



**NORTHERN
MIDLANDS
COUNCIL**

MINUTES

ORDINARY MEETING OF COUNCIL

MONDAY, 11 DECEMBER 2023



MINUTES of the Ordinary Meeting of the Northern Midlands Council held on 11 December 2023 at 5.12pm in person at the Council Chambers, 13 Smith Street, Longford

1 ATTENDANCE

PRESENT

Mayor Mary Knowles OAM, Deputy Mayor Janet Lambert, Cr Dick Adams OAM, Cr Alison Andrews AM (to 6.24pm), Cr Richard Archer, Cr Matthew Brooks, Cr Richard Goss, Cr Paul Terrett

In Attendance

Mr Des Jennings - General Manager (to 8.20pm), Miss Maree Bricknell - Corporate Services Manager, Mr Leigh McCullagh - Works Manager (from 5.30pm to 8.20pm), Mrs Erin Miles - Project Officer (to 6.32pm), Mr Neil Shephard - Consultant Planner (to 5.53pm), Ms Victoria Veldhuizen - Executive Officer (to 8.20pm), Mrs Gail Eachar - Executive Assistant

APOLOGIES

Nil.



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18 CLOSURE156

Mayor Knowles advised as follows:

There are 2 additional items to be added to the table of contents and I wish to step out of the Chair for one of them and the Deputy Mayor will take the Chair.

Mayor Knowles then vacated the Chair, Deputy Mayor Lambert took the Chair and Mr Jennings declared an interest in Item 5.5 and left the meeting at 5.13pm.

Deputy Mayor Lambert advised as follows:

We have two items ... and need to put a motion to include into the Table of Contents 5.5.1 Notice without Motion: Mayor's correspondence to the Office of Local Government and the motion is: 'that the Mayor move by absolute majority to deal with this matter which is not included on the Agenda. The matter is that the Mayor write tot he Acting Director of Local Government to request that he recommend to the Minister for Local Government that he issue a Performance Improvement Direction (PID) to Councillor Andrew McCullagh following him resuming his office as councillor, to protect the General Manager's, Mr Des Jennings, ("Mr Jennings") health and safety in the workplace and prevent behaviour and conduct toward Mr Jennings that either teats him unfairly, causes him offence or embarrassment, or comprises bullying or harassment.

MINUTE NO. 23/0441

DECISION

Mayor Knowles/Cr Adams

That Council agree to the inclusion of late item 5.5 Motions without Notice; 5.51 Mayor's correspondence to the Office of Local Government in the Agenda.

Carried

Voting for the Motion:

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

Voting Against the Motion:

Cr Brooks and Cr Terrett

Mayor Knowles resumed the Chair and Mr Jennings returned to the meeting at 5.17pm.

MINUTE NO. 23/0442

DECISION

Cr Adams/Cr Goss

That Council agree to the inclusion of late item 15.4 SES Request for Transfer of Ownership of Asset in the Agenda.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



3 ACKNOWLEDGEMENT OF COUNTRY

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

The Welcome to Country was conducted by Mayor Knowles during Council's Annual General Meeting held immediately prior to this meeting.

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

Council RESOLVED to accept the following Declarations of Interest:

- Deputy Mayor Janet Lambert - Closed Council Item 4.1
- Councillor Paul Terrett - Closed Council Item 4.1
- Des Jennings, General Manager - Item 5.5.1 Motion without Notice; Closed Council Item 4.7.

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. 23/0443

DECISION

Cr Archer/Cr Andrews

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 20 November 2023, be confirmed as a true record of proceedings.

MINUTE NO. 23/0444

AMENDMENT

Cr Terrett/Cr Brooks

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 20 November 2023, be confirmed as a true record of proceedings.

Subject to the following amendments:

Item 5.3.2 Notice of Motion: Workforce Planning Strategy: ~~That the matter of preparing a Workforce Planning Strategy be listed for the 2024/2025 Budget deliberations.~~ That Council develop a Workforce Planning Strategy and it be listed for the 2024/2025 Budget.

Item 5.3.3 Longford Town Hall Committee: ~~That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting.~~ That Council Officer's prepare a report on the notice of motion to the next council meeting.

The Amendment was Put and
Lost

Voting for the Motion:

Cr Andrews, Cr Archer, Cr Brooks and Cr Terrett

Voting Against the Motion:

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

The Motion was then Put and
Lost

Voting for the Motion:

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

Voting Against the Motion:

Cr Andrews, Cr Archer, Cr Brooks and Cr Terrett

As no consensus could be reached, Confirmation of the 20 November 2023 Council Meeting Minutes will be considered at the 29 January 2024 Council Meeting.

RECOMMENDATION

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 20 November 2023, be confirmed as a true record of proceedings.



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, 29 January 2024.



5.3 LOCAL GOVERNMENT DIRECTIVES

5.3.1 Code Of Conduct Panels Determination Report: Local Government Act 1993 (Section 28ZJ)

DETERMINATION REPORT WITHDRAWN

The following statement was read by Mayor Knowles:

I wish to confirm that we have been provided with the official Notice of the Appeal from Mr McCullagh that has been lodged with the Magistrates Court (see attached).

As such, section 28ZK(6) of the Local Government Act 1993 applies noting that section 28ZK(4) which is the listing of the Determination Report as an agenda item is not to apply until such time as the review is complete.

We took advice today (written on Friday) that we need to take reasonable steps to meet the requirements with regard the direction from the Office of Local Government.

Therefore, the Determination Report be removed as an Agenda Item for the Council at the meeting on 11 December 2023.

The Agenda which is the subject of public view on the NMC website will be adjusted to remove the item.

Further, for your information, the suspension of Councillor McCullagh has had immediate effect and will continue until midnight on 26 December 2023.

The effect of the determination is that, for the period of the suspensions, Councillor McCullagh is not to exercise the functions and powers of a Councillor under the *Local Government Act 1993*.

MINUTE NO. 23/0445

DECISION

Cr Terrett/Cr Brooks

Motion of dissent.

Lost

Voting for the Motion:

Cr Brooks and Cr Terrett

Voting Against the Motion:

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

The effect of the determination is that, for the period of the suspensions, Councillor McCullagh is not to exercise the functions and powers of a Councillor under the *Local Government Act 1993*.

This includes, but is not limited to:

1. No longer participating as a councillor in Council meetings, Council Workshops, Council Committee meetings or Special Committee meetings;
2. No longer receiving communications from the Council provided to councillors;
3. No longer being able to request information from the General Manager relating to the performance of the functions of a councillor;
4. No longer representing himself as a councillor (including using the title 'Councillor' in any correspondence or on social media) or representing the views of the Council in the capacity of a councillor;
5. No longer using Council resources made available to him in his capacity as a councillor;
6. No longer receiving a Councillor allowance.

It is an offence under section 339C of the Act to perform or exercise the functions and powers of a councillor (or attempt to do so) during a period of suspension. Non-compliance with this provision carries a fine of up to 50 penalty units (\$9,050).



ATTACHMENTS

1. Attachment Withdrawn from Agenda [5.3.1.1 - 11 pages]
-

5.3.2 Correspondence: Director Of Local Government

Mayor Knowles read the content of correspondence received on 28 November 2023 from the Acting Director of Local Government in accordance with his request.

I write to express serious concern regarding recent public exchanges relating to the Northern Midlands Council, including allegations of bullying, harassment and other harmful behaviours from council parties.

While I recognise Council has proactively undertaken a number of actions to improve the workplace environment, due to the ongoing nature of these interactions, their apparent severity and the potential adverse impacts on the wellbeing of council staff, elected representatives and the broader community, I believe that it is necessary to immediately resolve this unacceptable situation.

A failure by the Council to provide a safe workplace may constitute an offence under the Work Health and Safety (WHS) legislative framework, particularly where known and ultimately preventable risks such as psychosocial harm are not mitigated. Both councillors and staff also have individual responsibilities and obligations in this respect. Moreover, a poor workplace environment will ultimately impact on the effective good governance of council to the detriment of the community. For these reasons, it is vital that the Council maintains appropriate capability to address bullying, harassment and other harmful behaviours.

I am broadly aware that Council has already independently sought some advice in relation to these obligations and any appropriate control measures. However, given these measures do not appear to have alleviated the grievances and allegations of all relevant Council parties, I have determined to refer this matter to the WHS Regulator, WorkSafe Tasmania as the appropriate regulatory body for further independent inquiry. I expect WorkSafe Tasmania will be in touch with Council in due course.

Beyond the Council's WHS obligations, I reinforce that councillors, council employees, general managers and other persons concerned in council business must exercise their duties, powers and functions in accordance with the Local Government Act /993 (the Act). While I note that the interactions I have referred to are principally matters of conduct and therefore fall within the remit of Council itself, the Code of Conduct framework and the abovementioned WHS legislative framework, as Director of Local Government. I reserve a right to consider broader powers available to me under the Act if potential breaches are identified.

Finally, I will remind all councillors and staff to consider their role and standing within the community and the importance of maintaining appropriate standards of conduct and confidentiality in order to foster community confidence and maintain the reputation of the Council as a whole. In this respect, I also note that public exchanges that concern allegations or complaints raised with this office, the Code of Conduct panel or any other regulatory authority can have detrimental impacts on subsequent investigations and can undermine procedural fairness.

I request that this letter be read out at the next Council meeting to inform the Northern Midlands community of my concerns and the fact that this issue has been referred to WorkSafe Tasmania for further inquiry.

DECISION

Cr Terrett/

That Council appoint an independent arbitrator to arbitrate councillor behaviour in 2024.

The motion lapsed for want of a seconder

ATTACHMENTS

1. Director for Local Government Letter to Northern Midlands Council 28-11-2023 [5.3.2.1 - 2 pages]
-



5.4 MOTIONS ON NOTICE

The following notice of Motion/Motions have been received.

5.4.1 Notice Of Motion: Community For Walkability - Evandale Report

Responsible Officer: *Des Jennings, General Manager*

MINUTE NO. 23/0450

DECISION

Cr Terrett/Deputy Mayor Lambert

That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting in 2024, inclusive of cost estimates to review the Communities for Walkability – Evandale Report.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Lambert, Cr Adams, 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 to be presented to a future Council Meeting, inclusive of cost estimates to review the Communities for Walkability – Evandale Report.

Councillor Terrett has requested the below Notice of Motion be tabled at the 11 December 2023 Council Meeting.

NOTICE OF MOTION

That Council conduct a review of the Communities for Walkability – Evandale Report and prepare a report to Council, in the first quarter of 2024, on ways to improve Evandale's walkability infrastructure prior to the 2024/2025 Budget deliberations.

BACKGROUND

The Communities for Walkability is a project initiated by LGAT working with the Menzies Centre and the University of Tasmania on specific research about the nature of walkability in Tasmania. In summary, the project measures Walkability in small and rural towns using mapping and special analysis, along with community workshops to assess. The project aimed to identify things about rural towns that made it easier or harder to lead an active lifestyle, provide information for the community, local Councils, state government etc. on how to improve the walkability of rural communities.

The project organisers selected Evandale for this study. Participants were invited to join in a workshop and interviews. The final report is attached.

Overall, the findings highlight the key assets recognised by community members as supporting walkability in Evandale as well as areas of improvement. The town has lower walkability to the west of High Street and on the edges of the town whereas the main town area is slightly more walkable. In the audit, all facilities and features in Evandale were rated as good/excellent and the geography of Evandale was reported to be generally flat which enhanced walkability in the town. The Program and Policy assessment found some council programs or policies in the area; however, there was an absence



of policy around requiring bikeways or walkways in new infrastructure projects or specific programs encouraging physical activity within Evandale. The street segment audits reported a good range of recreational facilities. Overall, footpath quality was rated as good/excellent in four of seven segments. Discussion at the workshop suggested this was not always the case. Three priorities were identified as having potential to improve the walkability throughout Evandale. These were:

- Improving general walking infrastructure: Maintaining current footpaths to ensure they are good quality and not impacted by overgrowth or uneven surface quality. Provision of general infrastructure such as pedestrian signage, lighting and seating was also discussed to enhance walkability.
- Improving accessibility: Ensuring access to facilities and amenities (including footpaths and crossings) are suitable for members of all abilities was considered a priority. Many of the older historical buildings are inaccessible for people with wheelchairs or other mobility devices.
- Improving connectivity: Improving connectivity between footpaths, infrastructure and amenities was considered a priority by the community members. This would support the creation of walking trails between key locations (such as the local parks and reserves) which community members considered important. Upgrading the surface of the tracks through Honeysuckle Banks was also suggested to increased use and enjoyment of the natural environment along the South Esk River.

This project is consistent with the draft Northern Midlands Council – Health and Wellbeing Strategy 2022 council as a Provider, under 1.5, plans residential and commercial areas to increase walkability and 1.5 encouraging pedestrian and cyclist and reduce reliance on motor vehicles. It also complements the 2021 -2027 Strategic Plan to: Build Capacity for a Health Wealthy Future through strategic, sustainable, infrastructure is progressive.

OFFICER'S COMMENTS/RECOMMENDATION

Officers have undertaken a preliminary review of the report and note that a number of the 'possible solutions' relate to

- improved disabled access;
- improved pathways, materials and consistency in footpath surfaces;
- connectivity; and
- signage.

Given current staff workloads, an in-depth review of the document would need to be undertaken by an external provider, together with an assessment of the practicalities of implementation; and the costing of identified projects would need to be undertaken prior to a report to Council.

Council has a Master Plan to improve connectivity within Pioneer Park, and provision of toilet facilities for people walking to Honeysuckle Banks Reserve, further improvements could also be considered as part of Council's annual budget for street furniture and footpath replacement programs.

A timeline relating to the Communities for Walkability project is attached for reference.

- 1) Pursuant to the Local Government Act 1993 Section 63, the General Manager must ensure that Council receives advice from persons who have the necessary qualification or experience to give such advice, information or recommendation on the matter before Council.

RECOMMENDATION: That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting, inclusive of cost estimates to review the Communities for Walkability – Evandale Report.

ATTACHMENTS

1. walkability background brief [5.4.1.1 - 2 pages]
2. UTAS Menzies C 4 W Evandale- Report WEB [5.4.1.2 - 40 pages]



5.4.2 Notice Of Motion: Longford Bypass

Responsible Officer: Des Jennings, General Manager

DECISION

Cr Terrett/

That Council prepare a report to examine options for a Longford bypass.

The motion lapsed for want of a seconder

MINUTE NO. 23/0452

DECISION

Cr Andrews/Cr Terrett

That Council immediately seek alternative funding resources to upgrade the corner of Wilmores Lane and Bishopsbourne Road and Green Rises Road and Elphinstone Road to enable heavy vehicles to choose another option to Longford's main street.

Carried

Voting for the Motion:

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

Voting Against the Motion:

Cr Brooks

OFFICER'S RECOMMENDATION

That State Growth be requested to investigate a Longford bypass.

Councillor Terrett has requested the below Notice of Motion be tabled at the 11 December 2023 Council Meeting.

NOTICE OF MOTION

That Council prepare a report to examine options for a Longford bypass.

BACKGROUND

In recent years traffic in Wellington Street has gradually increased. The community has raised the need for a bypass of Longford to reduce traffic and large truck movements in the town. Currently, the Strategic Plan of council and the Priority Projects of Council does not list a bypass of the town.

The town has limited entry points that will become increasingly stressed as the town grows. With limited financial resources Council would need to work with State and Federal Governments to develop this project and create a vision for a Longford bypass.

As a first step the Council needs to decide if a bypass is viable and how we can plan for the future of Longford.

OFFICER'S RECOMMENDATION

Council officers last placed a traffic counter in Marlborough Street near the Commonwealth Bank in November 2021 and an average daily traffic count of 8,859 vehicles was recorded. A count taken in December 2007 at the same location recorded an average daily traffic count of 6,653.

This was compared to public available traffic counter for a number of other similar size towns which do not have bypasses using data available on the Department of State Growth website.

- Huonville -12,500 vehicles per day
- Snug – 9,600 vehicles per day
- Latrobe – 8,900 vehicles per day
- Lauderdale 8,600 vehicles per day



A traffic count taken by the Department of State Growth taken south of Munden Lane in April 2022 and 2,530 vehicles per day was recorded. This indicates that up to 70% of the traffic in the main is not traveling beyond Longford and would not make use of the bypass. It was however noted that over 20% of vehicles in this count were heavy vehicles and many of these vehicles would travel through Longford.

- 1) Pursuant to the Local Government Act 1993 Section 63, the General Manager must ensure that Council receives advice from persons who have the necessary qualification or experience to give such advice, information or recommendation on the matter before Council.

RECOMMENDATION: That That State Growth be requested to investigate a Longford bypass.

ATTACHMENTS

Nil



5.5 MOTIONS WITHOUT NOTICE

5.5.1 Mayor's Correspondence To The Office Of Local Government

Mayor Mary Knowles has requested the below Motion without Notice be tabled at the 11 December 2023 Council meeting.

Mayor Knowles vacated the Chair, Deputy Mayor Lambert took the Chair and Mr Jennings declared an interest in Item 5.5.1 and left the meeting at 6.05pm.

MINUTE NO. 23/0453

DECISION

Mayor Knowles/Cr Adams

1. That Council note:
 - a the letter of the Acting Director of Local Government, Mr Mike Mogridge, dated 28 November 2023 which is Attachment 5.3.2.1 to the agenda:
 - i) reminding the Council of its obligations to provide a safe work environment;
 - ii) noting the ongoing nature of interactions, their apparent severity and potential adverse impacts on the wellbeing of staff; and
 - iii) advising that he has referred the Council to Worksafe Tasmania due to his concerns about allegations of bullying and harassment and other harmful behaviours;
 - b Council's duties under the Work Health and Safety Act 2012 (Tas); and
 - c Councillors' functions and duties under the Local Government Act 1993 (Tas) (the Act).
2. That:
 - a Council reaffirm its commitment to the principles of respectful behaviour, in accordance with our obligations under section 28T of the Act; and
 - b the Mayor write to the Acting Director of Local Government to request that he recommend to the Minister for Local Government that he issue a Performance Improvement Direction (PID) to Councillor Andrew McCullagh following him resuming his office as councillor, to protect the General Manager's, Mr Des Jennings, ("Mr Jennings") health and safety in the workplace and prevent behaviour and conduct toward Mr Jennings that either treats him unfairly, causes him offence or embarrassment, or comprises bullying or harassment.

Carried

Voting for the Motion:

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

Voting Against the Motion:

Cr Brooks and Cr Terrett

Mayor Knowles resumed the Chair and Mr Jennings returned to the meeting at 6.24pm.

At this time Mayor Knowles adjourned the meeting for the meal break and Cr Andrews left the meeting.

MOTION WITHOUT NOTICE

1. That Council note:
 - a the letter of the Acting Director of Local Government, Mr Mike Mogridge, dated 28 November 2023 which is Attachment 5.3.2.1 to the agenda:
 - i) reminding the Council of its obligations to provide a safe work environment;
 - ii) noting the ongoing nature of interactions, their apparent severity and potential adverse impacts on the wellbeing of staff; and



- iii) advising that he has referred the Council to Worksafe Tasmania due to his concerns about allegations of bullying and harassment and other harmful behaviours;
 - b Council's duties under the Work Health and Safety Act 2012 (Tas); and
 - c Councillors' functions and duties under the Local Government Act 1993 (Tas) (the Act).
2. That:
- a Council reaffirm its commitment to the principles of respectful behaviour, in accordance with our obligations under section 28T of the Act; and
 - b the Mayor write to the Acting Director of Local Government to request that he recommend to the Minister for Local Government that he issue a Performance Improvement Direction (PID) to Councillor Andrew McCullagh following him resuming his office as councillor, to protect the General Manager's, Mr Des Jennings, ("Mr Jennings") health and safety in the workplace and prevent behaviour and conduct toward Mr Jennings that either treats him unfairly, causes him offence or embarrassment, or comprises bullying or harassment.

BACKGROUND AND SUPPORTING INFORMATION

Urgent motion

This motion is made without notice. It was not able to be included in the meeting agenda because the Council was only informed on 5 December 2023 that Andrew McCullagh has been suspended as a Councillor by the Code of Conduct Panel.

Background

As noted in the Acting Director's letter dated 28 November 2023, I have taken several proactive steps to seek to protect Mr Jennings:

- I have raised my concerns directly with Mr McCullagh;
- I have met with the Director of Local Government to express my concerns;
- I issued a Directive to Mr McCullagh in February, directing that he must not write to Mr Jennings in a rude, offensive, aggressive and threatening manner;
- I directed that Mr McCullagh's emails to Mr Jennings be redirected so that any offending comments could be redacted by staff before being sent to Mr Jennings for review and action; and
- I have made a Code of Conduct complaint against Mr McCullagh.

Mr McCullagh's recent actions

Since suspension from office, Mr McCullagh has emailed me to advise that he has applied to the Magistrates Court for a review of the Code of Conduct Panel's determination on the ground that the Panel has failed to comply with the rules of natural justice (not on the grounds of an error of law or fact).

In that email, it is my opinion that Mr McCullagh continued his conduct towards Mr Jennings unabated, by insulting and threatening him.

In comments made in a Facebook post on 6 December 2023, Mr McCullagh demonstrated disregard for the Code of Conduct Panel process, and a lack of remorse and any reflection upon his behaviour. Mr McCullagh has made similar public comments on radio and as quoted in the media which cause me significant concern that his behaviour towards Mr Jennings will continue when he resumes office.



Performance Improvement Direction (PID)

A PID is a step that the Minister can take to require a councillor to take, or refrain from taking, certain action. A PID can outline consequences if a councillor does not comply with the direction, one of which can be suspension for up to 6 months.

PIDs address situations where a councillor fails to comply with the Act, or another Act (and that breach is not minor). A PID may also be issued on a councillor where there has been several failures to comply with the Act (or another Act). As the Act requires that councillors comply with the Code of Conduct, a breach of the Code of Conduct is one reason the Minister may decide to issue a PID.

The Code of Conduct Panel can only impose sanctions on a councillor for past behaviour. The Panel does not have power to direct a councillor in relation to their ongoing future behaviour, other than to direct them to apologise or to undergo training.

I apprehend that Mr McCullagh's behaviour towards Mr Jennings will continue unless the Minister regulates his behaviour by issuing a PID, given that:

- Mr McCullagh has been warned by me and the Director of Local Government that we consider his conduct towards Mr Jennings unacceptable;
- he is aware of my Code of Conduct complaint against him, and yet his behaviour has continued; and
- despite his suspension, his behaviour has continued.

OFFICER'S COMMENTS/RECOMMENDATION:

The Mayor has put forward a motion without notice in accordance with Regulation 16(1) of the *Local Government (Meeting Procedures) Regulations 2015* (Tas) (**Meeting Procedures**).

To deal with a matter that is not on the agenda, the Council must resolve by absolute majority to do so, if:

1. The General Manager has reported the reason it was not possible to include the matter on the agenda; and
2. The General Manager has reported that the matter is urgent; and
3. Where the matter requires the advice of a qualified person, the General Manager has certified under section 65 of the *Local Government Act 1993* (Tas) (**the Act**) that the advice has been obtained and taken into account in providing general advice to the Council.

Reason for the matter not being included on the agenda

Notice from the Code of Conduct Panel of Councillor Andrew McCullagh's ('Mr McCullagh') suspension was only advised to the Council on 5 December 2023, after the agenda for this meeting was finalised. That is a requirement and consequence of section 28ZK of the Act.

That the matter is urgent

Mr McCullagh has been suspended as a councillor for 21 days, effective 5 December 2023, and will resume his office on 27 December 2023. The next Council meeting is scheduled for Monday 29 January 2024. It is not reasonably practicable to schedule a Special Council meeting upon Mr McCullagh resuming his office, due to the Christmas break and associated Council office closures.

The motion proposes that the Mayor write to the Acting Director of Local Government requesting that they recommend to the Minister for Local Government that the Minister issue a Performance Improvement Direction (PID) to Mr McCullagh, dealing with his behaviour towards General Manager, Des Jennings. Even if it were possible for the Council to convene a Special Council meeting over the Christmas break, office closures at the Office of Local Government and the



Minister's office would mean that any consideration of the matter would be unlikely to occur until the New Year, after Mr McCullagh resumes his office as a councillor.

Mr Jennings has reported that he feels bullied, harassed and embarrassed by the manner in which Mr McCullagh treats him.

The Acting Director of Local Government has reported the Council to Worksafe Tasmania for investigation, due to the Acting Director's concerns about the *"ongoing nature"* of interactions and *"their apparent severity and the potential adverse impacts on the wellbeing of council staff, elected representatives and the broader community."* The Acting Director has noted that it is his belief that *"it is necessary to immediately resolve this unacceptable situation."*

Mr McCullagh's Facebook posts, media commentary and correspondence (as outlined in the motion's supporting reasons) indicate that Mr McCullagh's behaviour towards Mr Jennings continues unabated.

Qualified advice

The Acting General Manager certifies under section 65 of the Act that qualified advice has been obtained and taken into account in providing general advice to the Council.



6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES

Mayor Knowles reconvened the meeting after the meal break at 7.00pm.

MINUTE NO. 23/0454

DECISION

Deputy Mayor Lambert/Cr Adams

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
i)	11.05.2023	Avoca Museum and Tourist Centre Management Committee	AGM
ii)	11.05.2023	Avoca Museum and Tourist Centre Management Committee	Ordinary
iii)	08.11.2023	Ross Community Sports Club Management Committee	Ordinary
iv)	08.11.2023	Morven Park Management Committee	Ordinary
v)	13.11.2023	Cressy War Memorial Swimming Pool Management Committee	Ordinary
vi)	14.11.2023	Evandale Community Information Centre and Hall Management Committee	Ordinary
vii)	29.11.2023	Longford Railway Sesquicentary Committee	Ordinary
viii)	29.11.2023	Cressy Local District Committee Meeting	Ordinary

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

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



7 COUNCIL COMMITTEES - RECOMMENDATIONS

7.1 CRESSY LOCAL DISTRICT COMMITTEE

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

INSTALLATION OF TABLE AND SEATING:

MINUTE NO. 23/0455

DECISION

Cr Goss/Cr Adams

That Council

- a) notes the request of the Cressy Local District Committee which is an operational matter; and
- b) writes to the Bowls Club to congratulate them on the mural that has been installed.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

Officer Recommendation:

That Council notes the request of the Cressy Local District Committee which is an operational matter.

Committee Recommendation:

That Council consider installing a fixed table and seat in the garden area adjacent to the new mural on the Cressy Bowls and Community club wall.

Officer Comment:

The installation of a table and seating adjacent to the new mural on the Cressy Bowls and Community Club wall, should be determined by the Works Manager as an operational matter to be undertaken within the scope of the budget allocation.



7.2 OTHER COMMITTEE RECOMMENDATIONS

LONGFORD RAILWAY SESQUICENTARY COMMITTEE

At the ordinary meeting of the Longford Railway Sesquicentary Committee held on 29 November 2023 the following motion was recorded for Council's consideration:

RAILWAY BRIDGE PROJECT FUNDING:

MINUTE NO. 23/0456

DECISION

Cr Adams/Cr Goss

That

- a) the Longford Railway Sesquicentary Committee including TasRail representatives, be invited to present to the February 2024 Council at a workshop presentation to include costings and updated quotes; and
- b) Subject to the outcome of the Council workshop, a further report to Council be provided inclusive of funding options, for consideration.

Carried

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Archer, Cr Brooks and Cr Goss

Voting Against the Motion:

Deputy Mayor Lambert and Cr Terrett

Officer Recommendation:

That

- a) the Longford Railway Sesquicentary Committee including TasRail representatives, be invited to present to the February 2024 Council at a workshop presentation to include costings and updated quotes; and
- b) Subject to the outcome of the Council workshop, a further report to Council be provided inclusive of funding options, for consideration.

Committee Recommendation:

That the Longford Railway Sesquicentary Committee request the Council, in discussion with Tas Rail, provide funds to allow this project to be finalised.

Officer Comment:

An updated (verbal) quote for the manufacture of two (2) pillars only provided to the Committee was \$106,000. The construction of the foundation and installation of the pillars is estimated to be \$100,000 with the total costs being \$206,000. This does not include fencing or the construction of a viewing platform and interpretation panels. The Committee has presently received \$50,000 from the State Government and \$50,000 has been pledged from TasRail, leaving the project short of \$106,000 to construct the foundation and install the columns. Tas Rail is still in discussion with Penguin Composites regarding a timeframe however this project is time critical to ensure costs associated with it are maintained and do not increase beyond reach, and to ensure that State Government funds are not required to be returned as the State is now demanding an expected completion date.



8 INFORMATION ITEMS

MINUTE NO. 23/0457-1

DECISION

Cr Adams/Deputy Mayor Lambert
That the Information Items be received.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

MINUTE NO. 23/0457-2

DECISION

Cr Brooks/Cr Archer
That Council ask the EPA to investigate the origin of the odours and what mitigation measures are being considered, and update councillors.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

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
2023-11-27	Council Workshop Presentations <ul style="list-style-type: none">Launceston Airport PresentationEconomy.id (informed decisions) Discussion/activities included: <ul style="list-style-type: none">Memorial Hall TourLease: Northern Midlands Health, Fitness & Sports CentreStormwater System Flood and Risk StudyStormwater PoliciesChild & Youth Safe FrameworkRoad Condition Macquarie Road and West Street Campbell TownPlayground Shade and Fencing PolicyPurchase / Acquisition of Land
2023-12-11	Council Workshop Discussion: <ul style="list-style-type: none">Council Meeting Agenda items
	Council Meeting



8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 16 November to 6 December 2023 are as follows:

Date	Activity
16 November 2023	Attended Verandah Music Festival Official Launch, Evandale
16 November 2023	Attended online video conference Minister Street and Sue Smith Chair LG Review Report presentation
17 November 2023	Attended Official Opening Powranna Potato Storage Facility, Powranna
20 November 2023	Attended Workshop and Council Meeting, Longford
21 November 2023	Attended meeting with Honni Pitt, St Giles, Longford
21 November 2023	Attended the Official Launch of Bonza flights, airport
22 November 2023	Attended South Local District Committee Christmas function, Ross
23 November 2023	Attended Heritage Highway Workshop, Campbell Town
23 November 2023	Attended North Local District Committee Christmas function, Longford
24 November 2023	Officiated at the South Esk River Footbridge Opening, Perth
24 November 2023	Attended Northern Tasmania Development Corporation Meeting, Launceston
24 November 2023	Attended Pacific Australia Labour Mobility Scheme Information Event, Longford
25 November 2023	Attended Verandah Music Festival setting up, Evandale
27 November 2023	Attended Multicultural Programs meeting online, Gipps Creek
27 November 2023	Attended meeting with Rural Alive and Well, Longford
27 November 2023	Attended Memorial Hall viewing and NMC Workshop, Longford
28 November 2023	Attended Telstra meeting online, Longford
28 November 2023	Chaired Emergency Management Meeting, Longford
28 November 2023	Attended Eskleigh AGM, Eskleigh
29 November 2023	Attended Local Government Association of Tasmania Timms Ray Media Training, Launceston
29 November 2023	Attended TasFire Virtual Town Hall meeting online, Gipps Creek
30 November 2023	Attended meeting with Minister Street, Hobart
30 November 2023	Attended TV interview re Palmerston Battery Energy Storage System, Evandale
30 November 2023	Attended Councillor Christmas function, Evandale
1 December 2023	Guest speaker at 16 Days of Activism Walk to End Violence against Women, Launceston
3 December 2023	Guest speaker at Shannon's Classic Car Show, Salvation Army Christmas Appeal, Campbell Town
4 December 2023	Attended Avoca Museum & Information Centre meeting, Avoca
4 December 2023	Attended Longford Town Hall Committee AGM, Longford
6 December 2023	Attended Longford Legends event, Longford
6 December 2023	Attended Bicycle Committee meeting, Longford
	Attended to email, phone, media and mail inquiries

8.3 GENERAL MANAGER'S ACTIVITIES

General Manager's Activities Attended & Planned for the period 16 November to 6 December 2023 are as follows:

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

Date	Activity
16/11/2023	Attended launch of Evandale's 2023 Verandah Music Festival
20/11/2023	Attended Council Workshop and Meeting
22/11/2023	Attended Southern Local District Committee Christmas function at Ross
23/11/2023	Met with representative of Evandale Light Rail & Steam Society
23/11/2023	Attended Northern Local District Committee Christmas function at Longford
24/11/2023	Attended official opening of the South Esk River Walkway
24/11/2023	Attended Northern Tasmania Development Corporation Members Representative Group meeting and Annual



Date	Activity
	General Meeting
27/11/2023	Met with representatives of Rural Alive and Well
27/11/2023	Attended Council Workshop
29/11/2023	Met with representatives from Westpac
30/11/2023	Attended Virgin Australia Freight Facility opening at Launceston Airport
30/11/2023	Attended Councillors and Management Christmas function
1/12/2023	Attended Northern Tasmania Waste Management Steering Committee meeting
1/12/2023	Attended Northern General Manager's meeting

8.4 PETITIONS

PURPOSE OF REPORT

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

OFFICER'S COMMENT

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

Section 57. Petitions

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

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

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

- (a) a clear and concise statement identifying the subject matter and the action requested; and
- (b) in the case of a paper petition, a heading on each page indicating the subject matter; and
- (c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and
- (d) a statement specifying the number of signatories; and
- (e) at the end of the petition –

- (i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and
- (ii) in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.

(3) In this section –

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

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

petition means a paper petition or electronic petition;

signatory means –

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

58. Tabling petition

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

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

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

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

- (a) it does not comply with section 57; or
- (b) it is defamatory; or
- (c) any action it proposes is unlawful.

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

PETITIONS

No petitions received.



8.5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

No reports relating to attendance at Conferences and Seminars have been received.

8.6 132 & 337 CERTIFICATES ISSUED

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

S132. Certificate of liabilities

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

S337. Council land information certificate

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

	No. of Certificates Issued 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	71	67								357	763	995
337	23	34	29	41	34								161	391	530

8.7 ANIMAL CONTROL

Prepared by: Maree Bricknell, Corporate Services Manager

Item	Income/Issues 2022/2023		Income/Issues for November 2023		Income/Issues year to date 2023/2024	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,229	108,313	133	\$4,030	3,873	\$101,524
Dogs Impounded	44	3,545			7	\$1,110
Euthanised	2				2	
Re-claimed	36				5	
Re-homed/Dogs Home	6					
New Kennel Applications	10	745				
Renewed Kennel Licences	83	3,818			82	\$3,844
Infringement Notices (paid in full)	53	9,465	3	\$585	24	\$6,992
Legal Action						
Livestock Impounded						
TOTAL		\$125,886		\$4,615		\$113,548



Audits:

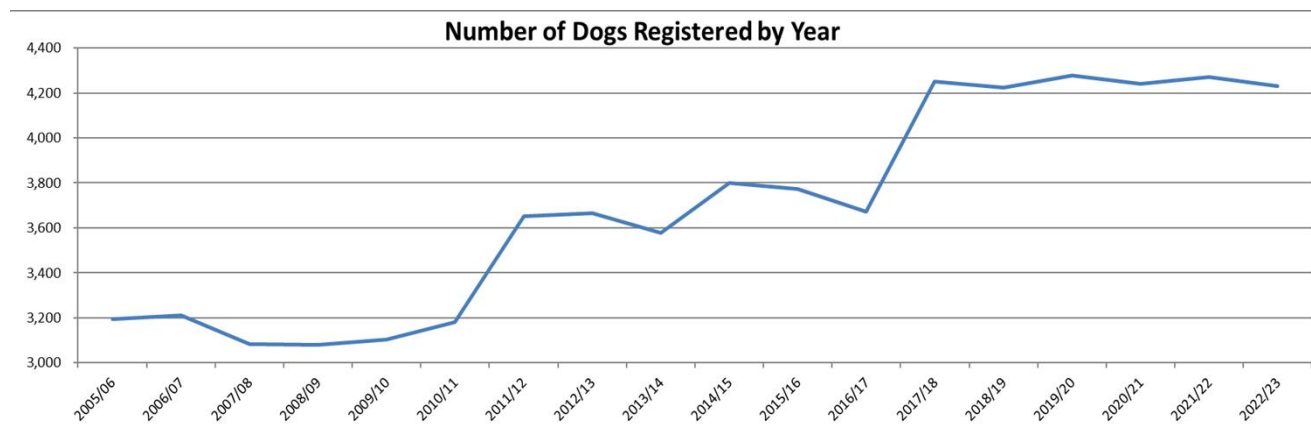
Ongoing including Dangerous Dogs, Kennel Licences, Fire Hazards.

