2024 request to be made to Perth and Longford Primary Schools for new banner artwork for fabrication and display for 2024 Christmas season.
21/08/2023	14.3	Request to Reduce Planning Application Fees: Palmerston Battery Storage Proposal	Completed	That Council agree to reduce the application fee to \$30,000 to cover Council's costs + consultant planner assessment at cost + planning appeal at cost, to a maximum of 0.3% of project cost over \$300,000.	Paul Godier	12/09/2023 Paul Godier Applicant has been advised of the decision.
18/09/2023	13.2	Review of Local District Committee Structure	Completed	That Council endorse and accept the amendments to the Memorandum of Understanding and refer the document to the Local District Committees and receive comment until 8 th October 2023.	Victoria Veldhuizen	20/09/2023 Victoria Veldhuizen Letter to LDC's with Council Report and Proposed MOU with a request for feedback by 8 October 2023. Prior LDC members contacted for feedback. A further report to be prepared to the October meeting.
18/09/2023	7 3.4	South Esk River Walkway Quarry Site	Completed	That the PLDC be advised that the quarry site will continue to be filled for approximately 12 months, after which time the improvement projects plans can start to be implemented subject to funding availability.	Leigh McCullagh	28/09/2023 Gail Eachar PLDC advised.
21/08/2023	13.7	Entry Signage: Longford and Perth	Completed	That Council 1. endorse Option 1 Longford Roundabout design and proceed to the development application stage for the project; and 2. endorse the updated Perth Roundabout entry signage design and proceed to fabrication; and 3. incorporate the English name for the South Esk River into the design of the signs.	Leigh McCullagh	12/09/2023 Gail Eachar Redesign in process. 28/09/2023 Gail Eachar Longford - structural engineering design being sought prior to DA. Perth - approval for changes being sought from DSG.
21/08/2023	13.5	Lease: Northern Midlands Health, Fitness and Sports Centre	Completed	That Council: a) lease the premises known as Northern Midlands Health, Fitness and Sports Centre, situate at 8 Burghley Street, Longford. b) publicly advertise its intention to lease the Northern Midlands Health, Fitness and Sports Centre and calls for	Victoria Veldhuizen	25/08/2023 Victoria Veldhuizen Listing of lease for mezzanine level withdrawn from market for duration of tender. Valuation report arranged. Tender documents being prepared for advertisement. 20/09/2023 Victoria Veldhuizen Expressions of Interest for Lease advertised 16 September 2023, with applications closing 13



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				expressions of interest to lease the premises with the intention it is operated as a Sports Centre. c) obtain a market rental valuation for the Northern Midlands Health, Fitness and Sports Centre. d) advertises the lease of the Northern Midlands Health, Fitness and Sports Centre as a whole, including the basketball stadium, existing storeroom, gymnasium, children's play areas, aerobic room, squash courts x2, reception area, massage room, the former gym area and mezzanine level. e) cease advertising for lease the mezzanine level of the Northern Midlands Health, Fitness and Sports Centre presently listed with Knight Frank for the duration of the tender process and re-assess following the tender process whether to continue listing the mezzanine level with Knight Frank.		October 2023. Report to November Council meeting with result from applications.
18/09/2023	7 4.2	Devon Hills Neighbourhood Watch and Residents Committee: Fire Evacuation Plan	Completed	That Council advocate for a Bushfire Community Protection Plan through the Tamar Fire Management Area Committee when Tasmania Fire Service reviews the 2023/24 plan.	Nathan Lowe	11/10/2023 Gail Eacher Matter continues to be raised when TasFire determine priorities for community bush fire emergency plans.
18/09/2023	7 2.2	Fees for Food Vendors - 5 September 2023	Completed	That the fees and charges for food vendors be referred to the mid-year budget review for consideration.	Kate Clark, Maree Bricknell	11/10/2023 Gail Eacher To be considered as part of the mid-year budget review.
18/09/2023	7 3.2	Opening of William Street Reserve year round	Completed	That the matter be investigated and advice provided.	Leigh McCullagh	11/10/2023 Gail Eacher Subject to flooding, the reserve is open year-round to pedestrian traffic and will be opened to vehicular traffic year-round when possible.
21/08/2023	13.3	Local Government Association of Tasmania (LGAT): Motions for the November 2023 General Meeting	Completed	list the following matter for consideration at the Local Government Association of Tasmania (LGAT) General Meeting to be held on 1 November 2023 iii) Council powers to act on derelict and contaminated sites.	Erin Miles, Gail Eacher	25/08/2023 Gail Eacher The following motion was submitted by Clarence City Council to the 18 March 2022 LGAT general meeting: That LGAT lobby the State Government to investigate a legislative mechanism to provide local government authorities with enhanced power to appropriately act on dilapidated, derelict and abandoned buildings registers and to charge levies in respect to those properties. The motion was Carried and is listed on the LGAT follow up of motions report. Current status is: The range of planning reforms underway has put the proposed guidance note on hold. The intention is for LGAT, with CBOS and the State Planning Office, to prepare a guidance note for councils on their existing powers and tools available to act on dilapidated and derelict buildings. 11/10/2023 Gail Eacher Motion submitted by Clarence City Council in 2022 being progressed by LGAT.
21/08/2023	13.4	Lease: Falls Park & Falls Pavillion, 2-14 Logan Road, Evandale	Completed	That Council: a) lease the premises situate at Falls Park and Falls Pavillion, 2 - 14 Logan Road, Evandale. b) publicly advertise its intention to lease Falls Park and Falls Pavillion, 2 - 14 Logan Road, Evandale and calls for expressions of interest to lease the premises. c) obtain a market rental valuation for the premises situate at Falls Park and Falls Pavillion, 2 - 14 Logan Road, Evandale.	Victoria Veldhuizen	25/08/2023 Victoria Veldhuizen Valuation report arranged. Tender documents being prepared for advertisement. 20/09/2023 Victoria Veldhuizen Expressions of Interest for Lease advertised 16 September 2023, with applications closing 13 October 2023. Report to November Council meeting with result from applications.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
26/06/2023	13.2	Napoleon Street Park, Perth	Completed	That Council: a) accept in principle the Napoleon Street Park Landscape Concept Plan; and b) requests Council officers to identify external funding opportunities for implementation of the plan.	Des Jennings, Lorraine Green	06/07/2023 Lorraine Green Costings are being prepared for the project. 11/10/2023 Gail Eacher Costings prepared, officers continue to explore external funding streams as and when they arise.
18/09/2023	16.1	Request from Evandale Historic Society for Underground Power to be Installed in Evandale	Completed	That Council take no action at the present time but continue to look for grant opportunities and write to local state members to gain support for underground power on Russell Street between Macquarie and High streets.	Gail Eacher, Maree Bricknell	06/10/2023 Gail Eacher Letter sent to Evandale History Society. Draft letter to state members prepared.
	1.3	16/03/2020 - Deferred Item - GOV8 Overhanging Trees/Hedges: Evandale	In progress	Deferred to provide opportunity for the community to attend.	Des Jennings, Gail Eacher	29/09/2021 Harbour Software Support No further action to be taken at this time. To be workshopped and report to be relisted. Discussion held with property owner, formal advice requested. Correspondence to be forwarded to property owner. 25/01/2022 Gail Eacher Correspondence forwarded to property owner, awaiting response. 14/02/2022 Gail Eacher Letter received from property owner. Draft response to queries raised prepared. 01/04/2022 Gail Eacher Letter sent to property owner, response awaited. 08/07/2022 Gail Eacher Further information being sought prior to workshop discussion. 13/02/2023 Gail Eacher Correspondence sent to the property owners on 27 January 2023. 27/02/2023 Gail Eacher No response to date. 09/05/2023 Gail Eacher Listed for July workshop. 04/08/2023 Gail Eacher Seeking heritage advice, prior to workshop consideration. 28/09/2023 Gail Eacher Response awaited from Heritage Tasmania.
21/08/2023	7 1.2	CTDF Recommendation: Community Notice Board - 1 August 2023	In progress	That Council investigate options and costs of the construction and installation of a community notice board at Valentines Park, in Campbell Town.	Leigh McCullagh	28/09/2023 Gail Eacher Works Manager to attend CTDF meeting on 3 October to discuss further with Committee.
21/08/2023	7 3.2	EAC Recommendation: Speed Zones Around the Leighlands Road and High Street Intersection - 1 August 2023	In progress	That Council notes the concerns of the Evandale Advisory Committee and writes to the Department of State Growth in support of the speed zone changes requested.	Jonathan Galbraith, Leigh McCullagh	28/09/2023 Gail Eacher Matter being progressed with DSG. 06/10/2023 Jonathan Galbraith Council officers have written to the Traffic Engineering Branch at the Department of State Growth, awaiting response.
21/08/2023	7 4.3	LLDC Recommendation: Mill Dam - 5 July 2023	In progress	That Council receive a report regarding the Mill Dam reserve area and future ownership thereof.	Victoria Veldhuizen	12/09/2023 Gail Eacher Meeting set for discussion on master plan for the precinct. 11/10/2023 Gail Eacher Design requested, plan awaited.
26/06/2023	13.1	Local Community Strategies Consultation Report	In progress	That Council a) accept in-principle the Local Community Strategies Consultation Report, b) not request further community consultation regarding the five community strategies, and c) request the five draft community be revised in light of the recommendations made in the Consultation Report, and the revised strategies be tabled at the August 2023 Council Meeting. d) Revise/implement recommendations as follows: communication strategy (in order of preference) 11, 8, 10, 9. and	Des Jennings, Lorraine Green	06/07/2023 Lorraine Green The strategies are being reviewed in light of the recommendations made in the Consultation Report



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				workshop the strategies.		
21/08/2023	13.3	Local Government Association of Tasmania (LGAT): Motions for the November 2023 General Meeting	In progress	list the following matter for consideration at the Local Government Association of Tasmania (LGAT) General Meeting to be held on 1 November 2023 ii) That LGAT lobby the State Government to provide an accessible online user interface for purchasers, residents and developers to all available flood mapping in populated areas in Tasmania; and assist Councils to flood map low lying land, inclusive of climate change impacts, so the effect flooding could have on property, including future developments, renovations and subdivisions is known statewide; and councils be obligated to include flood mapping in all form 337's issued.	Cameron Oakley, Gail Eachner, Victoria Veldhuizen	11/09/2023 Gail Eachner Advice received that LGAT Agenda for November meeting closed. Motion to be prepared for the first meeting in 2024.
21/08/2023	13.3	Local Government Association of Tasmania (LGAT): Motions for the November 2023 General Meeting	In progress	list the following matter for consideration at the Local Government Association of Tasmania (LGAT) General Meeting to be held on 1 November 2023 i) Rate equivalent payments applied to electricity generators, storage plant and equipment.	Victoria Veldhuizen	11/09/2023 Gail Eachner Advice received that LGAT Agenda for November meeting closed. Motion to be prepared for the first meeting in 2024.
21/08/2023	13.3	Local Government Association of Tasmania (LGAT): Motions for the November 2023 General Meeting	In progress	list the following matter for consideration at the Local Government Association of Tasmania (LGAT) General Meeting to be held on 1 November 2023 iv) Statewide tyre recycling.	Jonathan Galbraith, Victoria Veldhuizen	11/09/2023 Gail Eachner Advice received that LGAT Agenda for November meeting closed. Motion to be prepared for the first meeting in 2024.
26/06/2023	5 3.1	Notice of Motion: Conara Park - 24 Hour Toilet	In progress	That Council write to State Growth raising concerns the current state of the parking area and about people defecating in Conara Park near the Midlands Highway; and seek consent from State Growth to allow Council to develop a concept plan for the park, including the construction of a toilet; and that a further report be brought back to Council on the Conara Park Concept Plan.	Des Jennings	12/07/2023 Gail Eachner Letter to be drafted, master plan to be workshopped. 04/08/2023 Gail Eachner Letter sent. 07/09/2023 Gail Eachner Matter to be workshopped following advice received from DSG. The department is supportive of Council's proposal, however given the department has already, at Council's request, provided funding to Council for improvements to the facilities at Valentines Park in Campbell Town as an alternative to Conara Park, it is not appropriate for the department to contribute further funds. Also noted that the property forms part of the department's conservation management program and that only previously disturbed areas of the park will be considered for development (or redevelopment). The department is willing to support Council in leasing the Conara Park area, as well as contributing to rationalising the Conara Park area, including arranging for the removal of any surplus infrastructure to ensure the area is fit for purpose.
26/06/2023	5 3.2	Notice of Motion: Infrastructure Contribution	In progress	3) That Council conduct a review of its development contribution policy to better address key infrastructure.	Erin Miles, Paul Godier	06/07/2023 Erin Miles Council officers are currently undertaking a review of the Public Open Space Contribution Policy and will present the proposed amendments to the policy for Council endorsement, at a future meeting. Council does not have any other kind of Development Contribution Policy.
26/06/2023	5 3.2	Notice of Motion: Infrastructure Contribution	In progress	1) That Council advocates for the introduction of a consistent state-wide approach to developer contribution charges to ensure that the burden of public infrastructure provision is shared		12/07/2023 Gail Eachner Letter to be drafted



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				equitably between the council, developers and communities. 2) That Council writes to the Minister for Planning, Shadow Minister for Planning and local members of the Parliament seeking a contemporary, best practice infrastructure contributions framework be integrated into the Land Use Planning and Approvals Act 1993.		
18/09/2023	7 1.2	Recognition of persons who have made a significant contribution to the local community	In progress	That Council approve the Avoca, Royal George and Rossarden Local District Committee project to recognise the significant contribution of local persons who have had a positive impact on the local community, e.g. Avoca Angels; and recommend to the Committee that they make application for Special Project Funding in 2024.	Gail Eachner	10/10/2023 Gail Eachner Next meeting scheduled for 23 November, Committee to be advised.
20/03/2023	16.1	Sticky Beaks Cafe Corner (cnr Wellington and Marlborough Streets): Upgrades and Safety	In progress	That the JMG report Option Two (steel bollards) be revisited and that a timeline be put in place to implement this recommendation should that be an approved solution. Further that a report be undertaken to develop a detailed analysis for the intersection and the traffic flows in the centre of Longford.	Des Jennings, Jonathan Galbraith, Leigh McCullagh	23/03/2023 Gail Eachner Meeting arranged with Garry Hills, Dept. of State Growth. 17/04/2023 Jonathan Galbraith Council officers met with Garry Hills on March 30, 2023. The Department of State Growth has agreed to do engage a consultant to carry out an independent traffic study of the intersection. Awaiting further information from the Department of State Growth. 04/05/2023 Jonathan Galbraith Garry Hills from the Department of State Growth has advised that they are in the process of organising and independent report on the safety of the intersection 15/06/2023 Gail Eachner Further contact made with DSG, requested that a timeline be provided for provision of the independent traffic study for Sticky Beaks Corner. 11/07/2023 Gail Eachner Subject to available funding, DSG have advised they have an in-principle agreement in place to review the works. 10/08/2023 Jonathan Galbraith Council officers have requested an update on when this project will commence from the Department of State Growth and are still awaiting a response 28/09/2023 Gail Eachner Further correspondence sent to General Manager of State Roads requesting update and timeline for review.
18/09/2023	13.7	Campbell Town Swimming Pool	Not yet started	That Council hold a community meeting to discuss or seek interest to formulate a new Campbell Town Swimming Pool Management Committee.	Des Jennings, Gail Eachner	
18/09/2023	13.7	Campbell Town Swimming Pool	Not yet started	That Council review the opening hours and guaranteed hours for lifeguards after 1 month of operation of the Campbell Town Pool 2023/2024 season.	Leslie Hall	



## 8.12 RESOURCE SHARING SUMMARY: 01 JULY 2023 TO 30 JUNE 2024

Resource Sharing Summary 1/7/23 to 30/6/24 As at 30/09/23	Units Billed	Amount Billed GST Exclusive \$
<b>Meander Valley Council</b>		
<b>Service Provided by NMC to MVC</b>		
Street Sweeping Plant Operator Wages and Oncosts	82.00	3,839
Street Sweeper - Plant Hire Hours	82.00	5,631
<b>Total Services Provided by NMC to Meander Valley Council</b>		9,470
<b>Service Provided by Meander Valley Council to NMC</b>		
<b>Wages and Oncosts</b>		
Plumbing Inspector Services	-	-
Engineering Services	-	-
<b>Total Service Provided by MVC to NMC</b>		-
<b>Net Income Flow</b>	<b>82.00</b>	<b>9,470</b>
<b>Total Net</b>		<b>9,470</b>
<b>Private Works and Council Funded Works for External Organisations</b>		
<b>Works Department Private Works Carried Out</b>	<b>Hours</b>	<b>Amount \$</b>
	<b>77.50</b>	<b>3,877</b>
	<b>77.50</b>	<b>3,877</b>

## 8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	September 2023	Estimated Cost of Damages	
			Total 2023/24	Total 2022/23
Graffiti at Mill Dam	Longford	\$ 4,000		
Vandalism and Graffiti, Victoria Square	Longford	\$ 1,000		
Vandalism at Train park toilets	Perth	\$ 500		
<b>TOTAL COST VANDALISM</b>		<b>\$ 5,500</b>	<b>\$ 12,400</b>	<b>\$ 18,600</b>

## 8.14 YOUTH PROGRAM UPDATE

Prepared by: Natalie Dell, Youth Officer

### PCYC Program

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

Session Venue	Date of Session	Attendance	Comment
Perth			
	7/9	8	
	14/9	16	
	21/9	14	
	28/9	20	Last week of term

### Free2B Girls Program

Free2b Girls Evandale has been running at Evandale Primary School during the lunch break as a trial period, the sessions have been very well- attendance numbers have been up to 24 per session. A variety of crafts and games were offered.

Branching Out has also been running alongside Free2b Girls Longford, aimed at girls Grade 8 and over. This has been very well received and excellent feedback provided.





Attendance for the month of September as follows:

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	6/9	7	
	13/9	5	
	20/9	5	RAW joined the session
	27/9	3	End of term
Longford			
	5/9	14	
	12/9	12	
	19/9	0	Instructor illness
	26/9	12	

### Reclink

Reclink commenced after school activities in Perth on a fortnightly basis in September. These sessions have been met with outstanding feedback by all. The sessions will continue in Term 4 with a variety of activities.

Session Venue	Date of Session	Attendance	Comment
Perth			
	11/9	16	
	25/9	18	Tornadoes Head Coach, Sarah ran the session

### Meetings

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

Mental Health Week event- Cressy District High School: Mental Health week is acknowledged in the School Holidays. Cressy is holding events throughout the last week of term. They are holding a mini expo at the school- variety of service providers have been invited to attend. Youth Officer will be supporting this event.

Mental Health Week event- Campbell Town District High School: Youth Officer with the School Nurse have organised an Expo with service providers for the School. Including free bbq for staff and students by Salvation Army other providers include: RAW, Reclink, Headspace, Campbell Town Library, Youth Health North, Relationships Aus, Vinnies, PCYC, Lifeline and Ambulance Tasmania.

Breakfast Club- Cressy: The Cressy Breakfast program has been further developed liaising with the School Chaplain and Youth Officer, to provide freely available Breakfast items for 30+ students. The School has identified several young people who will benefit from participating in the cooking program. The program helps address students' health, well-being, and food security. The program provides nearly double the numbers of previous years. This program is being well received by the students and School.

Quote from students:

'The best part about all of it is that I get come and help, and I get to cook with Gabi' Year 3 student

'This activity is so beneficial for the student in my class that regularly participates. She is an alternative educational program and the teaching of life skills in a calm and supportive environment is exactly what she needs and enjoy and is directly linked to her individual educational plan goals for the year.' Teacher, CDHS.

SPARK: Cressy District High School submitted an application which has been approved- focusing on school wide art project. Longford Primary and Campbell Town District High School have also participated in this program.

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



Evandale Primary School held their 'big breakfast' at the end of Term 3, Youth Officer joined to support. Breakfast Club support: Youth Officer has been working with Salvation Army to provide further support to Evandale Primary and Campbell Town District High Schools breakfast club during Term 3, including donation of new toasters.

Leadership sessions: Youth Officer has been working with Student Leaders at Cressy District High School running workshops focusing on leadership development. Sessions will continue throughout Term 3. Met with great feedback from Student Leaders.

## 8.15 INTEGRATED PRIORITY PROJECTS & STRATEGIC PLANS UPDATE

Prepared by: Maree Bricknell, Corporate Services Manager & Lorraine Green, Project Officer

CURRENT AS OF 10 OCTOBER 2023

Progress Report:

Not Started (obstacles)

On Hold

On Track

Completed

### INTEGRATED PRIORITY PROJECTS PLAN:

Project	Status	Budget 2023-24	\$	Scheduled
<b>1 Progress: Economic health and wealth - grow and prosper</b>				
<b>Foundation Projects</b>				
4.1 Main Street Upgrades: Campbell Town, Longford & Perth	Gov	<b>Campbell Town</b> Business Case submitted to secure the 2022 Election Commitment. DA being prepared	Budget allocation 2023-24 plus contribution from \$8m Federal Govt Election Commitment 2022.	2,450,000 Development Application Submitted
	Gov	<b>Longford</b> DA being prepared.	Budget allocation 2023-24 from Federal Govt Election Commitment 2019.	1,793,628 Awaiting Crown Consent
	C&D	<b>Perth</b> Business Case submitted to secure the 2022 Election Commitment. DA Submitted, awaiting Crown Consent	Contribution from \$8m Federal Govt Election Commitment 2022.	1,641,000 Stormwater Commenced, development application submitted and advertised
4.1 Longford Memorial Hall Upgrade	Gov	Work underway: milestone report to activate first grant instalment submitted.	Federal Govt Election Commitment 2019; Local Roads and Community Infrastructure allocation TBC.	3,109,479 Completion anticipated Dec 2023.
4.4 TRANSLink Intermodal Facility	Gov	Included in NMC Priority Projects document. Business Case being prepared to secure the 2022 Election Commitment. Due Dec 23. Submitted to NTDC as a Northern Tas Priority Project.	Federal Election commitment of \$5m for planning stage. No Council funded Budget allocation 2023-24. Further \$30m commitment subject to planning stage.	5,000,000 Preliminary discussions underway. Business Case application due by Dec 23.
<b>Enabling Projects</b>				
5.1 Perth Sports Precinct & Community Centre	Gov	Concept master plan developed October 2020. Included in NMC Priority Projects document.	Valuation sought – anticipated Oct/Nov 23. No budget allocation 2023-24 staff resources only.	Not scheduled at this stage.
5.1 Ben Lomond Public Shelter Development	Gov	<b>Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania</b> Included in NMC Priority Projects document. Govt has completed new public shelter. Government has committed to development of a master plan.	No allocation 2023-2024, staff resources only to support grant funding applications.	Not scheduled at this stage.
5.3 Campbell Town – Town Hall Sale or Lease	Gov	Agent appointed – all offers to be presented to Council.		Council to rezone property. Consider offers as presented.





Project		Status		Budget 2023-24	\$	Scheduled
5.3	Longford Library & exhibition Building on the Village Green	Gov		<b>Longford Motor Sport Museum</b> Included in NMC Priority Projects document.	No budget allocation staff resources only.	Not scheduled. Moving from Woolmers to Symmons Plains Race Track.
5.3	Power Undergrounding in Evandale, Longford & Perth	Works		Awaiting funding streams to come available. Included in NMC Priority Projects document.	No budget allocation staff resources only.	Not scheduled at this stage.
5.4	Subdivisions (several – Cressy, Evandale, Longford & Perth)	C&D		Council to identify opportunities to provide infrastructure and secure funding. Included in NMC Priority Projects document.	Drainage easement secured at Evandale. Detention basin secured at TRANSlink.	Detention works not scheduled at this stage.
<b>2 People: Cultural and society – a vibrant future that respects the past</b>						
<b>Enabling Projects</b>						
5.1	Recreation Ground Upgrades )	Gov		<b>Campbell Town, Evandale and Cressy</b> NMC Priority Projects document. Funding to be sought for oval upgrades.		Not scheduled at this stage.
		Gov		<b>Cressy Recreation Ground</b> Cricket Australia & State Govt funding secured towards the upgrade of the practice facility, car park and dump point.	115,000	Completed: acquittal reports submitted August 2023.
				<b>Perth Recreation Ground</b> Amenities, topdressing, cricket net upgrade.	135,000	Cricket Nets to Commence Late October
				<b>Longford Recreation Ground</b> Irrigation system install and preparation for 2 <sup>nd</sup> ground.	255,000	Irrigation instal in progress.
5.1	Swimming Pool Upgrades (several)	Gov		<b>Covering of Campbell Town &amp; Cressy Swimming Pools</b> Included in NMC Priority Projects document.	No allocation 2023-24 staff resources only.	- Not scheduled at this stage.
		Gov		<b>Cressy:</b> Solar system replacement <b>Ross:</b> Pool operation to continue (as per the current funding model) whilst structurally/operationally safe to do so.	50,000 Allocation 2023-24 Budget allocation 2023-24 towards WHS issues.	Completion prior to season opening.
5.2	Shared Pathways	Gov		Applications submitted to Growing Regions Program and Better Active Transport Tas program. Included in NMC Priority Projects document. Hobart Road shared pathway submitted to NTDC as a Northern Tas Priority Project.	Funding applications underway.	Design stage.
<b>4 Place: Nurture our heritage environment</b>						
<b>Foundation Projects</b>						
4.2	Perth South Esk River Parklands	Gov		Building Better Regions Fund grant secured towards the extension of the walkway, installation of footbridge and BBQ. Included in NMC Priority Projects document.	Footbridge and pathways to and from substantially complete.	Completion Aug/Sept 23. Acquittal report being prepared.
4.3	Sheepwash Creek Corridor & Open	Gov		Grants secured for major new/improved infrastructure.	Commonwealth Government Disaster Ready funding successfully	Scheduled.



Project	Status	Budget 2023-24	\$	Scheduled
Space	Included in NMC Priority Projects document.	sought.		
4.5 Municipal Tree Planting Program	Annual program being implemented. Included in NMC Priority Projects document.	Budget allocation 2023-2024.	100,000	Ongoing.
<b>Enabling Projects</b>				
5.1 Conara Park Upgrade	Gov Concept prepared: awaiting funding opportunities. Included in NMC Priority Projects document.	No budget allocation staff resources only. Renegotiating with State Growth.	-	Not scheduled at this stage.
5.3 Redevelop Bartholomew Park Cressy	Gov Liaising with Local District Committee to establish/prepare plans for upgrade.	Budget allocation 2023/2024.	\$100,000	During 2023/24.

**Other projects:**

- Open Spaces and Active Infrastructure Grants Programs: soccer field and half-basketball courts – Grant funding applications submitted.
- Laycock Street Park LRCI funding – scheduled in 2023/24 budget period.
- Morven Park Miniature Railway Storage Shed: TCF application lodged – unsuccessful.
- Ross Men's Shed Extension: Grant Agreement signed.
- Napoleon Street Park – awaiting subdivision works.
- Longford Community/Neighbourhood House – lobbying State Government.
- Longford Caravan Park Amenities – under construction.
- Seccombe Street Reserve Raised Pavement Platform – Vulnerable Road User grant of \$50,000 secured – work scheduled in 2023/24 budget period.

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

Prepared by: Fiona Dewar, Tourism and Events Officer

**Tourism update:**

- Events:
  - Liaise with event organisers re planning and information required, assist those seeking funding and in-kind support. Provide assistance to event organisers to fulfil Council compliance requirements.
  - Keep event list updated and distribute.
  - Update NMC website calendar.
- Northern Midlands Community Expo 2023:
  - Process late registrations coming in.
  - Assist organisations with enquiries.
  - Progress event marketing.
  - Distribute Exhibitor Kits and updates to exhibitors.
  - Bump in / Bump out event 9 September.
  - Coordinate event on the day, 9 September.
  - Follow ups from exhibitor enquiries on the day.
  - Collate feedback.
  - Finalise payments for services/supplies.
- Northern Midlands Visitor Centres Group:
  - Liaise with Centres re enquiries.
  - Disseminate information from TVIN.
  - Disseminate updates from fire and weather alert agencies.
  - Progress planning for upcoming volunteers famil.
  - Facilitate six monthly meeting on 26 September.
- Liaise with local tourism operators to provide industry information.
- Attend Visit Northern Tasmania AGM on 19 September.



- Attend NMBA AGM on 20 September.
- Attend Fire Training on 21 September.
- Attend Visit Northern Tasmania regional Leadership Forum on 27 September.

**HHTRA update:**

- Facilitate and attend AGM on 12 September.
  - Ongoing marketing activities include website blog posts and social media.
  - Administrative tasks.
  - Updates to Quick Reference Guide.
  - Progress planning for next workshop on 10th October.
-



## 9 PUBLIC QUESTIONS AND STATEMENTS

### **PUBLIC QUESTIONS AND STATEMENTS**

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

Public question time is to commence at approximately 5:30pm and is to be conducted in accordance with the following guidelines:

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

### **PUBLIC QUESTIONS**

#### **Public Showers and Review of District Committee Memorandum of Understanding**

Annette Aldersea, Longford

Ms Aldersea requested

- 1) Public Showers: that Council consider the inclusion of accessible showers in the Memorial Hall at Longford, it may be possible to convert one of the existing toilet facilities into a shower to reduce costs; she noted that the discussion had been ongoing for a number of years and noted that there are a number of homeless people requiring facilities and requested that Council provide a facility as a matter of urgency.
- 2) District Committees: committees would appreciate a forum to discuss what is needed by the committees. Ms Aldersea noted that some committees, in particular Longford and Perth Committees are proactive and need to meet on a monthly basis; and that committees be provided the option to meet monthly.

#### **Review of District Committee Memorandum of Understanding**

John Izzard, Longford

Mr Izzard rejected the proposal to hold bi-monthly meetings for District Committees, especially for Longford. Mr Izzard suggested that Council provide more support to the Longford committee and noted that they "do a very good job".



## 10 COUNCIL ACTING AS A PLANNING AUTHORITY

### MINUTE NO. 23/0366

#### DECISION

Cr Terrett/Cr Archer

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda Item/s 11.1 to 11.3 and 11.5 to 11.7.

Carried Unanimously

#### **RECOMMENDATION**

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda Item/s 11.1 to 11.7.

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

### 10.1 STATEMENTS

#### REPRESENTATIONS ON PLANNING ITEMS

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

Each speaker is limited to a maximum of 3 minutes.

#### **11.6 PLN 23-0168: Retaining Wall & Privacy Screen on existing rear fence 11 Muirton Way, Perth**

Emily Quinn, Perth

Ms Quinn noted that the matter of screening had been resolved; however, with regard to

- 1) retaining wall
  - location of retaining wall is close to the boundary means she will need to install a privacy screen;
  - would reduce sunlight; and
  - create privacy issues
- 2) garden shed
  - would overshadow property as the site is raised 600mm;
  - the shed would then be taller than her house; and
  - reduced sunlight would increase power bills and who will pay.

Katelyn Prosser, Perth (proponent)

Ms Prosser noted that

- she had attempted to address the concerns raised in her response to Council;
- the wall had been erected to assist with drainage and assist with flow onto the adjoining property;
- she had consulted with Council re the development of her backyard;
- Council had advised her that the shed did not require a permit; and
- she is attempting to re-site the shed, but cannot locate it as requested as the drainage pits are at that location.



**PLAN 11.7: PLN-23-0086: 24-hour vehicle fuel sales for cars and trucks, 26A Tannery Road, Longford**

Steve Duncan, local Sales Manager for Lowes, the proponent

Mr Duncan noted that:

- Australian owned and operated;
- in 2015 Lowes Service Petroleum partnered with BP;
- Lowes offered local service of bulk fuel and lubricants;
- delivered by team of people who understand the local community;
- currently employ 34 people in Tasmania;
- the development is an example of Lowes' commitment to Tasmania;
- development application submitted for a 24hr refueling at Longford to support existing local customers and alternate offering to the local community;
- proposed plan is for heavy and light vehicle refueling;
- propose in the future to add electric charging facilities; and
- confirm commitment to development and support to existing customers in the Longford community.

Annette Aldersea, Longford

Ms Aldersea provided the following statement from which she read:

*I wish to address Council regarding the proposed fuel stop for Tannery Road Longford.*

*I believe we all share the same concern of the negative impact this fuel stop will have in terms of traffic congestion, safety, the impact on existing businesses, and of course the further erosion of the appearance to the entrance of our historic town and its unique character.*

*The application before you leaves many questions unanswered.*

*How will the road be widened?*

*Given the embankments on Tannery Road, it raises many questions and concerns as to how the road can be widened on the east side and what impact it will have on the footpath,*

*trees, rose bed etc.*

*How does this proposal not compromise or distort the hierarchy of the Longford business centre?*

*We all know that it will seriously impact the existing petrol stations, with at least one forced to close due to a downturn in business, leaving us with a long-term vacant site, as is the case*

*in Perth.*

*It is ludicrous that Perth gets a bypass, but Longford is to have a 24 hour truck fuel stop bringing more traffic, including an increase of heavy vehicles, into the entrance of town. When there has been much discussion about a future bypass for Longford also, this proposal completely lacks common sense.*

*Council should not approve this application when it does not have all the information needed to make an informed decision.*

*We ask that Council defer the planning application, and request revised plans be submitted which include the road widening, the modified access, including sweep path showing large turning vehicles will not encroach over the centre line, and further information regarding the impact to the hierarchy of the town, before making a final decision.*

John Izzard, Longford

Mr Izzard noted that:

- Tannery Road refueling centre is inappropriate and unnecessary development;
- it would have the potential to add to unbearable and dangerous traffic congestion at Tannery Road, being the northern end of Wellington Street;
- approximately 18,000 traffic movements a day from catchment area of south-west section of the Northern Midlands council area;
- the proposed development is located at the exit from the town;



- a number of businesses operate in the area, including Swift abattoir, Swift shop, Koppers Logs, Kingsley House, Storage facility, Case Tractors, United Service Station, the Iron Works, Dog Wash, Browns Complex, the Country Club Hotel, Shell Service Station, Grubbs Tyres and John Deere tractors, all of which results in considerable traffic;
- added to the existing traffic a 24 hour service facility would bring in B Doubles, semi-trailers all of which have alternative options available;
- 15 m down the road is United Service station with provision for heavy vehicles;
- United and Shell Service Stations have been upgraded; and
- the introduction of a further service station may lead to closures, as it is not believed that the town could support another service station.



## 11 PLANNING REPORTS

### 11.1 DRAFT AMENDMENT 10/2023 TO THE NORTHERN MIDLANDS LOCAL PROVISIONS SCHEDULE: COLLINS STREET, EVANDALE (141412/1)

File: PLN-23-0164  
Responsible Officer: Des Jennings, General Manager  
Report prepared by: Erin Miles, Project Officer

#### MINUTE NO. 23/0367

#### DECISION

Cr Terrett/Cr Goss

1. That, under section 38(2)(a) of the *Land Use Planning and Approvals Act 1993*, Council as planning authority, decide to agree to the amendment to 'insert a Site-Specific Qualification (SSQ) to the existing Northern Midlands Local Provisions Schedule NOR-Site-specific Qualifications table, to allow General retail and hire with the qualification "If for a market and directly associated with the Evandale market" as a Discretionary use for 36 Collins Street, Evandale' and prepare draft amendment 10/2023 of the Local Provisions Schedule as below.

And

2. That, under section 40F(2)(a) of the *Land Use Planning and Approvals Act 1993*, Council as planning authority, certify draft amendment 10/2023 of the Northern Midlands Local Provisions Schedule as meeting the LPS criteria.

#### Draft Amendment 10/2023 of the Northern Midlands Local Provisions Schedule:

- A. Amend clause NOR-Site-specific Qualifications by inserting the following:

Ref No.	Site Reference	Folio of the register	Description (modification, substitution or addition)	Relevant clause in the State Planning Provisions
NOR-8.3	36 Collins Street, Evandale	141412/1	An additional Discretionary Use Class for this site is: General retail and hire with the qualification "If for a market and directly associated with the Evandale market".	General Residential Zone – clause 8.2 Use Table

- B. Amend the planning scheme maps to show a site-specific qualification on 36 Collins Street, Evandale (folio of the Register 141412/1).

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

#### RECOMMENDATION

1. That, under section 38(2)(a) of the *Land Use Planning and Approvals Act 1993*, Council as planning authority, decide to agree to the amendment to 'insert a Site-Specific Qualification (SSQ) to the existing Northern Midlands Local Provisions Schedule NOR-Site-specific Qualifications table, to allow General retail and hire with the qualification "If for a market and directly associated with the Evandale market" as a Discretionary use for 36 Collins Street, Evandale' and prepare draft amendment 10/2023 of the Local Provisions Schedule as below.

And

2. That, under section 40F(2)(a) of the *Land Use Planning and Approvals Act 1993*, Council as planning authority,





certify draft amendment 10/2023 of the Northern Midlands Local Provisions Schedule as meeting the LPS criteria.

Draft Amendment 10/2023 of the Northern Midlands Local Provisions Schedule:

A. Amend clause NOR-Site-specific Qualifications by inserting the following:

Ref No.	Site Reference	Folio of the register	Description (modification, substitution or addition)	Relevant clause in the State Planning Provisions
NOR-8.3	36 Collins Street, Evandale	141412/1	An additional Discretionary Use Class for this site is: General retail and hire with the qualification "If for a market and directly associated with the Evandale market".	General Residential Zone – clause 8.2 Use Table

B. Amend the planning scheme maps to show a site-specific qualification on 36 Collins Street, Evandale (folio of the Register 141412/1).

## 1 INTRODUCTION

This report:

- Assesses a draft amendment of the Northern Midlands Local Provisions Schedule to insert a Site-Specific Qualification (SSQ) to the existing Northern Midlands Local Provisions Schedule NOR-Site-specific Qualifications table, to allow General retail and hire with the qualification "If for a market and directly associated with the Evandale market" as a Discretionary use for 36 Collins Street, Evandale.

The applicant advises that:

The purpose of the proposed draft amendment is to enable consideration of a development application for construction of a new building associated with the Evandale Market. The building would be used to house indoor market stalls to expand the existing Sunday market. The intention is to expand the market offerings and meet demand for additional undercover market stalls, as these are less impacted by poor weather.

The proposed use and development would not be possible under the Scheme without the proposed draft scheme amendment.

## 2 BACKGROUND

**Applicant:**

6ty°

**Zone:**

8.0 General Residential

**Classification under the Scheme:**

Planning scheme amendment.

**Decision Date:**

Decision whether or not to agree to the amendment must be made by 18<sup>th</sup> October 2023.

**Owner:**

Peter Hickson Woof

**Codes/Specific Areas Plans:**

C13.0 Bushfire-Prone Areas, C16.0 Safeguarding of Airports - Obstacle Limitation Area, C2.0 Parking and Sustainable Transport, C9.0 Attenuation

**Existing Use:**

Vacant

**Recommendation:**

That Council as planning authority agree to, and certify, the draft amendment.



**Planning Instrument:**

*Tasmanian Planning Scheme - Northern Midlands*

**Preliminary Discussion:**

The applicant has held preliminary discussions with council officers on this proposal.

### 3 STATUTORY REQUIREMENTS

***Land Use Planning and Approvals Act 1993***

***37. Request for amendment of LPSs***

- (1) A person may request a planning authority to amend an LPS that applies to the municipal area of the planning authority.
- (2) A request under subsection (1) is to be in a form approved by the planning authority or, if a form has been approved by the Commission, is to be in that form.
- (3) A request under subsection (1) by a person to a planning authority to amend the zoning or use or development of one or more parcels of land specified in an LPS must, if the person is not the owner, or the sole owner, of the land –
  - (a) be signed by each owner of the land; or
  - (b) be accompanied by the written permission of each owner of the land to the making of the request.

***38. Decision in relation to request***

- (1) A planning authority, before deciding whether to prepare a draft amendment of an LPS in relation to a municipal area in accordance with a request under section 37(1), must be satisfied that such a draft amendment of an LPS will meet the LPS criteria.
- (2) A planning authority, within 42 days after receiving a request under section 37(1) or a longer period allowed by the Commission, must–
  - (a) decide to agree to the amendment and prepare a draft amendment of the LPS; or
  - (b) decide to refuse to prepare the draft amendment of the LPS.

### 4 ASSESSMENT

#### 4.1 Proposal

The application requests an amendment to the Northern Midlands Local Provisions Schedule as follows:

*To insert a Site-Specific Qualification (SSQ) to the existing Northern Midlands Local Provisions Schedule NOR-Site-specific Qualifications table, to allow General Retail and Hire with the qualification "If for a market and directly associated with the Evandale market" as a Discretionary use for 36 Collins Street, Evandale.*

*The following would be added to the NOR-Site-specific Qualifications table:*

***NOR-Site-specific Qualifications table***

Ref No.	Site Reference	Folio of the register	Description (modification, substitution or addition)	Relevant clause in the State Planning Provisions
NOR-8.3	36 Collins Street, Evandale	141412/1	An additional Discretionary Use Class for this site is: General retail and hire with the qualification "If for a market and directly associated with the Evandale market".	General Residential Zone – clause 8.2 Use Table

#### 4.2 Zone and Land Use

The land is in the General Residential Zone. The site is currently vacant, other than a small shed.

#### 4.3 Subject Site and Locality

The author of this report conducted a site visit on 5th September 2023. The land has a total area of 8375m<sup>2</sup>, however, only a 1800m<sup>2</sup> portion is proposed to be impacted by the Site Specific Qualification. The site is mostly vacant, with the exception of a shed and vegetation and is relatively level, except for the very eastern side adjacent to the carpark, which gently slopes to the east.

*Figure 1 - Photograph of subject site looking south*



*Figure 2 - Photograph of subject site looking south east*





*Figure 3 - Photograph of subject site looking west along walkway from market carpark to Falls Park*



*Figure 4 - Photograph of Falls Park market area looking toward subject site*





Figure 5 – Aerial photograph of area



#### 4.4 Permit/Site History

- An application for a dwelling on the site was received in 2018 but expired awaiting further information prior to a decision being made.
- PLN-21-0071 – Dwelling, garage and shed (within attenuation distance of Evandale Sewage Treatment Plant, removal of vegetation) at 35 Collins Street, Evandale (access over 18 Logan Road)

#### 4.5 Notice to agencies and State authorities

If Council as planning authority certifies the draft amendment, before exhibiting the draft amendment of an LPS, Section 40FA of the Land Use Planning and Approvals Act requires the planning authority to notify:

*(a) the relevant agencies; and*

*(b) those State Service Agencies, or State authorities, that the planning authority considers may have an interest in the draft amendment of the LPS.*

#### TasNetworks

TasNetworks advised on 28/09/2023 that:

Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

It is recommended that the customer or their electrician contact TasNetworks on 1300 137008 if they have any questions regarding any upgrades they may require to their electricity supply due to this development.

#### TasWater

TasWater advised on the 26<sup>th</sup> September 2023 that it does not object to the draft amendment and has no formal comments in relation to the matter and does not require to be notified of, nor attend any subsequent hearings.

#### Planning Policy Unit - Department of State Growth

The application was referred to the Planning Policy Unit on 19 September 2023. As of writing, a response has not been received.



### **Council's Works and Infrastructure Department**

Council's Works and Infrastructure Department advised on 19<sup>th</sup> September 2023 of no comment to make.

### **Heritage Advisor, David Denman**

The site is not within the Evandale Heritage Precinct and does not require referral to Council's Heritage Advisor.

## **4.6 Notice of exhibition in relation to the draft amendment**

Section 40G of the Land Use Planning and Approvals Act requires:

- (1) A planning authority, as soon as practicable after providing to the Commission a copy of a draft amendment of an LPS, must ensure an exhibition notice in relation to the draft amendment of an LPS is published in accordance with this section.*
- (2) The exhibition notice is to be published once before, and once within 14 days after, the first day of the exhibition period, in a newspaper that is published in Tasmania and circulates generally in the area to which the draft amendment of an LPS relates.*
- (3) The exhibition notice is to –*
  - (a) specify the period that is to be the exhibition period in relation to the draft amendment of the LPS; and*
  - (b) specify that the draft amendment of the LPS is or will be –*
    - (i) available for viewing by the public, during the exhibition period, at premises, that are offices of the planning authority, specified in the notice; and*
    - (ii) available for viewing and downloading by the public, during the exhibition period, at an electronic address specified in the exhibition notice; and*
  - (c) contain an invitation to all persons and bodies to, within the exhibition period, make to the planning authority a representation in relation to the draft amendment of the LPS by submitting the representation to –*
    - (i) the premises specified in the notice in accordance with paragraph (b)(i) ; or*
    - (ii) an electronic address specified in the notice.*
- (4) The exhibition period, in relation to a draft amendment of an LPS, is to be a period of 28 days –*
  - (a) beginning on the day on which the draft amendment of the LPS begins to be available for viewing by the public at exhibition premises in accordance with section 40H ; and*
  - (b) excluding any days on which the exhibition premises are closed during normal business hours.*

Any representations received during the exhibition period will be considered by the Council as planning authority for reporting on to the Tasmanian Planning Commission.

## **4.7 Assessment Against LPS Criteria**

*34(2) The LPS criteria to be met by a relevant planning instrument are that the instrument –*

***(a) contains all the provisions that the SPPs specify must be contained in an LPS***

The proposed rezoning has no impact on provisions required to be contained in an LPS.

***(b) is in accordance with section 32***

Under section 32:

- (3) An LPS may, if permitted to do so by the SPPs, include*
  - (a) a particular purpose zone...*
  - (b) a specific area plan, being a plan consisting of –*
    - (i) a map or overlay that delineates a particular area of land; and*
    - (ii) the provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions, of the SPPs.*
  - (c) a site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.*
- (4) An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –*
  - (a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*
  - (b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*



The General Residential Zone applies to the subject site. The draft amendment seeks to insert a site-specific qualification. As advised in the application:

The purpose of the proposed draft amendment is to enable consideration of a development application for construction of a new building associated with the Evandale Market [currently located adjacent to the site]. The building would be used to house indoor market stalls to expand the existing Sunday market. The intention is to expand the market offerings and meet demand for additional undercover market stalls, as these are less impacted by poor weather.

The spatial qualities of the site relate to its proximity to the existing Evandale Market and demonstrate the draft amendment is in accordance with section 32.

***(c) furthers the objectives set out in Schedule 1***

***Schedule 1, Part 1 – Objectives of the Resource Management and Planning System of Tasmania***

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

The site is a General Residential zoned lot, surrounded by a range of urban uses. The area impacted by the proposed Site Specific Qualification is mostly cleared and contains limited natural resources. Any future development of the site is likely to have minimal impact on the maintenance of ecological processes and genetic diversity.

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

The amendment process gives due consideration to these matters and the subject site does not contain any particular natural or cultural values that require special consideration. The draft amendment presents a logical expansion of the market site and forms a natural linkage between the established market car park, walkway and Falls Park market area, without impacting on existing retail and service provisions within the town. The proposal is consistent with this objective.

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

If the draft amendment is certified by the planning authority, it will be placed on public notification in accordance with the Land Use Planning and Approvals Act, allowing for representations to the draft amendment to be submitted.

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

The draft amendment seeks to allow for an extension of the existing Evandale Market onto adjoining land and facilitate additional undercover area for stallholders, ameliorating the impact of adverse weather. The market is a key economic driver for the township and facilitates economic development across a range of local businesses.

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

Notice of the draft amendment has been given to relevant agencies and State authorities.

***Schedule 1, Part 2 – Objectives of the Planning Process Established by this Act***

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

The draft amendment is consistent with the Northern Tasmania Regional Land Use Strategy that identifies Evandale as a satellite suburb, described as providing an extensive urban area independent of the Greater Launceston Urban Area with key local retail, commercial, and community service functions. The amendment does not seek to change the underlying zone but will allow for strategic development of the site given its location in relation to the established market site and adjoining car park. The site is already constrained for residential use, given the lack of road frontage, limited services and siting within an Attenuation area of the Evandale Wastewater Treatment Plant, but presents an opportunity to further promote a key local attraction to the township that is integral to the towns identity, being the Evandale Market.



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

Consistent with that system, the planning authority determines whether to prepare the draft amendment and approve the application for planning permit.

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

Given the urban location and semi-developed (cleared) nature of the site, the proposed draft amendment is unlikely to have any significant impact on environmental values of the site.

As noted in the application, the future use and development that will be facilitated by the proposed draft amendment for an expansion of the Evandale Market, will have a net community benefit from an economic and social perspective. The market has been operating consistently since approximately 1975, and runs every Sunday, in all weather. Visitor numbers to the market each week average 3000 people (up to 5000 at peak times) along with approximately 150 stallholders (Examiner, 2017). Providing all weather facilities is important in providing security for stallholders and subsequent patronage to the market and other retail outlets within the town.

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

The proposed amendment is consistent with relevant local, regional and state policies, as discussed later in this report.

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

The proposed planning scheme amendment is requested under section 37(1) of the Act.

*f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation*

The proposal allows for a use that is consistent with this objective, given the established and popular nature of the Evandale market with both locals and visitors to the town.

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

The subject site is not an area or place of scientific, aesthetic, architectural or historical interest.

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

The draft amendment will not have a negative impact on public infrastructure. The site has limited access to existing services.

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

LIST Map shows that the site was excluded from the study area of the land potentially suitable for agriculture zone and is not subject to the State Policy on the Protection of Agricultural Land.

***(d) is consistent with each State policy***

**State Policy on the Protection of Agricultural Land 2009**





LIST Map shows that the site was excluded from the study area of the land potentially suitable for agriculture zone. The draft amendment does not impact on the State Policy on the Protection of Agricultural Land.

#### **Tasmanian State Coastal Policy 1996**

The subject site is not in a coastal zone and the Coastal Policy does not apply.

#### **State Policy on Water Quality Management 1997**

Although not currently connected, the site has access to the existing reticulated stormwater and sewerage services and capacity to dispose of on-site subject to further assessment. The draft amendment is consistent with this State policy.

#### **National Environmental Protection Measures (NEPMs)**

In accordance with the State Policies and Projects Act 1993, a NEMP is taken to be a State Policy. The following NEMPs are therefore State policies:

*Air Toxics*  
*Ambient Air Quality*  
*Assessment of Site Contamination*  
*Diesel Vehicle Emissions*  
*Movement of Controlled Waste between States and Territories*  
*National Pollutant Inventory*  
*Used Packaging Materials*

None of the NEPMs apply to the subject site and proposed amendment.

#### ***(da) satisfies the relevant criteria in relation to the TPPs***

There are no TPPs currently in effect; therefore, it is considered this criteria is met.

#### ***(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates***

The subject site is identified as being within the Urban Growth Area land use category of the Northern Tasmania Regional Land Use Strategy (NTRLUS). Urban Growth Areas comprise land within the developed urban settlement or in areas intended for urban development as identified in a Priority Consolidation Area, Supporting Consolidation Area or Growth Corridor shown in the Regional Framework Plan Map. Map D.3 identifies the site as being within a supporting consolidation area, defined as follows:

##### **Supporting Consolidation Areas**

- Comprising land in established suburbs which is separate from *Priority Consolidation Areas* as shown in the Regional Framework Plan Maps D.1, D.2 and D.3;
- Support reliable and effective transportation and reduce vehicle dependency;
- Physically connect new urban settlements to existing communities wherever possible, or otherwise provide new development with direct transport linkages to established urban areas;
- Promote cohesive communities;
- Support a wide range of services and facilities;
- Support access to existing or planned activity centres; and



- Comprise a suitable and complementary mix of land uses to support the *Regional Settlement Hierarchy* and the *Regional Activity Centre Hierarchy*.

Evandale is classified as a Satellite Settlement within the Regional Settlement Hierarchy and as a Neighborhood or Town Centre in the Regional Activity Centre Hierarchy. The proposal is consistent with the Key Activity Centre Network Strategies detailed at section E.3.3 of the NTRLUS and the associated Specific Policies and Actions, as further detailed in the Planning Submission report.

The draft amendment is consistent with the Northern Tasmania Regional Land Use Strategy.

***(f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates***

The current strategic plan for the Northern Midlands is the Northern Midlands Council Strategic Plan 2021-2027. The plan focusses on the unique elements of the Northern Midlands, an enviable place to live, work and play. The Plan is based upon four key priorities:

Lead: Serve with honesty, integrity, innovation and pride

Progress: Economic health and wealth – grow and prosper

People: Cultural and society – a vibrant future that respects the past

Place: Nurture our heritage environment

Each priority is supported by four strategic outcomes that describe what the Council aims to achieve, and that are consistent with its vision.

Actions and projects to achieve these outcomes will be included in the Council's Annual Plan. Performance measures will be included in the Annual Plan to enable the Council to track its progress against each of the strategic outcomes.

***(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates***

While the site is not in close proximity to another municipal area, the draft amendment's consistency with the RLUS ensures a similar consistency and co-ordination with the LPSs of adjacent municipal areas.

***(h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019***

The site is not in the vicinity of the Tasmanian Gas Pipeline.

## **5 ASSESSMENT OF PLANNING APPLICATION**

A permit application is not proposed under section 40T of the *Land Use Planning and Approvals Act*; therefore, assessment against the zone and NOR-S5.0 Evandale Specific Area Plan is not relevant. A summary of the relevant Code provisions is provided below.

CODES		
E1.0	Signs Code	N/a – no development proposed. Future development of the site will be subject to the Signs Code if signage is proposed.
E2.0	Parking and Sustainable Transport Code	Code applies to all use and development. Future use and development of the site will be subject to the provisions of the Code.
E3.0	Road and Railway Assets Code	Code applies to use and development specified in clause C3.2.1. Future use and development of the site may be subject to the provisions of the Code.
E4.0	Electricity Transmission Infrastructure Protection Code	N/a



E.5.0 Code	Telecommunications	N/a
E6.0 Code	Local Historic Heritage	N/a
E7.0	Natural Assets Code	N/a
E8.0	Scenic Protection Code	N/a
E9.0	Attenuation Code	The site is within the Attenuation Distance of the Tasmanian Gun Club on Nile Road and the Evandale sewerage lagoons. Future use and development will need to consider the requirements of the code, however, the use proposed by draft amendment will not be subject to the application of the Code under clause C9.2.1.
E10.0 Code	Coastal Erosion Hazard	N/a
E11.0 Hazard Code	Coastal Inundation	N/a
E12.0 Hazard Code	Flood-Prone Areas	N/a
E13.0 Code	Bushfire-Prone Areas	The site is mapped as Bushfire Prone and future use and development of the site will be subject to the provisions of the Code.
E14.0 Contaminated Land Code	Potentially	N/a
E15.0	Landslip Hazard Code	N/a
E16.0 Airports Code	Safeguarding of	The subject site is within the Airport obstacle limitation area with 211m AHD. Future use and development of the site will be subject to the provisions of the Code.

#### PARTICULAR PURPOSE ZONES

NOR-P1.0	Particular Purpose Zone – Campbell Town Service Station	Not applicable
NOR-P2.0	Particular Purpose Zone – Epping Forest	Not applicable

#### GENERAL PROVISIONS

7.1	Changes to an Existing Non-conforming Use	Not applicable
7.2	Development for Existing Discretionary Uses	Not applicable
7.3	Adjustment of a Boundary	Not applicable
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	Not applicable
7.5	Change of Use from an existing lawful use to another use in the same use class	Not applicable
7.6	Access and Provision of Infrastructure Across Land in Another Zone	Not applicable
7.7	Buildings Projecting onto Land in a Different Zone	Not applicable
7.8	Port and Shipping in Proclaimed Wharf Areas	Not applicable
7.9	Demolition	Not applicable
7.10	Development Not Required to be Categorised into a Use Class	Not applicable
7.11	Use or Development Seaward of the Municipal District	Not applicable
7.12	Sheds on Vacant Sites	Not applicable

## 6 FINANCIAL IMPLICATIONS TO COUNCIL

Assessing planning scheme amendments is within budget allocations.



## **7 OPTIONS**

### Decision in relation to request

The planning authority can:

- decide to agree to the amendment and prepare a draft amendment of the LPS; or
- decide to refuse to prepare the draft amendment of the LPS.

### Preparation of draft amendment

If the planning authority decides to agree to the amendment, it must prepare a draft amendment. A draft amendment has been prepared as shown in the recommendation of this report.

### Certification of draft amendment

- The planning authority must consider whether it is satisfied that the draft amendment meets the LPS criteria, see section 4.7.
- If the planning authority is satisfied that the draft amendment meets the LPS criteria, it must certify the draft as meeting the requirements of the Land Use Planning and Approvals Act; or
- If the planning authority is not satisfied that the draft amendment meets the LPS criteria it must modify the draft so that it meets the requirements and then certify the draft as meeting those requirements.

## **8 DISCUSSION**

As discussed in this report, the draft amendment is in accordance with the LPS criteria. It is recommended that the planning authority certify the draft amendment. The draft amendment will then be placed on public exhibition and any representations received considered by the planning authority before providing a report on the representations to the Tasmanian Planning Commission.

## **9 ATTACHMENTS**

1. NMC - Planning Application Form 03-07-23 [**11.1.1** - 1 page]
2. TPC owner consent form completed [**11.1.2** - 2 pages]
3. Folio plan [**11.1.3** - 1 page]
4. 23.163 - Final Planning Submission - Evandale Market [**11.1.4** - 30 pages]
5. SPAN [**11.1.5** - 1 page]
6. Response W&I No comment [**11.1.6** - 1 page]
7. Tas Networks Response to referral [**11.1.7** - 1 page]



## 11.2 PLN23-0085: SUBDIVISION - 7A WILLIAM STREET, CAMPBELL TOWN

File: 305100.155; PLN23-0085  
Responsible Officer: Des Jennings, General Manager  
Report prepared by: Paul Godier, Senior Planner

### MINUTE NO. 23/0368

#### DECISION

Cr Terrett/Cr Archer

That application PLN-23-0085 to develop and use a 14 residential lot subdivision including filling of land, & 1 road lot, & 2 footpath lots, 2.4m high fence along East Street boundary & infrastructure works in William Street and East Street at 7A William Street and William Street and East Street road reserves be approved subject to the following conditions:

#### 1 APPROVED DOCUMENTS

1.1 Except as required by condition 2 of this permit, the use and development must be in accordance with the endorsed documents listed below:

**P1** Plan of Proposed subdivision Woolcott Surveys **V4.2 02/10/2023**

**D1** rare. drawings COV (Rev. A 29.03.23), C000 (Rev. A 29.03.23), C101 (Rev. B 17.07.23), C102 (Rev. B 17.07.23), C201 (Rev. B 17.07.23), C202 (Rev. B 17.07.23), C301 (Rev. A 29.03.23), C401 (Rev. A 29.03.23), C402 (Rev. A 29.03.23), C421 (Rev. A 29.03.23), C422 (Rev. A 29.03.23), C431 (Rev. A 29.03.23), C435 (Rev. A 29.03.23), C501 (Rev. A 29.03.23), C502 (Rev. A 29.03.23), C521 (Rev. A 29.03.23), C531 (Rev. A 29.03.23), C601 (Rev. A 29.03.23), C701 (Rev. A 29.03.23), C702 (Rev. A 29.03.23) (revised to be in accordance with Proposed subdivision Woolcott Surveys V4.2 02/10/2023).

**D2** Planning Supporting Report, Woolcott Surveys, April 2023 (layout of proposed subdivision Woolcott Surveys V4.2 02/10/2023 takes precedence)

**D3** Traffic Impact Assessment, Traffic & Civil Services, April 2023 (layout of proposed subdivision Woolcott Surveys V4.2 02/10/2023 takes precedence), **except that the construction of footpath along the southern side of William Street from the proposed road to High Street is not required.**

**D4** Bushfire Hazard Report, Woolcott Surveys, April 2023 (layout of proposed subdivision Woolcott Surveys V4.2 02/10/2023 takes precedence).

**D5** Railway Noise Assessment, pitt&sherry, 5 April 2023 (layout of proposed subdivision Woolcott Surveys V4.2 02/10/2023 takes precedence).

**D6** Flood Prone Area Code Response Memo, Hydrodynamica, 14 July 2023 (layout of proposed subdivision Woolcott Surveys V4.2 02/10/2023 takes precedence)

#### 2 PLANS REQUIRED

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

- (a) Planting of street trees within the road reserve, in consultation with a Bushfire Hazard Practitioner:
- at intervals of not less than 10m measured between the centre of each trunk; or
  - at intervals not less than the canopy diameter of the tree species at maturity; and
  - in locations where sight distances to vehicle access points are compliant with Australian Standard AS 2890.1:2004, Parking Facilities, Part 1: Off-street car parking, section 3, Access Facilities to Off-street Parking Areas and Queuing Areas
  - The location of street trees must be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each tree.
- (b) Landscaping/surface treatment of footpaths.
- (c) Streetlights in accordance with TasNetworks requirements.
- (d) Provision of National Broadband Network (NBN) in accordance with the NBN's requirements. Written advice from NBN must be provided.



### **3 ROADS AND ACCESS**

#### **3.1 Plans required**

Prior to the commencement of the development, engineering design plans of the road, footpaths and drainage system must be submitted to the approval of the Council's Works Manager. The plans must show:

- Pavement long sections and cross sections
- Kerb and channel and a 1.8m wide concrete footpath shall be constructed to service all lots.
- All new roads or road widening works are to be hotmix sealed.

