



**NORTHERN  
MIDLANDS  
COUNCIL**

# **MINUTES**

**Ordinary Meeting of Council**

**Monday, 19 October 2015**

# MINUTES – ORDINARY MEETING

19 OCTOBER 2015



MINUTES OF THE MEETING OF THE NORTHERN MIDLANDS COUNCIL HELD AT THE COUNCIL CHAMBERS, LONGFORD AT 5.06PM ON MONDAY, 19 OCTOBER 2015

## 284/15 ATTENDANCE

### 1 PRESENT

Mayor Downie, Deputy Mayor Goss, Cr Adams, Cr Calvert, Cr Goninon, Cr Gordon, Cr Knowles, Cr Lambert, Cr Polley AM, Mr Jennings – General Manager, Mr Chellis – Works & Infrastructure Manager, Miss Bricknell – Corporate Services Manager, Mr Payton – Planning & Development Manager (from 6.10pm), Ms Green – Economic & Community Development Manager (to 6.02pm), Mr Godier – Senior Planner (to 7.40pm), Miss Mason (to 6.02pm), Mrs Eacher – Executive Assistant

### 2 APOLOGIES

Nil

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## 286/15 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

Section 8 sub clause (7) of the *Local Government (Meeting Procedures) 2005* require that the Chairperson is to request Councillors to indicate whether they have, or are likely to have a pecuniary interest in any item on the Agenda.

Council **RESOLVED** to accept the following declarations of interest:

Cr Calvert

PLAN 7

## 287/15 CONFIRMATION OF MINUTES

### 1 ORDINARY COUNCIL MEETING – 21 SEPTEMBER 2015

#### DECISION

Cr Goss/Cr Adams

The Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 21 September 2015, be confirmed as a true record of proceedings.

Carried unanimously

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## 2 CONFIRMATION OF MINUTES OF COMMITTEES

Minutes of meetings of the following Committees were circulated in the Attachments:

	Date	Committee	Meeting
i)	01/09/2015	Evandale Community Centre and Memorial Hall Management Committee	AGM
ii)	01/09/2015	Evandale Community Centre and Memorial Hall Management Committee	Ordinary
iii)	09/09/2015	Morven Park Management and Development Association Inc.	Ordinary
iv)	24/09/2015	Avoca, Royal George and Rossarden Local District Committee	Ordinary
v)	30/09/2015	Cressy Local District Committee	Ordinary
vi)	05/10/2015	Northern Midlands Economic Development Committee	Ordinary
vii)	06/10/2015	Campbell Town District Forum	Ordinary
viii)	06/10/2015	Perth Local District Committee	Ordinary
ix)	06/10/2015	Evandale Advisory Committee	Ordinary
x)	07/10/2015	Ross Local District Committee	Ordinary
xi)	07/10/2015	Longford Local District Committee	Ordinary

## DECISION

**Cr Knowles/Cr Lambert**

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

Carried unanimously

## 3 RECOMMENDATIONS OF SUB COMMITTEES

That Council note the following recommendation/s of Committees:

Meeting Date	Committee	Recommendation
05/10/2015	Northern Midlands Economic Development Committee	That Council make further representation to TasGas with regard to bringing gas to TRANSlink.'
		That Council facilitate a workshop with interested rural practitioners in February 2016 focussing on branding product and the berry industry - with workshop presenters proposed as Driscolls senior management, Rabobank, TCCI, KPMG, Brand Tasmania, State Growth.
		That Council undertake an assessment of itinerant workers' accommodation in the Northern Midlands.
		That Council undertake a cost-benefit analysis of the Meander Valley Council Development Officer position and investigate the option of resource sharing the officer position (or having a Northern Midlands Council officer serve an apprenticeship with the Development Officer'
		That council collaborate with the National Trust to develop a Heritage Plan for the Northern Midlands that articulates opportunities, interactions and initiatives for promoting heritage tourism in the Northern Midlands.
		That representatives of Woolmers and Brickendon be invited to meet with Council to discuss opportunities to collaborate on the proposed Open Doors Program; and that NMEDC funds be allocated to this project.
		That NMEDC funds be allocated to the development of business databases by towns/precincts including street address, mailing address, email and business descriptor.
		That Council continue to seek solutions for the recycling of the 75% of the tyre stockpile that the proposed tyre recycling facility will not address.'
06/10/2015	Perth Local District Committee	That Council investigate a strategy, in consultation with other agencies (e.g. Crown Lands and Department of State Growth), to clean-up and make safe the river precinct between the end of Arthur Street and the commencement of Mill Road.
06/10/2015	Campbell Town District Forum	That the signs for the museum are re-hung so they are more visible for passing cars.