Microchips:

Animal Control no longer offer this service

Attacks:

0 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	82/ 231	10	15	25	17	15								
Routine Mobile/Market stall Food Inspections	19	5	2	6	4	2								
Preliminary Site Visits – Licensed Premises	1	0	1	0	0	0								
On-site wastewater Assessments	21	4	5	4	3	5								
Complaints/Enquiries – All Types	355	67	75	72	68	73								
Place of Assembly approvals	3	0	0	1	1	1								
Notifiable Diseases	8	1	1	2	3	1								

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	14	4	3	4	3	2							
Building & Planning	17	77	52	18	9	6	2	1	1							
Community Services	26	54	44	12	5	2	4	1	7							
Corporate Services	13	48	23	11	2	5	4	-	2							
Governance	6	15	21	3	2	-	1	-	2							
Waste	1	12	11	4	-	4	-	-								
Works	352	368	352	136	31	27	28	50	52							

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 Esquestrian Team	\$100.00
23-Aug-23	Poppy Beaumont	Representation - Tas Touch Football Girls U14 Team	\$100.00
8-Nov-23	Ryan Sansom	Donation - Tasmanian Junior 8-ball Nationals - Jan 2024	\$100.00
8-Nov-23	Jordan Sansom	Donation - Tasmanian Junior 8-ball Nationals - Jan 2024	\$100.00
22-Nov-23	Danielle Smith	Education Bursary - 2nd instalment	\$1,000.00
11-Oct-23	Perth Fire Brigade	Contribution towards Christmas Lolly Run 2023	\$100.00
11-Oct-23	Longford Fire Brigade	Contribution towards Christmas Lolly Run 2023	\$100.00
11-Oct-23	Campbell Town District High School	Contribution for end of year school presentation - Secondary	\$100.00
11-Oct-23	Campbell Town District High School	Contribution for end of year school presentation - Primary	\$50.00
11-Oct-23	Perth Primary School	Contribution for end of year school presentation	\$50.00
11-Oct-23	Longford Primary School	Contribution for end of year school presentation	\$50.00
11-Oct-23	Cressy District High School	Contribution for end of year school presentation - Secondary	\$100.00
11-Oct-23	Cressy District High School	Contribution for end of year school presentation - Primary	\$50.00
11-Oct-23	Evandale Primary School	Contribution for end of year school presentation	\$50.00
8-Nov-23	Helping Hand Association	Contribution	\$1,500.00
22-Nov-23	Longford Care-a-car	Contribution	\$1,000.00
		TOTAL	\$4,850.00



8.11 ACTION ITEMS: COUNCIL MINUTES

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
20/11/2023	13.2	Draft Land Use Planning and Approvals (Development Assessment Panel) Amendment Bill 2024	Completed	That Council endorse the draft submission for participation in the consultation process on the Development Assessment Panel (DAP) Framework Position Paper.	Erin Miles	30/11/2023 Erin Miles Submission lodged 28.11.2023.
20/11/2023	7 3.4	Shade Sails at Playgrounds	Completed	That Council note that provision was made in the 2023/2024 Municipal Budget to erect a solid shade structure at the Seccombe Street playground; and that fabrication of the structure is in progress, the final location of the structure to be determined. Advice to be provided to the Committee.	Gail Eacher	04/12/2023 Gail Eacher Advice provided.
16/10/2023	13.2	Policy: Unreasonable Customer Conduct (New Policy); and Customer Service Charter (Review)	Completed	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.	Gail Eacher, Maree Bricknell	23/10/2023 Gail Eacher Policy Manual updated.
20/11/2023	7 3.3	Public Transport	Completed	That the recommendation of the Perth Local District Committee in relation to future planning for the provision of public transport services be noted.	Jonathan Galbraith	23/11/2023 Jonathan Galbraith Noted 23/11/23
20/11/2023	7 3.2	Banner Poles	Completed	That Council note the request of the Perth Local District Committee for banners to be placed on the banner poles all year round and the Christmas banners be placed as soon as possible.	Leigh McCullagh	4/12/2023 Gail Eacher Noted. Christmas banners in final stages of production.
20/11/2023	7 2.3	Northern Midlands Community Expo 9 September 2023	Completed	That Council notes the sentiment of the Longford Local District Committee.	Lorraine Wyatt	27/11/2023 Lorraine Wyatt LLDC advised of outcome by email 23/11/2023
20/11/2023	7 1.2	Removal of Trees - Valleyfield/Macquarie Road	Completed	That Council notes the recommendations from the Campbell Town District Forum meeting held 7 November 2023 which are operational matters.	Lorraine Wyatt	27/11/2023 Lorraine Wyatt CTDF members advised by email and Chair advised by post - 23/11/2023
16/10/2023	15.4	Assistance for Events: Round 2	Completed	That Council allocate Round 2 Event assistance to the Tasmanian Trout Expo as per the schedule; and That Council allocate Round 2 Event assistance as per the schedule.	Maree Bricknell	4/12/2023 Gail Eacher Letter sent.
16/10/2023	5 3.1	Notice of Motion: Waiver of Hire Fees for District Committees	Completed	That Council waiver all fees and charges for District Committees when meeting in council facilities.	Maree Bricknell	4/12/2023 Gail Eacher Noted.
16/10/2023	15.2	Review of New Road Name at Western Junction (Corbould Close Not Approved)	Completed	That Council approve the name Hercules Close for road created by subdivision off Evandale Road, Western Junction.	Maree Bricknell, Natalie Horne	4/12/2023 Gail Eacher Advice sent.
20/11/2023	7 2.4	Norfolk Plains History Committee - Sid Boon Clock	Completed	That Council notes the Norfolk Plain History Committee request for the Sid Boon Clock to be displayed in Council offices or in another Council owned public space in Longford, and that in principle agreement is offered subject to a suitable location being identified. Possibly the Longford Library or Memorial Hall.	Maree Bricknell, Trent Atkinson	4/12/2023 Gail Eacher Relocated to Norfolk Plains History Committee rooms.
20/11/2023	7 2.5	Longford Memorial Hall Meeting Room for	Completed	That Council notes the request of the Longford Local District Committee meeting	Victoria Veldhuizen	30/11/2023 Victoria Veldhuizen The LLDC was provided with advice as to Council's



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		LLDC Committee Meetings		which is an operational matter.		resolution by the Liaison Officer on 23 November 2023. The Liaison Officer will be attending the LLDC December meeting and will expand on this further, including advising the LLDC they can use a meeting room in Memorial Hall (once finalised), Council previously resolved that LDC's are not required to pay hire fees and all bookings need to be advised to Council's Facility Booking Officer.
16/10/2023	7 1.2	Speed Limit: Cressy Main Street	Completed	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.	Des Jennings, Lorraine Wyatt	Dept. of State Growth advised that the speed limit along a 2.3km stretch of the main street in Cressy is to be reduced to 50kmh. Speed reduction will come into effect second half of December 2023.
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 Eacher, Victoria Veldhuizen	11/09/2023 Gail Eacher 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 Eacher Letter to be drafted, master plan to be workshopped. 04/08/2023 Gail Eacher Letter sent. 07/09/2023 Gail Eacher 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



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						is fit for purpose.
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 time-line 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 Eacher 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 Eacher 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 Eacher 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 Eacher Further correspondence sent to General Manager of State Roads requesting update and timeline for review. 26/10/2023 Jonathan Galbraith Awaiting response from Department of State Growth 13/11/2023 Jonathan Galbraith Awaiting response from State Growth 01/12/2023 Jonathan Galbraith Awaiting response from Department of State Growth 1/12/23
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 workshop the strategies.	Des Jennings, Lorraine Green	06/07/2023 Lorraine Green The strategies are being reviewed in light of the recommendations made in the Consultation Report
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 equitably between the council, developers and communities. 2) That Council writes to	Erin Miles	12/07/2023 Gail Eacher Letter to be drafted



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				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.		
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.
20/11/2023	7 2.2	Longford Promotional Signs 'Welcome to Longford'.	In progress	That Council notes the LLDC request and refers the matter to the appropriate officer.	Fiona Dewar, Jonathan Galbraith	5/12/2023 Gail Eachar Investigation to commence early 2024.
20/11/2023	16.2	Preferred Contractors Register for Civil Works	In progress	That Council implement a Preferred Contractor Register for civil works in Council's road reserves.	Jonathan Galbraith	01/12/2023 Jonathan Galbraith Council Officers have commenced developing the procedures required for this register
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 Eachar 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. 13/11/2023 Jonathan Galbraith No response received to date. 01/12/2023 Jonathan Galbraith Awaiting response from the Department of State Growth 1/12/23
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 Eachar Advice received that LGAT Agenda for November meeting closed. Motion to be prepared for the first meeting in 2024.
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 Eachar Works Manager to attend CTDF meeting on 3 October to discuss further with Committee. 4/12/2023 Gail Eachar Location to be identified.
20/11/2023	16	Overhanging Trees: Hedge at Macquarie Street, Evandale	In progress	That Council - install a mirror at the driveway and the intersection, and a pedestrian outstand be constructed at the Owners expense; and - the owners to continue with bi-annual trimming of the hedge, with the trimming to be reported and permission sought prior to works being undertaken.	Leigh McCullagh	4/12/2023 Gail Eachar Letter to be sent.
20/11/2023	5 3.2	Notice of Motion: Workforce Planning Strategy	In progress	That the matter of preparing a Workforce Planning Strategy be listed for the 2024/2025 Budget deliberations.	Leslie Hall, Maree Bricknell	29/11/2023 Leslie Hall Quotes being sourced from consultants.
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 Eachar Meeting set for discussion on master plan for the precinct. 11/10/2023 Gail Eachar Design requested, plan awaited.
21/08/2023	13.3	Local Government Association of Tasmania (LGAT):	In progress	list the following matter for consideration at the Local Government Association of Tasmania (LGAT) General Meeting to be	Victoria Veldhuizen	11/09/2023 Gail Eachar Advice received that LGAT Agenda for November meeting closed. Motion to be prepared for the first



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		Motions for the November 2023 General Meeting		held on 1 November 2023 i) Rate equivalent payments applied to electricity generators, storage plant and equipment.		meeting in 2024.
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 Eacher	
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	
16/10/2023	7 3.2	Request to place a Public Shower at the Memorial Hall	Not yet started	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.	Lorraine Green, Lorraine Wyatt	
20/11/2023	7 3.5	Provision of Public Shower Facility at Charles Berryman Reserve	Not yet started	That the future provision of public shower facilities at the Charles Berryman Reserve in Perth be considered as part of the investigation currently underway; advice to be provided to the Committee.	Lorraine Green, Trent Atkinson	
20/11/2023	5 3.3	Notice of Motion: Longford Town Hall Committee	Not yet started	That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting.	Victoria Veldhuizen	

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

Resource Sharing Summary 1/7/23 to 30/6/24 As at 30/11/23	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts	138.00	6,457
Street Sweeper - Plant Hire Hours	138.00	9,477
Total Services Provided by NMC to Meander Valley Council		15,934
Service Provided by Meander Valley Council to NMC		
Wages and Oncosts		
Plumbing Inspector Services	-	-
Engineering Services	-	-
Total Service Provided by MVC to NMC		-
Net Income Flow	138.00	15,934
Total Net		15,934
Private Works and Council Funded Works for External Organisations	Hours	Amount \$
Works Department Private Works Carried Out	166.00	9,795
	166.00	9,795



8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	Nov 2023	Estimated Cost of Damages	
			Total 2023/24	Total 2022/23
Graffiti at Perth skate park	Perth	\$ 1,500		
Graffiti at Mill Dam (several occasions)	Longford	\$ 1,000		
Building walls damaged at Recreation Ground	Cressy	\$ 1,000		
TOTAL COST VANDALISM		\$ 3,500	\$ 15,900	\$ 18,600

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 November as follows:

Session Venue	Date of Session	Attendance	Comment
Perth			
	2/11	0	School disco
	9/11	7	
	16/11	0	School Camp
	23/11	3	Major athletics event

Free2B Girls Program

Free2b Girls Longford numbers have had a significant increase and currently at maximum attendance numbers. The group has received a donation for the ongoing support of a Program Facilitator for an initial period of 12 months from Longford Rotary and JBS Australia.

Free2b Girls Campbell Town will continue thanks to Thrive Womens Grants supporting the Program Facilitator.

Attendance for the month of November as follows:

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	1/11	0	
	8/11	5	
	15/11	5	
	22/11	2	
	29/11	2	
Longford			
	7/11	18	
	14/11	6	School Camp
	21/11	19	
	28/11	21	

Reclink- Perth

Reclink recommenced after school activities in Perth in Term 4. These sessions have been met with outstanding feedback by all.

Session Venue	Date of Session	Attendance	Comment
Perth			
	27/11	12	Disc Golf



Meetings

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

Breakfast Club- Campbell Town: Youth Officer mentors a variety of students in the kitchen each week to produce foods for the program. The School has reported approximately 50 students attending Breakfast Club daily. The Rotary Club of Longford are kindly financially supporting this initiative during 2023 and 2024.

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.

Evandale PCYC MAC Sessions are being trialed in Term 4 on a weekly basis- free for young people aged Grade 4-6 to attend focusing on friendships and active games.

Branching Out Longford is an extension program of Free2b Girls, aimed at those 'ageing out' of the Free2b Program. Free for young people to attend. Providing opportunity to keep young people engaged and provide mentorship.

Reclink have recommenced their free after school programs in Perth for young people Grade 4-6 with a variety of different themed activities each session. Providing opportunities for young people to participate in activities that support health and wellbeing.

SPARK: In Term 3 Longford SRC applied and were successful for funding for their School Reading Challenge. The challenge encouraged the school community to read 10 books over 10 weeks. Over the Term more than 2750 books were read. A celebration was held at the school consisting of ice cream from Longford Berry Farm and a movie based off a book. In addition, purchasing new books for the school library.

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.

Leadership sessions: Youth Officer has been working with Student Leaders at Cressy District High School running workshops focusing on leadership development.

Christmas Banners: Youth Officer has been working with schools to update Christmas Banners.

8.15 INTEGRATED PRIORITY PROJECTS & STRATEGIC PLANS UPDATE

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

CURRENT AS OF 27 NOVEMBER 2023

Progress Report:

Not Started (obstacles)

On Hold

On Track

Completed

INTEGRATED PRIORITY PROJECTS PLAN:

Project				Status	Budget 2023-24	\$	Scheduled
1 Progress: Economic health and wealth - grow and prosper							
Foundation Projects							
4.1	Main Street Upgrades: Campbell Town, Longford & Perth	Gov		Campbell Town 2022 Election Commitment secured through the Priority Community Infrastructure Program (PCIP)	Budget allocation 2023-24 plus contribution from \$8m Federal Govt Election Commitment 2022.	2,450,000	DA approved at November Meeting



Project			Status	Budget 2023-24	\$	Scheduled
			DA approved.			
		Gov	Longford DA submitted.	Budget allocation 2023-24 from Federal Govt Election Commitment 2019.	1,793,628	DA not approved at November Meeting
		C&D	Perth 2022 Election Commitment secured through the PCIP DA approved.	Contribution from \$8m Federal Govt Election Commitment 2022.	1,641,000	DA approved at November Meeting
4.1.	Longford Memorial Hall Upgrade	Gov	Work underway: milestone report to activate first grant instalment approved	Federal Govt Election Commitment 2019; Local Roads and Community Infrastructure allocation confirmed	3,109,479	Completion anticipated New Year 2024
4.4	TRANSLink Intermodal Facility	Gov	Included in NMC Priority Projects document. Business Case being prepared to secure the 2022 Election Commitment. Due 30 Nov 23. Approved by 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	SGS assisting with Business Case application
Enabling Projects						
5.1	Perth Sports Precinct & Community Centre	Gov	Concept master plan developed October 2020. Included in NMC Priority Projects document.	Valuation received. No budget allocation 2023-24 staff resources only.		Not scheduled at this stage.
5.1	Ben Lomond Public Shelter Development	Gov	Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania 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.
5.3	Longford Library & exhibition Building on the Village Green	Gov	Longford Motor Sport Museum Included in NMC Priority Projects document.	No budget allocation staff resources only.		Not scheduled. Motorama event 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.
2 People: Cultural and society – a vibrant future that respects the past						
Enabling Projects						
5.1	Recreation Ground Upgrades)	Gov	Campbell Town, Evandale and Cressy NMC Priority Projects document. Funding to be sought for oval upgrades.			Not scheduled at this stage.



Project			Status	Budget 2023-24	\$	Scheduled
		Gov	Cressy Recreation Ground Cricket Australia & State Govt funding secured towards the upgrade of the practice facility, car park and dump point.	Budget allocation in 2023-24 Budget	115,000	Completed: acquittal reports submitted August 2023.
			Perth Recreation Ground Amenities, topdressing, cricket net upgrade.	Cricket Australia grant of \$30,000 secured towards cricket nets upgrade.	135,000	Civil works completed, waiting for netting
			Longford Recreation Ground Irrigation system install and preparation for 2 nd ground.		255,000	Irrigation installation complete
5.1	Swimming Pool Upgrades (several)	Gov	Covering of Campbell Town & Cressy Swimming Pools Included in NMC Priority Projects document. Cressy: Solar system replacement Ross: Pool operation to continue (as per the current funding model) whilst structurally/operationally safe to do so.	No allocation 2023-24 staff resources only. Allocation 2023-24 Budget allocation 2023-24 towards WHS issues.	- 50,000	Not scheduled at this stage. 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 secured through the Better Active Transport Tas grant program: Growing Regions Program Expression of Interest successful – full application being prepared.		Design stage.
4 Place: Nurture our heritage environment						
Foundation Projects						
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 completed.		Project completed August 23. Acquittal report submitted.
4.3	Sheepwash Creek Corridor & Open Space	Gov	Grants secured for major new/improved infrastructure. Included in NMC Priority Projects document.	Commonwealth Government Disaster Ready funding successfully sought.	3,700,000	Scheduled.
4.5	Municipal Tree Planting Program		Annual program being implemented. Included in NMC Priority Projects document.	Budget allocation 2023-2024.	100,000	Ongoing.
Enabling Projects						
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. Open Spaces funding secured for 4 half basketball courts and a playground
- Laycock Street Park LRCI funding allocation approved – 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.



- Seacombe 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*

Updated: 5th December 2023

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.
 - Update and distribute “What’s On” events list.
 - Update NMC website calendar.
- Northern Midlands Community Expo 2023:
 - Responses to exhibitor survey being collated.
- Northern Midlands Visitor Centres Group:
 - Attend TVIN Northern Reps Forum.
 - Liaise with Visitor Centres re enquiries.
 - Disseminate information from TVIN.
 - Disseminate updates from emergency alert agencies.
- Liaise with local tourism operators to provide industry information.
- Liaise with Perth Mural Group re future projects.
- Two Northern Midlands tourism operators were winners at the 2023 Tasmanian Tourism Awards held in November in Hobart. The Tasmanian Tourism Awards are the premier awards program in the Tasmanian tourism industry. The awards are designed to encourage and recognise innovation, excellence, quality, and sustainability in tourism, while providing a benchmark for industry best practice.
 - Gold. The Granary Richmond Hill, in the category of Self Contained Accommodation.
 - Silver. Launceston Airport, in the category of Major Tour & Transport Operators.

HHTRA update:

- Facilitate and attend Workshop with Brand Tasmania, VNT, and DST on 23 November and follow up actions.
 - Ongoing marketing activities include website blog posts and social media.
 - Administrative tasks.
 - Progress planning for next general meeting on 13 December.
-



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

Nil.



10 COUNCIL ACTING AS A PLANNING AUTHORITY

MINUTE NO. 23/0446

DECISION

Cr Goss/Deputy Mayor Lambert

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 and 11.2.

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 11.2.

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.

PLAN 11.2: PLN23-0091: Large Scale Solar Energy Facility, 394 Connorville Road Cressy

Simon Reed, Robert Luxmoor Pty Ltd, on behalf of the proponent, Connorville Estates

Mr Reed provided the following statement from which he read:

Thank you for considering this critical renewable energy generation project.

The Northern Midlands Solar Farm is the first large-scale solar farm proposed in Tasmania. It is a landmark project that will provide significant benefits to the region and State.

It will provide significant renewable energy generation, supporting Tasmanian renewable energy targets and the transition to renewables, the project will provide energy to power 70,000 homes.

My company has been working with the Proponent for more than two years to reach this point. There has been a lot of work done on scoping, feasibility, due diligence and design.

Furthermore, we have worked closely with landowners of the proposed transmission line route, as well as TasNetworks. We have undertaken community engagement activities, including direct meetings and multiple open drop-in sessions – that were very well attended.

The location close to Palmerston Substation makes it an excellent candidate site for solar connection to the National Energy Market grid.

Connorville Station is a large landholding entirely capable of hosting such a large solar farm with appropriate setbacks to neighbouring residences.



Importantly, among the suite of technical assessments that have been prepared to inform design, we have addressed noise, transport, hydrology and have Tasmanian Fire Service support from a fire risk assessment perspective.

The DA process is a significant step in the project's progress, however, there will still be significant work to undertake as part of planning conditions and separately. We remain in ongoing engagement with TasNetworks for grid connection and infrastructure design, and have detailed design to undertake – including micro-siting of transmission, that will inform valuation and compensation for affected landowners.

We thank Council officers and community members for their engagement on this project. Thank you for your consideration we look forward to continuing work on this groundbreaking project.



11 PLANNING REPORTS

11.1 SECTION 40K REPORT ON DRAFT AMENDMENT 10/2023 AT 16A LOGAN ROAD (PREVIOUSLY KNOWN AS 35 OR 36 COLLINS STREET) (FOLIO OF THE REGISTER 141412/1), EVANDALE

Responsible Officer: Des Jennings, General Manager

Report prepared by: Erin Miles, Project Officer

MINUTE NO. 23/0447

DECISION

Cr Archer/Cr Goss

That the Council planning authority, under section 40K of the Land Use Planning and Approvals Act 1993, provide the Tasmanian Planning Commission with the report at attachment 11.1.1 of this report in relation to draft amendment 10/2023 to introduce a Site-Specific Qualification to the Northern Midlands Local Provisions Schedule:

- 1) Stating that, in relation to the merit of the representation, the planning authority is of the opinion that the draft amendment ought to be modified as follows:
 - The qualification be amended to read: "If for a market directly associated with the Evandale Market". The reason being to avoid the possibility of the site being operated as a market in isolation; and
- 2) Stating that the draft amendment meets the LPS criteria; and
- 3) Recommending that the Tasmanian Planning Commission give its approval to the draft amendment.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

RECOMMENDATION

That the Council planning authority, under section 40K of the Land Use Planning and Approvals Act 1993, provide the Tasmanian Planning Commission with the report at attachment 11.1.1 of this report in relation to draft amendment 10/2023 to introduce a Site-Specific Qualification to the Northern Midlands Local Provisions Schedule:

- 1) Stating that, in relation to the merit of the representation, the planning authority is of the opinion that the draft amendment ought not to be modified; and
- 2) Stating that the draft amendment meets the LPS criteria; and
- 3) Recommending that the Tasmanian Planning Commission give its approval to the draft amendment.

1 PURPOSE OF REPORT

This report advises the Northern Midlands Council planning authority of a representation received to draft Amendment 10/2023 to the Northern Midlands Local Provisions Schedule (LPS) and recommends a response to the Tasmanian Planning Commission (TPC).

2 INTRODUCTION/BACKGROUND

At the 16th October 2023 Council Meeting, the Planning Authority agreed to initiate and certify a draft amendment as follows:

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

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

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

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:

Not applicable.

4 POLICY IMPLICATIONS

There are no policy implications.



5 STATUTORY REQUIREMENTS

5.1 Land Use Planning and Approvals Act 1993 (the Act)

40K. Report to Commission about draft amendments

- (1) *A planning authority, within 35 days after the end of the exhibition period in relation to a draft amendment of an LPS in relation to the municipal area of the planning authority or a longer period allowed by the Commission, must provide to the Commission a report in relation to the draft amendment of an LPS.*
- (2) *The report by a planning authority in relation to the draft amendment of an LPS is to contain –*
 - (a) *a copy of each representation made under section 40J in relation to the draft amendment before the end of the exhibition period in relation to the draft amendment, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and*
 - (b) *a copy of each representation, made under section 40J in relation to the draft amendment after the end of the exhibition period in relation to the draft amendment, that the planning authority, in its discretion, includes in the report; and*
 - (c) *a statement of the planning authority's opinion as to the merit of each representation included under paragraph (a) or (b) in the report, including, in particular, as to –*
 - (i) *whether the planning authority is of the opinion that the draft amendment ought to be modified to take into account the representation; and*
 - (ii) *the effect on the draft amendment, and the LPS to which it relates, as a whole, of implementing the recommendation; and*
 - (d) *a statement as to whether it is satisfied that the draft amendment of an LPS meets the LPS criteria; and*
 - (e) *any recommendations in relation to the draft amendment that the planning authority thinks fit.*
- (3) *Without limiting the generality of subsection (2)(e), the recommendations in relation to a draft amendment of an LPS may include recommendations as to whether –*
 - (a) *a provision of the draft amendment of an LPS is inconsistent with a provision of the SPPs; or*
 - (b) *the draft amendment of an LPS should, or should not, apply a provision of the SPPs to an area of land; or*
 - (c) *the draft amendment of an LPS should, or should not, contain a provision that an LPS is permitted under section 32 to contain.*
- (4) *A planning authority must not include in a recommendation in relation to a draft amendment of an LPS a recommendation to the effect that the content of a provision of the SPPs should be altered.*

6 FINANCIAL IMPLICATIONS

There are no financial implications to Council.

7 RISK ISSUES

No risk issues to Council are identified.

8 CONSULTATION WITH STATE GOVERNMENT

The application was subject to the following referrals:

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 26th 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.

9 COMMUNITY CONSULTATION

Council published an exhibition notice in relation to the draft amendment in accordance with section 40G of the Act on 28 October 2023 and 11 November 2023. The exhibition period ended 28 November 2023. One representation (attached) was received from Ms. D Heald. A summary of the issues raised within the representation and officer response is provided below:

Representation issue	Response
Exact meaning and guidelines are required for long term planning laws [that?]* are not disregarded covertly [covertly?]*. *assumed corrections	The scope and limitations (use and spatial) are clearly outlined within the application documents.
Can the business name Evandale Market be used on any other buildings or land in addition to Falls Park, NOT just the falls park area for the market.	The business name 'Evandale Market', may be used as the business operator sees fit, subject to relevant Planning Scheme requirements, such as compliance with the Signs Code.
Reason for concern, is the long-term change of venue with the new land holding and proposed building being used for the same purpose or other business in years to come.	The scope of the draft amendment is for a site specific qualification to allow 'General retail and hire with the qualification "If for a market and directly associated with the Evandale market,"' limited to the area of CT141412/1 outlined in the proposal. The area subject to the SSQ is approximately 1800m2 and would be insufficient to accommodate the existing market on the SSQ site alone. Use of an alternative site external to Falls Park for the Evandale Market would be subject to further Planning Approval.
Any permit should have conditions to exclude such occurring nor be linked to the Falls Park marketplace lease.	A future application for use or development of the land will be required if the proposed draft amendment is approved.
Does the "discretion and use" revert back to general residential land - the landowner / Mr Woof is no longer the lessee of Fall Park for Sunday market.	The SSQ applies to the subject site and is not linked to the lease of the adjacent Falls Park to the market operator. The SSQ does not preclude the subject site from being used for other uses available within the General Residential in the future.
Are the usage hours to be identical to the current Falls Park Market use? 8:30 AM to 1:30 PM Sundays?	Hours of use may be considered/restricted as part of a future application for use or development of the site.
Please advise the size, construction and the purpose of the proposed new building.	No building is proposed as part of this application – a future planning application for use or development of the site would be required.
Will the discretionary use clause be reviewed regularly.	If approved, any future changes to the wording of the SSQ would be subject to a further Planning Scheme amendment.
If this is changed to market related practises, does such any permit expire at the termination or expiration of lease on Falls Park?	Given the wording of the site specific qualification "If for a market and directly associated with the Evandale market", a future permit for use of the site could condition such matters.
Will it revert back to residential or can it be used for another business?	The SSQ does not preclude the subject site from being used for other uses available within the General Residential in the future.
Will the council have the power to ensure all regulations guidelines and standards are enforced?	Council has enforcement powers under the <i>Land Use Planning and Approvals Act 1993</i> .
What will happen about all previous conditions and work that has been ignored or not attended to previously? That is council imposed conditions orders and community concerns.	Such matters are not relevant to the consideration of the proposed draft amendment and may be pursued separately.

The representation does not raise any issues that require modification to the draft amendment. The issues raised in the representation also do not impact on the draft amendment, or compliance with the LPS criteria.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can report to the Tasmanian Planning Commission that:



- The representation does not have merit and the draft amendment should be approved; or
- The representation has merit, and the draft amendment should be modified or rejected.

11 OFFICER'S COMMENTS/CONCLUSION

The representation does not raise any issues that require modification to the draft amendment. The issues raised in the representation also do not impact on the draft amendment, or compliance with the LPS criteria. It is recommended that the Planning Authority advise the Tasmanian Planning Commission to give its final approval to the Draft Amendment.

12 ATTACHMENTS

1. Draft Amendment 10/2023 Section 40K Report for TPC inclusive of representation [**11.1.1** - 17 pages]



11.2 PLN23-0091: LARGE SCALE SOLAR ENERGY FACILITY, 394 CONNORVILLE ROAD CRESSY

File: 108700.05; PLN23-0091
Responsible Officer: Des Jennings, General Manager
Report prepared by: Neil Shephard, Consultant Planner

MINUTE NO. 23/0448

DECISION

Cr Goss/Cr Terrett

That application PLN-23-0091 at

- 394 Connorville Road, Cressy:
- CT 132 520 /1
- CT 145 787 /1
- CT 145 788 /1
- CT 97 / 24 DO
- CT 133 307 /1;
- Lot 1 Macquarie Road, Campbell Town: CT 145786/3;
- 'Tier View' – 3504 Macquarie Rd Cressy: CT 101914/1;
- Macquarie Road, Cressy: CT 31760/1;
- 'Pisa' - 3979 Macquarie Road, Cressy: CT 165632/1;
- 543 Lake River Road, Cressy: CT 137968/1;
- 'Park nook' 543 Lake River Road, Cressy: 138284/1;
- Near 543 Lake River Road (LGA Subdivision Road): CT 110322/2;
- 543 Lake River RD Cressy: CT 110322/1;
- Lake River RD Cressy: CT 103677/2;
- 'Rock Thorpe' – 318 Lake River Road, Cressy: CT 204030/1;
- 4792 Poatina Road, Cressy: CT 126579/3;
- 5000 Poatina RD Cressy: CT 125220/1;
- 'Woodside' 4740 Poatina Road, Cressy: CT 126579/2;
- 'Palmerston Transend SUB STN' - 4554 Poatina Rd, Cressy: CT 142369/1 and CT 142369/3; and
- Macquarie Road road reserve, Lake River Road road reserve, Billopp Road road reserve, and Poatina Road road reserve

to develop and use land for Utilities described as: solar farm and associated infrastructure, including battery storage and electricity transmission infrastructure (including overhead transmission lines, support pylons and poles), access tracks, fencing and landscaping, be approved subject to the following conditions:

USE AND DEVELOPMENT

1. The use and development must be substantially in accordance with the endorsed documents below including all recommendations contained therein, unless modified by a condition of Permit:
 - (a) COGENCY, Northern Midlands Solar Farm: Planning Application Report, Rev 1, 13 September 2023;
 - (b) PLANNING APPLICATION FORM signed by Rebecca Wardle obo. Cogency, 25 May 2023;
 - (c) COGENCY, Masterplan Version 6, 9/8/23);
 - (d) Drawings:
 - 10390815-CI-0001-01 AC-Coupled BESS General Arrangement (NMSFB)_Rev-C;
 - 10390815-CI-0002-01 DC-Coupled BESS General Arrangement (NMSFB)_Rev-B;
 - 10390815-ME-0001-01 AC-Coupled BESS Elevations (NMSFB)_Rev-C;
 - 10390815-ME-0002-01 PV Tracker Elevations (NMSFB)_Rev-B;
 - 10390815-ME-0003-01 33kV Electricity Pole Elevations (NMSFB)_Rev-B;
 - 10390815-ME-0004-01 220kV Switchyard Elevation (NMSFB)_Rev-B;
 - 10390815-ME-0005-01 Fencing Elevations (NMSFB)_Rev-B;



- E3103220-EL-ENT-DWG-0001 (NMSF - Site Overview) Rev02;
- E3103220-EL-ENT-DWG-0002 (NMSF - East Area) Rev02;
- E3103220-EL-ENT-DWG-0003 (NMSF - West Area) Rev02;
- Tracker GA_4-String;
- 2210 - Transmission Line Concept Plan v1.2 (compressed);
- 2210 - Transmission Line Concept Plan v1.2_1;
- (e) PITT & SHERRY, Traffic Impact Assessment Rev03, 28 August 2023;
- (f) GROUND PROOF MAPPING, Bushfire Impact Statement – 10 May 2023;
- (g) MOIR LANDSCAPE ARCHITECTURE, Landscape & Visual Impact Assessment, Rev C, 12/5/23;
- (h) URBAN ENTERPRISE, Socioeconomic Impact Assessment, April 2023;
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- (o) SLR CONSULTING, Noise Impact Assessment, Version No: -v1.2, February 2023;

PARKING AND MANOEUVRING

2. Before the use commences, areas set aside for parking, driveway, access ways, manoeuvring and circulation as shown on the endorsed plans must be:
 - (a) Constructed in accordance with the endorsed plans;
 - (b) Constructed with a durable all-weather pavement (spray seal or asphalt is not required);
 - (c) All accesses to Council roads must be constructed provided with a hotmix sealed apron from the edge of the road to the property and boundary and constructed in accordance with Council standard drawing TSD R03.
 - (d) If the access is to be used by heavy vehicles it is to be constructed in accordance with TSD R05.
 - (e) Access works must not commence until an application for vehicular crossing has been approved by Council.

AMENDED DOCUMENTATION REQUIRED

3. Detailed design is to be provided before development commences, providing:
 - a) The location, height and appearance of all transmission poles;
 - b) A plan showing any proposed cut and fill, including stockpiling;
 - c) A Vegetation Management Plan including any areas of vegetation removal and proposed screening;
4. Detailed civil engineering and drainage designs, modelling, and a Flood Hazard Report must be provided before the development commences which clearly show:
 - a) That a tolerable risk to new infrastructure is achieved for the intended life of the development;
 - b) Any filling of the land required to achieve a tolerable risk;
 - c) That building, filling, or drainage works do not contribute or increase flood risk on the site, on adjacent land, or on public infrastructure; and
 - d) The Flood Hazard Report shall be undertaken by a suitably qualified person, be in accordance with the processes and procedures contained in Australian Rainfall and Runoff Guidelines 2019, and consider the range of 1% AEP Climate Change events.

REPAIR OF PALMERSTON SUBSTATION ACCESS ROAD

5. Potholes on Palmerston Substation Access Road must be repaired prior to the commencement of the proposed works

SITE MANAGEMENT



6. Prior to the commencement of any works on site, a Construction Environmental Management Plan must be prepared to the approval of the Council's General Manager, and must address (but not limited to):
 - (a) Construction hours;
 - (b) Management of building and construction waste;
 - (c) Measures to mitigate noise, dust, odour and other emissions through the construction phase on adjacent land; and
 - (d) Measures to mitigate pollution of local waterways arising from construction activities and include mitigation measures to measure accidental spillage and failure of control measures;
 - (e) The environmental best practice guidelines in the Wetlands and Waterways Works Manual. Once approved, the plan will form part of this permit;
 - (f) Provision of a Traffic Management Plan (TMP) including a pre-dilapidation report, on-going monitoring and a commitment to repair if and as necessary.
7. Prior to the commencement of any works on the site, an Operational Environmental Management Plan must be prepared to the approval of the Council's General Manager to identify mitigation measures to manage the long-term environmental impacts of the proposed use and development and address the best environmental best practice guidelines in the Wetlands and Waterways Works Manual. Once approved, the plan will form part of this permit.
8. **Prior to the commencement of any works on site**, a Soil and Water Management Plan (SWMP) must be implemented to ensure soil and sediment does not leave the site during the construction process. The SWMP must be submitted to and approved by the Council's General Manager. Once approved, the plan will form part of this permit.
9. **From commencement of works on the site to the completion** of construction process the developer must, to the satisfaction of the General Manager, and unless otherwise noted on the endorsed plans or approved in writing by the General Manager:
 - (a) Ensure soil, building waste and debris does not leave the site other than in accordance with the Construction Environmental Management Plan referred to in condition 6 of this Permit, and is disposed of at an approved landfill site;
 - (b) Not burn debris or waste on the site; and
 - (c) Ensure that public land or roads are not unreasonably obstructed by vehicles, machinery or materials.