#### **3.2 Access**

A concrete driveway crossover and apron must be constructed from the edge of the street to the property boundary of each lot in accordance with Council standards.

### **4 WORKS IN COUNCIL ROAD RESERVE**

- Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works Manager.
- Twenty-four (24) hours' notice must be given to the Works & Infrastructure Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.

### **5 WORKS ON COUNCIL INFRASTRUCTURE**

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

### **6 NATURE STRIPS**

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

### **7 STORMWATER**

- Each lot must be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.
- A stormwater report and design plans, including calculations long sections and the depth, size and grade of all mains is to be provided to Council for approval prior to the commencement of any works on site.
- A building envelope must be shown on any lots where the stormwater connection cannot provide drainage for the entire lot.

### **8 POLLUTANTS**

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

### **10 MUNICIPAL STANDARDS & CERTIFICATION OF WORKS**

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



#### **11 AS CONSTRUCTED INFORMATION**

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

#### **12 EASEMENTS TO BE CREATED**

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

#### **13 MAINTENANCE PERIOD**

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

#### **10 Agreement under section 71 of the Land Use Planning and Approvals Act 1993**

The landowner of 7A William Street, Campbell Town (title reference 43080/4, under section 71 of the Land Use Planning and Approvals Act 1993, must prepare and enter into an agreement with the Northern Midlands Council ("Council"), to the satisfaction of the General Manager. The agreement must provide for the following:

- Upon the Council being notified by the landowner that it intends to act on planning permit PLN-23-0085 ("Permit"), and on the payment to the Council of the cost of preparing design plans for the upgrade of the open drain in East Street for the frontage of the property, and the cost of upgrading the open drain in East Street for the frontage of the property, the Council agrees to undertake the works within East Street, Campbell Town within nine (9) months.

The agreement must be prepared by the landowner and forwarded to Council along with a cheque made payable to the Tasmanian Recorder of Titles in the amount of the relevant registration fee.

Note: In accordance with section 53(6) of the Land Use Planning and Approvals Act 1993, the Permit does not take effect until the day the agreement is executed.

#### **Street trees**

- a. Before the final plan is sealed, a bond or bank guarantee of \$400 per street tree must be provided to the Council.
- b. The developer must plant the street trees in accordance with the landscape plan at the end of the 12-month maintenance period. If the trees are not planted, Council may use the bond/bank guarantee to ensure the plantings occur.
- c. Each tree must be provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti-vandalism tie down to prevent removal and be coordinated with the construction plans of underground services and pavement works to provide sufficient clearances around each tree.

#### **14 TASWATER CONDITIONS**

Water and sewer services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2023/00730-NMC).

#### **15 BUSHFIRE HAZARD REPORT REQUIREMENTS**

The works required by the endorsed Bushfire Hazard Report are to be completed to the satisfaction of the Tasmanian Fire Service or a practitioner accredited by the Tasmanian Fire Service. Documentation of compliance is to be submitted to the satisfaction of Council.

#### **16 CERTIFICATION OF FIRE HYDRANT SYSTEM**

Hydrants compliant with table E4 of Planning Directive No. 5.1 Bushfire-Prone Areas Code must be in place prior to sealing of titles for any stage and located generally in accordance with the Bushfire Hazard Management Plan.

Before the Final Plan is sealed, certification must be provided from TasWater that the fire hydrant system has been designed and constructed in accordance with *TasWater Supplement to Water Supply Code of Australia WSA 03 – 2011-3.1 MRWA 2<sup>nd</sup> Edition*





## 17 RAILWAY NOISE ASSESSMENT REQUIREMENTS

In accordance with the pitt&sherry Railway Noise Assessment, a 2.4 metre high solid fence must be constructed along the full length of the eastern boundary facing the railway, with a break for a footpath between adjoining lots. This may be built from heavy duty Colorbond steel, timber or masonry, and must be free from any gaps or cracks, including between the fencing panels and the ground. All joints must be well sealed. Certification must be provided from a suitably qualified engineer that the fence has been constructed in accordance with the above requirements.

## 18 CONSTRUCTION OF WORKS

All works shown on plans endorsed by this permit must be carried out in accordance with those plans.

## 19 PUBLIC OPEN SPACE

Public Open Space must be paid as follows:

- 1 \$1,400 per additional residential lot created (i.e. 14 residential lots – 1 existing lot = 13 additional lots)

OR

- 2 The applicant may, at his or her discretion, obtain a current (not less than one month old) valuation, by a registered land valuer, of the subject land, less one of the proposed lots and less the footpath lots. The Public Open Space Rate shall total 5% of that value.

## 20 TRANSFER OF LOTS TO COUNCIL

Upon notification of the acceptance of the Sealed Plan of Survey by the Recorder of Titles, all road lots, and footpath lots must be transferred unencumbered to Council. All costs involved in this process are to be met by the Developer, including the partial discharge of any mortgages affecting the road or footpath lots.

## 21 SEALING OF FINAL PLANS

All conditions relevant to each stage must be completed before the Final Plan is sealed. Council may, at the General Manager's discretion, take a bond for any works required by this permit.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

## RECOMMENDATION

That application PLN-23-0085 to develop and use a 14 residential lot subdivision including filling of land, & 1 road lot, & 2 footpath lots, 2.4m high fence along East Street boundary & infrastructure works in William Street and East Street at 7A William Street and William Street and East Street road reserves be approved subject to the following conditions:

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maintenance period. If the trees are not planted, Council may use the bond/bank guarantee to ensure the plantings occur.

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All works shown on plans endorsed by this permit must be carried out in accordance with those plans.

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OR

- 2 The applicant may, at his or her discretion, obtain a current (not less than one month old) valuation, by a registered land valuer, of the subject land, less one of the proposed lots and less the footpath lots. The Public Open Space Rate shall total 5% of that value.

#### **20 TRANSFER OF LOTS TO COUNCIL**

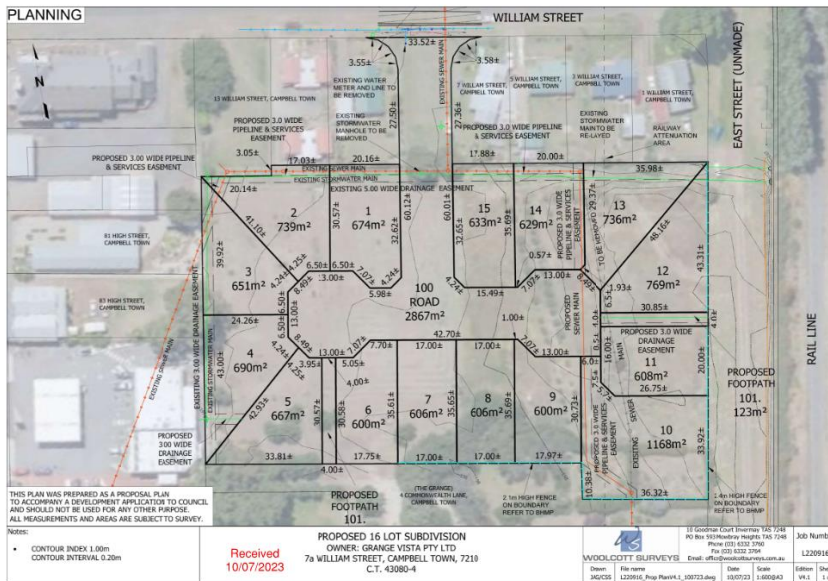
Upon notification of the acceptance of the Sealed Plan of Survey by the Recorder of Titles, all road lots, and footpath lots must be transferred unencumbered to Council. All costs involved in this process are to be met by the Developer, including the partial discharge of any mortgages affecting the road or footpath lots.

#### **21 SEALING OF FINAL PLANS**

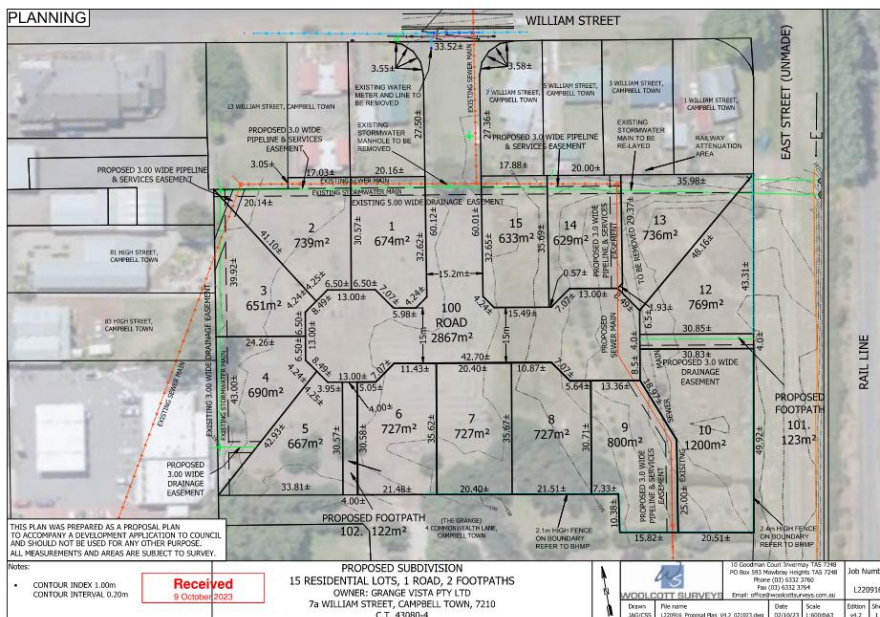
All conditions relevant to each stage must be completed before the Final Plan is sealed. Council may, at the General Manager's discretion, take a bond for any works required by this permit.

## **1 INTRODUCTION**

This report assesses an application for a residential subdivision including new road and cul-de-sacs at 7A William Street, Campbell Town. The application has been revised from 15 residential lots as advertised (Version 4.1) to 14 residential lots (Version 4.2). Version 4.2 that is being assessed in this report..



^Proposed subdivision version 4.1 (advertised)



^Proposed subdivision version 4.2 (revised)

## 2 BACKGROUND

### Applicant:

Woolcott Surveys

### Zone:

8.0 General Residential Zone

29.0 Open Space Zone

### Classification under the Scheme:

Subdivision

### Owner:

Grange Vistas Pty Ltd

### Codes and Overlays:

C3.0 Road and Railway Assets Code

C6.0 Local Historic Heritage Code

C7.0 Natural Assets Code

C12.0 Flood Prone Hazard Code

C13.0 Bushfire Prone Areas Code

NOR-S2.0 Campbell Town Specific Area Plan

### Existing Use:

Vacant





**Deemed Approval Date:**

22 September 2023

**Recommendation:**

Approve

**Discretionary Aspects of the Application:**

- Road and Railway Assets Code C3.5.1 P1 Traffic generation at a new junction
- Road and Railway Assets Code C3.7.1 P1 Subdivision for sensitive uses within a railway attenuation area
- Local Historic Heritage Code C6.7.1P1 Demolition within a local heritage precinct (fences, trees)
- Natural Assets Code C7.7.2 P1.2 Subdivision within a priority vegetation area
- Flood-Prone Areas Code C12.6.1 P1.1 & P1.2 Buildings and works within a flood-prone hazard area
- Flood-Prone Areas Code C12.7.1 P1 Subdivision within a flood-prone hazard area
- Bushfire prone Areas Code C13.6.1 P1 Provision of hazard management areas (colorbond fences to increase the potential build area)
- Bushfire prone Areas Code C13.6.2 P1 Public and firefighting access (cul-de-sacs smaller than 12m radius)
- Campbell Town Specific Area Plan NOR-S2.8.1 Lot design in development precincts (not in accordance with lot layout shown in masterplan)
- Campbell Town Specific Area Plan NOR-S2.8.3 Internal lots (Lot 10)
- Campbell Town Specific Area Plan Clause 10.6.2 Roads (construction of new road).

**Planning Instrument:**

*Tasmanian Planning Scheme – Northern Midlands, Version: 5, Effective 10th May 2023.*

**Preliminary Discussion:**

Additional information was requested before the application was placed on public notification.



**^Subject Site from William Street**



*^Subject Site from East Street*

### 3 STATUTORY REQUIREMENTS

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

### 4 ASSESSMENT

#### 4.1 Proposal

It is proposed to:

- Subdivide the existing lot into 18 lots including filling of land and the creation of 1 roadway lot and 2 footpath lots.
- Construct associated infrastructure works in William Street and East Street.
- Install a 2.4m high fence along the East Street boundary.

#### 4.2 Zone and Land Use

The land is in the General Residential Zone and the Open Space Zone.

The relevant Planning Scheme definition is:

<i>subdivide</i>	<i>means to divide the surface of a lot by creating estates or interests giving separate rights of occupation otherwise than by:</i> <ul style="list-style-type: none"><li><i>(a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building;</i></li><li><i>(b) a lease of airspace around or above a building;</i></li><li><i>(c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years;</i></li><li><i>(d) the creation of a lot on a strata scheme or a staged development scheme under the Strata Titles Act 1998; or</i></li><li><i>(e) an order adhering existing parcels of land.</i></li></ul>
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#### 4.3 Subject Site and Locality

The author of this report undertook a site inspection on 11 September 2023. The site has an area of 1.322ha and has access from William Street and frontage to East Street. It adjoins residential development to the north, commercial development to the west, and The Grange to the south.

## An aerial photograph of a residential neighborhood. The map shows several streets: Wilton Street running horizontally across the top, 10th Street running vertically on the left, 9th Street running vertically on the right, and South Ave running vertically on the far right. A yellow line highlights a specific lot, 1A, which is a large, mostly empty brown lot. Other lots are numbered, including 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, and 100. The surrounding area includes houses with various roof colors (gray, red, blue), green lawns, and trees. The map is oriented with North at the top.

## A photograph of a residential property with a large, open grassy area. A white sign on a wooden post is placed in the center of the lawn. The property is bordered by a chain-link fence on the left and a wooden fence on the right. In the background, there are large trees and parts of white houses. The date '04.08.2023' is printed in orange in the bottom right corner.













#### 4.4 Permit/Site History

There is no relevant permit or site history.

#### 4.5 Referrals

##### **Council's Works and Infrastructure Department**

Summary: Council's Engineering Officer provided the attached response and conditions which are included in the conditions of approval. Discussion with Council's Works Manager found that a 7.2m road sealed width would be acceptable as a change to the standard 6.9m width.

##### **Heritage Advisor**

Council's Heritage Advisor, David Denman, advised of no objection to the proposal and commented that the layout of the proposed streets and lots is considered acceptable within the context of the site and will therefore have no adverse impact on the historic cultural heritage significance of the precinct.

##### **TasWater**

TasWater issued a Submission to Planning Authority Notice on 17/7/2023 which will be attached to the planning permit if approved.

##### **TasRail**

TasRail provided the attached correspondence and representation which raise concern about discharge of stormwater to the rail network. It is noted that the proposal will discharge stormwater into East Street and not the rail network.

The applicant provided a document '7a William Street Subdivision Flood Prone Area Code Response Memo' by Hydrodynamica which advises that no impacts are predicted on the rail line.

##### **TasNetworks**

TasNetworks advised:

Based on the information provided, the development is not likely to adversely affect TasNetworks' operations. As with any subdivision, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, it is recommended you advise the proponent to contact TasNetworks on 1300 137 008 or our Subdivision team at [subdivisionsteam@tasnetworks.com.au](mailto:subdivisionsteam@tasnetworks.com.au) at their earliest convenience.

#### 4.6 Planning Scheme Assessment

##### **8.0 General Residential Zone**

##### **8.1 Zone Purpose**

The purpose of the General Residential Zone is:

- 8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.
- 8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.
- 8.1.3 To provide for non-residential use that:



- (a) primarily serves the local community; and
  - (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
- 8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

## USE AND DEVELOPMENT STANDARDS

### 8.6 Development Standards for Subdivision

#### 8.6.1 Lot design

Objective:	That each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the zone;</li> <li>(b) is provided with appropriate access to a road;</li> <li>(c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and</li> <li>(d) is orientated to provide solar access for future dwellings.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> <li>(a) have an area of not less than 450m<sup>2</sup> and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> <li>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</li> </ul> </li> <li>(b) be required for public use by the Crown, a council or a State authority;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</li> </ul>	<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lots;</li> <li>(b) the intended location of buildings on the lots;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards;</li> <li>(e) adequate provision of private open space; and</li> <li>(f) the pattern of development existing on established properties in the area.</li> </ul>
<b>Comment:</b> Not applicable. This clause is substituted by clause NOR-S2.8.2 Lot design of the Campbell Town Specific Area Plan.	

<b>A2</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.	<b>P2</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the width of frontage proposed, if any;</li> <li>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(c) the topography of the site;</li> <li>(d) the functionality and useability of the frontage;</li> <li>(e) the ability to manoeuvre vehicles on the site; and</li> <li>(f) the pattern of development existing on established properties in the area, and</li> <li>(g) is not less than 3.6m wide.</li> </ul>
<b>Comment:</b> Not applicable. This clause is substituted by clause NOR-S2.8.2 Lot design of the Campbell Town Specific Area Plan.	
<b>A3</b> Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	<b>P3</b> Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic;</li> <li>(d) the anticipated nature of vehicles likely to access the site; and</li> </ul>



(e) the ability for emergency services to access the site.	
<b>Comment:</b> Not applicable. This clause is substituted by clause NOR-S2.8.2 Lot design of the Campbell Town Specific Area Plan.	
<b>A4</b> Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.	<b>P4</b> Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to: <ul style="list-style-type: none"> <li>(a) the size, shape and orientation of the lots;</li> <li>(b) the topography of the site;</li> <li>(c) the extent of overshadowing from adjoining properties;</li> <li>(d) any development on the site;</li> <li>(e) the location of roads and access to lots; and</li> <li>(f) the existing pattern of subdivision in the area.</li> </ul>
<b>Comment:</b> Not applicable. This clause is substituted by clause NOR-S2.8.2 Lot design of the Campbell Town Specific Area Plan.	

#### 8.6.2 Roads

Objective:	That the arrangement of new roads within a subdivision provides for: <ul style="list-style-type: none"> <li>(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</li> <li>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b> The subdivision includes no new roads.	<b>P1</b> The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to: <ul style="list-style-type: none"> <li>(a) any road network plan adopted by the council;</li> <li>(b) the existing and proposed road hierarchy;</li> <li>(c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;</li> <li>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</li> <li>(e) minimising the travel distance between key destinations such as shops and services and public transport routes;</li> <li>(f) access to public transport;</li> <li>(g) the efficient and safe movement of pedestrians, cyclists and public transport;</li> <li>(h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the <i>Guide to Road Design Part 6A: Paths for Walking and Cycling 2016</i>;</li> <li>(i) the topography of the site; and</li> <li>(j) the future subdivision potential of any balance lots on adjoining or adjacent land.</li> </ul>
<b>Comment:</b> Not applicable. This clause is substituted by clause NOR-S2.8.4 Roads of the Campbell Town Specific Area Plan.	

#### 8.6.3 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.	<b>P1</b> A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to: <ul style="list-style-type: none"> <li>(a) flow rates;</li> <li>(b) the quality of potable water;</li> <li>(c) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(d) the topography of the site; and</li> <li>(e) any advice from a regulated entity.</li> </ul>
<b>Comment:</b> Complies with A1.	
<b>A2</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must	<b>P2</b> No Performance Criterion.



have a connection to a reticulated sewerage system.	
<b>Comment:</b> Complies with A2.	
<b>A3</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.	<b>P3</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to: <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land</li> </ul>
<b>Comment:</b> Complies with A3.	

**29.0 Open Space Zone**

**29.1 Zone Purpose**

The purpose of the Open Space Zone is:

29.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.

29.1.2 To provide for use and development that supports the use of the land for open space purposes or for other compatible uses.

**USE AND DEVELOPMENT STANDARDS**

**29.2 Development Standards for Subdivision**

**29.2.1 Lot design**

Objective:	That each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the zone; and</li> <li>(b) is provided with appropriate access to a road.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> <li>(a) be required for public use by the Crown, a council or a State authority;</li> <li>(b) be required for the provision of Utilities; or</li> <li>(c) be for the consolidation of a lot with another lot, provided each lot is within the same zone.</li> </ul>	<b>P1</b> Each lot, or lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lots;</li> <li>(b) existing buildings and the location of intended buildings on the lot;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards; and</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>
<b>Comment:</b> Complies with A1.	

<b>A2</b> Each lot, or lot proposed in a plan of subdivision, excluding a riparian or littoral reserve or Utilities, must have a frontage not less than 15m.	<b>P2</b> Each lot, or lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>
<b>Comment:</b> Complies with P2.	
<b>A3</b>	<b>P3</b>





Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: (a) the topography of the site; (b) the length of the access; (c) the distance between the lot or building area and the carriageway; (d) the nature of the road and the traffic; and (e) the pattern of development existing on established properties in the area.
<b>Comment:</b> Complies with P3.	

CODES		
C1.0	SIGNS CODE	N/a
C2.0	PARKING AND SUSTAINABLE TRANSPORT CODE	Complies. Each lot has sufficient area to provide for the 2 car parking spaces required for single dwellings.
C3.0	ROAD AND RAILWAY ASSETS CODE	See code assessment below
C4.0	ELECTRICITY TRANSMISSION INFRASTRUCTURE PROTECTION CODE	N/a
C5.0	TELECOMMUNICATIONS CODE	N/a
C6.0	LOCAL HISTORIC HERITAGE CODE	See code assessment below
C7.0	NATURAL ASSETS CODE	See code assessment below
C8.0	SCENIC PROTECTION CODE	N/a
C9.0	ATTENUATION CODE	N/a
C10.0	COASTAL EROSION HAZARD CODE	N/a
C11.0	COASTAL INUNDATION CODE	N/a
C12.0	FLOOD-PRONE AREAS HAZARD CODE	See code assessment below
C13.0	BUSHFIRE-PRONE AREAS CODE	See code assessment below
C14.0	POTENTIALLY CONTAMINATED LAND CODE	N/a
C15.0	LANDSLIP HAZARD CODE	N/a
C16.0	SAFEGUARDING OF AIRPORTS CODE	N/a

### C3.0 Road and Railway Assets Code

#### C3.1 Code Purpose

The purpose of the Road and Railway Assets Code is:

- C3.1.1 To protect the safety and efficiency of the road and railway networks; and
- C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network.

#### C3.2 Application of this Code

C3.2.1 This code applies to a use or development that:

- (a) will increase the amount of vehicular traffic or the number of movements of vehicles longer than 5.5m using an existing vehicle crossing or private level crossing;
- (b) will require a new vehicle crossing, junction or level crossing; or
- (c) involves a subdivision or habitable building within a road or railway attenuation area if for a sensitive use.

#### C3.3 Definition of Terms

C3.3.1 In this code, unless the contrary intention appears:

Term	Definition
annual average daily traffic	means the number of vehicles per day averaged over all days in a calendar year.
category 1 road	means a category 1 road as defined in the <i>State Road Hierarchy</i> .
future major road	means land within which a major road is intended to be built shown as a future major road on an overlay map in the relevant Local Provisions Schedule.
future railway	means land on which an extension to the rail network is intended to be built shown as a future railway on an overlay map in the relevant Local Provisions Schedule.
limited access road	means a road declared to be a limited access road under s.52A of the <i>Roads and Jetties Act 1935</i> .
major road	means a category 1, 2 or 3 road as defined in the <i>State Road Hierarchy</i> , and any other road described



Term	Definition
	in an other major roads list in the relevant Local Provisions Schedule.
private level crossing	means a level crossing across the rail network by a private road or vehicular right of way which does not service any public use.
rail network	means as defined in the <i>Rail Infrastructure Act 2007</i> and corridors declared under the <i>Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016</i> .
road or railway attenuation area	means a road or railway attenuation area shown on an overlay map in the relevant Local Provisions Schedule or, if not shown, an area within 50m of the boundary of: <ul style="list-style-type: none"> <li>(a) a major road with a speed limit above 60km/h;</li> <li>(b) the rail network;</li> <li>(c) a future major road; or</li> <li>(d) a future railway.</li> </ul>
traffic impact assessment	means a study or a statement prepared in accordance with the <i>Guide to Traffic Management Part 12: Traffic Impacts of Development 2009</i> by a person with qualifications and a level of experience appropriate to the significance of the traffic impact.
vehicular traffic	means traffic composed of motor vehicles as motor vehicle is defined in section 3 of the <i>Vehicle and Traffic Act 1999</i> .

### C3.5 Use Standards

#### C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

Objective:	To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.
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Acceptable Solutions	Performance Criteria
<p><b>A1.1</b> For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> <li>(a) a new junction;</li> <li>(b) a new vehicle crossing; or</li> <li>(c) a new level crossing.</li> </ul> <p><b>A1.2</b> For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p><b>A1.3</b> For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p><b>A1.4</b> Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> <li>(a) the amounts in Table C3.1; or</li> <li>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</li> </ul> <p><b>A1.5</b> Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p><b>P1</b> Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any increase in traffic caused by the use;</li> <li>(b) the nature of the traffic generated by the use;</li> <li>(c) the nature of the road;</li> <li>(d) the speed limit and traffic flow of the road;</li> <li>(e) any alternative access to a road;</li> <li>(f) the need for the use;</li> <li>(g) any traffic impact assessment; and</li> <li>(h) any advice received from the rail or road authority.</li> </ul>

**Comment:** The application includes a Traffic Impact Assessment which finds that:

*A1.4 is not satisfied from Table C3.1 as the proposal involves up to 135vpd and involves other road and more than 40vpd for vehicles up to 5.5m in length.*

*(a) The increase in traffic due to the proposal is estimated at up to 135 vpd. From review of Austroads junction warrants it has been determined that:*

- *High Street / William Street junction layout is adequate.*
- *William Street / Proposed Road junction layout is adequate.*

*(b) The nature of the traffic generated by the use will be 98% light vehicles post residential construction phase.*

*(c) The proposed road is to be constructed to a 6.9m width from face to face of kerb with kerb & Channel and footpath one side consistent with LGAT guidelines.*



(d) The General Urban Default Speed Limit of 50km/h will apply which is appropriate for the traffic activity and function of William Street.

(e) There is no suitable alternative access.

(f) The proposal is consistent with zoning for the area and considered cost effective and efficient infill development.

(g) This traffic assessment identifies no reason to disallow the proposal due to traffic impacts.

(h) No rail or road infrastructure is disaffected by the proposal.

In summary there are no traffic safety or capacity issues due to the proposal. P1 is satisfied.

**Table C3.1 Acceptable increase in annual average daily traffic to and from the site (total of ingress and egress)**

Location of vehicular traffic	Amount of acceptable increase in annual average daily traffic to and from the site (total of ingress and egress)	
	Vehicles up to 5.5m long	Vehicles longer than 5.5m long
Vehicle crossing on major roads and private level crossings	10% or 10 vehicle movements per day, whichever is the greater	10%
Vehicle crossings on other roads	20% or 40 vehicle movements per day, whichever is the greater	20% or 5 vehicle movements per day, whichever is the greater

### C3.7 Development Standards for Subdivision

#### C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area

Objective:	To minimise the effects of noise, vibration, light and air emissions on lots for sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.	
Acceptable Solutions	Performance Criteria	
<b>A1</b> A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.	<b>P1</b> A lot, or a lot proposed in a plan of subdivision, intended for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise the effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) any buffers created by natural or other features;</li> <li>(c) the location of existing or proposed buildings on the site;</li> <li>(d) the frequency of use of the rail network;</li> <li>(e) the speed limit and traffic volume of the road;</li> <li>(f) any noise, vibration, light and air emissions from the rail network or road;</li> <li>(g) the nature of the road;</li> <li>(h) the nature of the intended uses;</li> <li>(i) the layout of the subdivision;</li> <li>(j) the need for the subdivision;</li> <li>(k) any traffic impact assessment;</li> <li>(l) any mitigating measures proposed;</li> <li>(m) any recommendations from a suitably qualified person for mitigation of noise; and</li> <li>(n) any advice received from the rail or road authority.</li> </ul>	
<b>Comment:</b> Lots 10, 12 and 13 do not comply.	<b>Comment:</b> Complies. The application provided a Railway Noise Assessment from pitt&sherry which assesses the proposal against P1 above. The noise assessment finds that: <i>The Lmax noise level on the site can be reduced sufficiently to meet the code limit if a 2.4 metre solid fence is constructed along the full length of the eastern boundary facing the railway, with a break for a footpath between adjoining lots. This could be built from heavy duty Colorbond steel, timber or masonry, but must be free of any gaps or cracks, including between the fencing panels and the ground. All joints must be well sealed.</i> <i>Levels of ground vibration from trains operating on the Tasmanian rail network are normally relatively low and diminish quickly with distance from the track. Vibration levels are unlikely to be sufficient to adversely affect residential amenity on the proposed subdivision site.</i> <i>On this basis it may be concluded that residents of the proposed subdivision will not be adversely impacted by noise and vibration from the railway and the requirements of Clause C3.7.1 of the planning scheme will be met.</i>	





**C6.0 Local Historic Heritage Code**

**C6.1 Code Purpose**

The purpose of the Local Historic Heritage Code is:

**C6.1.1 To recognise and protect:**

- (a) the local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential; and
- (b) significant trees.

**C6.1.2 This code does not apply to Aboriginal heritage values.**

**C6.2 Application of this Code**

**C6.2.1 This code applies to:**

- (a) development on land within any of the following, as defined in this code:
  - (i) a local heritage place;
  - (ii) a local heritage precinct;
  - (iii) a local historic landscape precinct; and
  - (iv) for excavation only, a place or precinct of archaeological potential; and
- (b) the lopping, pruning, removal or destruction of a significant tree as defined in this code.

**C6.2.2 If a site is listed as a local heritage place and also within a local heritage precinct or local historic landscape precinct, it is only necessary to demonstrate compliance with the standards for the local heritage place unless demolition, buildings and works are proposed for an area of the site outside the identified specific extent of the local heritage place.**

**C6.2.3 This code does not apply to a registered place entered on the Tasmanian Heritage Register, unless for the lopping, pruning, removal or destruction of a significant tree as defined in this code.**

**C6.2.4 This code does not apply to use<sup>1</sup>.**

**C6.7.1 Demolition within a local heritage precinct**

Objective:	That demolition within a local heritage precinct does not have an unacceptable impact on the local historic heritage significance of the precinct.	
Acceptable Solutions		Performance Criteria
A1 Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings must: (a) not be on a local heritage place; (b) not be visible from any road or public open space; and (c) not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule.		P1 Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings, must not cause an unacceptable impact on the local historic heritage significance of the local heritage precinct as identified in the relevant Local Provisions Schedule, having regard to: (a) the physical condition of the building, works, structure or trees; (b) the extent and rate of deterioration of the building, works, structure or trees; (c) the safety of the building, works, structure or trees; (d) the streetscape in which the building, works, structure or trees is located; (e) the special or unique contribution that the building, works, structure or trees makes to the streetscape or townscape values of the local heritage precinct identified in the relevant Local Provisions Schedule; (f) any options to reduce or mitigate deterioration; (g) whether demolition is a reasonable option to secure the long-term future of a building, works or structure; and (h) any economic considerations.
Comment: Complies. The proposal involves removal trees and fencing. Council’s heritage adviser advised of no objection to the proposal and commented that the layout of the proposed streets and lots is considered acceptable within the context of the site and will therefore have no adverse impact on the historic cultural heritage significance of the precinct.		

**C6.10 Development Standards for Subdivision**

**C6.10.1 Lot design on a Local Heritage Place**

Objective:	That subdivision does not cause an unacceptable impact on the local historic heritage significance of local heritage places.
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Acceptable Solutions	Performance Criteria
<b>A1</b> No Acceptable Solution.	<b>P1</b> Subdivision must not cause an unacceptable impact on the local historic heritage significance of a local heritage place, having regard to: (a) the local historic heritage significance of the local heritage place identified in the relevant Local Provisions Schedule; (b) the historic development pattern of the area; (c) the separation of buildings or structures from their original setting; (d) the lot sizes, dimensions, frontage, access and orientation; (e) the suitability of the proposed lots for their intended uses; and (f) the removal of vegetation, trees or garden settings.
<b>Comment:</b> Not applicable. The site is not a Local Heritage Place.	

C6.10.2 Lot design for a Local Heritage Precinct or a Local Historic Landscape Precinct

Objective:	That: (a) subdivision within a local heritage precinct is consistent with historic patterns of development; and (b) subdivision within a local historic landscape precinct is compatible with the character of the precinct.
Acceptable Solutions	Performance Criteria
<b>A1</b> No Acceptable Solution.	<b>P1</b> Subdivision must be compatible with the local historic heritage significance of a local heritage precinct or a local historic landscape precinct, as identified in the relevant Local Provisions Schedule, having regard to: (a) any relevant design criteria or conservation policy for a local heritage precinct or local historic landscape precinct, as identified in the relevant Local Provisions Schedule; and (b) the historic pattern of subdivision of the precinct.
	<b>Comment:</b> Not applicable as this clause is substituted by clause NOR-S2.8.1 Lot design in development precincts of the Campbell Town Specific Area Plan.

C6.10.3 Subdivision works for places or precincts of archaeological potential

Objective:	That works associated with subdivision, including infrastructure, do not increase the likelihood of adverse impact on a place or precinct of archaeological potential.
Acceptable Solutions	Performance Criteria
<b>A1</b> No Acceptable Solution.	<b>P1</b> Works associated with subdivision must not increase the likelihood of adverse impact on archaeological evidence on places or precincts of archaeological potential, having regard to: (a) the nature, extent and significance of the archaeological evidence existing on the land; (b) any significant impact upon archaeological evidence or potential; (c) any increased likelihood of future development that is incompatible with a place or precinct of archaeological potential; (d) the statement of archaeological potential for the place or precinct identified in the relevant Local Provisions Schedule; and (e) any advice contained in a statement of archaeological potential.
<b>Comment:</b> Not applicable. The site is not a place or precinct of archaeological potential	

**C7.0 Natural Assets Code**

**C7.1 Code Purpose**

The purpose of the Natural Assets Code is:

C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.

C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural



ecological function of the coast.

C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.

C7.1.4 To minimise impacts on identified priority vegetation.

C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.

## **C7.2 Application of this Code**

C7.2.1 This code applies to development on land within the following areas:

- (a) a waterway and coastal protection area;
- (b) a future coastal refugia area; and
- (c) a priority vegetation area only if within the following zones:
  - (i) Rural Living Zone;
  - (ii) Rural Zone;
  - (iii) Landscape Conservation Zone;
  - (iv) Environmental Management Zone;
  - (v) Major Tourism Zone;
  - (vi) Utilities Zone;
  - (vii) Community Purpose Zone;
  - (viii) Recreation Zone;
  - (ix) Open Space Zone;
  - (x) Future Urban Zone;
  - (xi) Particular Purpose Zone; or
  - (xii) General Residential Zone or Low Density Residential Zone, only if an application for subdivision.

C7.2.2 This code does not apply to use.

## **C7.3 Definition of Terms**

C7.3.1 In this code, unless the contrary intention appears:

Term	Definition
coastal values	means the values of coastal areas derived from their coastal habitat and vegetation, physical elements, landscape values, recreational values and economic values and the processes and functions that underpin them.
future coastal refugia	means land where coastal processes are likely to occur naturally and can continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes, and other sensitive coastal habitats due to sea-level rise.
future coastal refugia area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a future coastal refugia area.
littoral vegetation	means vegetation adjacent to a sea, lake or river that is close to the shore. It includes the intertidal zone to high water mark and can include wetlands.
natural streambank and streambed condition	means the natural rate of erosion or accretion of the bank and bed of a watercourse and natural hydrological processes, as determined using <i>The Tasmanian River Condition Index Book 2 Hydrology User's Manual and Book 3 Physical Form Field Manual</i> .
natural assets	means biodiversity, environmental flows, natural streambank and streambed condition, riparian vegetation, littoral vegetation, water quality, wetlands, river condition and waterway and/or coastal values.
priority vegetation	means native vegetation where any of the following apply: <ul style="list-style-type: none"> <li>(a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the <i>Nature Conservation Act 2002</i>;</li> <li>(b) is a threatened flora species;</li> <li>(c) it forms a significant habitat for a threatened fauna species; or</li> <li>(d) it has been identified as native vegetation of local importance.</li> </ul>
priority vegetation area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a priority vegetation area.
residual impacts	means those environmental effects predicted to remain after the initial effects of development have been avoided or minimised through design.
riparian vegetation	means vegetation found within or adjacent to watercourses, wetlands, lakes and recharge basins.
river condition	means condition of a waterway as determined using the <i>Tasmanian River Condition Index</i> .



significant habitat	means the habitat within the known or core range of a threatened fauna species, where any of the following applies: (a) is known to be of high priority for the maintenance of breeding populations throughout the species' range; or (b) the conversion of it to non-priority vegetation is considered to result in a long-term negative impact on breeding populations of the threatened fauna species.
threatened fauna species	means listed under the <i>Threatened Species Protection Act 1995</i> or listed as threatened or migratory under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
threatened flora species	means listed under the <i>Threatened Species Protection Act 1995</i> or as threatened under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
waterway and coastal protection area	means land: (a) shown on an overlay map in the relevant Local Provisions Schedule as within a waterway and coastal protection area; or (b) within the relevant distance from a watercourse, wetland, lake or the coast shown in the Table C7.3 below, but does not include a piped watercourse or piped drainage line. If an inconsistency for the width exists between Table C7.3 and the area shown on the overlay map, the greater distance prevails, excluding the width measured from the high water mark of tidal waters where the distance shown on the overlay map in the relevant Local Provisions Schedule prevails. The depiction of a watercourse, or a section of a watercourse on an overlay map in the relevant Local Provisions Schedule, is definitive regardless of the actual area of the catchment.
waterway values	means the values of watercourses and wetlands derived from their aquatic habitat and riparian vegetation, physical elements, landscape function, recreational function and economic function.

**Table C7.3 Spatial Extent of Waterway and Coastal Protection Areas**

Spatial Extent of Waterway and Coastal Protection Areas	Width
Class 1: Watercourses named on the 1:100,000 topographical series maps, lakes, artificial water storages (other than farm dams), and the high water mark of tidal waters.	40m
Class 2: Watercourses from the point where their catchment exceeds 100ha.	30m
Class 3: Watercourses carrying running water for most of the year between the points where their catchment is from 50ha to 100ha.	20m
Class 4: All other watercourses carrying running water for part or all of the year for most years.	10m
Ramsar Wetlands: Wetlands listed under the Convention on Wetlands of International Importance, (the Ramsar Convention).	100m
Other Wetlands: Wetlands not listed under the Ramsar Convention.	50m
<p>(a) For the purpose of spatially defining 'width' in Table C7.3:</p> <p>(i) width is measured from the top of bank or high water mark of tidal waters, watercourses or freshwater lakes; and</p> <p>(ii) in the case of watercourses or wetlands, the waterway and coastal protection area includes the waterway or wetland itself, being between the top of the banks on either side.</p> <p>(b) Any watercourse, including the tidal waters of any river, creek or stream, within or adjoining the following zones is deemed to be a Class 4 watercourse:</p> <p>(i) Inner Residential Zone;</p> <p>(ii) General Residential Zone;</p> <p>(iii) Low Density Residential Zone;</p> <p>(iv) Urban Mixed Use Zone;</p> <p>(v) Local Business Zone;</p> <p>(vi) General Business Zone;</p> <p>(vii) Central Business Zone;</p> <p>(viii) Commercial Zone;</p> <p>(ix) Light Industrial Zone;</p>	



- (x) Major Tourism Zone;
- (xi) Port and Marine Zone;
- (xii) Particular Purpose Zone; or
- (xiii) Future Urban Zone.

**C7.4 Use or Development Exempt from this Code**

C7.4.1 The following use or development is exempt from this code:

- (a) works by or on behalf of the Crown, State authority, or council to remedy an unacceptable risk to public or private safety or to mitigate or prevent environmental harm;
- (b) development assessed as a Level 2 Activity;
- (c) clearance of native vegetation within a priority vegetation area,
  - (i) on existing pasture or crop production land; or
  - (ii) if the vegetation is within a private garden, public garden or park, national park, or within State-reserved land or a council reserve, provided the native vegetation is not protected by legislation, a permit condition, an agreement made under section 71 of the Act, or a covenant;
- (d) forest practices or forest operations in accordance with a forest practices plan certified under the *Forest Practices Act 1985*, unless for the construction of a building or the carrying out of any associated development;
- (e) works by or on behalf of the Crown, State authority, or council for the protection of a water supply, watercourse, lake, wetland, or tidal waters or coastal assets as part of an endorsed or approved management plan;
- (f) coastal protection works by or on behalf of the Crown, State authority, or council that have been designed by a suitably qualified person; and
- (g) consolidation of lots.

**C7.6.1 Buildings and Works within a waterway or coastal protection area or a future coastal refugia area**

**Comment:** Not applicable.

C7.6.2 Clearance within a priority vegetation area

**Comment:** Complies with P1.1 (c) Clearance of native vegetation within a priority vegetation area must be for subdivision in the General Residential Zone or Low Density Residential Zone.

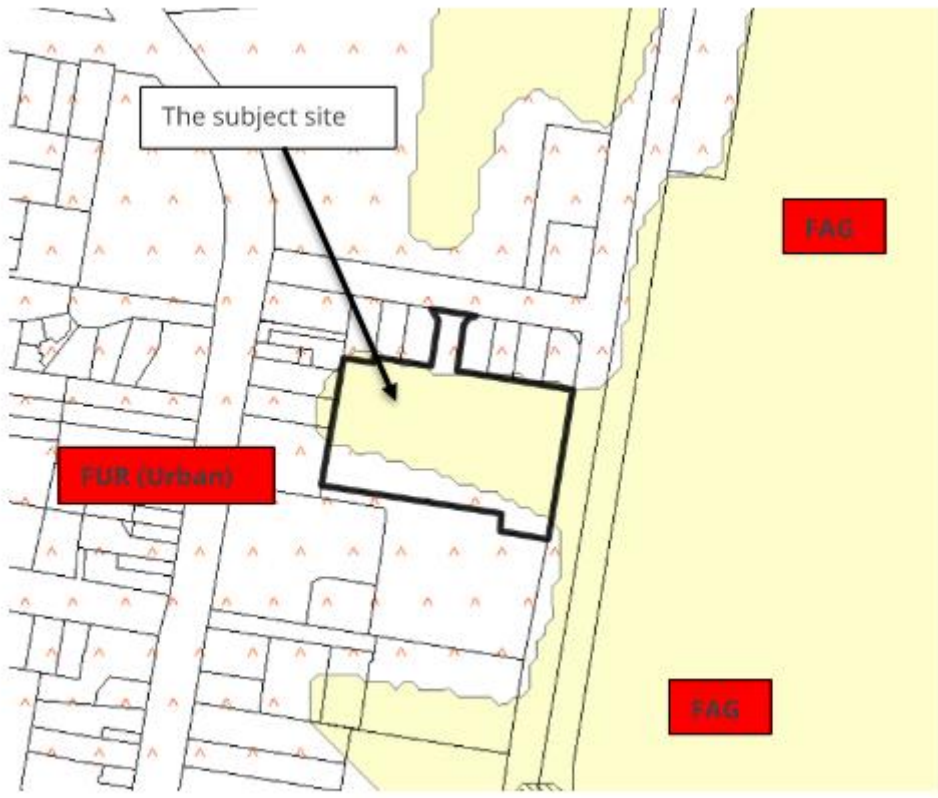
**C7.7 Development Standards for Subdivision**

C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area

**Comment:** Not applicable.

C7.7.2 Subdivision within a priority vegetation area

Objective:	That: <ul style="list-style-type: none"> <li>(a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and</li> <li>(b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must: <ul style="list-style-type: none"> <li>(a) be for the purposes of creating separate lots for existing buildings;</li> <li>(b) be required for public use by the Crown, a council, or a State authority;</li> <li>(c) be required for the provision of Utilities;</li> <li>(d) be for the consolidation of a lot; or</li> <li>(e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.</li> </ul>	<b>P1.1</b> Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for: <ul style="list-style-type: none"> <li>(a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person;</li> <li>(b) subdivision for the construction of a single dwelling or an associated outbuilding;</li> <li>(c) subdivision in the General Residential Zone or Low Density Residential Zone;</li> <li>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</li> <li>(e) subdivision involving clearance of native vegetation where it is demonstrated that on- going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or</li> <li>(f) subdivision involving clearance of native vegetation that is of limited scale</li> </ul>

	<p>relative to the extent of priority vegetation on the site.</p> <p><b>Comment:</b> Complies with P1.1 (c).</p> <p><b>P1.2</b> Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards;</li> <li>(b) any particular requirements for the works and future development likely to be facilitated by the subdivision;</li> <li>(c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;</li> <li>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</li> <li>(e) any on-site biodiversity offsets; and</li> <li>(f) any existing cleared areas on the site.</li> </ul>
<p><b>Comment:</b> Complies with P1.2. The TasVeg layer on the LIST does not identify native vegetation on the site, showing only FAG (Agricultural Land) and FUR (Urban Areas)</p> <div data-bbox="231 896 1173 1691">  <p>The map shows a grid of land parcels. A central parcel is outlined in black and labeled 'The subject site' with an arrow. To the left and bottom are areas labeled 'FUR (Urban)' in red boxes. To the right and top are areas labeled 'FAG' in red boxes. The map is covered with small red triangle symbols.</p> </div> <p>Figure 4 – TasVeg 4.0 map (source: The LISTMap)</p> <p>Source: Bushfire Hazard Report</p>	

#### C12.0 Flood-Prone Areas Hazard Code

##### C12.1 Code Purpose

The purpose of the Flood-Prone Areas Hazard Code is:

- C12.1.1 To ensure that use or development subject to risk from flood is appropriately located and managed, so that:
  - (a) people, property and infrastructure are not exposed to an unacceptable level of risk;
  - (b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; and
  - (c) it does not increase the risk from flood to other land or public infrastructure.
- C12.1.2 To preclude development on land that will unreasonably affect flood flow or be affected by permanent or





periodic flood.

**C12.2 Application of this Code**

C12.2.1 This code applies to development of land within a flood-prone hazard area.

C12.2.2 This code applies to use of land within a flood-prone hazard area if for:

- (a) a change of use that converts a non-habitable building to a habitable building; or
- (b) a new habitable room within an existing building.

C12.2.3 This code applies to use in a habitable building, or development of land, identified in a report prepared by a suitably qualified person, that is lodged with an application for a permit, or required in response to a request under section 54 of the Act, as subject to risk from flood or that has the potential to cause increased risk from flood.

C12.2.4 The planning authority may only make a request under clause C12.2.3 where it reasonably believes, based on information in its possession, that the land is subject to risk from flood or has the potential to cause increased risk from flood.

C12.2.5 This code does not apply to land subject to the Coastal Inundation Hazard Code.

**C12.3 Definition of Terms**

C12.3.1 In this code, unless the contrary intention appears:

Term	Definition
critical use	means a use that is within one of the following Use Classes: <ul style="list-style-type: none"><li>(a) Emergency Services; or</li><li>(b) Hospital Services.</li></ul>
flood	means the risk of periodic or permanent flooding of land from a watercourse or other inland water source.
flood-prone hazard area	means land: <ul style="list-style-type: none"><li>(a) shown on an overlay map in the relevant Local Provisions Schedule, as within a flood-prone hazard area; or</li><li>(b) identified in a report for the purposes of C12.2.3.</li></ul>
flood hazard report	means a report prepared by a suitably qualified person for a site, that must include: <ul style="list-style-type: none"><li>(a) details of, and be signed by, the person who prepared or verified the report;</li><li>(b) confirmation that the person has the appropriate qualifications and expertise;</li><li>(c) confirmation that the report has been prepared in accordance with any methodology specified by a State authority; and</li><li>(d) conclusions based on consideration of the proposed use or development:<ul style="list-style-type: none"><li>(i) as to whether the use or development is likely to cause or contribute to the occurrence of flood on the site or on adjacent land;</li><li>(ii) as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to:<ul style="list-style-type: none"><li>a. the nature, intensity and duration of the use;</li><li>b. the type, form and duration of any development;</li><li>c. the likely change in the level of risk across the intended life of the use or development;</li><li>d. the ability to adapt to a change in the level of risk;</li><li>e. the ability to maintain access to utilities and services;</li><li>f. the need for flood reduction or protection measures beyond the boundary of the site;</li><li>g. any flood management plan in place for the site and/or adjacent land; and</li><li>h. any advice relating to the ongoing management of the use or development; and</li></ul></li><li>(iii) any matter specifically required by Performance Criteria in this code.</li></ul></li></ul>
flood management plan	means a management plan for a flood-prone hazard area endorsed by the relevant council.
hazardous use	means a use that is within one of the following Use Classes: <ul style="list-style-type: none"><li>(a) Crematoria and Cemeteries;</li><li>(b) Extractive Industry, if the use involves the storage of a hazardous chemical of a manifest quantity;</li><li>(c) Hospital Services, if the use involves the storage of a hazardous chemical of a manifest quantity;</li><li>(d) Manufacturing and Processing, if the use involves the storage of a hazardous chemical of a manifest quantity;</li><li>(e) Recycling and Waste Disposal;</li></ul>



Term	Definition
	<p>(f) Research and Development, if the use involves the storage of a hazardous chemical of a manifest quantity;</p> <p>(g) Storage, if the use involves the storage of a hazardous chemical of a manifest quantity;</p> <p>(h) Transport Depot and Distribution, if the use involves the storage of a hazardous chemical of a manifest quantity;</p> <p>(i) Utilities, if the use involves the storage of a hazardous chemical of a manifest quantity; or</p> <p>(j) Vehicle Fuel Sales and Service.</p>
vulnerable use	<p>means a use that is within one of the following Use Classes:</p> <p>(a) Custodial Facility;</p> <p>(b) Educational and Occasional Care;</p> <p>(c) Residential, if for a respite centre, residential care facility, retirement village or assisted housing; or</p> <p>(d) Visitor Accommodation, if the use accommodates more than 12 guests.</p>

**C12.4 Use or Development Exempt from this Code**

C12.4.1 The following use or development is exempt from this code:

- (a) alterations or extensions to an existing building if:
  - (i) the site coverage is not increased by more than 20m<sup>2</sup> from that existing at the effective date; and
  - (ii) not for a critical, hazardous, or vulnerable use;
- (b) use or development of land for:
  - (i) Natural and Cultural Values Management;
  - (ii) Passive Recreation;
  - (iii) Port and Shipping in a proclaimed wharf area;
  - (iv) Resource Development, excluding a habitable building;
  - (v) minor utilities;
  - (vi) infrastructure for the generation of hydro-electricity; and
  - (vii) outbuildings;
- (c) planting or disturbance of vegetation on existing pasture or crop production land; and
- (d) consolidation of lots.

**C12.6 Development Standards for Buildings and Works**

**C12.6.1 Buildings and works within a flood-prone hazard area**

Objective:	<p>That:</p> <p>(a) building and works within a flood-prone hazard area can achieve and maintain a tolerable risk from flood; and</p> <p>(b) buildings and works do not increase the risk from flood to adjacent land and public infrastructure.</p>
Acceptable Solutions	Performance Criteria
A1	P1.1
No Acceptable Solution	<p>Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:</p> <p>(a) the type, form, scale and intended duration of the development;</p> <p>(b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;</p> <p>(c) any advice from a State authority, regulated entity or a council; and</p> <p>(d) the advice contained in a flood hazard report.</p> <p>P1.2</p> <p>A flood hazard report also demonstrates that the building and works:</p> <p>(a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and</p> <p>(b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.</p>

**Comment:** The application provided a response to the Flood Prone Areas Code from Hydrodynamica which finds that the performance criteria is complied with as follows:

a) Modest reshaping of the site ensures that the 1% AEP climate change storm events have a very limited impact on the subdivision site. Surface water, which is expected over significant proportions of the catchment in this extreme event, is shallow, safe, and



tolerable.

b) No specific hazard reduction measures are required, other than finished floor levels (FFLs) of future dwellings on Lots 7 and 8 being to be a minimum 150mm above the finished surface level (FSL).

**Planner's comment:** The National Construction Code requires flood levels of dwellings to be a minimum of 150mm above finished surface level. A condition on the planning permit is not required.

Performance Criteria P1.2:

a) The subdivision, when fully developed, will contribute to modest flooding of unmade East Street. As per Figures 8 and 9 the resultant flooding is safe, and will not be present for extended periods. No impacts are predicted on the rail line.

b) The evidence provided in this report shows a tolerable risk is present and maintained for the life of the development.

The proposed development is therefore acceptable under C12.6.1 P1.1 and P1.2.

## C12.7 Development Standards for Subdivision

### C12.7.1 Subdivision within a flood-prone hazard area

Objective:	That subdivision within a flood-prone hazard area does not create an opportunity for use or development that cannot achieve a tolerable risk from flood.
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must: <ul style="list-style-type: none"> <li>(a) be able to contain a building area, vehicle access, and services, that are wholly located outside a flood-prone hazard area;</li> <li>(b) be for the creation of separate lots for existing buildings;</li> <li>(c) be required for public use by the Crown, a council or a State authority; or</li> <li>(d) be required for the provision of Utilities.</li> </ul>	<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must not create an opportunity for use or development that cannot achieve a tolerable risk from flood, having regard to: <ul style="list-style-type: none"> <li>(a) any increase in risk from flood for adjacent land;</li> <li>(b) the level of risk to use or development arising from an increased reliance on public infrastructure;</li> <li>(c) the need to minimise future remediation works;</li> <li>(d) any loss or substantial compromise by flood of access to the lot, on or off site;</li> <li>(e) the need to locate building areas outside the flood-prone hazard area;</li> <li>(f) any advice from a State authority, regulated entity or a council; and</li> <li>(g) the advice contained in a flood hazard report.</li> </ul>
<b>Comment:</b> The application provided a response to the Flood Prone Areas Code from Hydrodynamica which finds that the performance criteria is complied with as follows: <ul style="list-style-type: none"> <li>a) 1% AEP climate change flooding on the adjacent unmade road increases, however this is contained within the road easement and has a safe H1 Hazard Vulnerability Classification. This is a tolerable risk and there is no increased risk to private property or to the rail line.</li> <li>b) As per P1 a).</li> <li>c) There is no need for future remediation works, however it is understood NMC have plans to improve the existing open drain, which will help reduce the flood footprint.</li> <li>e) No need for buildings to be located outside flood-prone hazard area. Dwellings on Lots 7 and 8 to have FFLs a minimum 150mm above FSL.</li> </ul>	

## C13.0 Bushfire-Prone Areas Code

### C13.1 Code Purpose

The purpose of the Bushfire-Prone Areas Code is:

C13.1.1 To ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

### C13.2 Application of this Code

C13.2.1 This code applies to:

- (a) subdivision of land that is located within, or partially within, a bushfire-prone area; and
- (b) a use, on land that is located within, or partially within, a bushfire-prone area, that is a vulnerable use or hazardous use.

### C13.3 Definition of Terms

C13.3.1 In this code, unless the contrary intention appears:

Term	Definition
accredited person	means as defined in the Act.



Term	Definition
bushfire attack level (BAL)	means the bushfire attack level as defined in <i>Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas</i> as 'a means of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact, using increments of radiant heat expressed in kilowatts per metre squared, and the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire'.
bushfire hazard management plan	means as defined in the Act.
bushfire protection measures	means the measures that might be used to reduce the risk of bushfire attack and the threat to life and property in the event of bushfire.
bushfire-prone area	means: (a) land shown on an overlay map in the relevant Local Provisions Schedule, as within a bushfire-prone area; or (b) where there is no overlay map in the relevant Local Provisions Schedule, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1ha.
bushfire-prone vegetation	means contiguous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, plant nurseries, golf courses, vineyards, orchards or vegetation on land that is used for horticultural purposes.
carriageway	means the section of road formation which is used by traffic, and includes all the area of the traffic lane pavement together with the formed shoulders.
contiguous	means separated by less than 20m.
emergency management strategy (hazardous use)	means a strategy that provides for mitigation measures to achieve and maintain a level of tolerable risk that is specifically developed to address the characteristics, nature and scale of the use considering: (a) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; and (b) available fire protection measures to: (i) prevent the hazardous use from contributing to the spread or intensification of bushfire; (ii) limit the potential for bushfire to be ignited on the site; (iii) prevent exposure of people and the environment to the hazardous chemicals, explosives or emissions as a consequence of bushfire; and (iv) reduce risk to emergency service personnel.
emergency management strategy (vulnerable use)	means a strategy that provides for mitigation measures to achieve and maintain a level of tolerable risk that is specifically developed to address the characteristics, nature and scale of the use considering: (a) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; (b) the ability of occupants of the vulnerable use to: (i) protect themselves and defend property from bushfire attack; (ii) evacuate in an emergency; and (iii) understand and respond to instructions in the event of a bushfire; and (c) any bushfire protection measures available to reduce risk to emergency service personnel.
fire fighting water point	means the point where a fire appliance is able to connect to a water supply for fire fighting purposes. This includes a coupling in the case of a fire hydrant, offtake or outlet, or the minimum water level in the case of a static water supply.
fire hydrant	means as described in <i>Australian Standard AS2419.1-2005 Fire hydrant installations, Part 1: System design, installation and commissioning</i> .
hardstand	means as described in <i>Australian Standard AS 2419.1-2005 Fire hydrant installations, Part 1: System design, installation and commissioning</i> .
hazard management area	means the area, between a habitable building or building area and bushfire-prone vegetation, which provides access to a fire front for fire fighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire.



Term	Definition
hazardous use	means a use where: (a) hazardous chemicals of a manifest quantity are stored on a site; or (b) explosives are stored on a site and where classified as an explosives location or large explosives location as specified in the <i>Explosives Act 2012</i> .
hose lay	means the distance between two points established by a fire hose laid out on the ground, inclusive of obstructions.
property access	means the carriageway which provides vehicular access from the carriageway of a road onto land, measured along the centre line of the carriageway, from the edge of the road carriageway to the nearest point of the building area.
static water supply	means water stored in a tank, swimming pool, dam, or lake, that is available for fire fighting purposes at all times.
TFS	means Tasmania Fire Service.
vulnerable use	means a use that is within one or more of the following use classes: (a) Custodial Facility; (b) Education and Occasional Care; (c) Hospital Services; (d) Residential if the use is for assisted housing, residential care facility, respite centre or retirement village.
water corporation	means the corporation within the meaning of the <i>Water and Sewerage Corporation Act 2012</i> .

**C13.4 Use or Development Exempt from this Code**

C13.4.1 The following use or development is exempt from this code:

- (a) any use or development that the TFS or an accredited person, having regard to the objective of all applicable standards in this code, certifies there is an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures; and
- (b) adjustment of a boundary in accordance with clause 7.3 of this planning scheme.

**C13.6 Development Standards for Subdivision**

C13.6.1 Provision of hazard management areas

Objective:	That subdivision provides for hazard management areas that: (a) facilitate an integrated approach between subdivision and subsequent building on a lot; (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and (c) provide protection for lots at any stage of a staged subdivision.
Acceptable Solutions	Performance Criteria
<b>A1</b> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or (b) The proposed plan of subdivision: (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision; (ii) shows the building area for each lot; (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.6 of <i>Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas</i> ; and (iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than the separation distances required for BAL 19 in Table 2.6 of <i>Australian Standard AS3959:2018 Construction of buildings in bushfire-prone Areas</i> ; and	<b>P1</b> A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to: (a) the dimensions of hazard management areas; (b) a bushfire risk assessment of each lot at any stage of staged subdivision; (c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; (d) the topography, including site slope; (e) any other potential forms of fuel and ignition sources; (f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent



(c) if hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.	development; (g) an instrument that will facilitate management of fuels located on land external to the subdivision; and (h) any advice from the TFS.
<p><b>Comment:</b> Complies. <i>The Bushfire Hazard Report advises:</i>  <i>Performance criteria is relied upon due to relying on Colorbond fencing to increase the potential build area.</i>  <i>a) An adequate hazard management area has been provided for lots along the southern and eastern sides. Each lot is required to maintain the entire lot as a hazard management area.</i>  <i>b) The subdivision will not be staged.</i>  <i>c) The bushfire prone vegetation is grassland. Its fuel load, structure and flammability is considered low.</i>  <i>d) The bushfire prone vegetation is on land with no slope. It is level/upslope from the site.</i>  <i>e) There are no other identified forms of fuel and ignition sources.</i>  <i>f) The separation distances do not restrict subsequent development.</i>  <i>g) There is no need to have a part 5 agreement or easement on land external to the subdivision.</i>  <i>The TFS has reviewed the proposal.</i></p>	

C13.6.2 Public and fire fighting access

Objective:	<p>That access roads to, and the layout of roads, tracks and trails, in a subdivision:</p> <ul style="list-style-type: none"> <li>(a) allow safe access and egress for residents, fire fighters and emergency service personnel;</li> <li>(b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack, and for hazard management works to be undertaken;</li> <li>(c) are designed and constructed to allow for fire appliances to be manoeuvred;</li> <li>(d) provide access to water supplies for fire appliances; and</li> <li>(e) are designed to allow connectivity, and where needed, offering multiple evacuation points.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <ul style="list-style-type: none"> <li>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</li> <li>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas, is included in a bushfire hazard management plan that: <ul style="list-style-type: none"> <li>(i) demonstrates proposed roads will comply with Table C13.1, proposed property accesses will comply with Table C13.2 and proposed fire trails will comply with Table C13.3 and</li> <li>(ii) is certified by the TFS or an accredited person.</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <ul style="list-style-type: none"> <li>(a) appropriate design measures, including: <ul style="list-style-type: none"> <li>(i) two way traffic;</li> <li>(ii) all weather surfaces;</li> <li>(iii) height and width of any vegetation clearances;</li> <li>(iv) load capacity;</li> <li>(v) provision of passing bays;</li> <li>(vi) traffic control devices;</li> <li>(vii) geometry, alignment and slope of roads, tracks and trails;</li> <li>(viii) use of through roads to provide for connectivity;</li> <li>(ix) limits on the length of cul-de- sacs and dead-end roads;</li> <li>(x) provision of turning areas;</li> <li>(xi) provision for parking areas;</li> <li>(xii) perimeter access; and</li> <li>(xiii) fire trails; and</li> </ul> </li> <li>(b) the provision of access to: <ul style="list-style-type: none"> <li>(i) bushfire-prone vegetation to permit the undertaking of hazard management works; and</li> <li>(ii) fire fighting water supplies; and</li> </ul> </li> <li>(c) any advice from the TFS.</li> </ul>
<p><b>Comment:</b> The cul-de-sacs are proposing a 9m outer radius head, rather than the 12m outer radius head as required by table. The planning authority discretion is required as the proposal cannot be certified by a Bushfire Hazard Practitioner as compliant with P1. The Bushfire Hazard Report advises:  <i>a) The cul-de-sac head will be constructed in accordance with LGAT Standard drawings, having a radius of 9m. The acceptable solution</i></p>	





requires a radius of 12m for cul-de-sacs within a bushfire prone area.