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Meeting Date	Committee	Recommendation
		That council investigates Blackburn Park's suitability for free overnight camping for self contained vehicles and opportunities for relocation.
		That Council investigate installation of BBQs in Valentine Park.
07/10/2015	Ross Local District Committee	That the Badajos Street and Boulevard railway crossings be widened to allow for traffic to pass simultaneously.

In the attached minutes of sub committees, no new recommendations have been noted as being for Council's consideration.

**NOTE:** Matters already considered by Council at previous meetings have been incorporated into INFO 15: Officer's Action Items.

## DECISION

### Cr Knowles/Cr Adams

That Council **note and investigate** the following recommendations of the **Northern Midlands Economic Development Committee**:

1. That Council make further representation to TasGas with regard to bringing gas to TRANSlink.
2. That Council facilitate a workshop with interested rural practitioners in February 2016 focussing on branding product and the berry industry - with workshop presenters proposed as Driscolls senior management, Rabobank, TCCI, KPMG, Brand Tasmania, State Growth
3. That Council undertake an assessment of itinerant workers' accommodation in the Northern Midlands
4. That Council undertake a cost-benefit analysis of the Meander Valley Council Development Officer position and investigate the option of resource sharing the officer position (or having a Northern Midlands Council officer serve an apprenticeship with the Development Officer).
5. That council collaborate with the National Trust to develop a Heritage Plan for the Northern Midlands that articulates opportunities, interactions and initiatives for promoting heritage tourism in the Northern Midlands.
6. That representatives of Woolmers and Brickendon be invited to meet with Council to discuss opportunities to collaborate on the proposed Open Doors Program; and that NMEDC funds be allocated to this project.
7. That NMEDC funds be allocated to the development of business databases by towns/precincts including street address, mailing address, email and business descriptor.
8. That Council continue to seek solutions for the recycling of the 75% of the tyre stockpile that the proposed tyre recycling facility will not address.

Carried unanimously

### Cr Goss/Cr Knowles

- A) That Council **note and investigate** the following recommendation of the **Ross Local District Committee**:

*That the Badajos Street and Boulevard railway crossings be widened to allow for traffic to pass simultaneously.*

- B) That Council **note and investigate** the following recommendation of the **Campbell Town District Forum**:

1. That the signs for the museum are re-hung so they are more visible for passing cars.
2. That council investigates Blackburn Park's suitability for free overnight camping for self contained vehicles and opportunities for relocation.
3. That Council investigate installation of BBQs in Valentine Park.

- C) That Council **note and investigate** the following recommendation of the **Perth Local District Committee**:

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*That Council investigate a strategy, in consultation with other agencies (e.g. Crown Lands and Department of State Growth), to clean-up and make safe the river precinct between the end of Arthur Street and the commencement of Mill Road.*

Carried unanimously

## 288/15 DATE OF NEXT COUNCIL MEETING 16 NOVEMBER 2015

Mayor Downie advised that the next Ordinary Council Meeting would be held on Monday, 16 November 2015, at the Northern Midlands Council Chambers at Longford to commence at 5.00pm.

## 289/15 INFORMATION ITEMS

### 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 since the last Council meeting.

Date Held	Purpose of Workshop
05/10/2015	<b>Council Workshop</b> <ul style="list-style-type: none"> <li>Findings on Wood Heater Education</li> <li>Longford Criterium: 5 December 2015</li> <li>Cox Plate – The Cleaner</li> <li>Australian Sculpture-Gifting to Nagasaki Peace Park</li> <li>End of Year Functions: Local District Committees and Councillors</li> <li>Strategic Plan Review</li> <li>Macquarie Road Reconstruction</li> <li>TRANSlink</li> <li>Public Relations Consultancy</li> <li>Campbell Town Recreation Ground</li> <li>Council offices &amp; staffing</li> <li>Tyre Recycling Update</li> <li>Midland Highway upgrade</li> <li>Heritage Highway Funding</li> <li>Delegations</li> </ul>
19/10/2015	<b>Council Workshop</b> <ul style="list-style-type: none"> <li>prior to Council meeting</li> </ul>