REHABILITATION AND DECOMMISSIONING

10. Within 30 days of becoming aware of any event or decision which is likely to give rise to the permanent cessation of the use, the person responsible for the management of the use must notify Council's General Manager in writing of that event or decision. The applicant/operator must specify the date upon which the activity is expected to cease or has ceased.
11. Prior to the permanent cessation of the use, a Decommissioning and Rehabilitation Plan must be prepared and submitted for approval by the Council's General Manager addressing:
 - (a) Soil and water issues associated with the decommissioning of plant and equipment;
 - (b) Stabilisation of any land surfaces that may be subject to erosion;
 - (c) Removal or mitigation of all environmental hazards or land contamination that might pose an ongoing risk of causing environmental harm, including any controlled waste;
 - (d) Removal of equipment and infrastructure as required;
 - (e) Decommissioning of any equipment that has not been removed; and
 - (f) Demonstrate that the site has been rehabilitated and is suitable for agricultural use.



Further advice

All works are to be undertaken in accordance with Australian Standard AS2436-2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites.

Department of State Growth Advice

If OSOM activity is likely to be involved, the Department encourages the applicant to make contact at an early stage so that this detail can be assessed.

Early involvement is extremely important in the event of road infrastructure upgrades being required to cater for the activity, so that the necessary time for planning, obtaining funding and completing the road infrastructure upgrade does not impact project development timeframes.

Contact details: hvaccess@stategrowth.tas.gov.au Phone: 03 6166 3258.

NOTE: Council delegation to the General Manager to provide correct wording in relation to management of lithium battery fire and provision of training and equipment to the local fire brigade.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

Note to be added:

The proponent is requested to provide adequate instruction and advice to local fire brigades in respect of lithium battery fire risk which should include both technical and practical advice concerning the operation of the facility and actions to be taken in the event of fire in the facility.

RECOMMENDATION

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Climate Change events.

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Further advice

All works are to be undertaken in accordance with Australian Standard AS2436-2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites.

Department of State Growth Advice

If OSOM activity is likely to be involved, the Department encourages the applicant to make contact at an early stage so that this detail can be assessed.

Early involvement is extremely important in the event of road infrastructure upgrades being required to cater for the activity, so that the necessary time for planning, obtaining funding and completing the road infrastructure upgrade does not impact project development timeframes.

Contact details: hvaccess@stategrowth.tas.gov.au Phone: 03 6166 3258

1 INTRODUCTION

This report assesses an application for the development of a solar farm and associated infrastructure, including battery storage and electricity transmission infrastructure (including overhead transmission lines, support pylons and poles), access tracks, fencing and landscaping at Cressy. The Proposal is known as the Northern Midlands Solar Farm. The development is based on the property known as Connorville Station (south of Macquarie Road and east of Connorville Road) at 394 Connorville Road, Cressy.

The Site comprises 20 lots. Of these 20 lots:

- 5 lots are within the Connorville Station property being 4 for the solar arrays (solar panels and supporting frames) and 1 for the transmission line;
- 4 neighbouring landowner lots are required for access tracks to the solar development areas;
- A 220 kV transmission line crosses an additional 8 privately-owned lots as well as Lake River Road (Road Reserve plus 1 subdivided sliver parcel) and connects into Palmerston Substation (2 lots);
- Access points will be to Macquarie Rd, Lake River Rd, Billopp Rd and Poatina Rd, with potentially some works in their respective road reserves for access needs.

The Development Area for the proposal covers a limited area within the Site (approximate Development Area of 543 ha), including adjacent road reserves and the external transmission line. The Development Area has been split for descriptive practicality into the following groupings:

- Solar West (369.2 ha)
- Solar East (63.1 ha)
- 33 kV transmission line (4.0 km), connecting Solar East and Solar West via an existing access track
- 220 kV transmission line (15.4 kilometres), connecting the solar farm to Palmerston Substation
- Dedicated access tracks (including across neighbouring landholdings)

The infrastructure proposed involves:

- 432.3ha of solar arrays made up of 677,264 ground-mounted solar panels;
- an internal, 33 kV powerline along an existing access track to connect the two solar farm areas;
- a DC-coupled, approximately 345.9 MW / 691.7 MWh battery energy storage system (BESS);
- inverters and switchyard;
- other elements required for construction, maintenance and operation, such as an operations and management (O&M) compound, new access tracks and upgrades to existing tracks, laydown areas, security infrastructure, landscaping and worker facilities; and



- an overhead, approximately 15.4 km, 220 kV transmission line connecting the proposed solar farm to the Palmerston Substation northwest of the solar farm.

The Northern Midlands Solar Farm, if approved will be the first large scale solar farm proposal in Tasmania. Its purpose is to provide significant renewable energy generation, supporting legislated Tasmanian renewable energy targets and the transition to renewables.

The proponents submit that the Site at Cressy is appropriately located for solar exposure and with close proximity to existing electricity infrastructure at Palmerston Substation can efficiently connect to the National Energy Market grid. In choosing the Site, consideration has also been given to minimising visual impact from public view, benefits from existing infrastructure in the region, and distance from sensitive receptors. Avoidance of native vegetation removal and minimisation of impacts to natural and cultural values have also been factored into the choice of the Site.

The Proposal supports ongoing agricultural use on the Site and has the potential to provide significant local and regional economic benefits, including:

- Short-term economic stimulus through the construction phase, generating \$1.09 billion in total economic output and the creation of 986 (FTE) jobs, including 370 direct jobs.
- Ongoing economic benefits through the operational phase, generating \$36 million in total economic output and the creation of 27 (FTE) jobs ongoing, including 11 direct jobs.

The proposal is defined as Utilities under the *Tasmanian Planning Scheme – Northern Midlands* and is a Discretionary Use in the respective Agriculture zoning of the majority of the site, and a Permitted Use where it enters the Utilities zoning of the Palmerston Substation.

2 BACKGROUND

Applicant:

Cogency Australia Pty Ltd

Owner:

Connorville Estates Pty Ltd
Connorville Station Pty Ltd
RA O'Connor
PJ Watson
A & C Dowling
Glenmillton Pty Ltd
TJL & WHL Green
DH Archer
MCR & H Archer
Morrison Cressy Pty Ltd
SB Murfett
Tasmanian Networks Pty Ltd

Zone:

21.0 Agriculture
26.0 Utilities

Codes:

C2.0 Parking and Sustainable Transport Code
C3.0 Road and Railway Assets Code
C4.0 Electricity Transmission Infrastructure Protection Code
C6.0 Local Historic Heritage Code
C7.0 Natural Assets Code
C12.0 Flood-prone Areas Hazard Code
C13.0 Bushfire-Prone Areas Code
C15.0 Landslip Hazard Code
C16.0 Safeguarding of Airports Code

Classification under the Scheme:

Utilities

Existing Use:

<insert text here>



Deemed Approval Date:

24/11/2023

Recommendation:

Approve subject to conditions

Extension of Time approved by the parties until
15/12/2023

Discretionary Aspects of the Application:

21.0 Agriculture Zone

- Clause 21.2 Use Table: Discretionary Use Class with no Acceptable Solutions ; assessment against Performance Criteria P1, P2, P3 and P4 required.
- Clause 21.4.1: building height P1

26.0 Utilities Zone

- Clause 26.4.1: building height P1

C2.0 Parking and sustainable transport Code

- Clause C2.6.2 parking, access ways, manoeuvring and circulation spaces P1
- Clause C2.6.5 safe and convenient pedestrian access within parking areas P1
- Clause C2.6.6 loading bays P1

C7.0 Natural Assets Code

- Clause 7.6.1 Buildings and works within a waterway and coastal protection area P1.1

C12.0 Flood-prone areas Hazard Code

- Clause 12.6.1 Buildings and works within a flood-prone hazard area P1.1 and P1.2

C13.0 Bushfire-prone Areas Hazard Code

- Clause 13.5.2 achieving and maintaining tolerable risk P1

Planning Instrument:

- Tasmanian Planning Scheme – Northern Midlands (effective date 27 June 2023)

Preliminary Discussion:

The Applicant conducted a coordinated 'Community and Stakeholder Engagement Programme' including 4 distinct phases of engagement between March 2022 and May 2023 prior to lodging the Application. This programme included:

- Presentations and briefings
- Direct landowner engagement
- Project website, newsletters, factsheets, posters
- Letter drops to local community.
- Door Knock meetings with community members
- Community Information Day
- Timely and informative progress updates email, letters, phone calls and the website
- Complaints and handling process.

The Applicant states that the following stakeholders were included in the engagement:

- Local community of Northern Midlands
- Neighbouring property owners and transmission landowners
- Northern Midlands Council officers
- Northern Midlands Councillors
- Premier of Tasmania
- ReCFIT
- TasNetworks
- EPA
- Registered Indigenous Parties
- Tasmanian Farmers and Grazier Association
- Skills Tasmania



Prior to public exhibition of the Application further information was formally requested by Council and subsequently satisfied. A copy of the outgoing correspondence is attached.

During the public exhibition period the Applicant and proponent held a public access and information session at the Cressy Hall.

Following completion of the Public exhibition period the Applicant requested mediation with the formal representors. This was facilitated by Council officers and a number of issues raised by representors were resolved or have potential for resolution. This is expanded upon in the consideration of the representations below.

Summary Overview: Appendices (technical reports):

The following appendices form a part of the development planning submission:

Technical Engineering and Transmission Concept Design - Appendix C –

The technical design of the BESS has been undertaken by DNV with the remaining development components primarily designed by Entura.

Both sets of design plans have been iteratively developed, informed by technical investigations as they have been developed.

The overall design layout has focused upon working with the natural topography and environmental context. The design is situated in cleared agricultural paddocks, on the lower-value agricultural land within Connorville Station. This means that any natural values have been avoided and minimised.

The design plans will be subject to further detailed design, with an expected planning permit condition to provide updated plans or allowing for minor amendment to endorsed plans. The complexity of a major renewable energy generation facility requires other consents beyond planning, particularly grid connection design and approval by TasNetworks. (Cogency op cit p76)

Bushfire Impact Statement, Ground Proof Mapping and Fire Hazard and Risk Assessment, NJM Design (Appendix D)

Two specialists have been engaged to consider bushfire and fire hazard and risk. For the BESS design specifically, NJM Design have undertaken a Fire Hazard and Risk Assessment (Appendix 4 within Appendix D). Ground Proof Mapping were engaged for broader assessment, including the Bushfire Impact Statement (BIS) (Appendix D). The BIS has been signed off by the TFS.

Much of the farming land to the north and northwest, where most of the fire weather comes from during the summer bushfire period, is under irrigation, resulting in minimal fire risk. Ignition sources would be limited to occurrences such as escapes from burning of stubble from crops or fire from farm harvesting machinery.

The (BIS) analyses bushfire risk in the landscape and proposal design contexts, identifying and assessing bushfire risk to the development, isolating the areas (Solar Farm East, Solar Farm West, Infrastructure Compounds and the Transmission Line Route Options), including both bushfire emanating from the site and bushfire impacting the site from an external source.

Landscape and Visual Impact Assessment, Moir Landscape (Appendix E)

The LVIA (prepared by Moir Landscape Architecture) has reviewed key viewpoints and locations with potential views towards the Proposal, as well as provided an overview of the proposed treatments which may be considered to assist in the mitigation of potential visual impacts.

The assessment includes a broad landscape character assessment, character zones and scenic quality, visual sensitivity and visual impact. While there are some mapped areas under the Scenic Protection Code in the vicinity of the Proposal, there is no development within these mapped areas. The existing 110 kV overhead transmission lines and poles that cross the Site (connecting Palmerston Substation to Avoca Substation) are viewed as part of the existing visual character. The assessment states that the proposed 220 kV overhead transmission line is in keeping with the existing character



visible in the surrounding area. Also that there are very limited opportunities to view the Proposal from publicly accessible land and roads, including the majority of Macquarie Road, Connorville Road and Lake River Road. (ibid)

Socio-Economic Assessment, Urban Enterprise (Appendix F)

Urban Enterprise's socioeconomic impact assessment (SEIA) identifies and assesses the suite of socioeconomic impacts that could be generated by the project. Economic impacts relate to the direct and indirect economic activities that are generated through the construction and operational phase of the project. Social impacts relate to changes (both positive and negative) that may occur to the way people live and the environment during the project's lifecycle.

The SEIA analysis considers existing local and regional socioeconomics, noting that the Proposal will draw on a regional, state and national supply chain during the development, construction and operation phases of the project. Local and regional opportunities will present for regional businesses in general construction and civil works, electrical and engineering, parts manufacturing, transport, machinery operating and servicing. Within the catchment there is a relatively high level of unemployment.

The assessment concludes that overall, the Proposal carries strong economic benefits, provides significant construction jobs, and due to its siting does not create amenity impacts. The timing of other major renewable projects in Tasmania is difficult to predict, but a high overlap of projects may create competition for labour force. There may be short-term construction impacts upon rental housing within the area. (ibid. p77)

Community & Stakeholder Engagement Summary Report, Cogency Australia (Appendix G)

The Applicants carried out a phased 'Community and Stakeholder Engagement Programme' (outlined above).

A key issue raised during early engagement was the requirement of the formalised 'Project Proposal' as requested by the EPA. Initial concerns of neighbouring property owners and transmission landowners were centred around irrigation and potential impacts to agricultural productivity in the area. However, the Applicant reports that based on the initial discussions the feedback was mostly positive. The key process stakeholders remained generally supportive after the provision of more information. Ongoing discussions with neighbouring property owners and transmission landowners is identified as being pivotal as the project progresses. (ibid p46)

Traffic Impact Assessment, Pitt & Sherry (Appendix H)

The Traffic Impact Assessment (TIA) details existing conditions of site access and transport routes, traffic volumes and safety history. The TIA has been undertaken in iterations, informing site access design and layout. The proposed upgrading of four farm access tracks will provide the solar area access points, along with Connorville Road – all access points have appropriate sight distances.

Overall, the existing road network and proposed road upgrades are suitable for the Proposal. There are no negative transport impacts with all roads capable of carrying the additional construction traffic loads. Once operational, there will be very minimal increases in traffic. The construction traffic required to use Lake River Road (for transmission construction) may warrant additional signage at the approaches to the Lake River Road/Macquarie Road intersection. There will potentially be works required to Billopp Road, to be confirmed in detailed design. A Construction Management Plan will include Traffic Management Plan requirements.

If Over Size and Over Mass (OSOM) Vehicles are required for delivery of major components, further OSOM route assessment would be required. Any vehicles greater than 26m B-double will require additional consideration and should have an approved Traffic Management Plan detailing the trip route and specifics, or a permit (as required).

No additional turning treatments are required. The impact of traffic generated by the ongoing operation of the NMSF development is expected to be minimal during both the AM and PM peak hours and throughout the day. (ibid p78)

Agricultural Assessment, Ag-Challenge (Appendix I)

The Agricultural Assessment study was undertaken on the five parcels of land within Connorville Station that form part of the Proposal Site. The study assigns a Land Capability Classification (based on standard methodology).



The Solar East and Solar West areas are to be located on land assessed as having serious limitations to agricultural usefulness with the land being limited to intensive to light grazing practices with high risks of crop failure.

The combined parcels of land within Connorville Station are considered productive farmland. The proposed change of primary land use within the Development Area to solar energy production will mean that the current agricultural versatility (cropping or grazing) will be reduced in favour of the alternative primary use for energy production. The design of the solar farm will however enable sheep to be grazed underneath the solar panels, thus retaining some of the current level of agricultural productivity. Underneath the solar array, solar panels will limit pasture access to sunlight and water, reducing pasture productivity. Positively, solar panels will benefit the welfare of sheep, as the shelter provided will help combat impacts of cold, frost, rain and harsh heat on sheep and lambs. Agricultural versatility and productivity will be reduced, however positive aspects of solar panels on animal welfare partly mitigate this reduction, particularly within the Development Area where frost is a high risk.

The proposed transmission line running from the Solar West Area to Palmerston Substation will have a negligible impact on livestock grazing practices.

The assessment concludes that there is no perceived detrimental impact on the continued agricultural use of surrounding properties for grazing, cropping and irrigation as a consequence of the Proposal. (ibid p79)

Cultural Heritage Assessment, Cultural Heritage Management Australia (Appendix J)

Cultural Heritage Management Australia (CHMA) have undertaken an Aboriginal Cultural Heritage Assessment. The three primary stages of the assessment were Stage 1 (Pre-fieldwork and background work), Stage 2 (Field work) and Stage 3 (Report preparation). The final report outlines the aims, results and recommendations of the study. This report was endorsed by Aboriginal Heritage Tasmania on 15 August 2023.

None of the 38 registered Aboriginal sites are located within or in the immediate vicinity of the Proposal's Development Area. The closest registered site is situated around 2km to the south. The majority of the sites are clustered around the Macquarie River, to the north of the study area.

However, the field survey assessment of the NMSF project footprint resulted in the identification and recording of five Aboriginal heritage sites. Two of these sites are classified as artefact scatters (AH14167 and AH14168), with the other three sites classified as Isolated artefacts. Four of the five sites are within close proximity to the Development Area, and the fifth is further west, along the proposed 220 kV transmission route.

CHMA's findings have influenced the design and siting of the Proposal. The Entura engineering design plans (Appendix C) demonstrate that the Proposal avoids all four Aboriginal heritage sites. As such, the Proposal avoids all sites of significance. This is consistent with the Statement of Cultural/Social Significance by Vernon Graham within the report: "As long as sites AH14167, AH14168, AH14148, AH14165 and AH14166 can be avoided and protected, I am satisfied that this proposal poses a minimal risk of impacting Aboriginal heritage values."

Other recommendations relating to construction management and unanticipated finds will be undertaken throughout construction of the Proposal (ibid).

Historic Heritage Assessment, Cultural Heritage Management Australia (Appendix K)

CHMA undertook a Historic Heritage Assessment, including an archaeological potential investigation for the Development Area. There are two properties listed on the Tasmanian Heritage Register (THR) (Connorville Station THR 5056 & Woodside THR 5072).

The report notes the THR listings for both properties are based primarily on the heritage values of their buildings, not the broader properties.

It was confirmed that the Proposal avoids any of the buildings on the Connorville Station property, which are the primary basis for the heritage significance of the property and heritage landscape plantings associated with the property. A review of the available information does not indicate that any dwellings or other structures were ever constructed within or in the immediate vicinity of the Development Area and based on the observations made during the survey, the archaeological potential within and immediately surrounding the Development Area has been assessed as low.



Approximately 1.5km of the transmission line corridor runs through the boundaries of the Woodside property. However, the transmission line corridor is situated over 500m south of the Central Plan Register listed boundaries of the Woodside Homestead complex.

On the basis of the above, the report concludes that it is clear that the impacts on the heritage values of the Connorville property will be negligible. It is therefore advised that a Certificate of Exemption is warranted for these works (ibid p80).

Flora and Fauna Assessment, Nature Advisory (Appendix L)

The Flora and Fauna Assessment (Nature Advisory, Appendix L) study area covered an expanded area to ensure the surrounds of the Development Area and all transmission line options were assessed. This assisted in refining the design layout and select.

Much of the Solar West and Solar East Development Area have been cleared of trees in the past to support pasture for grazing of livestock. These cleared areas are generally considered to be of low quality native or non-native vegetation, with a low potential to support listed flora and fauna species. Areas of native vegetation are generally found along the habitat corridors between paddocks, and along the proposed access roads, and considered to be of 'moderate' 'high', or 'very high' quality, and provide 'moderate' or 'high' fauna habitat. These areas have a higher potential to support listed flora and fauna species compared to the agricultural land.

The proposed 220 kV transmission corridor comprises cleared land or vegetation of low-quality habitat potential.

The combined desktop evaluation and field survey indicated potential suitable habitat for 31 listed flora species in the study area. Habitat for most of these species occurs within higher quality shelter belts and treed reserves around the properties and in adjacent woodland/forest habitat of the access track between Solar East and Solar West.

The Proposal is sited on predominantly low-quality agricultural land, leaving the native vegetation corridors intact. Infrastructure has been sited within areas of low-quality habitat and no mapped native vegetation (see Figures 3 and 4 of the supporting report). Furthermore, the proposal seeks to utilise existing access tracks or tracks through farmland where possible to avoid impacts on treed shelterbelts or woodland areas. This approach results in the Proposal having the least impact on native vegetation and listed matters.

The current layout of the Proposal aims to avoid any suitable habitat for EPBC Act listed values. Further micro siting of access tracks and other solar farm components will confirm this. If this is achieved, an EPBC Referral will not be required. An EPBC Act Referral would only be required if EPBC Act listed flora species or ecological communities were found to be present within impacted areas during further surveys and detailed design, and if a significant impact to these values is expected.

Therefore, at this stage, the Proposal is not expected to impact matters of national environmental significance and does not require formal assessment and approval under the EPBC Act (ibid p 81).

Flooding Impact Assessment, Pitt & Sherry (Appendix M)

The Flooding Impact Assessment (Pitt & Sherry, 12 May 2023) considers the topography and hydrology of a catchment study boundary, generally expanding beyond Solar East and Solar West, to undertake flood modelling, to inform the Proposal.

The report notes that modelling along the proposed 220 kV transmission line is unnecessary, as micro-siting of poles can avoid any potential impacts.

The assessment concludes that the Proposal will not contribute to flooding on site or adjacent land. Flows will be contained to existing flow paths and directed to existing dams and waterways. Peak flood hazard ratings are in acceptable ranges and high-hazard areas have been identified to inform and/or avoid construction. Specific flood hazard protection/reduction measures will be addressed in detailed design phase. Detailed design of earthworks and infrastructure placement will avoid and address hydrological risk.

The layout of the Proposal fully avoids areas with a medium to higher hazard rating (H3 to H6), consistent with recommendations in the Flooding Impact Assessment recommends that building works and solar panel placement avoid



the lower 'H2' hazard areas where possible, as a conservative approach. It states that solar farm development may be able to occur within H2 areas provided that appropriate flood mitigation measures involving earthworks/fill are implemented as part of detailed design in accordance with further detailed hydrological studies. Accordingly, the layout of the Proposal largely avoids these H2 hazard areas, and where panels are proposed to be located within H2, earthworks/fill will be implemented as part of detailed design.

Further recommendations include:

- Mitigation measures such as scour (rock) protection, maintenance and clearing, headwall/wingwall optimisation, and potential for larger culverts are recommended to be explored during detailed design.
- A flood emergency response plan is recommended to be explored at detailed design phase for this dam.
- Locations of items such as BESS and other electrical infrastructure will need to be protected with drainage works, and earth levels (via cut and fill) to attain necessary flood prevention, and recommended minimum freeboard.
- A CEMP (as a condition on permit) would include restrictions for the construction of vehicular crossings, including sediment control, and if required, appropriate sizing of culverts to avoid negative water quality impacts.

Beyond the construction phase (with sediment control managed by a CEMP (as a condition on permit)), the operational phase of the solar farm will have no impacts upon water quality, particularly as it flows off-site. The post-development conditions of solar panels will have no impact upon water runoff or quality. Similarly, the post-development conditions of transmission line infrastructure will have no impact upon water runoff or quality. The hardstand infrastructure and BESS areas are located a significant distance from neighbouring properties, and while they increase impermeable surfaces, they are upstream of dams internal to Connorville Station. Accordingly, there are no expected impacts upon water runoff quality (ibid).

Acid Sulfate Soil Investigation, Pitt & Sherry (Appendix N)

The Solar West and Solar East areas are clear of any Acid Sulfate Soil (ASS) risk mapping. Most of the land immediately surrounding the Solar West and Solar East areas are also not mapped for any risk. There are some limited areas along the proposed 220 kV transmission line mapped as low and extremely low probability of occurrence.

The Acid Sulfate Soil Investigation recommends some limited further testing, partly dependent upon detailed design (for instance, whether or not waterways will be disturbed). Broadly, the investigation states that testing of the Solar West area is not warranted, and limited testing of Solar East may be warranted. Overall, the risk of ASS is considered low. (ibid p 83)

Noise Impact Assessment, SLR Consulting (Appendix O)

Noise modelling was conducted, supported by unattended noise monitoring conducted at the two closest identified dwellings, located approximately 4 km from the proposed solar farm. The Noise Impact Assessment concludes that key potential impacts in relation to noise are:

- Noise from construction activities; and
- Noise from operational activities.

Overall, the Noise Impact Assessment considers that acoustic impacts generated by the Proposal are expected to be negligible, due to the significant distance between the Development Area and sensitive receptors, and the key components of the Proposal (such as the BESS and switchyards) being centrally located within the Development Area. The recommendations outlined in chapter 7.1 of the Noise Impact Assessment report will be addressed as part of detailed design.

Applicant's concluding submission

The Applicant in support of the application submits the following objective comments based on the above expert assessments:

- The Northern Midlands Solar Farm is a landmark development in Tasmania as the first large scale solar farm proposal.



- It provides significant renewable energy generation, supporting Tasmanian renewable energy targets and the transition to renewables;
- It is appropriately located for solar exposure and with close proximity to existing electricity infrastructure at Palmerston Substation, can efficiently connect to the National Energy Market grid;
- The Proposal supports ongoing agricultural use on the Site and will provide significant local and regional economic benefits, including:

Short-term economic stimulus through the construction phase, generating \$1.09 billion in total economic output and the creation of 986 (FTE) jobs, including 370 direct jobs.

Ongoing economic benefits through the operational phase, generating \$36 million in total economic output and the creation of 27 (FTE) jobs ongoing, including 11 direct jobs.

- The feasibility and design of the Proposal are supported by a suite of detailed technical investigations;
- While the Use Class Utilities is Discretionary within the Agriculture Zone, the Proposal is consistent with the objectives of the Agriculture Zone and Utilities Zone; and
- Connorville Station is a large landholding entirely capable of hosting the solar farm. The Solar West and Solar East areas are sited such that they are obscured from public areas. The proposed 220 kV transmission line is sited alongside an existing 110 kV transmission line, providing efficient shared use of easements and reducing potential visual impact;
- The Proposal has been designed to avoid and minimise key hazards and considerations, or mitigate where required, including against:
 - o Landslip risk: mapped risk areas are primarily avoided;
 - o Bushfire risk: appropriate separation, management, water-supply and access arrangements are in place, as signed off by the TFS;
 - o Inundation risk: areas of modelled inundation are essentially avoided;
 - o Infrastructure protection: ongoing engagement with TasNetworks ensures appropriate design within the existing transmission easement and Palmerston Substation;
 - o Natural values: primarily via avoidance of key waterways and high-quality native vegetation;
 - o Cultural heritage: avoidance of artefact sites, following site investigation results;
 - o Historic heritage: avoidance of the curtilage of listed buildings.
- The buildings and works are considered appropriate to their surrounds, do not impact the amenity of nearby neighbours, and have been sited to minimise visual appearance;
- Surrounding infrastructure including roads, are capable of accommodating the Proposal, with appropriate access tracks and parking proposed;
- Potential construction impacts will be managed through a Construction Environmental Management Plan (CEMP) and are considered negligible; and
- While the current layout plans for the proposed 220 kV transmission line seek a flexible design layout, this is warranted considering: the complexity of the Proposal; the need for TasNetworks to approve the Grid Connection Application (and design); and the clear ability for micro-siting of transmission poles via detailed design to provide avoidance, minimisation and/or mitigation of hazards and other considerations. (ibid p 86)

Subject Site

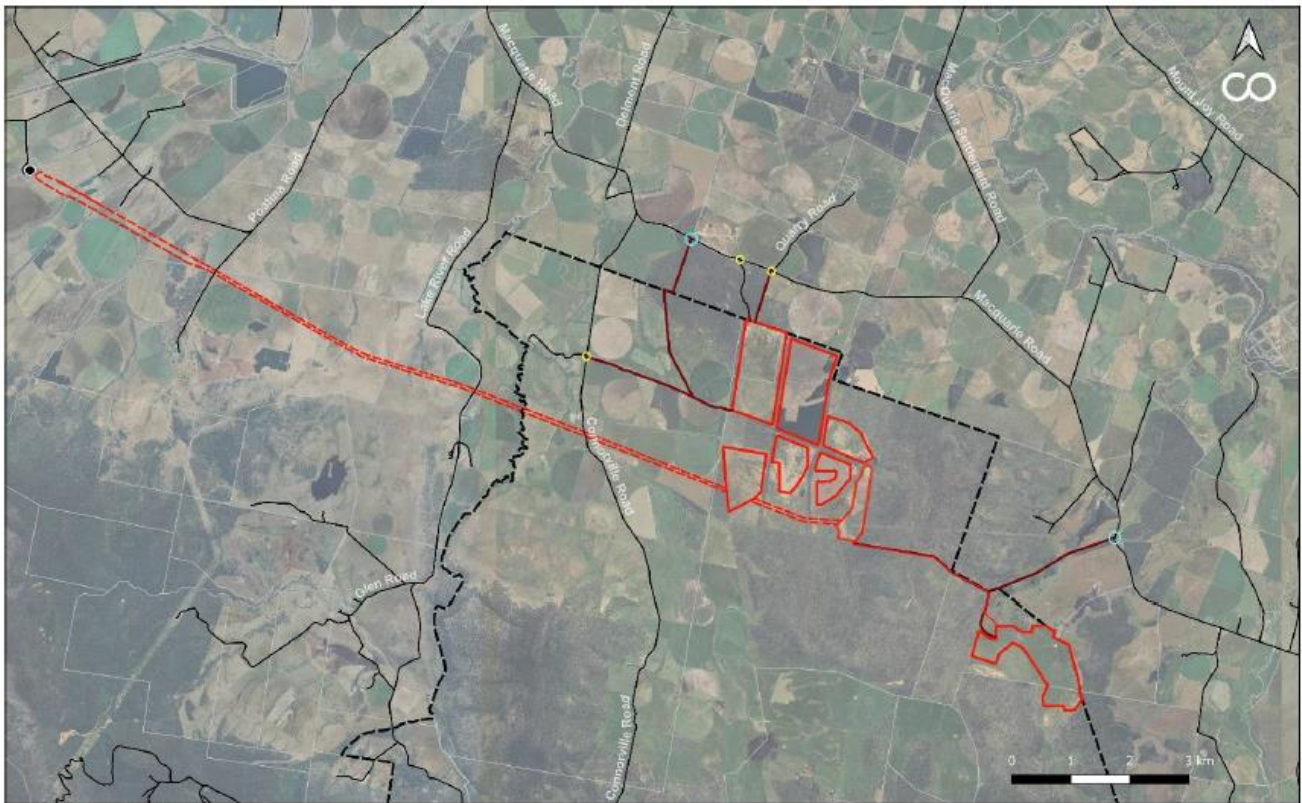
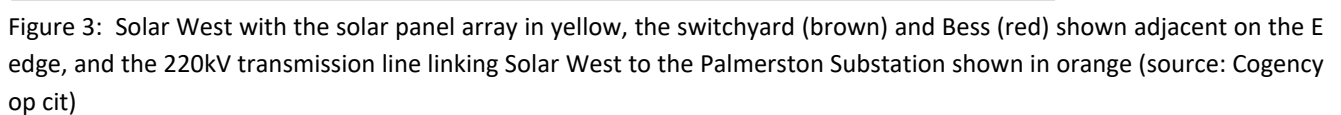
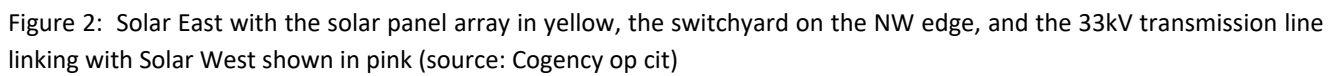


Figure 1: the specific land parcels involved in the proposal : Solar East on the right, with access to Macquarie Road; Solar West slightly right of centre, with access to Macquarie Road and Connorville Road; and the linear 220kv transmission line extending to the Palmerston Substation in the far west. (source: Cogency op cit)



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 described by the Applicant as:

...a large-scale solar farm (across two areas . Solar East and Solar West), containing 432.3 ha of solar arrays with a nameplate capacity of 288MW AC / 370MWp DC, as well as:

- *an internal, 33 kV powerline along an existing access track to connect the two solar farm areas;*
- *a DC-coupled, approximately 345.9 MW / 691.7 MWh battery energy storage system (BESS);*
- *other electricity infrastructure including inverters and switchyard;*
- *other elements required for construction, maintenance and operation, such as an operations and management (O&M) compound, new access tracks and upgrades to existing tracks, laydown areas, security infrastructure, landscaping and worker facilities; and an overhead, approximately 15 km, 220 kV transmission line connecting the proposed solar farm to the Palmerston Substation, northwest of the Solar West.*

Within the Development Area, sheep grazing operations will continue, providing an ongoing 'Agrisolar' use of the land. The Solar West arrays are compartmentalised in six areas to work into the existing paddock and vegetation (windbreak) layout. Solar East comprises a single fenced area.