- i. The road provides for two way traffic, including access for fire vehicles in a bushfire event.
- ii. The road will be sealed as per LGAT standards. The road will be suitable for use in all weather conditions.
- iii. There is no vegetation above the road. The road has a horizontal separation to any potential grassland threat to the south of minimum 30m to the east. There is an additional threat to the south, approximately 30m from the eastern cul-de-sac.
- iv. The road has an appropriate load capacity to facilitate fire vehicles in a bushfire event.
- v. Passing is achievable given the width of the road (5.5m) and road reserve (14m).
- vi. There are no recommended traffic control devices as part of the subdivision.
- vii. The cul-de-sac head is level, and on a flat surface. The bushfire threat is on flat land in this part of the adjoining site.
- viii. The road is a cul-de-sac road and is within an urban area.
- ix. The cul-de-sac has a length of approximately 80m. It is considered there is ample opportunity for vehicles to exit to the north in a bushfire event.
- x. Turning area is provided. There are numerous access strips in the end of the proposed road, allowing for a three-point turn if required.
- xi. Parking areas at the end of the cul-de-sac will be limited due to the number access strips in this part. No standing signage has been recommended for both the eastern and western end of the cul de sac.
- xii. Perimeter access is provided to the east on the crown road reservation, however given the nature of the bushfire vegetation, is not seen as a requirement. The surrounding land to the north, west and generally south has been developed.
- xiii. There are no proposed fire trails, the road reserve to the east could provide vehicular access should it be required.

b) The TFS can access the bushfire prone vegetation on the surrounding lots should a bushfire event occur.

c) The application has been referred to TFS for comment who have confirmed they are satisfied with the reduced sized cul-de-sac.

The bushfire threat in this area is assessed as generally low. The lots will be cleared in their entirety to provide for residential development. The entire lot will be treated as a bushfire hazard management area. The development is within an established urban environment. The requirements to provide a cul-de-sac with 12m radius would be out of character with this area, and not considered warranted given the level of threat. The risk is considered low based on the site characteristics and nature of the area.

The Planning & Assessment Officer, Bushfire Risk Unit, TFS, advised "We support the variation to reduce the size of the cul-de-sac turning heads. We don't think that the variation will significantly impact firefighter safety or operations. We note that the report recommends no standing signage in the eastern cul-de-sac and no parking signage in carriageways less than 7m wide. We would also like to see the signage requirements for the cul-de-sac included in section 7 as well.

**Table C13.1: Standards for Roads**

Element		Requirement
A.	Roads.	Unless the development standards in the zone require a higher standard, the following apply: (a) two-wheel drive, all-weather construction; (b) load capacity of at least 20 tonnes, including for bridges and culverts; (c) minimum carriageway width is 7m for a through road, or 5.5m for a dead-end or cul-de-sac road; (d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 2m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; (h) curves have a minimum inner radius of 10m; (i) dead-end or cul-de-sac roads are not more than 200m in length unless the carriageway is 7m in width; (j) dead-end or cul-de-sac roads have a turning circle with a minimum 12m outer radius; and (k) carriageways less than 7m wide have 'No Parking' zones on one side, indicated by a road sign that complies with Australian Standard AS1743:2018 Road signs-Specifications.

**Table C13.2: Standards for Property Access**

Element		Requirement
A.	Property access length is less than 30m; or access is not required for a fire appliance to access a fire fighting water point.	There are no specified design and construction requirements.
B.	Property access length is 30m or greater; or access is	The following design and construction requirements apply to property access: (a) all-weather construction;



Element		Requirement
	required for a fire appliance to a fire fighting water point.	(b) load capacity of at least 20t, including for bridges and culverts; (c) minimum carriageway width of 4m; (d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 0.5m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; (h) curves with a minimum inner radius of 10m; (i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and (j) terminate with a turning area for fire appliances provided by one of the following: (i) a turning circle with a minimum outer radius of 10m; or (ii) a property access encircling the building; or (iii) a hammerhead "T" or "Y" turning head 4m wide and 8m long.
C.	Property access length is 200m or greater.	The following design and construction requirements apply to property access: (a) the requirements for B above; and (b) passing bays of 2m additional carriageway width and 20m length provided every 200m.
D.	Property access length is greater than 30m, and access is provided to 3 or more properties.	The following design and construction requirements apply to property access: (a) complies with requirements for B above; and (b) passing bays of 2m additional carriageway width and 20m length must be provided every 100m.

**Table C13.3: Standards for Fire Trails**

Element		Requirement
A.	All fire trails.	The following design and construction requirements apply: (a) all-weather, 4-wheel drive construction; (b) load capacity of at least 20t, including for bridges and culverts; (c) minimum carriageway width of 4m; (d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 2m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; (h) curves with a minimum inner radius of 10m; (i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed fire trails, and 10 degrees (1:5.5 or 18%) for unsealed fire trails; (j) gates if installed at fire trail entry, have a minimum width of 3.6m, and if locked, keys are provided to TFS; and (k) terminate with a turning area for fire appliances provided by one of the following: (i) a turning circle with a minimum outer radius of 10m; or (ii) a hammerhead "T" or "Y" turning head 4m wide and 8m long.
B.	Fire trail length is 200m or greater.	The following design and construction requirements apply: (a) the requirements for A above; and (b) passing bays of 2m additional carriageway width and 20m length provided every 200m.

**C13.6.3 Provision of water supply for fire fighting purposes**

Objective:	That an adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage to allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.	
Acceptable Solutions		Performance Criteria
<b>A1</b> In areas serviced with reticulated water by the water corporation: (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes; (b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant		<b>P1</b> No Performance Criterion.



with Table C13.4; or	
(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.	
<b>Comment:</b> Complies with A1 (b).	
<b>A2</b> In areas that are not serviced by reticulated water by the water corporation: (a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes; (b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table C13.5; or (c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.	<b>P2</b> No Performance Criterion.
<b>Comment:</b> N/a	

**Table C13.4: Reticulated Water Supply for Fire Fighting**

Element		Requirement
<b>A.</b>	Distance between building area to be protected and water supply.	The following requirements apply: (a) the building area to be protected must be located within 120m of a fire hydrant; and (b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.
<b>B.</b>	Design criteria for fire hydrants.	The following requirements apply: (a) fire hydrant system must be designed and constructed in accordance with <i>TasWater Supplement to Water Supply Code of Australia, WSA 03-2011-3.1 MRWA 2<sup>nd</sup> edition</i> ; and (b) fire hydrants are not installed in parking areas.
<b>C.</b>	Hardstand.	A hardstand area for fire appliances must be provided: (a) no more than 3m from the hydrant, measured as a hose lay; (b) no closer than 6m from the building area to be protected; (c) with a minimum width of 3m constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access.

**Table C13.5: Static Water Supply for Fire Fighting**

Element		Requirement
<b>A.</b>	Distance between building area to be protected and water supply.	The following requirements apply: (a) the building area to be protected must be located within 90m of the fire fighting water point of a static water supply; and (b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.
<b>B.</b>	Static Water Supplies.	The static water supply: (a) may have a remotely located offtake connected to the static water supply; (b) may be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times; (c) must be a minimum of 10,000L per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems; (d) must be metal, concrete or lagged by non-combustible materials if above ground; and (e) if a tank can be located so it is shielded in all directions in compliance with Section 3.5 of <i>Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas</i> , the tank may be constructed of any material provided that the lowest 400mm of the tank exterior is protected by: (i) metal; (ii) non-combustible material; or



Element		Requirement
		(iii) fibre-cement a minimum of 6mm thickness.
C.	Fittings, pipework and accessories (including stands and tank supports).	<p>Fittings and pipework associated with a fire fighting water point for a static water supply must:</p> <ul style="list-style-type: none"> <li>(a) have a minimum nominal internal diameter of 50mm;</li> <li>(b) be fitted with a valve with a minimum nominal internal diameter of 50mm;</li> <li>(c) be metal or lagged by non-combustible materials if above ground;</li> <li>(d) if buried, have a minimum depth of 300mm;</li> <li>(e) provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment;</li> <li>(f) ensure the coupling is accessible and available for connection at all times;</li> <li>(g) ensure the coupling is fitted with a blank cap and securing chain (minimum 220mm length);</li> <li>(h) ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling compliant with this Table; and</li> <li>(i) if a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> <li>(i) visible;</li> <li>(ii) accessible to allow connection by fire fighting equipment;</li> <li>(iii) at a working height of 450 – 600mm above ground level; and</li> <li>(iv) protected from possible damage, including damage by vehicles.</li> </ul> </li> </ul>
D.	Signage for static water connections.	<p>The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must comply with:</p> <ul style="list-style-type: none"> <li>(a) water tank signage requirements of <i>Australian Standard AS 2304:2019 Water storage tanks for fire protection systems</i>; or</li> <li>(b) <i>Water Supply Signage Guideline, version 1.0</i>, Tasmania Fire Service, February 2017.</li> </ul>
E.	Hardstand.	<p>A hardstand area for fire appliances must be:</p> <ul style="list-style-type: none"> <li>(a) no more than 3m from the firefighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like);</li> <li>(b) no closer than 6m from the building area to be protected;</li> <li>(c) a minimum width of 3m constructed to the same standard as the carriageway; and</li> <li>(d) connected to the property access by a carriageway equivalent to the standard of the property access.</li> </ul>

PARTICULAR PURPOSE ZONES		
NOR-P1.0	Particular Purpose Zone – Campbell Town Service Station	Not applicable
NOR-P2.0	Particular Purpose Zone – Epping Forest	Not applicable

SPECIFIC AREA PLANS		
NOR-S1.0	Translink Specific Area Plan	Not applicable
NOR-S2.0	Campbell Town Specific Area Plan	Applies, see assessment below
NOR-S3.0	Cressy Specific Area Plan	Not applicable
NOR-S4.0	Devon Hills Specific Area Plan	Not applicable
NOR-S5.0	Evandale Specific Area Plan	Not applicable
NOR-S6.0	Longford Specific Area Plan	Not applicable
NOR-S7.0	Perth Specific Area Plan	Not applicable
NOR-S8.0	Ross Specific Area Plan	Not applicable

GENERAL PROVISIONS		
7.1	Changes to an Existing Non-conforming Use	Not applicable
7.2	Development for Existing Discretionary Uses	Not applicable
7.3	Adjustment of a Boundary	Not applicable
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	Not applicable
7.5	Change of Use	Not applicable
7.6	Access and Provision of Infrastructure Across Land in Another Zone	Not applicable
7.7	Buildings Projecting onto Land in a Different Zone	Not applicable
7.8	Port and Shipping in Proclaimed Wharf Areas	Not applicable
7.9	Demolition	Not applicable
7.10	Development Not Required to be Categorised into a Use Class	Not applicable



7.11	Use or Development Seaward of the Municipal District	Not applicable
7.12	Sheds on Vacant Sites	Not applicable

## **NOR-S2.0 Campbell Town Specific Area Plan**

### **NOR-S2.1 Plan Purpose**

The purpose of the Campbell Town Specific Area Plan is:

NOR-S2.1.1 To provide for residential use and development that is compatible with the existing rural township character.

NOR-S2.1.2 To encourage use and development that promotes a vibrant main street and high quality public open space conducive for visitor stop overs.

NOR-S2.1.3 To encourage the provision of visitor accommodation and community facilities that support annual events and promotes Campbell Town as a meeting centre.

NOR-S2.1.4 To provide for road transport and recreational vehicle parking.

NOR-S2.1.5 To provide for the subdivision of key development sites and provide for appropriately located public open space.

NOR-S2.1.6 To encourage subdivision that provides for large lots and minimises internal lots.

NOR-S2.1.7 That as part of any new subdivision new trees are provided to increase the township's tree canopy cover.

### **NOR-S2.2 Application of this Plan**

NOR-S2.2.1 The specific area plan applies to the area of land designated as NOR-S2.0 Campbell Town Specific Area Plan on the overlay maps and Figure NOR-S2.2.1.

NOR-S2.2.2 Precinct Plan NOR-S2.2.2 applies to the area of land designated as William Street Development Precinct Masterplan in Figure NOR-S2.2.2.

NOR-S2.2.3 Precinct Plan NOR-S2.2.3 applies to the area of land designated as Franklin and Bedford Streets Development Precinct Masterplan in Figure NOR-S2.2.3

NOR-S2.2.4 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for, and in addition to the provisions of:

- (a) General Residential Zone;
- (b) Low Density Residential Zone;
- (c) Open Space Zone; and
- (d) Local Historic Heritage Code, as specified in the relevant provision.

### **NOR-S2.3 Local Area Objectives**

This sub-clause is not used in this specific area plan.

### **NOR-S2.4 Definition of Terms**

This sub-clause is not used in this specific area plan.

### **NOR-S2.5 Use Table**

This clause is in substitution for Low Density Residential Zone – clause 10.2 Use Table.

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling.
Utilities	If for minor utilities.
<b>Permitted</b>	
Residential	If for a home based business.
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	If for a consulting room, medical centre, veterinary centre, child health clinic or for the provision of residential support services.
Community Meeting and Entertainment	If for a place of worship, art and craft centre or public hall.
Educational and Occasional Care	If not for a tertiary institution.
Emergency Services	
Food Services	If not for a take away food premises with a drive through facility.
General Retail and Hire	If for a local shop.
Sports and Recreation	If for a fitness centre, gymnasium, public swimming pool or sports ground.



Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

#### NOR-S2.6 Use Standards

This sub-clause is not used in this specific area plan.

#### NOR-S2.8 Development Standards for Subdivision

##### NOR-S2.8.1 Lot design in development precincts

This clause is in addition to General Residential Zone – clause 8.6.1 Lot design, Low Density Residential Zone

– clause 10.6.1 Lot design, Open Space Zone – clause 29.5.1 Lot design, and in substitution for Local Historic Heritage Code clause C6.10.2 Lot design for a Local Heritage Precinct or a Local Historic Landscape Precinct.

Objective:	That each development precinct creates an efficient lot design that provides connectivity and optimal location for public open space compatible with the rural township character.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must be in accordance with the applicable lot layout shown in the precinct masterplans in Figures NOR- S2.2.2 and NOR-S2.2.3.	<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must be consistent with the rural township character and provide an optimal location for public open space, having regard to: <ul style="list-style-type: none"> <li>(a) lot layout shown in the applicable precinct masterplans in Figures NOR- S2.2.2 and NOR- S2.2.3;</li> <li>(b) the road network as north south grid;</li> <li>(c) fronting new lots onto existing roads where possible;</li> <li>(d) minimising cul-de-sacs;</li> <li>(e) the provision of public open spaces that facilitate pedestrian loops around the town;</li> <li>(f) creating connections between new and existing public open spaces;</li> <li>(g) creating road frontages around public open spaces;</li> <li>(h) using public open spaces for stormwater detention;</li> <li>(i) the relevant requirements for development of buildings on the lots;</li> <li>(j) the intended location of buildings on the lots; and</li> <li>(k) the pattern of development existing on established properties within the area.</li> </ul>

**Comment:** The masterplan shows 10 lots with areas of 641m<sup>2</sup>, 680m<sup>2</sup>, 689m<sup>2</sup>, 707m<sup>2</sup>, 758m<sup>2</sup>, 780m<sup>2</sup>, 871m<sup>2</sup>, 1114m<sup>2</sup>, 1715m<sup>2</sup>, and 1863m<sup>2</sup>.

The proposal has been revised from 15 lots to 14 lots with areas of:

Lot 1	674m <sup>2</sup>	Lot 6	600m <sup>2</sup> -727m <sup>2</sup>	Lot 11	608m <sup>2</sup>
Lot 2	739m <sup>2</sup>	Lot 7	606 m <sup>2</sup> 727 m <sup>2</sup>	Lot 12	769m <sup>2</sup>
Lot 3	651m <sup>2</sup>	Lot 8	606m <sup>2</sup> 727m <sup>2</sup>	Lot 13	736m <sup>2</sup>
Lot 4	690m <sup>2</sup>	Lot 9	600m <sup>2</sup> 800m <sup>2</sup>	Lot 14	629m <sup>2</sup>
Lot 5	667m <sup>2</sup>	Lot 10	1168m <sup>2</sup> 1200m <sup>2</sup>	Lot 15	633m <sup>2</sup>

The proposal does not comply with A1. Must be assessed against P1.

*Each lot, or a lot proposed in a plan of subdivision, must be consistent with the rural township character and provide an optimal location for public open space, having regard to:*

(a) *lot layout shown in the applicable precinct masterplans in Figures NOR-S2.2.2 and NOR- S2.2.3;*

**Comment:** The lot layout of the revised proposal is consistent with the masterplan.

(b) *the road network as north south grid;*

**Comment:** The new road accessing the cul-de-sacs runs generally north-south and is consistent with the masterplan.

(c) *fronting new lots onto existing roads where possible;*

**Comment:** Given that the site is an internal lot it is not possible to front new lots onto existing roads.

(d) *minimising cul-de-sacs;*

**Comment:** The application proposes cul-de-sacs consistent with the masterplan.

(e) *the provision of public open spaces that facilitate pedestrian loops around the town;*

**Comment:** Two pedestrian footpaths are proposed, consistent with the masterplan.

(f) *creating connections between new and existing public open spaces;*

**Comment:** Two pedestrian footpaths are proposed, consistent with the masterplan.

(g) *creating road frontages around public open spaces;*

**Comment:** Each pedestrian footpath has road frontage, consistent with the masterplan.





(h) *using public open spaces for stormwater detention;*

**Comment:** One of the footpaths will have a stormwater main, but detention has not been required.

(i) *the relevant requirements for development of buildings on the lots;*

**Comment:** Single dwellings can be developed in accordance with the required setbacks of at least 4.5m from a frontage and 1.5m from a side or rear boundary.

(j) *the intended location of buildings on the lots;*

**Comment:** the application has not advised of the intended location of buildings on the lots, but single dwellings can be developed in accordance with the required setbacks of at least 4.5m from a frontage and 1.5m from a side or rear boundary.

(k) *the pattern of development existing on established properties within the area.*

**Comment:** The original proposal was for two cul-de-sacs with lots ranging in size from 600m<sup>2</sup> to 1168m<sup>2</sup>. This has been revised to lots ranging from 629m<sup>2</sup> to 1200m<sup>2</sup>. There is a cul-de-sac at nearby Elizabeth Court which is in the area surrounding 7A William Street. The residential lots in Elizabeth Court range in size from 662m<sup>2</sup> to 990m<sup>2</sup>. The proposal has been revised from 15 lots to 14 lots with areas of:

Lot 1	674m <sup>2</sup>	Lot 6	600m <sup>2</sup> 727m <sup>2</sup>	Lot 11	608m <sup>2</sup>
Lot 2	739m <sup>2</sup>	Lot 7	606m <sup>2</sup> 727 m <sup>2</sup>	Lot 12	769m <sup>2</sup>
Lot 3	651m <sup>2</sup>	Lot 8	606m <sup>2</sup> 727m <sup>2</sup>	Lot 13	736m <sup>2</sup>
Lot 4	690m <sup>2</sup>	Lot 9	600m <sup>2</sup> 800m <sup>2</sup>	Lot 14	629m <sup>2</sup>
Lot 5	667m <sup>2</sup>	Lot 10	1168m <sup>2</sup> 1200m <sup>2</sup>	Lot 15	633m <sup>2</sup>

It is considered that the revised proposal, with lots substantially the same as the residential lots in Elizabeth Court and the wider area, is consistent with the existing pattern of residential development in the surrounding area.

#### NOR-S2.8.2 Lot design

This clause is in substitution for General Residential Zone – clause 8.6.1 Lot design.

Objective:	That each lot: (a) has an area and dimensions appropriate for the use and development; (b) is provided with appropriate access to a road; (c) contains areas which are suitable for development appropriate to the purpose of the zone and specific area plan, located to avoid natural hazards; and (d) is oriented to provide solar access for future dwellings.
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: (a) have an area of not less than 600m <sup>2</sup> and: (i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; or (b) be required for public use by the Crown, a council or a State authority; or (c) be required for the provisions of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone.	<b>P1</b> Each lot, or a lot proposed in a plan of subdivision must have sufficient useable area and dimensions suitable for its intended use, having regard to: (a) the relevant requirements for development of buildings on the lots; (b) the intended location of buildings on the lots; (c) the topography of the site; (d) the presence of any natural hazards; (e) adequate provision of private open space; and (f) the pattern of development existing on established properties within the area.
<b>Comment:</b> Complies with A1.	

#### NOR-S2.8.3 Internal lots

This clause is an addition to General Residential Zone – clause 8.6.1 Lot design.

Objective:	That subdivision layout of land outside the precinct masterplans in Figures NOR-S2.2.2 and NOR-S2.2.3: (a) minimises internal lots; (b) is consistent with existing patterns of residential development in the surrounding area; and (c) retains the rural township character.
Acceptable Solutions	Performance Criteria



<p><b>A1</b> No Acceptable Solution.</p>	<p><b>P1</b> Each internal lot, or an internal lot proposed in a plan of subdivision must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) consistency with existing patterns of residential development of the surrounding area;</li> <li>(b) the lot gaining access from a road existing prior to the planning scheme coming into effect;</li> <li>(c) site constraints making an internal lot configuration the only reasonable option to efficiently use the land;</li> <li>(d) the lot contributing to the more efficient use of residential land and infrastructure;</li> <li>(e) the amenity of adjacent lots not being unreasonably affected by subsequent development and use;</li> <li>(f) the lot having access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;</li> <li>(g) passing bays being provided at appropriate distances to service the likely future use of the lot;</li> <li>(h) the access strip being adjacent to or combined with no more than three other internal lot access strips provided that it is otherwise not appropriate to provide access via a public road;</li> <li>(i) the lot addressing and providing for passive surveillance of public open space and public rights of way if it fronts such public spaces;</li> <li>(j) the relevant requirements for development of buildings on the lots;</li> <li>(k) the intended location of buildings on the lots;</li> <li>(l) the topography of the site;</li> <li>(m) the presence of any natural hazards;</li> <li>(n) adequate provision of private open space; and</li> <li>(o) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>Comment:</b> The original proposal included one internal lot, lot 10. The revised proposal has removed the internal lot.</p>	<p><b>Not applicable.</b></p>

NOR-S2.8.4 Roads

This clause is in substitution for General Residential Zone – clause 8.6.2 Roads and Low Density Residential Zone – clause 10.6.2 Roads.

<p>Objective:</p>	<p>That the arrangement of new roads within a subdivision provides for:</p> <ul style="list-style-type: none"> <li>(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic;</li> <li>(c) adequate areas for the planting of street trees in the road reserve; and</li> <li>(d) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b> The subdivision includes no new roads.</p>	<p><b>P1</b> The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any road network plan adopted by the council;</li> <li>(b) the existing and proposed road hierarchy;</li> <li>(c) the need for connecting roads and pedestrian and cycling paths to common boundaries with adjoining land to facilitate future subdivision potential;</li> <li>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</li> <li>(e) minimising the travel distance between key destinations such as shops and services and public transport routes;</li> <li>(f) access to public transport;</li> <li>(g) the efficient and safe movement of pedestrians, cyclists and public</li> </ul>



	<p>transport;</p> <p>(h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the <i>Guide to Road Design Part 6A: Paths for Walking and Cycling 2016</i>;</p> <p>(i) the topography of the site; and</p> <p>(j) the future subdivision potential of any balance lots on adjoining or adjacent land.</p>
<b>Comment:</b> The subdivision creates a new road.	<b>Comment:</b> The application provided a Traffic Impact Assessment from Traffic and Civil Services demonstrating compliance with P1.
<p><b>A2</b></p> <p>Where the subdivision plan includes one or more new roads, street trees must be provided within the road reserve:</p> <p>at intervals of not less than 10m measured between the centre of each trunk; or</p> <p>at intervals not less than the canopy diameter of the tree species at maturity; and</p> <p>in locations where sight distances to vehicle access points are compliant with the following:</p> <p>in the case of non-commercial vehicle accesses, Australian Standard AS 2890.1:2004, Parking Facilities, Part 1: Off-street car parking, section 3, Access Facilities to Off-street Parking Areas and Queuing Areas; and</p> <p>in the case of commercial vehicle accesses, Australian Standard AS 2890.2:2002, Parking facilities Part 2: Off-street commercial vehicle facilities.</p>	<p><b>P2</b></p> <p>No Performance Criterion.</p>
<b>Comment:</b> Condition required for street trees in accordance with A2.	

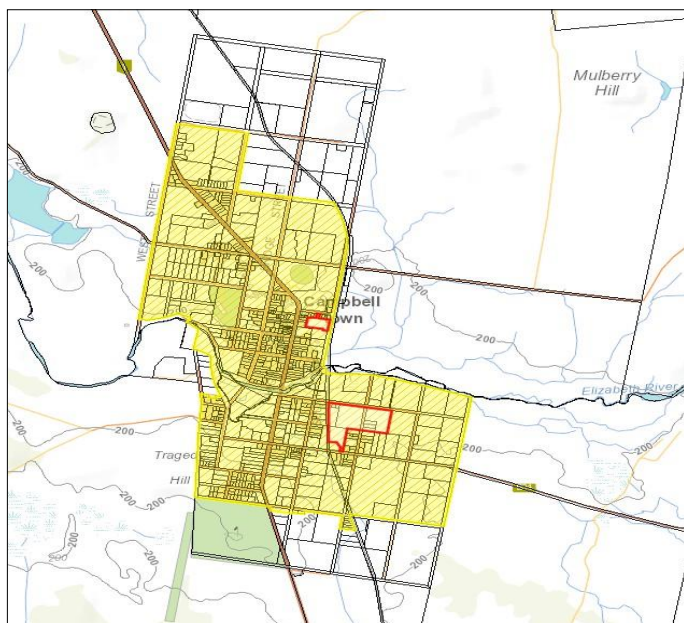
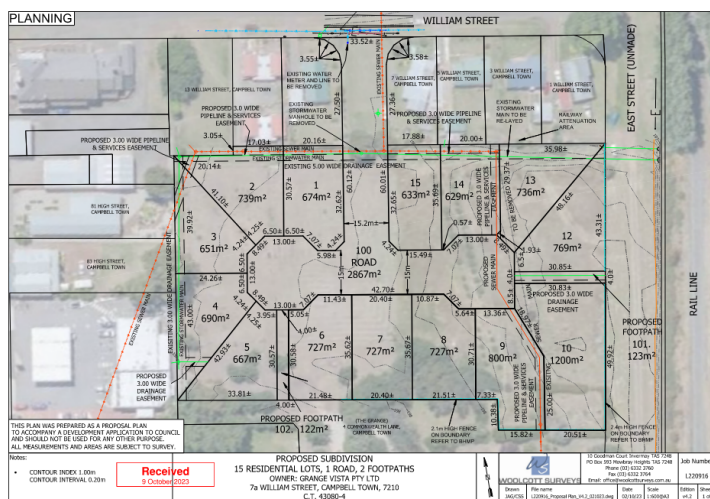


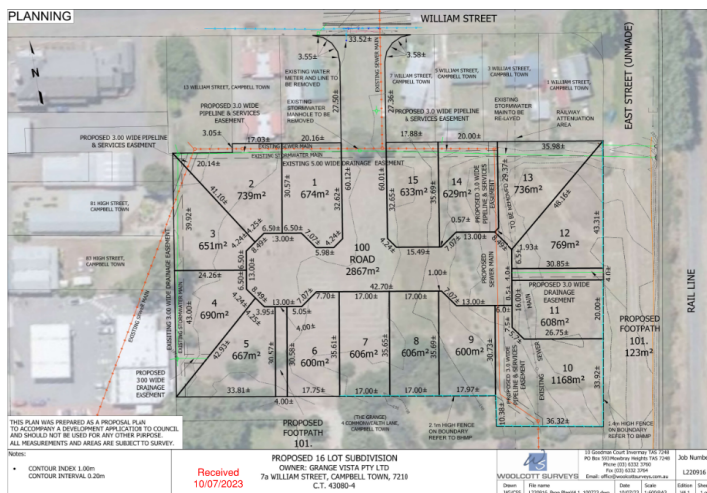
Figure NOR-S2.2.1 Campbell Town Specific Area Plan shown in light yellow as required by clause NOR-S2.2.1, with precinct development masterplan locations outlined in red



Figure NOR-S2.2.2 William Street Development Precinct Masterplan (outlined in black) as required by clause NOR-S2.2.2, clause NOR-S2.8.1 A1 and P1, and clause NOR-S2.8.3



^Proposed subdivision (revised)



^Proposed subdivision (advertised)



^ Elizabeth Court in relation to subject site



^Elizabeth Court lot sizes

#### 4.7 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after completion of the public exhibition period revealed that 2 representations (attached) were received from:

- K Smith-Harvey & L Harvey, 81 High St, Campbell Town
- L Chivers, 9 William St, Campbell Town



Map showing location of representors properties (outlined in red) in relation to subject site (highlighted in red)



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

**K Smith-Harvey & L Harvey, 81 High St, Campbell Town**

- Their art gallery was designed with a 'wall of glass' to enhance customers' view, which will be impacted by the proposed development by having to look at 15 houses and will result in devaluation of their property.

Planner's comment:

Clause 6.10 of the planning scheme gives the matters to be taken in to consideration in determining an application. Loss of view and devaluation of property are not matters listed for consideration.

- Increase in the number of lots from the original masterplan, does not meet the objective 'Retains the rural township character'

Planner's comment:

The proposal as advertised was for two cul-de-sacs with lots ranging in size from 600m<sup>2</sup> to 1168m<sup>2</sup>. There is a cul-de-sac at nearby Elizabeth Court which is in the area surrounding 7A William Street. The residential lots in Elizabeth Court range in size from 662m<sup>2</sup> to 990m<sup>2</sup>. The proposal is for 15 lots with areas of:

Lot 1	674m <sup>2</sup>	Lot 6	600m <sup>2</sup>	Lot 11	608m <sup>2</sup>
Lot 2	739m <sup>2</sup>	Lot 7	606m <sup>2</sup>	Lot 12	769m <sup>2</sup>
Lot 3	651m <sup>2</sup>	Lot 8	606m <sup>2</sup>	Lot 13	736m <sup>2</sup>
Lot 4	690m <sup>2</sup>	Lot 9	600m <sup>2</sup>	Lot 14	629m <sup>2</sup>
Lot 5	667m <sup>2</sup>	Lot 10	1168m <sup>2</sup>	Lot 15	633m <sup>2</sup>

It was considered that the proposed subdivision, with lots substantially smaller (i.e. around 600m<sup>2</sup>) than the residential lots in Elizabeth Court and the wider area, was not consistent with the existing pattern of residential development in the surrounding area, contrary to clause NOR-S2.8.1 P1 (k) of the planning scheme and the application was recommended for refusal.





The applicant revised the proposal from 15 lots to 14 lots with areas of:

Lot 1	674m2	Lot 6	600m2-727m2	Lot 11	608m2
Lot 2	739m2	Lot 7	606m2 727 m2	Lot 12	769m2
Lot 3	651m2	Lot 8	606m2 727m2	Lot 13	736m2
Lot 4	690m2	Lot 9	600m2 800m2	Lot 14	629m2
Lot 5	667m2	Lot 10	1168m2 1200m2	Lot 15	633m2

It is considered that the revised proposal, with lots substantially the same as the residential lots in Elizabeth Court and the wider area, is consistent with the existing pattern of residential development in the surrounding area.

**L Chivers, 9 William Street, Campbell Town**

- Home is situated on the corner of the new road. There will be an Increase in traffic noise and pedestrian activity. The 'no parking' restrictions in the cul-de-sac required by the bushfire report may lead to more on street parking around house.

**Planner's comment:**

The traffic impact assessment has found that, "It is estimated that the proposal will contribute up to 135 vehicles per day to William Street. Though this is a significant increase on the estimated AADT of 70 vehicles per day (2023), the total traffic volume is very low and will have a very minor impact on operation of the road".

It is recommended that the developer install a fence adjoining the new road for privacy with 7 and 9 William Street.

It is recommended that the new road be widened to 7.2m to allow for parking on one side.

**Issue 3**

- Increase in lots (15) from masterplan (10) does not meet the objective "Retains the rural township character"

**Planner's comment:**

As for representation above.

**4.8 Objectives of the Land Use Planning and Approvals Act 1993**

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

**4.9 State Policies**

The proposal is consistent with all State Policies.

**4.10 Strategic Plan/Annual Plan/Council Policies**

Strategic Plan - Statutory Planning

**4.11 Public Open Space**

Council's Public Open Space Policy States:

Public Open Space shall be taken in accordance with this policy on land zoned general residential, general industrial, light industrial, commercial, local business, general business, low density residential, rural living and village.

- 1 The Public Open Space Rate shall be \$1,400 per additional lot created (i.e. A subdivision that turns one lot into four has created three additional lots and will attract a public open space contribution/fee of \$3,600.)

**Comment:** The proposal is to create 15 residential lots, meaning that the public open space payment shall be \$1,400 x 14.

OR



- 2 The applicant may, at his or her discretion, obtain a current (not less than one month old) valuation, by a registered land valuer, of the subject land, less one of the proposed lots (or strata units). The Public Open Space Rate shall total 5% of that value.

**Comment:** The footpath lots are zoned Open Space and therefore not subject to the Public Open Space policy. Therefore the public open space rate shall be 5% of the subject land less one residential lot, less the footpath lots.

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

Section 83	Approval of plan of subdivision	Yes	No
83 (1)(a)	Does the council require the owner to sell to it for a nominal consideration any land shown on the plan as set apart for a public open space or for drainage purposes?		<input type="checkbox"/>
83(1)(b)	Does the council require the owner to mark on the plan in respect of any proposed way, the words "to be acquired by the highway authority"?		<input type="checkbox"/>
83(5)(a)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not provide means of drainage for all or some specified kind of effluent from the block?		<input type="checkbox"/>
83(5)(a)(iii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not permit a septic tank?		<input type="checkbox"/>
83(5)(b)(i)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a septic tank?		<input type="checkbox"/>
83(5)(b)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a specific form of on-site sewerage treatment?		<input type="checkbox"/>
83(7)	Does the council require the final plan of subdivision to note, in respect of a block, that the council has been advised by a regulated entity, within the meaning of the <i>Water and Sewerage Industry Act 2008</i> , that the entity cannot or will not –		
83(7)(a)	provide a supply of water to the block?		<input type="checkbox"/>
83(7) (b)	provide means of sewerage for all or some specified kind of effluent from the block?		<input type="checkbox"/>
<b>Section 84</b>	<b>Council not to approve subdivision</b>	<b>Yes</b>	<b>No</b>
84(1)(c)	Does the subdivision include any road or other works whereby drainage will be concentrated and discharged into any drain or culvert on or under any State highway, and the Minister administering the <i>Roads and Jetties Act 1935</i> has first not approved so much of the application as affects the drainage?		<input type="checkbox"/>
	<b>If 'yes', refuse the subdivision.</b>		
<b>Section 85</b>	<b>Refusal of application for subdivision</b>		
	<b>Council may refuse the application for subdivision if it is of the opinion:</b>		
85(a)	that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is;		<input type="checkbox"/>
85(b)	that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of;		<input type="checkbox"/>
85(ba)	that the land is not suitable for an on-site effluent disposal system for all or specified kinds of effluent from each block;		<input type="checkbox"/>
85(c)	that the site or layout will make unduly expensive the arrangements for supply of water and electricity, connection to drains and sewers and the construction or maintenance of streets;		<input type="checkbox"/>
85(d)	that the layout should be altered to include or omit –		
85(d)(i)	blind roads;		<input type="checkbox"/>
85(d)(ii)	alleys or rights of way to give access to the rear of lots;		<input type="checkbox"/>
85(d)(iii)	public open space;		<input type="checkbox"/>
85(d)(iv)	littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake;		<input type="checkbox"/>
85(d)(v)	private roads, ways or open spaces;		<input type="checkbox"/>
85(d)(vi)	where the ground on one side is higher than on the other, wider roads in order to give		<input type="checkbox"/>



	reasonable access to both sides;		
85(d)(vii)	licences to embank highways under the <i>Highways Act 1951</i> ;		<input type="checkbox"/>
85(d)(viii)	provision for widening or deviating ways on or adjoining land comprised in the subdivision;		<input type="checkbox"/>
85(d)(ix)	provision for the preservation of trees and shrubs;		<input type="checkbox"/>
85(e)	that adjacent land of the owner, including land in which the owner has any estate or interest, ought to be included in the subdivision;		<input type="checkbox"/>
85(f)	that one or more of the lots is by reason of its shape in relation to its size or its contours unsuitable for building on;		<input type="checkbox"/>
85(g)	that one or more of the lots ought not to be sold because of –		
85(g)(i)	easements to which it is subject;		<input type="checkbox"/>
85(g)(ii)	party-wall easements;		<input type="checkbox"/>
85(g)(iii)	the state of a party-wall on its boundary.		<input type="checkbox"/>
<b>Section 86</b>	<b>Security for payment</b>	<b>Yes</b>	<b>No</b>
	Does council require security for payments and the execution of works for -		
86(2)(c)	if the land is not located within 30 metres of the existing public storm water system as shown on the map made available under section 12 of the <i>Urban Drainage Act 2013</i> , payment for a public storm water system by, from, or from within, the land as determined by the council so that all lots may have connecting drains and the concentrated natural water may be lawfully disposed of and for the laying of storm water connections from a place on the boundary of each lot to the public storm water system in accordance with the by-laws of the council and to the satisfaction of its engineer;		<input type="checkbox"/>
86(2)(d)	the works required for the discharge of the owner's obligations under <u>section 10 of the <i>Local Government (Highways) Act 1982</i></u> in respect of the highways opened or to be opened on the subdivision;		<input type="checkbox"/>
86(2)(e)	the making and draining of footways that are not part of a road and of private roads and similar footways serving 3 lots or more;		<input type="checkbox"/>
86(2)(f)	the filling in of ponds and gullies;		<input type="checkbox"/>
86(2)(g)	the piping of watercourses.		<input type="checkbox"/>
	<b>If 'yes':</b>		
	council may refuse to approve the application until such security is given.		
	See section 86 (3) for the form of the security.		
	See section 86 (4) for when the works are to be executed.		
<b>Section 107</b>	<b>Access orders</b>	<b>Yes</b>	<b>No</b>
107 (2)	Is work of a substantial nature needed to provide access for vehicles from a highway onto the block?		<input type="checkbox"/>
	If 'yes', council may refuse to seal the final plan under which the block is created until the owner has carried out the work specified in the order within the specified period or given the council security for carrying out that work if called upon by it to do so.		
<b>Section 108</b>	<b>Road widening</b>	<b>Yes</b>	<b>No</b>
108 (1) (a)	Does council, in respect of an existing highway, require to obtain a dedication of land for widening or diverting? (compensation is not payable for the dedication of land which lies within 9 metres of the middle line of the highway of a parcel into which the land is subdivided and on which no building stands)		<input type="checkbox"/>
108 (1) (b)	Does council, in respect of an existing highway, require to obtain a licence to embank?		<input type="checkbox"/>

## 6 FINANCIAL IMPLICATIONS TO COUNCIL

Assessment of the application is within budget allocations.

## 7 OPTIONS

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



## 8 DISCUSSION

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

Discretion to refuse the application is limited to:

- Road and Railway Assets Code C3.5.1 P1 Traffic generation at a new junction
- Road and Railway Assets Code C3.7.1 P1 Subdivision for sensitive uses within a railway attenuation area
- Local Historic Heritage Code C6.7.1P1 Demolition within a local heritage precinct (fences, trees)
- Natural Assets Code C7.7.2 P1.2 Subdivision within a priority vegetation area
- Flood-Prone Areas Code C12.6.1 P1.1 & P1.2 Buildings and works within a flood-prone hazard area
- Flood-Prone Areas Code C12.7.1 P1 Subdivision within a flood-prone hazard area
- Bushfire prone Areas Code C13.6.1 P1 Provision of hazard management areas (colorbond fences to increase the potential build area)
- Bushfire prone Areas Code C13.6.2 P1 Public and firefighting access (cul-de-sacs smaller than 12m radius)
- Campbell Town Specific Area Plan NOR-S2.8.1 Lot design in development precincts (not in accordance with lot layout shown in masterplan)
- Campbell Town Specific Area Plan NOR-S2.8.3 Internal lots (Lot 10)
- Campbell Town Specific Area Plan Clause 10.6.2 Roads (construction of new road).

The proposal as advertised was for two cul-de-sacs with lots ranging in size from 600m<sup>2</sup> to 1168m<sup>2</sup>. There is a cul-de-sac at nearby Elizabeth Court which is in the area surrounding 7A William Street. The residential lots in Elizabeth Court range in size from 662m<sup>2</sup> to 990m<sup>2</sup>. The proposal is for 15 lots with areas of:

Lot 1	674m <sup>2</sup>	Lot 6	600m <sup>2</sup>	Lot 11	608m <sup>2</sup>
Lot 2	739m <sup>2</sup>	Lot 7	606m <sup>2</sup>	Lot 12	769m <sup>2</sup>
Lot 3	651m <sup>2</sup>	Lot 8	606m <sup>2</sup>	Lot 13	736m <sup>2</sup>
Lot 4	690m <sup>2</sup>	Lot 9	600m <sup>2</sup>	Lot 14	629m <sup>2</sup>
Lot 5	667m <sup>2</sup>	Lot 10	1168m <sup>2</sup>	Lot 15	633m <sup>2</sup>

It was considered that the proposed subdivision, with lots substantially smaller (i.e. around 600m<sup>2</sup>) than the residential lots in Elizabeth Court and the wider area, was not consistent with the existing pattern of residential development in the surrounding area, contrary to clause NOR-S2.8.1 P1 (k) of the planning scheme and the application was recommended for refusal.

The applicant revised the proposal from 15 lots to 14 lots with areas of:

Lot 1	674m <sup>2</sup>	Lot 6	<del>600m<sup>2</sup></del> 727m <sup>2</sup>	<del>Lot 11</del>	<del>608m<sup>2</sup></del>
Lot 2	739m <sup>2</sup>	Lot 7	<del>606m<sup>2</sup></del> 727 m <sup>2</sup>	Lot 12	769m <sup>2</sup>
Lot 3	651m <sup>2</sup>	Lot 8	<del>606m<sup>2</sup></del> 727m <sup>2</sup>	Lot 13	736m <sup>2</sup>
Lot 4	690m <sup>2</sup>	Lot 9	<del>600m<sup>2</sup></del> 800m <sup>2</sup>	Lot 14	629m <sup>2</sup>
Lot 5	667m <sup>2</sup>	Lot 10	<del>1168m<sup>2</sup></del> 1200m <sup>2</sup>	Lot 15	633m <sup>2</sup>

It is considered that the revised proposal, with lots substantially the same as the residential lots in Elizabeth Court and the wider area, is consistent with the existing pattern of residential development in the surrounding area.

For the reasons given above it is recommended that the application be approved.

## 9 ATTACHMENTS

1. Proposal Page [11.2.1 - 1 page]
2. Planning Supporting Report, Woolcott Surveys, 10 July 2023 [11.2.2 - 15 pages]
3. Annexure 1 - Folio Plan-43080-4 [11.2.3 - 1 page]
4. Annexure 2 - Proposal Plan V 4.1 [11.2.4 - 1 page]
5. Annexure 3 - Civil Works and Services Plan, rare. 17 July 2023 [11.2.5 - 21 pages]
6. Annexure 4 - Traffic Impact Assessment, TC S, April 2023 [11.2.6 - 48 pages]



7. Annexure 5 - Bushfire Hazard Report - Woolcott Surveys, 2 April 2023 [**11.2.7** - 42 pages]
8. Annexure 6 - Railway Noise Assessment Rev 1 - Pitt& Sherry - 5 April 2023 [**11.2.8** - 3 pages]
9. Tas Water SPAN Request for Additional Information DA 2023 00730- NMC [**11.2.9** - 2 pages]
10. Flood Prone Area Code Response - Hydrodynamica - 14 July 2023 [**11.2.10** - 11 pages]
11. PL N-23-0085 public exhibition documents [**11.2.11** - 144 pages]
12. Tas Networks response [**11.2.12** - 2 pages]
13. Tas Rail Objection 187 June 2023 [**11.2.13** - 2 pages]
14. Heritage referral PL N-23-0085 - 7 A William Street William St East St Campbell Town [**11.2.14** - 17 pages]
15. Tas Water SPAN 17 July 2023 [**11.2.15** - 4 pages]
16. WI referral response PL N-23-0085 7 A William Street Campbell Town [**11.2.16** - 3 pages]
17. Representation - K Smith- Harvey [**11.2.17** - 2 pages]
18. Representation - L Chivers [**11.2.18** - 1 page]
19. 3. Representation- Tas Rail [**11.2.19** - 2 pages]
20. Woolcott Response to Rep PL N 23-0085 [**11.2.20** - 3 pages]
21. Woolcott Surveys Email [**11.2.21** - 5 pages]
22. L 220916 Proposal Plan V 4.2 021023 [**11.2.22** - 1 page]



### 11.3 PLN23-0135: MULTIPLE DWELLINGS (2) - 21 BULWER STREET, LONGFORD

File: 101700.265; PLN23-0135  
Responsible Officer: Des Jennings, General Manager  
Report prepared by: Rebecca Green, Consultant Planner

#### MINUTE NO. 23/0369

##### DECISION

Cr Archer/Cr Terrett

That application PLN-23-0135 to develop and use the land at 21 Bulwer Street, Longford for Multiple Dwellings x 2 (2 New) (Vary Side Setbacks, Longford SAP, Density, Parking and Sustainable Transport Code) be approved subject to the following conditions:

#### **1 Layout not altered**

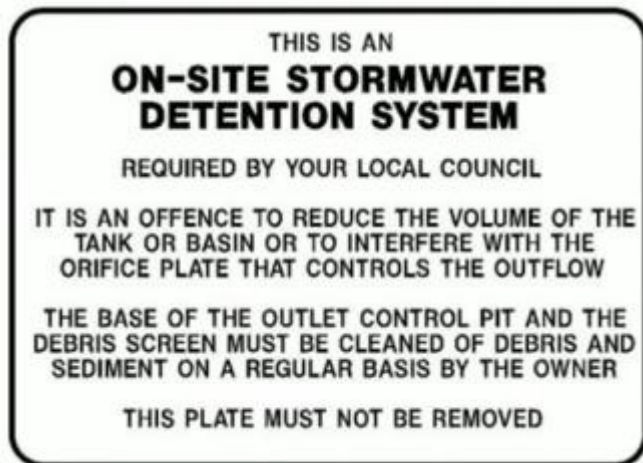
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#### **2 Council's Works Department conditions**

##### 2.1 Stormwater

- a) Each dwelling must be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.
- b) Concentrated stormwater must not be discharged into neighbouring properties.
- c) Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- d) All driveways and hardstand areas must be designed to allow stormwater run-off to be adequately drained to the Council stormwater system.
- e) Prior to the issue of a building permit, or the commencement of development authorised by this permit, the applicant must design and provide plans for underground stormwater drainage to collect stormwater from the driveways and roofed area of buildings. The system must connect through properly-jointed pipes to the stormwater main, inter-allotment drainage or other lawful point of discharge to the satisfaction of the Plumbing Inspector.
- f) A plumbing permit is required prior to commencing any plumbing or civil works within the property.
- g) An onsite stormwater detention system must be installed in accordance with the approved plans. A min. 150mm x 100mm stainless steel or aluminium Onsite Stormwater Detention sign permanent fixed and visible on the detention system/wall with the wording "This is an onsite stormwater detention system required by your local Council. It is an offence to reduce the volume of the system or to interfere with the orifice plate that controls the outflow. The base of the outlet pit and the debris screen must be cleaned of debris and sediment on a regular basis by the owner. This plate must not be removed."





- h) Prior to the commencement of use an operations and maintenance manual must be provided to Council for approval.
- i) Prior to the commencement of use certification must be provided by a suitably qualified person confirming that the stormwater detention system has been installed in accordance with the approved plans and all relevant standards.
- j) A Form 46 (Schedule of Maintenance – Prescribed Essential Building Services) covering the stormwater detention system is to be attached to the issued Occupancy Permit.

## 2.2 Municipal standards & approvals

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

## 2.3 Works in Council road reserve

- a) Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works Manager.
- b) Twenty-four (24) hours notice must be given to the Works & Infrastructure Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.
- c) Application requirements and forms can be found at [transport.tas.gov.au/road/permits](http://transport.tas.gov.au/road/permits), applications must be submitted at least twenty-eight (28) days prior to any scheduled works. In accordance with the Roads and Jetties Act 1935, works must not be commenced within the State Road reservation until a permit has been issued.

## 2.4 Pollutants

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

## 2.5 Works damage bond

- a) Prior to the issue of a building permit, or the commencement of development authorised by this permit, a \$500 bond must be provided to Council, which will be refunded if Council's infrastructure is not damaged.
- b) This bond is not taken in place of the Building Department's construction compliance bond.
- c) The nature strip, crossover, apron and kerb and gutter and stormwater infrastructure must be reinstated to Council's standards if damaged.



- d) The bond will be returned after building completion if no damage has been done to Council's infrastructure and all engineering works are done to the satisfaction of the Works & Infrastructure Department.

#### 2.6 Nature strips

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

### **3 TasWater conditions**

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2023/01002-NMC) – Attached at Appendix A.

### **4 Landscaping**

- Landscaping works shall be in accordance with the endorsed plans, and landscaping works for each dwelling shall be completed, prior to the commencement of use of that dwelling and then maintained for the duration of the use.
- A bond of \$500 per dwelling shall be provided prior to the commencement of development authorised by this permit – the bond will be refunded if the landscape works are completed within the timeframe mentioned in this permit.

### **5 Driveways and Parking Areas**

- Driveways and parking areas around each dwelling shall be sealed in accordance with the endorsed documents prior to the commencement of use of the dwelling.

### **6 Required prior to the application for a building permit**

Prior to the issue of a building permit, or the commencement of development authorised by this permit, the applicant shall:

- Provision of design plans for underground stormwater drainage (as per condition 2.1);
- Pay works damage bond of \$500 (as per condition 2.5);
- Pay a \$500 per dwelling landscape bond (as per condition 4).

### **7 Required prior to the commencement of the development works**

Prior to the commencement of the development works:

- Provide silt fences and cut off drains (as per condition 2.4).

### **8 Prior to commencement of use**

Prior to the commencement of the use of each dwelling, the following must be completed:

- Certification provided by a suitably qualified person confirming that the stormwater detention system has been installed in accordance with approved plans (as per condition 2.1);
- Provide an 'Operation and Maintenance Manual' for the stormwater detention system (as per condition 2.1);
- Landscaping works for each dwelling including mailboxes, fencing, and garden shed (as per condition 4 – landscaping);
- Driveways and parking areas around each dwelling sealed (as per condition 5).

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

#### **RECOMMENDATION**

That application PLN-23-0135 to develop and use the land at 21 Bulwer Street, Longford for Multiple Dwellings x 2 (2 New) (Vary Side Setbacks, Longford SAP, Density, Parking and Sustainable Transport Code) be approved subject to the



following conditions:

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- Driveways and parking areas around each dwelling shall be sealed in accordance with the endorsed documents prior to the commencement of use of the dwelling.

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- Landscaping works for each dwelling including mailboxes, fencing, and garden shed (as per condition 4 – landscaping);
- Driveways and parking areas around each dwelling sealed (as per condition 5).

## **1 INTRODUCTION**

This report assesses an application for 21 Bulwer Street, Longford to develop Multiple Dwellings x 2 (2 New) (Vary Side Setbacks, Longford SAP, Density, Parking and Sustainable Transport Code).

## **2 BACKGROUND**

### **Applicant:**

Prime Design

### **Zone:**

8.0 General Residential

### **Owner:**

Joseph Kevin Martin

### **Codes:**

C2.0 Parking and Sustainable Transport Code  
C16.0 Safeguarding of Airports - Obstacle Limitation Area  
NOR-S6.0 Longford Specific Area Plan

### **Classification under the Scheme:**

Residential (multiple dwellings)

### **Existing Use:**

Vacant

### **Deemed Approval Date:**

20 October 2023

### **Recommendation:**

Approve

### **Discretionary Aspects of the Application:**

- 8.4.2 Setbacks and building envelope for all dwellings P3;
- C2.6.2 Design and layout of parking areas P1;
- NOR-S6.7.1 Residential density for multiple dwellings P1;
- NOR-S6.7.3 Wall materials P1; and
- NOR-S6.7.4 Windows P3.

### **Planning Instrument:**

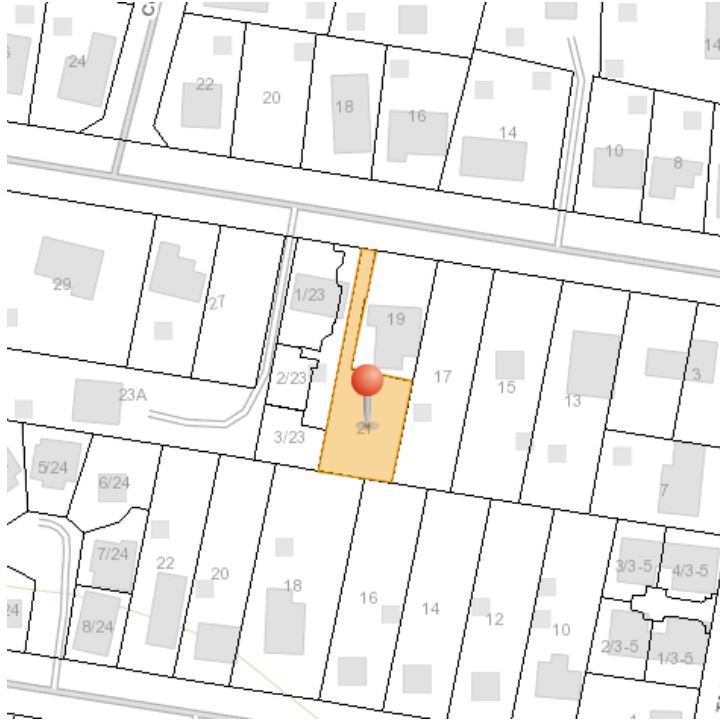
- *Tasmanian Planning Scheme – Northern Midlands, Version: 5 effective from 10th May 2023.*



**Preliminary Discussion:**

- Prior to the application becoming valid / being placed on public exhibition, further information was requested from the applicant.

**Subject Site**



**3 STATUTORY REQUIREMENTS**

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

**4 ASSESSMENT**

**4.1 Proposal**

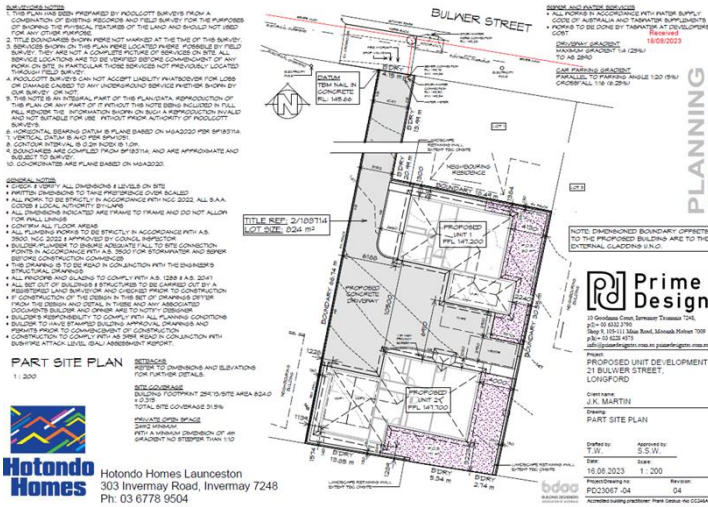
It is proposed to:

- Develop Multiple Dwellings x 2 (2 New).

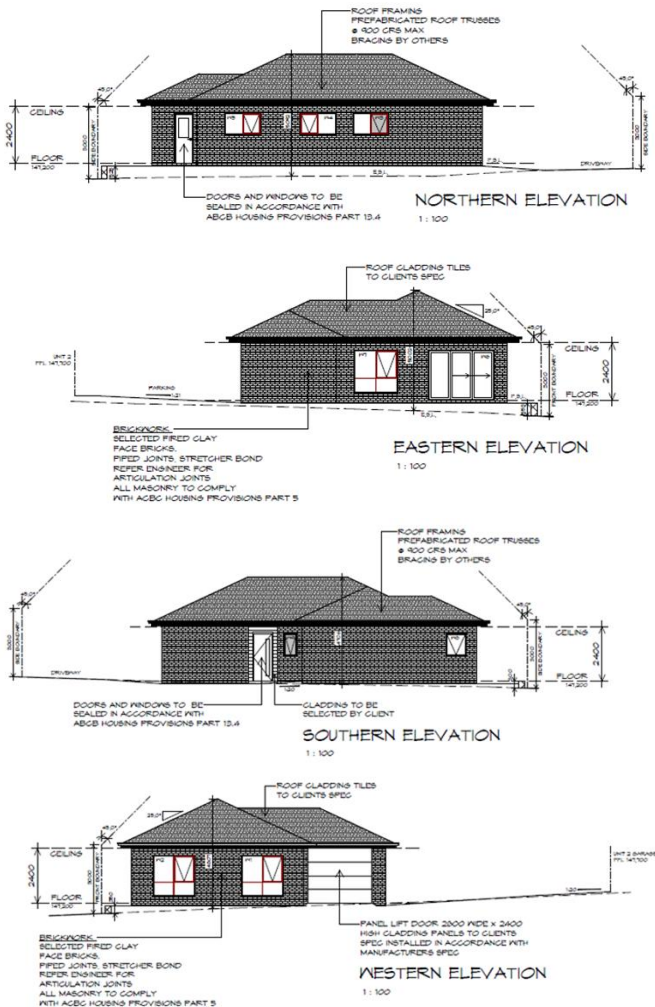


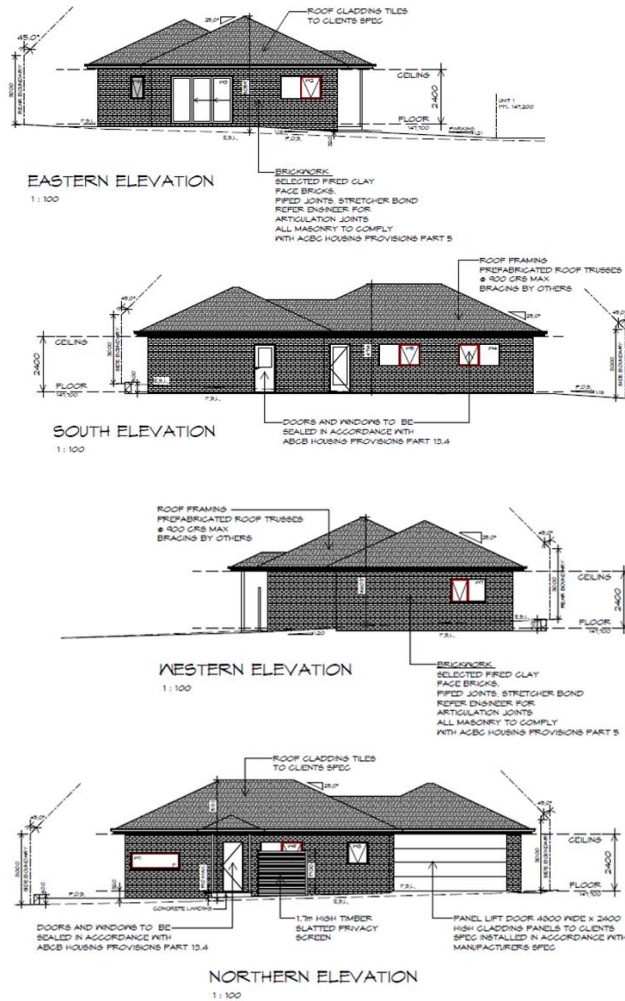


## Site Plan (extract)



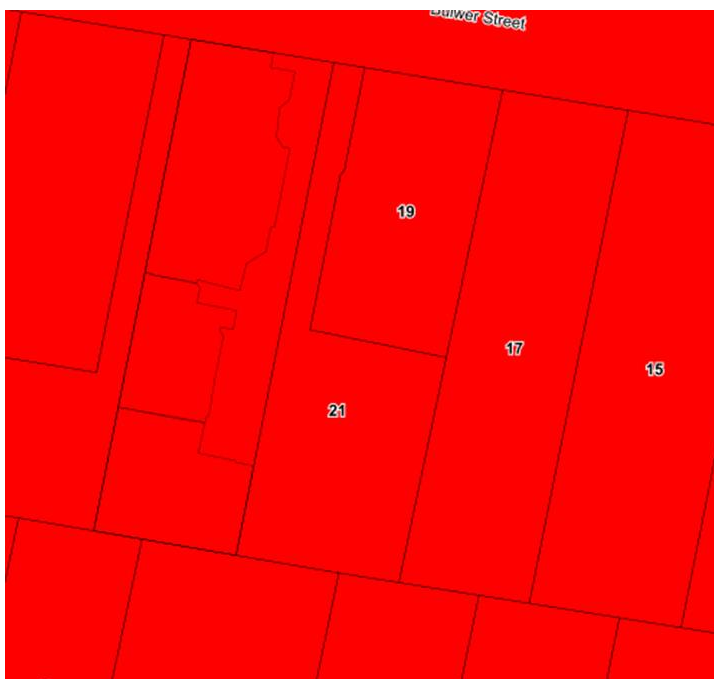
## Elevations





## 4.2 Zone and Land Use

### Zone Map – 8.0 General Residential





The land is zoned General Residential, and is within the Longford Specific Area Plan and Airport obstacle limitation area overlay.