### 2 MAYOR'S COMMUNICATIONS

Mayor Downie's Communications for the period 21 September 2015 to 19 October 2015 are as follows:

Date	Activity
21 September 2015	Attended dinner welcoming China Trade Delegation
22 September 2015	Attended China Trade Delegation Sub-Forum
23 September 2015	Attended China Delegation ....., Melbourne
24 September 2015	Attended Northern Tasmania Development Annual General Meeting
26 September 2015	Attended Spirit of ANZAC Centenary Exhibition
5 October 2015	Attended Flourish Mental Health Awareness Event, Campbell Town
5 October 2015	Attended Northern Midlands Council Workshop
6 October 2015	Attended Campbell Town District Forum
7 October 2015	Attended Launch of Woolmers Festival of Roses 2015
7 October 2015	Attended the Launceston Airport Annual Report presentation, Launceston
13 October 2015	Attended meeting with TasWater re Lake Leake levels, Longford
14 October 2015	Attended Council workshop
16 October 2015	Attended Welcome evening for Psychs on Bikes, Longford



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Date	Activity
17 October 2015	Attended the Eskleigh Home Annual General Meeting, Perth
19 October 2015	Attended Northern Midlands Council workshop and ordinary meeting
Attended to numerous email, phone, media and mail inquiries.	

### 3 PETITION

#### 1 PURPOSE OF REPORT

In accordance with the Vision, Mission and Values of Council as identified in the *Council's Strategic Plan 2007-2017* and the *Local Government Act 1993*, S57 – S60, provision is made for Council to receive petitions tabled at the Council Meeting.

#### 2 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

- (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
  - (b) a heading on each page indicating the subject matter; and
  - (c) 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) the full printed name, address and signature of the person lodging the petition at the end of the petition.

##### 58. Tabling petition

- (1) A councillor who has been presented with a petition is to –
  - (a) table the petition at the next ordinary meeting of the council; or
  - (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.

#### 3 PETITIONS RECEIVED

Nil.

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

#### 1 PURPOSE OF REPORT

To provide an opportunity for Councillors and the General Manager to report on their attendance at recent conferences/seminars.

In accordance with Council's Strategic Plan 2007-2017 (2012/13 Revision), Part 1 – Governance, the core functions are:

- Support Council with governance advice and effective leadership, review and implement organisational values through day to day operations, effective communication, community consultation and advocacy, issues identification, strategic and corporate planning, annual reports, public and private resource sharing, induction of elected members, provision of legal advice, human resources management and liaise with representative bodies.
- Support Council with sound financial advice and management, and generate funds without burdening the community. Rates administration, budgeting and reporting, debt collection, taxation, asset registers and depreciation, receipts and payments, wages and salaries, loans and investments, records management, information technology, and customer service.

#### 2 CONFERENCES AND SEMINARS

Nil



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## 5 WORKS & INFRASTRUCTURE REPORT

The Works & Infrastructure Report for the period to 6 October 2015 was circulated in the Attachments.

## 6 BUILDING APPROVALS

The following table provides a comparison of the number and total value of building works for 2014 and 2015:

	YEAR - 2014				YEAR - 2015			
	SEPTEMBER		JAN – SEP		SEPTEMBER		JAN –SEP	
	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$
New Dwellings	8	2,845,955	56	13,041,405	5	2,384,487	69	16,782,824
Dwelling Additions	2	40,300	16	611,405	7	428,000	25	1,723,043
Garage/Sheds & Additions	10	112,423	59	1,224,125	5	59,642	55	1,990,924
Commercial	2	1,350,000	23	8,923,256	2	70,000	9	622,100
Other (Signs)	-	-	-	-	-	-	-	-
Swimming Pools	-	-	-	-	-	-	-	-
Minor Works	-	-	4	10,600	2	4,500	21	58,190
Building Certificates	-	-	19	62,080	1	1,860	6	12,561
Amended Permits	1	-	8	-	-	-	-	-
<b>TOTAL</b>	<b>23</b>	<b>4,348,678</b>	<b>185</b>	<b>23,872,871</b>	<b>22</b>	<b>2,948,489</b>	<b>185</b>	<b>21,272,188</b>

Figures do not include Building Approvals processed under the Resource Sharing Agreements.