Figure 4: Indicative concept design of solar PV array (source: Cogency op cit)

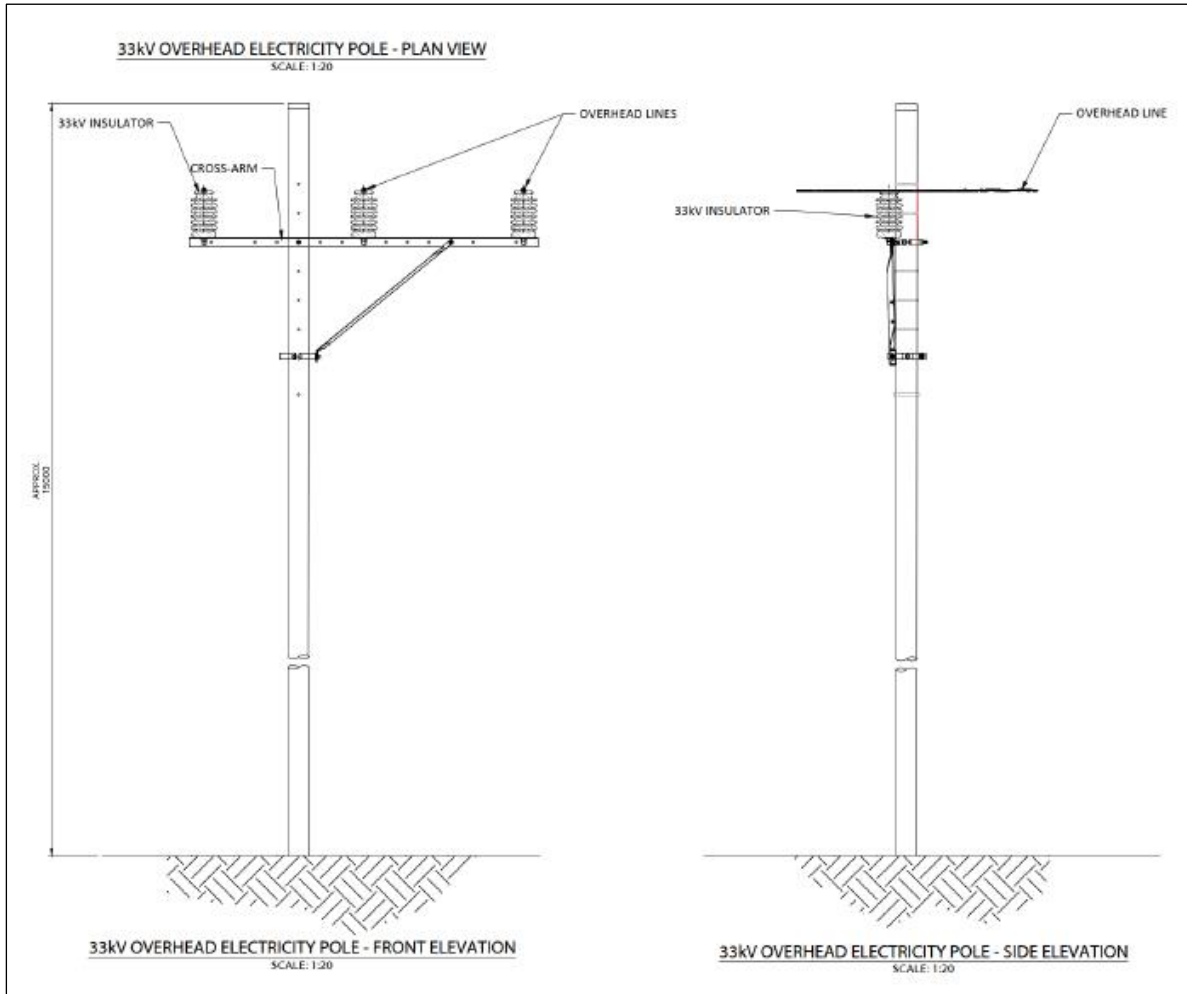


Figure 5: Proposed 33 kV overhead transmission design (source: Cogency ibid)

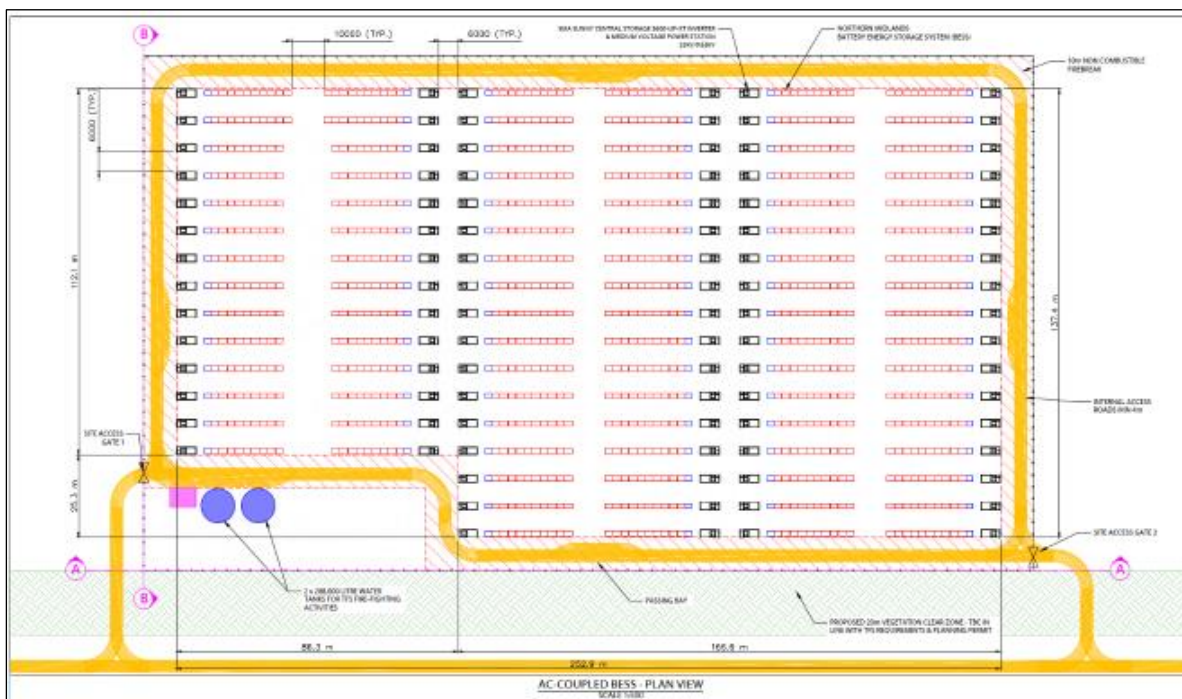


Figure 6: Proposed BESS layout (site plan) (source: Cogency ibid)



Figure 6: typical inverter/PCU. The inverters facilitate the conversion of direct current (DC) from the solar arrays into alternating current (AC). They are spaced throughout the solar array and are approximately 6 m long, 2.9 m high and 2.4 m wide. (source: Cogency ibid)

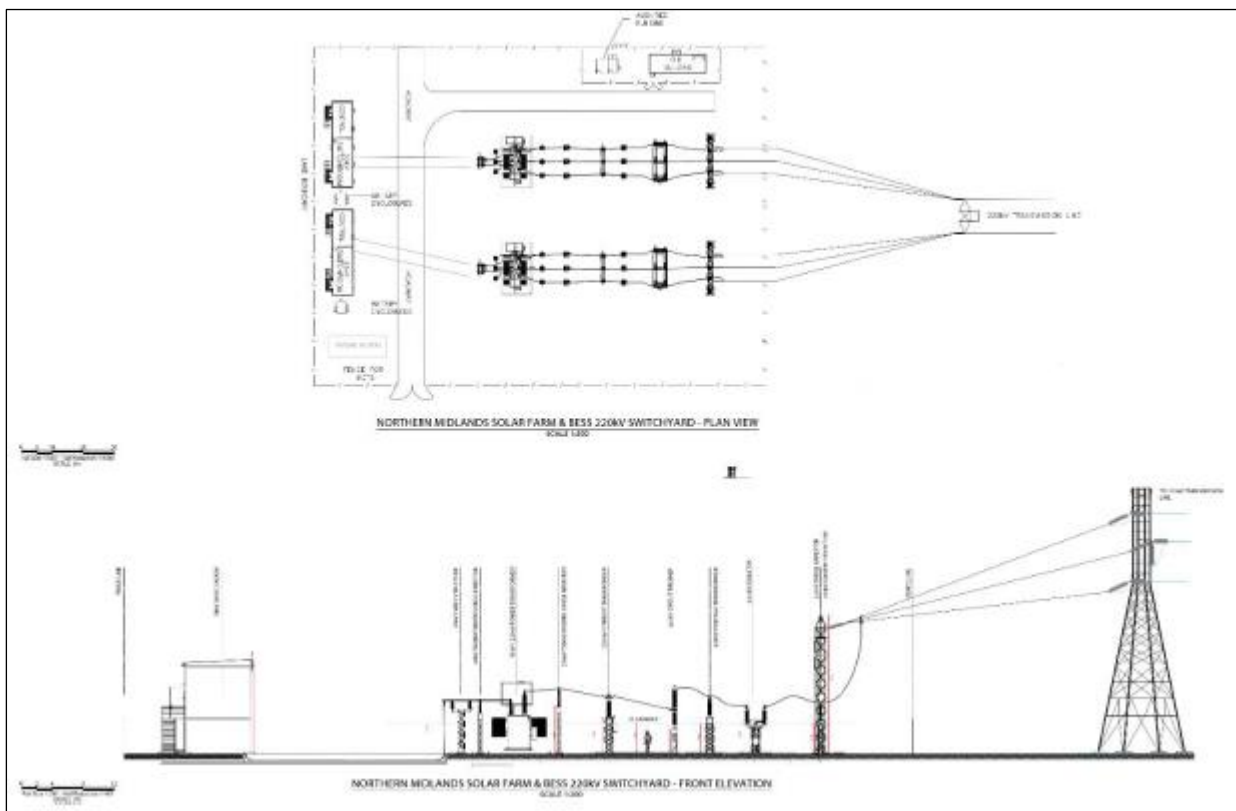


Figure 6: proposed switchyard design. (source: Cogency ibid)

In order to export the renewable energy generation by the Proposal, new transmission line infrastructure is required, and is proposed to connect into the national grid at the Palmerston Substation.

To achieve this, the Proposal includes a 220 kV overhead transmission line along an approximately 15.4 km route, connecting the solar farm and battery facility to the Palmerston Substation. The transmission line will run alongside the existing 110 kV transmission line. The physical impact area is restricted to the poles, spaced approximately 200-530 m

apart.

Further detailed design will be required to microsite the poles, in close consultation with TasNetworks. Therefore, this application seeks endorsement of a broader corridor with a permit condition requiring further detailed design plans. The Masterplan (Appendix B) nominates a “corridor” to provide flexibility for detailed design and micro-siting of the poles. This corridor is 60 m wide along the majority of the route as it heads west

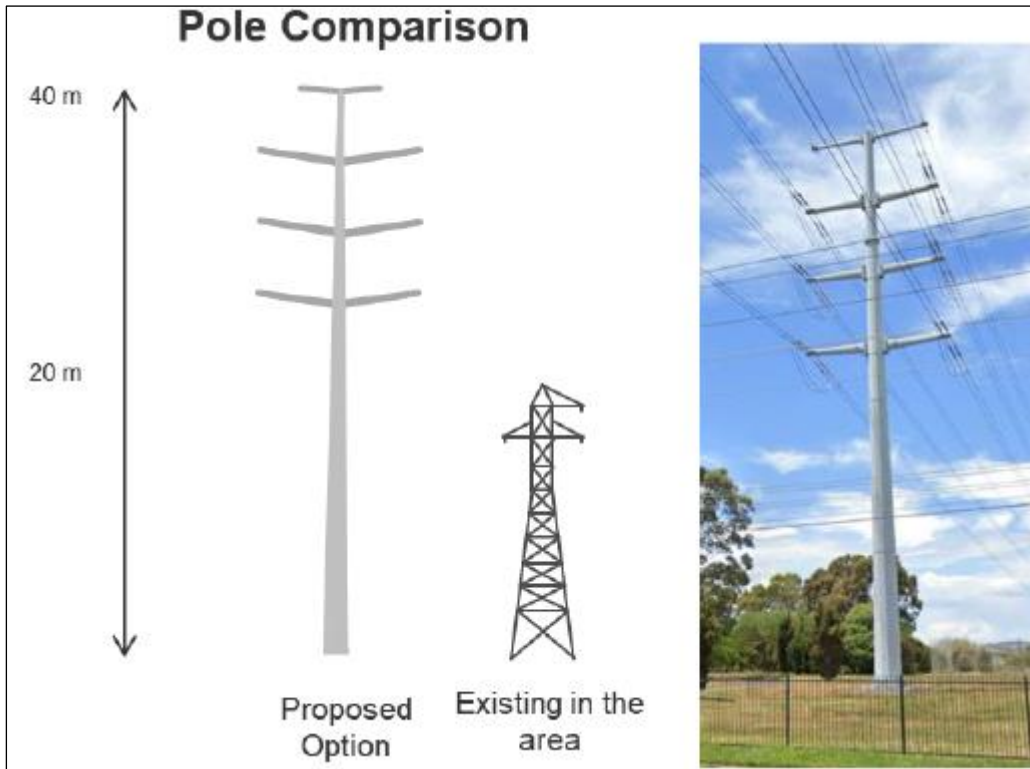


Figure 7: proposed 220kV pole design. (source: Cogency *ibid*)

from Solar West. The corridor expands to 120 m approximately 3 km east of Palmerston Substation then to approximately 160 m wide for the westernmost 750 metres of the route, to accommodate necessary flexibility. Within Appendix C (Design Plans), are indicative plans of the transmission route, including poles.

The proposed transmission line will:

- Share the existing 110 kV line easement, although requires a minimum separation from the 110 kV line
- Require its own buffer, necessitating an expansion to the easement once completed.

Once the full detailed design plans are endorsed and the line constructed, the easements on Titles and the Electricity Infrastructure Protection overlay will need to be expanded to accommodate this new transmission line.

The proposed transmission line utilises a distinct design when compared to the existing transmission towers found in the Northern Midlands Area.

The images in Figure 7 above show an example of a 220 kV single-pole transmission and an existing 110 kV lattice tower in the Northern Midlands. The indicative shape of the powerline can be seen in the comparative diagram to the left.

The size of the pole structures used for the transmission line will depend on various factors, including technical requirements of the electricity network. There may also be variations in the height of individual poles based on the requirements of each location. The exact height, spacing and location of poles will be finalised at the detailed design stage. The permit requested is for the worst-case scenario in terms of the height of the new poles. The visual impact assessment had been undertaken on this basis.

The proposal is defined as ‘Utilities’ under clause 6.2 of the Planning Scheme meaning:



use of land for utilities and infrastructure including:

- (a) telecommunications;*
- (b) electricity generation;*
- (c) transmitting or distributing gas, oil, or electricity;*
- (d) transport networks;*
- (e) collecting, treating, transmitting, storing or distributing water; or*
- (f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage.*

Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retention basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.

All elements of the proposal are directly associated with and a subservient part of the Utilities Use on the same site and therefore must be categorised into the same Use Class pursuant to clause 6.2.2 of the Planning Scheme.

Utilities is a Discretionary use class within the Agriculture Zone and a Permitted use class within the Utilities Zone.

4.2 Zone and Land Use

Clause 21.0	Agriculture Zone
21.1	Zone Purpose
	<i>The purpose of the Agriculture Zone is:</i>
21.1.1	<i>To provide for the use or development of land for agriculture use.</i>
21.1.2	<i>To protect land for use or development of agricultural use by minimising:</i>
	<i>(a) Conflict with or interference from non-agricultural uses;</i>
	<i>(b) Non-agricultural use or development that precludes the return of the land to agricultural use; and</i>
	<i>(c) Use of land for non-agricultural use in irrigation districts.</i>
21.1.3	<i>To provide for use or development that supports the use of the land for agricultural use.</i>
Clause 26.0	Utilities Zone
26.1	Zone Purpose
	<i>The purpose of the Utilities Zone is:</i>
26.1.1	<i>To provide land for major utilities installations and corridors.</i>
26.1.2	<i>To provide for other compatible uses where they do not adversely impact on the utility.</i>
Use	
Utilities	<i>Use of land for utilities and infrastructure including:</i> <ul style="list-style-type: none"> <i>(a) telecommunications;</i> <i>(b) electricity generation;</i> <i>(c) transmitting or distributing gas, oil or electricity;</i> <i>(d) transport networks;</i> <i>(e) collecting, treating, transmitting, storing or distributing water; or</i> <i>(f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage.</i> <i>Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retention basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.</i>

General comment: The proposed Utilities use and development will not displace or preclude agriculture and is not inconsistent with the Zone Purpose statements for either zone.

4.3 Subject Site and Locality

Appendix A to the Application documents presents a summary of lot details for the Site. The Site consists of three groups of landholdings (see Figure 8 below):

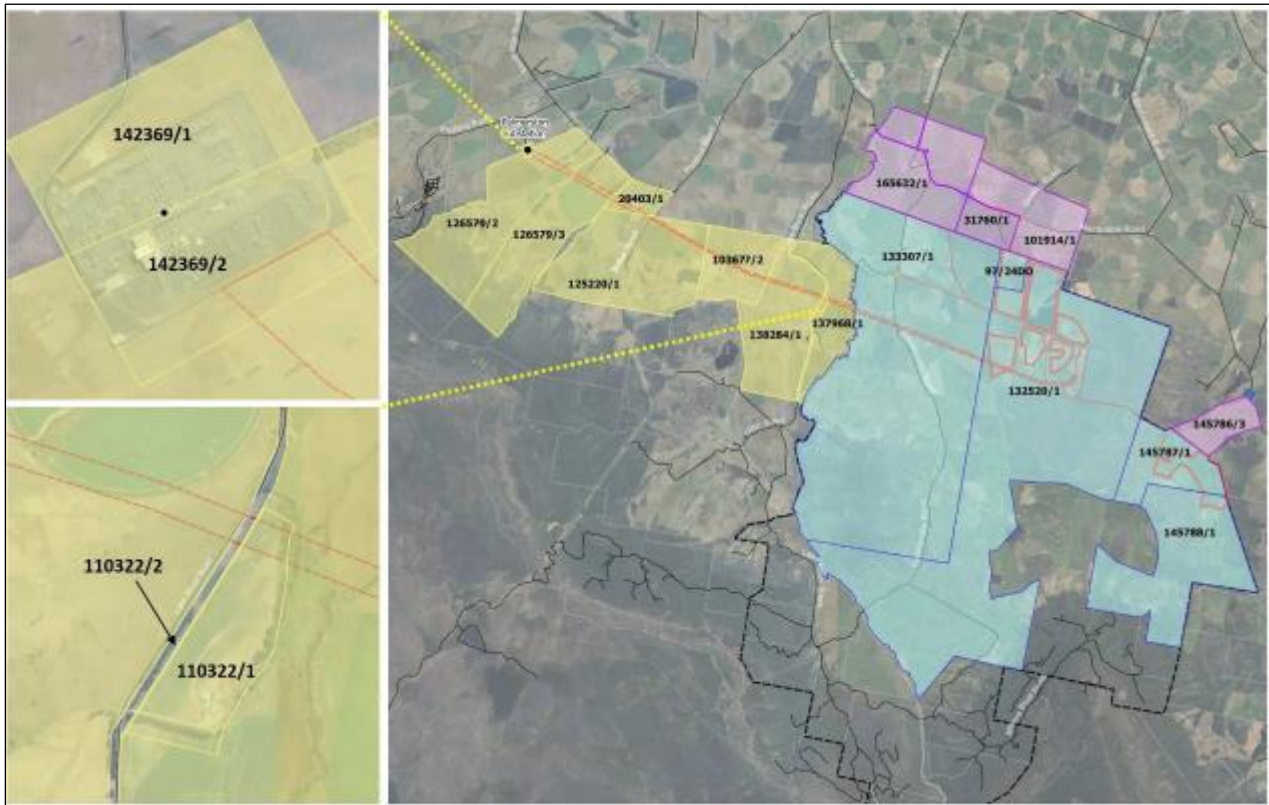


Figure 8: Site location (source: Cogency ibid)

In blue: the Connorville Station lots that contain the solar farm and associated infrastructure,

In purple: the neighbouring landholdings that provide access tracks, and

In yellow: the group of neighbouring properties through which the proposed 15 km 220 kV transmission line will cross to reach Palmerston Substation.

All the landowners neighbouring Connorville Station that are within the Site are party to this application.

Access works are required within the road reserves of Macquarie Rd, Lake River Rd, Billopp Rd and Poatina Rd. Consent to lodge the application has been granted by the General Manager, Northern Midlands Council, and from Department of State Growth (Crown) for Poatina Road.

4.4 Permit/Site History

No relevant site history.

4.5 Referrals

The following referrals were required:

Council's Works and Infrastructure Department

Council's Works and Infrastructure Department (Jonathan Galbraith) reported on 30 November 2023 and provided the following draft permit conditions:

W.2 Access (Rural)

- All accesses to Council roads must be constructed provided with a hotmix sealed apron from the edge of the road to the property and boundary and constructed in accordance with Council standard drawing TSD R03.
- If the access is to be used by heavy vehicles it is to be constructed in accordance with TSD R05.
- Access works must not commence until an application for vehicular crossing has been approved by Council.

Stormwater: No stormwater conditions are required

Council's Environmental Health officer

Council EHO advised 1/12/23:



An assessment of the application and plans received by Council has been undertaken by Council's Environmental Health Officer. The application and plans have been approved.

TasNetworks

Summary:

The application was referred to TasNetworks. TasNetworks have not made a submission but continue in direct discussion and negotiation with the Applicant as part of the development process.

EPA Tasmania

The EPA advised by letter dated 07/06/2023:

As detailed in my correspondence dated 16 March 2023 it appears the risk of the proposal causing serious or material environmental harm is negligible. Based on the information provided in PLN-23-0091, I can advise that I do not require Council to formally refer the application to the Board under 24(1) of the Environmental Management and Pollution Control Act, 1994.

Council may proceed with assessment of the permit application under the Land Use Planning and Approvals Act 1993 without further reference to the Board.

You should note that the above decision is based on the information provided with the permit application. If details of the proposal change significantly, you should advise the applicant to seek advice from the Environment Protection Authority before proceeding, to ensure that the proposed activity will comply with the EMPCA.

Department of State Growth

The Department of State Growth provided Landowner consent to lodge the application on 11 October 2023, and in doing so commented:

In giving consent to lodge the subject development application, the Department notes the following applicable advice:

The Department notes that the applicant is not clear on the potential needs for Oversize / Overmass (OSOM) transport of project items, however in section 9.4 it is recognised that transport approvals will need to be obtained separately if this activity is required.

If OSOM activity is likely to be involved, the Department encourages the applicant to make contact at an early stage so that this detail can be assessed.

Early involvement is extremely important in the event of road infrastructure upgrades being required to cater for the activity, so that the necessary time for planning, obtaining funding and completing the road infrastructure upgrade does not impact project development timeframes. (Refer to proposed permit conditions).

4.6 Planning Scheme Assessment

21.0 Agriculture Zone

The entire Site (and Development Area) is zoned Agriculture, with the exception of the Palmerston Substation which is zoned Utilities.

21.1 Zone Purpose

The purpose of the Agriculture Zone is:

21.1.1 *To provide for the use or development of land for agricultural use.*

21.1.2 *To provide for use or development that supports the use of the land for agricultural use by minimizing:*

(a) conflict with or interference from non-agricultural uses;

(b) non-agricultural use or development that precludes the return of the land to agricultural use; and

(c) use of land for non-agricultural use in irrigation districts.

21.1.3 *To provide for use or development that supports the use of the land for agricultural use.*

Comment: The Proposal supports agricultural use of the land, as it:

- Retains agricultural 'agrisolar' use through grazing of sheep within the solar farm area;
- Diversifies the economic income streams for the business; and
- Is sited on lower-value land within the property, as well as having a minimal physical impact upon the property.

The Proposal does not create any land use conflict and will have a minimal impact upon the existing agricultural use of the land. Agricultural Assessment report provides further detail in support.

It is therefore considered that the Proposal does not conflict with the Zone purpose statements for the Agriculture Zone.



21.2 Use Standards

21.3.1 Discretionary uses

Objective:	That uses listed as Discretionary: (a) support agricultural use; and (b) protect land for agricultural use by minimising the conversion of land to non- agricultural use.
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 A use listed as Discretionary, excluding Residential or Resource Development, must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to: (a) access to a specific naturally occurring resource on the site or on land in the vicinity of the site; (b) access to infrastructure only available on the site or on land in the vicinity of the site; (c) access to a product or material related to an agricultural use; (d) service or support for an agricultural use on the site or on land in the vicinity of the site; (e) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and (f) provision of essential Emergency Services or Utilities.
Comment: Complies with P1 (d), (e) and (f). The Applicant submits that the Discretionary use for Utilities (f) supports diversification and value add of Connorville Station (d, e). In general, large-scale solar farms require a large area of land with appropriate topography and primarily cleared, often suiting agricultural land (c). In this Proposal's circumstance, the siting of the solar farm is proximate to the necessary infrastructure (Palmerston Substation, (b)), and has appropriate solar access (a). The Proposal will directly support the energy needs of Connorville Station as well as providing economic diversity. It is agreed that the Proposal will provide economic support for agricultural activities on Connorville Station as well as providing for diversification. The provision of Utilities meets criterion (f). It is considered that the Proposal meets P1.	
A2 No Acceptable Solution.	P2 A use listed as Discretionary, excluding Residential, must minimise the conversion of agricultural land to non-agricultural use, having regard to: (a) the area of land being converted to non- agricultural use; (b) whether the use precludes the land from being returned to an agricultural use; (c) whether the use confines or restrains existing or potential agricultural use on the site or adjoining sites.
Comment: Complies with P2 The Proposal includes 432.3 ha of solar arrays and associated infrastructure, with only a very small portion taken out of direct agricultural use. The majority of the Development Area will continue to be used for sheep grazing, will not impact on surrounding agricultural operation, and can be fully decommissioned and returned to its former state if/when the solar farm is closed. It is considered that the Proposal meets P2.	
A3 No Acceptable Solution.	P3 A use listed as Discretionary, excluding Residential, located on prime agricultural land must: (a) be for Extractive Industry, Resource Development or Utilities, provided that: (i) the area of land converted to the use is minimised; (ii) adverse impacts on the surrounding agricultural use are minimised; and (iii) the site is reasonably required for operational efficiency; or (b) be for a use that demonstrates a significant benefit to the region, having regard to the social, environmental and economic costs and benefits of the proposed use.
Comment: Complies with P3 (a) and (b) The Utilities use (solar farm) causes minimal reduction of agricultural land and does not impact surrounding uses. It provides direct benefit to the existing use (Connorville Station) and is located in an area proximate to the necessary connection infrastructure.	



<p>The Proposal also has potential to provide significant benefit to the region, in economic investment, diversification, energy security and construction jobs.</p> <p>It is considered that the Proposal meets P3.</p>	
<p>A4</p> <p>No Acceptable Solution.</p>	<p>P4</p> <p>A Residential use listed as Discretionary must:</p> <p>(a) be required as part of an agricultural use, having regard to:</p> <ul style="list-style-type: none"> (i) the scale of the agricultural use; (ii) the complexity of the agricultural use; (iii) the operational requirements of the agricultural use; (iv) the requirement for the occupier of the dwelling to attend to the agricultural use; and (v) proximity of the dwelling to the agricultural use; or <p>(b) be located on a site that:</p> <ul style="list-style-type: none"> (i) is not capable of supporting an agricultural use; (ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use; and (iii) does not confine or restrain agricultural use on adjoining properties.
<p>Comment: Not applicable, there is no residential use proposed</p>	

21.2.1 Development Standards for Buildings and Works

21.2.2 Building height

Objective:	<p>To provide for a building height that:</p> <ul style="list-style-type: none"> (a) is necessary for the operation of the use; and (b) minimises adverse impacts on adjoining properties.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building height must be not more than 12m.</p>	<p>P1</p> <p>Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the proposed height of the building; (b) the topography of the site; (c) the bulk and form of the building; (d) separation from existing use on adjoining properties; (e) the nature of the existing uses on adjoining properties; and (f) any buffers created by natural or other features.
<p>Comment: Complies with P1.</p> <p>The proposed new 220kV transmission poles will extend up to 40m in height which exceeds the maximum under the Acceptable Solution A1. The proposal therefore relies upon the alternative performance criteria under P1.</p> <p>The Applicant submits that connection to the national grid is a critical and necessary component of the Proposal. Without the proposed 220 kV transmission line and poles connecting to the Palmerston Substation, the Proposal could not proceed.</p> <p>The transmission line and requisite poles will be sited alongside the existing 110 kV transmission line, meaning that it is 'leveraging' off an existing visual impact. While the pole heights are taller than the existing (40 m vs 20 m), the visual impact is considered acceptable given that transmission lines are keeping in with the existing landscape character of the area that includes significant established infrastructure. It is agreed with the LVIA assessment (Appendix A) that the route of the transmission line does not cover any visually prominent or higher-elevated terrain.</p> <p>Other mitigating factors include:</p> <ul style="list-style-type: none"> • The transmission line does not cross any buffer areas. • The transmission line will be sited a significant distance (greater than 1km) from the non-participating dwellings. • Whilst it is within close proximity to a small number of dwellings, these are owned by participating landowners who are willing to host the transmission line and are already close to existing transmission infrastructure such as the adjacent 110 kV line. <p>On balance, considering the existing infrastructure and the indicated necessity for the operation of the use, it is considered that the Proposal meets P1.</p>	



21.2.3 Setbacks

Objective:	That the siting of buildings minimises potential conflict with use on adjoining properties.	
Acceptable Solutions		Performance Criteria
A1 Buildings must have a setback from all boundaries of: (a) not less than 5m; or (b) if the setback of an existing building is within 5m, not less than the existing building.		P1 Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: (a) the bulk and form of the building; (b) the nature of existing use on the adjoining properties; (c) separation from existing use on the adjoining properties; and (d) any buffers created by natural or other features.
Comment: Complies with A1.		
A2 Buildings for a sensitive use must have a setback from all boundaries of: (a) not less than 200m; or (b) if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.		P2 Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use, having regard to: (a) the size, shape and topography of the site; (b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties; (c) the location of existing buildings on the site; (d) the existing and potential use of adjoining properties; (e) any proposed attenuation measures; and (f) any buffers created by natural or other features.
Comment: Not applicable, the proposal does not involve the development of buildings for a sensitive use.		

21.2.4 Access for new dwellings

Objective:	That new dwellings have appropriate vehicular access to a road maintained by a road authority.	
Acceptable Solutions		Performance Criteria
A1 New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.		P1 New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority, that is appropriate having regard to: (a) the number of users of the access; (b) the length of the access; (c) the suitability of the access for use by the occupants of the dwelling; (d) the suitability of the access for emergency services vehicles; (e) the topography of the site; (f) the construction and maintenance of the access; (g) the construction, maintenance and usage of the road; and (h) any advice from the road authority.
Comment: Not applicable, the application does not include residential dwellings.		

21.5 Development Standards for Subdivision

21.5.1 Lot design

Objective:	To provide for subdivision that: <ul style="list-style-type: none"> (a) relates to public use, irrigation infrastructure or Utilities; and (b) protects the long term productive capacity of agricultural land. 	
Acceptable Solutions	Performance Criteria	
A1 Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> (a) be required for public 	P1 Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> (a) provide for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> (i) not materially diminishing the agricultural productivity of the land; 	



<p>use by the Crown, a council or a State authority;</p> <p>(b) be required for the provision of Utilities or irrigation infrastructure; or</p> <p>(c) be for the consolidation of a lot with another lot provided both lots are within the same zone.</p>	<p>(ii) the capacity of the new lots for productive agricultural use;</p> <p>(iii) any topographical constraints to agricultural use; and</p> <p>(iv) current irrigation practices and the potential for irrigation;</p> <p>(b) be for the reorganisation of lot boundaries that satisfies all of the following:</p> <p>(i) provides for the operation of an agricultural use, having regard to:</p> <ul style="list-style-type: none"> a. not materially diminishing the agricultural productivity of the land; b. the capacity of the new lots for productive agricultural use; c. any topographical constraints to agricultural use; and d. current irrigation practices and the potential for irrigation; <p>(ii) all new lots must be not less than 1ha in area;</p> <p>(iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;</p> <p>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use; and</p> <p>(v) it does not create any additional lots; or</p>
	<p>(c) be for the excision of a use or development existing at the effective date that satisfies all of the following:</p> <p>(i) the balance lot provides for the operation of an agricultural use, having regard to:</p> <ul style="list-style-type: none"> a. not materially diminishing the agricultural productivity of the land; b. the capacity of the balance lot for productive agricultural use; c. any topographical constraints to agricultural use; and d. current irrigation practices and the potential for irrigation; <p>(ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;</p> <p>(iii) any existing buildings for a sensitive use must meet the setbacks required by clause 21.4.2 A2 or P2 in relation to setbacks to new boundaries; and</p> <p>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use.</p>
<p>Comment: Not applicable. The proposal does not involve subdivision of land.</p>	
<p>A2</p> <p>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.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the distance between the lot or building area and the carriageway;</p> <p>(c) the nature of the road and the traffic, including pedestrians; and</p> <p>(d) the pattern of development existing on established properties in the area.</p>
<p>Comment: Not applicable. The proposal does not involve subdivision of land.</p>	

26.0 **Utilities Zone**

26.1 **Zone Purpose**

The purpose of the Utilities Zone is:

26.1.1 *To provide land for major utilities installations and corridors.*

26.1.2 *To provide for other compatible uses where they do not adversely impact on the utility.*

Comment: Complies with the zone purpose. The development is for a major utility and associated infrastructure.

26.2 **Use Standards**

26.2.1 All uses



Objective: That uses do not cause an unreasonable loss of residential amenity to residential zones.	
Acceptable Solutions	Performance Criteria
A1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living 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.	P1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living 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, the development proposal is for a Utility which is not within 50m of the referenced zones, and is exempt from the use standard.	
A2 External lighting for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must: (a) not operate within the hours of 11.00pm and 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.	P2 External lighting for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living 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, the development proposal is for a Utility which is not within 50m of the referenced zones, and is exempt from the use standard.	
A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living 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.	P3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living 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 sensitive use; and (f) potential conflicts with other traffic.
Comment: Not applicable, the development proposal is for a Utility which is not within 50m of the referenced zones, and is exempt from the use standard.	

26.2.2 Discretionary uses

Objective: That uses listed as Discretionary do not compromise the use of land for Utilities.	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 A use listed as Discretionary must not compromise or restrict the operations of an existing or proposed utility, having regard to: (a) the compatibility of the utility and the proposed use; (b) the location of the proposed use in relation to the utility, or any proposed utility; (c) existing land uses on the site; and



	(d) any proposed or existing buffers or mitigation measures.
Comment: Not applicable. The development proposes establishment of a 'Utilities' use which is a Permitted Use in the Utilities Zone	

26.3 Development Standards for Buildings and Works

26.3.1 Building height

Objective:	To provide for a building height that: (a) is necessary for the operation of the use; and (b) minimises adverse impacts on adjoining properties and the visual character of the area.	
Acceptable Solutions		Performance Criteria
A1 Building height must be not more than: (a) 10m; or (b) 15m if for a structure, such as a tower, pole or similar.		P1 Building height must: (a) be necessary for the operation of the use and not cause unreasonable impact on adjoining properties, having regard to: (i) the bulk and form of the building; (ii) separation from existing buildings on adjoining properties; and (iii) any buffers created by natural or other features; and (b) not unreasonably impact on the visual character of the area, having regard to: (i) the topography of the site; (ii) any existing vegetation; and (iii) visibility from adjoining roads and public open space.
<p>Comment: Complies with P1.</p> <p>The Proposal requires new infrastructure within Palmerston Substation. Key components will include electricity transmission poles and other associated infrastructure that exceed the Acceptable Solution heights. The proposal therefore relies upon the alternative performance criteria under P1.</p> <p><i>The Applicant submits:</i></p> <p><i>These structures are critical to the use as Utilities and ability to transmit electricity from the Proposal to the NEM.</i></p> <p><i>While the buildings and structures exceed the Acceptable Solution height limits, they do not cause unreasonable impact upon adjoining properties or visual character of the area. The Palmerston Substation already contains significant electrical infrastructure with multiple transmission lines connecting into the facility. The additional transmission elements are in keeping with this character.</i></p> <p>The Applicant’s submission is agreed with. The respective infrastructure will occur within the Substation compound, where a plethora of infrastructure already exceeds the Acceptable Solution for height.</p> <p>It is considered that the Proposal meets P1.</p>		
A2 Building height, excluding a structure such as a tower, pole or similar: (a) within 10m of an adjoining property in a General Residential Zone, Low Density Residential Zone or Rural Living Zone, must be not more than 8.5m; or (b) within 10m of an adjoining property in an Inner Residential Zone, must be not more than 9.5m.		P2 Building height, within 10m of an adjoining property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, excluding a structure such as a tower, pole or similar, must not cause an unreasonable loss of residential amenity, having regard to: (a) compatibility with buildings on established properties in the adjoining zone; (b) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (c) overlooking and reduction of privacy to adjoining properties; and (d) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.
<p>Comment: Not applicable. The proposed development is not within the buffer area to the referenced zones.</p>		

26.3.2 Setbacks

Objective:	That building setbacks are: (a) compatible with the character of the surrounding area; and
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(b) does not cause an unreasonable loss of amenity to adjoining properties.	
Acceptable Solutions	Performance Criteria
A1 Buildings, excluding a structure such as a tower, pole or similar, must have a setback from all boundaries of not less than: (a) 5m; or (b) an existing building on the lot.	P1 Buildings, excluding a structure such as a tower, pole or similar, must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to: (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setback of existing buildings on the site and on adjoining properties; (d) the bulk and form of proposed buildings; (e) overlooking and reduction of privacy of dwellings on adjoining properties; (f) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings on adjoining properties; and (g) any existing screening or the ability to implement screening.
Comment: Not applicable. There are no structures as referred to in the standard proposed within the zone.	
A2 Air extraction, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, Low Density Residential Zone and Rural Living Zone ¹ .	P2 Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be designed, located, baffled or insulated so as to not cause an unreasonable loss of residential amenity to the adjoining residential zones, having regard to: (a) the characteristics and frequency of emissions generated; (b) the nature of the proposed use; (c) the topography of the site and location of adjoining sensitive uses; and (d) any proposed or existing mitigation measures.
Comment: Not applicable. The development is not within the distances to zones specified in the standard.	

26.3.3 Fencing

Objective:	That fencing: (a) does not detract from the appearance of the site or surrounding area; and (b) provides for passive surveillance.	
Acceptable Solutions		Performance Criteria
A1 A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must have a height above existing ground level of not more than: (a) 1.2m if the fence is solid; or (b) 2.1m, if any part of the fence that is within 4.5m of a frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30%.		P1 A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must be compatible with the streetscape, having regard to: (a) the height, design, location and extent of the fence; (b) the degree of transparency; and (c) the proposed materials and construction.
Comment: Not applicable. The development is not within the distances specified to zones referenced by the standard.		
A2 Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must: (a) have a height above existing ground level of not more than 2.1m; and (b) not use barbed wire.		P2 Common boundary fences with a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must not cause an unreasonable loss of residential amenity, having regard to: (a) the height, design, location and extent of the fence; and (b) the proposed materials and construction.



Comment: Not applicable. The development does not adjoin the specified zones.	
26.3.4 Outdoor storage areas	
Objective:	That outdoor storage areas do not detract from the appearance of the site or surrounding area.
Acceptable Solutions	Performance Criteria
A1 Outdoor storage areas, excluding any goods for sale, must not be visible from any road or public open space adjoining the site.	P1 Outdoor storage areas, excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.
Comment: Not applicable. Outdoor storages are not proposed as part of the application within the zone.	

26.4 Development Standards for Subdivision

26.4.1 Subdivision

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate frontage to a road.	
Acceptable Solutions		Performance Criteria
A1 Each lot, or lot proposed in a plan of subdivision, must: (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities; or (c) be for the consolidation of a lot with another lot provided both lots are within the same zone.		P1 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: (a) the relevant requirements for development of buildings on the lot; (b) location of existing buildings on the lot; (c) likely location of buildings on the lot; and (d) accessibility for vehicles.
Comment: Not applicable. Subdivision development is not proposed.		
A2 Each lot, or lot proposed in a plan of subdivision, must have a frontage, or legal connection to a road by a right of carriageway, of not less than 3.6m.		P2 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, that is sufficient for the intended use, having regard to: (a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (b) the topography of the site; (c) the functionality and useability of the frontage; (d) the anticipated nature of vehicles likely to access the site; (e) the ability to manoeuvre vehicles on the site; (f) the ability for emergency services to access the site; and (g) the pattern of development existing on established properties in the area.
Comment: Not applicable. Subdivision development is not proposed.		
A3 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.		P3 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 (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; and (d) the pattern of development existing on established properties in the area.
Comment: Not applicable. Subdivision development is not proposed.		