The relevant Planning Scheme definition is:

<i>multiple dwellings</i>	<i>means 2 or more dwellings on a site.</i>
---------------------------	---

Residential, if for multiple dwellings, is Permitted in the Zone.

#### 4.3 Subject Site and Locality

A site inspection was carried out on 25 August 2023. The site is an internal vacant lot comprising an area of 824m<sup>2</sup>. The site is surrounded by residential uses comprising of single and multiple dwellings.

##### *Aerial photograph of area*



##### *Photographs of subject site*



#### 4.4 Permit/Site History

There is no relevant permit history.



#### 4.5 Referrals

The following referrals were required:

##### **Council's Works Department**

Council's Works & Infrastructure Department (Jonathan Galbraith) reviewed the application on the 24 August 2023 and their recommended conditions are included in the conditions of approval.

##### **TasWater**

TasWater issued a Submission to Planning Authority Notice on 31 July 2023 (TasWater Ref: TWDA 2023/01002-NMC).

#### 4.6 Planning Scheme Assessment

##### **8.0 General Residential Zone**

###### **8.1 Zone Purpose**

The purpose of the General Residential Zone is:

8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.

8.1.3 To provide for non-residential use that:

(a) primarily serves the local community; and

(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

###### **Comment**

Complies with the Zone Purpose.

###### **8.2 Use Table**

###### **Comment**

Multiple Dwellings are Permitted if not listed as No Permit Required.

###### **8.3 Use Standards**

###### **8.3.1 Discretionary uses**

###### **Comment**

Not applicable.

###### **8.3.2 Visitor Accommodation**

###### **Comment**

Not applicable.

###### **8.4 Development Standards for Dwellings**

###### **8.4.1 Residential density for multiple dwellings**

###### **Comment**

Clause 8.4.1 is substituted by Clause NOR-S6.7.1.

###### **8.4.2 Setbacks and building envelope for all dwellings**

Objective:

The siting and scale of dwellings:

(a) provides reasonably consistent separation between dwellings and their frontage within a street;

(b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;

(c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and

(d) provides reasonable access to sunlight for existing solar energy installations.

###### **Acceptable Solutions**

A1  
Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not

###### **Performance Criteria**

P1  
A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any





<p>more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>	<p>topographical constraints.</p>
<p><b>Comment</b> Complies with A1. The proposed setback to Unit 1 from the primary frontage is in excess of 4.5m.</p>	
<p>A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<p>P2 A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p>
<p><b>Comment</b> Complies, the single garage for Unit 1 is located to the rear of the unit and at least 5.5m from the primary frontage.</p>	
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</li> </ul> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</li> </ul>	<p>P3 The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</li> <li>(ii) overshadowing the private open space of a dwelling on an adjoining property;</li> <li>(iii) overshadowing of an adjoining vacant property; and</li> <li>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</li> </ul> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <ul style="list-style-type: none"> <li>(i) an adjoining property; or</li> <li>(ii) another dwelling on the same site.</li> </ul>
<p><b>Comment</b> Does not comply with A3.</p>	



The northern wall of Unit 1 is to be located 1.3m from the rear boundary of an adjoining lot with an adjoining frontage and is therefore less than 4.5m. The proposed retaining wall also contributes to non-compliance with the acceptable solution.

Complies with P3.

The proposed development is not likely to cause shadow to 19 Bulwer Street to the north due to orientation of the lots, existing fencing is located between the adjoining residence at 19 Bulwer Street and the boundary which would assist in mitigating any visual impact as Unit 1 is single storey in nature. The retaining wall will not be visible to any land outside of the subject site. The northern windows in Unit 1 have sill heights that will assist in mitigating any overlooking issues.

It is considered that the proposed development complies with the Performance Criteria.

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

Objective:

That dwellings are compatible with the amenity and character of the area and provide:

- (a) for outdoor recreation and the operational needs of the residents;
- (b) opportunities for the planting of gardens and landscaping; and
- (c) private open space that is conveniently located and has access to sunlight.

##### Acceptable Solutions

A1

Dwellings must have:

- (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and
- (b) for multiple dwellings, a total area of private open space of not less than 60m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).

##### Performance Criteria

P1

Dwellings must have:

- (a) site coverage consistent with that existing on established properties in the area;
- (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate:
  - (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and
  - (ii) operational needs, such as clothes drying and storage; and
- (c) reasonable space for the planting of gardens and landscaping.

##### Comment

Complies with A1.

The total site coverage is 31.5% of the 824m<sup>2</sup> site.

Each multiple dwelling will have greater than 60m<sup>2</sup> of private open space.

A2

A dwelling must have private open space that:

- (a) is in one location and is not less than:
  - (i) 24m<sup>2</sup>; or
  - (ii) 12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);
- (b) has a minimum horizontal dimension of not less than:
  - (i) 4m; or
  - (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);
- (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and
- (d) has a gradient not steeper than 1 in 10.

P2

A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:

- (a) conveniently located in relation to a living area of the dwelling; and
- (b) orientated to take advantage of sunlight.

##### Comment





Complies with A2.

Each multiple dwelling will have an area of private open space that is greater than 24m<sup>2</sup>, and has a minimum width of 4m, and is on land with a gradient less than 1 in 10 and is not located within the frontage of the relevant dwelling.

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

Objective:

That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 8.4):</p> <ul style="list-style-type: none"><li>(i) at a distance of 3m from the northern edge of the private open space; and</li><li>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;</li></ul> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <ul style="list-style-type: none"><li>(i) an outbuilding with a building height not more than 2.4m; or</li><li>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</li></ul>	<p>P1</p> <p>A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 8.4.3 of this planning scheme.</p>

#### Comment

Proposal complies with A1.

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

Objective:

To reduce the potential for garage or carport openings to dominate the primary frontage.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<p>P1</p> <p>A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.</p>

#### Comment

Not applicable, no garage is within 12 metres of a primary frontage.

#### 8.4.6 Privacy for all dwellings

Objective:

To provide a reasonable opportunity for privacy for dwellings.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the</p>	<p>P1</p> <p>A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground</p>



<p>finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.</p>	<p>level, must be screened, or otherwise designed, to minimise overlooking of:</p> <p>(a) a dwelling on an adjoining property or its private open space; or</p> <p>(b) another dwelling on the same site or its private open space.</p>
<p><b>Comment</b> Not applicable.</p>	
<p><b>A2</b> A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <p>(i) is to have a setback of not less than 3m from a side boundary;</p> <p>(ii) is to have a setback of not less than 4m from a rear boundary;</p> <p>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</p> <p>(b) the window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</p> <p>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	<p><b>P2</b> A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <p>(a) a window or glazed door, to a habitable room of another dwelling; and</p> <p>(b) the private open space of another dwelling.</p>
<p><b>Comment</b> Not applicable.</p>	
<p><b>A3</b> A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p><b>P3</b> A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>
<p><b>Comment</b> Complies with A3, the eastern windows of Unit 1 have a separation of at least 2.5m to the shared driveway. The northern windows to a habitable room in Unit 2 are at least 1.0m from the shared driveway and separated by a 1.7m high screen.</p>	



8.4.7 Frontage fences for all dwellings	
Objective: The height and transparency of frontage fences: (a) provides adequate privacy and security for residents; (b) allows the potential for mutual passive surveillance between the road and the dwelling; and (c) is reasonably consistent with that on adjoining properties.	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution. <sup>1</sup> <sup>1</sup> An exemption applies for fences in this zone – see Table 4.6	P1 A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must: (a) provide for security and privacy while allowing for passive surveillance of the road; and (b) be compatible with the height and transparency of fences in the street, having regard to: (i) the topography of the site; and (ii) traffic volumes on the adjoining road.
<b>Comment</b> Not applicable.	

8.4.8 Waste storage for multiple dwellings	
Objective: To provide for the storage of waste and recycling bins for multiple dwellings.	
Acceptable Solutions	Performance Criteria
A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m <sup>2</sup> per dwelling and is within one of the following locations: (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.	P1 A multiple dwelling must have storage for waste and recycling bins that is: (a) capable of storing the number of bins required for the site; (b) screened from the frontage and any dwellings; and (c) if the storage area is a common storage area, separated from any dwellings to minimise impacts caused by odours and noise.
<b>Comment</b> Complies with A1 (a). The proposed multiple dwellings will include a dedicated area for the storage of waste and recycling bins that is screened from the road and driveway.	

8.5 Development Standards for Non-dwellings	
8.5.1 Non-dwelling development	
<b>Comment</b> Not applicable.	

8.5.2 Non-residential garages and carports	
<b>Comment</b> Not applicable.	

8.6 Development Standards for Subdivision	
8.6.1 Lot design	
<b>Comment</b> Not applicable.	



<b>8.6.2 Roads</b>
<b>Comment</b>
Not applicable.

<b>8.6.3 Services</b>
<b>Comment</b>
Not applicable.

CODES	
C1.0 Signs Code	N/a
C2.0 Parking and Sustainable Transport Code	Complies, see code assessment below.
C3.0 Road and Railway Assets Code	N/a
C4.0 Electricity Transmission Infrastructure Protection Code	N/a
C5.0 Telecommunications Code	N/a
C6.0 Local Historic Heritage Code	N/a
C7.0 Natural Assets Code	N/a
C8.0 Scenic Protection Code	N/a
C9.0 Attenuation Code	N/a
C10.0 Coastal Erosion Hazard Code	N/a
C11.0 Coastal Inundation Hazard Code	N/a
C12.0 Flood-Prone Areas Hazard Code	N/a
C13.0 Bushfire-Prone Areas Code	N/a
C14.0 Potentially Contaminated Land Code	N/a
C15.0 Landslip Hazard Code	N/a
C16.0 Safeguarding of Airports Code	Exempt in accordance with C16.4.1, development not more than 316m AHD.

<b>C2.0 Parking and Sustainable Transport Code</b>
<b>C2.1 Code Purpose</b>
The purpose of the Parking and Sustainable Transport Code is:
C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.
C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.
C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.
C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.
C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.
C2.1.6 To provide for parking precincts and pedestrian priority streets.
<b>Comment</b>
The proposal complies with the Code Purpose.

<b>C2.5 Use Standards</b>	
<b>C2.5.1 Car parking numbers</b>	
Objective:	
That an appropriate level of car parking spaces are provided to meet the needs of the use.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a	P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to: (a) the availability of off-street public car parking spaces within reasonable walking distance of the site; (b) the ability of multiple users to share spaces because of: (i) variations in car parking demand



<p>change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p style="padding-left: 40px;"><math>N = A + (C - B)</math></p> <p style="padding-left: 40px;">N = Number of on-site car parking spaces required</p> <p style="padding-left: 40px;">A = Number of existing on site car parking spaces</p> <p style="padding-left: 40px;">B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p style="padding-left: 40px;">C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>over time; or</p> <p>(ii) efficiencies gained by consolidation of car parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2</p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature and intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the surrounding area.</p>
<p><b>Comment</b></p> <p>Complies with A1, two parking spaces are provided to each unit and one visitor space for the multiple dwelling proposal.</p>	

C2.5.2 Bicycle parking numbers	
Objective:	
That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>	<p>P1</p> <p>Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <p>(a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and</p> <p>(b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.</p>
<p><b>Comment</b></p> <p>Not applicable.</p>	

C2.5.3 Motorcycle parking numbers	
Objective:	
That the appropriate level of motorcycle parking is provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The number of on-site motorcycle parking spaces for all uses must:</p> <p>(a) be no less than the number specified in Table C2.4; and</p>	<p>P1</p> <p>Motorcycle parking spaces for all uses must be provided to meet the reasonable</p>



(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.	needs of the use, having regard to: (a) the nature of the proposed use and development; (b) the topography of the site; (c) the location of existing buildings on the site; (d) any constraints imposed by existing development; and (e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.
<b>Comment</b> Not applicable.	

C2.5.4 Loading Bays	
Objective: That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions	Performance Criteria
A1 A loading bay must be provided for uses with a floor area of more than 1000m <sup>2</sup> in a single occupancy.	P1 Adequate space for loading and unloading of vehicles must be provided, having regard to: (a) the type of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) the topography of the site; (h) the location of existing buildings on the site; and (i) any constraints imposed by existing development.
<b>Comment</b> Not applicable.	

C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone	
Objective: (a) facilitate the reuse of existing non-residential buildings within the General Residential Zone and Inner Residential Zone; and (b) to not cause an unreasonable impact on residential amenity by the car parking generated by that reuse.	
Acceptable Solutions	Performance Criteria
A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m <sup>2</sup> floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m <sup>2</sup> floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	P1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users and must not cause an unreasonable impact on residential amenity, having regard to: (a) car parking demand generated by the proposed use during its proposed hours of operation; (b) the availability of on-street and public car parking in the surrounding area; (c) the availability and frequency of public transport within a 400m walking distance of the site; (d) the availability and likely use of other modes of transport; (e) the availability and suitability of alternative arrangements for car parking provision; (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking





	spaces; (g) any car parking deficiency or surplus associated with the existing use of the land; (h) any relevant parking plan for the area adopted by council; (i) any existing on-street car parking restrictions; and (j) the proportion of residential properties without off-street parking within a 100m radius of the subject site.
<b>Comment</b> Not applicable.	

<b>C2.6 Development Standards for Buildings and Works</b>	
<b>C2.6.1 Construction of parking areas</b>	
Objective: That parking areas are constructed to an appropriate standard.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.	P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to: (a) the nature of the use; (b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing.
<b>Comment</b> Complies with A1. The proposed parking spaces will be constructed with concrete. The driveway will be drained to the public stormwater system.	

<b>C2.6.2 Design and layout of parking areas</b>	
Objective: That parking areas are designed and laid out to provide convenient, safe and efficient parking.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and	P1 All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to: (a) the characteristics of the site; (b) the proposed slope, dimensions and layout; (c) useability in all weather conditions; (d) vehicle and pedestrian traffic safety; (e) the nature and use of the development; (f) the expected number and type of vehicles; (g) the likely use of the parking areas by persons with a disability; (h) the nature of traffic in the surrounding area; (i) the proposed means of parking delineation; and (j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.



<p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with Australian Standard AS 2890-Parking facilities, Parts 1-6.</p> <p>A1.2 Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.<sup>1</sup></p> <p><sup>1</sup> Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.</p>	
<p><b>Comment</b></p> <p>The proposal relies on the performance criteria as the internal access starts with a 4.15m width for the first 13.99m of the existing driveway, and tapers midway to 3.8m for 20.99m and therefore does not provide a passing bay. The proposal is for two dwellings which will see around 14-18 average vehicle movements daily, the driveway is relatively straight which provides for good sight lines. With the expected vehicle type and numbers, the proposal will ensure all parking, access ways, manoeuvring and circulation spaces are designed and readily identifiable to provide convenient, safe and efficient parking. Performance criteria met.</p>	

C2.6.3 Number of accesses for vehicles	
<p>Objective:</p> <p>That:</p> <p>(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;</p> <p>(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and</p> <p>(c) the number of accesses minimise impacts on the streetscape.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<p>P1</p> <p>The number of accesses for each frontage must be minimised, having regard to:</p> <p>(a) any loss of on-street parking; and</p> <p>(b) pedestrian safety and amenity;</p> <p>(c) traffic safety;</p> <p>(d) residential amenity on adjoining land; and</p> <p>(e) the impact on the streetscape.</p>
<p><b>Comment</b></p> <p>Complies with A1.</p> <p>The proposal includes one access.</p>	
<p>A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p>P2 Within the Central Business Zone or in a pedestrian priority street, any new accesses must:</p> <p>(a) not have an adverse impact on:</p> <p style="padding-left: 40px;">(i) pedestrian safety and amenity; or</p> <p style="padding-left: 40px;">(ii) traffic safety; and</p> <p>(b) be compatible with the streetscape.</p>
<p><b>Comment</b></p> <p>Not applicable.</p>	

C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone
<p>Objective:</p> <p>That parking and vehicle circulation roads and pedestrian paths within the General Business Zone and Central Business Zone, which are used outside daylight hours, are provided with lighting to a standard which:</p>



<p>(a) enables easy and efficient use;          (b) promotes the safety of users;          (c) minimises opportunities for crime or anti-social behaviour; and          (d) prevents unreasonable light overspill impacts.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 "Basis of Design" and Clause 3.6 "Car Parks" in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i>.</p>	<p>P1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roadways and pedestrian paths, which are used outside daylight hours must be provided with lighting, having regard to:</p> <p>(a) enabling easy and efficient use of the area;          (b) minimising potential for conflicts involving pedestrians, cyclists and vehicles;          (c) minimising opportunities for crime or anti-social behaviour through the creation of concealment spaces;          (d) any unreasonable impact on the amenity of adjoining properties through light overspill; and          (e) the hours of operation of the use.</p>
<p><b>Comment</b>          Not applicable.</p>	

C2.6.5 Pedestrian access	
<p>Objective:          That pedestrian access within parking areas is provided in a safe and convenient manner.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <p style="padding-left: 40px;">(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p style="padding-left: 40px;">(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p> <p>A1.2</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>	<p>P1</p> <p>Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <p>(a) the characteristics of the site;          (b) the nature of the use;          (c) the number of parking spaces;          (d) the frequency of vehicle movements;          (e) the needs of persons with a disability;          (f) the location and number of footpath crossings;          (g) vehicle and pedestrian traffic safety;          (h) the location of any access ways or parking aisles; and          (i) any protective devices proposed for pedestrian safety.</p>
<p><b>Comment</b>          Not applicable.</p>	

C2.6.6 Loading bays	
<p>Objective:          That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.</p>	
Acceptable Solutions	Performance Criteria



<p><b>A1</b> The area and dimensions of loading bays and access way areas must be designed in accordance with Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.</p>	<p><b>P1</b> Loading bays must have an area and dimensions suitable for the use, having regard to: (a) the types of vehicles likely to use the site; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the topography of the site; (f) the location of existing buildings on the site; and (g) any constraints imposed by existing development.</p>
<p><b><u>Comment</u></b> Not applicable.</p>	
<p><b>A2</b> The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.</p>	<p><b>P2</b> Access for commercial vehicles to and from the site must be safe, having regard to: (a) the types of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the location of the site and nature of traffic in the area of the site; (f) the effectiveness or efficiency of the surrounding road network; and (g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.</p>
<p><b><u>Comment</u></b> Not applicable.</p>	

<b>C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</b>	
<p><b>Objective:</b> That parking for bicycles are safe, secure and convenient, within the General Business Zone and Central Business Zone.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b> Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must: (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from an entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.</p>	<p><b>P1</b> Bicycle parking must be provided in a safe, secure and convenient location, having regard to: (a) the accessibility to the site; (b) the characteristics of the site; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) the location and visibility of proposed parking for bicycles; (g) whether there are other parking areas on the site; and</p>



	(h) the opportunity for sharing bicycle parking on nearby sites.
<b>Comment</b> Not applicable.	
<b>A2</b> Bicycle parking spaces must: (a) have dimensions not less than: (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle that satisfies Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.	<b>P2</b> Bicycle parking spaces and access must be convenient, safe, secure and efficient to use, having regard to: (a) the characteristics of the site; (b) the space available; (c) the safety of cyclists; and (d) the provisions of Australian Standard AS 2890.3- 2015 Parking facilities - Part 3: Bicycle parking.
<b>Comment</b> Not applicable.	

<b>C2.6.8 Siting of parking and turning areas</b>	
<b>Objective:</b> That the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone does not cause an unreasonable visual impact on streetscape character or loss of amenity to adjoining properties.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.	<b>P1</b> Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to: (a) topographical or other site constraints; (b) availability of space behind the building line; (c) availability of space for vehicle access to the side or rear of the property; (d) the gradient between the front and the rear of existing or proposed buildings; (e) the length of access or shared access required to service the car parking; (f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling; (g) the visual impact of the vehicle parking and access on the site; (h) the streetscape character and amenity; (i) the nature of the zone in which the site is located and its preferred uses; and (j) opportunities for passive surveillance of the road.
<b>Comment</b> Not applicable.	
<b>A2</b> Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads.	<b>P2</b> Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must be designed to screen the views of cars from public places in the adjacent roads, without blank walls facing onto a road, having regard to: (a) the streetscape; (b) any unreasonable loss of amenity of the occupants of adjoining properties; and



	(c) maintaining opportunities for active uses on a street frontage in a pedestrian priority street.
<b>Comment</b> Not applicable.	

<b>C2.7 Parking Precinct Plan</b> <b>C2.7.1 Parking precinct plan</b>	
Objective: To minimise the amount of on-site car parking spaces within an area defined by a parking precinct plan, and that parking does not detract from the streetscape of the area.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Within a parking precinct plan, on-site car parking must: (a) not be provided; or (b) not be increased above existing parking numbers.	P1 Within a parking precinct plan, on-site car parking must be necessary for the operation of the use and not detract from the streetscape, having regard to: (a) the availability of off-street public parking spaces within reasonable walking distance; (b) the ability of multiple users to share spaces because of: (i) variations in parking demand over time; or (ii) efficiencies gained by consolidation of parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) the availability and frequency of other transport alternatives; (e) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; (f) the streetscape; (g) the topography of the site; (h) the location of existing buildings on the site; (i) any constraints imposed by existing development; and (j) any assessment by a suitably qualified person of the actual parking demand, determined having regard to the scale and nature of the use and development, and not exceed the number specified in Table C2.1.
<b>Comment</b> Not applicable.	

PARTICULAR PURPOSE ZONES		
NOR-P1.0	Particular Purpose Zone – Campbell Town Service Station	Not applicable
NOR-P2.0	Particular Purpose Zone – Epping Forest	Not applicable

SPECIFIC AREA PLANS		
NOR-S1.0	Translink Specific Area Plan	Not applicable
NOR-S2.0	Campbell Town Specific Area Plan	Not applicable
NOR-S3.0	Cressy Specific Area Plan	Not applicable
NOR-S4.0	Devon Hills Specific Area Plan	Not applicable
NOR-S5.0	Evandale Specific Area Plan	Not applicable
NOR-S6.0	Longford Specific Area Plan	Applicable, see assessment below
NOR-S7.0	Perth Specific Area Plan	Not applicable
NOR-S8.0	Ross Specific Area Plan	Not applicable

<b>NOR-S6.0 Longford Specific Area Plan</b> <b>NOR-S6.1 Plan Purpose</b>	
The purpose of the Longford Specific Area Plan is: NOR-S6.1.1 To protect and enhance the unique and intact history and character of the village. NOR-S6.1.2 To provide for development that is compatible with the existing streetscape settings, building forms and the rural village character. NOR-S6.1.3 To provide for the subdivision of key development sites and provide for appropriately located public open space.	





NOR-S6.1.4 To encourage subdivision that provides for large lots and minimises internal lots.

NOR-S6.1.5 To maintain existing character and land use conflict.

NOR-S6.1.6 That as part of any new subdivision, new trees are provided to increase the township's tree canopy cover.

**Comment**

Complies with the SAP Purpose.

**NOR-S6.3 Local Area Objectives**

This sub-clause is not used in this specific area plan.

**NOR-S6.5 Use Table**

This clause is a substitution for Low Density Residential Zone – 10.2 Use Table

**Comment**

Not applicable.

**NOR-S6.6 Use Standards**

This sub-clause is not used in this specific area plan.

**NOR-S6.7 Development Standards for Buildings and Works**

**NOR-S6.7.1 Residential density for multiple dwellings**

This clause is in substitution for General Residential Zone – clause 8.4.1 Residential density for multiple dwellings

Objective:

That the density of multiple dwellings:

- (a) makes efficient use of land for housing;
- (b) maintains the historic and rural character of Longford; and
- (c) optimises the use of infrastructure and community services.

**Acceptable Solutions**

A1  
Multiple dwellings must have a site area per dwelling of not less than 400m<sup>2</sup>.

**Performance Criteria**

P1  
Multiple dwellings must only have a site area per dwelling that is less than 400m<sup>2</sup>, 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.

**Comment**

Does not comply with A1.

The subject site has a total area of 824m<sup>2</sup>, and the site area per dwelling will be 340m<sup>2</sup> due to the internal nature of the site (site area per dwelling is defined as the area of a site, excluding any access strip, divided by the number of dwellings on that site. The application therefore requires assessment against the provisions of the Performance Criteria.

Complies with P1.

The application has been reviewed by Councils Engineering Officer, who has not raised concerns in relation to the capacity of infrastructure services.

The proposed site area per dwelling is consistent with that of established multiple dwellings in the surrounding area. 17 Bulwer Street has recently had approval for multiple dwellings at a density of 1:383m<sup>2</sup>. Another four properties within 400m of the subject site that have a site area per dwelling less than 400m<sup>2</sup>, at 3-5 George Hudson Place, 15 Laycock Street, 27 Lewis Street and 3-5 Tasmania Street.

**NOR-S6.7.2 Roof form and materials**

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5 Development Standards for Non-dwellings.

Objective:

That roof forms are designed to be compatible with, and not detract from, the existing streetscape or rural village character.

**Acceptable Solutions**

A1

**Performance Criteria**

P1



Roof form for new buildings, excluding outbuildings, places listed in Table C6.1, and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be as per the roof forms shown in Figure NOR-S6.7.2, with the roof pitch being within a range of 22.5 – 40 degrees.	Roof form for new buildings, excluding outbuildings, places listed in Table C6.1, and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be compatible with, and not detract from, the existing streetscape or rural village character, having regard to: (a) the design and period of construction of the existing buildings in the street; (b) the design and period of construction of the existing buildings or rural village character; and (c) visibility from any road or public open space.
<b>Comment</b> Proposal complies with A1, the roof pitch is a uniform 25 degrees.	

<b>NOR-S6.7.3 Wall materials</b> This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5 Development Standards for Non-dwellings	
<b>Objective:</b> That wall materials used are compatible with the existing streetscape or rural village character.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Wall materials, excluding outbuildings, places listed in Table C6.1, and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be of a form and material that matches the existing building or not be visible from any road or public open space adjoining the site.	<b>P1</b> Wall materials of buildings, excluding outbuildings, places listed in Table C6.1, and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be compatible with the design and period of construction of the existing buildings on the site and in the street, and be compatible with the design and period of construction of the existing buildings or rural village character, having regard to: (a) use of bull-nosed timber weatherboards, or materials that have the appearance of bull-nosed timber weatherboards; or (b) use of brickwork with mortar of a neutral earth colour and struck flush with the brickwork; or (c) use of concrete blocks specifically chosen to: (i) blend with dressed sandstone; or (ii) rendered with coloured finishes in neutral earth tones.
<b>Comment</b> Does not comply with A1. There is no existing building on the site, and the new buildings may be partially visible from the street, although this is less likely once development at 17 Bulwer Street is undertaken. The site is an internal lot mostly concealed from the street. Complies with P1. The proposed dwellings will be clad with brick veneer, which is compatible with buildings visible along the street.	

<b>NOR-S6.7.4 Windows</b> This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5 Development Standards for Non-dwellings.	
<b>Objective:</b> That window form and details are compatible with the streetscape or rural village character.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Window heads in all buildings, excluding places listed in Table C6.1, sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be a minimum of 300mm below the eaves line, or match the level of the window heads in the existing building.	<b>P1</b> No Performance Criterion.
<b>Comment</b> Complies with A1.	



The proposed dwelling will feature windows no less than 300mm beneath the eaves line.	
<p><b>A2</b> Windows in a façade facing a frontage, excluding places listed in Table C6.1 and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must have no greater than 30% of the total surface area consisting of windows.</p>	<p><b>P2</b> Windows in the front façade of a building, excluding places listed in Table C6.1 and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be compatible with the design and period of construction of the existing buildings in the street.</p>
<p><b>Comment</b> Complies with A2. The proposed frontage façade will feature windows of Unit 1, with a surface area less than 30% of the total surface area of the façade.</p>	
<p><b>A3</b> Windows for new buildings and extensions to existing buildings, or alterations to existing buildings, excluding places listed in Table C6.1 and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must not be visible from public spaces.</p>	<p><b>P3</b> Windows for new buildings and extensions to existing buildings, or alterations to existing buildings, excluding places listed in Table C6.1 and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be compatible with the design and period of construction of the existing buildings in the street, having regard to: (a) the period and style of the building; (b) the use of multi-pane sashes conforming to the patterns per sash with size and profile glazing bars as shown in Figure NOR-S6.7.4 (b); (c) the use of projecting brick or stone sills that match the existing if in a brick or masonry building; (d) the use clear glass; and (e) the division of large areas of glass panelling with vertical mullions to achieve a vertical orientation of glazing.</p>
<p><b>Comment</b> Does not comply with A3. The proposed dwellings may be partially visible from the street, although this is less likely once development at 17 Bulwer Street is undertaken. The site is an internal lot mostly concealed from the street. Complies with P3. An assessment of established dwellings in the street shows that a variety of window styles are used, which are visible from the street and with which the proposed windows are compatible. Windows on dwelling facades that are visible from Bulwer Street have a variety of forms and styles and are part of buildings that were constructed in different time periods. As such, the frontage facing windows of the proposed development are consistent with those of windows on buildings in the surrounding area.</p>	
<p><b>NOR-S6.8 Development Standards for Subdivision</b> NOR-S6.8.1 Lot design in development precinct This clause is in addition to General Residential Zone – clause 8.6.1 Lot design and Open Space Zone – clause 29.5.1 Lot design.</p>	
<p><b>Comment</b> Not applicable.</p>	
<p><b>NOR-S6.8.2 Lot design - urban</b> This clause is in substitution for General Residential Zone – clause 8.6.1 Lot design.</p>	
<p><b>Comment</b> Not applicable.</p>	
<p><b>NOR-S6.8.3 Lot design – rural fringe</b> This clause is in substitution for Low Density Residential Zone – clause 10.6.1 Lot design.</p>	
<p><b>Comment</b> Not applicable.</p>	
<p><b>NOR-S6.8.4 Internal lots</b> This clause is an addition to General Residential Zone– clause 8.6.1 Lot design.</p>	
<p><b>Comment</b></p>	



Not applicable.

**NOR-S6.8.5 Roads**

This clause is in substitution for General Residential Zone – clause 8.6.2 Roads.

**Comment**

Not applicable.

**GENERAL PROVISIONS**

7.1	Changes to an Existing Non-conforming Use	Not applicable
7.2	Development for Existing Discretionary Uses	Not applicable
7.3	Adjustment of a Boundary	Not applicable
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	Not applicable
7.5	Change of Use	Not applicable
7.6	Access and Provision of Infrastructure Across Land in Another Zone	Not applicable
7.7	Buildings Projecting onto Land in a Different Zone	Not applicable
7.8	Port and Shipping in Proclaimed Wharf Areas	Not applicable
7.9	Demolition	Not applicable
7.10	Development Not Required to be Categorised into a Use Class	Not applicable
7.11	Use or Development Seaward of the Municipal District	Not applicable
7.12	Sheds on Vacant Sites	Not applicable

**4.7 Representations**

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after completion of the public exhibition period revealed that one (1) representation (attached) was received from:

- J. Denne, 16 Lewis Street, Longford

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

**Issue 1**

- Concerns in relation to the proportion of units within Lewis and Bulwer Streets. Too many units are being approved.

**Planner's comment:**

Residential for multiple dwellings is a permitted (with permit) use within the General Residential zone. There is no longer any prohibition in the Planning Scheme limiting the number of lots in a street containing multiple dwellings. A former provision once limited the number of consecutive lots containing multiple dwellings; however, this was removed from the zone some years ago, and at a similar time, multiple dwellings became a permitted use in the zone. As the use is permitted, only the development standards of the zone or provisions of applicable codes can be considered should a proposal rely on performance criteria. There is no restriction on the use of units as a use within the zone.

**4.8 Objectives of the Land Use Planning and Approvals Act 1993**

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

**4.9 State Policies**

The proposal is consistent with all State Policies.

**4.10 Strategic Plan/Annual Plan/Council Policies**

Strategic Plan - Statutory Planning

**5 FINANCIAL IMPLICATIONS TO COUNCIL**

Not applicable to this application.



## **6 OPTIONS**

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

## **7 DISCUSSION**

Discretion to refuse the application is limited to:

- 8.4.2 Setbacks and building envelope for all dwellings P3;
- C2.6.2 Design and layout of parking areas P1;
- NOR-S6.7.1 Residential density for multiple dwellings P1;
- NOR-S6.7.3 Wall materials P1; and
- NOR-S6.7.4 Windows P3.

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

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

## **8 ATTACHMENTS**

1. Application [11.3.1 - 1 page]
2. folio plan [11.3.2 - 1 page]
3. Plans PL N-23-0135 21 Bulwer St Longford [11.3.3 - 23 pages]
4. Design Response - 21 Bulwer Street, Longford [11.3.4 - 2 pages]
5. Storm Water Design Report - PL N-23-0135 21 Bulwer St Longford [11.3.5 - 13 pages]
6. Additional Information Request PL N-23-0135 21 Bulwer Street, Longford [11.3.6 - 1 page]
7. SPAN [11.3.7 - 2 pages]
8. 1. Representation J Denne [11.3.8 - 1 page]
9. Representation Response Letter - 21 Bulwer Street, Longford 2023 09 20 [11.3.9 - 2 pages]



## 11.4 PLN23-0059: MULTIPLE DWELLINGS X 6, 7 BEDFORD STREET CAMPBELL TOWN

File: 300300.12; PLN23-0059  
Responsible Officer: Des Jennings, General Manager  
Report prepared by: Rebecca Green, Consultant Planner

*Matter withdrawn from Council Agenda.*

### RECOMMENDATION

That application PLN-23-0059 to use and develop Multiple Dwellings x 6 (6 New) (Vary Density, Campbell Town SAP) at 7 Bedford Street (and works within Bedford Street road reservation), Campbell Town be refused on the following grounds:

- The proposal is inconsistent with P1 (a) of NOR-S6.7.1 as the proposed density being less than 1:400m<sup>2</sup> is incompatible with the density of existing development on established properties in the area.
- The proposal is inconsistent with P1 (b) of NOR-S6.7.1 as the proposed density being less than 1:400m<sup>2</sup> does not provide for a significant social or community benefit and is not wholly or partly within 400m walking distance of a public transport stop, or a Village zone, Local Business Zone, or General Business Zone, or of public open space.

## 1 INTRODUCTION

This report assesses an application for 7 Bedford Street (and works within Bedford Street road reservation), Campbell Town for Multiple Dwellings x 6 (6 New) (Vary Density, Campbell Town SAP).

## 2 BACKGROUND

### Applicant:

Design To Live

### Zone:

8.0 General Residential

### Classification under the Scheme:

Residential (multiple dwellings)

### Deemed Approval Date:

20 October 2023

### Owner:

The Blue Hat Company Pty Ltd & JID Constructions Pty Ltd

### Codes:

C2.0 Parking and Sustainable Transport Code  
C16.0 Safeguarding of Airports Code  
NOR-S2.0 Campbell Town Specific Area Plan

### Existing Use:

Vacant

### Recommendation:

Refusal

### Discretionary Aspects of the Application:

- NOR-S6.7.1 Residential density for multiple dwellings P1;
- Reliance upon performance criteria of Car Parking and Sustainable Transport Code – no separate pedestrian access

### Planning Instrument:

- *Tasmanian Planning Scheme – Northern Midlands, Version: 5 effective from 10th May 2023.*

### Preliminary Discussion:

- Prior to the application becoming valid / being placed on public exhibition, further information was requested from the applicant.





### Subject Site



## 3 STATUTORY REQUIREMENTS

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

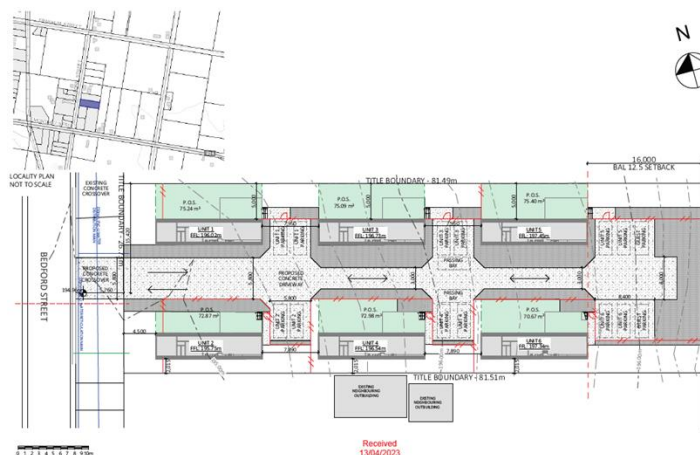
## 4 ASSESSMENT

### 4.1 Proposal

It is proposed to:

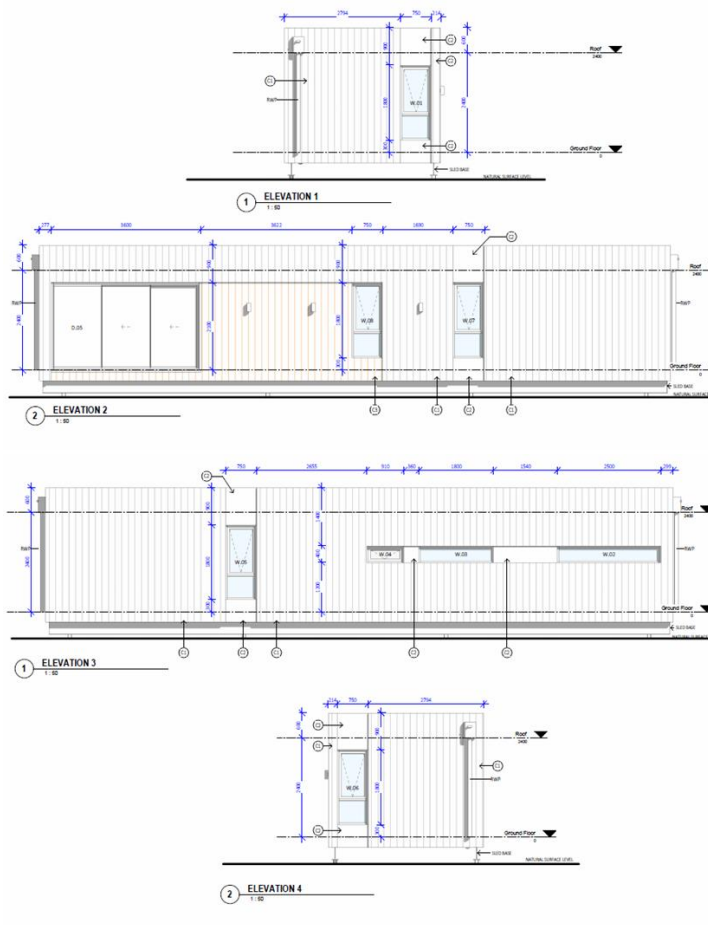
- Construct multiple dwellings x 6 (6 New) (Vary Density, Campbell Town SAP).

### Site Plan (extract)



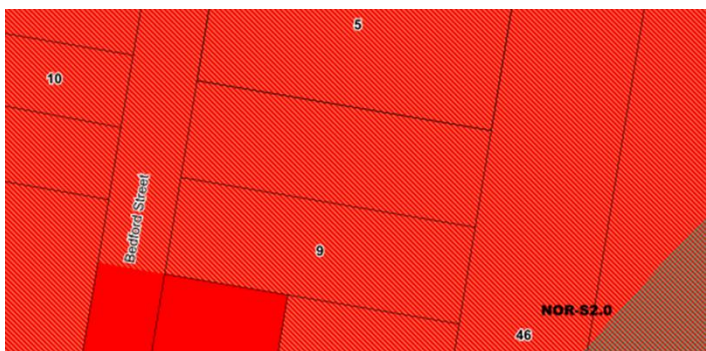


## Elevations



## 4.2 Zone and Land Use

Zone map – 8.0 General Residential



The land is zoned General Residential, and is within the Campbell Town Specific Area Plan.

The relevant Planning Scheme definition is:

<i>multiple dwellings</i>	<i>means 2 or more dwellings on a site.</i>
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## 4.3 Subject Site and Locality

A site inspection was carried out on 25th August 2023. The site is a rectangular shaped lot fronting Bedford Street to the west and comprising an area of 2178m<sup>2</sup>.



***Aerial photograph of area***



***Photographs of subject site***







#### 4.4 Permit/Site History

Relevant permit history includes:

- PLN21-0199 Multiple Dwellings x 4

#### 4.5 Referrals

The following referrals were required:

##### **Council's Works Department**

Council's Works & Infrastructure Department (Jonathan Galbraith) reported on 23 August 2023 with recommended conditions should a permit be granted.

##### **TasWater**

TasWater issued a Submission to Planning Authority Notice on 18 April 2023 (TasWater Ref: TWDA 2023/00453-NMC).

#### 4.6 Planning Scheme Assessment

##### **8.0 General Residential Zone**

##### **8.1 Zone Purpose**

The purpose of the General Residential Zone is:

8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.

8.1.3 To provide for non-residential use that:



- (a) primarily serves the local community; and
- (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

**Comment**

Complies with the Zone Purpose.

**8.2 Use Table**

**Comment**

Multiple Dwellings are Permitted if not listed as No Permit Required.

**8.3 Use Standards**

**8.3.1 Discretionary uses**

**Comment**

Not applicable.

**8.3.2 Visitor Accommodation**

**Comment**

Not applicable.

**8.4 Development Standards for Dwellings**

**8.4.1 Residential density for multiple dwellings**

**Comment**

Clause 8.4.1 is substituted by Clause NOR-S2.7.1.

**8.4.2 Setbacks and building envelope for all dwellings**

Objective:

The siting and scale of dwellings:

- (a) provides reasonably consistent separation between dwellings and their frontage within a street;
- (b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;
- (c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and
- (d) provides reasonable access to sunlight for existing solar energy installations.

**Acceptable Solutions**

A1

Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:

- (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;
- (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;
- (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or
- (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.

**Performance Criteria**

P1

A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.



<p><b>Comment</b> Complies with A1. The proposed setback to Unit 1 and Unit 2 from the primary frontage is 4.5m.</p>	
<p>A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than: (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<p>P2 A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p>
<p><b>Comment</b> Not applicable.</p>	
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:     (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and     (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:     (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or     (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>	<p>P3 The siting and scale of a dwelling must: (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:     (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;     (ii) overshadowing the private open space of a dwelling on an adjoining property;     (iii) overshadowing of an adjoining vacant property; and     (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; (b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and (c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:     (i) an adjoining property; or     (ii) another dwelling on the same site.</p>
<p><b>Comment</b> Complies with A3. All units are to be located at least 2.015m from a boundary.</p>	

8.4.3 Site coverage and private open space for all dwellings	
<p><b>Objective:</b> That dwellings are compatible with the amenity and character of the area and provide: (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 60m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage,</p>	<p>P1 Dwellings must have: (a) site coverage consistent with that existing on established properties in the area; (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate:     (i) outdoor recreational space consistent with the</p>





carport or entry foyer).	projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (c) reasonable space for the planting of gardens and landscaping.
<b>Comment</b> Complies with A1. The total site coverage is 324m <sup>2</sup> or 14.88% of the 2178m <sup>2</sup> site. Each multiple dwelling will have greater than 60m <sup>2</sup> of private open space.	
<b>A2</b> A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m <sup>2</sup> ; or (ii) 12m <sup>2</sup> , if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.	<b>P2</b> A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is: (a) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight.
<b>Comment</b> Complies with A2. Each multiple dwelling will have an area of private open space that is greater than 24m <sup>2</sup> , and has a minimum width of 4m, and is on land with a gradient less than 1 in 10 and is not located within the frontage of the relevant dwelling.	

8.4.4 Sunlight to private open space of multiple dwellings	
<b>Objective:</b> That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.	
Acceptable Solutions	Performance Criteria
<b>A1</b> A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting (see Figure 8.4): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and	<b>P1</b> A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 8.4.3 of this planning scheme.



<p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height not more than 2.4m; or</li> <li>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</li> </ul>	
<p><b>Comment</b> Complies with A1.</p>	

8.4.5 Width of openings for garages and carports for all dwellings	
<p>Objective: To reduce the potential for garage or carport openings to dominate the primary frontage.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<p>P1 A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.</p>
<p><b>Comment</b> Not applicable.</p>	

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



<p>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</p> <p>(b) the window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</p> <p>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	
<p><b>Comment</b> Not applicable.</p>	
<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p>P3 A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>
<p><b>Comment</b> Complies with A3, a 1700mm privacy screen is located between the southern habitable room windows of Unit 1 and the shared driveway. Habitable room windows of all other units are at least 2.5m from the shared driveway.</p>	

8.4.7 Frontage fences for all dwellings	
<p>Objective: The height and transparency of frontage fences:</p> <p>(a) provides adequate privacy and security for residents;</p> <p>(b) allows the potential for mutual passive surveillance between the road and the dwelling; and</p> <p>(c) is reasonably consistent with that on adjoining properties.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution.<sup>1</sup> <sup>1</sup> An exemption applies for fences in this zone – see Table 4.6</p>	<p>P1 A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:</p> <p>(a) provide for security and privacy while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the height and transparency of fences in the street, having regard to:</p> <p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>
<p><b>Comment</b> Not applicable.</p>	

8.4.8 Waste storage for multiple dwellings	
<p>Objective: To provide for the storage of waste and recycling bins for multiple dwellings.</p>	
Acceptable Solutions	Performance Criteria



<p><b>A1</b> A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m<sup>2</sup> per dwelling and is within one of the following locations: (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that:     (i) has a setback of not less than 4.5m from a frontage; and     (ii) is not less than 5.5m from any dwelling; and     (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</p>	<p><b>P1</b> A multiple dwelling must have storage for waste and recycling bins that is: (a) capable of storing the number of bins required for the site; (b) screened from the frontage and any dwellings; and (c) if the storage area is a common storage area, separated from any dwellings to minimise impacts caused by odours and noise.</p>
<p><b>Comment</b> Complies with A1 (a). The proposed multiple dwellings will include a dedicated area for the storage of waste and recycling bins that is screened from the road and driveway.</p>	

<p><b>8.5 Development Standards for Non-dwellings</b> <b>8.5.1 Non-dwelling development</b></p>
<p><b>Comment</b> Not applicable.</p>

<p><b>8.5.2 Non-residential garages and carports</b></p>
<p><b>Comment</b> Not applicable.</p>

<p><b>8.6 Development Standards for Subdivision</b> <b>8.6.1 Lot design</b></p>
<p><b>Comment</b> Not applicable.</p>

<p><b>8.6.2 Roads</b></p>
<p><b>Comment</b> Not applicable.</p>

<p><b>8.6.3 Services</b></p>
<p><b>Comment</b> Not applicable.</p>

CODES	
C1.0 Signs Code	N/a
C2.0 Parking and Sustainable Transport Code	Complies, see code assessment below.
C3.0 Road and Railway Assets Code	N/a
C4.0 Electricity Transmission Infrastructure Protection Code	N/a
C5.0 Telecommunications Code	N/a
C6.0 Local Historic Heritage Code	N/a
C7.0 Natural Assets Code	N/a
C8.0 Scenic Protection Code	N/a
C9.0 Attenuation Code	N/a
C10.0 Coastal Erosion Hazard Code	N/a
C11.0 Coastal Inundation Hazard Code	N/a
C12.0 Flood-Prone Areas Hazard Code	N/a
C13.0 Bushfire-Prone Areas Code	N/a



C14.0	Potentially Contaminated Land Code	N/a
C15.0	Landslip Hazard Code	N/a
C16.0	Safeguarding of Airports Code	Exempt in accordance with C16.4.1, development not more than 1380m AHD.

<b>C2.0 Parking and Sustainable Transport Code</b>	
<b>C2.1 Code Purpose</b>	
<p>The purpose of the Parking and Sustainable Transport Code is:</p> <p>C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.</p> <p>C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.</p> <p>C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.</p> <p>C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.</p> <p>C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.</p> <p>C2.1.6 To provide for parking precincts and pedestrian priority streets.</p>	
<b>Comment</b>	
The proposal complies with the Code Purpose.	

<b>C2.5 Use Standards</b>	
<b>C2.5.1 Car parking numbers</b>	
<p>Objective:</p> <p>That an appropriate level of car parking spaces are provided to meet the needs of the use.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A1</p> <p>The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <p>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>P1.1</p> <p>The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <p>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</p> <p>(b) the ability of multiple users to share spaces because of:</p> <p>(i) variations in car parking demand over time; or</p> <p>(ii) efficiencies gained by consolidation of car parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2</p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use,</p>



	<p>having regard to:</p> <p>(a) the nature and intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the surrounding area.</p>
<p><b>Comment</b></p> <p>The proposal complies with A1.</p> <p>The proposal includes two parking spaces for each multiple dwelling and two visitor parking spaces.</p>	

C2.5.2 Bicycle parking numbers	
<p>Objective:</p> <p>That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>	<p>P1</p> <p>Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <p>(a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and</p> <p>(b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.</p>
<p><b>Comment</b></p> <p>Not applicable.</p>	

C2.5.3 Motorcycle parking numbers	
<p>Objective:</p> <p>That the appropriate level of motorcycle parking is provided to meet the needs of the use.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The number of on-site motorcycle parking spaces for all uses must:</p> <p>(a) be no less than the number specified in Table C2.4; and</p> <p>(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.</p>	<p>P1</p> <p>Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature of the proposed use and development;</p> <p>(b) the topography of the site;</p> <p>(c) the location of existing buildings on the site;</p> <p>(d) any constraints imposed by existing development; and</p> <p>(e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.</p>
<p><b>Comment</b></p> <p>Not applicable.</p>	

C2.5.4 Loading Bays	
<p>Objective:</p> <p>That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A loading bay must be provided for uses with a floor area of more than 1000m<sup>2</sup> in a single occupancy.</p>	<p>P1</p> <p>Adequate space for loading and unloading of vehicles must be provided, having regard to:</p> <p>(a) the type of vehicles associated with the use;</p>





	(b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) the topography of the site; (h) the location of existing buildings on the site; and (i) any constraints imposed by existing development.
<b>Comment</b> Not applicable.	

C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone	
<b>Objective:</b> (a) facilitate the reuse of existing non-residential buildings within the General Residential Zone and Inner Residential Zone; and (b) to not cause an unreasonable impact on residential amenity by the car parking generated by that reuse.	
Acceptable Solutions	Performance Criteria
<b>A1</b> Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m <sup>2</sup> floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m <sup>2</sup> floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	<b>P1</b> Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users and must not cause an unreasonable impact on residential amenity, having regard to: (a) car parking demand generated by the proposed use during its proposed hours of operation; (b) the availability of on-street and public car parking in the surrounding area; (c) the availability and frequency of public transport within a 400m walking distance of the site; (d) the availability and likely use of other modes of transport; (e) the availability and suitability of alternative arrangements for car parking provision; (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces; (g) any car parking deficiency or surplus associated with the existing use of the land; (h) any relevant parking plan for the area adopted by council; (i) any existing on-street car parking restrictions; and (j) the proportion of residential properties without off-street parking within a 100m radius of the subject site.
<b>Comment</b> Not applicable.	

C2.6 Development Standards for Buildings and Works	
C2.6.1 Construction of parking areas	
<b>Objective:</b> That parking areas are constructed to an appropriate standard.	
Acceptable Solutions	Performance Criteria
<b>A1</b> All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or	<b>P1</b> All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to: (a) the nature of the use; (b) the topography of the land; (c) the drainage system available;



equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.	(d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing.
<b>Comment</b> Complies with A1. The proposed parking spaces and accessways will be constructed with concrete. The driveway will be drained to the public stormwater system.	

C2.6.2 Design and layout of parking areas	
Objective: That parking areas are designed and laid out to provide convenient, safe and efficient parking.	
Acceptable Solutions	Performance Criteria
A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: <ul style="list-style-type: none"> <li>(i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;</li> <li>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</li> <li>(iii) have an access width not less than the requirements in Table C2.2;</li> <li>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</li> <li>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</li> <li>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</li> <li>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</li> </ul> (b) comply with Australian Standard AS 2890-Parking facilities, Parts 1-6.	P1 All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the proposed slope, dimensions and layout;</li> <li>(c) useability in all weather conditions;</li> <li>(d) vehicle and pedestrian traffic safety;</li> <li>(e) the nature and use of the development;</li> <li>(f) the expected number and type of vehicles;</li> <li>(g) the likely use of the parking areas by persons with a disability;</li> <li>(h) the nature of traffic in the surrounding area;</li> <li>(i) the proposed means of parking delineation; and</li> <li>(j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.</li> </ul>
A1.2 Parking spaces provided for use by persons with a disability must satisfy the following: <ul style="list-style-type: none"> <li>(a) be located as close as practicable to the main entry point to the building;</li> <li>(b) be incorporated into the overall car park design; and</li> <li>(c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.<sup>1</sup></li> </ul> <sup>1</sup> Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.	
<b>Comment</b> Complies with A1.1. The parking area and access have dimensions in accordance with those specified in Tables C2.2 and C2.3. The site is flat, but the concrete driveway will include drainage so the site can be accessed in all weather conditions. A1.2 does not apply.	

C2.6.3 Number of accesses for vehicles
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<p>Objective:</p> <p>That:</p> <p>(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;</p> <p>(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and</p> <p>(c) the number of accesses minimise impacts on the streetscape.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<p>P1</p> <p>The number of accesses for each frontage must be minimised, having regard to:</p> <p>(a) any loss of on-street parking; and</p> <p>(b) pedestrian safety and amenity;</p> <p>(c) traffic safety;</p> <p>(d) residential amenity on adjoining land; and</p> <p>(e) the impact on the streetscape.</p>
<p><b>Comment</b></p> <p>Complies with A1.</p> <p>The proposal includes one access.</p>	
<p>A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p>P2 Within the Central Business Zone or in a pedestrian priority street, any new accesses must:</p> <p>(a) not have an adverse impact on:</p> <p style="padding-left: 40px;">(i) pedestrian safety and amenity; or</p> <p style="padding-left: 40px;">(ii) traffic safety; and</p> <p>(b) be compatible with the streetscape.</p>
<p><b>Comment</b></p> <p>Not applicable.</p>	

C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	
<p>Objective:</p> <p>That parking and vehicle circulation roads and pedestrian paths within the General Business Zone and Central Business Zone, which are used outside daylight hours, are provided with lighting to a standard which:</p> <p>(a) enables easy and efficient use;</p> <p>(b) promotes the safety of users;</p> <p>(c) minimises opportunities for crime or anti-social behaviour; and</p> <p>(d) prevents unreasonable light overspill impacts.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 "Basis of Design" and Clause 3.6 "Car Parks" in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i>.</p>	<p>P1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roadways and pedestrian paths, which are used outside daylight hours must be provided with lighting, having regard to:</p> <p>(a) enabling easy and efficient use of the area;</p> <p>(b) minimising potential for conflicts involving pedestrians, cyclists and vehicles;</p> <p>(c) minimising opportunities for crime or anti-social behaviour through the creation of concealment spaces;</p> <p>(d) any unreasonable impact on the amenity of adjoining properties through light overspill; and</p> <p>(e) the hours of operation of the use.</p>
<p><b>Comment</b></p> <p>Not applicable.</p>	



C2.6.5 Pedestrian access	
Objective: That pedestrian access within parking areas is provided in a safe and convenient manner.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <p style="padding-left: 40px;">(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p style="padding-left: 40px;">(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p> <p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>	<p>P1 Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the nature of the use;</p> <p>(c) the number of parking spaces;</p> <p>(d) the frequency of vehicle movements;</p> <p>(e) the needs of persons with a disability;</p> <p>(f) the location and number of footpath crossings;</p> <p>(g) vehicle and pedestrian traffic safety;</p> <p>(h) the location of any access ways or parking aisles; and</p> <p>(i) any protective devices proposed for pedestrian safety.</p>
<p><b>Comment</b> Relies on performance criteria. A separate pedestrian pathway has not been provided; however, the sealed driveway will suffice as a safe and convenient pedestrian access. The nature of the site with the straight driveway, the low vehicle movements daily will provide sufficient safety between both vehicles and pedestrians. Performance criteria met.</p>	

C2.6.6 Loading bays	
Objective: That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.	
Acceptable Solutions	Performance Criteria
<p>A1 The area and dimensions of loading bays and access way areas must be designed in accordance with Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.</p>	<p>P1 Loading bays must have an area and dimensions suitable for the use, having regard to:</p> <p>(a) the types of vehicles likely to use the site;</p> <p>(b) the nature of the use;</p> <p>(c) the frequency of loading and unloading;</p> <p>(d) the area and dimensions of the site;</p> <p>(e) the topography of the site;</p> <p>(f) the location of existing buildings on the site; and</p> <p>(g) any constraints imposed by existing development.</p>
<p><b>Comment</b> Not applicable.</p>	
<p>A2 The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.</p>	<p>P2 Access for commercial vehicles to and from the site must be safe, having regard to:</p> <p>(a) the types of vehicles associated</p>



	<p>with the use;</p> <p>(b) the nature of the use;</p> <p>(c) the frequency of loading and unloading;</p> <p>(d) the area and dimensions of the site;</p> <p>(e) the location of the site and nature of traffic in the area of the site;</p> <p>(f) the effectiveness or efficiency of the surrounding road network; and</p> <p>(g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.</p>
<p><b>Comment</b></p> <p>Not applicable.</p>	

<b>C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</b>	
<p><b>Objective:</b></p> <p>That parking for bicycles are safe, secure and convenient, within the General Business Zone and Central Business Zone.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must:</p> <p>(a) be accessible from a road, cycle path, bicycle lane, shared path or access way;</p> <p>(b) be located within 50m from an entrance;</p> <p>(c) be visible from the main entrance or otherwise signed; and</p> <p>(d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.</p>	<p><b>P1</b></p> <p>Bicycle parking must be provided in a safe, secure and convenient location, having regard to:</p> <p>(a) the accessibility to the site;</p> <p>(b) the characteristics of the site;</p> <p>(c) the nature of the proposed use;</p> <p>(d) the number of employees;</p> <p>(e) the users of the site and the likelihood of travel by bicycle;</p> <p>(f) the location and visibility of proposed parking for bicycles;</p> <p>(g) whether there are other parking areas on the site; and</p> <p>(h) the opportunity for sharing bicycle parking on nearby sites.</p>
<p><b>Comment</b></p> <p>Not applicable.</p>	
<p><b>A2</b></p> <p>Bicycle parking spaces must:</p> <p>(a) have dimensions not less than:</p> <p>(i) 1.7m in length;</p> <p>(ii) 1.2m in height; and</p> <p>(iii) 0.7m in width at the handlebars;</p> <p>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</p> <p>(c) include a rail or hoop to lock a bicycle that satisfies Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.</p>	<p><b>P2</b></p> <p>Bicycle parking spaces and access must be convenient, safe, secure and efficient to use, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the space available;</p> <p>(c) the safety of cyclists; and</p> <p>(d) the provisions of Australian Standard AS 2890.3- 2015 Parking facilities - Part 3: Bicycle parking.</p>
<p><b>Comment</b></p> <p>Not applicable.</p>	

<b>C2.6.8 Siting of parking and turning areas</b>
<p><b>Objective:</b></p> <p>That the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone does not cause an unreasonable visual impact on streetscape character or loss of amenity to adjoining properties.</p>



Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>	<p>P1</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) topographical or other site constraints;</li> <li>(b) availability of space behind the building line;</li> <li>(c) availability of space for vehicle access to the side or rear of the property;</li> <li>(d) the gradient between the front and the rear of existing or proposed buildings;</li> <li>(e) the length of access or shared access required to service the car parking;</li> <li>(f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling;</li> <li>(g) the visual impact of the vehicle parking and access on the site;</li> <li>(h) the streetscape character and amenity;</li> <li>(i) the nature of the zone in which the site is located and its preferred uses; and</li> <li>(j) opportunities for passive surveillance of the road.</li> </ul>
<p><b>Comment</b></p> <p>Not applicable.</p>	
<p>A2</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <ul style="list-style-type: none"> <li>(a) have no new vehicle accesses, unless an existing access is removed;</li> <li>(b) retain an active street frontage; and</li> <li>(c) not result in parked cars being visible from public places in the adjacent roads.</li> </ul>	<p>P2</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must be designed to screen the views of cars from public places in the adjacent roads, without blank walls facing onto a road, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the streetscape;</li> <li>(b) any unreasonable loss of amenity of the occupants of adjoining properties; and</li> <li>(c) maintaining opportunities for active uses on a street frontage in a pedestrian priority street.</li> </ul>
<p><b>Comment</b></p> <p>Not applicable.</p>	

C2.7 Parking Precinct Plan	
C2.7.1 Parking precinct plan	
<p>Objective:</p> <p>To minimise the amount of on-site car parking spaces within an area defined by a parking precinct plan, and that parking does not detract from the streetscape of the area.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Within a parking precinct plan, on-site car parking must:</p> <ul style="list-style-type: none"> <li>(a) not be provided; or</li> <li>(b) not be increased above existing parking numbers.</li> </ul>	<p>P1</p> <p>Within a parking precinct plan, on-site car parking must be necessary for the operation of the use and not detract from the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the availability of off-street public parking spaces within reasonable walking distance;</li> <li>(b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> <li>(i) variations in parking demand over time; or</li> <li>(ii) efficiencies gained by consolidation of parking spaces;</li> </ul> </li> <li>(c) the availability and frequency of public transport within reasonable walking distance of the site;</li> <li>(d) the availability and frequency of other transport alternatives;</li> <li>(e) the availability, accessibility and safety of</li> </ul>





	<p>on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(f) the streetscape;</p> <p>(g) the topography of the site;</p> <p>(h) the location of existing buildings on the site;</p> <p>(i) any constraints imposed by existing development; and</p> <p>(j) any assessment by a suitably qualified person of the actual parking demand, determined having regard to the scale and nature of the use and development, and not exceed the number specified in Table C2.1.</p>
<p><b>Comment</b></p> <p>Not applicable.</p>	

PARTICULAR PURPOSE ZONES		
NOR-P1.0	Particular Purpose Zone – Campbell Town Service Station	Not applicable
NOR-P2.0	Particular Purpose Zone – Epping Forest	Not applicable

SPECIFIC AREA PLANS		
NOR-S1.0	Translink Specific Area Plan	Not applicable
NOR-S2.0	Campbell Town Specific Area Plan	Applicable, see assessment below
NOR-S3.0	Cressy Specific Area Plan	Not applicable
NOR-S4.0	Devon Hills Specific Area Plan	Not applicable
NOR-S5.0	Evandale Specific Area Plan	Not applicable
NOR-S6.0	Longford Specific Area Plan	Not applicable
NOR-S7.0	Perth Specific Area Plan	Not applicable
NOR-S8.0	Ross Specific Area Plan	Not applicable

<p><b>NOR-S2.0 Campbell Town Specific Area Plan</b></p> <p><b>NOR-S2.1 Plan Purpose</b></p> <p>The purpose of the Campbell Town Specific Area Plan is:</p> <p>NOR-S2.1.1 To provide for residential use and development that is compatible with the existing rural township character.</p> <p>NOR-S2.1.2 To encourage use and development that promotes a vibrant main street and high quality public open space conducive for visitor stop overs.</p> <p>NOR-S2.1.3 To encourage the provision of visitor accommodation and community facilities that support annual events and promotes Campbell Town as a meeting centre.</p> <p>NOR-S2.1.4 To provide for road transport and recreational vehicle parking.</p> <p>NOR-S2.1.5 To provide for the subdivision of key development sites and provide for appropriately located public open space.</p> <p>NOR-S2.1.6 To encourage subdivision that provides for large lots and minimises internal lots.</p> <p>NOR-S2.1.7 That as part of any new subdivision new trees are provided to increase the township's tree canopy cover.</p>	
<p><b>Comment</b></p> <p>The proposed density is considered to be incompatible with the existing rural township character.</p>	

<b>NOR-S2.3 Local Area Objectives</b>
This sub-clause is not used in this specific area plan.