## 7 DEVELOPMENT APPLICATIONS

Planning decisions in September 2015:

Total Approved:	22	Total Refused:	0
Total Permitted:	4	Total Discretionary:	14
Average Days for Permitted	16	Average Days for Discretionary:	36
Days allowed for approval by LUPAA	28	Days allowed for approval under LUPAA:	42
Total Exempt under IPS:	4	Strata Plans Approved:	2
Total Withdrawn:	0		

Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
P15-029	Dwelling & garage	51 Montagu Street, Campbell Town	T & V Faithful	0	E
P15-057	Change of use to B&B (retrospective), verandah (retrospective), solar panels on steel frame & sign (heritage-listed place in heritage precinct)	21 Church Street, Ross	6ty Degrees (obo Hyam)	35	D
P15-165	Multiple dwellings x 4 at the rear of existing dwelling (vary rear setback & visitor parking), tree removal & shed demolition	27 Lewis Street, Longford	Porky & Co	35	D
P15-168	Visitor accommodation (retrospective)	32 Logan Road, Evandale	Pieter C & Sarah N Roelofs	25	D
P15-180	Dwelling extension (vary rear setback) (retrospective)	14 Longford Close, Longford	J & E Boyes	40	D
P15-185	Change of use from a shed to dwelling; & addition	1123 Liffey Road, Liffey	M J & C K Little	42	D
P15-192	01: Change of use of Leather Bottle Inn to residential, carport (6.2m x 6m), carport removal, skylight, solar panels, fence	55 Main Road, Perth	Rebecca Green & Associates (obo Turner)	37	D
P15-192	02: 2-lot subdivision (heritage-listed place)	55 Main Road, Perth	Rebecca Green & Associates (obo Turner)	37	D
P15-210	Dwelling (vary setbacks on internal lot)	3 Shervan Court, Perth	M E & K R Stone	21	D
P15-211	Garage (12m x 7.5m) - oversize outbuilding	60 Mulgrave Street, Perth	S A Thomson	49	D
P15-216	Ancillary apartment & replacement garage (vary rear setback to 600mm) (attenuation distance)	1 Burghley Street, Longford	N Sullivan	63	D
P15-221	Remove tree, install flagpole and uplights	13 Smith Street, Longford	Northern Midlands Council	20	D

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Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
	(heritage precinct)				
P15-223	Dwelling (vary rear setback), 15m x 6m shed (vary front setback) & pool	57 Cromwell Street (lot 3), Perth	MR & AC Gadsby	42	D
P15-225	Shipping container (vary N&E setbacks)	359 Cressy Road, Longford	M J & F G Ricketts		D
P15-227	Use existing building and front garden as market business (heritage precinct)	58 Wellington Street, Longford	S L McCarthy	30	P
P15-229	Internal and external alterations	7a Wellington Street, Longford	Reimond Enterprises Pty Ltd	1	P
P15-238	Dwelling addition & garage (vary rear setback to 1.5m)	17 Norfolk Street, Perth	R A Barwick	28	D
P15-252	Dwelling (bushfire prone area)	314 Norwich Drive, Longford	Prime Design (obo Farrell & Taylor)	16	P
P15-261	Carport	3 Bond Street, Ross	T J Boote	0	E
P15-268	Slab for shed extension	17 Richard Street, Western Junction	M de Jong	18	P
P15-284	Pergola	47 Phillip Street, Perth	W F & D R Raymond	0	E
P15-290	Shed & demolition of carport	24a George Street, Perth	Prime Design	0	E
<b>COUNCIL DECISIONS</b>					
P15-230	Midland Highway, Perth to Breadalbane Duplication	Perth to Breadalbane	Dept of State Growth	33	D
<b>REFUSED</b>					
-					