26.4.2 Services



Objective:	That the subdivision of land provides adequate services to meet the projected needs of future development.	
Acceptable Solutions		Performance Criteria
A1 Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.		P1 Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.
A2 Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.		P2 Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of providing an on-site stormwater management system adequate for the future use and development of the land, having regard to: (a) the size of the lot; (b) topography of the site; (c) soil conditions; (d) any existing buildings on the site; (e) any area of the site covered by impervious surfaces; and (f) any watercourse on the land.
Comment: Not applicable. Subdivision development is not proposed.		

CODES

The Proposal is Exempt from assessment under following Codes:

C4.0 Electricity Transmission Infrastructure Protection Code – exempt by virtue of clause C4.4.1(d)

C6.0 Local Historic Heritage Code – exempt by virtue of clause C6.2.3

C15.0 Landslip Hazard Code – exempt by virtue of clause C15.4.1(c)

C16.0 Safeguarding of Airports Code – exempt by virtue of clause 16.4.1(a).

C2.0 Parking and Sustainable Transport

Code **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.

Application of this Code

Pursuant to clause C2.2.1, unless stated otherwise, this code applies to all use and development.

Use standards

Clauses C2.5.3, C2.5.4 and C2.5.5 do not apply to the Proposal by virtue of the relevant Use class or Zone.

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	Performance Criteria	
A1 The number of on-site car parking spaces must be no less than the number specified in Table 2.1, less the number of	P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard	



<p>car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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: $N = A + (C - B)$ <p>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.</p> 	<p>to:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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. <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> <ul style="list-style-type: none"> (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.
<p>Comment: Not applicable to the proposed Utilities use.</p> <p>There is no parking space requirement for Utilities use class in Table C2.1 as referenced in the standard. However, the application demonstrates that adequate areas exist within the site for vehicle parking during the period of construction and subsequent use. Notably service vehicles accessing the site during operations will be minimal with adequate area available for parking and associated maintenance purposes. The development application provides an analysis and traffic impact assessment prepared by Pitt & Sherry which supports the proposition.</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> <ul style="list-style-type: none"> (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. 	<p>P1</p> <p>Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (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.
<p>Comment: Not applicable to the proposed Utilities use class.</p> <p>There are no bicycle parking space requirements for Utilities use class in Table C2.1 as referenced in the standard. Notwithstanding, in</p>	



the unlikely event that the need is there, the site will provide sufficient space for the purpose. (Pitt & Sherry Ibid.)

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: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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.
Comment: Not applicable to the proposed Utilities use class. This clause does not apply to the Utilities Use class and there are no motorcycle parking space requirements for Utilities use class in Table C2.1 as referenced in the standard. Notwithstanding, there is more than adequate space within the development site to provide parking		

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 ² in a single occupancy.		P1 Adequate space for loading and unloading of vehicles must be provided, having regard to: <ul style="list-style-type: none"> (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.
Comment: Not applicable. This clause does not apply to the Utilities Use class and the development proposal does not include a building with floor area greater than 1000m ² . Notwithstanding, the Traffic Impact Assessment prepared by Pitt & Sherry confirms sufficient site area within the development footprint to allow loading bays if required.		

C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone

Objective:	To: <ul style="list-style-type: none"> (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		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



<p>Zone and Inner Residential Zone, on-site car parking is not required for:</p> <p>(a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and</p> <p>(b) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>	<p>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>Comment: Not applicable.</p> <p>The development is not proposed in a General Residential or Inner Residential Zone.</p>	

C2.6 Development Standards for Buildings and Works

Clauses C2.6.4, C2.6.7, C2.6.8 and C2.7.1 do not apply to the Proposal by virtue of the Zone or the absence of a formal Precinct Parking Plan.

C2.6.1 Construction of parking areas

Objective:	That parking areas are constructed to an appropriate standard.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>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>P1</p> <p>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>Comment: Complies with A1.</p>		

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
<p>A1.1</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <p>(i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>;</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>P1</p> <p>All parking, access ways, manoeuvring and circulation spaces must be designed and 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>(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 <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>.</p> <p>A1.2</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 disabilities¹</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 <i>Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking</i> and <i>AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities</i>.</p>
<p>Comment: Complies with P1.</p> <p>As noted by the Traffic Impact Assessment (TIA) report provided by Pitt & Sherry, whilst adequate parking areas have been set aside for on-site parking detailed design of the parking layout, and construction details of access ways have not been finalised. However, the TIA notes that the site's size and topography are such that satisfying the performance criteria should be achievable. The site will only receive occasional vehicle visits to the site during its operation and the parking facilities will operate effectively in meeting demand absent the need for delineation. The application can be appropriately conditioned to meet demand requirements including as necessary accessible parking spaces where required¹.</p> <p>Note that the site and associated facilities are contained within the development footprint and so will not impact adjoining property or use or pedestrian traffic other than that associated with the facilities use.</p> <p>It is considered that the Proposal is capable of meeting P1.</p>	

¹ Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016

C2.6.3 Number of accesses for vehicles

Objective:	<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>Comment: Complies with A1.</p> <p>Existing accesses are utilised.</p>	
<p>A2</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>P2</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>
Comment: Not applicable. Access is not within a Central Business Zone.	

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:
	<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 though 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>
Comment: Not applicable. The development is not within a General Business or Central Business Zone.	

C2.6.5 Pedestrian access

Objective:	That pedestrian access within parking areas is provided in a safe and convenient manner.	
Acceptable Solutions	Performance Criteria	
A1.1 Uses that require 10 or more car parking spaces must: (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: (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. 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.	P1 Safe and convenient pedestrian access must be provided within parking areas, having regard to: (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.	
Comment: Not applicable. The Utilities Use Class does not attract a car parking requirement under Table C2.4. Notwithstanding however, the Traffic Impact Assessment prepared by Pitt & Sherry notes that the site development layout will allow compliance with the standard A1.2 as necessary.		



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
A1 The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities</i> , for the type of vehicles likely to use the site.		P1 Loading bays must have an area and dimensions suitable for the use, having regard to: <ul style="list-style-type: none"> (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.
Comment: Complies with P1. The TIA notes that Laydown areas are shown in the development masterplans within the Solar East and Solar West areas. They have been sized and located to accommodate deliveries of plant and equipment by heavy vehicles. The topography of the site is flat and the laydowns will ensure loading and unloading can occur clear of circulating vehicles on the access roads. It is considered that the Proposal meets P1.		
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 <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities</i> .		P2 Access for commercial vehicles to and from the site must be safe, having regard to: <ul style="list-style-type: none"> (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.
Comment: Complies with A1		

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
A1 Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must: <ul style="list-style-type: none"> (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 <i>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</i>. 		P1 Bicycle parking must be provided in a safe, secure and convenient location, having regard to: <ul style="list-style-type: none"> (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.
Comment: Not applicable. The development is not proposed in a General Business or Central Business Zone.		
A2 Bicycle parking spaces must:		P2 Bicycle parking spaces and access must be convenient, safe, secure



<p>(a) have dimensions not less than:</p> <ul style="list-style-type: none"> (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; <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 <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.</i></p>	<p>and efficient to use, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the space available; (c) the safety of cyclists; and (d) the provisions of <i>Australian Standard AS 2890.3- 2015 Parking facilities - Part 3: Bicycle parking.</i>
<p>Comment: Not applicable. The development is not proposed in a General Business or Central Business Zone.</p>	

C2.6.8 Siting of parking and turning areas

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.	
Acceptable Solutions		Performance Criteria
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.
Comment: Not applicable. The development is not proposed in a Zone specified in the standard		
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.
Comment: Not applicable. The development is not proposed in a Central Business Zone.		



C2.7.1 Parking precinct plan

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.	
Acceptable Solutions		Performance Criteria
A1 Within a parking precinct plan, on-site car parking must: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (a) the availability of off-street public parking spaces within reasonable walking distance; (b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> (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; (j) and 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.
Comment: Not applicable. The area is not subject to a Precinct Parking Plan.		

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.

C3.4 Use or Development Exempt from this Code

C3.4.1 There are no exemptions from this 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		Performance Criteria



<p>A1.1 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"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. <p>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.</p> <p>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.</p> <p>A1.4 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"> (a) the amounts in Table C3.1; or (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. <p>A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p>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:</p> <ul style="list-style-type: none"> (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.
<p>Comment: The TIA analysis has looked at both the operation and construction phase and concludes as follows:</p> <p>A1.1 – Not applicable. Macquarie Road, Poatina Road and Lake River Road are not Category 1 or limited access roads.</p> <p>A1.2 Complies</p> <p>A1.3 Not applicable. No rail infrastructure.</p> <p>A1.4 Complies. The TIA states that the amount of increase in annual average daily traffic to and from the site is conservatively estimated to be 10-20 vehicle movements per day (post-development) which is a 5% increase to existing volumes on Poatina Road and Macquarie Road and satisfies criteria of Table C3.1 of 20% for other roads.</p> <p>During construction daily vehicle movements are estimated at 120 light vehicles and 50 heavy vehicles. These increases exceed the criteria of Table C3.1 of 20% for other roads, however given that the surrounding roads are currently operating well below capacity the additional traffic associated with the development is not anticipated to adversely affect the functioning or safety of the local network, for the relatively short period of construction (18 months).</p> <p>A1.5 Complies.</p> <p>It is considered that the Proposal meets P1.</p>	

C3.6 Development Standards for Buildings or Works

Not applicable: the standards relate to habitable dwellings and not the Utilities Use class.

C3.7 Subdivision

Not applicable: no subdivision is proposed.

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.

Comment: Pursuant to Clause C7.2.1, this code applies to development on land within a waterway and coastal protection area. There are a number of mapped waterways within the Development Area (see Figure 9 below).

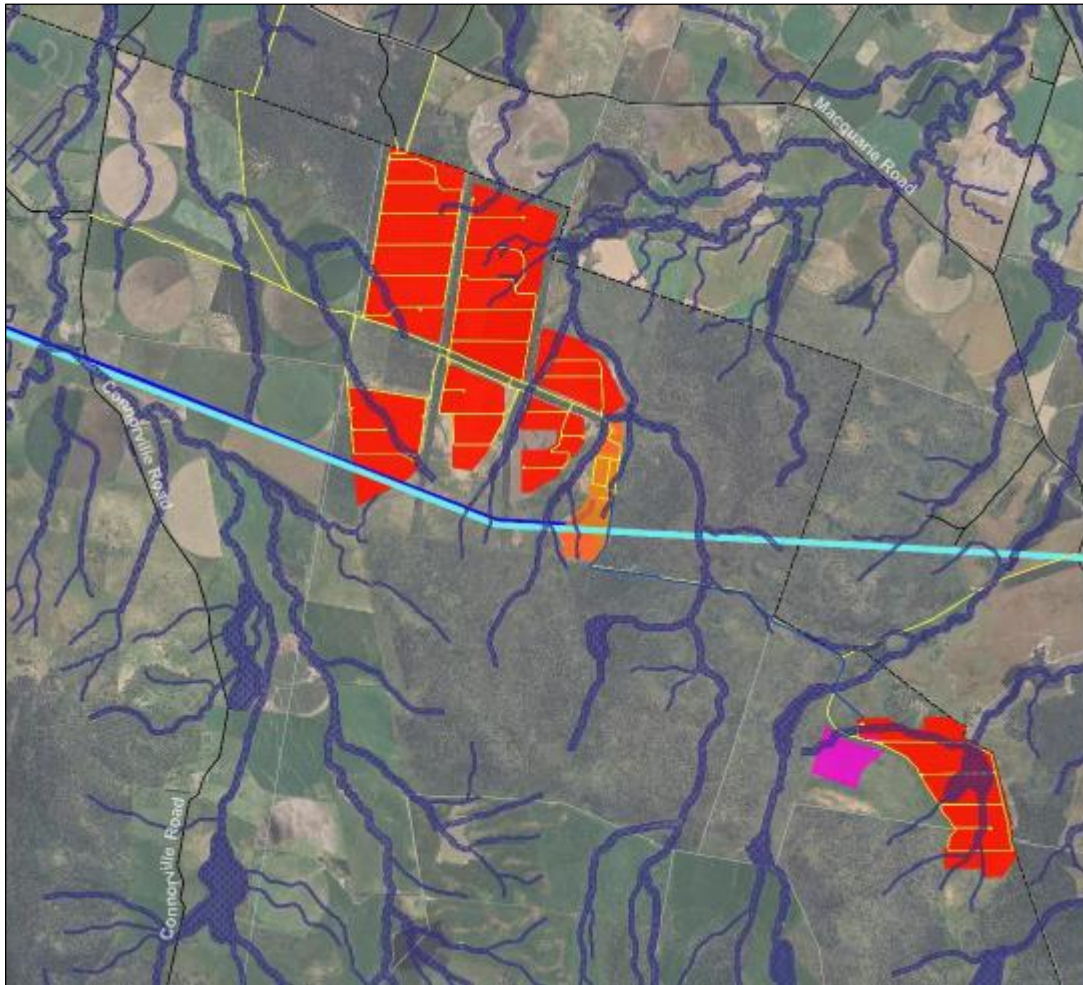


Figure 9: Natural Assets Code (Waterways) overlay with Development Area shown (base source: TheLIST)

C7.2.2 This code does not apply to use.

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; 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;
- (d) 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;
- (e) coastal protection works by or on behalf of the Crown, State authority, or council that have been designed by a suitably qualified person; and
- (f) consolidation of lots.

C7.5 Use Standards

C7.5.1 There are no Use Standards in this code.



C7.6 Development Standards for Buildings and Works

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

Objective:	That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Buildings and works within a waterway and coastal protection area must:</p> <ul style="list-style-type: none"> (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date. 	<p>P1.1</p> <p>Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation; (c) maintaining natural streambank and streambed condition, where it exists; (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; (e) the need to avoid significantly impeding natural flow and drainage; (f) the need to maintain fish passage, where known to exist; (g) the need to avoid land filling of wetlands; (h) the need to group new facilities with existing facilities, where reasonably practical; (i) minimising cut and fill; (j) building design that responds to the particular size, shape, contours or slope of the land; (k) minimising impacts on coastal processes, including sand movement and wave action; (l) minimising the need for future works for the protection of natural assets, infrastructure and property; (m) the environmental best practice guidelines in the <i>Wetlands and Waterways Works Manual</i>; and (n) the guidelines in the <i>Tasmanian Coastal Works Manual</i>. <p>P1.2</p> <p>Buildings and works within the spatial extent of tidal waters must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <ul style="list-style-type: none"> (a) the need to access a specific resource in a coastal location; (b) the need to operate a marine farming shore facility; (c) the need to access infrastructure available in a coastal location; (d) the need to service a marine or coastal related activity; (e) provision of essential utility or marine infrastructure; or (f) provisions of open space or for marine-related educational, research, or recreational facilities
<p>Comment: Complies with P1.1</p> <p>It is assumed that the Proposal does not meet the Acceptable Solution A1 and therefore relies upon the alternative performance Criteria under P1.1. The criteria under P1.2 are not relevant as they refer to tidal waters.</p> <p>The waterways primarily run openly through cleared agricultural paddocks and therefore have been heavily grazed and often highly modified.</p> <p>The Proposal has been predominantly designed around the waterways and areas of material inundation (as modelled in the supporting flooding assessment report). In the instances where solar arrays are proposed within the waterway corridors, their pile-driven installation means that physical impact is negligible.</p> <p>No waterways will have their flow impeded, with only minor instances of some drainage diversion around proposed assets.</p> <p>As noted in the supporting flood report (Pitt & Sherry op cit), buildings and other key infrastructure will be located outside of the waterways marked in the Code and those defined in the modelling. Note however that the development will be appropriately conditioned to address potential water balance.</p> <p>It is considered that the Proposal meets P1.</p>	



<p>A2</p> <p>Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.</p>	<p>P2.1</p> <p>Buildings and works within a future coastal refugia area must allow for natural coastal processes to continue to occur and avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) allowing for the landward transgression of sand dunes and the landward colonisation of wetlands, saltmarshes and other coastal habitats from adjacent areas; (b) avoiding the creation of barriers or drainage networks that would prevent future tidal inundation; (c) allowing the coastal processes of sand deposition or erosion to continue to occur; (d) the need to group new facilities with existing facilities, where reasonably practical; (e) the impacts on native vegetation; (f) minimising cut and fill; (g) building design that responds to the particular size, shape, contours or slope of the land; (h) the impacts of sea-level rise on natural coastal processes and coastal habitat; (i) the environmental best practice guidelines in the <i>Wetlands and Waterways Works Manual</i>; and (j) the guidelines in the <i>Tasmanian Coastal Works Manual</i>. <p>P2.2</p> <p>Buildings and works within a future coastal refugia area must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <ul style="list-style-type: none"> (a) the need to access a specific resource in a coastal location; (b) the need to operate a marine farming shore facility; (c) the need to access infrastructure available in a coastal location; (d) the need to service a marine or coastal related activity; (e) provision of essential utility or marine infrastructure; and (f) provision of open space or for marine-related educational, research, or recreational facilities.
<p>Comment: Not applicable. The development footprint is not within a future coastal refugia area.</p>	
<p>A3</p> <p>Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	<p>P3</p> <p>Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) the need to minimise impacts on water quality; and (b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.
<p>Comment: Complies.</p> <p>The development will not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	
<p>A4</p> <p>Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.</p>	<p>P4.1</p> <p>Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must minimise adverse impacts on natural coastal processes and natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation;



	<p>(c) the need to avoid land filling of wetlands;</p> <p>(d) impacts on sand movement and wave action; and</p> <p>(e) the potential for increased risk to inundation of adjacent land.</p> <p>P4.2</p> <p>Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must be necessary:</p> <p>(a) to continue an existing use or development on adjacent land; or</p> <p>(b) for a use which relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(i) the need to access a specific resource in a coastal location;</p> <p>(ii) the need to operate a marine farming shore facility;</p> <p>(iii) the need to access infrastructure available in a coastal location;</p> <p>(iv) the need to service a marine or coastal related activity;</p> <p>(v) provision of essential utility or marine infrastructure; and</p> <p>(vi) provision of open space or for marine- related educational, research, or recreational facilities.</p>
<p>Comment: Complies.</p> <p>There are no dredging works proposed.</p>	
<p>A5</p> <p>Coastal protection works or watercourse erosion or inundation protection works must not occur within a waterway and coastal protection area or a future coastal refugia area.</p>	<p>P5</p> <p>Coastal protection works or watercourse erosion or inundation protection works within a waterway and coastal protection area or a future coastal refugia area must be designed by a suitably qualified person and minimise adverse impacts on natural coastal processes, having regard to:</p> <p>(a) impacts on sand movement and wave action; and</p> <p>(b) the potential for increased risk of inundation to adjacent land.</p>
<p>Comment: Complies.</p> <p>There are no watercourse erosion protection works proposed.</p>	

C7.6.2 Clearance within a priority vegetation area

Comment: Not applicable. The Development Area is not within a Priority Vegetation Area.

C7.7 Development Standards for Subdivision

Comment: Not applicable. The Proposal does not involve subdivision.

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.

Comment: The proposed 220 kV transmission line crosses Lake River, with an associated flood-prone area. There are no relevant exemptions under Clause C12.4.1 of the Code.



The supporting Flooding Impact Assessment (Appendix M) assesses the Proposal and potential flooding related to these areas. The report states that micro-siting of the transmission line poles can avoid potential flooding issues and therefore is acceptable.

C12.5 Use Standards

C12.5.1 Uses within a flood-prone hazard area

Objective:	That a habitable building can achieve and maintain a tolerable risk from flood.	
Acceptable Solutions		Performance Criteria
A1 No Acceptable Solution.		<p>P1.1</p> <p>A change of use that, converts a non-habitable building to a habitable building, or a use involving a new habitable room within an existing building, within a flood-prone hazard area must have a tolerable risk, having regard to:</p> <ul style="list-style-type: none">(a) the location of the building;(b) the advice in a flood hazard report; and(c) any advice from a State authority, regulated entity or a council. <p>P1.2</p> <p>A flood hazard report also demonstrates that:</p> <ul style="list-style-type: none">(a) any increase in the level of risk from flood does not require any specific hazard reduction or protection measures; or(b) the use 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: Not applicable.</p> <p>The Proposal does not include a habitable building</p>		

C12.5.2 Critical use, hazardous use or vulnerable use

Objective:	That critical, hazardous and vulnerable uses, located within a flood-prone hazard area can achieve and maintain a tolerable risk from flood.	
Acceptable Solutions	Performance Criteria	
A1 No Acceptable Solution.	P1 A critical, hazardous, or vulnerable use within a flood- prone hazard area must achieve a tolerable level of risk from flood, having regard to: (a) the type form and duration of the use; and (b) a flood hazard report that demonstrates that: (i) any increase in the level of risk from flood does not warrant any specific hazard reduction or protection measures; or (ii) the use 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: Not applicable. The proposed use is not defined as critical, hazardous or vulnerable.</p> <p><i>(Critical Use means: means a use that is within one of the following Use Classes:</i></p> <p><i>(a) Emergency Services; or</i></p> <p><i>(b) Hospital Services.</i></p> <p><i>Hazardous Use means: Utilities, if the use involves the storage of a hazardous chemical of a manifest quantity. The Proposal will not involve the storage of hazardous chemicals.</i></p> <p><i>Vulnerable Use means: a use that is within one of the following Use Classes:</i></p> <p><i>(a) Custodial Facility;</i></p> <p><i>(b) Educational and Occasional Care;</i></p> <p><i>(c) Residential, if for a respite centre, residential care facility, retirement village or assisted housing; or</i></p> <p><i>(d) Visitor Accommodation, if the use accommodates more than 12 guests.)</i></p>		
A2	P2	



No Acceptable Solution.	<p>In addition to the requirements in clause C12.5.2 P1, a critical use within a flood-prone hazard area must achieve and maintain a tolerable risk, having regard to:</p> <ul style="list-style-type: none"> (a) the ability of the use to function and maintain service during the flood event and recovery period; (b) any interruption to the operation of the critical use in locations external to the immediate impact of the flood; (c) the creation of risk to the health or safety of people from damage or disruption to: <ul style="list-style-type: none"> (i) a water supply service; or (ii) the drainage and treatment of waste water; (d) the advice contained in a flood hazard report; and (e) any advice from a State authority, regulated entity or a council.
Comment: Not applicable. The proposed use is not defined as critical, hazardous or vulnerable.	
A3 No Acceptable Solution.	P3 <p>In addition to the requirements in clause C12.5.2 P1, the impact of flood on a hazardous use within a flood-prone hazard area must achieve and maintain a tolerable risk, having regard to:</p> <ul style="list-style-type: none"> (a) the health and safety of people; (b) any impact on property; (c) any impact on the environment; (d) the advice contained in a flood hazard report; and (e) any advice from a State authority, regulated entity or a council.
Comment: Not applicable. The proposed use is not defined as hazardous.	
A4 No Acceptable Solutions.	P4 <p>In addition to the requirements in clause C12.5.2 P1, a vulnerable use within a flood-prone hazard area, must be protected from flood, having regard to:</p> <ul style="list-style-type: none"> (a) any protection measures, existing or proposed; (b) the ability and capability of people in a flood event who may live, work or visit the site, to: <ul style="list-style-type: none"> (i) protect themselves; (ii) evacuate in an emergency; and (iii) understand and respond to instructions in the event of an emergency; (c) any emergency evacuation plan; (d) the level of risk for emergency personnel involved in evacuation and rescue tasks; (e) the advice contained in a flood hazard report; and (f) any advice from a State authority, regulated entity or a council.
Comment: Not applicable. The proposed use is not defined as vulnerable.	

C12.6 Development Standards for Buildings and Works

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

Objective:	<p>That:</p> <ul style="list-style-type: none"> a) building and works within a flood-prone hazard area can achieve and maintain a tolerable risk from flood; and b) buildings and works do not increase the risk from flood to adjacent land and public infrastructure
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1.1 <p>Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:</p> <ul style="list-style-type: none"> (a) the type, form, scale and intended duration of the development; (b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;



	<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>
<p>Comment: Because there is no Acceptable Solution the Proposal must be assessed against the alternative Performance Criteria P1.1 and P1.2.</p> <p>Complies with P1.1</p> <p>P1.1(a) – The form and scale of the development will be minimised by locating assets outside of the flow paths outlined in the modelling.</p> <p>P1.1(b) – The detailed design phase will address the specific hazard protection measures (such as cut off drains and bunding of critical infrastructure). It is noted that logically the primary approach is to locate solar panels outside of flow paths. Where additional measures are required to manage overland flow, these will be identified at a detailed design phase to ensure that as infrastructure design develops the flood related controls are appropriate. Current modelling indicates minimal need for management of overland flow.</p> <p>P1.1(c) – Relevant authorities’ advice will be adhered to when received. The Flood Impact Assessment (FIA) has not identified any specific advice.</p> <p>P1.1(d) –The development will comply with the recommendations in FIA report: primarily to locate infrastructure outside of flow path location.</p> <p>Complies with P1.2</p> <p>P1.2(a) – The proposed development will not contribute to flooding on this site or adjacent land. Flows will be contained to existing flow paths and directed to existing dams and waterways.</p> <p>P1.2(b) –Peak hazard ratings are in acceptable ranges and construction is proposed to be avoided (See Appendix A of the supporting Flooding Assessment Report for site hazard mapping).</p> <p>The Proposal is considered to meet the Performance Criteria P1.1 and P1.2.</p>	

C12.7 Development Standards for Subdivision

Comment: Not applicable. The Proposal does not involve subdivision.

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.

Comment: The entire site is mapped within the Bushfire-Prone Hazard Area. Under C13.3.1, ‘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 Explosives Act 2012.*

TFS has determined that, under the Bushfire-Prone Areas Code, for the purposes of bushfire risk the BESS and required fuel storage components of the Proposal are considered a Hazardous use. The Applicant engaged with TFS in



the assessment and preparation of required plans resulting in the following:

- a Bushfire Impact Statement (BIS) (Appendix D); supported by
- a Bushfire Emergency Management Strategy (BEMS);
- A Bushfire Mitigation Plan (BMP); and
- plans for each area of the proposal (that show a Bushfire Hazard Management Area (HMA)).

The highly specified *Victorian Country Fire Authority Design Guidelines and Model Requirements - Renewable Energy Facilities* (v3 March 2022) were referred to during assessment and plan preparation.

The BMP outlines design requirements including emergency vehicle access, static water (firefighting) supply, vegetation layout, firebreaks and separation of renewable energy components. In addition to the BIS, BEMS and BMP, the BESS design process has been supported by NJM Design, specialised consultants who have prepared a Fire Hazard and Risk Assessment specific to the BESS and solar arrays (Appendix 4 within Appendix D).

As taken from the supporting report, Table 21 provides an assessment against the relevant Clause C13.5.2 (Clause C13.5.1 Vulnerable uses does not apply).

C13.4 Use or Development Exempt from this Code

Comment: The Proposal is not exempt from the Code.

C13.5 Use Standards

C13.5.1 Vulnerable uses

Comment: Not applicable. The Utilities use class is not a vulnerable use.

C13.5.2 Hazardous uses

Objective:	That hazardous uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the hazardous use and the bushfire hazard.	
Acceptable Solutions		Performance Criteria
A1 No Acceptable Solution.		P1 A hazardous use must only be located in a bushfire- prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to: (a) the location, characteristics, nature and scale of the use; (b) whether there is an overriding benefit to the community; (c) whether there is no suitable alternative lower-risk site; (d) the emergency management strategy (hazardous use) and bushfire management plan; and (e) other advice, if any, from the TFS.
Comment: Complies with P1 There is no Acceptable Solution, so an assessment is required against the alternative Performance Criteria under P1. The proposed location of the development is in a suitable site on a title where there is an identified significant resource available to generate electricity from solar. The risk from bushfire is considered tolerable as long as the measures proposed in this BIS, the BMP and the BHMP are adhered to. The Proposal is considered to meet the Performance Criteria under P1.		
A2 An emergency management strategy (hazardous use) endorsed by the TFS or accredited person.		P2 No Performance Criterion.
Comment: Complies with A2. (Detailed considerations: <ul style="list-style-type: none">A BEMS has been developed.All hazardous substances must be stored and signed as per requirements under the Work Health & Safety Act 2012, the Explosives		



<p>Act 2012, and AS1940, AS3780 & AS2187 to limit the risk of exposure to a hazardous substance in a bushfire emergency</p> <ul style="list-style-type: none"> • All hazardous materials storage must be ember proof • All hazardous chemicals will be stored in bunded areas, which will assist in preventing any spill entering the surrounding landscape and contributing to the nearby bushfire threat • A local ignition event could lead to there not being enough time to leave the site and so occupants may need to take refuge on site in areas away from the hazardous materials, the site office facilities are the recommended location until the Operation and Maintenance building is constructed, which will then take over as the shelter in place facilities) 	
<p>A3 A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person</p>	<p>P3 No Performance Criterion.</p>
<p>Comment: Complies with A3. (Detailed considerations:</p> <ul style="list-style-type: none"> • A BMP has been prepared for the entire site • A BHMP has been developed and a HMA has been designed (where each known hazardous use is located) and endorsed by an accredited person (as part of the BMP) • Any buildings within the hazardous use sites storing hazardous materials must be constructed to BAL 12.5 standards as a minimum • HMAs have designed with setbacks from each location's boundaries, with all land within the boundary also required to be managed as part of the HMA. The HMA for each location also incorporates all other site infrastructure, access, and the proposed water supply • Access across the Site will be adequate for bushfire purposes and for evacuation purposes • A static water supply that is compliant with Table C13.5 of the Code must be installed at each hazardous use site.) 	

C13.6 Development Standards for Subdivision

Comment: Not applicable. The Proposal does not involve subdivision.

4.7 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. Six (6) representations were received within the statutory public exhibition period with a further representation received after the statutory period had finished.

The representations submitted within the statutory period raised the following matters:

Representation (Council reference Number)	Matters raised
1	<ul style="list-style-type: none"> • Compensation • Transmission impact on cropping • Position of Pylons/towers • Impact on property value
2	<ul style="list-style-type: none"> • Transmission impact on pivot irrigation • Impact on property value
3	<ul style="list-style-type: none"> • Visual and aesthetic impact of transmission towers • Impact on irrigation • Fire risk • Compensation
4	<ul style="list-style-type: none"> • Access road on their property • Fire risk and impact on local fire brigade • Water pollution and impact on nearby catchments • Heat island effect • Impact on property value • Fencing options • Visual impact • Noise pollution • Local road conditions and maintenance- traffic impacts • Title anomaly
5	<ul style="list-style-type: none"> • Decreased property values • Loss of irrigated ground



	<ul style="list-style-type: none">• Compensation agreement
6	<ul style="list-style-type: none">• Support for the project

The representation received outside the statutory exhibition period appeared to be pro-forma, provided from an interstate source. The representation raised a broad range of policy matters relevant at Commonwealth and State level rather than at Council level. The representation did not raise matters provided for under the Planning Scheme.

Consideration of the representations

Following from mediation between the Applicant and representors, and further consultation, the following responses to the matters raised by the representations are provided:

Compensation

A key concern raised by several respondents to the proposal was compensation.

Compensation will be paid for areas hosting transmission infrastructure and that are affected by the proposal, in accordance with Land Acquisition Act 1993.

The compensation process includes signing of an initial Option agreement (with payment), individual valuations, and Easement deed (payment in accordance with valuation).

Draft Deed documents have been prepared and will be discussed with individual landowners; however, a final value is not able to be made until the detailed design is completed and TasNetworks has approved. The matter of compensation is not a planning matter and will be undertaken separately with individual landowners.

Transmission Impact on pivot irrigation and cropping

Concerns were raised regarding impacts on current land uses in the area including pivot irrigation and cropping. The concept layout has been designed based on desktop assessment only. A condition of the permit requiring further detailed design is an accepted practice, knowing that detailed design can only be completed once an access agreement is secured from landowners (as part of the Option agreement), and the land can be surveyed.

As part of the mediation process, the Applicants discussed with landowners the areas of infrastructure that they want to avoid. It was made clear that pivot irrigation is a priority, and that other infrastructure must be considered. Through ongoing landowner discussions, it is expected that detailed design to ensure that:

1. Existing pivot irrigation can still occur beneath transmission lines.
2. Cropping can also still occur under transmission lines.
3. Overlapping easements are set to minimise impacts on agricultural land uses.

If, as a last resort, there are any unavoidable impacts on current or future irrigation, this would be considered in the valuation compensation. That is a matter between the parties and is not a planning matter.

The Applicant advises that the ability to complete detailed design has been hampered by the ongoing TasIrrigation pipeline proposal, that has added uncertainty to final layouts. Furthermore, the detailed design process requires significant working through with TasNetworks.

Underground cabling has been suggested by a representor but is not recommended as it creates issues with land cultivation which would impact cropping and irrigation in the area. Paradoxically, the development and maintenance of underground cabling will require more land than is required for overhead.

The pole type that has been designed for this project has intentionally been selected (despite being more expensive) in order to minimise impacts, as the more slender pole is less bulky than existing pylons, and can span greater distances, thereby increasing ability to avoid impacts upon farm infrastructure.

The Applicant's expectation is that a condition of planning permit is recommended to require submission of detailed design plans, to ensure those details are developed in close consultation with landowners.

Position of Transmission Towers



Transmission pole siting is to be confirmed through detailed design and geotechnical investigations as well as landowner input. As mentioned above, the current plan is conceptual covering the ambit scope of the Proposal with further detailed design work with landowners and TasNetworks required.

The Applicants have advised that the micro-siting of poles is not reasonably able to be completed at this stage of the development process. The planning application is considered to reflect the scope of the Proposal to all the community to indicate their broad support of the project or otherwise. Detailed design of poles will be conducted post-approval, in coordination with affected landowners.

Fire Risk

Representors raised concerns about the risk of fire associated with the solar farm and BESS, largely about static tank requirements and water management, fuel reduction strategies, and the capacity of the local fire brigade to manage potential fires associated with the proposal. Another key concern raised was the potential environmental impacts of explosions or fires on local water catchments.

The Bushfire Impact Statement concludes that whilst the solar farm is located in a Bushfire Prone Area and there is potential for bushfire threat, the overall risk is deemed low. The report contains specific recommended measures to mitigate this low risk. Further to this, the Fire Engineering Hazard and Risk Assessment concludes that the design of the battery energy storage system (BESS) has been designed appropriately, covering all fire initiation and fire spread risks to an acceptable level. The risk and likelihood of a fire is considered to be 'Very Low' and the spread of fire to adjacent allotments (i.e., conservation covenant area) is not predicted to occur due to the proposed siting and layout.

The report notes that solar farm fires are rare, and that panels themselves have low combustibility. Vegetation management, quality assurance processes (including installation and monitoring), and firefighting measures (eg water supply) are the key ways to minimise and mitigate fire risk.

Overall, the risks can be minimised through the implementation of fire risk management strategies which have helped to inform the detailed design of the BESS and solar arrays. These include the siting, container separation distances, and drainage management (as last resort).

The documentation outlining fire risk management and mitigation strategies, is supported by the Tasmanian Fire Service (TFS).

Decrease in Property Values

Concerns were raised regarding the proposal's potential to decrease the value of property in the surrounding area. There is no research available that suggests a pattern of negative impacts on property values. There are no negative agricultural impacts upon the project land or neighbouring land, and as neighbouring agricultural uses can continue, there is no reason values would be negatively impacted.

Consideration of impact on property values is not a planning matter.

Heat Island Affect

One representor has raised concerns regarding the heat island effect of solar panels, and the impact this might have on surrounding land i.e., drying out paddocks and increased fire danger.

No reliable evidence suggests the heat island effect is associated with solar farms. A small number of studies highlighted by the Clean Energy Council's *Australian Guide to Agrisolar for Large-scale Solar 2021* (Appendix 2) illustrate relatively small changes in temperature around a solar farm. Although temperatures at the centre of a solar farm tend to be higher than the ambient temperature of the surrounding environment, it is indicated that several meters above the solar farm, the temperatures remains at ambient levels. Moreover, the ground-level temperatures beneath the panels can be slightly cooler due to the shade cast by the panels.

Currently, 30m buffers are recommended between arrays and neighbouring properties as the adequate distance for heat dissipation. Vegetation is also useful for cooling and to create a 'heat buffer'. To this particular neighbour, there is more than 100m separation between solar arrays and the property boundary. Also, the selection of '2P' (i.e., two panels



stacked) arrays means larger spaces between rows and a lower layout density, reducing potential heating effects.

Overall, there is no definitive evidence to suggest that solar farms increase ambient air temperatures. Solar installations shade a portion of the ground and could therefore reduce heat absorption in some surface soils. Solar panels are also quite thin and have low heat capacity per unit area, given they are designed to absorb light. Given the relatively small changes in temperatures around a solar farm, the Clean Energy Council considers that such buffer areas are only needed where there is temperature sensitive food production (e.g. stone fruits) on adjoining land.