<b>NOR-S2.5 Use Table</b>
This clause is a substitution for Low Density Residential Zone – 10.2 Use Table
<p><b>Comment</b></p> <p>Not applicable.</p>

<b>NOR-S2.6 Use Standards</b>
This sub-clause is not used in this specific area plan.

<p><b>NOR-S2.7 Development Standards for Buildings and Works</b></p> <p><b>NOR-S2.7.1 Residential density for multiple dwellings</b></p> <p>This clause is in substitution for General Residential Zone – clause 8.4.1 Residential density for multiple dwellings</p>
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<b>Objective:</b> That the density of multiple dwellings: (a) makes efficient use of land for housing; (b) maintains the historic and rural character of Longford; and (c) optimises the use of infrastructure and community services.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Multiple dwellings must have a site area per dwelling of not less than 400m <sup>2</sup> .	P1 Multiple dwellings must only have a site area per dwelling that is less than 400m <sup>2</sup> , 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; or (iii) wholly or partly within 400m walking distance of public open space.
<b>Comment</b> Does not comply with A1. The subject site has a total area of 2178m <sup>2</sup> , and the site area per dwelling will be 363m <sup>2</sup> and the application therefore requires assessment against the provisions of the Performance Criteria. Does not comply with P1 (a). The area of the development could be defined by properties south of Elizabeth River and east of High Street. No multiple dwellings are located in the area on established properties with a density where the proposal would be considered compatible. In fact, no other multiple dwellings are present within the area. Does not comply with P1 (b). Although it may be considered that the proposed development would provides community social benefit, as the proponent has designed a modest building with a reduced price point in mind, providing opportunity for housing that may be affordable in the area, the site is not wholly or partly located within 400m walking distance of a public transport stop. Nor is the site wholly or partly located within 400m walking distance of a Village zone, Local Business Zone, or General Business Zone. The site is also not wholly or partly located within 400m walking distance of public open space. A small area of Open Space zoned land is located within 400m walking distance; however, this land is in private ownership within two parcels of land identified in CT 197659/1 (56 Montagu Street) and CT165615/3 (2 Nicolson Court). Public Open Space as defined in Part 3.0 means 'land for public recreation or public gardens or for similar purposes'. The land zoned Open Space is not Public Open Space at this point in time, and therefore the proposal cannot meet (i), (ii) or (iii) of P1 (b).	

<b>NOR-S2.8 Development Standards for Subdivision</b> <b>NOR-S2.8.1 Lot design in development precinct</b> This clause is in addition to General Residential Zone – clause 8.6.1 Lot design, Low Density Residential Zone – clause 10.6.1 Lot design, Open Space Zone – clause 29.5.1 Lot design, and in substitution for Local Historic Heritage Code clause C6.10.2 Lot design for a Local Heritage Precinct or a Local Historic Landscape Precinct.
<b>Comment</b> Not applicable.
<b>NOR-S2.8.2 Lot design</b> This clause is in substitution for General Residential Zone – clause 8.6.1 Lot design.
<b>Comment</b> Not applicable.
<b>NOR-S2.8.3 Internal lots</b> This clause is an addition to General Residential Zone– clause 8.6.1 Lot design.
<b>Comment</b> Not applicable.
<b>NOR-S2.8.4 Roads</b> This clause is in substitution for General Residential Zone – clause 8.6.2 Roads and Low Density Residential Zone – clause 10.6.2 Roads.



**Comment**

Not applicable.

**GENERAL PROVISIONS**

7.1	Changes to an Existing Non-conforming Use	Not applicable
7.2	Development for Existing Discretionary Uses	Not applicable
7.3	Adjustment of a Boundary	Not applicable
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	Not applicable
7.5	Change of Use	Not applicable
7.6	Access and Provision of Infrastructure Across Land in Another Zone	Not applicable
7.7	Buildings Projecting onto Land in a Different Zone	Not applicable
7.8	Port and Shipping in Proclaimed Wharf Areas	Not applicable
7.9	Demolition	Not applicable
7.10	Development Not Required to be Categorised into a Use Class	Not applicable
7.11	Use or Development Seaward of the Municipal District	Not applicable
7.12	Sheds on Vacant Sites	Not applicable

**4.7 Representations**

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after completion of the public exhibition period revealed that one (1) representation (attached) was received from:

- S. Crothers, 12 Bedford Street, Campbell Town

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

**Issue 1**

- The proposed density is not in the general character of the neighbourhood.

**Planner's comment:**

The proposed density is considered to be inconsistent with P1 NOR-S2.7.1, as the density proposed is less than 400m<sup>2</sup> per dwelling. The proposal is recommended for refusal based on the failure of the proposal to meet the performance criteria.

**Issue 2**

- Concerns in relation to the increase in vehicular traffic from the proposed development.

**Planner's comment:**

The proposed six multiple dwellings are anticipated to generate less than 40 vehicle movements daily (5 per dwelling – RTA Guide). The proposed vehicle movements are compliant with Table C3.1.

**Issue 3**

- Lack of bushfire assessment provided with documentation.

**Planner's comment:**

C13.0 Bushfire-Prone Areas Code in the Planning Scheme applies only to either vulnerable use, hazardous use or subdivision. The proposal is therefore not required at the planning application stage to consider bushfire risk. A Bushfire Hazard Assessment Report will be required at the building application stage only.

**4.8 Objectives of the *Land Use Planning and Approvals Act 1993***

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

**4.9 State Policies**

The proposal is consistent with all State Policies.



#### **4.10 Strategic Plan/Annual Plan/Council Policies**

Strategic Plan - Statutory Planning

#### **5 FINANCIAL IMPLICATIONS TO COUNCIL**

Not applicable to this application.

#### **6 OPTIONS**

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

#### **7 DISCUSSION**

Discretion to refuse the application is limited to:

- NOR-S6.7.1 Residential density for multiple dwellings P1;
- Reliance upon performance criteria of Car Parking and Sustainable Transport Code – no separate pedestrian access

The proposed density of the development does not meet the applicable acceptable solution. When considering the performance criteria, as detailed above, the proposed is unable to meet any of the applicable requirements. The proponents have relied on the fact that the site is located within 400m walking distance of land within the Open Space zone rather than within 400m walking distance of Public Open Space as required by P1 (b)(iii) of NOR-S6.7.1. Five dwellings on the site would have met the acceptable solution in regard to density, however, the Planning Authority must consider the application submitted.

#### **8 ATTACHMENTS**

1. Development Application [**11.4.1** - 4 pages]
2. Folio Plan-51969-1 [**11.4.2** - 1 page]
3. GM Letter of Consent [**11.4.3** - 1 page]
4. DTL BDF R 01 [**11.4.4** - 17 pages]
5. Additional Information Request - PL N-23-0059 - 7 Bedford Street, Campbell Town [**11.4.5** - 2 pages]
6. RFI 1 response 7 Bedford Street, Campbell Town - Further Information [**11.4.6** - 1 page]
7. Additional Information Request no 2 - PL N-23-0059 - 7 Bedford Street, Campbell Town [**11.4.7** - 1 page]
8. RFI 2 response L 23-06-30 RAI Response [**11.4.8** - 2 pages]
9. Additional Information Request no 3 - PL N-23-0059 - 7 Bedford Street, Campbell Town [**11.4.9** - 2 pages]
10. RFI 3 response 231056- C Council RFI Response 23-08-09 [**11.4.10** - 6 pages]
11. Additional Information Request no 4 - PL N-23-0059 - 7 Bedford Street, Campbell Town [**11.4.11** - 2 pages]
12. RFI 4 response 231056 - Stormwater Report - 23-08-11 [**11.4.12** - 2 pages]
13. Tas Water Submission to Planning Authority Notice - Conditions - DA 202300453- NMC - 7 BEDFORD S [**11.4.13** - 2 pages]
14. Representation- S. Crothers [**11.4.14** - 3 pages]



**11.5 PLN23-0126: SHED, FENCE, ALTERATIONS, PART CHANGE OF USE STUDIO TO SECONDARY RESIDENCE 15 & 17 LATOUR STREET, LONGFORD**

*File:* 107900.09; PLN23-0126  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Rebecca Green, Consultant Planner

**MINUTE NO. 23/0370**

DECISION

Cr Andrews/Deputy Mayor Lambert

That application PLN-23-0126 to develop and use the land at 15 & 17 Latour St, LONGFORD for New Shed & Fence; Retrospective Internal Alterations to Existing Dwelling & Change of Use from Studio to Secondary Residence (Attenuation, Longford SAP, Heritage Precinct) be approved subject to the following conditions:

1 Layout not altered

The use and development must be in accordance with the endorsed documents P1 – P3 (Plans prepared by Plans to Build, Drawing No: 23060, Sheet No's: A00-A02, Rev: 0, Dated: 17/08/2023); and P4 (Shed Plan and Elevations, Skyline Sheds); and D1 (Development Application Report, Plans to Build, Dated: 22.08.23).

2 New screen planting

- Within 6 months of the date of this permit, new screen planting with a mature height of at least 2m must be planted along the Latour Street frontage, between the driveway to the northern boundary.
- The screen planting must be maintained for the duration of the use at a height of at least 2m once established and is required to obscure the shed from public view.
- Replacement plantings shall be undertaken as appropriate to maintain the screen planting.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## RECOMMENDATION

That application PLN-23-0126 to develop and use the land at 15 & 17 Latour St, LONGFORD for New Shed & Fence; Retrospective Internal Alterations to Existing Dwelling & Change of Use from Studio to Secondary Residence (Attenuation, Longford SAP, Heritage Precinct) be approved subject to the following conditions:

1 Layout not altered

The use and development must be in accordance with the endorsed documents P1 – P3 (Plans prepared by Plans to Build, Drawing No: 23060, Sheet No's: A00-A02, Rev: 0, Dated: 17/08/2023); and P4 (Shed Plan and Elevations, Skyline Sheds); and D1 (Development Application Report, Plans to Build, Dated: 22.08.23).

2 New screen planting

- Within 6 months of the date of this permit, new screen planting with a mature height of at least 2m must be planted along the Latour Street frontage, between the driveway to the northern boundary.
- The screen planting must be maintained for the duration of the use at a height of at least 2m once established and is required to obscure the shed from public view.
- Replacement plantings shall be undertaken as appropriate to maintain the screen planting.

## 1 INTRODUCTION

This report assesses an application for 15 & 17 Latour St, LONGFORD to construct a New Shed & Fence; Retrospective Internal Alterations to Existing Dwelling & Change of Use from Studio to Secondary Residence (Attenuation, Longford SAP, Heritage Precinct).

## 2 BACKGROUND

**Applicant:**

Plans to Build

**Zone:**

8.0 General Residential

**Owner:**

Robert Craig Hadley & Shan Maree White

**Codes:**

C2.0 Parking and Sustainable Transport Code  
C6.0 Local Historic Heritage - Local Heritage Precinct  
C9.0 Attenuation  
C16.0 Safeguarding of Airports - Obstacle Limitation Area  
NOR-S6.0 Longford Specific Area Plan

**Classification under the Scheme:**

Residential (single dwelling)

**Deemed Approval Date:**

20 October 2023

**Existing Use:**

Residential (single dwelling)

**Recommendation:**

Approve

**Discretionary Aspects of the Application:**

- Reliance on performance criteria of the General Residential Zone – fencing;
- Reliance on performance criteria of the Local Historic Heritage Code – heritage precinct; and
- Reliance on performance criteria of the Attenuation Code.

**Planning Instrument:**

- *Tasmanian Planning Scheme – Northern Midlands, Version: 5 effective from 10th May 2023.*

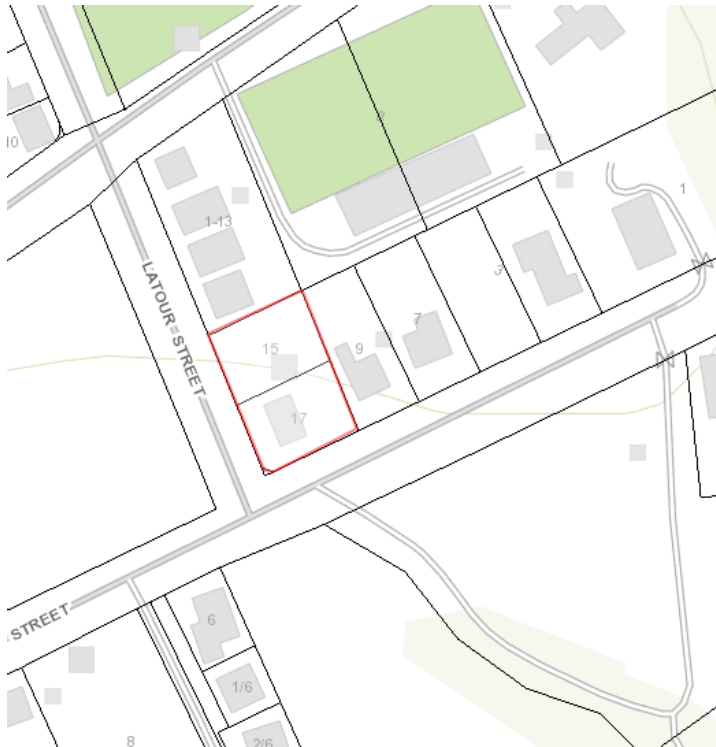
**Preliminary Discussion:**

- Prior to the application becoming valid / being placed on public exhibition, further information was requested from the applicant.





### Subject Site



## 3 STATUTORY REQUIREMENTS

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

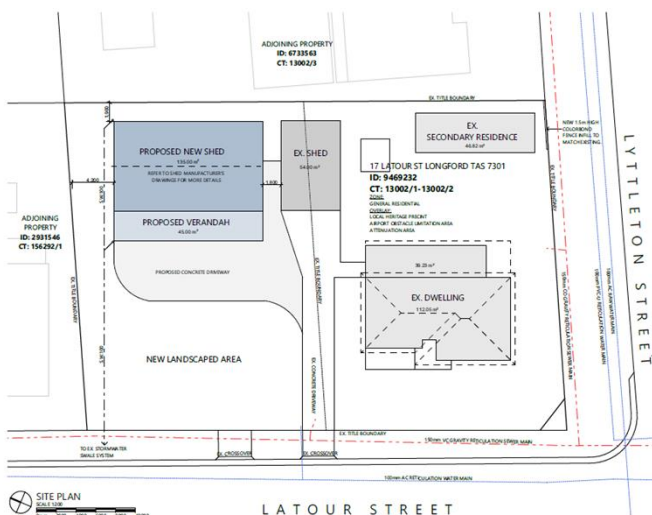
## 4 ASSESSMENT

### 4.1 Proposal

It is proposed to:

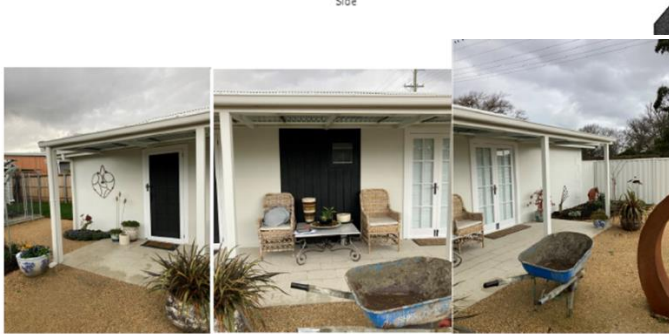
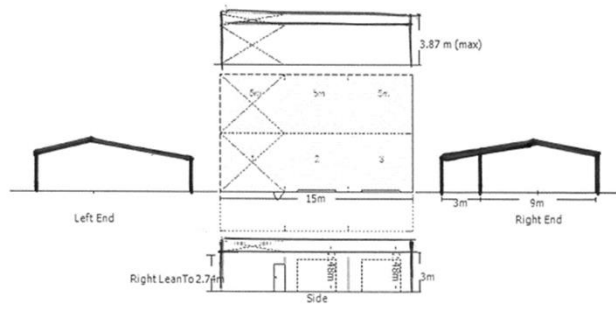
- Erect a New Shed & Fence; Retrospective Internal Alterations to Existing Dwelling & Change of Use from Studio to Secondary Residence (Attenuation, Longford SAP, Heritage Precinct).

### Site Plan (extract)



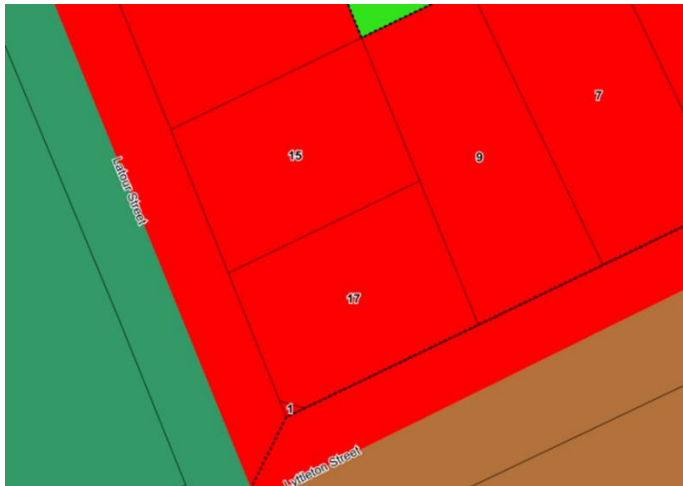


## Elevations



## 4.2 Zone and Land Use

### Zone Map – 8.0 general Residential



The land is zoned General Residential, and is within the Longford Specific Area Plan. The site is within the Longford Local Heritage Precinct and also within the Attenuation area.

The relevant Planning Scheme definition is:

<i>single dwelling</i>	<i>means a dwelling on a lot on which no other dwelling, other than a secondary residence, is situated</i>
<i>Secondary residence</i>	<i>means an additional residence which is self-contained and:</i> <i>a) (a) has a gross floor area not more than 60m<sup>2</sup>;</i> <i>b) (b) is appurtenant to a single dwelling;</i> <i>c) (c) shares with the single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters and</i> <i>d) (d) may include laundry facilities.</i>
<i>outbuilding</i>	<i>means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.</i>



Residential is a No Permit Required use in the zone. The application has a discretionary status as the application relies on performance criteria.

#### **4.3 Subject Site and Locality**

A site inspection was carried out on 25th August 2023. The site comprises of two titles, used directly in association with each other for residential use, and sharing the same PID and amalgamated for rates purposes by Council. Both titles were included within the application and both titles are to be considered as the development site for assessment purposes. The total site area comprises an area of 1654m<sup>2</sup> and is located on the corner of Latour Street and Lyttleton Street.

##### ***Aerial photograph of area***



##### ***Photographs of subject site***









#### 4.4 Permit/Site History

Relevant permit history includes:

- Unknown (Longford 22) - Dwelling



#### 4.5 Referrals

The following referrals were required:

##### **Council's Works Department**

Council's Works & Infrastructure Department (Jonathan Galbraith) reported on 24 August 2023 that the Department has no comment. The proposal uses existing access, and the shed drainage can be dealt with under a plumbing permit.

##### **TasWater**

TasWater advised Council on 4 September that the application does not require a submission from TasWater.

##### **Heritage Advisor**

Council's Heritage Advisor, David Denman, advised on 19 September 2023 that he has no objections to the proposal and his comments form the Heritage Code assessment of this report. He recommends by way of a condition on any approval that screen planting to 2m high be planted along the street boundary to assist in obscuring the shed from public view.

#### 4.6 Planning Scheme Assessment

##### **8.0 General Residential Zone**

###### **8.1 Zone Purpose**

The purpose of the General Residential Zone is:

8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.

8.1.3 To provide for non-residential use that:

(a) primarily serves the local community; and

(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

###### **Comment**

Complies with the Zone Purpose.

###### **8.2 Use Table**

###### **Comment**

Single dwellings, are No Permit Required in the Zone.

###### **8.3 Use Standards**

###### **8.3.1 Discretionary uses**

###### **Comment**

Not applicable.

###### **8.3.2 Visitor Accommodation**

###### **Comment**

Not applicable.

###### **8.4 Development Standards for Dwellings**

###### **8.4.1 Residential density for multiple dwellings**

###### **Comment**

Clause 8.4.1 is substituted by Clause NOR-S6.7.1.

###### **8.4.2 Setbacks and building envelope for all dwellings**

Objective:

The siting and scale of dwellings:

(a) provides reasonably consistent separation between dwellings and their frontage within a street;

(b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;

(c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and

(d) provides reasonable access to sunlight for existing solar energy installations.





Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>	<p><b>P1</b></p> <p>A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.</p>
<p><b><u>Comment</u></b></p> <p>Complies with A1.</p>	
<p><b>A2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<p><b>P2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p>
<p><b><u>Comment</u></b></p> <p>Complies with A2.</p>	
<p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</li> </ul> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the</li> </ul>	<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</li> <li>(ii) overshadowing the private open space of a dwelling on an adjoining property;</li> <li>(iii) overshadowing of an adjoining vacant property; and</li> <li>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</li> </ul> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <ul style="list-style-type: none"> <li>(i) an adjoining property; or</li> <li>(ii) another dwelling on the same site.</li> </ul>



lesser).	
<b>Comment</b> Complies with A3.	

<b>8.4.3 Site coverage and private open space for all dwellings</b>	
Objective: That dwellings are compatible with the amenity and character of the area and provide: (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight.	
Acceptable Solutions	Performance Criteria
A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 60m <sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).	P1 Dwellings must have: (a) site coverage consistent with that existing on established properties in the area; (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate: (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (c) reasonable space for the planting of gardens and landscaping.
<b>Comment</b> Complies with A1. The total site coverage is less than 50% of the site.	
A2 A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m <sup>2</sup> ; or (ii) 12m <sup>2</sup> , if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.	P2 A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is: (a) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight.
<b>Comment</b> Complies with A2. The dwelling will maintain an area of private open space that is greater than 24m <sup>2</sup> , and has a minimum width of 4m, and is on land with a gradient less than 1 in 10, and is not located within the frontage of the dwelling.	

<b>8.4.4 Sunlight to private open space of multiple dwellings</b>
<b>Comment</b>



Not applicable.

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

Objective:

To reduce the potential for garage or carport openings to dominate the primary frontage.

##### Acceptable Solutions

A1

A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).

##### Performance Criteria

P1

A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.

##### Comment

Not applicable.

#### 8.4.6 Privacy for all dwellings

Objective:

To provide a reasonable opportunity for privacy for dwellings.

##### Acceptable Solutions

A1

A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:

- (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;
- (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and
- (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:
  - (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or
  - (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.

##### Performance Criteria

P1

A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of:

- (a) a dwelling on an adjoining property or its private open space; or
- (b) another dwelling on the same site or its private open space.

##### Comment

Not applicable.

A2

A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):

- (a) the window or glazed door:
  - (i) is to have a setback of not less than 3m from a side boundary;
  - (ii) is to have a setback of not less than 4m from a rear boundary;
  - (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and
  - (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.
- (b) the window or glazed door:
  - (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;

P2

A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:

- (a) a window or glazed door, to a habitable room of another dwelling; and
- (b) the private open space of another dwelling.



<p>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	
<p><b>Comment</b> Not applicable.</p>	
<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p>P3 A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>
<p><b>Comment</b> Not applicable.</p>	

8.4.7 Frontage fences for all dwellings	
<p>Objective: The height and transparency of frontage fences:</p> <p>(a) provides adequate privacy and security for residents;</p> <p>(b) allows the potential for mutual passive surveillance between the road and the dwelling; and</p> <p>(c) is reasonably consistent with that on adjoining properties.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution.<sup>1</sup> <sup>1</sup> An exemption applies for fences in this zone – see Table 4.6</p>	<p>P1 A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:</p> <p>(a) provide for security and privacy while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the height and transparency of fences in the street, having regard to:</p> <p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>
<p><b>Comment</b> A solid 1.5m high Colorbond fence infill is proposed to match the existing internal fencing and proposed along a portion of the frontage to Lyttleton Street to the south of the Secondary Residence. As the site is a corner site the use will continue to allow for passive surveillance to the roads, an existing low level open fence runs around the corner of the site. The new boundary fence section seeking approval matches the existing solid internal fence enclosing part of the site which surrounds the rear private open space. The fencing proposed is compatible with the height and transparency of other fences in the street including 1 Lyttleton Street and 10 Lyttleton Street.</p>	

8.4.8 Waste storage for multiple dwellings	
<p>Objective: To provide for the storage of waste and recycling bins for multiple dwellings.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m<sup>2</sup> per dwelling and is within one of the</p>	<p>P1 A multiple dwelling must have storage for waste and recycling bins that is:</p>



<p>following locations:</p> <p>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) a common storage area with an impervious surface that:</p> <ul style="list-style-type: none"> <li>(i) has a setback of not less than 4.5m from a frontage;</li> <li>(ii) is not less than 5.5m from any dwelling; and</li> <li>(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</li> </ul>	<p>(a) capable of storing the number of bins required for the site;</p> <p>(b) screened from the frontage and any dwellings; and</p> <p>(c) if the storage area is a common storage area, separated from any dwellings to minimise impacts caused by odours and noise.</p>
<p><b>Comment</b></p> <p>Not applicable.</p>	

<p><b>8.5 Development Standards for Non-dwellings</b></p> <p><b>8.5.1 Non-dwelling development</b></p> <p><b>Comment</b></p> <p>Not applicable.</p>
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<p><b>8.5.2 Non-residential garages and carports</b></p> <p><b>Comment</b></p> <p>Not applicable.</p>
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<p><b>8.6 Development Standards for Subdivision</b></p> <p><b>8.6.1 Lot design</b></p> <p><b>Comment</b></p> <p>Not applicable – applies only to subdivision.</p>
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<p><b>8.6.2 Roads</b></p> <p><b>Comment</b></p> <p>Not applicable – applies only to subdivision.</p>
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<p><b>8.6.3 Services</b></p> <p><b>Comment</b></p> <p>Not applicable – applies only to subdivision.</p>
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CODES		
E1.0	Signs Code	N/a
E2.0	Parking and Sustainable Transport Code	Complies, see code assessment below.
E3.0	Road and Railway Assets Code	N/a
E4.0	Electricity Transmission Infrastructure Protection Code	N/a
E.5.0	Telecommunications Code	N/a
E6.0	Local Historic Heritage Code	Complies, see code assessment below.
E7.0	Natural Assets Code	N/a
E8.0	Scenic Protection Code	N/a
E9.0	Attenuation Code	Complies, see code assessment below.
E10.0	Coastal Erosion Hazard Code	N/a
E11.0	Coastal Inundation Hazard Code	N/a
E12.0	Flood-Prone Areas Hazard Code	N/a
E13.0	Bushfire-Prone Areas Code	N/a
E14.0	Potentially Contaminated Land Code	N/a
E15.0	Landslip Hazard Code	N/a
E16.0	Safeguarding of Airports Code	Exempt in accordance with C16.4.1, development not more than 316m AHD.



## C2.0 Parking and Sustainable Transport Code

### C2.1 Code Purpose

The purpose of the Parking and Sustainable Transport Code is:

C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.

C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.

C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.

C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.

C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.

C2.1.6 To provide for parking precincts and pedestrian priority streets.

#### Comment

The proposal complies with the Code Purpose.

## C2.5 Use Standards

### C2.5.1 Car parking numbers

Objective:

That an appropriate level of car parking spaces are provided to meet the needs of the use.

#### Acceptable Solutions

##### A1

The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:

(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;

(b) the site is contained within a parking precinct plan and subject to Clause C2.7;

(c) the site is subject to Clause C2.5.5; or

(d) it relates to an intensification of an existing use or development or a change of use where:

(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or

(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:

$$N = A + (C - B)$$

N = Number of on-site car parking spaces required

A = Number of existing on site car parking spaces

B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1

C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.

#### Performance Criteria

##### P1.1

The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:

(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;

(b) the ability of multiple users to share spaces because of:  
(i) variations in car parking demand over time; or  
(ii) efficiencies gained by consolidation of car parking spaces;

(c) the availability and frequency of public transport within reasonable walking distance of the site;

(d) the availability and frequency of other transport alternatives;

(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;

(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;

(g) the effect on streetscape; and

(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.

##### P1.2

The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:

(a) the nature and intensity of the use and car parking required;

(b) the size of the dwelling and the number of bedrooms; and

(c) the pattern of parking in the surrounding area.

#### Comment

Complies with A1.

The existing dwelling requires, and provides, two car parking spaces in accordance with Table C2.1.





C2.5.2 Bicycle parking numbers	
Objective: That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria
A1 Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.	P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.
<b>Comment</b> Not applicable – no requirement for single dwelling.	

C2.5.3 Motorcycle parking numbers	
Objective: That the appropriate level of motorcycle parking is provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria
A1 The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.	P1 Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to: (a) the nature of the proposed use and development; (b) the topography of the site; (c) the location of existing buildings on the site; (d) any constraints imposed by existing development; and (e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.
<b>Comment</b> Not applicable.	

C2.5.4 Loading Bays	
Objective: That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions	Performance Criteria
A1 A loading bay must be provided for uses with a floor area of more than 1000m <sup>2</sup> in a single occupancy.	P1 Adequate space for loading and unloading of vehicles must be provided, having regard to: (a) the type of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) the topography of the site; (h) the location of existing buildings on the site; and (i) any constraints imposed by existing development.
<b>Comment</b> Not applicable.	

C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone	
Objective: (a) facilitate the reuse of existing non-residential buildings within the General Residential Zone and Inner Residential Zone; and (b) to not cause an unreasonable impact on residential amenity by the car parking generated by that reuse.	
Acceptable Solutions	Performance Criteria



<p><b>A1</b> Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:</p> <p>(a) Food Services uses up to 100m<sup>2</sup> floor area or 30 seats, whichever is the greater; and</p> <p>(b) General Retail and Hire uses up to 100m<sup>2</sup> floor area,</p> <p>provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>	<p><b>P1</b> Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users and must not cause an unreasonable impact on residential amenity, having regard to:</p> <p>(a) car parking demand generated by the proposed use during its proposed hours of operation;</p> <p>(b) the availability of on-street and public car parking in the surrounding area;</p> <p>(c) the availability and frequency of public transport within a 400m walking distance of the site;</p> <p>(d) the availability and likely use of other modes of transport;</p> <p>(e) the availability and suitability of alternative arrangements for car parking provision;</p> <p>(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</p> <p>(g) any car parking deficiency or surplus associated with the existing use of the land;</p> <p>(h) any relevant parking plan for the area adopted by council;</p> <p>(i) any existing on-street car parking restrictions; and</p> <p>(j) the proportion of residential properties without off-street parking within a 100m radius of the subject site.</p>
<p><b>Comment</b> Not applicable.</p>	

<b>C2.6 Development Standards for Buildings and Works</b> <b>C2.6.1 Construction of parking areas</b>	
<p><b>Objective:</b> That parking areas are constructed to an appropriate standard.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b> All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to the public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<p><b>P1</b> All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:</p> <p>(a) the nature of the use;</p> <p>(b) the topography of the land;</p> <p>(c) the drainage system available;</p> <p>(d) the likelihood of transporting sediment or debris from the site onto a road or public place;</p> <p>(e) the likelihood of generating dust; and</p> <p>(f) the nature of the proposed surfacing.</p>
<p><b>Comment</b> The proposal complies with the acceptable solution. The driveway including an extension to the proposed new shed will be concreted and will drain to the public stormwater system.</p>	

<b>C2.6.2 Design and layout of parking areas</b>	
<p><b>Objective:</b> That parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1.1</b> Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p>	<p><b>P1</b> All parking, access ways, manoeuvring and circulation spaces must be designed and</p>



<p>(i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;</p> <p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p> <p>(iii) have an access width not less than the requirements in Table C2.2;</p> <p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with Australian Standard AS 2890-Parking facilities, Parts 1-6.</p> <p><b>A1.2</b></p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.<sup>1</sup></p> <p><sup>1</sup> Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.</p>	<p>readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the proposed slope, dimensions and layout;</p> <p>(c) useability in all weather conditions;</p> <p>(d) vehicle and pedestrian traffic safety;</p> <p>(e) the nature and use of the development;</p> <p>(f) the expected number and type of vehicles;</p> <p>(g) the likely use of the parking areas by persons with a disability;</p> <p>(h) the nature of traffic in the surrounding area;</p> <p>(i) the proposed means of parking delineation; and</p> <p>(j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.</p>
<p><b>Comment</b></p> <p>Complies with A1.1.</p> <p>The proposed driveway has sufficient dimensions to comply with Table C2.2. The dimensions of car parking spaces, including vertical clearance, satisfy the requirements in Table C2.3.</p>	

C2.6.3 Number of accesses for vehicles	
<p><b>Objective:</b></p> <p><b>That:</b></p> <p>(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;</p> <p>(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and</p> <p>(c) the number of accesses minimise impacts on the streetscape.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<p><b>P1</b></p> <p>The number of accesses for each frontage must be minimised, having regard to:</p> <p>(a) any loss of on-street parking; and</p> <p>(b) pedestrian safety and amenity;</p> <p>(c) traffic safety;</p> <p>(d) residential amenity on adjoining land; and</p> <p>(e) the impact on the streetscape.</p>
<p><b>Comment</b></p> <p>No change to existing crossovers proposed.</p>	
<p><b>A2</b> Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p><b>P2</b> Within the Central Business Zone or in a pedestrian priority street, any new accesses must:</p> <p>(a) not have an adverse impact on:</p> <p style="padding-left: 40px;">(i) pedestrian safety and amenity; or</p> <p style="padding-left: 40px;">(ii) traffic safety; and</p> <p>(b) be compatible with the streetscape.</p>
<p><b>Comment</b></p>	



Not applicable.

#### C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone

**Objective:**

That parking and vehicle circulation roads and pedestrian paths within the General Business Zone and Central Business Zone, which are used outside daylight hours, are provided with lighting to a standard which:

- (a) enables easy and efficient use;
- (b) promotes the safety of users;
- (c) minimises opportunities for crime or anti-social behaviour; and
- (d) prevents unreasonable light overspill impacts.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 "Basis of Design" and Clause 3.6 "Car Parks" in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i>.</p>	<p>P1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roadways and pedestrian paths, which are used outside daylight hours must be provided with lighting, having regard to:</p> <ul style="list-style-type: none"> <li>(a) enabling easy and efficient use of the area;</li> <li>(b) minimising potential for conflicts involving pedestrians, cyclists and vehicles;</li> <li>(c) minimising opportunities for crime or anti-social behaviour though the creation of concealment spaces;</li> <li>(d) any unreasonable impact on the amenity of adjoining properties through light overspill; and</li> <li>(e) the hours of operation of the use.</li> </ul>

**Comment**

Not applicable.

#### C2.6.5 Pedestrian access

**Objective:**

That pedestrian access within parking areas is provided in a safe and convenient manner.

Acceptable Solutions	Performance Criteria
<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p> <ul style="list-style-type: none"> <li>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: <ul style="list-style-type: none"> <li>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</li> <li>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</li> </ul> </li> <li>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</li> </ul> <p>A1.2</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>	<p>P1</p> <p>Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the nature of the use;</li> <li>(c) the number of parking spaces;</li> <li>(d) the frequency of vehicle movements;</li> <li>(e) the needs of persons with a disability;</li> <li>(f) the location and number of footpath crossings;</li> <li>(g) vehicle and pedestrian traffic safety;</li> <li>(h) the location of any access ways or parking aisles; and</li> <li>(i) any protective devices proposed for pedestrian safety.</li> </ul>

**Comment**

Not applicable.

#### C2.6.6 Loading bays

**Objective:**

That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The area and dimensions of loading bays and access way areas</p>	<p>P1</p> <p>Loading bays must have an area and dimensions suitable for</p>



must be designed in accordance with Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.	the use, having regard to: (a) the types of vehicles likely to use the site; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the topography of the site; (f) the location of existing buildings on the site; and (g) any constraints imposed by existing development.
<b>Comment</b> Not applicable.	
<b>A2</b> The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.	<b>P2</b> Access for commercial vehicles to and from the site must be safe, having regard to: (a) the types of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the location of the site and nature of traffic in the area of the site; (f) the effectiveness or efficiency of the surrounding road network; and (g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.
<b>Comment</b> Not applicable.	

C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	
Objective:	
That parking for bicycles are safe, secure and convenient, within the General Business Zone and Central Business Zone.	
Acceptable Solutions	Performance Criteria
<b>A1</b> Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must: (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from an entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.	<b>P1</b> Bicycle parking must be provided in a safe, secure and convenient location, having regard to: (a) the accessibility to the site; (b) the characteristics of the site; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) the location and visibility of proposed parking for bicycles; (g) whether there are other parking areas on the site; and (h) the opportunity for sharing bicycle parking on nearby sites.
<b>Comment</b> Not applicable.	
<b>A2</b> Bicycle parking spaces must: (a) have dimensions not less than: (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane,	<b>P2</b> Bicycle parking spaces and access must be convenient, safe, secure and efficient to use, having regard to: (a) the characteristics of the site; (b) the space available; (c) the safety of cyclists; and (d) the provisions of Australian Standard AS 2890.3- 2015 Parking facilities - Part 3: Bicycle parking.



shared path or access way; and (c) include a rail or hoop to lock a bicycle that satisfies Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.	
<b>Comment</b> Not applicable.	

<b>C2.6.8 Siting of parking and turning areas</b>	
Objective: That the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone does not cause an unreasonable visual impact on streetscape character or loss of amenity to adjoining properties.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.	P1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to: (a) topographical or other site constraints; (b) availability of space behind the building line; (c) availability of space for vehicle access to the side or rear of the property; (d) the gradient between the front and the rear of existing or proposed buildings; (e) the length of access or shared access required to service the car parking; (f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling; (g) the visual impact of the vehicle parking and access on the site; (h) the streetscape character and amenity; (i) the nature of the zone in which the site is located and its preferred uses; and (j) opportunities for passive surveillance of the road.
<b>Comment</b> Not applicable.	
A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads.	P2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must be designed to screen the views of cars from public places in the adjacent roads, without blank walls facing onto a road, having regard to: (a) the streetscape; (b) any unreasonable loss of amenity of the occupants of adjoining properties; and (c) maintaining opportunities for active uses on a street frontage in a pedestrian priority street.
<b>Comment</b> Not applicable.	

<b>C2.7 Parking Precinct Plan</b>	
<b>C2.7.1 Parking precinct plan</b>	
Objective: To minimise the amount of on-site car parking spaces within an area defined by a parking precinct plan, and that parking does not detract from the streetscape of the area.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>





<p>A1 Within a parking precinct plan, on-site car parking must:</p> <ul style="list-style-type: none"> <li>(a) not be provided; or</li> <li>(b) not be increased above existing parking numbers.</li> </ul>	<p>P1 Within a parking precinct plan, on-site car parking must be necessary for the operation of the use and not detract from the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the availability of off-street public parking spaces within reasonable walking distance;</li> <li>(b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> <li>(i) variations in parking demand over time; or</li> <li>(ii) efficiencies gained by consolidation of parking spaces;</li> </ul> </li> <li>(c) the availability and frequency of public transport within reasonable walking distance of the site;</li> <li>(d) the availability and frequency of other transport alternatives;</li> <li>(e) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</li> <li>(f) the streetscape;</li> <li>(g) the topography of the site;</li> <li>(h) the location of existing buildings on the site;</li> <li>(i) any constraints imposed by existing development; and</li> <li>(j) any assessment by a suitably qualified person of the actual parking demand, determined having regard to the scale and nature of the use and development, and not exceed the number specified in Table C2.1.</li> </ul>
<p><b>Comment</b> Not applicable.</p>	

#### C6.0 Local Historic Heritage Code

##### C6.1 Code Purpose

The purpose of Local Historic Heritage Code is:

C6.1.1 To recognise and protect:

- (a) The local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential; and
- (b) Significant trees.

C6.1.2 This code does not apply to the Aboriginal heritage values.

##### **Comment**

Complies with the Code Purpose.

#### C6.7 Development Standards for Local Heritage Precincts and Local Historic Landscape Precincts

##### C6.7.1 Demolition within a local heritage precinct

Objective: That demolition within a local heritage precinct does not have an unacceptable impact on the local historic heritage significance of the precinct.

Acceptable Solutions	Performance Criteria
<p>A1 Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings must:</p> <ul style="list-style-type: none"> <li>(a) Not be on a local heritage place;</li> <li>(b) Not be visible from any road or public open space; and</li> <li>(c) Not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule.</li> </ul>	<p>P1 Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings, must not cause an unacceptable impact on the local historic heritage significance of the local heritage precinct as identified in the relevant Local Provisions Schedule, having regard to:</p> <ul style="list-style-type: none"> <li>(a) The physical condition of the building, works, structure or trees;</li> <li>(b) The extent and rate of deterioration of the building, works, structure or trees;</li> <li>(c) The safety of the building, works, structure or trees;</li> <li>(d) The streetscape in which the building, works, structure or trees is located;</li> <li>(e) The special or unique contribution that the building, works, structure or trees makes to the streetscape or townscape values of the local heritage precinct identified in the relevant Local Provisions Schedule;</li> <li>(f) Any options to reduce or mitigate deterioration;</li> <li>(g) Whether demolition is a reasonable option to secure the long-term future of a building, works or structure; and</li> <li>(h) Any economic considerations.</li> </ul>



<b>Comment</b>
Not applicable.

<b>C6.7.2 Demolition within a local historic landscape precinct</b>
Not applicable.

<b>C6.7.3 Buildings and works, excluding demolition</b>	
Objective: That development within a local heritage precinct or a local historic landscape precinct is sympathetic to the character of that particular precinct.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Within a local heritage precinct, building and works, excluding demolition, must: <ul style="list-style-type: none"> <li>(d) Not be on a local heritage place;</li> <li>(e) Not be visible from any road or public open space; and</li> <li>(f) Not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule.</li> </ul>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage plan of an architectural style different from that characterising the precinct, having regard to:</p> <ul style="list-style-type: none"> <li>(a) The streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</li> <li>(b) The character and appearance of the surrounding area;</li> <li>(c) The height and bulk of other buildings in the surrounding area;</li> <li>(d) The setbacks of other buildings in the surrounding area; and</li> <li>(e) Any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule.</li> </ul> <p>P1.2 Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p> <ul style="list-style-type: none"> <li>(a) The streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</li> <li>(b) The character and appearance of the surrounding area;</li> <li>(c) The height and bulk of other buildings in the surrounding area;</li> <li>(d) The setbacks of other buildings in the surrounding area; and</li> <li>(e) Any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule.</li> </ul> <p>P1.3 Within a local historic landscape precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local historic landscape precinct, having regard to:</p> <ul style="list-style-type: none"> <li>(a) The landscape values identified in the statement of local historic heritage significance for the local historic landscape precinct, as identified in the relevant Local Provisions Schedule; and</li> <li>(b) Any relevant design criteria or conservation policies for the local historic landscape precinct, as identified in the relevant Local Provisions Schedule.</li> </ul>

<b>Comment</b>
<p>Proposal complies with P1.1 and P1.2. The existing dwelling and secondary residence buildings do not have any historic heritage value and are therefore non contributory to the historic streetscape values.</p> <p>However, the adjoining cottages have high historic heritage value and make a positive contribution to the historic streetscape and precinct.</p> <p>The proposed garage/shed is setback from the street frontage and located at the rear corner of the site.</p> <p>It is recommended that a condition that a screen planting 2m high be placed along the street boundary to obscure the proposed garage/shed from the public view.</p> <p>P1.3 – not applicable.</p>

A2 Within a local heritage precinct, new front fences and gates must be designed and constructed to match the existing original fences on the site.	<p>P2 Within a local heritage precinct, new front fences and gates must be compatible with the local heritage precinct, having regard to:</p> <ul style="list-style-type: none"> <li>(a) The streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</li> </ul>
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	<p>(b) Height, form, style and materials of the proposed fence; and</p> <p>(c) The style, characteristics and setbacks of fences and gates in the surrounding area.</p>
<p><b>Comment</b></p> <p>Proposal complies with P2. The proposed front fence is acceptable within the context of the site and adjoining development.</p>	

**C6.8 – C6.10** – Not applicable.

<b>NOR-Table C6.2 Local Heritage Precincts</b>
<p><b>NOR-C6.2.3 Longford</b></p> <p>The Longford Heritage Precinct is unique because it is the core of an intact nineteenth century townscape, rich with significant structures and the atmosphere of a centre of trade and commerce for the district. Traditional commercial buildings line the main street, flanked by two large public areas containing the Christ Church grounds and the War Memorial. The street then curves gently at Heritage Corner towards Cressy, and curves gently at Heritage Corner towards Cressy, and links Longford to the surrounding rural farmland, creating views to the surrounding countryside and a gateway to the World Heritage listed Woolmers and Brickendon estates. Heritage residential buildings are tucked behind the main street comprising traditional styles from the mid-nineteenth century to the early twentieth century, including significant trees, picket fences and cottage gardens. The rural township feel is complemented by a mix of businesses servicing local needs, tourism and historic interpretation. Longford's heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the town.</p>

<b>C9.0 Attenuation Code</b>
<b>C9.1 Code Purpose</b>
<p>The purpose of the Attenuation Code is:</p> <p>C9.1.1 To minimise adverse impacts on the health, safety and amenity of sensitive use from activities which have the potential to cause emissions.</p> <p>C9.1.2 To minimise the likelihood for sensitive use to conflict with, interfere with, or constrain, activities which have the potential to cause emissions.</p>
<p><b>Comment</b></p> <p>Complies with the Code Purpose.</p>

<b>C9.5 Use Standards</b>	
<b>C9.5.2 Sensitive use within an attenuation area</b>	
Objective: That sensitive use located within an attenuation area does not interfere with or constrain the operation of an existing activity listed in Tables C9.1 or C9.2.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 No Acceptable Solution.	<p>P1 Sensitive use within an attenuation area, must not interfere with or constrain an existing activity listed in Tables C9.1 or C9.2, having regard to:</p> <ul style="list-style-type: none"><li>(a) The nature of the activity with potential to cause emissions including:<ul style="list-style-type: none"><li>(i) Operational characteristics of the activity;</li><li>(ii) scale and intensity of the activity; and</li><li>(iii) degree of hazard or pollution that may be emitted from the activity;</li></ul></li><li>(b) The nature of the sensitive use;</li><li>(c) The extent of encroachment by the sensitive use into the attenuation area;</li><li>(d) Measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions of the activity;</li><li>(e) Any advice from the Director, Environment Protection Authority; and</li><li>(f) Any advice from the Director of Mines.</li></ul>
<b>Comment</b>	
<p>The attenuation code applies as the site is within 1500m of the Longford Abattoir site and a sensitive use is proposed (Secondary Residence). The site is unlikely to be impacted negatively by the operations of the abattoir, with approximately 900m separating the subject site to the source. A number of residences and other sensitive uses are located between the subject site and the abattoir, including the existing single dwelling on the subject site. Although odour may occasionally be observed, this is not likely to be of any significant concern given the orientation and distance.</p> <p>Performance criteria met.</p>	



PARTICULAR PURPOSE ZONES		
NOR-P1.0	Particular Purpose Zone – Campbell Town Service Station	Not applicable
NOR-P2.0	Particular Purpose Zone – Epping Forest	Not applicable

SPECIFIC AREA PLANS		
NOR-S1.0	Translink Specific Area Plan	Not applicable
NOR-S2.0	Campbell Town Specific Area Plan	Not applicable
NOR-S3.0	Cressy Specific Area Plan	Not applicable
NOR-S4.0	Devon Hills Specific Area Plan	Not applicable
NOR-S5.0	Evandale Specific Area Plan	Not applicable
NOR-S6.0	Longford Specific Area Plan	See assessment below
NOR-S7.0	Perth Specific Area Plan	Not applicable
NOR-S8.0	Ross Specific Area Plan	Not applicable

NOR-S6.0 Longford Specific Area Plan		
NOR-S6.1 Plan Purpose		
The purpose of the Longford Specific Area Plan is:		
NOR-S6.1.1 To protect and enhance the unique and intact history and character of the village.		
NOR-S6.1.2 To provide for development that is compatible with the existing streetscape settings, building forms and the rural village character.		
NOR-S6.1.3 To provide for the subdivision of key development sites and provide for appropriately located public open space.		
NOR-S6.1.4 To encourage subdivision that provides for large lots and minimises internal lots.		
NOR-S6.1.5 To maintain existing character and land use conflict.		
NOR-S6.1.6 That as part of any new subdivision, new trees are provided to increase the township's tree canopy cover.		
Comment		
Complies with the SAP Purpose.		

NOR-S6.3 Local Area Objectives		
This sub-clause is not used in this specific area plan.		

NOR-S6.5 Use Table		
This clause is a substitution for Low Density Residential Zone – 10.2 Use Table		
Comment		
Not applicable.		

NOR-S6.6 Use Standards		
This sub-clause is not used in this specific area plan.		

NOR-S6.7 Development Standards for Buildings and Works		
NOR-S6.7.1 Residential density for multiple dwellings		
This clause is in substitution for General Residential Zone – clause 8.4.1 Residential density for multiple dwellings		
Objective:		
That the density of multiple dwellings:		
(a) makes efficient use of land for housing;		
(b) maintains the historic and rural character of Longford; and		
(c) optimises the use of infrastructure and community services.		
Acceptable Solutions	Performance Criteria	
A1	P1	
Multiple dwellings must have a site area per dwelling of not less than 400m <sup>2</sup> .	Multiple dwellings must only have a site area per dwelling that is less than 400m <sup>2</sup> , 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.
<b>Comment</b> Not applicable.	

<b>NOR-S6.7.2 Roof form and materials</b> This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5 Development Standards for Non-dwellings.	
Objective: That roof forms are designed to be compatible with, and not detract from, the existing streetscape or rural village character.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Roof form for new buildings, excluding outbuildings, places listed in Table C6.1, and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be as per the roof forms shown in Figure NOR-S6.7.2, with the roof pitch being within a range of 22.5 – 40 degrees.	P1 Roof form for new buildings, excluding outbuildings, places listed in Table C6.1, and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be compatible with, and not detract from, the existing streetscape or rural village character, having regard to: (a) the design and period of construction of the existing buildings in the street; (b) the design and period of construction of the existing buildings or rural village character; and (c) visibility from any road or public open space.
<b>Comment</b> Not applicable, site is located within the Longford Heritage Historic Heritage Precinct.	

<b>NOR-S6.7.3 Wall materials</b> This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5 Development Standards for Non-dwellings	
Objective: That wall materials used are compatible with the existing streetscape or rural village character.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Wall materials, excluding outbuildings, places listed in Table C6.1, and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be of a form and material that matches the existing building or not be visible from any road or public open space adjoining the site.	P1 Wall materials of buildings, excluding outbuildings, places listed in Table C6.1, and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be compatible with the design and period of construction of the existing buildings on the site and in the street, and be compatible with the design and period of construction of the existing buildings or rural village character, having regard to: (a) use of bull-nosed timber weatherboards, or materials that have the appearance of bull-nosed timber weatherboards; or (b) use of brickwork with mortar of a neutral earth colour and struck flush with the brickwork; or (c) use of concrete blocks specifically chosen to: (i) blend with dressed sandstone; or (ii) rendered with coloured finishes in neutral earth tones.
<b>Comment</b> Not applicable, site is located within the Longford Heritage Historic Heritage Precinct.	

<b>NOR-S6.7.4 Windows</b> This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5 Development Standards for Non-dwellings.	
Objective: That window form and details are compatible with the streetscape or rural village character.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>



<p>A1 Window heads in all buildings, excluding places listed in Table C6.1, sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be a minimum of 300mm below the eaves line, or match the level of the window heads in the existing building.</p>	<p>P1 No Performance Criterion.</p>
<p><b>Comment</b> Not applicable, site is located within the Longford Heritage Historic Heritage Precinct.</p>	
<p>A2 Windows in a façade facing a frontage, excluding places listed in Table C6.1 and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must have no greater than 30% of the total surface area consisting of windows.</p>	<p>P2 Windows in the front façade of a building, excluding places listed in Table C6.1 and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be compatible with the design and period of construction of the existing buildings in the street.</p>
<p><b>Comment</b> Not applicable, site is located within the Longford Heritage Historic Heritage Precinct.</p>	
<p>A3 Windows for new buildings and extensions to existing buildings, or alterations to existing buildings, excluding places listed in Table C6.1 and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must not be visible from public spaces.</p>	<p>P3 Windows for new buildings and extensions to existing buildings, or alterations to existing buildings, excluding places listed in Table C6.1 and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be compatible with the design and period of construction of the existing buildings in the street, having regard to: (a) the period and style of the building; (b) the use of multi-pane sashes conforming to the patterns per sash with size and profile glazing bars as shown in Figure NOR-S6.7.4 (b); (c) the use of projecting brick or stone sills that match the existing if in a brick or masonry building; (d) the use clear glass; and (e) the division of large areas of glass panelling with vertical mullions to achieve a vertical orientation of glazing.</p>
<p><b>Comment</b> Not applicable, site is located within the Longford Heritage Historic Heritage Precinct.</p>	
<p><b>NOR-S6.8 Development Standards for Subdivision</b> NOR-S6.8.1 Lot design in development precinct This clause is in addition to General Residential Zone – clause 8.6.1 Lot design and Open Space Zone – clause 29.5.1 Lot design. <b>Comment</b> Not applicable.</p>	
<p><b>NOR-S6.8.2 Lot design - urban</b> This clause is in substitution for General Residential Zone – clause 8.6.1 Lot design. <b>Comment</b> Not applicable.</p>	
<p><b>NOR-S6.8.3 Lot design – rural fringe</b> This clause is in substitution for Low Density Residential Zone – clause 10.6.1 Lot design. <b>Comment</b> Not applicable.</p>	
<p><b>NOR-S6.8.4 Internal lots</b> This clause is an addition to General Residential Zone– clause 8.6.1 Lot design. <b>Comment</b> Not applicable.</p>	
<p><b>NOR-S6.8.5 Roads</b></p>	





This clause is in substitution for General Residential Zone – clause 8.6.2 Roads.

**Comment**

Not applicable.

**GENERAL PROVISIONS**

7.1	Changes to an Existing Non-conforming Use	Not applicable
7.2	Development for Existing Discretionary Uses	Not applicable
7.3	Adjustment of a Boundary	Not applicable
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	Not applicable
7.5	Change of Use	Not applicable
7.6	Access and Provision of Infrastructure Across Land in Another Zone	Not applicable
7.7	Buildings Projecting onto Land in a Different Zone	Not applicable
7.8	Port and Shipping in Proclaimed Wharf Areas	Not applicable
7.9	Demolition	Not applicable
7.10	Development Not Required to be Categorised into a Use Class	Not applicable
7.11	Use or Development Seaward of the Municipal District	Not applicable
7.12	Sheds on Vacant Sites	Not applicable

**4.7 Representations**

Notice of the application was given in accordance with Section 57 of the Land Use Planning & Approvals Act 1993. A review of Council's Records management system after completion of the public exhibition period revealed that one (1) representation (attached) was received from:

- Name withheld at representor's request

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

**Issue 1**

Illegal works – the site plan refers to an 'existing studio' proposed as a secondary residence. The works are already performed, and the building was a garage until December 2022.

Planner's comment:

The application is seeking retrospective approval of the change of the former garage (whether that is referred to as a studio is irrelevant in the description, noting that the plans do not make such reference as stated in the representation) to secondary residence. The application is seeking approval of a non-sensitive use to a sensitive use. The internal works to the single dwelling do not require any planning approvals. The application for secondary residence must be considered against the relevant provisions of the Planning Scheme. A secondary residence is defined as forming part of a single dwelling and the use is a no permit required use in the zone. As the building is existing, and is not increased in size from the original garage building, the impact on the historic heritage values of the precinct will not be affected by the use.

**Issue 2**

Shed on vacant land is to be considered as a storage use class and prohibited.

Planner's comment:

The title the proposed shed is to be located on is not considered to be a vacant lot, it is directly associated with the adjoining title in the same ownership, which accommodates a single dwelling, an outbuilding is existing and located over the title boundary, and the two titles have the same PID and are amalgamated for rates purposes. The title where the shed is proposed to be located on cannot be sold separately without a significant change to property access, the title boundary in terms of the existing shed placement for example without further planning permission. The representor is incorrect in their statement that the site is vacant. The use of the shed is directly associated with the residential use of the site (comprising of the two titles) and considered under Clause 6.2.2.

**Issue3**

Consideration of C6.7.3, consider the proposal is non-compliant.