## 8 MATTERS AWAITING DECISION BY TPC & RMPAT

<b>TPC</b>	<b>Tasmanian Planning Commission</b>
IPS	Northern Midlands Interim Planning Scheme 2013 – effective date 1.6.13. Report on representations sent to TPC. TPC held a meeting on 21 May 2015 with Council staff and representors to discuss representations to the Interim Scheme. Results of the meeting yet to be received. Planning Reform Taskforce established by State – the declared schemes will be used as a consistent platform for the transition to a single planning scheme.
	Gap Analysis
01/2015	Rural Living zone subdivision provisions – public exhibition completed 27.5.15, report to June meeting, sent to TPC. Clarification of Draft Amendment to be provided to TPC.
05/2015	Rezone from Community Purposes to Village – direction received from TPC to initiate by 27.11.15
<b>RMPAT</b>	<b>Resource Management &amp; Planning Appeals Tribunal</b>
P11-122	Section 64 order – earthworks at 18 Logan Road, Evandale adjourned pending outcome of planning application – amendment 04/2015 regarding zoning of access is in process.
<b>Decisions received</b>	
<b>TPC</b>	
04/2015	Amend General Residential zone re access to 18 Logan Road, Evandale –approved
<b>RMPAT</b>	
75/15P	P15-165 – Refusal of Multiple dwellings x 4, 27 Lewis St, Longford – teleconference held 7.9.15. Consent agreement sent to applicant.

## 9 USE OF COUNCIL SEAL: AUGUST 2015

0	Final plans of subdivision
0	Part 5 Agreements under <i>Land Use Planning &amp; Approvals Act</i>
0	Instruments of Approval for Planning Scheme Amendments
0	Draft Amendments to <i>Northern Midlands Planning Scheme 1995</i>
0	Management Agreements
2	Other Agreements/Documents

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## 10 132 & 337 CERTIFICATES ISSUED

	No. of Certificates Issued 2015/2016 year												Total
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	2014/2015
132	70	68	70										208
337	30	37	47										114

## 11 ANIMAL CONTROL: SEPTEMBER 2015

Item	Income/Issues 2014/2015		Income/Issues for September 2015		Income/Issues 2015/2016	
	No.	\$	No.	\$	No.	\$
Dogs Registered	3,801	88,126	750	24,739	3,405	79,356
Dogs Impounded	88	5,360	12	309	24	1,075
Euthanized	3	-	-	-	1	-
Re-claimed	73	-	10	-	20	-
Re-homed/To RSPCA	12	-	1	-	2	-
New Kennel Licences	8	518	4	272	4	272
Renewed Kennel Licences	62	2,480	(4)	(164)	62	2,542
Infringement Notices (paid in full)	35	5,307	4	564	4	564
Legal Action	-	-	-	-	-	-
Livestock Impounded	2	300	-	-	-	-
<b>TOTAL</b>		<b>102,091</b>		<b>36,565</b>		<b>83,809</b>

## 12 HEALTH ISSUES

### Immunisations

The *Public Health Act 1997* requires that Councils offer immunisations against a number of diseases. The following table will provide Council with details of the rate of immunisations provided through Schools. Monthly clinics are not offered by Council; however, parents are directed to their local General Practitioner who provides the service.

MONTH	2013/2014		2014/2015		2015/2016	
	Persons	Vaccination	Persons	Vaccination	Persons	Vaccination
July-September	32	32	65	68		
October-December	23	23	66	68		
January-March	-	-	-	-		
April-June	87	194	85	163		
<b>TOTAL</b>	<b>142</b>	<b>249</b>	<b>216</b>	<b>299</b>		

### Other Environmental Health Services

Determine acceptable and achievable levels of environmental and public health by ongoing monitoring, inspection, education and, where necessary, by applying corrective measures by mutual consent or application of legislation.

Ensure safe standards of food offered for sale are maintained.

Investigations/Inspections	2013/2014	2014/2015	2015/16
Notifiable Diseases	6	2	1
Inspection of Food Premises	126	118	16

Notifiable Disease investigations have been carried out by the Department of Health and Human Services from Hobart, with only significant outbreaks directed to Council to assist with investigations. However, due to the prompt and thorough investigating by Council Environmental Health Officers, the Department now directs more cases for Council to investigate.

Food premises are due for inspection from 1 July each year.