Traffic impact and local road conditions

One representor raised concern relating to the potential of the proposal to impact traffic in the area and the capacity of local road conditions to facilitate the movement of vehicles during the construction phase. Another concern raised was regarding the safety of school children in the local area, given some unmarked bus stops.

As indicated in the Traffic Impact Assessment, the proposed route is expected to have sufficient capacity to accommodate additional traffic generated during the construction period. The operational traffic volumes at the NMSF are estimated to be minimal, with the expectation that they will not significantly impact the safety or functionality of the surrounding road network post-construction. Construction activities would only be conducted inside approved hours.

A comment was raised about the addition of white lines to existing roads; this has not been raised in the TIA and would be at the discretion of Council's engineering department, who have reviewed the application and have not considered line marking to be necessary. Notwithstanding this, conditions of any permit would require construction and traffic management plans allowing further opportunity for any additional safety requirements to be considered.

Fencing & Screening

The issue of the proposed fencing options creating game corridors and pushing game towards other cropping and grazing land in the area was raised. The proponent is already a part of the management of game populations, and by reducing areas of potential grazing deer, it is unlikely to have a negative impact. Ongoing management of pest species would continue as currently. Broadly, the erection of new security fencing and corralling of game would make management easier.

Noise Pollution

Some representors raised concerns of potential humming and buzzing noise of the transmission line and the construction of the solar farm. The design provides a high level of acoustic protection to adjoining properties and the EPA requirements will apply. The significant separation distances means that noise requirements are modelled to be satisfactorily met.

The BESS and infrastructure area is more than 1.5kms from the neighbouring dam that queries have been raised for; the acoustic report shows operational noise modelling is less than 25 decibels at that point – well below potential noise concern levels.

Furthermore, a dwelling on the neighbouring property that was missed in mapping, is 2km north of the closest solar area and 4km east of the BESS infrastructure area, well in excess of distances for noticeable noise.

The Noise Impact Assessment addresses 'corona noise', a buzzing from high voltage transmission lines that can occur in humid and misty conditions. The noise typically dissipates quickly although in specific conditions may be audible at four of the closest worker's accommodation residences near Palmerston substation. The new transmission line would behave similarly to the existing line in this regard.

Water Catchment pollution

One representation queried the spill of toxins into water catchments if the solar farm and/or BESS were to catch alight.

The siting of the BESS is at a higher elevation than farm dams on both the proponent's land and neighbour's land. The proponent has a direct interest in ensuring there is no risk of water quality damage. As such, the BESS layout is designed to have 'containment' within any individual unit (via separation distances), in the highly unlikely event of fire. Furthermore, BESS fires typically are treated to 'burn out' without putting water on them – meaning there is no large



volume run-off that could contain toxins. Bunding and swale drain design will also ensure any water runoff from the BESS area is not into existing gullies/catchments. Fire risk and management plans have been prepared to minimise and mitigate potential fire risk.

Solar panels are not considered to create potential toxin runoff from washing, fire suppression or stormwater.

Visual & Aesthetic Impact

The project site is well-concealed from view from surrounding properties and public places, due to the topography of the land, its location within the wider Connorville Estate, and existing vegetation screening and infrastructure. There are very limited opportunities to view the solar farm from publicly accessible land and roads, including the majority of Macquarie Road, Connorville Road and Lake River Road.

One of the concerns raised was regarding the lack of photomontage at Macquarie Road. The LVIA methodology considered views along Macquarie Road and deemed it to have sufficiently low exposure that photomontages were not warranted. Further, the height of the solar panels are significantly lower than recently cleared forest plantations that are shown in the example photos provided within the respective representation.

Concerns have also been raised that the solar farm and transmission do not aesthetically suit the local area. However, within current assessments, it was determined that the proposed associated infrastructure, specifically the transmission line, would overall have a low visual change to the existing landscape. To ameliorate any residual visual impacts, small areas of landscape plantings have been considered.

The dwelling on the neighbouring property that was missed in mapping is fully concealed from the Development Area due to the slope it sits upon and dense vegetation upslope of the dwelling.

CONCLUSION ON THE REPRESENTATIONS

None of the matters raised are frivolous or vexatious, and all require serious consideration. Whilst the technical and performance issues are capable of being addressed by design detail, management, and appropriate permit conditions, more subjective issues such as visual impact require a more nuanced approach.

The solar array and immediately associated infrastructure will have negligible impact on surrounding properties or on the public realm (distant views, public roads). The 220kV transmission line – particularly the support poles are much taller than the existing lattice pylons and will not be ‘invisible’. Notwithstanding that, the visual assessment demonstrates that they will visually integrate with the existing pylon and wire infrastructure and be confined to the existing easement. Also, that they are considerable distance from public viewing places - with the exception of the proximity of the Palmerston substation – and their impact is therefore mitigated by those circumstances.

In conclusion, some weight needs to be given to the significance of the Proposal in the context of providing renewable energy and contributing to regional and national energy requirements overall. Therefore, on balance – the matters raised by representation are such that they are either able to be addressed or are not significant enough to provide determining weight overall.

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

7.1 The Application

The development proposal introduces an energy generation and transmission technology that is not based on fossil fuel, but on natural renewable resources. The project represents an important element in the generation and transmission of energy within the renewable energy generation market.

The development proposal is designed and sited to achieve the following:

- the proposal is sited specifically adjacent the existing electrical infrastructure (existing transmission line easement and Palmerston Substation) to maximise benefits to the grid;
- the development will be distant from sensitive receptors, and importantly is located on non-productive agricultural land within a relatively contained footprint;
- the design is such that the solar array will sit comfortably within the landscape and the transmission line will integrate with existing infrastructure; and
- the proposal will not result in significant changes to the environmental condition of the site, or surrounding areas including bushfire risk and water balance/management.

7.2 Tasmanian Planning Scheme - Northern Midlands

7.2.1 Summary of Zone intent:

An assessment of the development enables a conclusion that the development proposal achieves compliance with the zone objectives and standards. The Proposal will result in significant benefit to the broader community in terms of power management and sharing in accordance with the objectives of net zero emissions and the capacity for storage.

The area of the proposed development is appropriately described as disturbed rural land used in association with stock grazing absent irrigation.

The non-agricultural use is therefore a small section in the context of the property whilst allowing agriculture to continue on the remainder including underneath transmission lines, thus minimising potential conflict or interference with the existing agricultural use. It can be legitimately argued that the opportunity for diversification of use within the subject title value adds the agricultural operation providing an additional revenue stream to support the existing agricultural use. Importantly, the Zone allows the development of nonagricultural use where conflict with agricultural use and the conversion of agricultural land is minimised. The development application demonstrates achievement of these objectives.

7.2.2 Use and Development standards (Agriculture Zone)

Section 4.6 of this report discusses and reviews the development's compliance with the Zones' use and development standards and concludes that the proposal achieves compliance with those standards.

7.2.3 Use and Development standards (Utilities Zone)

Section 4.6 of this report discusses and reviews the development's compliance with the Zones' use and development standards and concludes that the proposal achieves compliance with those standards.

7.2.4 Codes



Section 4.6 of this report also discusses and reviews the development's compliance with the relevant Code requirements and concludes that the proposal achieves compliance.

Note that the following Codes apply to the development:

Clause C2.0 Parking and Sustainable Transport Code Compliance demonstrated - Pitt & Sherry report

Clause C3.0 Road and Railway Assets Code Compliance demonstrated - Pitt & Sherry report

Clause C4.0 Electricity Transmission Infrastructure Protection Code Exempt

- Clause C6.0 Local Historic Heritage Code Exempt
- Clause C7.0 Natural Assets Code Compliance demonstrated - Nature Advisory Pty Ltd report
- Clause C12.0 Flood-prone Areas Code Compliance demonstrated – Pitt & Sherry report
- Clause C13.0 Bushfire-Prone Areas Code Compliance demonstrated - NJM Design assessment
- Clause C15.0 Landslip Hazard Code Exempt
- Clause C16.0 Safeguarding of Airports Code Exempt

7.2.5 Additional supporting reports

Design Plans	DNV and ENTURA
Noise Impact Assessment	SLR Consulting Australia Pty Ltd
Landscape & Visual Impact Assessment	Moir Landscape Architecture
Socio-economic Impact Assessment	Urban Enterprise
Community & Stakeholder Engagement	Cogency
Agricultural Assessment	Ag-CHALLENGE Consulting Pty Ltd
Aboriginal Cultural Heritage	Stuart Huys and Vernon Graham
Historic Heritage Assessment	Stuart Huys
Flora & Fauna Assessment	Nature Advisory
Acid Sulphate Soil Investigation	Pitt & Sherry

7.3 CONCLUSION

The application is recommended for approval subject to conditions.

8 ATTACHMENTS

1. 1. Appendix A - Certificates of titles [11.2.1 - 245 pages]
2. 2. Appendix B - Site Layout [11.2.2 - 96 pages]
3. 3. Appendix C - Design Plans [11.2.3 - 13 pages]
4. 4. Appendix D - Bushfire Impact Statement [11.2.4 - 112 pages]
5. 5. Appendix E - landscape and Visual Impact Assessment [11.2.5 - 72 pages]
6. 6. Appendix F - Socio Economic Assessment [11.2.6 - 41 pages]
7. 7. Appendix G - Community & Stakeholder Engagement Summary [11.2.7 - 52 pages]
8. 8. Appendix H - Traffic Impact Assessment [11.2.8 - 38 pages]
9. 9. Appendix I - Agricultural Assessment [11.2.9 - 27 pages]
10. 10. Appendix J - Cultural heritage Assessment [11.2.10 - 113 pages]
11. 11. Appendix K - Historic heritage Assessment [11.2.11 - 43 pages]
12. 12. Appendix L - Flora & Fauna Assessment [11.2.12 - 58 pages]
13. 13. Appendix M - Flooding Impact Assessment [11.2.13 - 53 pages]
14. 14. Appendix N - Acid Sulfate Soil Investigation [11.2.14 - 11 pages]
15. 15. Appendix O - Acoustic Assessment [11.2.15 - 54 pages]
16. 16. 2210 Cover letter Northern Midlands Solar Farm 25-05-2023 [11.2.16 - 2 pages]



17. 17. APPLICATION- FOR M- Planning (002) [**11.2.17** - 4 pages]
18. 18. Planning Permit Application - Billy Greenham - 394 Connorville Road, Cressy, Tas 7302 [**11.2.18** - 5 pages]
19. 19. Response to Request for Crown Landowner Consent - Billy Greenham - 394 Connorville Road, Cressy, [**11.2.19** - 2 pages]
20. 20. Additional Montages [**11.2.20** - 6 pages]
21. 21. Hydrology Plans [**11.2.21** - 2 pages]
22. 22. Masterplan Updates 2210 - Masterplan v 7 Optimized [**11.2.22** - 5 pages]
23. 23. Planning report Update 2210 Northern Midlands Solar Farm Planning Application Report v 4 [**11.2.23** - 107 pages]
24. 24. Traffic updates T- P.22.1324- TR A- RE P-001- Rev 03 [**11.2.24** - 47 pages]
25. 25. Transmission Plans 2210 - v 1.2 [**11.2.25** - 6 pages]
26. 26. Crown and Council Consents [**11.2.26** - 9 pages]
27. 27. RFI - PL N-23-0091 - Additional Information Request [**11.2.27** - 3 pages]
28. 28. Applicant response to RFI [**11.2.28** - 4 pages]
29. 29. Representations Received - 1,2,3,4,5,6 + 1 out of time [**11.2.29** - 44 pages]
30. 30. Council Letter to Applicant- Reps Received Mediation 23 October 2023 [**11.2.30** - 2 pages]



12 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

MINUTE NO. 23/0449

DECISION

Deputy Mayor Lambert/Cr Andrews

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

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 COMMUNITY & DEVELOPMENT REPORTS

13.1 DEVELOPMENT SERVICES: MONTHLY REPORT

Responsible Officer: Des Jennings, General Manager

MINUTE NO. 23/0458

DECISION

Cr Adams/Cr Archer

That the report be noted.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Lambert, Cr Adams, 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.

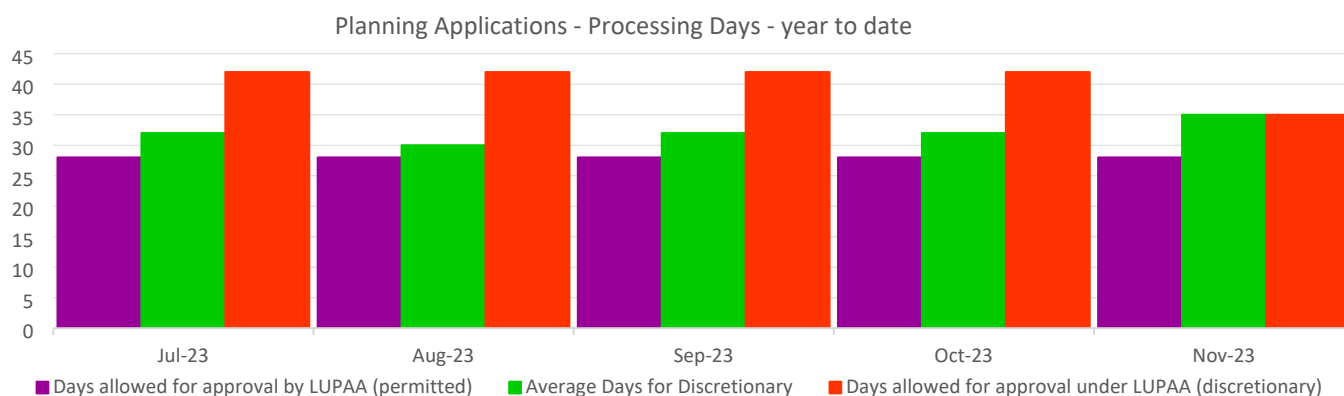
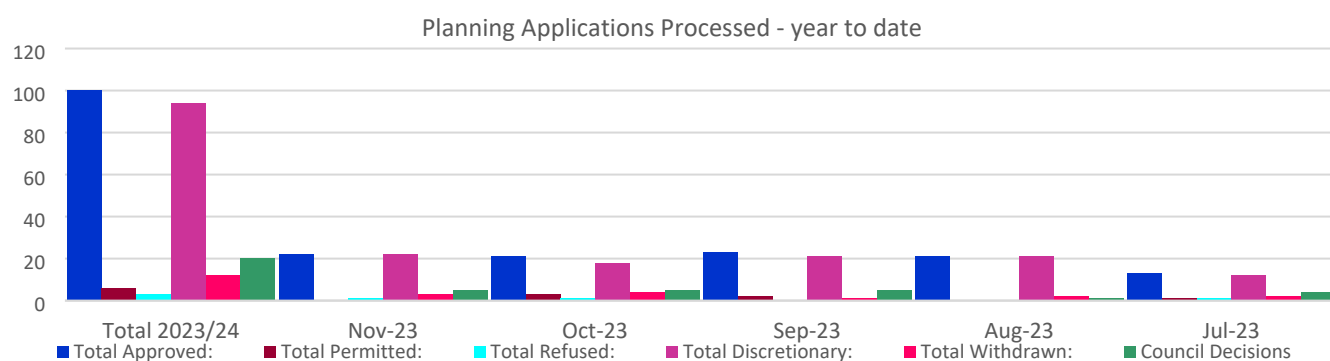
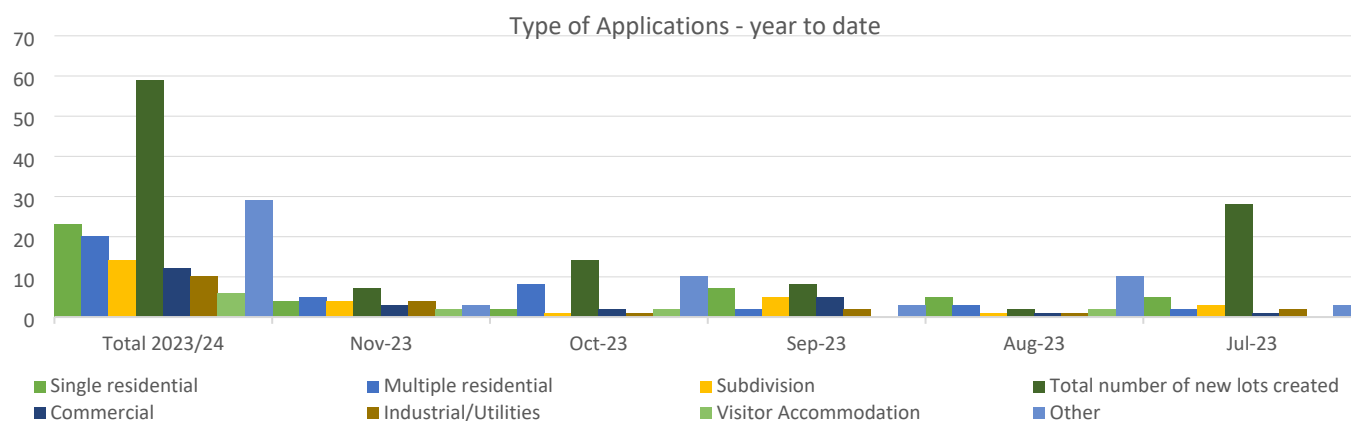
2 DEVELOPMENT SERVICES REPORTING

2.1 Planning Decisions

	2021/ 2022	2022/ 2023	Total YTD	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	254	195	52	16	13	11	12	7							
Applications on STOP for further information				66	62	53	59	31							
Single residential	36	48	23	5	5	7	2	4							
Multiple residential	92	31	20	2	3	2	8	5							
Subdivision	37	34	14	3	1	5	1	4							
Total number of new lots created	91	203	59	28	2	8	14	7							
Commercial	37	27	12	1	1	5	2	3							
Industrial/Utilities	30	12	10	2	1	2	1	4							
Visitor Accommodation	10	8	6	0	2	0	2	2							
Total permitted	0	1	0	0	0	0	0	0							
Total discretionary	10	7	6	0	2	0	2	2							
Other (includes all residential development on existing dwellings (alterations/ additions, sheds, solar, fences, pools etc.)	99	85	29	3	10	3	10	3							
Total No. Applications Approved:	273	228	100	13	21	23	21	22							
Total Permitted:	36	33	6	1	0	2	3	0							
Average Days for Permitted	17.25	11	15.3	22	-	13	11								
Days allowed for approval by LUPAA	28	28	28	28	28	28	28	28							
Total Exempt under IPS:	84	83	52	23	2	4	16	7							
Total Refused:	16	5	3	1	0	0	1	1							
Total Discretionary:	239	198	94	12	21	21	18	22							
Average Days for Discretionary:	37.33	33.3	32.2	32	30	32	32	35							
Days allowed for approval	42	42	42	42	42	42	42	35							



	2021/ 2022	2022/ 2023	Total YTD	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
under LUPAA:															
Total Withdrawn:	20	39	12	2	2	1	4	3							
Council Decisions	41	36	20	4	1	5	5	5							
Appeals lodged by the Applicant	9	6	1	0	0	0	1	0							
Appeals lodged by third party	1	2	0	0	0	0	0	0							



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-22-0013 - 2	Amend Staging of 40 lot subdivision, balance lot & roads	Evandale Road (CT143771/2), 47 Translink Avenue South & Translink Avenue South road reserve, Western Junction TAS 7212	PDA Surveyors obo Translink Industrial Pty Ltd	14	A
PLN-22-0147 - 1	Change of proposed stormwater connection point - 2 Lot Subdivision (Heritage Precinct)	1 Collins Street, Evandale TAS 7212	Woolcott Surveys	30	A
PLN-23-0054	Demolition of Existing Dwelling & Garage Structures and Construction of New	37 Devon Hills Road, Devon Hills TAS 7300	Russell & Jenine Drayton	33	D



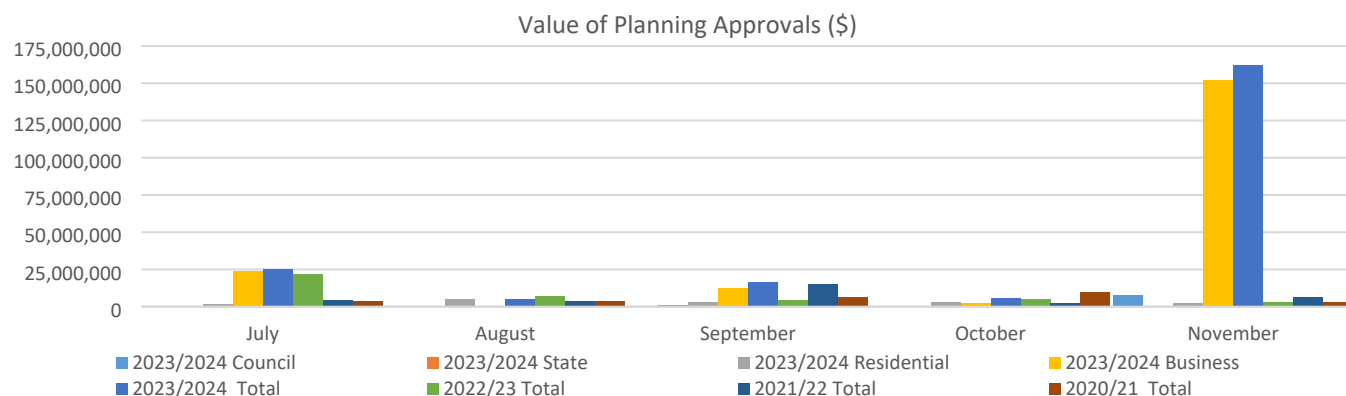
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
	Dwelling & Garage				
PLN-23-0098	2 lot subdivision (vary lot size, vary frontage, Bushfire Prone, Natural Assets)	235 Pateena Road (with access over CT146556/1), Longford TAS 7301	PDA Surveyors	35	D
PLN-23-0128	Multiple Dwellings inc. Demolition of Existing Garage (1 Existing, 2 New)(Parking and Sustainable Transport Code, Longford SAP)	74 Pakenham Street, Longford TAS 7301	Michelle Schleiger	22	D
PLN-23-0140	Visitor Accommodation (self contained campgrounds) (Attenuation)	14972 Midland Highway (CT148056/1), Perth TAS 7300	Motorsports Tasmania	30	D
PLN-23-0158	Manufacturing and Processing facility - Launceston Kitchen Centre (Translink SAP, Signs Code, Parking and Sustainable Transport Code, Road and Railway Assets Code)	Approved Lot 6 at Evandale Road (Folio of the Register 185223/1)(adjacent to Translink Avenue South), Western Junction TAS 7212	Bison Construction Pty Ltd	38	D
PLN-23-0182	Forest Harvesting (Landslip Hazard Code)	Tooms Lake Road, Ross TAS 7209	Mrs Rebecca Downie	41	D
PLN-23-0185	2 Lot Subdivision (Cressy SAP, C13.0 Bushfire)	105-107 Main Street, Cressy TAS 7302	Survey and Alignment Services	42	D
PLN-23-0186	3 Lot Subdivision (Vary lot size and frontage in Rural Living Zone A, Perth SAP, Bushfire-Prone, Scenic Protection)	42-48 Fairtlough Street (with access over CT184317/1 & CT184317/2), Perth TAS 7300	Woolcott Surveys	42	D
PLN-23-0187	4 Lot Subdivision (Perth Specific Area Plan - internal lots and existing dwelling setback, Flood-Prone Areas Hazard Code)	36 Youl Road, Perth (works within CT179586/11, CT179586/2, CT178888/3 & CT32733/8 & Youl Rd road reservation) TAS 7300	Woolcott Surveys	24	D
PLN-23-0193	New Shed (Second crossover, Parking and Sustainable Transport Code)	19A Macquarie Street, Cressy TAS 7302	Melanie Morris	23	D
PLN-23-0194	Signage to shopfront and fascia, window decals and timber feature (Heritage Precinct, Campbell Town SAP)	92 & 94 High Street, Campbell Town TAS 7210	Mills St Fitout Pty Ltd	35	D
PLN-23-0197	Installation of an electric vehicle (EV) charging station (Local Historic Precinct)	85 High Street, Campbell Town TAS 7210	SLR Consulting Australia Pty Ltd	29	D
PLN-23-0198	Single Dwelling with deck and carport (Ross Specific Area Plan, Heritage Precinct, Parking and Sustainable Transport Code)	6A Park Street, Ross TAS 7209	Tasbuilt Homes	35	D
PLN-23-0200	Change of Use of Garage to Dwelling (Longford SAP, Attenuation, Parking and Sustainable Transport Code)	1 A Hay Street, Longford (access over unmade road reserve (Gay St)) TAS 7301	Steve Jordan Drafting	28	D
PLN-23-0204	Proposed Shed and Demolition (Evandale SAP, Safeguarding of Airports)	16 Barclay Street, Evandale TAS 7212	Engineering Plus	42	D
PLN-23-0207	Single Dwelling (Vary internal lot frontage setback, building envelope, Parking and Sustainable Transport Code, Evandale SAP)	25A Arthur Street, Evandale TAS 7212	Sebastian Jak	32	D
PLN-23-0208	Proposed Shed (vary internal lot frontage setback)	12A Scone Street, Perth TAS 7300	Engineering Plus	29	D
PLN-23-0211	Multiple Dwellings (1 existing, 1 new) (Second crossover, Vary private open space width (Dwelling 2))	143 Fairtlough Street, Perth TAS 7300	S. Group	42	D
COUNCIL DECISIONS					
PLN-23-0099	New dwelling for visitor accommodation (vary Parking & Sustainable Transport Code provisions)	Nosswick, 157 Blackwood Creek Road, Blackwood Creek TAS 7301	Phil Ackerley	42	C
PLN-23-0160	Utilities: Palmerston Battery Energy Storage System (BESS)	1440 Saundridge Road, Cressy TAS 7302	Akaysha Energy Pty Ltd	42	C
PLN-23-0169	Perth Streetscape Project	Main Road (between Mary Street and Old Bridge Road), Perth TAS 7300	Northern Midlands Council	42	C
PLN-23-0199	Campbell Town Streetscape/Roadworks	High Street (between William St	Northern	39	C



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
	Project (Heritage Precinct)	Intersection and 115 High St), Campbell Town (with minor works into William St, Elizabeth Crt & Commonwealth Ln)	Midlands Council		
COUNCIL DECISIONS - REFUSAL					
PLN-23-0188	Longford Streetscape Project	Wellington St from adjacent to 19 & 22 Wellington St to adjacent to 69 Wellington St & 2A William St, Longford (with minor works into Union St, Mason St, Smith St, Archer St, Lyttleton St)	Northern Midlands Council	24	CR
DELEGATED DECISIONS - REFUSAL					
-					

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
October	0	0	2,912,210	2,650,000	5,562,210	5,353,500	2,638,795	9,987,000
November	7,800,000	0	2,441,200	152,115,000	162,356,200	3,023,616	6,052,219	3,281,226
YTD Total	7,835,000	1,300,000	15,357,539	190,590,000	215,082,539	41,529,880	31,670,035	26,544,226
Annual Total						76,384,582	91,715,427	59,101,247



2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT	TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
PLN-23-0086	Appeal P2023/122. 26A Tannery Road, appeal against Council's refusal of application for 24 hour vehicle fuel sales. Preliminary conference held 13 November 2023. Mediation being undertaken. Hearing set for 8 March 2024.
Decisions received	
-	-
PLN-23-0164	Draft Amendment 10/2023 for site specific qualification to add General Retail and Hire "if for market and directly associated with the Evandale Market" as a discretionary use in the General Residential zone, if on part of folio of the Register 141412/1. Certified by Council on 16 October 2023. On public notification until 28 November 2023. Representation received and to be considered at Council meeting of 11 December 2023.
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 sent to TPC 17 October 2023. Awaiting decision.
-	-

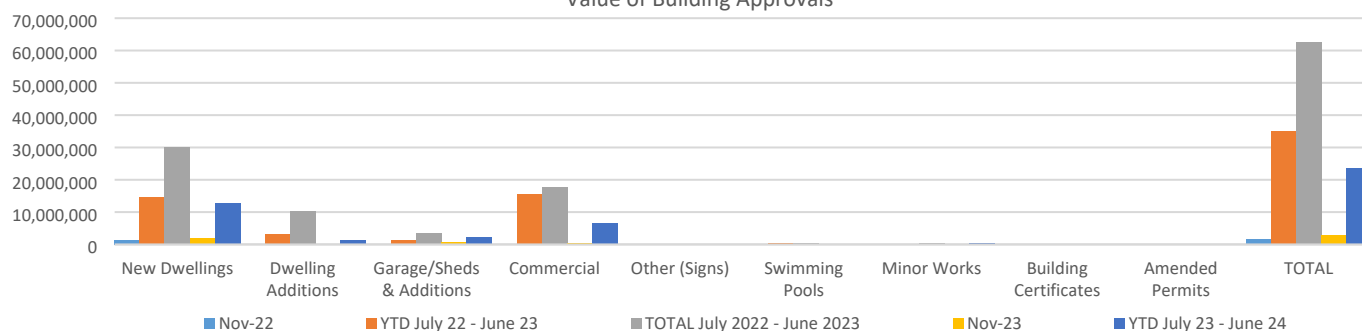


2.4 Building Approvals

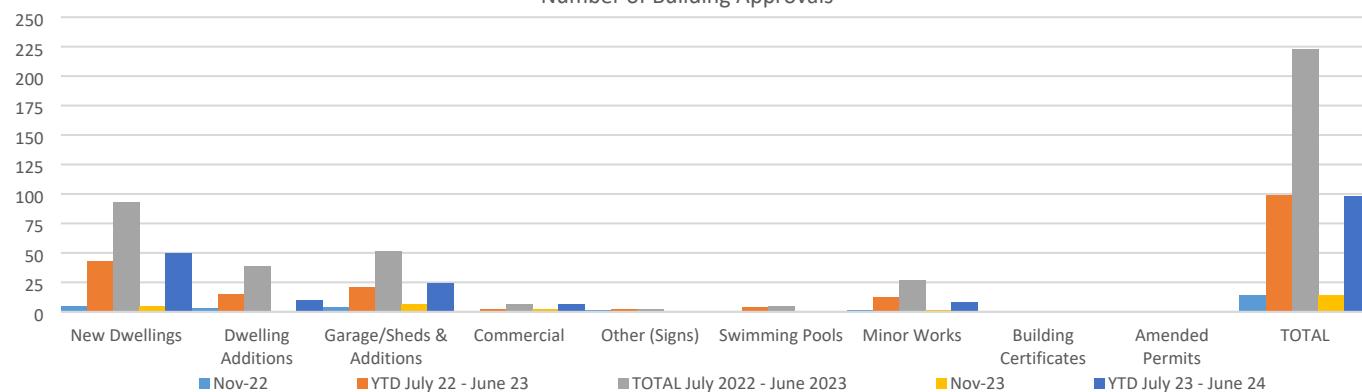
The following table shows a comparison of the number and total value of building works for 2022-2023 and 2023-2024.

	YEAR: 2022-2023				YEAR		YEAR: 2023-2024			
	Nov 2022		YTD 2022-2023		July 2022 - June 2023		Nov 2023		YTD 2023-2024	
	No.	Total Value	No.	No.	No.	Total Value	No.	Total Value	No.	No.
		\$				\$		\$		
New Dwellings	5	1,407,230	43	14,513,020	93	30,059,415	5	1,913,339	50	12,886,184
Dwelling Additions	3	162,000	15	3,282,160	39	10,252,722	0	0	10	1,219,400
Garage/Sheds & Additions	4	153,140	21	1,214,140	51	3,583,957	6	581,236	24	2,344,236
Commercial	0	0	2	15,700,000	6	17,742,000	2	500,000	6	6,730,000
Other (Signs)	1	55,000	2	82,945	2	82,945	0	0	0	0
Swimming Pools	0	0	4	296,000	5	374,750	0	0	0	0
Minor Works	1	2,000	12	102,786	27	481,351	1	5,000	8	336,533
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	0	0	0	0	0	0
TOTAL	14	1,779,370	99	35,191,051	223	62,577,140	14	2,999,575	98	23,516,353
Inspections										
Building	0		0		10		0		0	
Plumbing	15		107		280		36		174	

Value of Building Approvals



Number of Building Approvals



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	11	42	79
Property owner not home or only recently started			
Complying with all conditions / signed off	2	7	1
Not complying with all conditions			
Re-inspection required	8	29	64
Notice of Intention to Issue Enforcement Notice			5
Enforcement Notices issued			1



Planning Permit Reviews	This Month	2023/2024	Total 2022/2023
Enforcement Orders issued			
Infringement Notice			
No Further Action Required	1	6	14
Building / Plumbing Permit Reviews	This Month	2023/2024	Total 2022/2023
Number of Inspections	2	21	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	11	10
Building Notices issued			2
Building Orders issued			
No Further Action Required		6	19
Illegal Works – Building / Plumbing	This Month	2023/2024	Total 2022/2023
Number of Inspections	6	30	78
Commitment provided to submit required documentation	2	7	11
Re-inspection required	2	10	42
Building Notices issued	2	5	12
Building Orders issued	1	3	7
Emergency Order			3
No Further Action Required	2	13	25
Illegal Works - Planning	This Month	2023/2024	Total 2022/2023
Number of Inspections		4	40
Commitment provided to submit required documentation		2	2
Re-inspection required			24
Enforcement Notices issued			3
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued		1	
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 6 commercial building approvals valued a total of \$6,730,000 for 2023/24 (year to date) compared to 2 commercial building approvals valued a total of \$15,700,000 (year to date) for the previous year.

In total, there have been 98 building approvals valued at \$23,516,353 (year to date) for 2023/2024 compared to 99 building approvals valued at \$35,191,051 (year to date) for the previous year.



13.2 POLICY: PLAYGROUND SHADE AND FENCING

Responsible Officer: Des Jennings, General Manager

Report prepared by: Trent Atkinson, Project Manager

MINUTE NO. 23/0459

DECISION

Cr Goss/Cr Adams

That Council endorse the Playground Shade and Fencing Policy.

Carried

Voting for the Motion:

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

Voting Against the Motion:

Cr Terrett

RECOMMENDATION

That Council endorse the Playground Shade and Fencing Policy.

1 PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement of the Playground Shade and Fencing Policy.

2 INTRODUCTION/BACKGROUND

A Playground Shading and Fencing audit report was tabled at the 15 May 2023 Council meeting.

The Playground Shading and Fencing Policy is now provided for endorsement.

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

1.3 Management is efficient, proactive and responsible

1.4 Improve community assets responsibly and sustainably

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

3.1 Sympathetic design respects historical architecture

3.3 Public assets meet future lifestyle challenges

3.4 Towns are enviable places to visit, live and work

Place: Nurture our heritage environment



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

Strategic outcomes:

4.2 Meet environmental challenges

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.

5 STATUTORY REQUIREMENTS

- Australian Standards AS 4685.0:2017 - Playground equipment and surfacing Part 0: Development, installation, inspection maintenance and operation.
- Building Act 2016
- Tasmanian Planning Scheme

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

- 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.

11 OFFICER'S COMMENTS/CONCLUSION

It should be noted that:

- The cost of creating additional shade to our parks can vary greatly from planting trees to constructing solid fixed structures or sails. All these methods have ongoing maintenance costs also.
- Planting of trees is most cost-effective approach but takes some years to meet the intended results. Mature trees can cost upwards of \$1,000 installed, depending on location, type and infrastructure (irrigation).
- Shade sails and fixed solid structure are similar in price and range from \$8,000 - \$10,000 per column and \$100 - \$150 per m2 of roof area. This cost can dramatically change depending on location, type, design and size.
- Many playgrounds have constraints that limit the inclusion of natural or constructed shade in places, these include proximity to neighbouring properties, underground and or above services, existing buildings and facilities.



- Providing shade directly over equipment requires the structure to have no accessible edges within 2500mm from any part of the play structure to prevent access by climbing. Council has many pieces of play equipment greater than 2.0m high and this would require the shade structure to be a minimum of 4.5m high.
- Consideration around existing play equipment installed in our playgrounds and the life span of these need to be taken into account when considering additional shade. New playground equipment available now, incorporates more shade within equipment itself, compared to conventional types traditionally used in the past. The cost to provide structured shade over equipment would be more beneficial in replacing the equipment with shade incorporated.

It is recommended that Council receive the report and endorse the Playground Shading and Fencing Policy.

12 ATTACHMENTS

1. SHADE Draft Policy (002) [**13.2.1** - 2 pages]



14 GOVERNANCE REPORTS

14.1 DISCUSSION PAPER: MANAGING CONFLICTS OF INTERESTS OF COUNCILLORS - FRAMEWORK PROPOSAL

Responsible Officer: Des Jennings, General Manager

Report prepared by: Victoria Veldhuizen, Executive Officer

MINUTE NO. 23/0460

DECISION

Cr Adams/Cr Brooks

That Council endorse the draft response to the *Managing Conflicts of Interest of Councillors – Framework proposal/discussion paper* and authorise the General Manager to submit it on behalf of the Council.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

RECOMMENDATION

That Council endorse the draft response to the *Managing Conflicts of Interest of Councillors – Framework proposal/discussion paper* and authorise the General Manager to submit it on behalf of the Council.