Planner's comment:



Council's Heritage Advisor has assessed the proposal against Clause C6.7.3 of the Planning Scheme and has no objections to the proposal. The representor further made direct contact to Council's Heritage Advisor raising their concerns. Council's Heritage Advisor advised the representor that he agrees that the shed is large, however, it is to be located in the back corner of the lot. This means that the impact on the historic heritage streetscape will not be unacceptable. The fact that the existing buildings have no historic heritage value has had an impact on his assessment of the proposal.

#### **Issue 4**

The proposed fence is not evident that it is compliant with clause 8.4.7 P1.

##### Planner's comment:

Provided within the assessment above, consideration of P1 of Clause 8.4.7 was undertaken. The author of this report has provided an assessment and considered that the proposed fence is consistent with the performance criteria.

#### **Issue 5**

Some works that have been undertaken on the site were not included in the application.

##### Planner's comment:

Further to receipt of the representation, Council has raised concerns with the proponent that some works on the site as shown on the plans are not contained within any records of Council, which are included within this application as 'existing'. This current application must consider only those works seeking approval and cannot approve other works not shown or known to the Council as needing approval at the time of the making of the application.

The proponent in light of the matters raised in the representation and now to Council's awareness, lodged a further planning application (received 29th September 2023) for the other retrospective works including the removal of existing outbuildings, conversion of a carport to garage and garage extension and fencing along the Latour Street frontage. Should at the building application stage of that additional application there be a requirement the titles be consolidated/amalgamated, then that will be considered at that time for the additional application.

#### **4.8 Objectives of the *Land Use Planning and Approvals Act 1993***

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

#### **4.9 State Policies**

The proposal is consistent with all State Policies.

#### **4.10 Strategic Plan/Annual Plan/Council Policies**

Strategic Plan - Statutory Planning

### **5 FINANCIAL IMPLICATIONS TO COUNCIL**

Not applicable to this application.

### **6 OPTIONS**

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

### **7 DISCUSSION**

Discretion to refuse the application is limited to:

- Reliance on performance criteria of the General Residential Zone – fencing;
- Reliance on performance criteria of the Local Historic Heritage Code – heritage precinct; and
- Reliance on performance criteria of the Attenuation Code.

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

It is recommended that the application be conditioned to be used and developed in accordance with the proposal plans.



## 8 ATTACHMENTS

1. 1. Planning Application Form [**11.5.1** - 1 page]
2. 2. Folio Plan-13002-1 [**11.5.2** - 1 page]
3. 3. Folio Plan-13002-2 [**11.5.3** - 1 page]
4. 4. 17 LATOUR ST LONGFORD TAS 7301- DA [**11.5.4** - 3 pages]
5. 5. Skyline Sheds [**11.5.5** - 6 pages]
6. 6. Additional Information Request - PL N-23-0126 - 15 & 17 Latour Street, Longford [**11.5.6** - 1 page]
7. 7. PTB Planning Development - AIR Response [**11.5.7** - 2 pages]
8. 8. Response referral Heritage Adviser PLN 23-0126 15 - 17 Latour St Longford [**11.5.8** - 17 pages]
9. 9. Representation [**11.5.9** - 2 pages]



### **11.6 PLN23-0168: RETAINING WALL & PRIVACY SCREEN ON EXISTING REAR FENCE, 11 MUIRTON WAY, PERTH**

*File:* 108370.06; PLN23-0168  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Rebecca Green, Consultant Planner

#### **MINUTE NO. 23/0371**

##### DECISION

Cr Brooks/Cr Terrett

That application PLN-23-0168 to develop and use the land at 11 Muirton Way, Perth for Retaining Wall and Privacy Screen on Existing Rear Boundary Fence be approved subject to the following conditions:

**1** Layout not altered

The use and development must be in accordance with the endorsed documents P1 (North-South Elevation and Rear Fence Elevation), except as varied by Condition 2 below.

**2** Fencing extension

Within 4 months of the date of this permit, a 600mm high fence extension, of steel or aluminium material must be erected. The fence extension including panels, top rail and posts must be monument coloured and must be placed along the entirety of the southern (rear) property boundary fence at the expense of the proponent.

##### Advice:

- 1) Building approval may be required for the retaining wall. It is recommended that advice is sought by a Building Surveyor to determine if approval is required; and that building approval be obtained for the retaining wall.
- 2) That the shed be relocated to a more appropriate location.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## RECOMMENDATION

That application PLN-23-0168 to develop and use the land at 11 Muirton Way, Perth for Retaining Wall and Privacy Screen on Existing Rear Boundary Fence be approved subject to the following conditions:

**1 Layout not altered**

The use and development must be in accordance with the endorsed documents P1 (North-South Elevation and Rear Fence Elevation), except as varied by Condition 2 below.

**2 Fencing extension**

Within 4 months of the date of this permit, a 600mm high fence extension, of steel or aluminium material must be erected. The fence extension including panels, top rail and posts must be monument coloured and must be placed along the entirety of the southern (rear) property boundary fence at the expense of the proponent.

Advice:

Building approval may be required for the retaining wall. It is recommended that advice is sought by a Building Surveyor to determine if approval is required.

## 1 INTRODUCTION

This report assesses an application for 11 Muirton Way, Perth to construct Retaining Wall and Privacy Screen on Existing Rear Boundary Fence.

## 2 BACKGROUND

**Applicant:**

Katelyn Prosser

**Zone:**

8.0 General Residential

**Classification under the Scheme:**

Residential (single dwelling)

**Deemed Approval Date:**

20 October 2023

**Owner:**

Katelyn Paige Prosser

**Codes:**

C2.0 Parking and Sustainable Transport Code

C16.0 Safeguarding of Airports - Obstacle Limitation Area

NOR-S7.0 Perth Specific Area Plan

**Existing Use:**

Residential (single dwelling)

**Recommendation:**

Approve

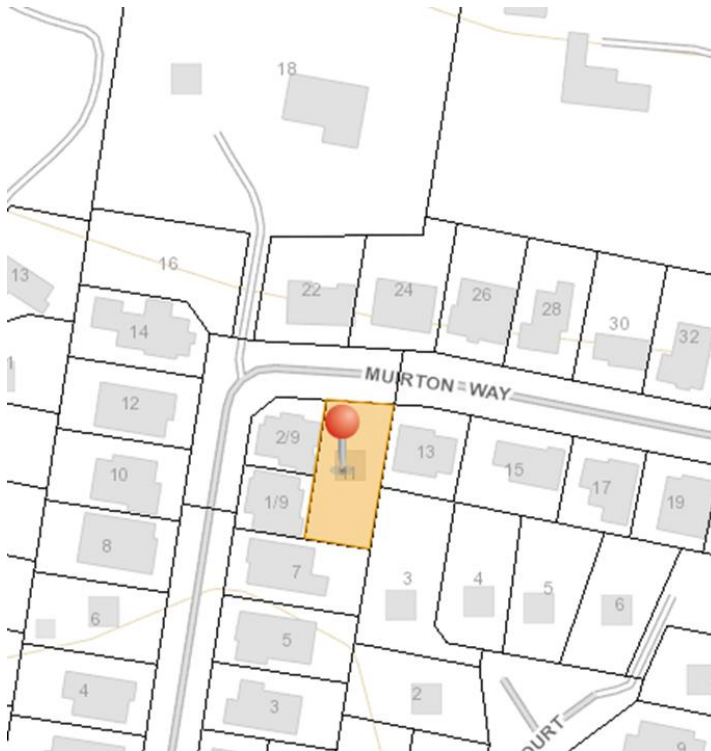
**Discretionary Aspects of the Application:**

- Reliance on performance criteria of the General Residential zone – setback and building envelope.

**Planning Instrument:**

- *Tasmanian Planning Scheme – Northern Midlands Version No: 5, Effective Date: 10th May 2023.*

### Subject Site



## 3 STATUTORY REQUIREMENTS

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

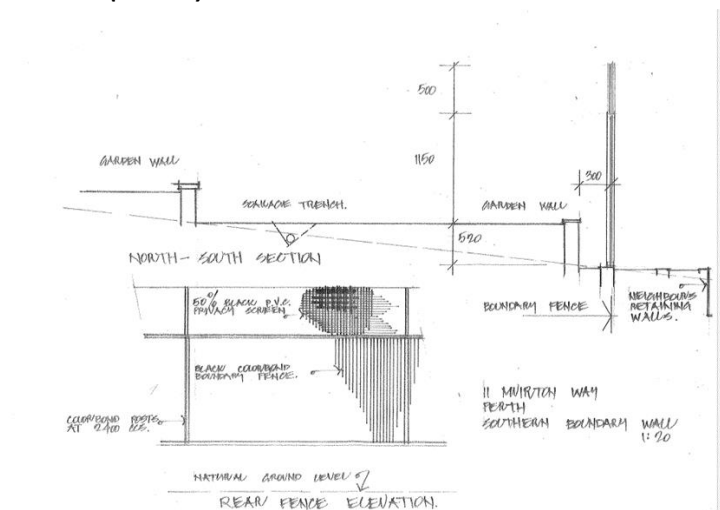
## 4 ASSESSMENT

### 4.1 Proposal

The proposal is for a:

- Retaining Wall and Privacy Screen on Existing Rear Boundary Fence.

### Site Plan (extract)

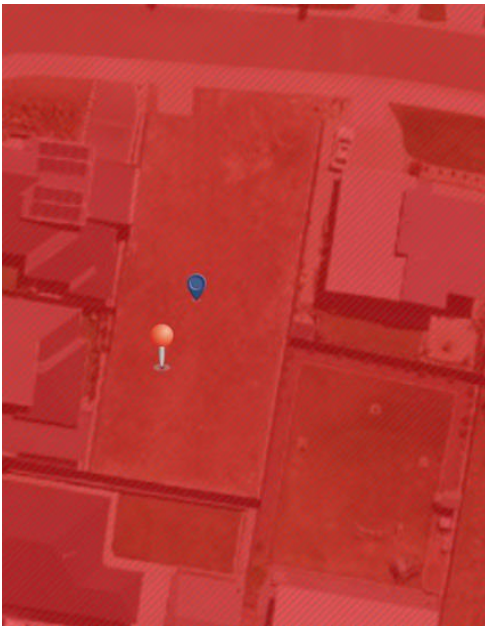






## 4.2 Zone and Land Use

Zone Map – 8.0 General Residential



The land is zoned General Residential, and is within the Perth Specific Area Plan.

The relevant Planning Scheme definition is:

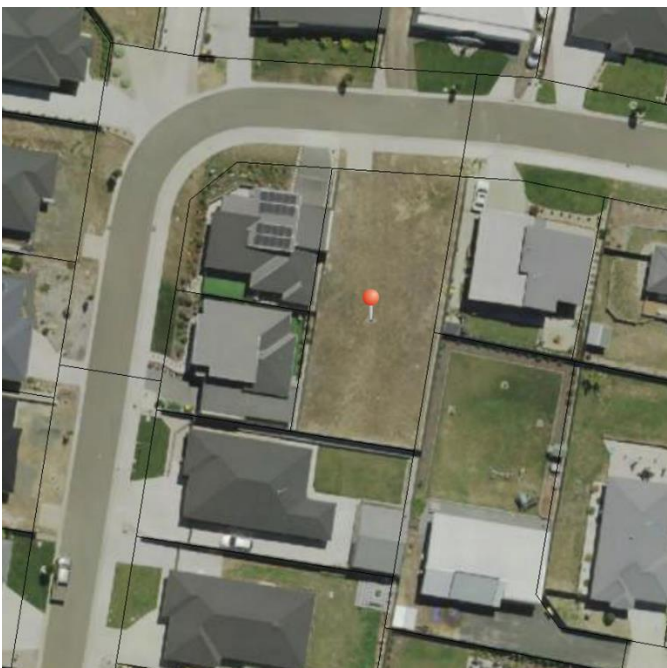
<i>single dwelling</i>	<i>means a dwelling on a lot on which no other dwelling, other than a secondary residence, is situated</i>
------------------------	--

Residential is a No Permit Required use in the zone, however as the proposal relies on performance criteria, the application has a discretionary status.

## 4.3 Subject Site and Locality

A site inspection was undertaken on 8th September 2023. The site comprises an area of 728m<sup>2</sup> and accommodates an existing single dwelling.

***Aerial photograph of area***





*Photographs of subject site*





#### 4.4 Permit/Site History

Relevant permit history includes:

- PLN21-0340 – dwelling
- E23-0059 – Garden Shed



#### 4.5 Referrals

The proposal did not require any referrals.

#### 4.6 Planning Scheme Assessment

8.0 GENERAL RESIDENTIAL ZONE	
ZONE PURPOSE	
<i>To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.</i>	
<i>To provide for the efficient utilisation of available social, transport and other service infrastructure.</i>	
<i>To provide for non-residential use that:</i>	
<ul style="list-style-type: none"> <li>(a) <i>Primarily serves the local community; and</i></li> <li>(b) <i>Does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.</i></li> </ul>	
<i>To provide for Visitor Accommodation that is compatible with residential character.</i>	
<b>Assessment:</b> The proposal meets the zone purpose.	

PRECIS OF DEVELOPMENT STANDARDS FOR SINGLE DWELLINGS		
8.4.2 Setback and building envelopes for all dwellings		
A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is at least:		
P	(a)	4.5m from primary frontage, or not less than existing dwelling on site; <b>or</b>
N/a	(b)	3m from secondary frontage, or not less than existing dwelling on site; <b>or</b>
N/a	(c)	if a vacant lot, setback which is not more or less than dwellings on immediately adjoining lots; <b>or</b>
N/a	(d)	if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.
A2 Garage or carport to have a setback at least:		
N/a	(a)	5.5m from primary frontage or 1m behind the building line; <b>or</b>
N/a	(b)	the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; <b>or</b>
N/a	(c)	1m if existing ground level slopes up or down at a gradient steeper than 1 in 5 for 10m from frontage.
A3 Dwellings (excluding outbuildings with a building height of not more than 2.4m and protrusions extending not more than 0.9m horizontally beyond the building envelope):		
	(a)	to be within building envelope:
P	(i)	frontage setback (as above), or for an internal lot, at least 4.5m from rear boundary of a property with an adjoining frontage; <b>and</b>
P	(ii)	projecting a line at 45 degrees from the horizontal at a height of 3m above <i>natural ground level at side and rear boundaries, and maximum height 8.5m; and</i>
x	(b)	only have a setback less than 1.5m from a side or rear setback if the dwelling: <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; <b>or</b></li> <li>(ii) does not exceed 9m or ½ the length of the side boundary (whichever is lesser).</li> </ul>
8.4.3 Site coverage and private open space for dwellings		
P	A1	(a) max. site coverage of 50% (excluding eaves up to 0.6m wide).
	A2	Private open space that is:
P	(a)	(i) at least 24m <sup>2</sup> in one location; <b>and</b>
N/a	(b)	(i) horizontal dimension at least 4m; <b>and</b>
N/a	(c)	between dwelling and frontage only if frontage is orientated between 30 degrees west of north and 30 degrees east of north; <b>and</b>
N/a	(d)	not steeper than 1:10.
8.4.4 Sunlight and overshadowing		
N/a		No requirement for single dwellings.
8.4.5 Width of openings for garages and carports		
N/a	A1	Garage or carport within 12m of a primary frontage (whether freestanding or not), total width of openings





		facing frontage of not more than 6m or half the width of the frontage (whichever is lesser).
<b>8.4.6 Privacy</b>		
N/a	A1	A balcony, deck, roof terrace, parking space or carport (whether freestanding or not) with a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing:
N/a	(a)	a side boundary (if within 3m)
N/a	(b)	a rear boundary (if within 4m)
	A2	Window or glazed door to habitable room with floor level more than 1m above existing ground level, must:
N/a	(a)	(i) be setback at least 3m setback from side boundary; <b>and</b>
		(ii) be setback at least 4m setback from rear boundary; <b>OR</b>
N/a	(b)	(i) be offset horizontally 1.5m from glazing of habitable rooms of another dwelling; <b>or</b>
		(ii) have a sill height of at least 1.7m above floor level or fixed obscure glazing extending to at least 1.7m above floor level; <b>or</b>
		(iii) have permanently fixed external screen for the full length of the glazing, to 1.7 m above floor level, with a uniform transparency of not more than 25%.
<b>8.4.7 Frontage fences for single dwellings</b>		
N/a	A1	No acceptable solution (exemption applies see Table 4.6)
<b>Easements</b>		
P		No construction over an easement

Accordingly, the development relies on the following performance criteria:

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

P3	The siting and scale of a dwelling must:	
	(a)	not cause an unreasonable loss of amenity to adjoining properties, having regard to:
	(i)	reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;
	(ii)	overshadowing the private open space of a dwelling on an adjoining property;
	(iii)	overshadowing of an adjoining vacant property; and
	(iv)	visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;
	(b)	provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and
	(c)	not cause an unreasonable reduction in sunlight to an existing solar energy installation on:
	(i)	an adjoining property; or
	(ii)	another dwelling on the same site.

#### Comment –

Land filling to a depth of not more than 1m above existing ground level is exempt under 4.6.9 of the Scheme and does not need consideration. A retaining wall within 1.5m from a boundary does not meet exemption 4.6.8 and must be considered against the relevant provisions of the zone. A fence not within 4.5m of a frontage and more than a height of 2.1m above existing ground level does not meet exemption 4.6.4 and must be considered against the relevant provisions of the zone.

A garden shed does not form part of this application, as previous consideration of a Planning Review determined that the garden shed did not require a planning permit, the garden shed is wholly contained within the building envelope.

Due to the retaining wall, the natural ground level is to be increased to a maximum 520mm above existing ground level and whilst the fill is exempt, consideration of the privacy to the adjoining southern property of the development within 1.5m of the rear boundary has been undertaken by the proponent by proposing a fence extension along the entirety of the southern rear boundary fence.

The retaining wall (garden wall as defined by the proponent) was implemented at the suggestion of Council's Plumbing Surveyor at the time, Wade Hateley to assist in mitigating drainage concerns due to the sloped nature of the site. A drainage system of a grated drain at 4.8m in from the rear boundary and connected to a V drain and a French drain run diagonally underground and feed into a pit drain in the south-eastern corner of the backyard. Due to the uphill



positioning of the Council riser on the lot, this was the only option for collecting runoff and dispersing of the water. An ag drain behind the retaining wall would not have been an option and it would not be able to connect to the uphill Council riser. Due to the sloping nature of the lot, this solution was to assist in natural runoff including from the driveway. The dwelling is piped to the stormwater network. A discussion on site with the representor and planning officers confirmed that post-development levels of natural runoff are less or no greater than pre-development levels. The retaining wall will have no impact on overshadowing or loss of sunlight to a habitable room window or private open space.

The inclusion of a fence extension is purely to assist in mitigating privacy concerns for the adjoining southern neighbour. Negotiations between the parties with the assistance of Council planning officers has been undertaken and agreement confirmed to an increase in the fence extension to 600mm and of a monument colour steel material, a condition will be placed upon any approval requiring a fence extension to these standards. The garden shed, which does not require a planning permit and is to be placed in the southwestern corner of the site, will also assist in mitigating overlooking from the ground raised by the retaining wall seeking approval.

Performance criteria met.

CODES		
C1.0	Signs Code	N/a
C2.0	Parking and Sustainable Transport Code	Complies – no changes to existing parking arrangement or intensification of use.
C3.0	Road and Railway Assets Code	N/a
C4.0	Electricity Transmission Infrastructure Protection Code	N/a
C5.0	Telecommunications Code	N/a
C6.0	Local Historic Heritage Code	N/a
C7.0	Natural Assets Code	N/a
C8.0	Scenic Protection Code	N/a
C9.0	Attenuation Code	N/a
C10.0	Coastal Erosion Hazard Code	N/a
C11.0	Coastal Inundation Hazard Code	N/a
C12.0	Flood-Prone Areas Hazard Code	N/a
C13.0	Bushfire-Prone Areas Code	N/a
C14.0	Potentially Contaminated Land Code	N/a
C15.0	Landslip Hazard Code	N/a
C16.0	Safeguarding of Airports Code	N/a – exempt as development is less than 211m AHD

PARTICULAR PURPOSE ZONES		
NOR-P1.0	Particular Purpose Zone – Campbell Town Service Station	Not applicable
NOR-P2.0	Particular Purpose Zone – Epping Forest	Not applicable

SPECIFIC AREA PLANS		
NOR-S1.0	Translink Specific Area Plan	Not applicable
NOR-S2.0	Campbell Town Specific Area Plan	Not applicable
NOR-S3.0	Cressy Specific Area Plan	Not applicable
NOR-S4.0	Devon Hills Specific Area Plan	Not applicable
NOR-S5.0	Evandale Specific Area Plan	Not applicable
NOR-S6.0	Longford Specific Area Plan	Not applicable
NOR-S7.0	Perth Specific Area Plan	Complies, no development standards apply to the subject application.
NOR-S8.0	Ross Specific Area Plan	Not applicable

GENERAL PROVISIONS		
7.1	Changes to an Existing Non-conforming Use	Not applicable
7.2	Development for Existing Discretionary Uses	Not applicable





7.3	Adjustment of a Boundary	Not applicable
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	Not applicable
7.5	Change of Use	Not applicable
7.6	Access and Provision of Infrastructure Across Land in Another Zone	Not applicable
7.7	Buildings Projecting onto Land in a Different Zone	Not applicable
7.8	Port and Shipping in Proclaimed Wharf Areas	Not applicable
7.9	Demolition	Not applicable
7.10	Development Not Required to be Categorised into a Use Class	Not applicable
7.11	Use or Development Seaward of the Municipal District	Not applicable
7.12	Sheds on Vacant Sites	Not applicable

#### 4.7 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after completion of the public exhibition period revealed that one representation was received during the exhibition period. A second representation has since been received (5 October 2023) and was not received within the exhibition period (a check of the Council Server also confirms non-receipt). Although not a valid representation, consideration of concerns in this second correspondence are undertaken below.

- Emily and Stefan Quinn, 7 Muirton Way, Perth
- Tom and Jessi Hodgman (Unit 1, 9 Muirton Way, Perth) – Received outside statutory timeframe and have concerns regarding a garden shed.

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

##### Issue 1

- Concerns regarding the height of the retaining wall and the structural integrity of the wall.

##### Planner's comment:

Council's Planning Authority can only consider the planning merit of the application. An advisory note can be placed upon any approval noting that building approval *may* be required and recommending that the proponent engage with the services of a Building Surveyor. The retaining wall purpose is to assist the function of the drainage system on site.

##### Issue 2

- The proponent is planning to erect a garden shed and this will cause overshadowing.

##### Planner's comment:

The subject application does not include nor require the inclusion of the garden shed. A planning review for the proposed garden shed has been previously considered by the Planning Department and determined that no planning permit is required as the garden shed met all applicable acceptable solutions of the zone and contained wholly within the 3-dimensional building envelope including consideration of land fill in terms of overall height.

##### Issue 3

- Drainage concerns and runoff to the southern adjoining property.

##### Planner's comment:

The reason for the retaining wall was in consultation with Council's Plumbing Surveyor who advised this wall was a garden wall and to assist with drainage of the sloping site further to concerns raised by the representor. Only upon receipt of a complaint did the Planning Department review and advise that the wall was considered a retaining wall and due to the length of the wall (exceeding 1/3 of the rear boundary length) that a planning permit was required. The retaining wall together with a drainage system was implemented and due to the location of the Council riser part way up the lot, the land is sloped by the erection of the retaining wall, back to a grated drain. Post development levels of runoff is no greater than pre-development. Any run-off is natural run off and is normal by sloped land. No concentration of stormwater water onto another property is evident.



**Issue 4**

- Concerns regarding the height and material and colour of the fence extension.

**Planner's comment:**

Negotiations between the parties with the assistance of Council planning officers has been undertaken and agreement confirmed to an increase in the fence extension to 600mm and of a monument colour steel material, a condition will be placed upon any approval requiring a fence extension to these standards.

**4.8 Objectives of the *Land Use Planning and Approvals Act 1993***

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

**4.9 State Policies**

The proposal is consistent with all State Policies.

**4.10 Strategic Plan/Annual Plan/Council Policies**

Strategic Plan - Statutory Planning

**5 FINANCIAL IMPLICATIONS TO COUNCIL**

Not applicable to this application.

**6 OPTIONS**

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

**7 DISCUSSION**

Discretion to refuse the application is limited to:

- Reliance on performance criteria of the General Residential zone – setback and building envelope.

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

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

**8 ATTACHMENTS**

1. Application [11.6.1 - 1 page]
2. Folio Plan-174157-12 [11.6.2 - 1 page]
3. Plans Retaining Wall detail [11.6.3 - 1 page]
4. Representation [11.6.4 - 3 pages]
5. Response to Representation [11.6.5 - 3 pages]
6. NMC Planning Letter (rec outside of Statutory timeline) [11.6.6 - 1 page]



## 11.7 PLN-23-0086: 24-HOUR VEHICLE FUEL SALES FOR CARS AND TRUCKS, 26A TANNERY ROAD, LONGFORD

File: 113000.012; PLN23-0086  
Responsible Officer: Des Jennings, General Manager  
Report prepared by: Paul Godier, Senior Planner

### MINUTE NO. 23/0372

#### DECISION

Cr Archer/Cr Andrews

That application PLN-23-0086 for an unstaffed vehicle fuel station designed to operate 24 hours daily at 26A Tannery Road, Longford, be refused on the following grounds:

- Vehicular traffic to and from the site does not minimise adverse effects on the safety of the vehicle crossing or safety or efficiency of the road network, contrary to clause C3.5.1 P1 of the planning scheme.
- The design of turning lanes has not been resolved, without damage to the footpath and trees.
- Proposed Signage location will have an impact on traffic sight lines.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

#### **RECOMMENDATION**

That application PLN-23-0086 for an unstaffed vehicle fuel station designed to operate 24 hours daily at 26A Tannery Road, Longford, be approved subject to the following conditions:

##### **Endorsed Documents**

1. Except as required by conditions 2 & 3, the development and use must be in accordance with the endorsed documents:
  - DA00 Rev A, DA01 Rev C, DA02 Rev A, DA03 Rev A.
  - Midson Traffic Impact Assessment July 2023
  - Planning Report May 2023
  - Signs spec drawing for 6m high pylon sign
  - Siteworks and stormwater layout plan

##### **Revised Plans Required**

2. Revised plans must be submitted demonstrating that:
  - the pylon sign is outside of the TasNetworks deemed statutory easement over the high voltage (HV) overhead cables running past the frontage lines 12m wide (6m on either side).
  - The required splay of 2.5m x 2m on each side of the driveway behind the property boundary can be achieved. Any proposed plantings and signage must be no higher than 800mm within this splay.

When approved, the plans will be endorsed and will form part of this permit.

3. A revised access design showing a modified access and road widening must be submitted to the Department of State Growth as a request to amend existing Access Works Permit NEA06-20 detailing:
  - The access width designed to ensure the largest design vehicle (25 m B-double) can left turn in and left turn out of the site without encroachment over the centre line on Tannery Road.
  - A minimum treatment of road widening to the southbound traffic lane (i.e. Basic Auxiliary Right) to result in at least 6.5 m of sealed road pavement (plus any required shoulder of kerb) to allow following traffic sufficient space to manoeuvre past a B-double waiting to turn right into the site.

Works must not commence until the revised access design required above has been approved by the Department of



**State Growth.**

The use must not commence until the access has been constructed in accordance with the revised access design approved by the Department of State Growth.

**Parking and access**

4. Prior to commencement of the use, areas set aside for parked vehicles and access lanes must be constructed as shown on the endorsed plans. Construction plans shall be submitted for approval which shall include:
  - Levels so that they can be used in accordance with the plans.
  - Type of all-weather seal coat surface
  - Concrete kerbs and channels.
  - Delineation of each car space and all access lanes by line-marking or raised pavement markers.

**Landscaping**

5. Landscaping must be completed before the commencement of use maintained whilst the use continues. Replacement plantings shall be undertaken as appropriate to maintain landscaping consistent with the endorsed plan.

**Note:**

This planning permit does not constitute permission to connect the works to the stormwater network under Section 14 of the *Urban Drainage Act 2013*. Separate permission must be sought by contacting Council's Engineering Officer at [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au) or call 6397 7303. The following basic information will be required to enable Council to assess a request for permission to connect to the stormwater network:

- It has been identified that the downstream stormwater system does not have capacity to accept increase flows from the proposed development. Therefore, detention will need to be provided so that there is no increase in peak flows discharged from the site for the range of design AEPs ranging from the 5% AEP up to and including the 1% AEP climate change event, assuming the pre-developed site is pervious.
- Stormwater quality treatment measures must be incorporated in the design to achieve the water quality targets:
  1. 90% reduction in the average annual load of litter/gross pollutants based on typical urban stormwater concentrations;
  2. 80% reduction in the average annual load of total suspended solids (TSS) based on typical urban stormwater TSS concentrations;
  3. 45% reduction in the average annual load of total phosphorus (TP) based on typical urban stormwater TP concentrations;
  4. 45% reduction in the average annual load of total nitrogen (TN) based on typical urban stormwater TN concentrations, AND
  5. Discharge visually free of hydrocarbons.
- It is noted there is an inlet pipe in the southern retaining wall on the existing site which was installed to ensure ponding against that wall does not develop. This pipeline needs to be accommodated in the drainage design, however it does not need to be routed through the onsite detention.
- Provision of a Stormwater Management Report produced in accordance with Australian Rainfall and Runoff 2019 which provides information in relation to stormwater quantity, quality, and conveyance, inclusive of:
  - Locations and sizes of pipes, pits, detention basins etc.
  - Invert levels and ground surface levels for pipes and manholes
  - Location and relative level of proposed connection to the stormwater network
  - Evidence that the Permissible Site Discharge Requirements will be met
  - 1% climate change storm event drainage path locations, direction, widths and flow depths indicated on plans
  - Indication of design approach taken to fulfil water quality targets and a STORM UPDATED report or MUSIC model or other work demonstrating that proposal can meet quality targets
  - Details of any bypass system



## 1 INTRODUCTION

This report assesses an application for an unstaffed vehicle fuel station designed to operate 24 hours daily and accommodating B-doubles and semi-trailers as well as standard vehicles (cars).

## 2 BACKGROUND

**Applicant:**

Woolcott Surveys

**Zone:**

General Business Zone

**Classification under the Scheme:**

Vehicle fuel sales and service

**Deemed Approval Date:**

20 October 2023

**Owner:**

Tassie Holdings Pty Ltd

**Codes:**

Signs Code, Carparking and Sustainable Transport Code, Road and Railway Assets Code

**Existing Use:**

Vacant

**Recommendation:**

Approve

**Discretionary Aspects of the Application:**

- 15.3.2 P1 – discretionary use in the zone.
- 15.3.2 P2 – discretionary use in the zone.
- 15.4.3 P2 – design
- C3.5.1 P1 – traffic generation at a crossing (if the planning authority does not accept the Department of State Growth's written consent for a new private crossing to serve the use and development), or if the planning authority considers that vehicular traffic to the site will be using an existing crossing.

**Planning Instrument:**

- Tasmanian Planning Scheme - Northern Midlands

## 3 STATUTORY REQUIREMENTS

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

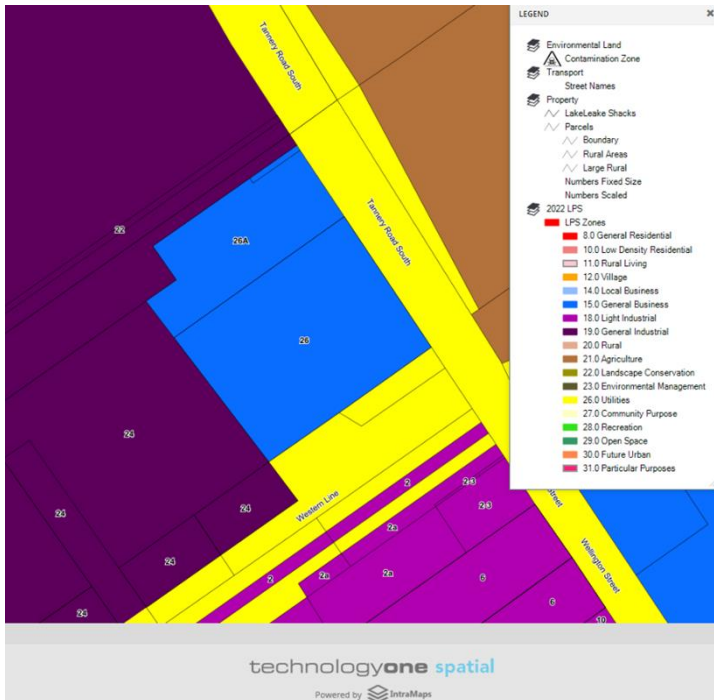
## 4 ASSESSMENT

### 4.1 Proposal

It is proposed to develop and use an unstaffed vehicle fuel station designed to operate 24 hours daily and accommodating B-doubles and semi-trailers as well as standard vehicles (cars).







The relevant Planning Scheme definition is:

Vehicle Fuel Sales and Service	use of land primarily for the sale of motor vehicle fuel and lubricants, and if the land is so used, the use may include the routine maintenance of vehicles. An example is a service station.
--------------------------------	--

Vehicle Fuel Sales and Service is Discretionary in the General Business Zone.

#### 4.3 Subject Site and Locality

The site is located on Tannery Road, adjacent to Kingsley House and the entrance to Koppers and the abattoir.



^Subject site from Tannery Road

#### 4.4 Permit/Site History

Relevant permit history includes:



- PLN-20-0238 – storage, pole sign, fill (application withdrawn)
- PLN-21-0109 – earthworks (permit issued)
- Access Works Permit NEA-06-20 issued by Department of State Growth on 3 July 2020. Amended 3 April 2023.

#### 4.5 Referrals

##### **Department of State Growth**

On 23 June 2023, the Department of State Growth's Principal Analyst Traffic Engineering advised that:

- The department finds the applicant's Traffic Impact Assessment (Midson Traffic) acceptable from a road authority perspective.
- As the department has already issued an access works permit, they have no additional comment to make on this application.

On 6 September 2023, the Department advised that on review of the additional information provided by NMC, I confirm the following road authority position:

- *Agree that the access width shall be redesigned to ensure the largest design vehicle (25 m B-double) can left turn in and left turn out of the site without encroachment over the centre line on Tannery Road.*
- *Noting the requirement for a channelised right turn facility is triggered but considering the relatively urban context and 50 km/h speed limit. A minimum treatment of road widening to the southbound traffic lane (i.e. BAR) to result in at least 6.5 m of sealed road pavement (plus any required shoulder of kerb) needs to be provided to allow following traffic sufficient space to manoeuvre past a B-double waiting to turn right into the site.*
- *While also noting a left turn auxiliary lane is triggered, this is not considered necessary given the road environment and roadside constraints on the western side of Tannery Road.*

*If Council are happy with this approach and, consider a revised Access Permit Works Permit NEA06-20A amounts to a written consent for the purposes of C3.5.1 A1.2 regarding the new access proposed for PLN-23-0086 it would be just a matter of the applicant arranging a revised design showing the modified access and road widening be submitted to the department as a request to amend existing Access Works Permit NEA06-20.*

While noting Keith Midson's response regarding the provision of the turn facilities, ordinarily some concession is made where the requirement for a BAR is marginal. In this case the volumes are within the range where a fully channelised turn lane is warranted, so the minor BAR widening is thought to be of similar compromise. With respect to the example of the Campbell Town facility, there is an existing wide sealed shoulder at the location which affords through traffic space to go around a turning vehicle and, the proportion of right turns at the Campbell Town site are likely lower than what will occur at the subject site.

##### **Council's Works & Infrastructure Department**

Council's Works & Infrastructure Department provided the attached advice.

##### **TasWater**

TasWater issued a Submission to Planning Authority Notice with conditions of approval on 17 July 2023.

##### **TasNetworks**

TasNetworks advised:

- Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.
- TasNetworks has completed a project to provide supply for the development.



#### 4.6 Planning Scheme Assessment

##### 15.0 General Business Zone

##### 15.1 Zone Purpose

The purpose of the General Business Zone is:

15.1.1 To provide for business, retail, administrative, professional, community and entertainment functions within Tasmania's main suburban and rural centres.

15.1.2 To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.

15.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.

15.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

##### Comment

The proposal complies with the Zone Purpose 15.1.1.

Activity centre hierarchy means the activity centre network or hierarchy referred to in a relevant regional land use strategy. The Northern Tasmania Regional Land Use Strategy lists Longford as a District Service Centre.

##### 15.2 Use Table

##### Comment

The use, Vehicle Fuel Sales and Service, is a Discretionary use within the zone.

##### 15.3 Use Standards

##### 15.3.1 All uses

Objective:

That uses do not cause unreasonable loss of amenity to residential zones.

##### Acceptable Solutions

A1  
Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of:  
(a) 7.00am to 9.00pm Monday to Saturday; and  
(b) 8.00am to 9.00pm Sunday and public holidays.

##### Performance Criteria

P1  
Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:  
(a) The timing, duration or extent of vehicle movements; and  
(b) Noise, lighting or other emissions.

##### Comment

Not applicable, not within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone.

A2  
External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must:  
(a) Not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and  
(b) If for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones.

P2  
External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:  
(a) The level of illumination and duration of lighting; and  
(b) The distance to habitable rooms of an adjacent dwelling.

##### Comment

Not applicable, not within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone.

A3  
Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General

P3  
Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density



Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.	Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: (a) The time and duration of commercial vehicle movements; (b) The number and frequency of commercial vehicle movements; (c) The size of commercial vehicles involved; (d) Manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise; (e) Any noise mitigation measures between the vehicle movement areas and the residential zone; and (f) Potential conflicts with other traffic.
<b>Comment</b> Not applicable, not within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone.	

15.3.2 Discretionary uses	
Objective: That uses listed as Discretionary do not: (a) Cause unreasonable loss of amenity to adjoining residential zones; and (b) Compromise or distort the activity centre hierarchy.	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 A use listed as Discretionary must: (a) Not cause an unreasonable loss of amenity to properties in adjoining residential zones; and (b) Be of an intensity that respects the character of the area.
-	<b>Comment:</b>
A2 No Acceptable Solution.	P2 A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to: (a) The characteristics of the site; (b) The need to encourage activity at pedestrian levels; (c) The size and scale of the proposed use; (d) The functions of the activity centre and the surrounding activity centres; and (e) The extent that the proposed use impacts on other activity centres.
-	<b>Comment:</b> Activity centre hierarchy means the activity centre network or hierarchy referred to in a relevant regional land use strategy. The Northern Tasmania Regional Land Use Strategy lists Longford as a District Service Centre. The proposal does not compromise or distort the activity centre hierarchy.

15.3.3 Retail impact	
Objective: That retail uses do not compromise or distort the activity centre hierarchy.	
Acceptable Solutions	Performance Criteria
A1 The gross floor area for Bulky Goods Sales and General Retail and Hire uses must be not more than 3500m <sup>2</sup> per tenancy.	P1 Bulky Goods Sales and General Retail and Hire uses must not compromise or distort the activity centre hierarchy, having regard to: (a) The degree to which the proposed use improves and broadens the commercial or retail choice with the area; (b) The extent that the proposed use impacts on other activity centres; and (c) Any relevant local area objectives contained within the relevant Local Provisions Schedule.
<b>Comment</b> Not applicable, the proposal is not for Bulky Goods Sales or General Retail and Hire.	



15.4.4 Development Standards for Buildings and Works	
15.4.1 Building height	
Objective: That building height: Is compatible with the streetscape; and Does not cause an unreasonable loss of amenity to adjoining residential zones.	
Acceptable Solutions	Performance Criteria
A1 Building height must be not more than 12m.	P1 Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: (a) The topography of the site; (b) The height, bulk and form of existing buildings on the site and adjacent properties; (c) The bulk and form of proposed buildings; (d) The apparent height when viewed from the adjoining road and public places; and (e) Any overshadowing of public places.
Complies. The building height is 5.6m.	Not applicable.

15.4.2 Setbacks	
Objective: That building setback: Is compatible with the streetscape; Does not cause an unreasonable loss of amenity to adjoining residential zones; and Minimises opportunities for crime and anti-social behaviour through setback of buildings.	
Acceptable Solutions	Performance Criteria
A1 Buildings must be: (a) Built to the frontage at ground level; or (b) Have a setback of not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.	P1 Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to: (a) Providing small variations in building alignment to break up long building facades; (b) Providing variations in building alignment to provide a forecourt space for public use, such as outdoor dining or landscaping; (c) The avoidance of concealment spaces; (d) The ability to achieve passive surveillance; and (e) The availability of lighting.
<b>Comment:</b> Complies with A1 (b). the proposed setback is 47m which is between the building setback to the south, estimated to be 3m, and the building setback to the north, estimated to be 77m,	
A2 Buildings must have a setback from an adjoining property within a General Residential Zone, Inner Residential Zone of not less than: (a) 5m; or (b) Half the wall height of the building, Whichever is the greater.	P2 Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within a General Residential Zone, Inner Residential Zone, having regard to: (a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) Overlooking and reduction of privacy to the adjoining properties; or (c) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.
<b>Comment</b> Not applicable, the site does not adjoin a General Residential Zone, Inner Residential Zone or Low Density Residential Zone.	

15.4.3 Design
Objective: That building facades promote and maintain high levels of pedestrian interaction, amenity, and safety, and are compatible with



the streetscape.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>New buildings must be designed to satisfy all the following:</p> <ul style="list-style-type: none"> <li>(a) Mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places;</li> <li>(b) Roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof;</li> <li>(c) Not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; and</li> <li>(d) Provide external lighting to illuminate external vehicle parking areas and pathways.</li> </ul>	<p>P1</p> <p>New buildings must be designed to be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) Minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</li> <li>(b) Minimising the visual impact of security shutters or grilles and roof-top service infrastructure, including lift structures; and</li> <li>(c) Providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.</li> </ul>
<b>Comment:</b> Complies with A1.	
<p>A2</p> <p>New buildings or alterations to an existing façade must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) Provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</li> <li>(b) If for a ground floor level façade facing a frontage: Have not less than 40% of the total surface area consisting of windows or doorways; or</li> <li>(c) If for a ground floor level façade facing a frontage must: Not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%;</li> <li>(d) If for a ground floor level façade facing a frontage must: Not include a single length of blank wall greater than 30% of the length of façade on that frontage; or</li> <li>(e) Not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on that frontage; and</li> <li>(f) Provide awnings over a public footpath if existing on the site or on adjoining properties.</li> </ul>	<p>P2</p> <p>New buildings or alterations to an existing façade must be designed to be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) How the main pedestrian access to the building addresses the street or other public places;</li> <li>(b) Windows on the façade facing the frontage for visual interest and passive surveillance of public spaces;</li> <li>(c) Providing architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces;</li> <li>(d) Installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and</li> <li>(e) The need for provision of awning over a public footpath.</li> </ul>
<b>Comment:</b> Does not comply.	<b>Comment:</b> The proposal complies with P2.

15.4.4 Fencing	
<p>Objective:</p> <p>That fencing:</p> <p>Is compatible with the streetscape; and</p> <p>Does not cause an unreasonable loss of residential amenity to adjoining residential zones.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) Its height, design, location and extent;</li> <li>(b) Its degree of transparency; and</li> <li>(c) The proposed materials and construction.</li> </ul>
<b>Comment:</b> Complies with P1.	
<p>A2</p> <p>Common boundary fences with a property in</p>	<p>P2</p> <p>Common boundary fences with a property in a General Residential Zone, Inner</p>





a General Residential Zone, Inner Residential Zone, if not within 4.5m of a frontage, must:	Residential Zone, if not within 4.5m of a frontage, must not cause an unreasonable loss of residential amenity, having regard to:
(a) Have a height above existing ground level of not more than 2.1m; and	(a) Their height, design, location and extent; and
(b) Not contain barbed wire.	(b) the proposed materials and construction.
<b>Comment</b> Not applicable.	

15.4.5 Outdoor storage areas	
Objective: That outdoor storage areas for non-residential use does not detract from the appearance of the site or surrounding area.	
Acceptable Solutions	Performance Criteria
A1 Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	P1 Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.
<b>Comment:</b> Complies.	

CODES	
E1.0 Signs Code	See code assessment.
E2.0 Parking and Sustainable Transport Code	See code assessment.
E3.0 Road and Railway Assets Code	See code assessment.
E4.0 Electricity Transmission Infrastructure Protection Code	N/a
E.5.0 Telecommunications Code	N/a
E6.0 Local Historic Heritage Code	N/a
E7.0 Natural Assets Code	N/a
E8.0 Scenic Protection Code	N/a
E9.0 Attenuation Code	N/a
E10.0 Coastal Erosion Hazard Code	N/a
E11.0 Coastal Inundation Hazard Code	N/a
E12.0 Flood-Prone Areas Hazard Code	N/a
E13.0 Bushfire-Prone Areas Code	N/a
E14.0 Potentially Contaminated Land Code	N/a
E15.0 Landslip Hazard Code	N/a
E16.0 Safeguarding of Airports Code	N/a – not a sensitive use & development not within airport obstacle limitation surface.

#### SIGNS CODE

C1.0 Signs Code
C1.1 Code Purpose
The purpose of the Parking and Sustainable Transport Code is:
C1.1.1 To provide for appropriate advertising and display of information for business and community activity.
C1.1.2 To provide for well-designed signs that are compatible with the visual amenity of the surrounding area.
C1.1.3 To ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.
<b>Comment:</b> The proposed sign complies with the Code Purpose

C1.6 Development Standards for Building and Works	
C1.6.1 Design and siting of signs	
Objective: That:	
(a) Signage is well designed and sited; and	
(b) Signs do not contribute to visual clutter or cause an unreasonable loss of visual amenity to the surrounding area.	
Acceptable Solutions	Performance Criteria
A1 A sign must:	P1.1 A sign must:
(a) Be located within the applicable zone for the	(a) Be located within an applicable zone for the relevant



<p>relevant sign type set out in Table C1.6; and</p> <p>(b) Meet the sign standards for the relevant sign type set out in Table C1.6,</p> <p>Excluding for the following sign types, for which there is no Acceptable Solution:</p> <p>(i) roof sign;</p> <p>(ii) sky sign; and</p> <p>(iii) billboard.</p>	<p>sign type as set out in Table C1.6; and</p> <p>(b) Be compatible with the streetscape or landscape, having regard to:</p> <p>(i) the size and dimensions of the sign;</p> <p>(ii) the size and scale of the building upon which the sign is proposed;</p> <p>(iii) the amenity of surrounding properties;</p> <p>(iv) the repetition of surrounding properties;</p> <p>(v) the number and density of signs on the site and on adjacent properties; and</p> <p>(vi) the impact on the safe and efficient movement of vehicles and pedestrians.</p>
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**Comment**

Illuminated Pylon Sign

The proposed sign is 5.83m high with two faces of approx. 11m<sup>2</sup> each. This exceeds the Acceptable Solution height of 5m with 5m<sup>2</sup> for each face. The sign is consistent with the sign at the United Servies Station which is 6m high and 2.3m wide and complies with the performance criteria.

Building Fascia Sign

The signage around the building canopy complies with the requirement of must not project above or below the fascia. Although it is more than two-thirds the depth of the fascia, it complies with P1.1.

<p><b>A2</b></p> <p>A sign must be not less than 2m from the boundary of any lot in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone or Landscape Conservation Zone.</p>	<p><b>P2</b></p> <p>A sign must not cause an unreasonable loss of amenity to adjoining residential properties, having regard to:</p> <p>(a) The topography of the site and the surrounding area;</p> <p>(b) The relative location of buildings, habitable rooms of dwellings and private open space;</p> <p>(c) Any overshadowing; and</p> <p>(d) The nature and type of the sign.</p>
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**Comment – Proposal complies with A2.**

<p><b>A3</b></p> <p>The number of signs for each business or tenancy on a road frontage of a building must be no more than:</p> <p>(a) 1 of each sign type, unless otherwise stated in Table C1.6;</p> <p>(b) 1 window sign for each window;</p> <p>(c) 3 if the street frontage is less than 20m in length; and</p> <p>(d) 6 if the street frontage is 20m or more,</p> <p>Excluding the following sign types, for which there is no limit:</p> <p>(i) name plate; and</p> <p>(ii) temporary sign.</p>	<p><b>P3</b></p> <p>The number of signs for each business or tenancy on a street frontage must:</p> <p>(a) Not unreasonably increase in the existing level of visual clutter in the streetscape, and where possible, reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs; and</p> <p>(b) Not involve the repetition of messages or information.</p>
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**Comment - Proposal complies with A3.**

**C1.6.2 Illuminated signs**

Objective: That:

- (a) Illuminated signs are compatible with the streetscape;
- (b) The cumulative impact of illuminated signs on the character of the area is managed, including the need to avoid visual disorder or clutter of signs; and
- (c) Any potential negative impacts of illuminated signs on road safety and pedestrian movement are minimised.

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>An illuminated sign must not cause an unreasonable loss of amenity to adjacent properties or have an unreasonable effect on the safety, appearance or efficiency of a road, and must be compatible with the streetscape, having regard to:</p> <p>(a) The location of the sign;</p>



	<ul style="list-style-type: none"> <li>(b) The size of the sign;</li> <li>(c) The intensity of the lighting;</li> <li>(d) The hours of operation of the sign;</li> <li>(e) The purpose of the sign;</li> <li>(f) The sensitivity of the area in terms of view corridors, the natural environment and adjacent residential amenity;</li> <li>(g) The intended purpose of the changing message of the sign;</li> <li>(h) The percentage of the sign that is illuminated with changing messages;</li> <li>(i) The proposed dwell time; and</li> <li>(j) Where the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device.</li> </ul>
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**Comment** – The proposed illuminated sign complies with P1.

<b>A2</b> An illuminated sign visible from public places in adjacent roads must not create the effect of flashing, animation or movement, unless it is providing direction or safety information.	<b>P2</b> No Performance Criterion.
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**Comment** – Complies with A2.

#### C1.6.3 Third party sign

Not applicable

#### C1.6.4 Signs on local heritage places and in local heritage precincts and local historic landscape precincts

Not applicable

### C2.0 Parking and Sustainable Transport Code

#### C2.1 Code Purpose

The purpose of the Parking and Sustainable Transport Code is:

C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.

C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.

C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.

C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.

C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.

C2.1.6 To provide for parking precincts and pedestrian priority streets.

#### C2.5 Use Standards

##### C2.5.1 Car parking numbers

Objective: That an appropriate level of car parking spaces are provided to meet the needs of the use.

##### Acceptable Solutions

###### A1

The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:

(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;

(b) the site is contained within a parking precinct plan and subject to Clause C2.7;

(c) the site is subject to Clause C2.5.5; or

(d) it relates to an intensification of an existing use or development or a change of use where:

(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is

##### Performance Criteria

###### P1.1

The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:

(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;

(b) the ability of multiple users to share spaces because of:

(i) variations in car parking demand over time; or

(ii) efficiencies gained by consolidation of car parking spaces;

(c) the availability and frequency of public transport within reasonable walking distance of the site;



<p>greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p><math>N = A + (C - B)</math></p> <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p><b>P1.2</b></p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature and intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the surrounding area.</p>
<p><b>Comment:</b> Table C2.1 requires 4 spaces per service bay (vehicle fuel sales and service) and 1 space per 30m<sup>2</sup> of floor area (convenience store). In this case the development does not provide service bays or convenience store. No parking provision is therefore required for the development. The development therefore satisfies the requirements of Acceptable Solution A1 of Clause C2.5.1 of the Planning Scheme.</p>	

C2.6.3 Number of accesses for vehicles	
<p>Objective:</p> <p>That:</p> <p>(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;</p> <p>(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and</p> <p>(c) the number of accesses minimise impacts on the streetscape.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<p><b>P1</b></p> <p>The number of accesses for each frontage must be minimised, having regard to:</p> <p>(a) any loss of on-street parking; and</p> <p>(b) pedestrian safety and amenity;</p> <p>(c) traffic safety;</p> <p>(d) residential amenity on adjoining land; and</p> <p>(e) the impact on the streetscape.</p>
<p><b>Comment:</b> Complies – one access proposed for the frontage.</p>	
<p><b>A2</b></p> <p>Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p><b>P2</b></p> <p>Within the Central Business Zone or in a pedestrian priority street, any new accesses must:</p> <p>(a) not have an adverse impact on:</p> <p>(i) pedestrian safety and amenity; or</p> <p>(ii) traffic safety; and</p> <p>(b) be compatible with the streetscape.</p>
<p><b>Comment</b></p> <p>Not applicable</p>	

C3.0 Road and Railway Assets Code
C3.1 Code Purpose
<p>The purpose of the Road and Railway Assets Code is:</p> <p>C3.1.1 To protect the safety and efficiency of the road and railway networks; and</p>



C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network.

**Comment**

The application complies with the purpose of the Code

**C3.5 Use Standards**

**C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction**

**Objective:**

To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.

**Acceptable Solutions**

**A1.1**

For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:

- (a) A new junction;
- (b) A new vehicle crossing; or
- (c) A new level crossing.

**A1.2**

For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.

**A1.3**

For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.

**A1.4**

Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:

- (a) The amounts in Table C3.1; or
- (b) Allowed by a licence issued under Part IVA of the *Road and Jetties Act 1935* in respect to a limited access road.

**A1.5**

Vehicular traffic must be able to enter and leave a major road in a forward direction.

**Performance Criteria**

**P1**

Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) Any increase in traffic caused by the use;
- (b) The nature of the traffic generated by the use;
- (c) The nature of the road;
- (d) The speed limit and traffic flow of the road;
- (e) Any alternative access to a road;
- (f) The need for the use;
- (g) Any traffic impact assessment; and
- (h) Any advice received from the rail or road authority.

**Comment:**

A1.1 – N/a Tannery Road is not a category 1 road.

A1.2 – Complies. Tannery Road is a category 4 road and the Department of State Growth (the road authority for Tannery Road) advised on 6 September 2023:

- *On review of the additional information provided by NMC, I confirm the following road authority position:*
- *Agree that the access width shall be redesigned to ensure the largest design vehicle (25 m B-double) can left turn in and left turn out of the site without encroachment over the centre line on Tannery Road.*
- *Noting the requirement for a channelised right turn facility is triggered but considering the relatively urban context and 50 km/h speed limit. A minimum treatment of road widening to the southbound traffic lane (i.e. BAR) to result in at least 6.5 m of sealed road pavement (plus any required shoulder of kerb) needs to be provided to allow following traffic sufficient space to manoeuvre past a B-double waiting to turn right into the site.*
- *While also noting a left turn auxiliary lane is triggered, this is not considered necessary given the road environment and roadside constraints on the western side of Tannery Road.*

*If Council are happy with this approach and, consider a revised Access Permit Works Permit NEA06-20A amounts to a written consent for the purposes of C3.5.1 A1.2 regarding the new access proposed for PLN-23-0086 it would be just a matter of the applicant arranging a revised design showing the modified access and road widening be submitted to the department as a request to amend existing Access Works Permit NEA06-20.*

A1.3 – N/a

A1.4 – N/a – the crossing did not exist when the application was lodged, and as of writing had not been completed.

A1.5 – Complies.

**PARTICULAR PURPOSE ZONES**

NOR-P1.0	Particular Purpose Zone – Campbell Town Service Station	Not applicable
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NOR-P2.0	Particular Purpose Zone – Epping Forest	Not applicable
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SPECIFIC AREA PLANS		
NOR-S1.0	Translink Specific Area Plan	Not applicable
NOR-S2.0	Campbell Town Specific Area Plan	Not applicable
NOR-S3.0	Cressy Specific Area Plan	Not applicable
NOR-S4.0	Devon Hills Specific Area Plan	Not applicable
NOR-S5.0	Evandale Specific Area Plan	Not applicable
NOR-S6.0	Longford Specific Area Plan	Not applicable
NOR-S7.0	Perth Specific Area Plan	Not applicable
NOR-S8.0	Ross Specific Area Plan	Not applicable

GENERAL PROVISIONS		
7.1	Changes to an Existing Non-conforming Use	Not applicable
7.2	Development for Existing Discretionary Uses	Not applicable
7.3	Adjustment of a Boundary	Complies. A 13.2m wide strip will be created between lots 17 and 18 to provide rear access to the adjoining 25 Boral Road. This will increase the size of 25 Boral Road to 5322m <sup>2</sup> .
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	Not applicable
7.5	Change of Use	Not applicable
7.6	Access and Provision of Infrastructure Across Land in Another Zone	Not applicable
7.7	Buildings Projecting onto Land in a Different Zone	Not applicable
7.8	Port and Shipping in Proclaimed Wharf Areas	Not applicable
7.9	Demolition	Not applicable
7.10	Development Not Required to be Categorised into a Use Class	Under clause 6.2.6 subdivision is not required to be categorised into a use class.
7.11	Use or Development Seaward of the Municipal District	Not applicable
7.12	Sheds on Vacant Sites	Not applicable

#### 4.5 Representations

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

Graham Dash	
Bron Baker	PO Box 96 Longford
Ruby So JBS	PO Box 299 Carole Park QLD 4300
Ken Richards	4 Archer Street Longford
Paula Gordon-Smith	51 Marlborough St Longford
Greg & Cathie Green	1 Archer Street Longford
G & W Butler	22 Longford Close, Longford
Rob & Annette Aldersea	14 Lyttleton Street Longford
Nigel Stokes/Elaine Ray	1 Lyttleton Street, Longford
Robyn Wright	48 Malcombe St, Longford
Marcia Telford	237 Wellington St Longford
Neil Tubb	54 Marlborough St Longford

#### Traffic concerns

Council had an independent traffic impact assessment undertaken by Auswide Consulting It advised:

*In order to establish whether an auxiliary turning lane is required to support the operation, the traffic flows on the section of Tannery Road South on approach to the driveway servicing the facility were assessed. The evening peak period the traffic flows (bidirectional) was recorded at 1,008 vehicles/hour.*





*Figure 3.26 of AUSTRROADS Guide to Traffic Management – Part 6: Intersections, Interchanges and Crossings Management identifies the warrants for turn treatments on the major road at unsignalised intersection.*

*The operation of the proposed facility warrants a Channelised Right Turn (CHR(s)) and Auxiliary Left Turn (AUL) treatments. The proposal involves retaining the approved driveway located on Tannery Road South which is located very close to the existing intersection of Private Access Road with Tannery Road. Therefore, for the site access, a provision of Channelised Right turn lane (short) on Tannery Road South could potentially result in rear-end crashes involving motorists exiting the Private Access Road – thus, creating a safety concern for the road users. Therefore, further investigations involving road safety audit should be considered to retain the right turn access into the site.*

*Consideration should be given to the acceptable entry and exit combinations; this needs to be considered for the site as it is foreseeable that vehicles could be entering and exiting the site at the same time, and if required the plans be amended.*

This was provided to the Department of State Growth which advised:

*On review of the additional information provided by NMC, I confirm the following road authority position:*

- *Agree that the access width shall be redesigned to ensure the largest design vehicle (25 m B-double) can left turn in and left turn out of the site without encroachment over the centre line on Tannery Road.*
- *Noting the requirement for a channelised right turn facility is triggered but considering the relatively urban context and 50 km/h speed limit. A minimum treatment of road widening to the southbound traffic lane (i.e. BAR) to result in at least 6.5 m of sealed road pavement (plus any required shoulder of kerb) needs to be provided to allow following traffic sufficient space to manoeuvre past a B-double waiting to turn right into the site.*
- *While also noting a left turn auxiliary lane is triggered, this is not considered necessary given the road environment and roadside constraints on the western side of Tannery Road.*

*If Council are happy with this approach and, consider a revised Access Permit Works Permit NEA06-20A amounts to a written consent for the purposes of C3.5.1 A1.2 regarding the new access proposed for PLN-23-0086. It would be just a matter of the applicant arranging a revised design showing the modified access and road widening be submitted to the department as a request to amend existing Access Works Permit NEA06-20.*

As DSG is the road authority for Tannery Road, it is considered that the proposal complies with the road and railway assets code

*Signage should not hinder entry/exit vision*

A splay of 2.5m x 2m on each side of the driveway behind the property boundary. Any proposed plantings and signage must be no higher than 800mm within this splay.

*JBS Australia Pty Ltd seeks clarification on whether the border highlighted in yellow of the development will be a retaining wall or fully fenced such that vehicles will not have the option to turn into or access the shared road from the highlighted side.*

**Planner's response:** The 'siteworks and stormwater layout plan' shows this area to be a retaining wall.

*Detrimental impact on the heritage values of Longford*

**Planner's response:** The site is not heritage listed and is not in a heritage precinct under the planning scheme. As such the planning scheme does not allow for impact on heritage values to be assessed.

*10m high service station sign*

**Planner's response:** The plans show this to be a 6m high sign. This complies with the performance criteria.

*Removal of at least 4 trees from the avenue*

**Planner's response:** The Department of State Growth issued an access works permit in 2020 which allows for the removal of trees from the avenue for access.



*Do we need another service station in Longford*

**Planner's response:** The service station is a discretionary use in the General Business zone. The scheme requires a discretionary use not to compromise or distort the activity centre hierarchy. Activity centre hierarchy means the activity centre network or hierarchy referred to in a relevant regional land use strategy. The Northern Tasmania Regional Land Use Strategy lists Longford as a District Service Centre. It is considered that the proposal does not compromise or distort the activity centre hierarchy with regard to other District Service Centres. The scheme does not allow for consideration of the number of service stations within Longford.