## 13 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Animal Control	3	-	2									
Building & Planning	6	1	4									
Community Services	-	-	-									

# MINUTES – ORDINARY MEETING

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Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Corporate Services	4	1	16									
Governance	-	-	-									
Waste	1	-	-									
Works (North)	48	40	18									
Works (South)	2	8	5									

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

Date	Recipient	Purpose	Amount \$
22-Jul-15	Campbell Town District High School	Chaplaincy	\$1,500
22-Jul-15	Campbell Town District High School	Inspiring Positive Futures Program	\$8,000
4-Aug-15	Rural Alive & Well	Donation	\$5,000
11-Aug-14	Helping Hand Associated	Donation	\$1,000
11-Aug-14	Longford Care-a-car	Donation	\$1,000
15-Sep-15	Cressy District High School	Inspiring Positive Futures Program	\$8,000
<b>Sporting Achievements</b>			
22-Jul-15	Mr Bailey Groves	28th Summer Universiade South Korea	\$120
22-Jul-15	Ms Teresa Morris	Aust Darts Championships WA	\$60
5-Aug-15	Miss Kara Zaporozec	Indoor Bias Bowls Championships 2015	\$60
5-Aug-15	Mr Simon Zaporozec	Indoor Bias Bowls Championships 2015	\$60
5-Aug-15	Mrs Julie Zaporozec	Indoor Bias Bowls Championships 2015	\$60
5-Aug-15	Miss Kaitlyn Cawthen	Indoor Bias Bowls Championships 2015	\$60
5-Aug-15	Ms Narinda Cawthen	Indoor Bias Bowls Championships 2015	\$60
5-Aug-15	Mrs Helen Farrow	Indoor Bias Bowls Championships 2015	\$60
5-Aug-15	Miss Georgia Brown	2016 Aust Jamboree in Sydney - Cressy Scouts	\$60
11-Aug-15	Mr Chayce Jones	All Australian U15 Football Team	\$120
15-Sep-15	Ms Jenna Myers	Australian Club Championships - Weightlifting	\$60
15-Sep-15	Ms Alysha Verwey	Australian Equestrian Interschool Championships	\$60
30-Sep-15	Ms M Barron	2016 Womens Fast Pitch Softball Team	\$60
30-Sep-15	Mr C Barron	2016 Mens Fast Pitch Softball Team	\$60
<b>TOTAL DONATIONS</b>			<b>\$25,460</b>

## 15 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
21/09/2015	256/15	Funding Request From Targa Australia	That Council do not contribute to the 2016 Targa Tasmania, Longford Street Stage	Executive Officer	Complete.	
21/09/2015	271/15	Information Management Policy	That Council adopt the Information Management Policy	Executive Officer	Complete.	
21/09/2015	255/15	Membership: Local District Committees	That Council accept: i) Mr Anthony Morehouse as a member of the Longford Local District Committee for the balance of the current term, expiring on 30 June 2016. ii) Ms Noelene Carroll and Ms Helen McQuade as members of the Ross Local District Committee for the balance of the current term, expiring on 30 June 2016.	Executive Officer	Complete.	
21/09/2015	268/15	Northern Midlands Council Delegations Heavy Vehicle National Law (Tasmania) Act 2013	That Council adopt the attached Road Manager Delegation and add it to their delegations register.	Executive Officer / Engineering Officer	In progress.	

# MINUTES – ORDINARY MEETING

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
21/09/2015	254/14	Northern Midlands Council Local District Committees – Memorandum Of Understanding	That Council reject the proposed amendments to the Memorandum of Understanding made by the Campbell Town District Forum and Council officers reconfirm the commitment to provide support that may exceed 1.5 hours in instances such as where a guest is present at the meeting	Executive Officer	Complete.	
21/09/2015	270/15	Policy Review	That Council adopt the amendments to the following policies: Contractual insurance Policy, Investment of Council Funds Policy, Rural Refuse Collection Service Policy, Management of Donated Goods after a Disaster Policy, Fencing Reserves – Contribution Policy, Access to Residential Units Policy, Rates & Charges Policy, Audit Committee Policy.	Executive Officer	Complete.	
21/09/2015	253/14	Policy Review: Northern Midlands Council Meeting Procedures And Recording Of Meetings Policy	That Council adopt the changes to the Northern Midlands Council Meeting Procedures Policy, incorporating the previous Recording of Meetings Policy	Executive Officer	Complete.	
17/08/2015	212/15	Confirmation Of Minutes - Longford Local District Committee	That Council note and investigate the following recommendation of the Longford Local District Committee: That Council officers establish with State Growth permissible signage for the eastern and western approaches to Longford from Illawarra Road.	General Manager	Discussions ongoing with Department of State Growth.	
8/12/2014	329/14	Economic Development	That Council facilitate meetings with the local businesses in each of the towns to explore business opportunities and other matters of interest.	General Manager	To be progressed.	
22/06/2015	148/15	Information Items	That TasWater be requested to provide a water tank to the Conara community.	General Manager	Contact made with TasWater. TasWater to follow up the matter with Cr Gordon.	
16/02/2015	42/15	Launceston Airport And TRANSlink Precinct Master Plan Proposal	That: i) management continue to seek stakeholder support for the Launceston Gateway Precinct Master Plan. ii) Council support the recommendation to the Northern Tasmania Development (NTD), Local Government Committee to identify the project as being of regional and state significance, having links to the Regional Futures Plan. iii) an estimate of costs be identified for Council's consideration.	General Manager	Consultant appointed.	
21/09/2015	257/15	Local Government Reform	That i) the General Manager continue to participate in discussions with the councils to achieve a collaborative approach to the regional benchmarking project. ii) the fee offer from CT Managerial Group be noted and a decision on the matter be held in abeyance.	General Manager	Ongoing.	