1 PURPOSE OF REPORT

The purpose of this report is to present a draft response to the *Managing Conflicts of Interest of Councillors – Framework proposal/discussion paper* for Council's endorsement.

2 INTRODUCTION/BACKGROUND

On 8 November 2023, correspondence was received from the Minister for Local Government, Nic Street (copy **attached** to this report), including the *Managing Conflicts of Interest of Councillors – Framework proposal/discussion paper* ("Framework Proposal"), with an invitation to provide feedback on the proposed draft framework to better manage local government elected official's conflicts of interest.

The Minister's letter provides the following summary:

The Framework Proposal has been developed by a Working Group comprising representatives from the Local Government Association of Tasmania, Tasmanian council representatives and the Office of Local Government.

The Framework Proposal proposes reforms to the current regulatory framework under which councillors must manage their conflicts of interest in the course of official duties.

As contained within the Framework Proposal, any perception that local governments may be unable to make fair and unbiased decisions has the capacity to erode their legitimacy and have negative impacts on their functioning.

The Framework Proposal sets out a contemporary approach to identifying, managing, and mitigating councillors' personal interests and conflicts of interest, while ensuring councillors' decisions and actions are guided by ethical



principles. The Framework Proposal is aligned with the *Good Governance Guide for Local Government Tasmania* (copy attached).

The primary objectives of the Framework Proposal for managing conflicts of interest of councillors are:

- Ensure that decisions are in the best interests of the community and free from bias arising from perceived personal interests of decision-makers; and
- Promote trust in decision-making in local government by managing perceptions of bias arising from perceived personal interests of decision-makers.

A range of reforms are proposed, including:

- Changes to the way conflicts of interest are classified – change from the current pecuniary (financial) interests regulated by the *Local Government Act 1993* (“the Act”) and non-pecuniary (non-financial) interests managed through the *Code of Conduct for Councillors* (“Code of Conduct”), to actual, perceived and potential conflicts of interest, including pecuniary and non-pecuniary, all of which are regulated through the Act.
- Disclosure of interests by councillors – proposal for personal interest returns submitted by all Councillors soon after election and thereafter on an annual basis throughout their term. The personal interest returns are proposed to be made publicly available to promote transparency and accountability. It is also proposed Councillors disclose an interest in a matter, and the nature of the interest, *before* a Council meeting, workshop, agenda briefing or other forum where the matter would be discussed.
- Management of conflicts of interest – it is proposed that where there is an actual conflict of interest (pecuniary or otherwise), Councillors must exclude themselves from attendance at any official council forum while the matter is being discussed. Additionally, Councillors with an actual conflict of interest should not have access to deliberative material or information on the matter. It is proposed that where there is a perceived or potential conflict of interest, the councillor should exercise their own reasonable judgment as to whether to participate in a meeting or other forum. In certain circumstances, it may be appropriate for the Council to overturn a councillor’s decision to participate.

Other proposals include:

- Development of proactive conflict management plans;
- Strengthening of penalties for breaches of the Act (bringing Tasmania into line with other States); and
- Development of appropriate guidance material for councillors and council staff.

The Minister has strongly encouraged councils, council staff, and councillors individually to engage with this proposal.

This report proposed to formalise a response on behalf of Council as a whole to the proposal. If councillors wish to individually respond, they are encouraged to do so.

On 14 November 2023, the Government advised it had extended the consultation period to **12 January 2024**.

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:

- 1.2 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

Any proposed changes implemented by the Government will impact on the Councillor's Code of Conduct policy, copy attached.

5 STATUTORY REQUIREMENTS

5.1 Local Government Act 1993

3. Interpretation

In this Act, unless the contrary intention appears –

code of conduct means the model code of conduct as adopted by a council under [section 28T](#), as amended or substituted from time to time under that section;

Part 5 – Pecuniary Interests

48. Declaration of pecuniary interest by councillor

(1) A councillor must not participate at any meeting of a council, council committee, special committee, controlling authority, single authority or joint authority in any discussion, nor vote on any matter, in respect of which the councillor–

(a) has an interest; or

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

Penalty: Fine not exceeding 20 penalty units.

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

Penalty: Fine not exceeding 50 penalty units.

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

Penalty: Fine not exceeding 20 penalty units.

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

Penalty: Fine not exceeding 20 penalty units.

(5) The general manager is to –

(a) ensure that the declaration of interest is recorded in the minutes of the meeting at which it is made; and

(b) record the details of any interest declared in the register of interests kept under [section 54](#).

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

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

(b) dismissing the councillor from office.

49. Having an interest

(1) A councillor or member has an interest in a matter if the councillor or member or a close associate would, if the matter were decided in a particular manner, receive, have an expectation of receiving or be likely to receive a pecuniary benefit or pecuniary detriment.

(2)

51. Close associate

For the purposes of this Part, a person is a close associate of a councillor or member if that person is–

(a) a body corporate of which the councillor or member is a director or a member of the governing body; or

(b) a proprietary company in which the councillor or member is a shareholder; or

(c) a public company in which the councillor or member is directly or indirectly a substantial shareholder; or

(d) a beneficiary under a trust or an object of a discretionary trust of which the councillor or member is a trustee; or

(e) a business partner of the councillor or member; or

(f) the employer or an employee of the councillor or member; or

(g) a person from whom the councillor or member has received, or might reasonably be expected to receive, a fee, commission or other reward for providing professional or other services in relation to a matter being dealt with or to be dealt with by the council, council committee, special committee, controlling authority, single authority or joint authority; or

(h) the spouse or partner of the councillor, member, councillor's son or daughter or member's son or daughter; or

(i) the son, daughter, brother, sister, mother or father of the councillor or member or of their spouse or partner.

52. Non-application of Part

(1) This Part does not apply to a councillor, member or close associate who has any pecuniary interest in any matter if –

(a) the benefit or detriment is one received in common with all or a substantial proportion of the electors of the municipal area; or



(b) the matter relates to an insurance policy or an indemnity policy being considered or taken out by the council, single authority or joint authority to insure or indemnify councillors or members or their spouses or partners unless the matter relates to, or is a claim made by, the councillor or member; or

(c) in relation to the consideration of an application or request for approval, authorisation, licence, permit, exemption or other right under this or any other Act, the extent of the interest of the councillor, member or close associate is no greater than that of any other member of the public; or

(ca) the matter relates to the making of a rate or charge under [Part 9](#); or

(d) the matter relates to any allowances or expenses payable to all councillors or members; or

(e) the interest is a beneficial interest in shares of a company or other body where the total nominal value of those shares does not exceed whichever is the lesser of the following amounts:

(i) an amount of \$10 000;

(ii) an amount which is 1% of the total nominal value of the issued share capital of the company or body.

(1A) For the purpose of [subsection \(1\)](#) –

substantial proportion of the electors means at least 5% or 1 000 electors, whichever is the lesser.

(2) This Part does not apply to a councillor, member or close associate who has any pecuniary interest in any matter only because –

(a) the matter involves –

(i) expenditure from money belonging to, or held by, a council, council committee, special committee, controlling authority, single authority or joint authority and the councillor or member contributes to the money as a ratepayer; or

(ii) the fixing of fees by a council, single authority or joint authority; or

(iii) the terms and conditions on which the right to participate in the supply of goods and services is offered to members of the public; or

(b) the councillor or member or close associate is a person to whom goods or services are supplied in the same manner and subject to the same terms and conditions as apply to members of the public; or

(c) the councillor or member or close associate provides services of a professional nature to another person who is the subject of, or is involved in, the matter; or

(d) the councillor or member or close associate is a member of a body, club, union or other non-profit organisation if –

(i) a personal benefit or detriment to the councillor, member or close associate, or the spouse or partner of the councillor, member or close associate, is not involved; and

(ii) the councillor, member or close associate is not an office-bearer of that body, club, union or organisation; or

(da) the councillor, member or close associate is appointed or nominated as a member of a body by the council; or

(e) the matter relates to planning and development issues that apply throughout the municipal area and do not result in any particular benefit or detriment to the councillor or member or close associate that is no greater than any member of the public; or

(f) the councillor or member or close associate is an employee in the service of the Crown or of a body established under any Act for a public purpose; or

(g) the councillor or member or close associate is a candidate for election as councillor, mayor or deputy mayor; or

(h) the councillor, member or close associate is a member of a body established by a council.

(3) A council, at a meeting open to the public, may decide to exempt a councillor or member from this Part for a period not exceeding 12 months if the councillor or member has a potential pecuniary interest in a matter only because of being appointed or nominated as a councillor or member due to expertise arising from direct involvement in an activity that gives rise to that potential pecuniary interest.

53. Notification of pecuniary interest

(1) Any person who considers that a councillor, member or member of an audit panel has an interest in a matter to be, or being, dealt with by a council, council committee, special committee, controlling authority or audit panel may notify the general manager in writing of that interest.

(2) On receipt of a notification, the general manager is to advise the following persons of the notification:

(a) the councillor, member or member of an audit panel who is the subject of the notification;

(b) all other councillors, members or members of the audit panel.

54. Register of pecuniary interests of councillors

(1) The general manager is to keep a register of interests, of councillors, of which the general manager has been advised under [section 48\(4\)](#).

(2) A person, by notice in writing to the general manager, may apply to inspect the register of interests.

(3) On receipt of an application, the general manager is to allow the applicant to inspect the register of interests.

(4)

(5)

6 FINANCIAL IMPLICATIONS

None identified.



7 RISK ISSUES

There is a risk that if Council does not participate in the discussion process, Council's views and submissions in relation to the proposed reforms will not be considered by the Officer of Local Government.

8 CONSULTATION WITH STATE GOVERNMENT

The purpose of this report is in response to a request for consultation from the State Government.

9 COMMUNITY CONSULTATION

Not applicable.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can:

1. endorse the draft response on behalf of Council as drafted; or
2. suggest amendments to the draft response and endorse the amended draft response; or
3. not endorse the draft response and determine to make no submission on behalf of Council in response to the *Managing Conflicts of Interest of Councillors – Framework proposal/discussion paper*.

11 OFFICER'S COMMENTS/CONCLUSION

Proposed legislative reforms which clarifies and improves management of conflict of interests – actual or perceived, pecuniary or non-pecuniary – for councillors' is of benefit to good governance principles and ought to be encouraged.

The Framework Proposal/Discussion Paper, as summarised within the Introduction/Background, outlines the proposed reforms and the reasoning behind the proposals.

The Officer's views on the proposed framework are contained within the draft letter to the Office of Local Government in response, a copy is **attached** to this report.

12 ATTACHMENTS

1. Letter from the Minister for Local Government to Mayor Mary Knowles re Managing Interests Framework [14.1.1 - 2 pages]
2. ATTACHMENT TO LETTER - Managing Conflicts of Interest of Councillors Framework Proposal Discussion P [14.1.2 - 24 pages]
3. Good Governance Guide for Local Government in Tasmania -4 August 2022 (DPAC) [14.1.3 - 94 pages]
4. Code of Conduct for Elected Members - endorsed 30.02.2023 Min No 23/026 [14.1.4 - 8 pages]
5. E- Letter to Office of Local Government re Managing Interests Framework 04.12.2023 [14.1.5 - 5 pages]



14.2 REQUEST FOR FEEDBACK FROM LGAT ON PROPOSED BEST PRACTICE GUIDE FOR RECRUITMENT AND PERFORMANCE MANAGEMENT OF GENERAL MANAGERS

Responsible Officer: *Des Jennings, General Manager*

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

MINUTE NO. 23/0461

DECISION

Cr Terrett/Cr Brooks

That Council receives the report and provides feedback to the Local Government Association of Tasmania.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

RECOMMENDATION

That Council:

- a) receives the report and provides feedback to the Local Government Association of Tasmania, or
- b) receives the report and takes no further action at this time.

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with information for consideration when, or if, it provides the requested feedback to Local Government Association of Tasmania (LGAT).

2 INTRODUCTION/BACKGROUND

On 3 November 2023, Council received an email addressed to the Mayor from the Chief Executive Officer of LGAT seeking feedback from the Mayor's of all Tasmanian Councils on a proposed publication from the Office of Local Government titled Best practice guide for recruitment and performance management of general managers ("Draft Best Practice Guide").

The stated purpose of the Draft Best Practice Guide is to assist councillors in the recruitment, appointment and performance oversight of general managers. It should be noted that the document is a guide only and suggested best practice may go beyond statutory requirements.

The request is for Council to provide feedback to LGAT to assist them to form their feedback to the Office of Local Government on behalf of all Council's. There is no guarantee that any feedback or suggestions submitted by Northern Midlands Council will be included in further consultation with the publishing body.

If Council wanted to enforce the application of the practices outlined in the guideline, a policy would need to be developed to impose any requirements that may go beyond statutory requirements upon future appointment processes.

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

N/A

4 POLICY IMPLICATIONS

Council does not have a policy that specifically addresses the complexities of recruitment and performance management of the General Manager position. As noted in the Options for Council to Consider, consideration should be given to developing a specific policy in regard to this subject once the final guide has been developed by the Office of Local Government. This policy should review this document to identify best practice principles in the guide that will best suit the individual needs of the Northern Midlands Council.

In the event of a specific policy relating to the General Manager position, existing HR policies such as the Recruitment Policy and Performance Management Policy should be amended to exclude application to the General Manager position to avoid potential conflict.

5 STATUTORY REQUIREMENTS

The Draft Best Practice Guide and any finalised versions of this Guide must also be read in conjunction with the Local Government Act 1993, the Local Government Code of Conduct, and the Local Government Association of Tasmania's General Manager's Employment Contract (employment contract). This guide cannot impose retrospective requirements that contradict agreed terms and conditions of existing contracts.

6 FINANCIAL IMPLICATIONS

N/A

7 RISK ISSUES

N/A

8 CONSULTATION WITH STATE GOVERNMENT

The request for feedback from LGAT will form part of the consultation process with the Office of Local Government in regard to the development of this guideline.

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may choose to provide a written response by 13 December 2023 reflecting any feedback from Councillors.

Additionally, Council can consider a review of the final guideline produced by the Office of Local Government with a view to developing a specific policy relating to the Recruitment and Performance Management of the General Manager position for future implementation.



11 OFFICER'S COMMENTS/CONCLUSION

The proposed Best Practice Guide is comprehensive and addresses many of the known risks associated with executive recruitment and performance management. Outlined below are issues that have been identified that Councillors may wish to consider for inclusion in any feedback given to LGAT.

The Best Practice Guide places considerable responsibility upon the Councillors in relation to the selection process, albeit with guidance from a consultant. Consideration should be given to including the requirement for specific Equal Employment Opportunity training to be done with the members of any selection panel prior to the interviewing stage so that they are well placed to execute their responsibilities. The Best Practice Guide states "relevant training" which may be expanded to include minimum training requirements.

Consideration may be given to whether the entire Council has input into the selection criteria or whether it is sufficient as outlined for this to be the scope of the Consultant's responsibilities. The stated process has no review of the agreed selection criteria set by the Consultant.

Consideration may be given to whether the Council believes that the process where the "Consultant selection" has sole responsibility for screening CV's and applications and providing a shortlist would be sufficient or whether to provide feedback in relation to this guideline. Consideration may be given to broadening the screening process to be done in conjunction with the appointed selection panel in the pre-interview stage.

In the checklist on page 19 there is a reference to the requirement for the Consultant to make declarations regarding Conflict of Interest (COI) with any applicants but the requirement for COI declarations by the consultant isn't outlined in the document. This is likely an administrative oversight, however Council may wish to consider at what stage in the process it is advisable for these declarations to occur.

The guide proposes "Documentation that rated and compared applicants using the selection criteria at the shortlisting and interview stages must be provided to the council" only occurs at the closed Council meeting to confirm the appointment – Consideration may be given to whether a review of that material should occur earlier, at least by the selection panel if not the entire Council.

In order to broaden the options available to the Council when considering remuneration considerations, Council may wish to consider seeking having the factors for consideration to be expanded to include consideration of percentage increases to the Enterprise Agreement in place for the organisation, as this may genuinely be a factor taken into account when determining General Manager remuneration.

Council may choose to provide feedback to LGAT on these or others matters as they choose.

12 ATTACHMENTS

1. DRAFT Best practice recruitment and performance management guide for GM s [14.2.1 - 33 pages]



14.3 POLICY: INTERIM - SAFEGUARDING CHILDREN AND YOUNG PEOPLE

Responsible Officer: Des Jennings, General Manager

Report prepared by: Victoria Veldhuizen, Executive Officer

MINUTE NO. 23/0462

DECISION

Cr Goss/Cr Adams

That Council

- a) notes the report.
- b) approves the creation of a new officer position – Child Safe Officer – in accordance with Recommendation 6.12.
- c) accepts and endorses the Interim Safeguarding Children and Young People Policy.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

RECOMMENDATION

That Council

- a) notes the report.
- b) approves the creation of a new officer position – Child Safe Officer – in accordance with Recommendation 6.12.
- c) accepts and endorses the Interim Safeguarding Children and Young People Policy.

1 PURPOSE OF REPORT

The purpose of this report is to advise Council of new legislative requirements pursuant to the *Child and Youth Safe Organisations Act 2023* and to present an interim policy for Council's consideration and endorsement regarding Safeguarding Children and Young People.

2 INTRODUCTION/BACKGROUND

Following the Royal Commission into Institutional Response to Child Sexual Abuse ("the Royal Commission"), the Tasmanian Government has enacted new legislation – *Child and Youth Safe Organisations Act 2023* ("the Act"). This legislation directly impacts on, and places obligations on, Councils (amongst other organisations).

Arising from the Royal Commission's report, Recommendation 6.12 calls on local governments to designate a child safety officer to carry out a range of functions. Correspondence has been received from the Director of Office of Local Government ("OLG") and Chief Executive Officer from Local Government Association Tasmania ("LGAT") in relation to the implementation of Recommendation 6.12 – copies **attached** to this report. This will necessitate the creation and employment of a new Officer role with Council.

The Royal Commission's Recommendation 6.12 recognises that Council's play several important roles in communities that impact on the safety of children, such as

- providing services to children including libraries, swimming pools and childcare;
- providing spaces for community activities e.g. community halls, theatres, sports grounds;
- funding or contracting services;
- facilitating community education and outreach programs; and



- regulating planning and development approvals, infrastructure and property services, and water/food inspection.

As per the correspondence from OLG/LGAT, it is anticipated the Child Safety Officer's role will include a range of functions, mainly around supporting others to understand why and how they can comply with mandatory child safe standards and create child safe environments, including:

- community education (i.e. if sporting entities or clubs within the municipality require assistance with the implementation of the legislative requirements impacting on them, they will likely turn to Council in the first instance for support and guidance);
- developing child safe messages in local government venues, grounds and facilities;
- assisting local institutions access online child safe resources;
- providing child safe information and support to local institutions on an as needs basis; and
- supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

Under the new law, Tasmanian Local Government's will have to comply with:

1. the Child and Youth Safe Standards - a list ten standards organisations must put into practice when engaging children and young people to protect the wellbeing and safety of children they come into contact with – see **below**, including the Universal Principle for Aboriginal Cultural Safety; and
2. the Reportable Conduct Scheme – A compulsory scheme that requires leaders to report and investigate concerns about conduct related to child abuse involving a worker to an independent regulator; and
3. the Independent Regulator – an independent regulatory body that will oversee the Framework and make sure organisations have support, advice and education required; and
4. Information Sharing Provisions – specific rules in the legislation meaning leaders of organisations are permitted to share personal information in certain circumstances.

This new law requires existing policy to be reviewed and/or new policy implemented by Council.

In addition to Recommendation 6.12, the implementation of the Child and Youth Safe Organisation Framework ("Framework"), will take effect for Local Government from **1 January 2024**.

LGAT have advised they are seeking an extension to 1 July 2024 to ensure implementation is not problematic. As the extension has not been granted, Council needs to proactively take steps to be as compliant as possible with the Framework from 1 January 2024.

It is important to note that the Framework relates to allegations of Reportable Conduct which have occurred historically, as well as any potential future allegations of Reportable Conduct.

The Child and Youth Safe Standards are:

The Child and Youth Safe Standards

Universal Principle

Organisations must provide an environment that ensures that the right to Cultural Safety of Aboriginal or Torres Strait Islander children is respected.

Standard 1

Child safety and wellbeing is embedded in organisational leadership, governance and culture.

Standard 2

Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.

Standard 3

Families and communities are informed and involved in promoting child safety and wellbeing.

Standard 4

Equity is upheld and diverse needs respected in policy and practice.

Standard 5

People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

Standard 6

Processes to respond to complaints and concerns are child focused.

Standard 7

Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

Standard 8

Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.

Standard 9

Implementation of the Child and Youth Safe Standards is regularly reviewed and improved.

Standard 10

Policies and procedures document how the organisation is safe for children and young people.

Some of these definitions have been rephrased for simplicity, for the original versions, see Schedule 1 of the Child and Youth Safe Organisations Act 2023

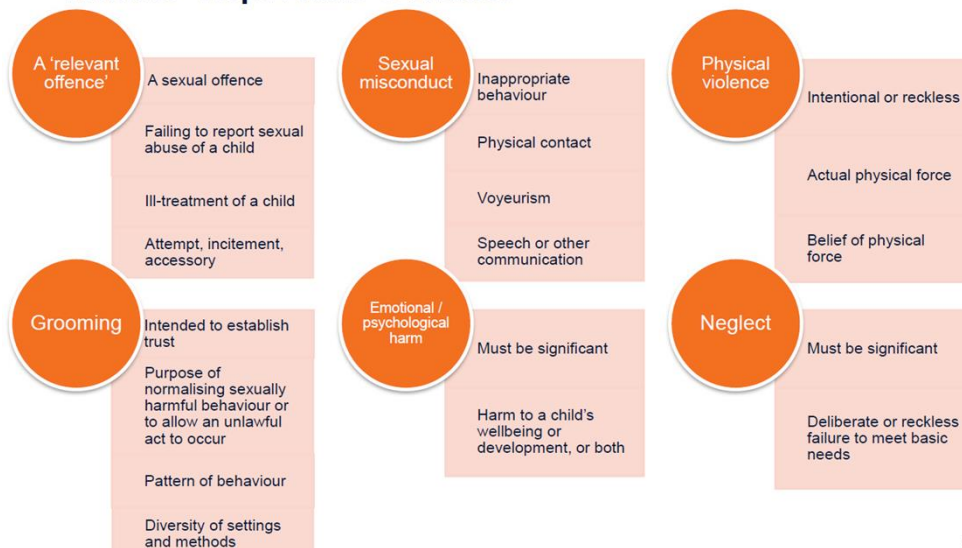
The legislation also mandates Council's to participate in the Reportable Conduct Scheme. The Act requires that the **'head of a relevant entity (i.e. General Manager) must, if they become aware of a reportable allegation or reportable conviction against a worker of the organisation, notify the Independent Regulator.'** There is a legislative period of three business days to notify the Independent Regulator which includes weekends and public holidays.

As at the date of this report, the State Government is yet to appoint the Independent Regulator who will oversee the Reportable Conduct Scheme and who, the State Government anticipates, will assist Council's with implementation of the new legislative requirements.

"Reportable Conduct" includes the following behaviours:

PAGE SEAGER
LAWYERS

What is 'Reportable Conduct'





A summary of when to make a report to the Independent Regulator is:

PAGE SEAGER
LAWYERS

Summary: When to Report Checklist



Additional information on the Royal Commission Response Unit's Child and Youth Safe Organisations Framework can be found online at www.justice.tas.gov.au/carcru/child-and-youth-safe-organisations-framework

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

The implementation of the Framework, Reportable Conduct Scheme and Recommendation 6.12 will result in an array of policy changes, including amendments and new policy creation. This report is recommending the first policy to be implemented – Interim Safeguarding Children and Young People Policy.

Pending a full review of Council's human resource and Council policies, additional policy changes are anticipated to include a review of the existing Youth Policy, creation of a Child Safety Code of Conduct policy and a Child Safety and Wellbeing Policy.



5 STATUTORY REQUIREMENTS

5.1 *Child and Youth Safe Organisations Act 2023*

Full legislation is accessible online at the following link:

www.legislation.tas.gov.au/view/html/asmade/act-2023-006

6 FINANCIAL IMPLICATIONS

There are significant financial risks should Northern Midlands Council not be compliant with the legislation, including:

- A failure to report Reportable Conduct to the Independent Regulator by the General Manager within three working days of receipt of the same - \$23,400 **per offence**; and
- \$70,200 **per breach** of the Standards.

There will be financial implications associated with independent investigations undertaken in response to complaints received (it is not appropriate that Council Officer's undertake this task due to a lack of training, experience, resources and due to the close-knit community nature of the Northern Midlands Council). An initial estimate from a third party provided sources by LGAT is:

- A straightforward investigation (1-2 witnesses, single allegation, cooperative witnesses) – approximately \$2,500 - \$3,500 + GST plus disbursements; and
- A complex investigation (5 or more witnesses, multiple/serious allegations) – approximately \$10,000 - \$15,000 + GST and disbursements.

“Front line” staff who have greater interaction with the community, including children and young people, ought to hold current Working with Vulnerable People Cards. Should any existing ‘front line’ staff not currently have one (ie. works department staff), it is strongly recommended Council pays for those members to obtain one. The cost of an employment/volunteer class is \$124.60. It is strongly recommended that it become a requirement for all new employees that they hold a Working with Vulnerable People Card as a condition of their employment, and obtain one at their own cost. This would be the gold standard for a Child Safe Organisation, which Council is committing to being.

It is anticipated that, due to the broad nature of the definition of “worker” (as above), there will be greater financial burden on Council to pay for Working with Vulnerable People Checks and Police Checks for Council's volunteers (at a minimum). There may be other groups who fall within the “worker” definition which this will need to be considered for. A Police Check currently costs \$45.00 (with a concession rate available for volunteers of \$5.00) and a Working with Vulnerable People Check for volunteers only costs \$21.36.

To date, the State Government has not announced whether it will assist Council's financially with the implementation of, or compliance with, the legislative requirements.

7 RISK ISSUES

There are risk issues that if Council does not embrace the new legislation, including the Standards, Framework and Recommendation 6.12, it will not be compliant with the Child and Youth Safe Organisations Act 2023. This has broader implications as the legislation is mandatory for all Council's and if Northern Midlands Council does not proactively engage and promote the new legislative requirements, it will fall behind.



8 CONSULTATION WITH STATE GOVERNMENT

This report and proposed policy in relation to the Framework and Reportable Conduct Scheme is a legislative requirement imposed by the State Government. Recommendation 6.12 is a direct request from the Office of Local Government.

Council may wish to consider lobbying the State Government, or requesting LGAT lobby on its behalf, that fee exemptions for Working with Vulnerable People Checks and Police Checks for volunteers be implemented to reduce the financial burden/barrier to volunteers obtaining these.

9 COMMUNITY CONSULTATION

Not applicable.

10 OPTIONS FOR COUNCIL TO CONSIDER

As the recommended policy is a legislative requirement of the Framework and Reportable Conduct Scheme, Council is unable to determine not to implement the proposed policy. Council could seek to implement an alternative version of the policy if suggested changes are included.

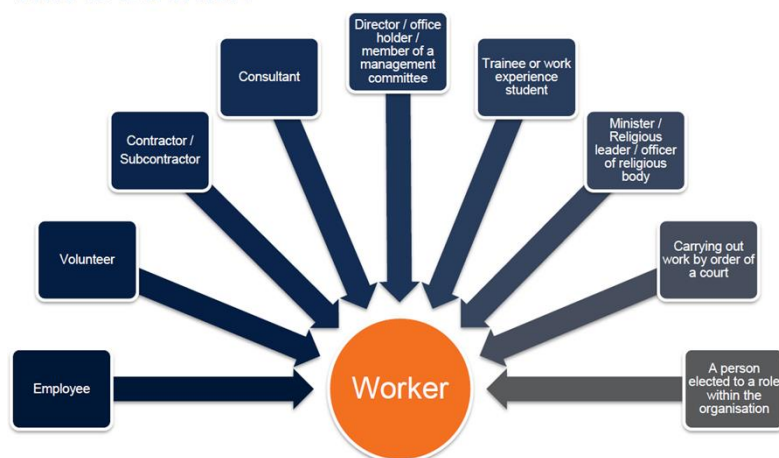
In relation to Recommendation 6.12, while this recommendation has not been enshrined in legislation and is not a legislative requirement, it is an expectation by the State Government that Council's will implement Recommendation 6.12. It is strongly recommended by LGAT that Recommendation 6.12 be implemented in full to ensure Northern Midlands Council is fully Child Safe Organisation Framework compliant. Further, should Northern Midlands Council not be fully compliant, this may be reported which would attract negative PR implications for Council.

11 OFFICER'S COMMENTS/CONCLUSION

The implementation of the Framework will have wide reaching impacts on Council, including:

- a culture change so that the wellbeing and safety of children and young people is a core principle of Council;
- creation of new policies and procedures;
- training of staff in relation to the new legislative requirements;
- training of staff in response to complaints received – ie how to respond if someone approaches them in public and makes a complaint;
- potential change to Council procedures so that Officers/Workers are not attending events or tasks involving children and young people alone – effectively implementing a “two up” policy;
- impacts on Council's Youth Programs;
- financial implications arising from mandatory investigations required to be compliant with the Reportable Conduct Scheme;
- the creation of a new officer role (Child Safe Officer) which, given the anticipated workload, will be a fulltime position and not one recommended to be a shared service with another LGA;
- the definition of “worker” is broad ranging, including:

Who is a worker?



Therefore, the legislative requirements will impact on Council's 'worker's' (i.e. mandatory working with vulnerable people checks for all volunteers, regular police checks) – this is anticipated to be negatively received (although is unavoidable to be compliant) and may also result in the loss of some volunteers.

While Council may receive negative feedback or pushback by the community or people directly impacted by the implementation of the Standards and new policy, as these changes are enshrined in legislation, Council has no option but to implement the changes. There may need to be a greater emphasis on education, so people are informed correctly of Council's processes, policy, procedure and reasons behind the changes. However, akin to the *Work Health and Safety Act 2012*, once the process became standard, it was more accepted. It is envisaged that the implementation of the Framework will take a similar path as the *Work Health and Safety Act* legislative requirements when they were implemented.

Council Officers are aware that the implementation of the Framework will be an ongoing task, with suggested reviews of all applicable policies and procedures on an annual basis, or upon guidance from the Office of Local Government, LGAT or the Regulator of the Reportable Conduct Scheme.

12 ATTACHMENTS

1. Letter - Child Safe Officers in local government - OLG and LGAT Joint Letter [**14.3.1** - 1 page]
2. Info Sheet for councils in Tasmania - Recommendation 6.12 [**14.3.2** - 5 pages]
3. Interim Safeguarding Children and Young People Policy - 04.12.2023 [**14.3.3** - 7 pages]



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. 23/0463

DECISION

Cr Goss/Cr Adams

That Council receive and note the Monthly Financial Report for the period ending 30 November 2023.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

RECOMMENDATION

That Council receive and note the Monthly Financial Report for the period ending 30 November 2023.

1 PURPOSE OF REPORT

The purpose of this report is to present the monthly financial reports as at 30 November 2023.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 30 November 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

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

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-Nov-23

5

A. Operating Income and Expenditure						
	Budget	Year to Date Budget 25%	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$14,203,781	-\$14,203,781	-\$14,271,247	\$67	100.5%	Raised in July 2023 100% FAGS grants paid 22/23
Recurrent Grant Revenue	-\$5,205,188	-\$2,602,594	-\$614,483	-\$1,988	23.6%	
Fees and Charges Revenue	-\$2,604,486	-\$1,085,203	-\$1,379,350	\$294	127.1%	Timing variance
Interest Revenue	-\$1,292,579	-\$538,576	-\$185,883	-\$353	34.5%	
Reimbursements Revenue	-\$45,197	-\$18,832	\$36,593	-\$55	-194.3%	Timing variance
Other Revenue	-\$1,449,288	-\$603,870	-\$296,687	-\$307	49.1%	
	-\$24,800,519	-\$19,052,855	-\$16,711,057	-\$2,342	87.7%	
Employee costs	\$6,677,119	\$2,782,133	\$3,167,437	-\$385	113.8%	Insurances paid for full year
Material & Services Expenditure	\$6,799,926	\$2,833,303	\$2,695,384	\$138	95.1%	
Depreciation Expenditure	\$7,163,532	\$2,984,805	\$2,984,805	\$0	100.0%	
Government Levies & Charges	\$1,151,278	\$479,699	\$462,518	\$17	96.4%	
Councillors Expenditure	\$223,690	\$93,204	\$96,493	-\$3	103.5%	
Interest on Borrowings	\$63,900	\$26,625	\$0	\$27	0.0%	
Other Expenditure	\$1,745,581	\$727,325	\$136,529	\$591	18.8%	
Plant Expenditure Paid	\$568,462	\$236,859	\$445,989	-\$209	188.3%	
	\$24,393,488	\$10,163,953	\$9,989,155	\$175	98.3%	
	-\$407,031	-\$8,888,902	-\$6,721,902			
Gain on sale of Fixed Assets	\$0	\$0	-\$109,635	\$110	0.0%	*Asset recognition EOY
Loss on Sale of Fixed Assets	\$401,388	\$167,245	\$16,535	\$151	9.9%	
Underlying (Surplus) / Deficit	-\$5,643 \$0	-\$8,721,657	-\$6,815,002 \$0			1*
Capital Grant Revenue	-\$7,227,321	-\$3,011,384	-\$2,784,776	-\$227	92.5%	* Not paid until milestones met
Subdivider Contributions	-\$362,067	-\$150,861	0	-\$151	0.0%	* Not recognised until EOY
Capital Revenue	-\$7,589,388	-\$3,162,245	-\$2,784,776			
	-		-			
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						
November						
October						
Additional Pool Car	700013		\$32,000			
Additional Parks & Reserves Light Truck	700028		\$31,000			
Fleet 20 - B/Fwd WIP	700020		\$35,000			
Fleet 3 - B/Fwd WIP	700003		\$20,000			
Fleet 23 - B/Fwd WIP	700023		\$22,000			
Fleet 33 - B/Fwd Truck WIP	700033		\$156,000			
Fleet 42 - B/Fwd Truck WIP	700042		\$156,000			
Ctown - B/Fwd Rec Building	707805.89		\$41,500			
Complex WIP						
Cry - Hall Access Ramp WIP	707868		\$60,000			
Lfd - Bulwer Street footpath WIP	750213.6		\$20,000			
Pth - Edward St Footpath WIP	750395.6		\$62,000			
Lfd - Anstey St K&C WIP	788651.1		\$55,000			
Evan - Barclay Street WIP	788632		\$41,000			
Pth - Fairtlough St School Crossing WIP	752026		\$52,300	\$783,800		
September						
August						



July

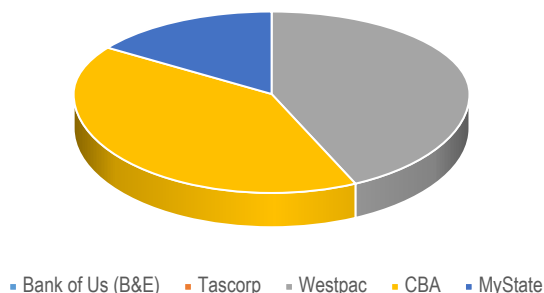
Longford Rec Ground - Top Dressing	707835	-\$11,400	
Longford Rec Ground - Scoreboard replacement	707937	\$11,400	\$0

B. Balance Sheet Items

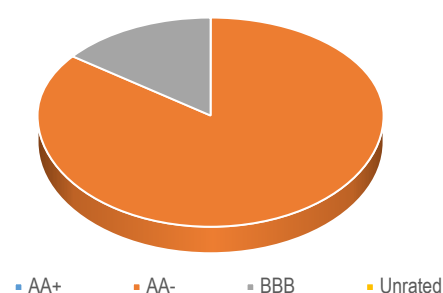
	Year to Date Actual	Monthly Change	Same time last year	Comments
Cash & Cash Equivalents Balance	Year to Date			
- Opening Cash balance	\$20,722,818	\$24,112,199		
- Cash Inflow	\$15,921,034	\$2,906,676		
- Cash Payments	-\$13,332,429	-\$3,707,451		
- Closing Cash balance	\$23,311,423	\$23,311,423		
Account Breakdown				
- Trading Accounts	\$761,528			
- Investments	\$22,549,895			
	\$23,311,423			