#### 4.8 Objectives of the Land Use Planning and Approvals Act 1993

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

#### 4.9 State Policies

The proposal is consistent with all State Policies.

#### 4.10 Strategic Plan/Annual Plan/Council Policies

Strategic Plan - Statutory Planning

### 5 FINANCIAL IMPLICATIONS TO COUNCIL

Assessment of the application is within budget allocation.

### 6 OPTIONS

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

### 7 DISCUSSION

Discretion to refuse the application is limited to:

- 15.3.2 P1 – discretionary use in the zone.
- 15.3.2 P2 – discretionary use in the zone.
- 15.4.3 P2 – design
- C3.5.1 P1 – traffic generation at a crossing (if the planning authority does not accept the Department of State Growth's written consent for a new private crossing to serve the use and development), or if the planning authority considers that vehicular traffic to the site will be using an existing crossing.

The assessment against C3.5.1 is reproduced below from earlier in this report. It finds that the proposal complies with A1.2.

C3.5 Use Standards	
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	
Objective: To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.	
Acceptable Solutions	Performance Criteria
<b>A1.1</b> For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: <ul style="list-style-type: none"><li>(d) A new junction;</li><li>(e) A new vehicle crossing; or</li><li>(f) A new level crossing.</li></ul>	<b>P1</b> Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to: <ul style="list-style-type: none"><li>(i) Any increase in traffic caused by the use;</li><li>(j) The nature of the traffic generated by the use;</li></ul>
<b>A1.2</b>	



<p>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p><b>A1.3</b></p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p><b>A1.4</b></p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> <li>(c) The amounts in Table C3.1; or</li> <li>(d) Allowed by a licence issued under Part IVA of the <i>Road and Jetties Act 1935</i> in respect to a limited access road.</li> </ul> <p><b>A1.5</b></p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<ul style="list-style-type: none"> <li>(k) The nature of the road;</li> <li>(l) The speed limit and traffic flow of the road;</li> <li>(m) Any alternative access to a road;</li> <li>(n) The need for the use;</li> <li>(o) Any traffic impact assessment; and</li> <li>(p) Any advice received from the rail or road authority.</li> </ul>
<p><b>Comment:</b></p> <p>A1.1 – N/a Tannery Road is not a category 1 road.</p> <p>A1.2 – Complies. Tannery Road is a category 4 road and the Department of State Growth (the road authority for Tannery Road) advised on 6 September 2023:</p> <ul style="list-style-type: none"> <li>• <i>On review of the additional information provided by NMC, I confirm the following road authority position:</i></li> <li>• <i>Agree that the access width shall be redesigned to ensure the largest design vehicle (25 m B-double) can left turn in and left turn out of the site without encroachment over the centre line on Tannery Road.</i></li> <li>• <i>Noting the requirement for a channelised right turn facility is triggered but considering the relatively urban context and 50 km/h speed limit. A minimum treatment of road widening to the southbound traffic lane (i.e. BAR) to result in at least 6.5 m of sealed road pavement (plus any required shoulder of kerb) needs to be provided to allow following traffic sufficient space to manoeuvre past a B-double waiting to turn right into the site.</i></li> <li>• <i>While also noting a left turn auxiliary lane is triggered, this is not considered necessary given the road environment and roadside constraints on the western side of Tannery Road.</i></li> </ul> <p><i>If Council are happy with this approach and, consider a revised Access Permit Works Permit NEA06-20A amounts to a written consent for the purposes of C3.5.1 A1.2 regarding the new access proposed for PLN-23-0086 it would be just a matter of the applicant arranging a revised design showing the modified access and road widening be submitted to the department as a request to amend existing Access Works Permit NEA06-20.</i></p> <p>A1.3 – N/a</p> <p>A1.4 – N/a – the crossing did not exist when the application was lodged, and as of writing had not been completed.</p> <p>A1.5 – Complies.</p>	

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

## 8 ATTACHMENTS

1. PL N-23-0086 public exhibition documents [11.7.1 - 62 pages]
2. NM C-26 A Tannery Road South ( Longford)- TI A- R 1-1.2 FINAL [11.7.2 - 22 pages]
3. DSG email 6 September 2023 [11.7.3 - 4 pages]
4. Midson email 9 October 2023 [11.7.4 - 2 pages]
5. DSG Response [11.7.5 - 2 pages]
6. L 221017 - 113000.012 PL N-23-0086 - response to reps - 20230824 [11.7.6 - 3 pages]
7. Midson Traffic Response 28 August 2023 - 26 A Tannery Rd [11.7.7 - 6 pages]
8. Tas Networks response - Signage requirement [11.7.8 - 4 pages]
9. Tas Water Submission to Planning Authority Notice TWDA 2023 00729- NMC [11.7.9 - 2 pages]
10. W& I request for further info email [11.7.10 - 3 pages]
11. WI referral PL N-23-0086 26 A Tannery Road Longford (002) [11.7.11 - 1 page]
12. Representations collated [11.7.12 - 27 pages]
13. TIA - Additional Information PL N 23-0086 [11.7.13 - 4 pages]



## 12 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

### MINUTE NO. 23/0373

#### DECISION

Deputy Mayor Lambert/Cr Goss

That the Council cease to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, for the remainder of the meeting.

Carried Unanimously

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

*Mayor Knowles reconvened the meeting after the meal break at 6.42pm.*

#### **RECOMMENDATION**

That the Council cease to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, for the remainder of the meeting.



## 13 GOVERNANCE REPORTS

### 13.1 REVIEW OF LOCAL DISTRICT COMMITTEE STRUCTURE

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Victoria Veldhuizen, Executive Officer

#### MINUTE NO. 23/0374

##### DECISION

Cr Brooks/Cr Andrews

That Council extend the period of operation of the current Memorandum of Understanding until 30 June 2024 (or sooner if resolved) to allow additional time for the review of the Memorandum of Understanding to be undertaken.

Carried Unanimously

*Voting for the Motion:*

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

*Voting Against the Motion:*

Nil

##### **RECOMMENDATION**

That Council:

- a) accept and endorse the further proposed changes to the Local District Committee Memorandum of Understanding as attached.

##### **OR IN THE ALTERNATIVE**

- b) extend the period of operation of the current Memorandum of Understanding until 30 June 2024 to allow additional time for the review of the Memorandum of Understanding to be undertaken.

## 1 PURPOSE OF REPORT

The purpose of this report is to provide a further update to Council with feedback following consultation with stakeholders in relation to Council's review of Local District Committees, provide recommendations and seek guidance on the future direction of Local District Committees from Council.

## 2 INTRODUCTION/BACKGROUND

On 18 September 2023, Council considered an initial report on the Review of Local District Committees ("LDCs") which is **attached** to this report. On that occasion, Council resolved as follows:

#### **MINUTE NO. 23/0327**

##### DECISION

*Cr Adams/Cr Andrews*

*That Council endorse and accept the amendments to the Memorandum of Understanding and refer the document to the Local District Committees and receive comment until 8<sup>th</sup> October 2023.*

*Carried*

*Voting for the Motion:*

*Deputy Mayor Lambert, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks and Cr Goss*

*Voting Against the Motion:*

*Cr McCullagh and Cr Terrett*



On 19 September 2023, a copy of the 18 September 2023 Council report with attachments was provided to each LDC inviting feedback by Sunday 8 October 2023. The LDC's were also advised that at the 18 September 2023 meeting, Council raised the following matters which will be incorporated into the final version of the MOU:

- Update to Meeting Procedures section to include 'Acknowledgment of Country' as a mandatory agenda item; and
- Update to Meeting Procedures section to include 'Pecuniary Interest' as a mandatory agenda item.

The LDC's were also advised the following points were raised for further consideration:

- The proposed 'district' groupings of townships, noting the townships have been grouped based on proximity to present Committee's and the cultures of the townships;
- Implementing further structure around the requirement of meeting minutes; and
- Feedback on why people leave the Local District Committees.

In addition, the Devon Hills Neighbourhood Watch and Residents Management Committee was written to seeking feedback and recommendations.

Past LDC members were also contacted for the purpose of seeking their feedback. 23 past LDC members were contacted.

Council has now received feedback from the LDCs, summarised as follows (full responses/reasons that were received are **attached**):

- Avoca, Rossarden & Royal George (verbal feedback from Chairperson received)
  - Some Committee members do not want change to the MOU or operation of the Committee.
  - Otherwise, the Committee will follow changes implemented by Council.
  - They would encourage men to participate more, however note that this might require night time meetings which the Committee members are uncomfortable with.
- Campbell Town (comments contained with the meeting minutes)
  - Meetings should be bi-monthly on the condition that special meetings can be called in applicable circumstances to ensure that appropriate representation to Council is maintained.
  - Meetings should be held on the first Tuesday of the month at 4.00pm.
  - No meetings should be held in January.
  - It was suggested that the Acknowledgement of Country should be undertaken at the first meeting of each year as an enduring message for the remainder of the meetings rather than at each consecutive meeting.
- Cressy (comments contained with the meeting minutes)
  - The Committee agreed to accept the revised MOU as stated
  - The Committee requests NMC advise as to why Poatina is to be added to the association, as the Poatina community is a closed community and as such have very little involvement in the NMC community.
  - The Committee urge NMC to communicate more regarding information when they seek it.
- Evandale (a copy of the full letter is **attached**)
  - "bi-monthly" requires a definition
  - Agree with meetings occurring every two months with the understanding a special meeting can be convened if necessary
  - EAC considered options for increasing the membership and its diversification including the proposed 'district' groupings of townships based on the proximity of the present committees and the cultures of townships. No concerns were raised and the EAC acknowledged the advantages of the inclusion of Western Junction, Breadalbane, and Nile as part of the representative catchment area particularly with regard to strategic matters
  - It was suggested that the Acknowledgement of Country should be undertaken at the first meeting of each year as an enduring message for the remainder of the meetings rather than at each consecutive meeting.





- The EAC acknowledges the requirements for unified meeting procedure's, structure, and the advantages of appropriate training, and offers no further feedback.
- That the Committee accepts all other recommendations made in the District Committee Review MOU.
- Evandale Advisory Committee would like to take this opportunity to thank Northern Midlands Council for the opportunity to provide input to the Review of Local District Committees.
- Longford (a copy of the full letter is **attached**)
  - A special meeting was convened, with quorum present, to discuss the review in detail
  - LLDC supports the suggestion that all committees be known as "District Committee"
  - LLDC agree that the purpose of the Committees should be at a macro level, "the bigger picture".
  - To that end however, more recently, Committees have often not been consulted for feedback to aid Council with its strategic planning and projects.
  - Increasing consultation with the committees would assist in reinvigorating and enhancing their purpose and role, which as a result, would attract more members.
  - Lack of consultation with the committees, along with suggestions and requests often being rejected, as a cause of much frustration for committee members – this is a major reason for members to leave
  - We agree that micro level issues should generally be dealt with through "customer requests". Feedback should be provided to the committee notifying them as such in a timely manner.
  - We agree that no amendments are needed to the minimum and maximum number of committee members.
  - The LLDC have no issue with broadening the membership base of the LDC's. We agree it is appropriate to include Bishopsbourne and Toiberry in the Longford Committee, however geographically we recommend it is more appropriate for Liffey to be included in Cressy.
  - LLDC strongly opposes the recommendation that Council impose a maximum of bi-monthly meetings for committees. This is in effect penalising and holding back proactive committees such as Longford due to the inactivity of others. Bi-monthly meetings will add to a delay, not alleviate it.
  - Two months is too long a time frame for matters of urgency or important issues to be addressed. District Committees must have the ability to consider and address Council's response to recommendations they have put forward and take further action as it deems necessary, in a timely manner.
  - LLDC disagrees with the suggestion that matters are discussed by committees without reaching a resolution.
  - If Council Officers require more time to consider and investigate any motion received from a Committee, the Committee should be advised.
  - Bi-monthly will not encourage more members onto our District Committee. It may indeed have the opposite consequence of Committees being deemed not beneficial, ineffective, and not achieving outcomes, therefore not worth being a member of.
  - LLDC also disagree that meeting outside business hours could be prohibitive to broader community membership. After hours meetings allow a more diverse representation of the community to be members on the committee, given that most people work, have appointments, or other volunteer commitments, during business hours.
  - Out of hours meetings also provides the opportunity for a broader section of the community to attend a District Committee meeting as a guest, if they wish.
  - Concern for the LLDC in the lack of support from Council to provide a permanent meeting location. To mitigate this issue, the LLDC requests that a meeting room be provided free of charge in the Longford Memorial Hall when the redevelopment is completed
  - LLDC strongly disagrees with the recommendation that Council cease the practice of circulating planning applications to the LDC's. Committee members can bring planning matters to the attention of the community, thereby providing individuals with the opportunity to submit a representation if they wish.
  - LLDC recognising that there is a large section of the community who are unaware of the LDC's existence or, that they can attend a meeting as a guest, has discussed at length avenues that will increase community



awareness. The options available to achieve this is very limited as LDC's have no financial means for advertising or promotion.

- LLDC suggests that Council increase awareness of LDC's, by promoting their role as a communication channel between Council and the community, and the opportunity for community members to attend a meeting as a guest by:
  - Publicising LDC's in the Northern Midlands Courier;
  - Advising community groups, business groups, other committees etc.;
  - Notices on community notice boards;
  - Information flyer letter drop (committee members could assist with distribution); and
  - Suggestion boxes in frequented community locations (i.e. Brown's Hill Street Complex Longford).
- LLDC supports "Acknowledgement of Country" as a mandatory agenda item.
- LLDC supports "Pecuniary Interest" as a mandatory agenda item.
- Clause 5.12 - LLDC ask that if an existing members re-application is unsuccessful, a written explanation as to why should be provided.
- Clause 6.2.a - LLDC recommends two points of contact and suggests both the Chairperson and the Secretary. If the single contact is away, communications to the committee may not be received for actioning in a timely manner.
- Clause 6.3.e - LLDC requests that if a matter referred to Council by the Committee is not appropriate as a Motion, that the Committee is advised if the matter/issue raised is referred to a relevant Council department and why.
- Clause 7.2 - LLDC strongly objects to the decrease in meeting frequency.
- Clause 10.b - The LLDC agree with this point, however this is not currently occurring.
- Clause 11 - references to bi-monthly meetings must be changed
- Annexure A – Supported with the addition of a recommendation number
- Perth (Quorum not met so no meeting minutes to be provided – written feedback received)
  - Consideration of attendance by Zoom.
  - Meetings on a monthly basis.
  - Agree with the Acknowledgement of Country.
  - Request a flow chart to help determine which topics are operational and which are strategic.
  - Do not agree with Devon Hills being joined – no benefit to them joining as their structure is different.
  - Purpose of the LDC's remains unclear.
  - Suggest a meeting of all LDC Chairpersons be convened to consider LDC purpose and discuss with Council.
  - Greater emphasis on the purpose of the LDC's, not just the procedural and operational matters.
  - Council need to actively promote membership to LDC's.
  - The LDC's purpose needs to be clarified before the MOU is finalised or membership advertised.
- Ross (a copy of the full email is **attached**)
  - The Committee have requested an extension of time for the review for the purpose of Council convening workshops in Longford and Campbell Town for the LDC's who require assistance with the review to attend, to consider Council's report and proposed changes.
  - A brief review by the Committee at the monthly meeting is insufficient to review, comment on and suggest additions, modifications or deletions to the draft MOU.
  - The Committee fully supports the review of the LDC's.
  - The Committee expressed opinions that there are some very good and worthwhile additions and changes in the proposed amended MOU.
  - The Committee fully supports the suggestion that LDC's meet on a bi-monthly basis.
  - Concerns were raised in relation to activities listed in the MOU as being LDC responsibilities to perform, when it would appear to be Council's responsibility, i.e. volunteer inductions.
  - The statement "Committee's do not deal with complaints" is contradictory with "will direct any complaints received to Council".



- The MOU details several functions the LDC's should perform, e.g. to liaise with the community and special interest groups to ascertain their views/opinions on local issues and projects and notify Council of these, but provides no detail of what resources Council will provide to assist LDC's in performing these types of functions, not the actual mechanism by which it will be performed. Inclusion of functions like this will be difficult to implement and complete unless appropriate resources are provided and the methodology spelt out as to how to perform the function.
- In several instances, the MOU only states the "what", not address the "how".
- The Committee stands ready to fully assist Council in regards to the review.

Council received two responses from past LDC members, summarised as follows:

- Membership on the LDC resulted in a dilemma of appearing as an advocate for local Council initiatives while also being seen by community members as a willing participant in Council's planning process, including in relation to controversial planning applications, and apparent lack of Council to address planning concerns raised.
- Decision to leave the LDC was a result of Council's accountability and procedure.
- The LDC scope is not focussed more broadly on the 'district', rather the focus is the main centre of the township. It is more reflective of a 'township committee' rather than a 'district committee'.
- The narrowed scope by the LDC seemingly resulted in no benefit of being on the LDC.
- Disagreement with improvements made in the community being of benefit to local ratepayers.
- The operation of the LDC has changed over the years and it is completely different now to how they used to operate, for example, in years gone by the LDC would consider and discuss matters of an operational nature and take action. Now no discussions are undertaken, are discouraged, and issues raised are advised to be notified as a Customer Request.
- Agreement that monthly meetings are effective, however meetings times being in the middle of the day are not effective and impact on people who wish to attend e.g. business owners, farmers, full time employees.

An additional suggestion (not LDC endorsed, an individuals recommendation) received is for Council to consider a discount scheme for its registered and inducted volunteers as a measure to attract and retain membership, e.g. reduced hire fees for Council's facilities as per 'local resident' reductions.

Council did not receive a formal response from the Devon Hills Neighbourhood Watch and Residents Management Committee, however did receive some verbal comments as follows:

- They previously met on a monthly basis and found this problematic for attendance reasons. They moved to bi-monthly meetings occurring on a weekend and have found this has increased engagement, including from the wider community, at meetings.
- This Committee publishes a community notice flyer which they letter box drop to all residents in the area to provide regular updates to the Devon Hills Community, including details of the next meeting, inviting all to attend.

### **3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN**

#### **3.1 Strategic Plan 2021-2027**

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

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

**Leaders with Impact**

**Strategic outcomes:**

- 1.1 Council is connected to the community
- 1.2 Councillors serve with integrity and honesty



1.3 Management is efficient, proactive and responsible

1.4 Improve community assets responsibly and sustainably

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

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

**Strategic outcomes:**

2.2 Proactive engagement drives new enterprise

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

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

**Strategic outcomes:**

3.4 Towns are enviable places to visit, live and work

### 3.2 Integrated Priority Projects Plan 2021

Not applicable.

## 4 POLICY IMPLICATIONS

Nil

## 5 STATUTORY REQUIREMENTS

### 5.1 Local Government Act 1993

#### 23. Council committees

- 1) A council may establish, on such terms as it thinks fit, council committees to assist it in carrying out its functions under this or any other Act.
- 2) A council committee consists of councillors appointed by the council and any councillor who fills a vacancy for a meeting at the request of the council committee.
- 3) A meeting of a council committee is to be conducted in accordance with prescribed procedures.

#### 24. Special committees

- 1) A council may establish, on such terms and for such purposes as it thinks fit, special committees.
- 2) A special committee consists of such persons appointed by the council as the council thinks appropriate.
- 3) The council is to determine the procedures relating to meetings of a special committee.

### 5.2 Local Government (Meeting Procedures) Regulations 2015

## 6 FINANCIAL IMPLICATIONS

There were no additional financial implications identified in the further assessment of the LDC's to those outlines in the 18 September 2023 Report.

## 7 RISK ISSUES

If the MOU between Council and the LDC's is not clear, there is a risk of:

- The LDC's not understanding their role and functions;
- Confusion of LDC members;
- Members acting outside the scope of their role;
- Misunderstanding of the Councillor Representatives role on the LDC;
- LDC's not acting on matters referred to it by Council; or
- A loss of connection between Council and the LDC's, including as to Council's strategic plan.

There is also a risk to Council if it fails to develop and maintain a positive relationship with the community via the LDC's. This could result in an inadequate awareness and understanding of the community requirements by Council, resulting in



community unrest and dissatisfaction. This could be seen as a lack of engagement with the community, poor decision making, have negative financial implications, poor public image and reputation, negatively impact on Council's service delivery and operations, staff morale and result in a failure to recruit and retain staff and volunteers.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable.

## **9 COMMUNITY CONSULTATION**

Consultation has now taken place with the LDC's.

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

Council can:

- a) Not accept the further proposed changes to the MOU and re-confirm the in principle endorsement of the Memorandum of Understanding in Minute Reference 23/0327 and make no further amendments; or
- b) Accept and endorse the further proposed changes to the MOU as attached; or
- c) Disband the Local District Committees entirely; or
- d) Defer the review of the Local District Committees for further consideration and consultation, while further extending the operation of the current MOU; or
- e) Consider and suggest alternative changes to the MOU.

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

Council has put the proposed amended MOU to the LDC's, past members and a Management Committee for review and comment. All seven LDC's have provided feedback, some brief and other's more detailed. Two of the seven LDC's have requested time for additional consultation, specifically in relation to the purpose of the LDC's and other issues identified/raised.

Of the seven LDC's, the majority of the LDC's (five) are agreeable to a maximum of bi-monthly meetings occurring.

All LDC's agree with the Acknowledgment of Country and Declarations of Interest being included in the meeting procedures.

Some of the issues raised can be addressed by amending the wording of the MOU to provide more clarity and/or training being provided to the LDC's on various matters e.g. the distinction between operational vs. strategic matters.

While it is open for the elected members to further postpone the review process to allow more consultation with the LDC's, the elected members could also be satisfied based on the extensive feedback received as summarised above, bearing in mind not all seven LDC's may see the LDC's role or processes in the same way, however Council adopts a uniform MOU for all seven LDC's for consistency reasons. While this may result in a couple of LDC's being unhappy, if the proposed changes are reflective of the majority's view this is a balanced solution.

Of the proposed district groupings, the townships of Poatina (to Cressy), Liffey (to Longford) and Devon Hills (to Perth) are the ones identified as being problematic. It is the Officer's view that while Poatina may be a closed community, it would be exclusionary to not include them in the district groupings. In relation to Liffey, while Liffey could be placed with either Longford or Cressy, the connection between Longford and Liffey is considered more commensurate. The commentary about the Devon Hills Management Committee having a different structure to the LDC's, the proposal is not to combine the two committees into one, rather it is to open up membership on the Perth LDC to residents of the Devon



Hills area. It is therefore recommended for this to remain included within the Perth district as to exclude it would result in the residents of Devon Hills not being entitled to sit on any LDC (separately to the Management Committee).

A further amended MOU (with amendments made arising from the feedback session being highlighted in blue and the proposed amendments put to Council and the LDC's in yellow) is attached for Council's further consideration and endorsement.

## **12 ATTACHMENTS**

1. LDC MOU Review - September 2023 v 3 [13.1.1 - 9 pages]
2. 2023-09-18 Open Council Minutes - Review of Local District Committees [13.1.2 - 12 pages]
3. Letter from Evandale Advisory Committee re Councils Review of Local District Committees 03.10.2023 [13.1.3 - 2 pages]
4. 2023-10-05 LLDC response to NMC review of LD Cs ( Redacted) [13.1.4 - 4 pages]
5. Council s Review of Local District Committees - RLDC ( Redacted) [13.1.5 - 3 pages]





### 13.2 POLICY: UNREASONABLE CUSTOMER CONDUCT (NEW POLICY); AND CUSTOMER SERVICE CHARTER (REVIEW)

Responsible Officer: Maree Bricknell, Corporate Services Manager  
Report prepared by: Maree Bricknell, Corporate Services Manager

#### MINUTE NO. 23/0375

#### DECISION

Cr Terrett/Deputy Mayor Lambert  
That Council

- a) endorse the Unreasonable Customer Conduct Policy; and
  - b) endorse the minor amendments to the Customer Service Charter, together with the Service Standards Schedule.
- Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

#### RECOMMENDATION

That Council

- a) endorse the Unreasonable Customer Conduct Policy; and
- b) endorse the minor amendments to the Customer Service Charter.

#### 1 PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement of the following policies:

- the newly developed Unreasonable Customer Conduct Policy; and
- the minor amendments to Council's Customer Service Charter.

#### 2 INTRODUCTION/BACKGROUND

A report was tabled at the 18 September 2023 Council meeting at which time the following was the decision of Council:

#### MINUTE NO. 23/0331

#### DECISION

Cr Terrett/Cr Goss

*That the matter be deferred for Workshop discussion.*

*Carried*

The matter was listed for discussion at the 2 October 2023 Council workshop and the policies are subsequently listed for Council's endorsement.

#### a) Unreasonable Customer Conduct

At the 26 June 2023 Council Meeting, Cr Terrett put forward the following Motion on Notice and accompanying background to the request:

*"That council develop a Dealing with Difficult Customer Policy together with the review of the Customer Service Charter in accordance with section 339F(4) of the Local Government Act 1993.*

*The main objective of the Dealing with Difficult Customer Behaviour Policy is to outline Council's expectations and procedures for dealing with situations which may arise from time to time.*



*Councils are customer focused organisations, dedicated to ensuring that all customers are treated fairly and reasonably. The Council is committed to balancing the rights of customers to make complaints, with the rights of Councillors and staff to respect and safety, and the equitable allocation of time and resources.*

*It is expected that Councillors and staff will:*

- treat all customers with respect and courtesy;*
- act with integrity and honesty; and*
- respond to customer enquiries promptly and efficiently.*

*In return the Council expects their customers will treat all Councillors and staff with mutual respect and courtesy. The Council will not accept:*

- threatening or aggressive behaviour by customers towards Councillors and staff; or*
- behaviours that place unreasonable demands on Council resources.*

*A Dealing with Difficult Customer Behaviour Policy should aim to:*

- provide guidance for the Council customers, Councillors and staff on how unreasonable customer behaviours will be dealt with.*
- ensure Councillors and staff are aware of their roles and responsibilities in relation to the management of unreasonable customer conduct and how these procedures will be used.*
- ensure Councillors and staff feel confident and supported in taking appropriate action to manage any unreasonable customer conduct.*

*The Local Government Act 1993, Section 20 (1) Functions and Powers - requires (a) to provide for the health, safety and welfare of the community; (b) to represent and promote the interests of the community; (c) to provide for the peace, order and good government of the municipal area. By having a Dealing with Difficult Customer Policy which articulates Council's expectations in relation to customer behaviour will assist managing difficult situations of behaviour, ensuring consistency and transparency in treatment of members of the public and ensuring risks are minimised.*

*The Northern Midlands Council does not have a Dealing with Difficult Customer policy which helps facilitate both parties in disputes. ...*

*The Council is due to review its Customer Service Charter within 12 months of a council election, in accordance with section 339F(4) of the Local Government Act 1993.*

The following was the decision of Council at this time (Minute No. 23/0169)

*Cr Terrett/Cr McCullagh*

*That Council Officer's prepare a report on the following notice of motion to be presented to a future Council Meeting:*

*"That council develop a Dealing with Difficult Customer Policy together with the review of the Customer Service Charter in accordance with section 339F(4) of the Local Government Act 1993.*

*Carried*

*Voting for the Motion:*

*Deputy Mayor Lambert, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett*

*Voting Against the Motion:*

*Mayor Knowles, Cr Adams and Cr Andrews*

A further review of the draft policy presented to the September Council meeting has been undertaken and an alternate policy is presented for endorsement.

The alternate policy presented has been formulated from the Consumer Affairs Victoria and Mildura Rural City Council (Vic) policies.

The Unreasonable Customer Conduct Policy has been developed in conjunction with the review of Council's Customer Service Charter.

## **b) Customer Service Charter**

This policy has been reviewed in conjunction with the development of the Dealing with Difficult Customers Policy; and has resulted in the following minor amendments being recommended.



In the attached policy document, recommended amendments have been highlighted and deletions include strikethrough.

- date for review;
- amendment to the objective; and
- minor grammatical changes.

A further review of the Customer Service Charter has been undertaken. The Charter is consistent with the legislation and no amendment to the draft presented to the September council meeting is recommended. However, a schedule of service standards has been prepared as an addendum to the Charter, if required.

### **3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN**

#### **3.1 Strategic Plan 2021-2027**

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

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

**Leaders with Impact**

**Strategic outcomes:**

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

#### **3.2 Integrated Priority Projects Plan 2021**

Not applicable.

### **4 POLICY IMPLICATIONS**

Development of new policies is essential to provide direction and clarity to both Councillors, Council Officers and the general public in order to provide consistent service in a professional and ethical manner.

Regular review of policies is important to ensure they remain current and correspond with any legislative changes.

### **5 STATUTORY REQUIREMENTS**

#### **a) Unreasonable Customer Conduct**

Not applicable

#### **b) Customer Service Charter**

***Local Government Act 1993***

In accordance with section 339F(4) of the *Local Government Act 1993*, Council is required to review its Customer Service Charter within 12 months following a council election.

### **6 FINANCIAL IMPLICATIONS**

Not applicable.

### **7 RISK ISSUES**

It is important for Council to set out its guidelines for the provision of services within the municipal area.



**8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable.

**9 COMMUNITY CONSULTATION**

Not applicable.

**10 OPTIONS FOR COUNCIL TO CONSIDER**

**a) Unreasonable Customer Conduct**

- Council can endorse the draft policy as presented; or
- Council can endorse the draft policy with amendments;
- Council can receive the report and not endorse the draft policy.

**b) Customer Service Charter**

- Council can endorse the policy with minor amendments as presented; or
- Council can endorse the policy with further amendments;
- Council can endorse the policy with amendments, together with the Service Standard Schedule; or
- Council can not endorse the amended policy.

**11 OFFICER'S COMMENTS/CONCLUSION**

That Council receive the report; and

**a) Unreasonable Customer Conduct**

That Council consider the draft policy as presented.

**b) Customer Service Charter**

That Council consider the policy amendments as highlighted in the attachments, and note the addendum to the policy.

**12 ATTACHMENTS**

1. Draft - Unreasonable Customer Conduct Policy [**13.2.1** - 5 pages]
2. Customer Service Charter [**13.2.2** - 3 pages]
3. DRAFT Customer Service Standards [**13.2.3** - 1 page]



### 13.3 APPOINTMENT OF COUNCIL REPRESENTATIVES TO SPECIAL COMMITTEES, ADVISORY COMMITTEES & OUTSIDE BODIES: CAMPBELL TOWN MUSEUM & MORVEN PARK RECREATION GROUND SPECIAL COMMITTEES OF COUNCIL

Responsible Officer: Des Jennings, General Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

#### MINUTE NO. 23/0376

#### DECISION

Cr Archer/Cr Brooks

That Council

- appoint Cr Terrett as its representative on the Campbell Town Museum Special Committee; and
- amend the Councillor representative schedule in relation to the Morven Park Recreation Ground Committee to Cr Terrett only.

for the 2022-2026 period.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

#### RECOMMENDATION

That Council

- appoint Cr/s ..... as its representative on the Campbell Town Museum Special Committee; and
  - amend the Councillor representative to the Morven Park Recreation Ground Committee to Cr Terrett only.
- for the 2022-2026 period.

## 1 PURPOSE OF REPORT

A report appointing Councillors to Special Committees, Advisory Committees and Outside Bodies was considered at the 28 November 2022 Council meeting.

It was noted that no appointment was made in respect of the Campbell Town Museum Special Committee of Council, and recently Cr Goss advised that he no longer wished to be listed as a second Councillor representative to the Morven Park Management Committee as Cr Terrett had also been appointed.

## 2 INTRODUCTION/BACKGROUND

In accordance with the provisions of *Section 24 of the Local Government Act 1993*, Special Committees have been established by Council to manage assets within the municipal area and also Advisory Committees and Outside Authorities require Council representation to attend meetings and deal with a range of issues.

## 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

### 3.1 Strategic Plan 2021-2027

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

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

**Leaders with Impact**

**Strategic outcomes:**



- 1.1 Council is connected to the community
- 1.2 Councillors serve with integrity and honesty

### 3.2 Integrated Priority Projects Plan 2021

Not applicable.

## 4 POLICY IMPLICATIONS

The appointment process for Council Representatives to Committees of Council and Outside Bodies has been undertaken in accordance with the Meeting Procedures Policy:

- Adopted by Council on 23 September 2002 (and in the Review of Council Procedures undertaken on 16 October 2006) - min. ref. 388/06
- Revised 25 January 2010 - Min. No: 15/10
- Amended 22 March 2010 - Min. No. 69/10
- Amended 21 September 2015 and incorporating Recording of Meeting Policy - Min. No. 253/14
- Amended 20 August 2018 - Min. No. 218/18
- Amended 28 June 2021 – Min. No. 214/21
- Amended 18 September 2023 – Min. No. 23/0329

## 5 STATUTORY REQUIREMENTS

### 5.1 Local Government Act 1993

The appointment of Council representatives is in accordance with *Section 24* of the *Local Government Act 1993*:

- (1) *A council may establish, on such terms and for such purposes as it thinks fit, special committees.*
- (2) *A special committee consists of such persons appointed by the council as the council thinks appropriate.*
- (3) *The council is to determine the procedures relating to meetings of a special committee.*

## 6 FINANCIAL IMPLICATIONS

N/a

## 7 RISK ISSUES

N/a

## 8 CONSULTATION WITH STATE GOVERNMENT

N/a

## 9 COMMUNITY CONSULTATION

N/a

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council can opt to **appoint or not appoint** a representative/s to this Special Committees.

## 11 OFFICER'S COMMENTS/CONCLUSION

Representation on Special and Other Committees of Council has been an excellent mechanism in providing a link with the organisation and Council and is appreciated by other members.

Cr Terrett has requested that the appointment of a representative to this Campbell Town Museum Special Committee be considered by Council.





Cr Goss has requested that a correction be made to remove him as representative of the Morven Park Management Committee.

**12 ATTACHMENTS**

Nil



### 13.4 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT): 1 NOVEMBER 2023 GENERAL MEETING

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

#### MINUTE NO. 23/0377

#### DECISION

Cr Terrett/Cr Andrews

That Council in relation to the Local Government Association of Tasmania (LGAT) General Meeting to be held on 1 November 2023 delegate Mayor Knowles to vote as follows:

**a) vote as follows in relation to the following items listed in the LGAT General Meeting Agenda for the meeting to be held on 1 November 2023:**

**2.1 MOTION - PARKS AND WILDLIFE SERVICE AND CROWN LAND SERVICES REVIEW AND RESOURCING**

Council – Break O’Day

**Decision Sought**

That LGAT lobby the Tasmanian Government to undertake a review of the administrative activities of the Tasmanian Parks and Wildlife Service (PWS) and Crown Land Services (CLS) with a particular focus on ensuring that the required level of resources are available to assess applications and deal with enquiries in a timely manner.

Vote for the Motion

**2.2 MOTION - ROAD LINE MARKING RESPONSIBILITIES**

Council – Kingborough

**Decision Sought**

That LGAT undertake advocacy on behalf of Councils to have road line marking responsibilities legislated and additional funding provided by the State Government.

Vote against the Motion

**2.3 MOTION - DIVERSITY AND INCLUSION STATEMENT**

Council – Kingborough Council

**Decision Sought**

That Members note the Diversity and Inclusion Statement developed by Kingborough Council and agree to consider developing and adopting a similar statement to support safe, welcoming, and inclusive communities across Tasmania.

Vote against the Motion

**2.4 MOTION – REVIEW OF 42 DAY DEVELOPMENT APPLICATION TIMEFRAME**

Council – Clarence City

**Decision Sought**

That LGAT be requested to convene a reference group from member Councils to develop options and recommendations for the sector to:

- 1 Assess the impact of the 42-day rule on planning outcomes across local Councils in Tasmania (including both qualitative and quantitative data).
- 2 Identify what practices and delegations councils currently utilise to manage the 42- day rule, including the impact of those practices and delegations on representor objections.
- 3 Review equivalent ‘deemed approval’ and timeframe extension mechanisms of other jurisdictions to compare with Tasmania’s arrangements.
- 4 Based on the findings of points 1, 2 and 3 above, identify whether the 42-day rule operates in a manner that is fair and equitable to all parties to a development application; that is both applicants and representors.
- 5 Recommend changes be implemented to ensure development applications are not required to be resolved under delegation because an applicant refuses to grant an extension of time for an application to be considered at a Council meeting.

Vote for the Motion

**b) note/receive the following items listed in the LGAT General Meeting Agenda for the meeting to be held on 1 November 2023:**



**1.1 CONFIRMATION OF MINUTES \***

*That the Minutes of the meeting held on 30 June 2023, as circulated, be confirmed.*

**1.2 BUSINESS ARISING \***

*That Members note the information.*

**1.3 CONFIRMATION OF AGENDA**

*That consideration be given to the Agenda items and the order of business.*

**1.4 FOLLOW UP OF MOTIONS \***

*That Members note the following report.*

**1.5 PRESIDENT'S REPORT**

*That Members note the report on the President's activity from 9 June to 29 September 2023.*

**1.6 CHIEF EXECUTIVE OFFICER'S REPORT**

*That Members note the report on the CEO's activity from 9 June until 29 September 2023.*

**1.7 COUNCIL ROUND UPS**

*That Members note there will not be a council round up this meeting.*

**4.1 FUTURE OF LOCAL GOVERNMENT REVIEW**

*That Members note the update on the Future of Local Government Review – Stage 3.*

**4.2 STATE BUDGET 2024-2025**

*That Members note the update on our intended content for LGAT's submission to the State Budget 2024-2025*

**4.3 PLANNING REFORMS UPDATE**

*That Members note the update on current planning reforms.*

**4.4 HOUSING**

*That Members note the update on housing policy matters and its driving influence on planning policy at both state and national levels.*

**4.5 WORKPLACE HEALTH AND SAFETY REVIEW \***

*That Members note the progress on the implementation of the Workplace Health and Safety Review of Elected Representatives (WH&S Review).*

**4.6 ROAD MANAGEMENT LEGISLATION REVIEW**

*That Members note the update on the Road Management Legislation Review and the consultation period for the Discussion Paper.*

**4.7 EMERGENCY MANAGEMENT UPDATE**

*That Members note the update on emergency management.*

**4.8 ROYAL COMMISSION RECOMMENDATIONS AND CHILD SAFE ORGANISATIONS**

*That Members note the update on Child and Youth Safe Organisation Act 2023 and Royal Commission into Institutional Responses to Child Sexual Abuse, recommendation 6.12*

**4.9 LOCAL GOVERNMENT HEALTH AND WELLBEING NETWORK AND LIFT LOCAL PROJECT**

*That Members note the progress of the Local Government Health and Wellbeing Network and Lift Local Funding.*

**4.10 ENVIRONMENTAL PROTECTION AUTHORITY MEMORANDUM OF UNDERSTANDING \***

*That Members note the report on LGAT's refreshed Memorandum of Understanding with EPA Tasmania.*

**4.11 CLIMATE CHANGE**

*That Members note the update on climate change activities.*

**4.12 WASTE AND RESOURCE RECOVERY**

*That Members note the report on waste and resource recovery.*

**4.13 LGAT PROCUREMENT**

*That Members note the following update on procurement support for councils.*

**4.14 EVENTS AND PROFESSIONAL DEVELOPMENT OVERVIEW**

*That Members note the report on events and discuss the opportunities for the Association with elected representative learning and development.*

**4.15 POLICY UPDATE**

*That Members note the update on various policy matters.*

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## RECOMMENDATION

That Council in relation to the Local Government Association of Tasmania (LGAT) General Meeting to be held on 1 November 2023 delegate Mayor Knowles to vote as follows:

**a) vote as follows in relation to the following items listed in the LGAT General Meeting Agenda for the meeting to be held on 1 November 2023:**

**2.1 MOTION - PARKS AND WILDLIFE SERVICE AND CROWN LAND SERVICES REVIEW AND RESOURCING**

*Council – Break O’Day*

**Decision Sought**

*That LGAT lobby the Tasmanian Government to undertake a review of the administrative activities of the Tasmanian Parks and Wildlife Service (PWS) and Crown Land Services (CLS) with a particular focus on ensuring that the required level of resources are available to assess applications and deal with enquiries in a timely manner.*

**Vote for / against the Motion**

**2.2 MOTION - ROAD LINE MARKING RESPONSIBILITIES**

*Council – Kingborough*

**Decision Sought**

*That LGAT undertake advocacy on behalf of Councils to have road line marking responsibilities legislated and additional funding provided by the State Government.*

**Vote for / against the Motion**

**2.3 MOTION - DIVERSITY AND INCLUSION STATEMENT**

*Council – Kingborough Council*

**Decision Sought**

*That Members note the Diversity and Inclusion Statement developed by Kingborough Council and agree to consider developing and adopting a similar statement to support safe, welcoming, and inclusive communities across Tasmania.*

**Vote for / against the Motion**

**2.4 MOTION – REVIEW OF 42 DAY DEVELOPMENT APPLICATION TIMEFRAME**

*Council – Clarence City*

**Decision Sought**

*That LGAT be requested to convene a reference group from member Councils to develop options and recommendations for the sector to:*

- 1 Assess the impact of the 42-day rule on planning outcomes across local Councils in Tasmania (including both qualitative and quantitative data).*
- 2 Identify what practices and delegations councils currently utilise to manage the 42- day rule, including the impact of those practices and delegations on representor objections.*
- 3 Review equivalent ‘deemed approval’ and timeframe extension mechanisms of other jurisdictions to compare with Tasmania’s arrangements.*
- 4 Based on the findings of points 1, 2 and 3 above, identify whether the 42-day rule operates in a manner that is fair and equitable to all parties to a development application; that is both applicants and representors.*
- 5 Recommend changes be implemented to ensure development applications are not required to be resolved under delegation because an applicant refuses to grant an extension of time for an application to be considered at a Council meeting.*

**Vote for / against the Motion**

**b) note/receive the following items listed in the LGAT General Meeting Agenda for the meeting to be held on 1 November 2023:**



**1.1 CONFIRMATION OF MINUTES \***

*That the Minutes of the meeting held on 30 June 2023, as circulated, be confirmed.*

**1.2 BUSINESS ARISING \***

*That Members note the information.*

**1.3 CONFIRMATION OF AGENDA**

*That consideration be given to the Agenda items and the order of business.*

**1.4 FOLLOW UP OF MOTIONS \***

*That Members note the following report.*

**1.5 PRESIDENT'S REPORT**

*That Members note the report on the President's activity from 9 June to 29 September 2023.*

**1.6 CHIEF EXECUTIVE OFFICER'S REPORT**

*That Members note the report on the CEO's activity from 9 June until 29 September 2023.*

**1.7 COUNCIL ROUND UPS**

*That Members note there will not be a council round up this meeting.*

**4.1 FUTURE OF LOCAL GOVERNMENT REVIEW**

*That Members note the update on the Future of Local Government Review – Stage 3.*

**4.2 STATE BUDGET 2024-2025**

*That Members note the update on our intended content for LGAT's submission to the State Budget 2024-2025*

**4.3 PLANNING REFORMS UPDATE**

*That Members note the update on current planning reforms.*

**4.4 HOUSING**

*That Members note the update on housing policy matters and its driving influence on planning policy at both state and national levels.*

**4.5 WORKPLACE HEALTH AND SAFETY REVIEW \***

*That Members note the progress on the implementation of the Workplace Health and Safety Review of Elected Representatives (WH&S Review).*

**4.6 ROAD MANAGEMENT LEGISLATION REVIEW**

*That Members note the update on the Road Management Legislation Review and the consultation period for the Discussion Paper.*

**4.7 EMERGENCY MANAGEMENT UPDATE**

*That Members note the update on emergency management.*

**4.8 ROYAL COMMISSION RECOMMENDATIONS AND CHILD SAFE ORGANISATIONS**

*That Members note the update on Child and Youth Safe Organisation Act 2023 and Royal Commission into Institutional Responses to Child Sexual Abuse, recommendation 6.12*

**4.9 LOCAL GOVERNMENT HEALTH AND WELLBEING NETWORK AND LIFT LOCAL PROJECT**

*That Members note the progress of the Local Government Health and Wellbeing Network and Lift Local Funding.*

**4.10 ENVIRONMENTAL PROTECTION AUTHORITY MEMORANDUM OF UNDERSTANDING \***

*That Members note the report on LGAT's refreshed Memorandum of Understanding with EPA Tasmania.*

**4.11 CLIMATE CHANGE**

*That Members note the update on climate change activities.*

**4.12 WASTE AND RESOURCE RECOVERY**

*That Members note the report on waste and resource recovery.*

**4.13 LGAT PROCUREMENT**

*That Members note the following update on procurement support for councils.*

**4.14 EVENTS AND PROFESSIONAL DEVELOPMENT OVERVIEW**

*That Members note the report on events and discuss the opportunities for the Association with elected representative learning*



*and development.*

**4.15 POLICY UPDATE**

*That Members note the update on various policy matters.*

**1 PURPOSE OF REPORT**

This report considers the Local Government Association of Tasmania (LGAT) agenda for the General Meeting to be held on 1 November 2023 at the Paranple Convention Centre, Devonport from 9.00am.

**2 INTRODUCTION/BACKGROUND**

The Local Government Association of Tasmania (LGAT) will hold the General Meeting on 1 November 2023 at the Paranple Convention Centre, Devonport from 9.00am.

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

**3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN**

**3.1 Strategic Plan 2021-2027**

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

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

**Leaders with Impact**

**Strategic outcomes:**

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

**3.2 Integrated Priority Projects Plan 2021**

Not applicable.

**4 POLICY IMPLICATIONS**

Not applicable.

**5 STATUTORY REQUIREMENTS**

Not applicable.

**6 FINANCIAL IMPLICATIONS**

Not applicable.

**7 RISK ISSUES**

Not applicable.

**8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable.





## 9 COMMUNITY CONSULTATION

Not applicable.

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Consideration needs to be given to each agenda item listed, Council is then to determine how the voting delegate is to vote on each item at the General Meeting to be held on 1 November 2023.

\* Denotes attachments.

The following are the motions on which decisions are sought:

### 1.1 CONFIRMATION OF MINUTES \*

#### **Decision Sought**

*That the Minutes of the meeting held on 30 June 2023, as circulated, be confirmed.*

### 1.2 BUSINESS ARISING \*

#### **Decision Sought**

*That Members note the information.*

### 1.3 CONFIRMATION OF AGENDA

#### **Decision Sought**

*That consideration be given to the Agenda items and the order of business.*

### 1.4 FOLLOW UP OF MOTIONS \*

#### **Decision Sought**

*That Members note the following report.*

### 1.5 PRESIDENT'S REPORT

Contact officer: Dion Lester

#### **Decision Sought**

*That Members note the report on the President's activity from 9 June to 29 September 2023.*

### 1.6 CHIEF EXECUTIVE OFFICER'S REPORT

Contact officer: Dion Lester

#### **Decision Sought**

*That Members note the report on the CEO's activity from 9 June until 29 September 2023.*

### 1.7 COUNCIL ROUND UPS

#### **Decision Sought**

*That Members note there will not be a council round up this meeting.*

### 2.1 MOTION - PARKS AND WILDLIFE SERVICE AND CROWN LAND SERVICES REVIEW AND RESOURCING

Council – Break O'Day

#### **Decision Sought**

*That LGAT lobby the Tasmanian Government to undertake a review of the administrative activities of the Tasmanian Parks and Wildlife Service (PWS) and Crown Land Services (CLS) with a particular focus on ensuring that the required level of resources are available to assess applications and deal with enquiries in a timely manner.*

### 2.2 MOTION - ROAD LINE MARKING RESPONSIBILITIES

Council – Kingborough

#### **Decision Sought**

*That LGAT undertake advocacy on behalf of Councils to have road line marking responsibilities legislated and additional funding provided by the State Government.*

### 2.3 MOTION - DIVERSITY AND INCLUSION STATEMENT

Council – Kingborough Council

#### **Decision Sought**

*That Members note the Diversity and Inclusion Statement developed by Kingborough Council and agree to consider developing and adopting a similar statement to support safe, welcoming, and inclusive communities across Tasmania.*



**2.4 MOTION – REVIEW OF 42 DAY DEVELOPMENT APPLICATION TIMEFRAME**

*Council – Clarence City*

**Decision Sought**

*That LGAT be requested to convene a reference group from member Councils to develop options and recommendations for the sector to:*

- 1 Assess the impact of the 42-day rule on planning outcomes across local Councils in Tasmania (including both qualitative and quantitative data).*
- 2 Identify what practices and delegations councils currently utilise to manage the 42- day rule, including the impact of those practices and delegations on representor objections.*
- 3 Review equivalent ‘deemed approval’ and timeframe extension mechanisms of other jurisdictions to compare with Tasmania’s arrangements.*
- 4 Based on the findings of points 1, 2 and 3 above, identify whether the 42-day rule operates in a manner that is fair and equitable to all parties to a development application; that is both applicants and representors.*
- 5 Recommend changes be implemented to ensure development applications are not required to be resolved under delegation because an applicant refuses to grant an extension of time for an application to be considered at a Council meeting.*

The following are the motions for noting:

**4.1 FUTURE OF LOCAL GOVERNMENT REVIEW**

*Contact officer: Dion Lester*

**Decision Sought**

*That Members note the update on the Future of Local Government Review – Stage 3.*

**4.2 STATE BUDGET 2024-2025**

*Contact Officer – Ben Morris*

**Decisions Sought**

*That Members note the update on our intended content for LGAT’s submission to the State Budget 2024-2025*

**4.3 PLANNING REFORMS UPDATE**

*Contact Officer – Michael Edrich*

**Decision Sought**

*That Members note the update on current planning reforms.*

**4.4 HOUSING**

*Contact Officer – Michael Edrich*

**Decision Sought**

*That Members note the update on housing policy matters and its driving influence on planning policy at both state and national levels.*

**4.5 WORKPLACE HEALTH AND SAFETY REVIEW \***

*Contact officer: Dion Lester*

**Decision Sought**

*That Members note the progress on the implementation of the Workplace Health and Safety Review of Elected Representatives (WH&S Review).*

**4.6 ROAD MANAGEMENT LEGISLATION REVIEW**

*Contact Officer – Michael Edrich*

**Decision Sought**

*That Members note the update on the Road Management Legislation Review and the consultation period for the Discussion Paper.*

**4.7 EMERGENCY MANAGEMENT UPDATE**

*Contact Officer – Bec Stevenson*

**Decisions Sought**

*That Members note the update on emergency management.*



**4.8 ROYAL COMMISSION RECOMMENDATIONS AND CHILD SAFE ORGANISATIONS**

Contact Officer – Lynden Leppard

**Decision Sought**

*That Members note the update on Child and Youth Safe Organisation Act 2023 and Royal Commission into Institutional Responses to Child Sexual Abuse, recommendation 6.12*

**4.9 LOCAL GOVERNMENT HEALTH AND WELLBEING NETWORK AND LIFT LOCAL PROJECT**

Contact Officer: Lynden Leppard

**Decision Sought**

*That Members note the progress of the Local Government Health and Wellbeing Network and Lift Local Funding.*

**4.10 ENVIRONMENTAL PROTECTION AUTHORITY MEMORANDUM OF UNDERSTANDING \***

Contact Officer – Bec Stevenson

**Decision Sought**

*That Members note the report on LGAT's refreshed Memorandum of Understanding with EPA Tasmania.*

**4.11 CLIMATE CHANGE**

Contact Officer – Ben Morris

**Decision Sought**

*That Members note the update on climate change activities.*

**4.12 WASTE AND RESOURCE RECOVERY**

Contact Officer – Bec Stevenson

**Decision Sought**

*That Members note the report on waste and resource recovery.*

**4.13 LGAT PROCUREMENT**

Contact Officer – Georgia Palmer

**Decision Sought**

*That Members note the following update on procurement support for councils.*

**4.14 EVENTS AND PROFESSIONAL DEVELOPMENT OVERVIEW**

Contact Officer – Georgia Palmer

**Decision Sought**

*That Members note the report on events and discuss the opportunities for the Association with elected representative learning and development.*

**4.15 POLICY UPDATE**

Contact Officer – Ben Morris

**Decision Sought**

*That Members note the update on various policy matters.*

**11 OFFICER'S COMMENTS/CONCLUSION**

The decisions of Council regarding this report will determine how the Northern Midlands Council voting delegate should vote on each of the items listed in the Local Government Association of Tasmania (LGAT) Agenda for the General Meeting to be held on 1 November 2023.

**12 ATTACHMENTS**

1. 1 November 2023 - General Meeting Agenda & Attachments [13.4.1 - 150 pages]



### 13.5 ANNUAL GENERAL MEETING 2023

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

#### MINUTE NO. 23/0378

#### DECISION

Deputy Mayor Lambert/Cr Andrews

That the Annual General Meeting for the Northern Midlands Council be held at the Longford Council Offices on Monday, 11 December 2023, commencing at 5pm.

Carried

Voting for the Motion:

Mayor Knowles, Deputy Mayor Lambert, Cr Andrews, Cr Archer, Cr Brooks and Cr Goss

Voting Against the Motion:

Cr Terrett

#### RECOMMENDATION

That the Annual General Meeting for the Northern Midlands Council be held at the Longford Council Offices on Monday, 11 December 2023, commencing at 5pm.

#### 1 PURPOSE OF REPORT

The purpose of this report is to determine a time and date for Council's General Meeting for 2023.

#### 2 INTRODUCTION/BACKGROUND

Section 72A of the *Local Government Act (LGA)* requires Council to hold an Annual General meeting no later than 15 December 2023.

#### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

##### 3.1 Strategic Plan 2021-2027

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

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

**Leaders with Impact**

**Strategic outcomes:**

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

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

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

**Strategic outcomes:**

- 2.1 Strategic, sustainable, infrastructure is progressive

##### 3.2 Integrated Priority Projects Plan 2021

Not applicable.



#### **4 POLICY IMPLICATIONS**

No policy implications.

#### **5 STATUTORY REQUIREMENTS**

The *Local Government Act 1993* requires Council to prepare an Annual Plan for the municipal area for each financial year. The Council is also required to prepare an Annual Report which provides a summary of the Annual Plan for the preceding financial year. The Act sets out the details of what must be provided in the Annual Report which includes a copy of the Audit opinion for the preceding financial year.

The *Local Government Act 1993* requires:

***Section 72. Annual Report***

*(2) The General Manager is to*

*(d) advertise in a daily newspaper circulating in the municipal area the availability of the report, together with an invitation to electors to lodge submissions on the report with the council for discussion at its annual general meeting.*

***Section 72B Annual General Meeting***

*(1) A council must hold an Annual General Meeting on a date that*

*(b) is not before 14 days after the date of the first publication of a notice under subsection (2).*

*(2) a Council must publish a notice in a daily newspaper circulating in the municipal area or other prescribed newspaper specifying the date, time and place of the Annual General Meeting.*

#### **6 FINANCIAL IMPLICATIONS**

Council prepares the Annual Report externally and distributes the report by electronic means.

#### **7 RISK ISSUES**

Council has a responsibility under the *Local Government Act 1993* to hold an Annual General Meeting.

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

Not required, process is set out under the *Local Government Act*.

#### **9 COMMUNITY CONSULTATION**

The Annual General Meeting provides an opportunity for Council to inform and engage with the community on current issues within the community. The meeting provides an opportunity for the public to gauge the success of the Council over the twelve-month period taking into account the initiatives that were set in the preceding Annual Plan.

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

Council can set the Annual General Meeting any time on or before 15 December.

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

The Annual Report is currently being prepared and will be advertised for public comment.

It is recommended that the Annual General Meeting be held at the Longford Council Office on Monday, 11 December 2023 at 5pm, in conjunction with the Council Meeting planned for that date.

#### **12 ATTACHMENTS**

Nil



### 13.6 COUNCIL CALENDAR: 2024 SCHEDULE OF COUNCIL MEETINGS AND WORKSHOP DATES

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eachar, Executive Assistant

#### MINUTE NO. 23/0379

#### DECISION

Cr Terrett/Deputy Mayor Lambert

That

i) Ordinary Council Meetings for the period January to December 2024 (commencing at 5.00pm) be held as follows:

- Monday, 29 January \*
- Monday, 19 February
- Monday, 18 March
- Monday, 22 April \*
- Monday, 20 May
- Monday 24 June \*
- Monday, 22 July \*
- Monday, 19 August
- Monday, 16 September
- Monday, 21 October
- Monday, 18 November
- Monday, 9 December \*

***\*Not third Monday in the month***

ii) Council Workshops for the period January to December 2024 (commencing at 5.15pm) be held as follows:

- Monday, 5 February
- Monday, 4 March
- Monday, 8 April #
- Monday, 6 May
- Monday, 3 June
- Monday, 8 July #
- Monday, 5 August
- Monday, 2 September
- Monday, 7 October
- Tuesday, 5 November #
- Monday, 25 November #

***# Not first Monday in the month***

iii) a Council Workshop be scheduled for 4pm, prior to each Ordinary Council Meeting for the period January to December.

iv) Annual Municipal Bus Tour on Wednesday, **17 April 2024**.

v) the Councillors Christmas function be held on Thursday, **28 November 2024**.

vi) Council consider other dates for inclusion in the Annual Council Calendar.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil





## RECOMMENDATION

That

i) Ordinary Council Meetings for the period January to December 2024 (commencing at 5.00pm) be held as follows:

- Monday, 29 January \*
- Monday, 19 February
- Monday, 18 March
- Monday, 22 April \*
- Monday, 20 May
- Monday 24 June \*
- Monday, 22 July \*
- Monday, 19 August
- Monday, 16 September
- Monday, 21 October
- Monday, 18 November
- Monday, 9 December \*

***\*Not third Monday in the month***

ii) Council Workshops for the period January to December 2024 (commencing at 5.15pm) be held as follows:

- Monday, 5 February
- Monday, 4 March
- Monday, 8 April #
- Monday, 6 May
- Monday, 3 June
- Monday, 8 July #
- Monday, 5 August
- Monday, 2 September
- Monday, 7 October
- Tuesday, 5 November #
- Monday, 25 November #

***# Not first Monday in the month***

iii) a Council Workshop be scheduled for 4pm, prior to each Ordinary Council Meeting for the period January to December.

iv) Annual Municipal Bus Tour on Wednesday, **27 March or 10 April 2024.**

v) the Councillors Christmas function be held on Thursday, **21 November or 28 November 2024.**

vi) Council consider other dates for inclusion in the Annual Council Calendar.

## 1 PURPOSE OF REPORT

The purpose of this report is to set up a calendar of dates for the holding of Ordinary Council Meetings and workshops for the 2024 year and other scheduled meetings/ functions.

## 2 INTRODUCTION/BACKGROUND

In accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*, an Ordinary Meeting of a Council is to be held at least once in each month and the schedule as shown hereunder fulfils this requirement.



### **3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN**

#### **3.1 Strategic Plan 2021-2027**

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

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

**Leaders with Impact**

**Strategic outcomes:**

1.3 Management is efficient, proactive and responsible

#### **3.2 Integrated Priority Projects Plan 2021**

Not applicable.

### **4 POLICY IMPLICATIONS**

Not applicable.

### **5 STATUTORY REQUIREMENTS**

*Local Government (Meeting Procedures) Regulations 2015.*

#### *4. Convening council meetings*

##### *(1) The mayor of a council may convene –*

*(a) an ordinary meeting of the council; and*

*(b) a special meeting of the council.*

*(2) The general manager of an existing council is to convene the first ordinary meeting of the council following an ordinary election.*

*(3) The Minister is to convene the first ordinary meeting of a newly established council on a date determined by the Minister.*

*(4) An ordinary meeting of a council is to be held at least once in each month.*

*(5) The general manager is to convene an ordinary meeting of a council if the mayor has not convened such a meeting in the previous calendar month.*

*(6) The mayor of a council, or the general manager if the mayor has not done so, must convene a special meeting of the council at the request of a majority of councillors or if the council so determines.*

*(7) A request for a special meeting of a council must –*

*(a) be in writing and signed by the councillors making the request; and*

*(b) include details of the subject matter and any motion to be dealt with by the meeting; and*

*(c) be lodged with the mayor.*

#### *6. Times of meetings*

*(1) A meeting is not to start before 5:00 p.m. unless otherwise determined by the council by absolute majority or by the council committee by simple majority.*

*(2) After each ordinary election, a council and a council committee are to review the times of commencement of their meetings.*

### **6 FINANCIAL IMPLICATIONS**

Not applicable.

### **7 RISK ISSUES**

Not applicable.

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

Not applicable.



## 9 COMMUNITY CONSULTATION

Not applicable.

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council can agree or not agree to the dates proposed.

## 11 OFFICER'S COMMENTS/CONCLUSION

Generally, with the exception of January, June, December and the occurrence of Easter, Council meetings are held on the third Monday of each month thereby providing Council staff adequate time to finalise data from the previous month and enabling the inclusion of accurate and complete information in the agenda.

The following key dates have been taken into consideration in determining possible suitable dates for the 2024 schedule:

- Easter weekend 29 March to 2 April
- LGAT Elected Members' Professional Development Weekend (usually February, dates to be confirmed)
- ALGA National General Assembly (NGA) of Local Government – (to be confirmed usually Sunday to Wednesday 2<sup>nd</sup> or 3<sup>rd</sup> week of June)
- LGAT AGM – (July, date to be confirmed)
- LGAT Local Government Conference (November/December, date to be confirmed).
- Annual National Local Roads and Transport Congress (conference traditionally held in November, 2023 was held in September).