# MINUTES – ORDINARY MEETING

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
21/09/2015	267/15	Perth Community Centre And Primary School Master Plan	That Council agrees to collaborate with the Perth Primary School to prepare an integrated master plan that would guide the future development of the Primary School, Community Centre, Sports Ground, Council's Perth Child Care Services and the surrounding road infrastructure, in consultation with all other relevant user groups	General Manager	Consultant appointed. Ongoing discussions with Perth Primary School.	
20/04/2015	94/15	Perth Town Structure Plan	That: i) Council supports the preparation of the Perth Town Structure Plan; ii) Council's Management seek external financial support for the preparation of the Plan; iii) Council's Management engage with the local businesses and the Perth Local District Committee to seek support for the process; and iv) a funding allocation is incorporated in the 2015/2016 Budget to progress the project.	General Manager	Discussion with State Growth continues. Brief prepared fee offers to be called.	
21/09/2015	265/15	Proposed By-Law: Animal Management	That management prepare, for Council's consideration, a draft Animal Management By-Law, inclusive of explanatory materials setting out what the by-law will cover and the impact it will have	General Manager	In progress.	
20/07/2015	186/15	Reconstruction of Assets - Macquarie Road, Campbell Town	That pursuant to section 39(7) of the <i>Local Government (Highways) Act 1982</i> ; Council resolves to require the occupier of the land situate and known as 'Rosedale' owned by Rosedale Rural Pty Ltd on which trees are growing on land adjoining Macquarie Road at Campbell Town, to remove each of the trees as identified in this report together with the plan attached to this resolution and described as follows: Situate adjacent to Road Asset number 774: i) The first section of trees commences 235 metres from Ashby Road (on the Campbell Town side) to 663 metres from Ashby Road, number of trees in this section is 101. ii) The second section of trees commences 798 metres from Ashby Road (on the Campbell Town side) to 877 metres from Ashby Road, number of trees in this section is 19. Council is of the opinion that it is desirable to remove the said trees to address the associated danger, obstruction and inconvenience to the users of Macquarie Road, Campbell Town. That the General Manager have discussions with land owners to determine whether an adequate resolution can be reached and if agreement cannot be reached Council revert back to 1) and 2) above.	General Manager	Report to closed council.	
21/09/2015	266/15	Stokes Park: Concept Plan	That i) management meet with Mr Stokes to discuss the concept plan. ii) management be authorised to seek community comment on the previously prepared concept plans for Stokes Park. iii) the comments received be used as a basis for amending the concept plans and then presented to Council at a Workshop. iv) the horse trail be considered as part of the concept plans.	General Manager	To be progressed.	