Summary of Investments	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value	
Tasmanian Public Finance Corporation Call Account	1/11/2023	30/11/2023	4.35	\$5,643	\$5,658	
CBA Call Account	1/11/2023	30/11/2023	0.25	\$0	\$0	
Commonwealth Business Online Saver Account	1/11/2023	30/11/2023	4.35	\$2,223,859	\$2,224,124	
Westpac Corporate Regulated Interest Account	1/11/2023	30/11/2023	4.35	\$307,939	\$307,939	
CBA	14/11/2023	14/12/2023	4.32	\$1,000,000	\$1,003,551	
CBA	2/11/2023	31/01/2024	4.84	\$3,000,000	\$3,035,803	
CBA	7/11/2023	6/05/2024	5.23	\$2,000,000	\$2,051,870	
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	23/10/2023	24/06/2024	5.09	\$3,000,000	\$3,102,497	
Westpac	11/09/2023	11/06/2024	4.99	\$1,500,000	\$1,556,189	
Total Investments				\$22,549,895	\$23,056,801	

Investments by Institution



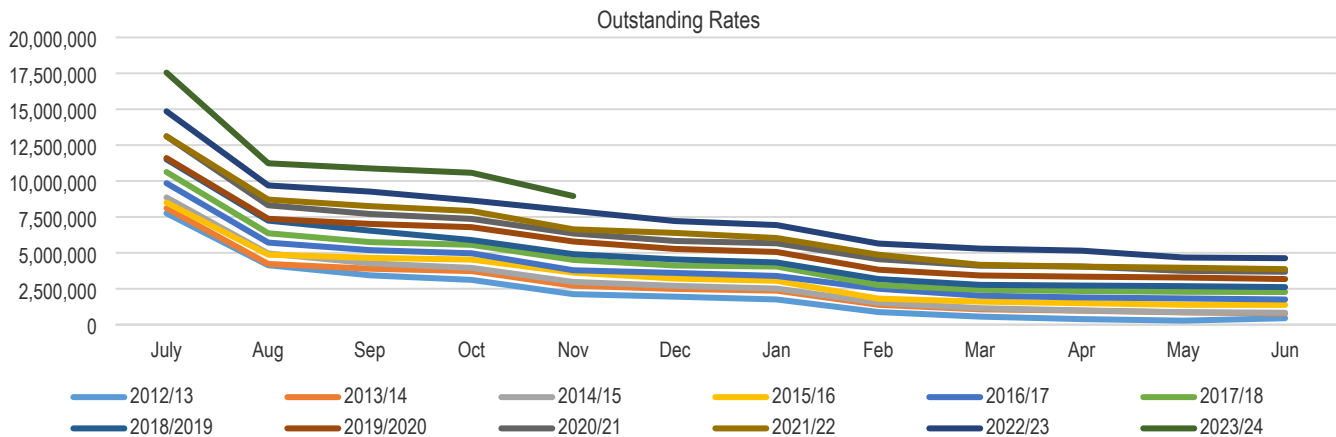
Total Investments by Rating (Standard & Poor's)



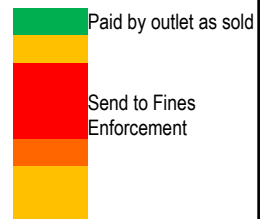
Rate Debtors	2023/24	% to Raised	Same Time Last Year	% to Raised	
Balance b/fwd	\$4,626,436		\$3,863,134		
Rates Raised	\$14,423,988		\$13,236,297		
	\$19,050,424		\$17,099,431		
Rates collected	\$9,501,715	65.9%	\$9,333,910	70.5%	
Pension Rebates	\$566,022	3.9%	\$525,925	4.0%	
Discount & Remissions	\$26,832	0.2%	\$26,506	0.2%	
	\$10,094,569		\$9,886,341		



Rates Outstanding	\$8,955,856	47.0%	\$7,213,090	42.2%
Advance Payments received	-\$350,825	2.4%	-\$370,063	2.8%



Trade Debtors			
Current balance	\$1,017,727		
- 30 Days		\$421,524	
- 60 Days		\$17,655	
- 90 Days		\$19,806	
- More than 90 days		\$558,743	
Summary of Accounts more than 90 days:			
- Norfolk Plains Book sales		171	
- Hire/lease of facilities		35,722	
- Removal of fire hazards		10,529	
- Dog Registrations & Fines		19,809	
- Private Works		5,077	
- Regulatory Fees		21,035	
- Govt Reimbursements		466,400	
		-	



C. Capital Program

	Budget	Actual (\$,000)	Target 42%	Comments
Renewal	\$15,263,019	\$5,090,766	33%	
New assets	\$5,867,496	\$1,455,910	25%	
Total	\$21,130,515	\$6,546,675	31%	
Major projects:				
- Lfd Memorial Hall upgrade	\$3,109,479	\$1,689,083	54%	In progress
- Lfd Urban Streetscape Improvements	\$1,793,628	\$221,797	12%	DA stage
- Ctown Urban Streetscape Improvements	\$2,450,000	\$265,344	11%	Design stage
- Pth Urban Streetscape Improvements	\$1,641,000	\$562,058	34%	Stormwater in progress
- Lfd Caravan Park Amenities replacement	\$450,000	\$37,966	8%	Commences May 2024
- Ashby Road reconstruction	\$500,000	\$0	0%	
- Bishopsbourne Road Reconstruction	\$504,900	\$95,861	19%	In progress
- Lfd Llaycock Street Reserve	\$500,768	\$15,112	3%	Design stage
- Cry Bridge Replacements (3)	\$907,500	\$489,568	54%	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%	85.4%	-28.1%	↘	
- Own Source Revenue / Total Revenue	79%	96%	-17.3%	↘	
Sustainability Ratio					
- Operating Surplus / Operating Revenue	0.0%	40.8%	-40.8%	↘	
- Debt / Own Source Revenue	37.9%	46.1%	-8.2%	↔	
Efficiency Ratios					
- Receivables / Own Source Revenue	50.9%	44.8%	6.1%	↘	
- Employee costs / Revenue	26.9%	19.0%	8.0%	↗	
- Renewal / Depreciation	213.1%	170.6%	42.5%	↗	
Unit Costs					
- Waste Collection per bin	\$13.74	\$17.15		↔	
- Employee costs per hour	\$55.64	\$42.27		↗	
- Rate Revenue per property	\$1,999.41	\$2,008.90		↔	
- IT per employee hour	\$5.45	\$3.81		↘	

E. Employee & WHS scorecard

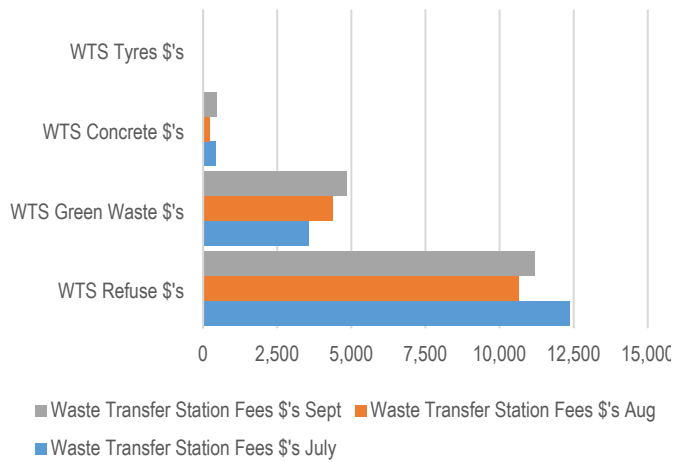
	YTD	This Month	
Number of Employees	94	94	
New Employees	14	1	
Resignations	7	0	
Total hours worked	74,936	13,282	
Medical Treatment Injury	2	0	
Safety Incidents Reported	4	0	
Hazards Reported	11	6	
Workplace Inspections	6	0	
Risk Incidents Reported	1	0	
Insurance claims - Public Liability	0	0	
Insurance claims - Industrial	0	0	
Insurance claims - Motor Vehicle	1	0	
IT - Unplanned lost time	2	0	
Open W/Comp claims	4	0	

F. Waste Management

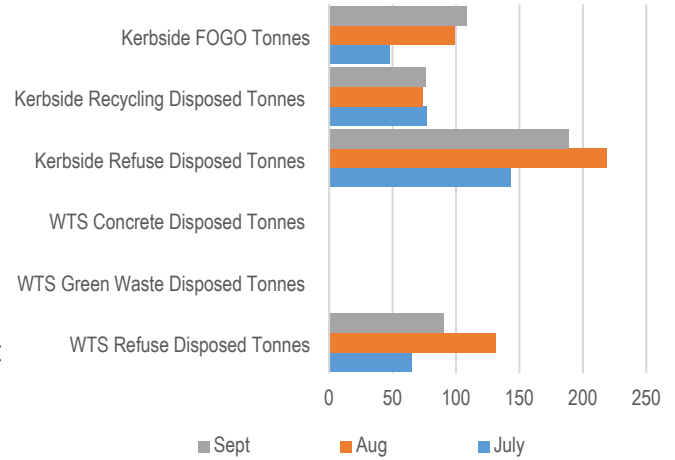
Waste Transfer Station	2021/22	2022/23	2023/24 Budget	2023/24		
			Year to Date			
Takings						
- Refuse	\$135,285	\$146,790	\$50,161	\$34,201	% change for same period last year	7%
- Green Waste	\$82,450	\$77,811	\$28,850	\$12,793	% change for same period last year	-27%
- Concrete	\$2,980	\$4,861	\$1,257	\$1,093	% change for same period last year	-92%
- Tyres	694	\$257	\$226	\$0		
Total Takings	\$221,409	\$229,719	\$80,494	\$48,087		
Tonnes Disposed						
WTS Refuse Disposed Tonnes	1349	1298	495	286	% change for same period last year	-3%
WTS Green Waste Disposed Tonnes	2760	5970	1,777	0		
WTS Concrete Disposed Tonnes	3056	0	935	0		
Kerbside Refuse Disposed Tonnes	2430	2341	711	551	% change for same period last year	-2%
Kerbside Recycling Disposed Tonnes	1048	1035	434	227	% change for same period last year	-2%
Fogo Disposed Tonnes	0	488	463	255		
Total Waste Tonnes Disposed	10643	11132	4815	1319		



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 - November 2023 [15.1.1 - 1 page]
2. Monthly Capital Financial Report - November 2023 [15.1.2 - 7 pages]



15.2 CONARA PARK PROPOSAL

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

MINUTE NO.

DECISION

Cr Terrett/

That Council accept the ownership and control of the State Growth land known as Conara Park for community purposes and consider an improvement plan in future budget deliberations.

The motion lapsed for want of a seconder

MINUTE NO. 23/0465

DECISION

Cr Adams/Cr Brooks

That no further action be taken in this matter.

Carried

Voting for the Motion:

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

Voting Against the Motion:

Cr Terrett

RECOMMENDATION

That Council accept the ownership and control of the State Growth land known as Conara Park for community purposes and consider an improvement plan in future budget deliberations.

1 PURPOSE OF REPORT

The purpose of this report is for Council to reconsider options for the open park area, including the playground, at the entrance to Conara township.

2 INTRODUCTION/BACKGROUND

From a report on 16 March 2020, it was evident that the majority of Conara residents surveyed about options for future playground relocation/upgrades wished to retain the existing open park area and would object to the decommissioning of the current Conara Park site on the entrance to their town.

The report said that based on the feedback received in the community survey it is recommended:

- Council does not proceed with the proposed park on the corner of Panec Street and Conara Road;
- Council advises the Department of State Growth:
 - It does not agree to the removal of the existing playground; and
 - It does not agree to the decommissioning of the existing park site.

Council may wish to reconsider the original proposal of the Department of State Growth to upgrade the existing park area and have that land transferred to Council to maintain.

At the 18 May 2020 the matter was further considered by Council and it was resolved as follows:

Cr Polley/Cr Brooks

That no further action be taken on this matter.

Carried unanimously

Recently Michael Ince, Senior Project Officer for State Roads Property Assets contacted Council to enquire if Council was interested in accepting for community purposes:

- ownership/control of the total open area of the Conara Park site, or
- a portion of the land in question to at least accommodate the playground area in its current or in a new location of the Conara Park reserve.

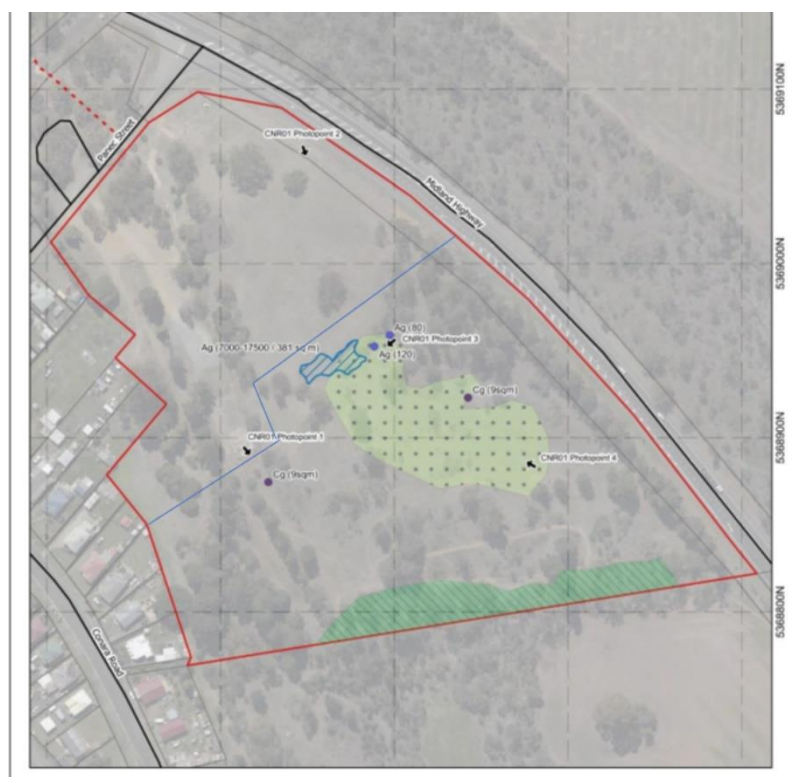
Officers met onsite and it was evident that Council used the park for the town signage, a well maintained playground and carpark facility.

State Growth used the site as a temporary storage site for roadworks equipment and materials.

Should Council take control of the park area it could be fenced off to stop vehicular access and only allow parking adjacent to the road, a tree planting program introduced, improved foot access to playground, and the whole park would need to be mowed and maintained at least 6 -10 times per annum.

Should Council consider in the future a public toilet was needed at the park a similar structure to Campbell Town would need to be constructed and maintained.

The site plan below depicts the area of the land bounded west of the blue line which is available to Council, the balance of land will be retained by the Department for conservation values.



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

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

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

Place: Nurture our heritage environment

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

Strategic outcomes:

- 4.3 Eco-tourism strongly showcases our natural beauties

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)

5.1 Recreation - Conara Park Upgrade:

Council seeks funding to upgrade the existing Conara Park site (currently owned by the Department of State Growth but proposed for decommissioning).

4 POLICY IMPLICATIONS

Not applicable.

5 STATUTORY REQUIREMENTS

Not applicable.

6 FINANCIAL IMPLICATIONS

Indicative cost to maintain the existing playground and surrounding land \$5,000 per annum.

A budget allocation has not been set for the redevelopment of the park site and would need to be programmed through the 2024/25 budget process.

7 RISK ISSUES

The majority of survey responses are supportive of retaining the existing park area, there is a risk of community backlash if the playground was removed.

If Council accepts the transfer of the Conara Park site, there is a risk that there may be an expectation that the public



toilet facilities will be replaced.

8 CONSULTATION WITH STATE GOVERNMENT

Council has been working with the Department of State Growth throughout the process.

9 COMMUNITY CONSULTATION

Community consultation occurred through the community survey.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council has the option to accept the ownership and control of the State Growth land known as Conara Park for community purposes and consider an improvement plan in future budget deliberations.

Or alternatively, to advise the Department of State Growth it only requires a licence for the existing Playground area of the Conara Park.

11 OFFICER'S COMMENTS/CONCLUSION

The Conara Park is the entrance to the township and needs to be maintained in an appropriate standard which would be easier under Councils control.

There is a risk that State Growth could in the future remove access to the area if at least Council do not accept a licence to the playground area.

If Council was to accept control of the site a number of scenarios could be considered further including:

- Assistance from State Growth to clean up the area
- Create a car park adjacent to the existing road, removing access to park for large vehicles
- Create a long-term landscaping and tree planting program for the area.

Direction is sought from Council.

12 ATTACHMENTS

1. Conara Park - Proposed site plan options [15.2.1 - 3 pages]



15.3 OLD BRIDGE ROAD RESERVE TRANSFER PROPOSAL

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

MINUTE NO. 23/0466

DECISION

Cr Adams/Cr Goss

That Council accept the ownership and control of the State Growth land known as rear gardens of residential properties along the southern side of Old Bridge Road at Perth.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

RECOMMENDATION

That Council accept the ownership and control of the State Growth land known as rear gardens of residential properties along the southern side of Old Bridge Road at Perth.

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider taking ownership from State Growth for the sections of land used by property owners along the southern side of Old Bridge Road at Perth for an extension to their gardens.

2 INTRODUCTION/BACKGROUND

Recently Michael Ince, Senior Project Officer for State Roads Property Assets contacted Council regarding the sections of land used by property owners along the southern side of Old Bridge Road and advised that the adjoining residents have occupied the Crown land for gardening under a Crown land licence to Mr Shephard (12 Old Bridge Rd) for many years. He advised that Mr Shephard and a neighbour contacted him several weeks ago and were in favour of the land being transferred to Council.

Officers met onsite and it was evident that some residents of Old Bridge Road used the land directly behind their title for gardens and/or a passive recreation area.

Should Council take control of the this land a licence would need to be arranged with each individual owner for the life of their occupation and then transferred back to Council for extension of the road reserve area.

In the future this area would be ideal for a pathway to the river reserve from the Perth Main Street.

The site plan below depicts the area of the land bounded by the property owners in Old Bridge Road and the Council maintained road reserve.



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

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.3 Public assets meet future lifestyle challenges

3.2 Integrated Priority Projects Plan 2021

Not applicable.

4 POLICY IMPLICATIONS

Not applicable.

5 STATUTORY REQUIREMENTS

Not applicable.



6 FINANCIAL IMPLICATIONS

There would be a cost to maintain a licence on each section of land used by the property owners.

7 RISK ISSUES

The majority of residents would want to retain a licence to use the land, however in time there could be a mixture of those that do wish to continue to use the land and those that do not.

8 CONSULTATION WITH STATE GOVERNMENT

Council has been working with the Department of State Growth throughout the process.

9 COMMUNITY CONSULTATION

Community consultation occurred through State Growth.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council has the option to accept or not accept the ownership and control of the State Growth land known as the rear gardens of residents along the southern side of Old Bridge Road at Perth.

11 OFFICER'S COMMENTS/CONCLUSION

This has been an ongoing issue for many years with State Growth not being prepared to subdivide and sell the subject land to the residents.

Should the Council accept responsibility for the land it cannot subdivide and sell the land to the residents under the transfer agreement, but would need to licence the land to the property owners, or take back the land over a period of time for public open space.

Direction is sought from Council.

12 ATTACHMENTS

Nil



15.4 LATE ITEM: SES REQUEST FOR TRANSFER OF OWNERSHIP OF ASSET

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

MINUTE NO. 23/0467

DECISION

Cr Brooks/Cr Adams

That Council approve the transfer of the Campbell Town SES Unit F26 to the State Emergency Service (SES) subject to the following conditions:

- i) the Unit is loaned to Bruny Island SES service for a maximum period of 24 months;
- ii) the Unit is then located in the northern area and ownership is retained by the SES Northern Region.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

RECOMMENDATION

That Council approve the transfer of the Campbell Town SES Unit F26 to the State Emergency Service (SES) subject to the following conditions:

- i) the Unit is loaned to Bruny Island SES service for a maximum period of 24 months;
- ii) the Unit is then located in the northern area and ownership is retained by the SES Northern Region.

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider a request from the State Emergency Service (SES) to transfer ownership of the 1997 Mazda Eunox known as Unit 26 (the Unit) to the SES Northern Region, after the Campbell Town SES receiving a brand new 7.5t Heavy Rescue Truck by the end of the year.

2 INTRODUCTION/BACKGROUND

Council officers have recently been engaged in discussions with the Regional Manager of the Northern Region SES in relation to the request to transfer the older Unit to the State Emergency Service's Northern Region.

Consequently, a formal request has now been received from the SES in relation to the proposal, which includes transferring the unit and registration, then the subsequent loan of the Unit to Bruny Island to assist the Bruny SES Unit as they currently have a vehicle carrying capacity issue. The SES have proposed that the Unit would remain on Bruny Island until such time as they are able to find an alternate solution at which time it would be returned to the Northern Region and be used as spare RCR truck servicing all Northern Units.

In correspondence received from the Regional Manager – North, he advises:

... the northern midlands unit will be receiving a brand new 7.5t Heavy Rescue Truck in the weeks, possibly by the end of this year. When I met with yourself and the General Manager earlier this year and raised the issue of the current truck they have, it was mentioned that the Council had no interest holding onto the vehicle and would be guided by the SES including the local Northern Midlands Unit what happens with the vehicle.



I have spoken to the NW Unit Manager on what he would like to do with the vehicle, he said he would like to see a return of some description to the unit, due to the unit partially putting money towards the truck, and improvements made to the truck since they have had it. I then proposed that if the SES was to purchase all new battery operated RCR tools at a cost of 70k, as well as provided a range of brand new battery operated hand tools and some other equipment valued at 10k, would he accept this equipment for his new truck as a return of what the Unit has spent on the truck over the years. The Unit Manager took the proposal to the Unit and they all agreed they would be happy with the arrangement.

I would like to propose to Council, that the current Northern Midlands truck is handed over to the SES Northern Region where it will be placed on G Plates, we would then send the truck over to Bruny Island to assist the Bruny SES Unit, as they currently have a vehicle carrying capacity issue, it would remain on Bruny Island until their issues are sorted, where it will then be returned to the Northern Region and be used as spare RCR truck servicing all Northern Units.

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

Council currently owns the Campbell Town SES Unit and responsible for maintenance of the vehicle.

Under the new arrangement SES will own and maintain the vehicles.

5 STATUTORY REQUIREMENTS

State Emergency Services Act and Local Government Act.

6 FINANCIAL IMPLICATIONS

The purchase price of the Unit was \$22,180 plus the cost of the expensive fitout/emergency equipment; it has considerable value to the community thus the condition that it remain in the SES Northern Region is reasonable.

7 RISK ISSUES

The following risks have been identified:

- the Unit may be damaged whilst in service on Bruny Island;
- the Unit will not be required ongoing by the SES Northern Region;
- Volunteer SES unit member numbers not available to maintain the service at Campbell Town.



8 CONSULTATION WITH STATE GOVERNMENT

Council Officers have engaged in discussion with the SES which has resulted in the request to Council.

9 COMMUNITY CONSULTATION

The local SES Unit at Campbell Town have been consulted and happy to receive an updated unit.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can

- agree to the transfer with no conditions;
- agree to the transfer with the suggested conditions;
- agree to the transfer with additional or alternate conditions; or
- not agree to the transfer.

11 OFFICER'S COMMENTS/CONCLUSION

Whilst the actual dollar value of the Unit is not significant it has significant community service value to our region and the transfer should not be taken lightly, it is therefore recommended that the Unit be transferred to the SES with specific conditions relating to the transfer to be agreed.

12 ATTACHMENTS

Nil



16 WORKS REPORTS

16.1 STORMWATER QUALITY MANAGEMENT POLICY

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

MINUTE NO. 23/0468

DECISION

Cr Adams/Cr Archer

That Council adopt the Stormwater Quality Management Policy.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

RECOMMENDATION

That Council adopt the Stormwater Quality Management Policy.

1 PURPOSE OF REPORT

Provision of the Stormwater Quality Management Policy for adoption by Council.

2 INTRODUCTION/BACKGROUND

Stormwater generated in urban areas usually contains litter and other gross pollutants, sediment, bacteria, hydrocarbons, nutrients, heavy metals, and other pollutants. When contaminated stormwater drains to waterways it causes degradation to them. This degradation can occur at very low levels of urbanisation.

Stormwater quality management through Water Sensitive Urban Design (WSUD) is a way of designing urban areas and stormwater systems that helps to preserve natural systems and ecosystems, and improves water quality by reducing stormwater pollutant exports. WSUD can be applied at every scale from individual allotments to large subdivisions and commercial and industrial developments.

Effective stormwater quality management in urban areas benefits the whole community by improving water quality entering receiving environments and minimising the harm to waterways, estuaries, and ocean environments.

In Tasmania stormwater quality targets are outlined in the *State Stormwater Strategy 2010* and the *Tasmanian Stormwater Policy Guidance and Standards for Development 2021*. The proposed policy is in accordance with the targets and policies contained in these two documents.

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

Place: Nurture our heritage environment

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

Strategic outcomes:

4.2 Meet environmental challenges

3.2 Integrated Priority Projects Plan 2021

Not applicable.

4 POLICY IMPLICATIONS

The Stormwater Quality Management Policy will be used by Council and the public to inform how urban developments shall implement and integrate stormwater quality management infrastructure in order to achieve minimum stormwater quality targets.

The quality targets for stormwater discharges will generally be as follows, which are based on typical urban stormwater concentrations:

- 90% reduction in the average annual load of litter/gross pollutants; and
- 80% reduction in the average annual load of total suspended solids (TSS); and
- 45% reduction in the average annual load of total phosphorus (TP); and
- 45% reduction in the average annual load of total nitrogen (TN); and
- Visually free of hydrocarbons.

The policy will apply to all new urban development with the following exceptions:

1. A single dwelling on a single lot that will be connected to the existing public stormwater system;
2. Development creating new impervious area less than 500m²;
3. A subdivision creating new lots greater than 5000m² in area, and with new roads and footpaths less than 500m²;
4. Subdivisions which are solely for the purpose of creating road reserve, public open space, public infrastructure, littoral or riparian reserve or minor boundary adjustment

There may be instances where the stormwater quality requirements in residentially zoned land can be more effectively met, or partially met, outside the proposed development land parcel. At the discretion of Council, a developer contribution option may be implemented to ensure that the impacts on the community and environment from the development can still be mitigated whilst allowing development to proceed.

This contribution fee, which will be on a per lot or dwelling basis, will be registered on Council's official list of fees and charges.

5 STATUTORY REQUIREMENTS

5.1 Urban Drainage Act 2013

The *Urban Drainage Act 2013* (UDA) is the Act which provides for the management of urban drainage and stormwater systems and infrastructure in Tasmania. The Objectives of the Act are to:

- a) protect people and property by ensuring that stormwater services, infrastructure and planning are provided so as to minimise the risk of urban flooding due to stormwater flows; and
- b) provide for the safe, environmentally responsible, efficient, and sustainable provision of stormwater services in accordance with the objectives of the resource management and planning system of Tasmania as set out in Schedule 1.

Section 14 of the Act states that without General Managers consent a person must not build on or near existing



stormwater infrastructure:

14. Interference with public stormwater systems

- (1) A person must not, *without a general manager's consent*, cause or permit
- a) any works to be connected to a public stormwater system; or
 - b) the alteration or removal of, or interference with, a public stormwater system.

Interference or alteration with/of a public stormwater systems includes connections to a public stormwater system.

Section 18 of the Act states that property owners are not to discharge anything other than stormwater into the public stormwater system:

18. Discharge of matter into public stormwater system

- (1) A person must not discharge, or cause or permit to be discharged, anything other than stormwater into a public storm water system.

Therefore, Councils have the power to require developers and owners to acquire General Managers consent before connecting to any public stormwater system. Conditions, such as requirements for stormwater quality controls, may be placed upon the design and construction of the stormwater arrangements to ensure pollutants are not discharged into the public stormwater system. The General Manager can withhold consent to connect until these conditions are met.

6 FINANCIAL IMPLICATIONS

Under this policy new subdivisions creating new impervious surfaces of 500m² or more will require WSUD infrastructure to be installed. This infrastructure will often be installed for adoption by Council as part of the public stormwater system. Such infrastructure will require ongoing maintenance.

Contributions may be paid, at the discretion of Council, in lieu of the installation of WSUD for some residential development. Accrued contributions will need to be set aside for use by Council in providing stormwater quality infrastructure. An initial contribution rate of \$2000 per lot or dwelling is recommended and, if adopted, should be listed on the 2023/2024 fees and charges schedule.

7 RISK ISSUES

- Failure of Council to manage stormwater quality increases the risks of environmental harm and reduction to the amenity of natural waterways.
- Council has a duty to prevent or control pollution entering waterways from the public stormwater system under both the *Environmental Management and Pollutant Control Act 1994* and the *Urban Drainage Act 2013*. This policy will help Council meet its obligations.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may choose to adopt or not adopt the Stormwater Quality Management Policy.



11 OFFICER'S COMMENTS/CONCLUSION

Adoption of the policy will be the most efficient and effective means of controlling stormwater quality generated by new developments, and is in accordance with the recommendations contained in the *State Stormwater Strategy 2010* and *Tasmanian Stormwater Policy Guidance and Standards for Development 2021*.

12 ATTACHMENTS

1. NMC Stormwater Quality Management Final draft [**16.1.1** - 4 pages]



16.2 PROPOSED PRIVATE PUMPED STORMWATER CONNECTION POLICY

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

MINUTE NO. 23/0469

DECISION

Cr Goss/Cr Adams

That Council adopt the Pumped Stormwater Connection Policy

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

RECOMMENDATION

That Council adopt the Pumped Stormwater Connection Policy

1 PURPOSE OF REPORT

Provision of the Pumped Stormwater Connection Policy for adoption

2 INTRODUCTION/BACKGROUND

Pumped stormwater systems must be actively maintained to ensure they are working properly. This contrasts with gravity systems which generally have very low maintenance requirements and do not require ongoing management or expense to operate. In the event of failure pumped systems are much more likely to cause a nuisance than gravity systems, as they are often utilised when a site is falling away from public infrastructure towards other private properties, or when the ground is flat or within a localised hollow. Failure is more likely due to need a power source, and noise issues can arise from poorly maintained systems.

Failure of existing pumped systems has resulted in calls to Council in order to remedy the problem, despite them being privately owned. Some of Council's urban areas, in particular parts of Perth and Longford are very flat with limited connectivity to underground public stormwater infrastructure. Infill development in these areas, and the impetus for the construction of more multi-dwelling development will result in an increased reliance on private pumped systems.

Pumped systems can also be a preferable option for developers who are unwilling to install new gravity stormwater systems for Council's adoption, and for developers who are unable to negotiate with private owners where an easement is required to allow for such systems.

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

Place: Nurture our heritage environment

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

Strategic outcomes:

4.2 Meet environmental challenges

3.2 Integrated Priority Projects Plan 2021

Not applicable.

4 POLICY IMPLICATIONS

The Pumped Stormwater Connection Policy will be used by Council and the general public to inform how urban residential developments can make connections to Council's stormwater infrastructure. Under this policy urban residential developments will not will not be permitted to connect to Council's urban stormwater infrastructure via a private pumped systems except for:

- Where the proposed drainage is for an existing or proposed single residential dwelling or a development where intensification of use (i.e., unit developments) is not proposed; or
- Where basement level pump-out systems for disposal of seepage water and runoff from incidental areas is required, e.g., basement or subsoil drainage pumps; or
- In special circumstances, where consent is given at the discretion of the General Manager.

In cases where pumped systems are allowed the policy sets out design and compliance requirements.

5 STATUTORY REQUIREMENTS

5.1 Urban Drainage Act 2013

The Act clearly defines the responsibility of Councils to manage stormwater quantity and development design, in order to minimise the risk of urban flooding and protect people and property. Section 14 of the Act states that:

(1) A person must not, *without a general manager's consent*, cause or permit

a) any works to be connected to a public stormwater system; or

b) the alteration or removal of, or interference with, a public stormwater system.

Interference or alteration with/of a public stormwater systems includes connections to a public stormwater system. Therefore, Councils have the power to require developers and owners to acquire General Managers consent before connecting to any public stormwater system, and conditions may be placed upon the design and construction of the stormwater arrangements. The General Manager can also withhold consent to connect until the preconditions are met.

6 FINANCIAL IMPLICATIONS

None if Council adopt the policy.

7 RISK ISSUES

An increased reliance on pumped systems results in an increased chance of failure, of flooding and nuisance affecting the owner, neighbouring properties, and public infrastructure. The potential for noise nuisance will also increase, especially within multiple dwelling developments.

8 CONSULTATION WITH STATE GOVERNMENT

N/A



9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may choose to adopt or not adopt the Pumped Stormwater Connection Policy. Alternatives to adopting the policy and restricting pump stormwater connections is to permit them and:

- (1) Continue to deal with private failures and nuisance on a case by case basis, and issue corrective notices when a nuisance has occurred under Section 23 of the Urban Drainage Act 2013. If the owner fails to rectify the problem Council have powers to undertake the work with the costs borne by the property owner; and/or
- (2) Ensure that there is sufficient capacity for a Compliance Officer to routinely inspect and ensure the compliance of private pumped systems.

11 OFFICER'S COMMENTS/CONCLUSION

Adoption of the policy will be the most efficient and effective means of controlling urban residential pumped systems, however it will limit development where there is limited public stormwater infrastructure, or where the lands is flat or falling away from existing stormwater infrastructure.

12 ATTACHMENTS

1. NMC Pumped Stormwater Disposal Policy Final draft [16.2.1 - 3 pages]



17 ITEMS FOR THE CLOSED MEETING

MINUTE NO. 23/0470

DECISION

Deputy Mayor Lambert/Cr Adams

That Council move into the "Closed Meeting" with the General Manager, Corporate Services Manager, Works Manager, Executive Officer and Executive Assistant to discuss Closed Council Items.

Carried Unanimously

RECOMMENDATION

That Council move into the "Closed Meeting" with the General Manager, Corporate Services Manager, Works Manager, 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	15(2)(f)
Land Acquisition/Purchase	15(2)(f)
Personal Matter	15(2)(g)
Legal Matter	15(2)(i)
Commercial Matter	15(2)(b)
Contractual Matter	15(2)(d) & (g)
Contractual Matter	15(2)(d) & (g)
Personal Matter	15(2)(g)
Land Acquisition/Purchase	15(2)(f)
Lease	15(2)(d)
Personnel Matter	15(2)(a)

Local Government (Meeting Procedures) Regulations 2015 - Part 2 - Meetings

- (a) *personnel matters, including complaints against an employee of the council and industrial relations matters;*
- (b) *information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business;*
- (c) *commercial information of a confidential nature that, if disclosed, is likely to -*
 - (i) *prejudice the commercial position of the person who supplied it; or*
 - (ii) *confer a commercial advantage on a competitor of the council; or*
 - (iii) *reveal a trade secret.*
- (d) *contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;*
- (e) *the security of -*
 - (i) *the council, councillors and council staff; or*
 - (ii) *the property of the council.*
- (f) *proposals for the council to acquire land or an interest in land or for the disposal of land;*
- (g) *information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;*
- (h) *applications by councillors for a leave of absence;*
- (i) *matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) *the personal hardship of any person who is a resident in, or is a ratepayer in, the relevant municipal area.*



17.1 CLOSED COUNCIL DECISIONS RELEASED

4.1 ADOPTION AND RELEASE OF DEVON HILLS STORMWATER SYSTEM FLOOD AND RISK ASSESSMENT

Councillors Lambert and Terrett declared an interest in item 4.1 and left the meeting at 7.54pm.

MINUTE NO. 23/0474

DECISION

Cr Goss/Cr Adams

That Council

- a) adopt and release the Stormwater System Flood and Risk Assessment for Devon Hills produced by Hydrodynamica;
- 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:

Mayor Knowles, Cr Adams, Cr Archer, Cr Brooks and Cr Goss

Voting Against the Motion:

Nil

Councillors Lambert and Terrett returned to the meeting at 7.56pm.

4.2 ASSIGNMENT OF LICENCE AGREEMENT: LONGFORD DISTRICTS LITTLE ATHLETICS TO NORTHERN MIDLANDS LITTLE ATHLETICS CENTRE

MINUTE NO. 23/0475

DECISION

Cr Adams/Deputy Mayor Lambert

That Council

- a) approve the Deed of Assignment of Licence Agreement from Longford Districts Little Athletics to Northern Midlands Little Athletics Centre Inc, effective 15 September 2022 (being the date of incorporation of Northern Midlands Little Athletics Centre Inc).
- b) authorises the General Manager to negotiate and finalise the final terms of the Deed of Assignment of Licence.
- c) 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 Adams, Cr Archer, Cr Brooks, Cr Goss and Cr Terrett

Voting Against the Motion:

Nil



18 CLOSURE

MINUTE NO. 23/0481

DECISION

Cr Adams/Cr Archer

That Council move out of the "Closed Meeting".

Carried Unanimously

Mayor Knowles closed the meeting at 8.24pm.

MAYOR _____ DATE _____