The following Ordinary Council Meeting dates are recommended for the period January to December 2024 each Council Meeting to be preceded by a Councillor Workshop at 4.00pm, with Council Meetings to commence at 5.00pm:

- Monday, 29 January \*
- Monday, 19 February
- Monday, 18 March
- Monday, 22 April \*
- Monday, 20 May
- Monday 24 June \*
- Monday, 22 July \*
- Monday, 19 August
- Monday, 16 September
- Monday, 21 October
- Monday, 18 November
- Monday, 9 December \*

***\*Not third Monday in the month***

The following Council Workshop dates are recommended for the period January to December 2024 (commencing at 5.15pm):

- Monday, 5 February
- Monday, 4 March
- Monday, 8 April #
- Monday, 6 May
- Monday, 3 June
- Monday, 8 July #
- Monday, 5 August
- Monday, 2 September
- Monday, 7 October
- Tuesday, 5 November #



- Monday, 25 November #  
*# Not first Monday in the month*

A Council Workshop be scheduled for 4pm, prior to each Ordinary Council Meeting for the period January to December.

The Councillors Christmas function be held on **21 November or 28 November 2024**.

In past years it has been common practice for Council to undertake a Municipal Bus Tour to inspect projects that have been identified for inclusion in the forthcoming budget and also to meet with Local District Committee representatives to discuss their issues of priority. Consideration should be given to the following dates for the annual Municipal Bus Tour:

- Wednesday, 27 March or
- Wednesday, 10 April (school holidays).

## 12 ATTACHMENTS

Nil



## 14 COMMUNITY & DEVELOPMENT REPORTS

### 14.1 DEVELOPMENT SERVICES: MONTHLY REPORT

Responsible Officer: Des Jennings, General Manager

MINUTE NO. 23/0380

#### DECISION

Cr Terrett/Cr Andrews

That the report be noted.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

#### RECOMMENDATION

That the report be noted.

#### 1 PURPOSE OF REPORT

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

#### 2 DEVELOPMENT SERVICES REPORTING

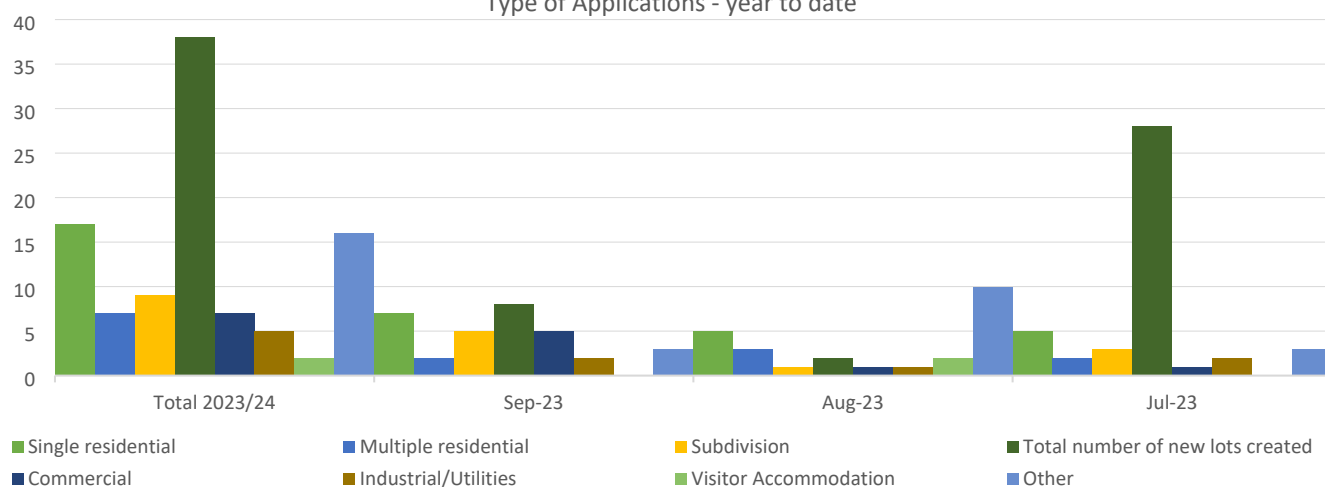
##### 2.1 Planning Decisions

	Last Year	Total YTD	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	195	40	16	13	11									
Applications on STOP for further information			66	62	53									
Single residential	48	17	5	5	7									
Multiple residential	31	7	2	3	2									
Subdivision	34	9	3	1	5									
Total number of new lots created	203	38	28	2	8									
Commercial	27	7	1	1	5									
Industrial/Utilities	12	5	2	1	2									
Visitor Accommodation	8	2	0	2	0									
Total permitted	1	0	0	0	0									
Total discretionary	7	2	0	2	0									
Other (includes all residential development on existing dwellings [alterations/ additions, sheds, solar, fences, pools etc.])	85	16	3	10	3									
Total No. Applications Approved:	228	57	13	21	23									
Total Permitted:	33	3	1	0	2									
Average Days for Permitted	11	17.5	22	-	13									
Days allowed for approval by LUPAA	28	28	28	28	28									
Total Exempt under IPS:	83	29	23	2	4									

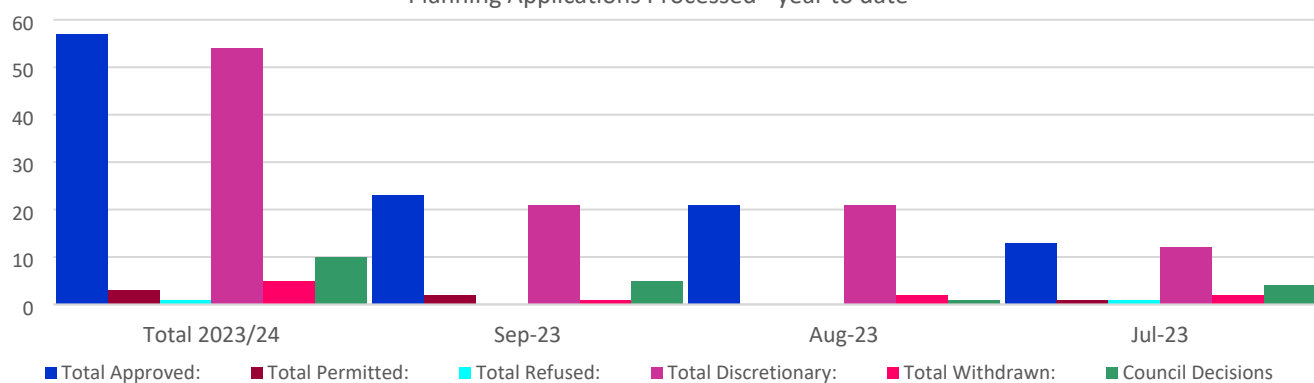


	Last Year	Total YTD	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Total Refused:	5	1	1	0	0									
Total Discretionary:	198	54	12	21	21									
Average Days for Discretionary:	33.3	31.3	32	30	32									
Days allowed for approval under LUPAA:	42	42	42	42	42									
Total Withdrawn:	39	5	2	2	1									
Council Decisions	36	10	4	1	5									
Appeals lodged by the Applicant	6	0	0	0	0									
Appeals lodged by third party	2	0	0	0	0									

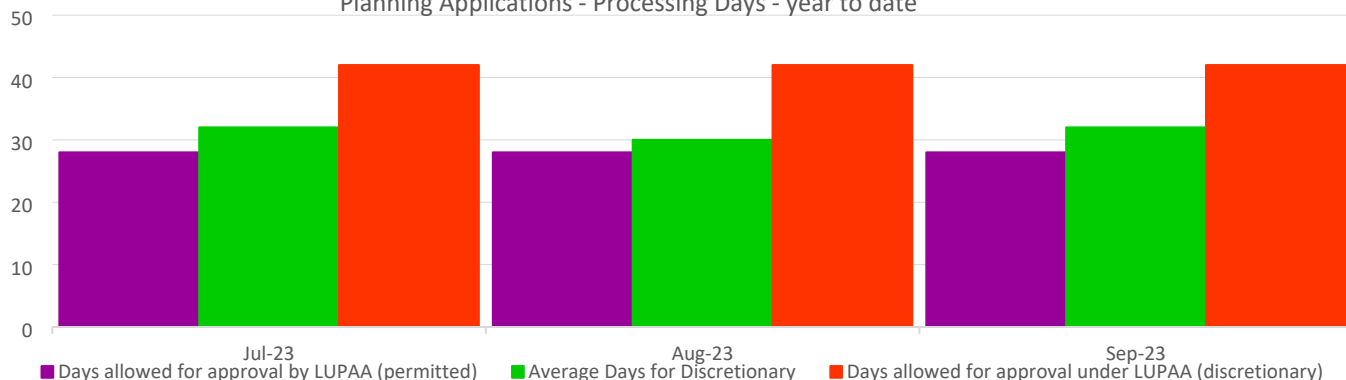
Type of Applications - year to date



Planning Applications Processed - year to date



Planning Applications - Processing Days - year to date







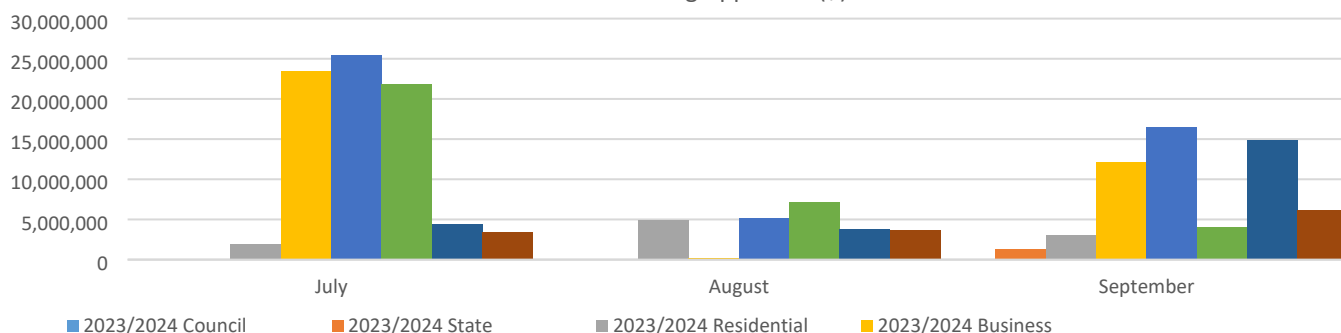
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
PLN-22-0258	Storage Shed (Translink SAP, Parking and Sustainable Transport Code, Safeguarding of Airports Code)	149 Evandale Road, Western Junction TAS 7212	Engineering Plus	42	D
PLN-22-0260	Subdivision / Boundary Adjustment (2 Lots to 2 Lots) & Minor Boundary Adjustment	1 Archer Street, Cressy TAS 7302	Dominic Thompson	42	D
PLN-22-0276	7 Lot Subdivision & Garage (Vary Access to Internal Lots, Flood-Prone Areas Code, Attenuation Code, Bushfire-Prone Areas Code, Longford SAP)	2 Herberts Road (& works Herberts Rd & Bulwer St road reserves), Longford TAS 7301	Carlton Dixon	42	D
PLN-23-0005	Shed - 20mx10m (Discretionary Use in Zone; Retrospective Application)	110 Boons Road, Blackwood Creek TAS 7301	Melinda Shelton	42	D
PLN-23-0055	Dwelling, Barn & Farm Workshop (Discretionary use, vary setbacks)	205 Wilmores Lane, Longford (access over CT184461/1) TAS 7301	Derek & Lisa O'Toole	27	D
PLN-23-0117	Secondary Residence with ROW over CT 159893/2 & CT159893/1 (Evandale SAP)	37 Barclay Street, Evandale TAS 7212	BVZ Designs	22	D
PLN-23-0129	Multiple Dwellings x 2 (Perth SAP, Shared driveway separation to habitable room windows)	10C Cromwell Street, Perth TAS 7300	James McCarthy	31	D
PLN-23-0133	New Replacement Dwelling (Parking and Sustainable Transport Code, Longford SAP)	17 Burghley Street, Longford TAS 7301	The Shed Company	28	D
PLN-23-0138	Shipping container for storage for Longford Men's Shed	24B Malcombe Street, Longford TAS 7301	Mr R Thomas	42	D
PLN-23-0147	Secondary Residence (Longford SAP, Attenuation)	4A Paton Street, Longford TAS 7301	Tasbuilt Homes	26	D
PLN-23-0148	Silo Development (Vary Height, Attenuation)	Delmont Road, Cressy TAS 7302	Wilkin Design & Drafting Pty Ltd	19	D
PLN-23-0151	Secondary Residence (Vary driveway surface material)	60 Main Road, Perth TAS 7300	Plans To Build	33	D
PLN-23-0153	Dwelling and shed and alfresco (vary front internal set back and vary building envelope, Longford SAP, Parking and Sustainable Transport Code)	15E Cracroft Street (access over ROW CT157450/5 & CT181415/2), Longford TAS 7301	Design To Live	28	D
PLN-23-0155	Dwelling (\$6.0 Longford Specific Area Plan)	2 Malcombe Street, Longford TAS 7301	Prime Design	20	D
PLN-23-0157	2 Lot Subdivision (Vary lot frontage, Bushfire-prone area, Cressy SAP)	1A Charles Street (sewer connection works within 1B Charles Street CT24983/3), Cressy TAS 7302	Jaffa International Pty Ltd	30	D
PLN-23-0161	Signage in shop front window (Local Heritage Precinct)	10 Marlborough Street (Shop 4), Longford TAS 7301	Mr Sam Cuthbert	23	D
PLN-23-0159	Demolish existing buildings - dwelling and outbuilding(s).	58 Main Street, Cressy TAS 7302	Design to Live	19	P
PLN-23-0181	Minor boundary adjustment between 2 lots - 126649/1 and 227494/1	1420 Valleyfield Rd & 1212 Valleyfield Rd (PID2742657), Campbell Town TAS 7210	6ty° Pty Ltd	7	P
<b>COUNCIL DECISIONS</b>					
PLN-22-0253	Storage Shed (Translink SAP)	3 Hughes Court, Western Junction TAS 7212	Ms Narelle Lobdale	42	C
PLN-23-0097	Extension to Shed (Translink SAP)	2 Hughes Court, Western Junction TAS 7212	Wilkin Design & Drafting Pty Ltd	42	C
PLN-23-0106	New Classroom & Associated Outbuilding, Sports Court & Relocation of Cricket Nets (27.4.3 Fencing)	106-116 Bridge Street, Campbell Town TAS 7210	HBV Architects	18	C
PLN-23-0132	2 Lot Subdivision (Attenuation, Bushfire-Prone Area, Scenic Protection Area)	141 Perth Mill Road, WESTERN JUNCTION TAS 7212	PDA Surveyors obo Scott Arnold	42	C
PLN-23-0134	Utilities - Great Lakes Battery Project – property lease and installation of the following: utility-scale battery modules, lightning protection masts, transformers and associated electricity infrastructure, control, maintenance & storage buildings, security fencing, water tanks, and parking, manoeuvring and internal driveway	4740 Poatina Road, Cressy TAS 7302	Lachlan McLeod	37	C
<b>COUNCIL DECISIONS - REFUSAL</b>					
<b>DELEGATED DECISIONS - REFUSAL</b>					



## 2.2 Value of Planning Approvals

	Current Year				2023/2024	2022/2023	2021/2022	2020/2021
	Council	State	Residential	Business	Total	Total	Total	Total
July	35,000	0	1,947,265	23,500,000	25,482,265	21,899,020	4,380,747	3,377,500
August	0	0	4,968,200	210,000	5,178,200	7,155,844	3,781,274	3,709,500
September	0	1,300,000	3,088,664	12,115,000	16,503,664	4,097,900	14,817,000	6,189,000
<b>YTD Total</b>	<b>35,000</b>	<b>1,300,000</b>	<b>10,004,129</b>	<b>35,825,000</b>	<b>47,164,129</b>	<b>33,152,764</b>	<b>22,979,021</b>	<b>13,276,000</b>
<b>Annual Total</b>						<b>76,384,582</b>	<b>91,715,427</b>	<b>59,101,247</b>

Value of Planning Approvals (\$)



## 2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT	TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
-	-
<b>Decisions received</b>	
-	-

TPC	TASMANIAN PLANNING COMMISSION
PLN-22-0056	Draft Amendment AP-NOR-03-2022 to rezone part of folio of the Register 173776/1 to General Residential in conjunction with an s43A application for a 3 Lot subdivision. Placed on public exhibition. TPC has been advised that no representations were received. Report under section 40K provided to TPC on 12 January 2023 as required. Hearing held 30 March 2023. Additional information including confirmation of the planning authority's position in relation to the draft amendment provided to the Commission on 30 June 2023 as required. The Commission held a hearing on 20 September 2023. Awaiting a decision.
PLN-22-0183	Draft Amendment AM-NOR-01-2022 LPS. Various amendments to the Translink Specific Area Plan Use Table (clause NOR-S1.5.4) and transfer part of folio of the Register 182274/2 from Translink Specific Area Plan Area 1 to Area 4. On public exhibition for 28 days until 15 January 2023. No representations received. Additional information provided to the Commission as required. Commission held a hearing 4 August 2023 and mapping provided by 15 September as required. Awaiting a decision.
PLN-23-0118	Draft Amendment 09/2023 to insert a Site Specific Qualification to the existing Translink Specific Area Plan to allow Equipment & Machinery Sales and Hire as a Permitted Use to Table NOR-S1.5.2 - Area 2 for 19 Johns St Western Junction. Exhibition complete, no representations received. Report will be prepared for TPC.
<b>DECISIONS RECEIVED</b>	
-	-

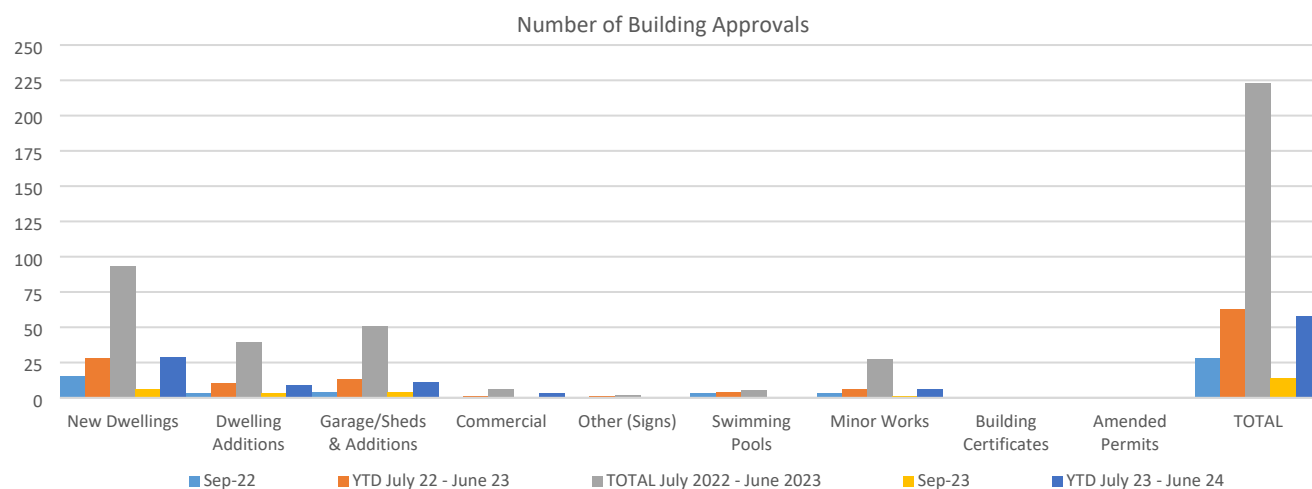
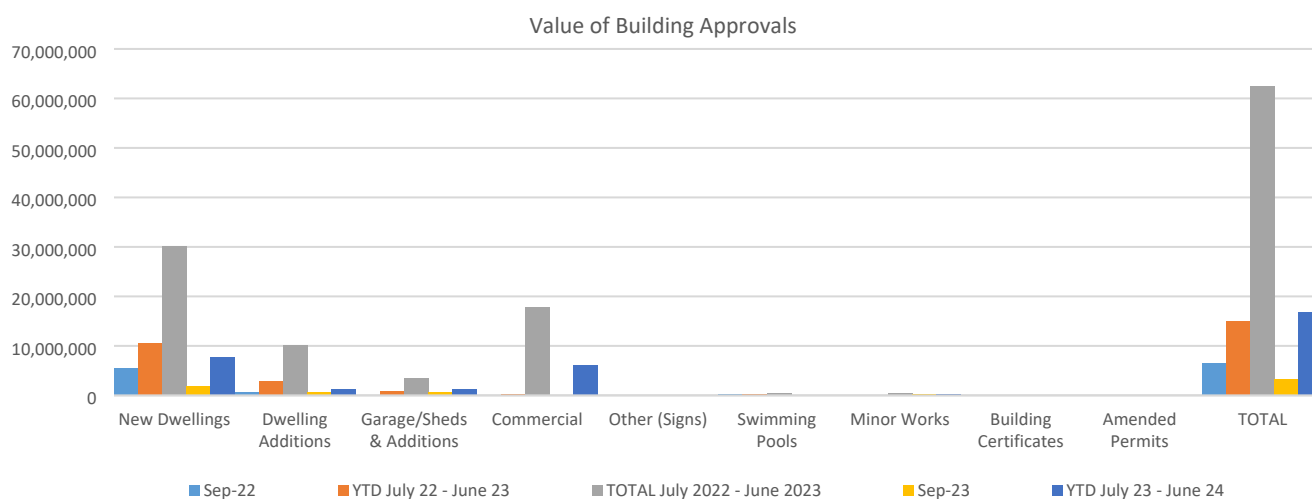
## 2.4 Building Approvals

The following table shows a comparison of the number and total value of building works for 2022-2023 and 2023-2024.

	YEAR: 2022-2023				YEAR: 2023-2024			
	Sept 2022		YTD 2022-2023		July 2022 - June 2023		Sept 2023	
	No.	Total Value \$	No.	No.	No.	Total Value \$	No.	Total Value \$
New Dwellings	15	5,417,035	28	10,503,105	93	30,059,415	6	1,868,369
Dwelling Additions	3	665,000	10	2,950,160	39	10,252,722	3	555,000
Garage/Sheds & Additions	4	120,000	13	898,000	51	3,583,957	4	584,000
Commercial	0	0	1	200,000	6	17,742,000	0	0
Other (Signs)	0	0	1	27,945	2	82,945	0	0
Swimming Pools	3	227,000	4	296,000	5	374,750	0	0
Minor Works	3	28,598	6	65,972	27	481,351	1	200,000
Building Certificates	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>28</b>	<b>6,457,633</b>	<b>63</b>	<b>14,941,182</b>	<b>223</b>	<b>62,577,140</b>	<b>14</b>	<b>3,207,369</b>



	YEAR: 2022-2023				YEAR		YEAR: 2023-2024			
	Sept 2022		YTD 2022-2023		July 2022 - June 2023		Sept 2023		YTD 2023-2024	
	No.	Total Value	No.	No.	No.	Total Value	No.	Total Value	No.	No.
		\$				\$		\$		
Inspections										
Building	0		0		10		0		0	
Plumbing	16		65		280		27		103	



## 2.5 Planning, Building & Plumbing Compliance – Permit Review

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

Planning Permit Reviews	This Month	2023/2024	Total 2022/2023
Number of Inspections	10	21	79
Property owner not home or only recently started			
Complying with all conditions / signed off	2	5	1
Not complying with all conditions			
Re-inspection required	8	13	64
Notice of Intention to Issue Enforcement Notice			5
Enforcement Notices issued			1
Enforcement Orders issued			
Infringement Notice			
No Further Action Required		3	14



Building / Plumbing Permit Reviews	This Month	2023/2024	Total 2022/2023
Number of Inspections	3	18	29
Property owner not home or only recently started			
Complying with all conditions / signed off		4	
Not complying with all conditions			
Re-inspection required	2	8	10
Building Notices issued			2
Building Orders issued			
No Further Action Required	1	6	19
Illegal Works – Building / Plumbing	This Month	2023/2024	Total 2022/2023
Number of Inspections	4	16	78
Commitment provided to submit required documentation		1	11
Re-inspection required	2	8	42
Building Notices issued	4	4	12
Building Orders issued		1	7
Emergency Order			3
No Further Action Required	2	7	25
Illegal Works - Planning	This Month	2023/2024	Total 2022/2023
Number of Inspections	1	4	40
Commitment provided to submit required documentation	1	2	2
Re-inspection required			24
Enforcement Notices issued			3
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued			
No Further Action Required		2	14

### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

#### 3.1 Strategic Plan 2021-2027

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

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

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

**Strategic outcomes:**

2.1 Strategic, sustainable, infrastructure is progressive

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

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

**Strategic outcomes:**

3.1 Sympathetic design respects historical architecture

3.2 Developments enhance existing cultural amenity

3.4 Towns are enviable places to visit, live and work

**Place: Nurture our heritage environment**

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

**Strategic outcomes:**

4.1 Cherish and sustain our landscape

4.2 Meet environmental challenges

4.4 Our heritage villages and towns are high value assets

#### 3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

**Enabling Project/s:**



*Projects which are considered to be incrementally important – usually by improving existing facilities or other complementary upgrades to infrastructure (does not include Council's business as usual projects including renewal and maintenance of existing assets)*

**5.4 Subdivisions:**

*Several at Cressy, Evandale, Longford & Perth - the Northern Midlands Council is a planning authority with responsibilities specified in the Land Use Planning and Approvals Act 1993 (LUPAA). These responsibilities include developing planning schemes, proposing amendments to planning schemes, supporting or rejecting changes proposed by others and making decisions on individual developments in accordance with the planning scheme. Several significant subdivisions in the Northern Midlands region have recently been identified and are in various stages of conceptual design or planning.*

**4 STATUTORY REQUIREMENTS**

**4.1 Land Use Planning & Approvals Act 1993**

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

**4.2 Building Act 2016**

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

**5 RISK ISSUES**

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

**6 COMMUNITY CONSULTATION**

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

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

**7 OFFICER'S COMMENTS/CONCLUSION**

There have been 3 commercial building approvals valued a total of \$6,200,000 for 2023/24 (year to date) compared to 1 commercial building approvals valued a total of \$200,000 (year to date) for the previous year.

In total, there have been 58 building approvals valued at \$16,763,114 (year to date) for 2023/2024 compared to 63 building approvals valued at \$14,941,182 (year to date) for the previous year.



## 15 CORPORATE SERVICES REPORTS

### 15.1 MONTHLY REPORT: FINANCIAL STATEMENT

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

#### MINUTE NO. 23/0381

#### DECISION

Cr Terrett/Cr Archer

That Council:

- i) receive and note the Monthly Financial Report for the period ending 30 September 2023, and
- ii) authorise Budget 2023/24 alterations as listed in Item 4.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

#### RECOMMENDATION

That Council:

- i) receive and note the Monthly Financial Report for the period ending 30 September 2023, and
- ii) authorise Budget 2023/24 alterations as listed in Item 4.

#### 1 PURPOSE OF REPORT

The purpose of this report is to present the monthly financial reports as at 30 September 2023.

#### 2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 30 September 2023 is circulated for information.

#### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

##### 3.1 Strategic Plan 2021-2027

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

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

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**Strategic outcomes:**

2.1 Strategic, sustainable, infrastructure is progressive

##### 3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region.





#### 4 ALTERATIONS TO 2023/24 BUDGET

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

##### SUMMARY FINANCIAL REPORT

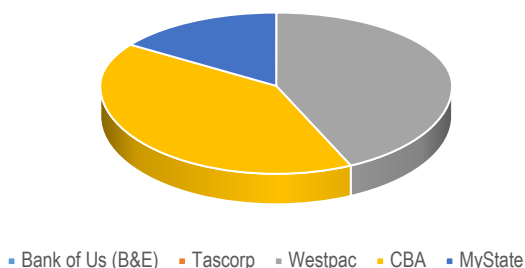
For Month Ending: 30-Sep-23 3

A. Operating Income and Expenditure							
	Budget	Year to Date Budget 25%	Actual	(\$,000)	Target 100%		Comments
Rate Revenue	-\$14,203,781	-\$14,203,781	-\$14,243,440	\$40	100.3%		Raised in July 2023
Recurrent Grant Revenue	-\$5,205,188	-\$1,735,063	-\$613,595	-\$1,121	35.4%		100% FAGS grants paid 22/23
Fees and Charges Revenue	-\$2,604,486	-\$651,122	-\$793,650	\$143	121.9%		
Interest Revenue	-\$1,292,579	-\$323,146	\$1,436	-\$325	-0.4%		Timing variance
Reimbursements Revenue	-\$45,197	-\$11,299	\$39,839	-\$51	-352.6%		
Other Revenue	-\$1,449,288	-\$362,322	-\$73,490	-\$289	20.3%		Timing variance
	-\$24,800,519	-\$17,286,732	-\$15,682,900	-\$1,604	90.7%		
Employee costs	\$6,677,119	\$1,669,280	\$1,118,100	\$551	67.0%		
Material & Services Expenditure	\$6,799,926	\$1,699,982	\$1,378,610	\$321	81.1%		Insurances paid for full year
Depreciation Expenditure	\$7,163,532	\$1,790,883	\$1,790,883	\$0	100.0%		
Government Levies & Charges	\$1,151,278	\$287,820	\$181,337	\$106	63.0%		
Councillors Expenditure	\$223,690	\$55,923	\$37,144	\$19	66.4%		
Interest on Borrowings	\$63,900	\$15,975	\$0	\$16	0.0%		
Other Expenditure	\$1,745,581	\$436,395	\$37,648	\$399	8.6%		
Plant Expenditure Paid	\$568,462	\$142,116	\$299,626	-\$158	210.8%		
	\$24,393,488	\$6,098,372	\$4,843,348	\$1,255	79.4%		
	-\$407,031	-\$11,188,360	-\$10,839,552				
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%		
Loss on Sale of Fixed Assets	\$401,388	\$100,347	\$0	\$100	0.0%		* Asset recognition EOY
Underlying (Surplus) / Deficit	-\$5,643 \$0	-\$11,088,013	-\$10,839,552 \$0			1*	
Capital Grant Revenue	-\$7,227,321	-\$1,806,830	-\$1,604,687	-\$202	88.8%		* Not paid until milestones met
Subdivider Contributions	-\$362,067	-\$90,517	0	-\$91	0.0%		* Not recognised until EOY
Capital Revenue	-\$7,589,388	-\$1,897,347	-\$1,604,687				
	-		-				
Budget Alteration Requests							
- For Council authorisation by absolute majority							
		Budget Operating	Budget Capital	Actual			
Capital works budget variances above 10% or \$10,000 are highlighted							
September							
August							
July							
Longford Rec Ground - Top Dressing	707835		-\$11,400				
Longford Rec Ground - Scoreboard replacement	707937		\$11,400				
B. Balance Sheet Items							
	Year to Date Actual		Monthly Change		Same time last year		Comments
Cash & Cash Equivalents Balance	Year to Date						
- Opening Cash balance	\$20,722,818		\$24,290,105				
- Cash Inflow	\$10,673,177		\$1,686,798				
- Cash Payments	-\$7,324,524		-\$1,905,432				
- Closing Cash balance	\$24,071,471		\$24,071,471				
	-		-				
Account Breakdown							
- Trading Accounts	\$637,381						
- Investments	\$23,434,090						
	\$24,071,471						
Summary of Investments	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value		
Tasmanian Public Finance	1/09/2023	30/09/2023	4.10	\$5,604	\$5,622		

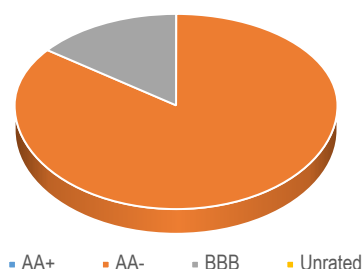


Corporation Call Account	1/09/2023	30/09/2023	0.25	\$0	\$0
CBA Call Account	1/09/2023	30/09/2023	4.15	\$6,330,672	\$6,331,392
Commonwealth Business Online Saver Account	1/08/2023	31/08/2023	4.35	\$85,360	\$85,360
Westpac Corporate Regulated Interest Account	30/06/2023	7/11/2023	4.56	\$2,000,000	\$2,032,482
CBA	30/06/2023	14/11/2023	4.65	\$1,000,000	\$1,017,453
CBA	11/07/2023	8/04/2024	5.32	\$2,000,000	\$2,079,290
My State Financial	25/05/2023	21/12/2023	4.85	\$3,462,454	\$3,542,508
Westpac - Stimulus Fund Investment	30/06/2023	29/12/2023	5.16	\$1,050,000	\$1,077,016
Westpac - Stimulus Fund Investment	30/06/2023	16/12/2024	1.60	\$3,000,000	\$3,070,356
Westpac	30/06/2023	23/10/2023	4.43	\$3,000,000	\$3,041,873
Westpac	11/09/2023	11/06/2024	4.99	\$1,500,000	\$1,556,189
<b>Total Investments</b>				<b>\$23,434,090</b>	<b>\$23,839,541</b>

Investments by Institution

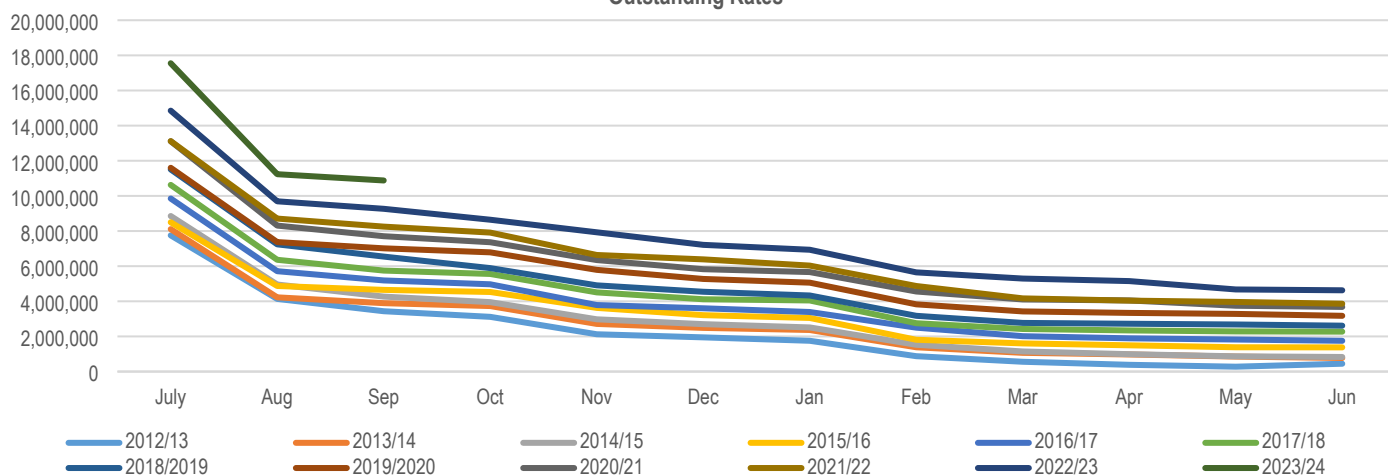


Total Investments by Rating (Standard & Poor's)



Rate Debtors	2023/24	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	\$4,626,436		\$3,863,134	
Rates Raised	\$14,362,474		\$13,043,145	
	\$18,988,910		\$16,906,278	
Rates collected	\$7,523,100	52.4%	\$7,093,685	54.4%
Pension Rebates	\$560,935	3.9%	\$521,366	4.0%
Discount & Remissions	\$26,449	0.2%	\$26,086	0.2%
	\$8,110,484		\$7,641,137	
Rates Outstanding	\$10,878,426	57.3%	\$9,265,141	71.0%
Advance Payments received	-\$383,174	2.7%	-\$292,442	2.2%

Outstanding Rates



<b>Trade Debtors</b>		
Current balance	\$1,955,967	
- 30 Days	\$1,385,830	
- 60 Days	\$24,599	
- 90 Days	\$10,155	
- More than 90 days	\$535,383	
Summary of Accounts more than 90 days:		
- Norfolk Plains Book sales	171	
- Hire/lease of facilities	27,882	

Paid by outlet as sold



- Removal of fire hazards	7,345	
- Dog Registrations & Fines	19,767	
- Private Works	6,913	
- Regulatory Fees	6,904	
- Govt Reimbursements	466,400	

#### C. Capital Program

	Budget	Actual (\$,000)	Target 25%	Comments
Renewal	\$14,698,619	\$1,534,056	10%	
New assets	\$5,636,696	\$308,652	5%	
Total	\$20,335,315	\$1,842,708	9%	
Major projects:				
- Lfd Memorial Hall upgrade	\$3,109,479	\$424,617	14%	In progress
- Lfd Urban Streetscape Improvements	\$1,793,628	\$0	0%	DA stage
- Ctown Urban Streetscape Improvements	\$2,450,000	\$44,145	2%	Design stage
- Pth Urban Streetscape Improvements	\$1,641,000	\$70,471	4%	Stormwater in progress
- Lfd Caravan Park Amenities replacement	\$450,000	\$0	0%	Commences May 2024
- Ashby Road reconstruction	\$500,000	\$0	0%	
- Bishopsbourne Road Reconstruction	\$504,900	\$0	0%	
- Lfd Llaycock Street Reserve	\$500,768	\$0	0%	
- Cry Bridge Replacements (3)	\$907,500	\$97,938	11%	In progress

\* Full year to date capital expenditure for 2023/24 provided as an attachment.

#### D. Financial Health Indicators

	Target	Actual	Variance	Trend	
Financial Ratios					
- Rate Revenue / Total Revenue	57.3%	90.8%	-33.5%	↘	
- Own Source Revenue / Total Revenue	79%	96%	-17.1%	↘	
Sustainability Ratio					
- Operating Surplus / Operating Revenue	0.0%	69.1%	-69.1%	↘	
- Debt / Own Source Revenue	37.9%	49.2%	-11.4%	↔	
Efficiency Ratios					
- Receivables / Own Source Revenue	65.5%	61.5%	4.0%	↘	
- Employee costs / Revenue	26.9%	7.1%	19.8%	↗	
- Renewal / Depreciation	205.2%	85.7%	119.5%	↗	
Unit Costs					
- Waste Collection per bin	\$13.74	\$21.64		↔	
- Employee costs per hour	\$55.64	\$27.51		↗	
- Rate Revenue per property	\$1,999.41	\$2,004.99		↔	
- IT per employee hour	\$5.45	\$6.14		↘	

#### E. Employee & WHS scorecard

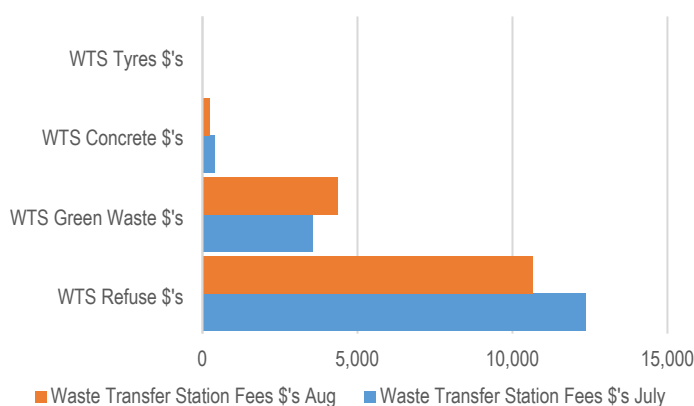
	YTD	This Month	
Number of Employees	94	94	
New Employees	6	1	
Resignations	5	0	
Total hours worked	40,643	13,282	
Medical Treatment Injury	1	0	
First Aid Injury	1	0	
Safety Incidents Reported	0	0	
Hazards Reported	6	6	
Workplace Inspections	1	0	
Risk Incidents Reported	0	0	
Insurance claims - Public Liability	0	0	
Insurance claims - Industrial	0	0	
Insurance claims - Motor Vehicle	1	0	
IT - Unplanned lost time	0	0	
Open W/Comp claims	1	0	



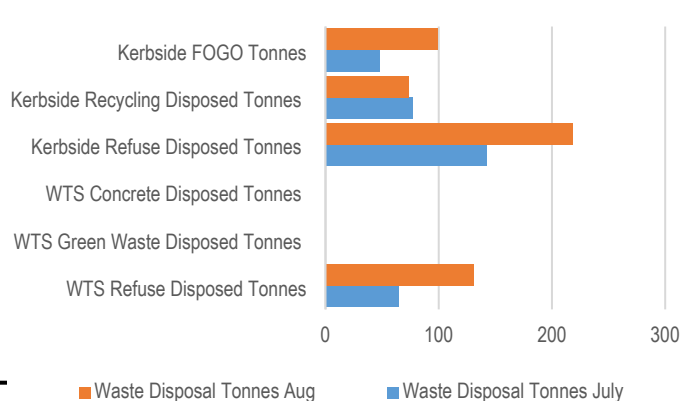
## F. Waste Management

Waste Transfer Station	2021/22	2022/23	2023/24 Budget Year to Date	2023/24
<b>Takings</b>				
- Refuse	\$135,285	\$11,074	\$24,446	\$23,019
- Green Waste	\$82,450	\$6,931	\$14,425	\$7,937
- Concrete	\$2,980	\$214	\$629	\$634
- Tyres	694	\$54	\$113	\$0
Total Takings	\$221,409	\$18,273	\$39,612	\$31,590
<b>Tonnes Disposed</b>				
WTS Refuse Disposed Tonnes	1349	1298	216	196
WTS Green Waste Disposed Tonnes	2760	5970	995	0
WTS Concrete Disposed Tonnes	3056	0	-	0
Kerbside Refuse Disposed Tonnes	2430	2341	390	362
Kerbside Recycling Disposed Tonnes				
Tonnes	1048	1035	172	151
Total Waste Tonnes Disposed	10643	10644	1774	709

Waste Transfer Station Fees \$'s



Waste Disposal Tonnes



## 5 OFFICER COMMENTS

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

## 6 ATTACHMENTS

1. Monthly Financial Report - September 2023 [15.1.1 - 1 page]
2. Monthly Capital Financial Report - September 2023 [15.1.2 - 7 pages]



## 15.2 REVIEW OF NEW ROAD NAME AT WESTERN JUNCTION (CORBOULD CLOSE NOT APPROVED)

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

### MINUTE NO. 23/0382

#### DECISION

Deputy Mayor Lambert/Cr Andrews

That Council approve the name Hercules Close for road created by subdivision off Evandale Road, Western Junction.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

#### RECOMMENDATION

That Council approve the name Hercules Close for road created by subdivision off Evandale Road, Western Junction.

## 1 PURPOSE OF REPORT

The purpose of the report is to assign a new name to a road created in a subdivision at Western Junction after the suggested previous name was rejected by Place Names Tasmania.

## 2 INTRODUCTION/BACKGROUND

At the 18 September 2023 Council approved the following names:

**MINUTE NO. 23/0336**

DECISION

Cr Adams/Cr Andrews

That Council approve the names Tiger Moth Court, Gypsy Moth Court and Corbould Close for new roads created by subdivision off Evandale Road, Western Junction.

Carried Unanimously

The report to Council on 18<sup>th</sup> September to name a new road created by subdivision at Western Junction Corbould Close was submitted to Place Names Tasmania for approval. The proposed name Corbould Close was rejected as per the Tasmanian Place Naming Guidelines place names for features commemorating a person should only be approved posthumously, Wing Commander Linda Corbould is still living, see section 3.11 from the Place Names Guidelines.

### **3.11. Personal and commemorative names**

*Place names for features commemorating a person should only be approved posthumously. The person being commemorated should have had a direct and long-term association (more than 10 years) with the location or have made a significant contribution to the area. Ownership of the land or recent public service should not in itself be grounds for proposing a commemorative name to a geographical feature, nor should a commemorative name be used to commemorate victims of or mark the location of accidents or tragedies.*

*Place names commemorating living persons are not effective choices, as community attitudes and opinions can change over time. Better alternatives can be commemorative plaques or naming a particular community facility, such as an oval, after the person to be commemorated.*

*Naming authorities must gain consent from family members of the person being commemorated, except if the person has been deceased for more than 10 years at the time of proposal.*



After discussion with the nomenclature officer suggestions were that the new road be named after one of the types of planes the Wing Commander flew. The Wing commander flew transport aircraft one being the C-130 Hercules Transport aircraft, the name Hercules Close was suggested. This would be in keeping with the other street names being named after types of aircraft.

### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

#### 3.1 Strategic Plan 2021-2027

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

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

**Leaders with Impact**

**Strategic outcomes:**

1.3 Management is efficient, proactive and responsible

#### 3.2 Integrated Priority Projects Plan 2021

Not applicable.

### 4 POLICY IMPLICATIONS

Not applicable

### 5 STATUTORY REQUIREMENTS

#### 5.1 Place Names Act 2020

##### **4. Meaning of place**

*(1) For the purposes of this Act, a place includes, but is not limited to –*

*(a) a geographical or topographical feature, whether –*

*(i) natural or artificial; or*

*(ii) on land, underground or under water; and*

*(b) a suburb, locality, habitation or other feature of community or cultural significance; and*

*(c) a highway, road, street, lane or thoroughfare that –*

*(i) is open to, or lawfully used by, the public; or*

*(ii) is a private road that contains residences that have, or are capable of having, separate addresses; and*

*(d) a park, recreation area, sporting ground, walking or bicycle track that is open to or used by the public; and*

*(e) any other area or feature that is, or is likely to be, of public, cultural or historical interest.*

*(2) Despite [subsection \(1\)](#), a reference to a place in this Act does not include a reference to –*

*(a) a building or similar structure; or*

*(b) a place that is given, or may be given, a name under any other Act; or*

*(c) an area or feature, or class of areas or features, that is prescribed as not being a place for the purposes of this Act.*

##### **11. Naming of roads, streets, &c.**

*(1) In this section –*

**naming action** means an action taken by a responsible authority in accordance with [subsection \(2\)](#) in respect of a place referred to in [section 4\(1\)\(c\)](#);

**responsible authority**, for a place referred to in [section 4\(1\)\(c\)](#), means –

*(a) if the place is located on reserved land, or in a reserved region, within the meaning of the [Nature Conservation Act 2002](#), the Department responsible for the administration of that Act; or*

*(b) if the place is located on permanent timber production zone land, within the meaning of the [Forest Management Act 2013](#), the Forestry corporation continued in existence under that Act; or*

*(c) if the place is on land owned by the Corporation, within the meaning of the [Hydro-Electric Corporation Act 1995](#), the Corporation; or*

*(d) in any other case, a council of a municipal area where the place is located, unless another authority is prescribed for the place.*

*(2) In accordance with the guidelines, the responsible authority for a place referred to in [section 4\(1\)\(c\)](#) may do one or more of the following in respect of the place:*

*(a) name the place;*

*(b) alter, or revoke, an approved name for the place;*

*(c) alter, clarify, extend or reduce the location, boundary or extent of the place.*





*(3) The responsible authority for a place referred to in [section 4\(1\)\(c\)](#) must ensure that any naming action, performed in respect of the place, complies with –*

- (a) the relevant provisions of the guidelines; and*
- (b) this Act and any other applicable Act; and*
- (c) the relevant procedures of the responsible authority.*

...

*(6) The Registrar may only refuse to record a naming action performed by a responsible authority, as submitted to the Registrar under [subsection \(4\)](#), if –*

- (a) the naming action results in –*
  - (i) a name for a place that does not comply with the guidelines; or*
  - (ii) a name for a place that is an approved name for another place; or*
- (b) prescribed circumstances exist in relation to the name.*

...

## **5.2 Tasmanian Place Naming Guidelines (December 2022)**

## **6 FINANCIAL IMPLICATIONS**

The developer is responsible for installing new street signage associated with new roads.

## **7 RISK ISSUES**

Existing road names should not be duplicated within adjoining municipalities and ideally within the state. More critically they should not be duplicated within adjoining localities or suburbs (as recently gazetted for addressing purposes). Even the re-arrangement of the generic or type from say “Court to Place” may still result in potential misinformation and confusion to the user.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable

## **9 COMMUNITY CONSULTATION**

Not applicable

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

Not applicable

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

The developer’s preferred name of Corbould was not approved however by naming the new road after the type of plane Wing Commander Corbould flew it would still have an association with her achievement as the first woman to command a flying squadron.

## **2 ATTACHMENTS**

1. Plan- Hercules Close [15.2.1 - 2 pages]



### 15.3 POLICY REVIEW: AUDIT COMMITTEE

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

#### MINUTE NO. 23/0383

#### DECISION

Cr Goss/Cr Terrett

That Council endorse the minor amendments to the Audit Committee Policy.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

#### RECOMMENDATION

That Council endorse the minor amendments to the Audit Committee Policy.

#### 1 PURPOSE OF REPORT

The purpose of this report is to seek Council approval of the updates to the Audit Committee policy.

#### 2 INTRODUCTION/BACKGROUND

A review of the policy has resulted in the following amendments being recommended. In the attached policy document; recommended amendments have been highlighted and deletions include strikethrough.

##### a) Audit Committee

The review found the need for only minor amendments such as the date of the next review, membership and reference to prior policy.

#### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

##### 3.1 Strategic Plan 2021-2027

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

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

**Leaders with Impact**

**Strategic outcomes:**

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

##### 3.2 Integrated Priority Projects Plan 2021

Not applicable.



**4 POLICY IMPLICATIONS**

Regular review of policies is important to ensure they remain current and correspond with any legislative changes.

**5 STATUTORY REQUIREMENTS**

Not applicable.

**6 FINANCIAL IMPLICATIONS**

As per policy provisions.

**7 RISK ISSUES**

It is important for Council to set out its guidelines for the provision of services within the municipality.

**8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable.

**9 COMMUNITY CONSULTATION**

Not applicable.

**10 OPTIONS FOR COUNCIL TO CONSIDER**

Council can accept or reject the minor amendments to the policy.

**11 OFFICER'S COMMENTS/CONCLUSION**

That Council consider the policy amendments as highlighted in the attachment to reflect the actual situation.

**12 ATTACHMENTS**

1. Audit Committee [15.3.1 - 3 pages]



## 15.4 ASSISTANCE FOR EVENTS: ROUND 2

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

*Cr Goss declared an interest in the Tasmanian Trout Expo, signed the register and left the meeting at 7.37pm*

### MINUTE NO. 23/0384

#### DECISION

Deputy Mayor Lambert/Cr Archer

That Council allocate Round 2 Event assistance to the Tasmanian Trout Expo as per the schedule.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Lambert, Cr Andrews, Cr Archer, Cr Brooks and Cr Terrett

Voting Against the Motion:

Nil

*Cr Goss returned to the meeting at 7.38pm*

### MINUTE NO. 23/0385

#### DECISION

Cr Archer/Cr Andrews

That Council allocate Round 2 Event assistance as per the following schedule:

Applicant	Event	Grant Sought	Recommendation
Tasmanian Trout Expo Committee	Tasmanian Trout Expo - 8 Oct 2023	\$ 1,650	\$ 2,000
Longford Bloom Inc	Longford Blooms Garden Festival - 19 Nov 2023	\$ 1,650	\$ 2,000
Farmers Field Day for Climate Action	Voluntary event - 24 Nov 2023	\$ 50	\$ 50
Events Northern Midlands Association	Verandah Music Festival - 25&26 Nov 2023	\$ 1,650	\$ 2,000
Longford Cultural Society	The Longford Community Concert - 2 Dec 2023	\$ 1,047	\$ 1,047
AJC Executive Task Force Inc	77th Australian Jazz Festival - 26to31 Dec 2023	\$ 2,000	\$ 2,000
Tasmanian Turf Club	2024 Longford Cup - 1 Jan 2024	\$ 1,000	\$ 1,000
Steve Donovan	A Day out for Don 14 Jan 2024 - funds raised to Lifeline Tasmania		\$ 150
Evandale Village Fair Inc	Evandale Village Fair and Pennyfarthing Race - 17 Feb 2024-	\$ 10,000	\$ 3,500
Tasmanian National Dancing Association	Scots Day Out Dancing Competition - 18 Feb 2024	\$ 3,500	\$ 2,000
Northern Tasmanian Light Horse Troop	War Memorial Remembrance Day - 24 Feb 2024	\$ 750	\$ 750
Tasmanian Truck Owners & Operators Assoc	Tasmanian Truck Annual Truck Show for Royal Flying Doctors - 3 Mar 2024	\$ 2,000	\$ 1,000
Car and Bike Enthusiasts Inc (CARBIE)	Motorama Tasmania at Symmons Plains- 9 Mar 2024	\$ 2,000	\$ 2,000
Black Dog Ride Australia	Black Dog Ride - 17 Mar 2024		\$ 150
Longford Cultural Society	Longford Art Group Monthly Workshops - 12 separate sessions once a month	\$ 4,440	N/a
	<b>Total</b>	<b>\$ 31,737</b>	<b>\$ 19,647</b>

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

#### RECOMMENDATION

That Council allocate Round 2 Event assistance as per the following schedule:



Applicant	Event	Grant Sought	Recommendation
Tasmanian Troup Expo Committee	Tasmanian Troup Expo - 8 Oct 2023	\$ 1,650	\$ 2,000
Longford Bloom Inc	Longford Blooms Garden Festival - 19 Nov 2023	\$ 1,650	\$ 2,000
Farmers Field Day for Climate Action	Voluntary event - 24 Nov 2023	\$ 50	\$ 50
Events Northern Midlands Association	Verandah Music Festival - 25&26 Nov 2023	\$ 1,650	\$ 2,000
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Black Dog Ride Australia	Black Dog Ride - 17 Mar 2024		\$ 150
Longford Cultural Society	Longford Art Group Monthly Workshops - 12 separate sessions once a month	\$ 4,440	N/a
<b>Total</b>		<b>\$ 31,737</b>	<b>\$ 19,647</b>

## 1 PURPOSE OF REPORT

This report considers Round 2 requests for assistance during 2023-24 by community, sporting and non-profit organisations holding festivals, events or other promotions within the northern midlands area.

## 2 INTRODUCTION/BACKGROUND

Community organisations may apply for assistance towards festivals, events and promotions that are the only one of their kind in the Northern Midlands in any one year and attract significant numbers of people to the event and/or attract significant media coverage of the northern midlands area.

The maximum allocation to an event is \$2,000 except in the case of a major new event which can be eligible for a one-off seeding grant of up to \$3,500. Major events that are held annually are eligible for up to \$2,000 in-kind support each year (both grant amounts include a Covid compliance grant of \$350 towards additional expenses to run events covid safe).

Funding priorities are given to events that have a significant benefit for a wide range of Northern Midlands residents and businesses, are unique within Northern Midlands, or if profit making put the funds back into the community, preferably through community projects that will benefit a wide cross section of the community.

Round 2 applications for 2023-24 were advertised on 26th August and closed on 29th September 2023.



Fifteen applications seeking \$31,737 were received by Council, with fourteen grants recommended totalling \$19,647 and one application that did not meet the grant criteria as it was an ongoing program.

Applicant	Event	Grant Sought	Recommendation
Tasmanian Troup Expo Committee	Tasmanian Troup Expo - 8 Oct 2023	\$ 1,650	\$ 2,000
Longford Bloom Inc	Longford Blooms Garden Festival - 19 Nov 2023	\$ 1,650	\$ 2,000
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Longford Cultural Society	Longford Art Group Monthly Workshops - 12 separate sessions once a month	\$ 4,440	N/a
<b>Total</b>		<b>\$ 31,737</b>	<b>\$ 19,647</b>

### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

#### 3.1 Strategic Plan 2021-2027

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

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

**Leaders with Impact**

**Strategic outcomes:**

1.1 Council is connected to the community

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

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

**Strategic outcomes:**

3.4 Towns are enviable places to visit, live and work

#### 3.2 Integrated Priority Projects Plan 2021

Not applicable.

### 4 POLICY IMPLICATIONS

The event application guidelines set out a process for a fair and equitable distribution of financial assistance to local community groups.

### 5 STATUTORY REQUIREMENTS

There is no statutory requirement to provide a community event grant program.

### 6 FINANCIAL IMPLICATIONS

The support funding for Round 2 is funded from the annual allocation towards Events totalling \$75,000.





## **7 RISK ISSUES**

Without support many of the small community events would not be able to continue.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable – local event management.

## **9 COMMUNITY CONSULTATION**

Community groups promote their individual events. The funding rounds are advertised in the local papers and Facebook.

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

Approve or not approve some or all of the Round 2 event funding sought.

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

The above funding allocations are supported by the Tourism Officer.

## **12 ATTACHMENTS**

1. Application for Council Assistance Round 2 - Festivals - Evandale Village Fair and Pennyfarthing Rac [**15.4.1** - 2 pages]
2. Application for Council Assistance Round 2 - Festivals - Field Day for Farmers [**15.4.2** - 2 pages]
3. Application for Council Assistance Round 2 - Festivals - Longford Blooms Garden Festival [**15.4.3** - 3 pages]
4. Application for Council Assistance Round 2 - Festivals - 77 th Australian Jazz Convention [**15.4.4** - 2 pages]
5. Application for Council Assistance Round 2 - Festivals - 2024 Jim Osborne Cressy Chaff Cutters Longfo [**15.4.5** - 1 page]
6. Application for Council Assistance Round 2 - Festivals - A Day out for Don [**15.4.6** - 2 pages]
7. Application for Council Assistance Round 2 - Festivals - Black Dog Ride [**15.4.7** - 2 pages]
8. Application for Council Assistance Round 2 - Festivals - Festivals - Scots Day Out [**15.4.8** - 2 pages]
9. Application for Council Assistance Round 2 - Festivals - Longford Art Group Monthly Workshops [**15.4.9** - 4 pages]
10. Application for Council Assistance Round 2 - Festivals - Motorama Tas [**15.4.10** - 2 pages]
11. Application for Council Assistance Round 2 - Festivals - Tasmanian Troup Expo [**15.4.11** - 3 pages]
12. Application for Council Assistance Round 2 - Festivals - Tasmanian Truck Show [**15.4.12** - 2 pages]
13. Application for Council Assistance Round 2 - Festivals - The Longford Community Concert [**15.4.13** - 4 pages]
14. Application for Council Assistance Round 2 - Festivals - Verandah Music Festival [**15.4.14** - 2 pages]
15. Application for Council Assistance Round 2 - Festivals - War Animal Remembrance Day [**15.4.15** - 5 pages]



## 16 WORKS REPORTS

No Works reports included in this Council meeting agenda for Council's consideration.



## 17 ITEMS FOR THE CLOSED MEETING

### MINUTE NO. 23/0386

#### DECISION

Deputy Mayor Lambert/Cr Brooks

That Council move into the "Closed Meeting" with the General Manager, Corporate Services Manager, Works Manager, Project and Building Compliance Manager, Senior Planner, Executive Officer and Executive Assistant.

Carried Unanimously

#### RECOMMENDATION

That Council move into the "Closed Meeting" with the General Manager, Corporate Services Manager, Works Manager, Senior Planner, Executive Officer and Executive Assistant to discuss Closed Council Items.

Item	Local Government (Meeting Procedures) Regulations 2015 Reference
Procedural Matters	15(2)(g)
Personnel Matters	15(2)(a)
Action Items: Status Report	15(2)(g)
Legal Matter	15(2)(i)
Legal Matter	15(2)(i)
Personnel Matters	15(2)(a)
Land Acquisition/Purchase/Disposal	15(2)(f)
Land Acquisition/Purchase/Disposal	15(2)(f)
Lease	15(2)(f)

#### Local Government (Meeting Procedures) Regulations 2015 - Part 2 - Meetings

- (a) *personnel matters, including complaints against an employee of the council and industrial relations matters;*
- (b) *information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business;*
- (c) *commercial information of a confidential nature that, if disclosed, is likely to -*
  - (i) *prejudice the commercial position of the person who supplied it; or*
  - (ii) *confer a commercial advantage on a competitor of the council; or*
  - (iii) *reveal a trade secret.*
- (d) *contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;*
- (e) *the security of -*
  - (i) *the council, councillors and council staff; or*
  - (ii) *the property of the council.*
- (f) *proposals for the council to acquire land or an interest in land or for the disposal of land;*
- (g) *information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;*
- (h) *applications by councillors for a leave of absence;*
- (i) *matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) *the personal hardship of any person who is a resident in, or is a ratepayer in, the relevant municipal area.*



## 17.1 CLOSED COUNCIL DECISIONS RELEASED

### 4.2 LEASE: JOHN GLOVER SOCIETY INC.

#### MINUTE NO. 23/0391

##### DECISION

Cr Terrett/Cr Andrews

That Council

- a) approve the lease for Falls Park Pavilion to the John Glover Society Inc.
- b) in relation to this matter
  - i) consider whether any discussion, decision, report or document is kept confidential or released to the public; and
  - ii) determined **to release the decision** to the public.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 18 CLOSURE

### MINUTE NO. 23/0392

#### DECISION

Cr Terrett/Deputy Mayor Lambert

That Council move out of the "Closed Meeting".

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

Mayor Knowles closed the meeting at 8.09pm.

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_