# MINUTES – ORDINARY MEETING

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
20/07/2015	192/15	Tasmania Trade Mission to China	That Council approach Northern Tasmania Development seeking consideration by the regional group to establish formal relationships with the cities in China to develop and maintain cultural and economic networks.	General Manager	Complete.	
20/07/2015	190/15	Tyre Recycling Facility Tour	1) That Council officers continue to assist to facilitate a sustainable waste tyre recycling option. 2) That Council officers investigate funding options that may be available through Tyre Stewardship and other funding sources.	General Manager	Council officers continue to assist proponents and raise the matter with State Growth officers. Matter to be considered at the Premier's local government committee meeting on 21/10.	
21/09/2015	259/15	Australian Bauxite: Request For Financial Assistance	That Council not contribute to the West Street upgrade and that Australian Bauxite honour their agreement with Council.	General Manager	Australian Bauxite advised of Council's decision.	
16/09/2013	226/13 (3)	Recommendations of Sub Committees - Natural Resource Management Committee	That Council investigate the feasibility of a trial of cat management activities in a local community in the Municipality with a view to test the effectiveness of cat control in reducing populations of feral and unrestrained cats. It is suggested that the investigation consider approaches used in the Bellingham area as a model for use in NMC.	NRM Officer / Planning & Development Manager	Awaiting outcome of State Government Cat Management Plan, due end 2015.	30-Dec-15
21/09/2015	273/15	Longford Led/Neon Signage	That the issue of large non-compliant signs be addressed and that a policy be developed in relation to the small compact signs.	Planning & Development Manager	Ongoing.	
13/10/2014	267/14	Policy Review: Policy 30 – Dog Management Policy	That Council endorse the proposed changes to Policy 30, as highlighted in the attached document, for public exhibition in accordance with s.7 of the Dog Control Act 2000.	Planning & Development Manager	To be advertised and letters to be sent to local kennel owners.	
21/09/2015	272/15	West Perth Stormwater Assessment	That Council 1) initiate ongoing discussion with the State Government and TasRail to fully investigate opportunities to fund the required upgrade of Youl Main Road and Drummond Street and their associated drainage culverts, including culverts under the railway line; and 2) concurrently investigate the introduction of a stormwater head-works levy.	Planning & Development Manager		
21/09/2015	258/15	ALGA National Local Roads And Transport Congress Attendance	It is recommended that Cr Polley be authorised to attend the 2015 ALGA National Local Roads and Transport Congress with Council meeting the normal cost of attendance	Executive Assistant	Registration complete.	
21/09/2015	250/15	Council's Disability Discrimination Access Action Plan	That Council appoint Councillor Cr Adams to the Northern Midlands Disability Discrimination Action Committee and endorse the membership, comprising Mr Dale Luttrell, Ms Jan Harvey, Mrs Karen Bell, name of Campbell Town resident with a disability to be advised) and Council's Manager Economic and Community Development, Manager Corporate Services or Unit delegate, and Manager Planning and Development or Unit delegate.	Economic & Community Dev. Manager	First committee meeting held 6/10, plan strategy developed.	



# MINUTES – ORDINARY MEETING

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
17/08/2015	232/15	Heart FM Community Radio Station	That Council approve the allocation of \$11,000 to fund the conversion of the room in the Memorial Hall into HeartFM's studio and office, and in return Council will receive at no charge a Gold Level Sponsorship package with HeartFM across 2015-2018.	Economic & Community Dev. Manager	Work to commence late October	Nov-15
20/04/2015	90/15	Honeysuckle Banks Masterplan proposal	That Council approve the development of a masterplan for Honeysuckle Banks, Evandale, at a maximum cost of \$2,000.	Economic & Community Dev. Manager	Consultancy commenced.	Nov-15
21/09/2015	252/14	Longford Destination Play Space: Proposed Stage Two Development	i) That Council support the inclusion of a Liberty Swing and Carousel in the planned Longford Play Space on the proviso that the funding for the purchase and installation of the Liberty Swing and fencing, and the associated additional rubber softfall is secured by Mrs Karen Bell; and ii) That Council contribute \$5,000 toward the purchase and installation of the Liberty Swing and Carousel; and iii) Should the funding application for the playspace not be successful, that Council continue to progress the installation of the liberty swing and carousel.	Economic & Community Dev. Manager	Mrs Bell has reported that she is making steady progress with the fundraising.	
22/06/2015	150/15	Northern Midlands Community Sports Centre Master Plan	That Council: i) Accept the Northern Midlands Community Sports Centre Master Plan in principle; and ii) Request Council Officers, in collaboration with Health Revival Longford, to review the recommended implementation stages in the Master Plan and develop a revised prioritised list of implementation stages; with the exclusion of the therapy pool.	Economic & Community Dev. Manager	Revised priority staging developed. Plans being prepared for the new gym and storage area.	
17/08/2015	217/15	Northern Midlands Further Education Bursary Program 2015	That Council appoint Cr Knowles, Cr Lambert and Cr Calvert to the 2015 Further Education Bursary Committee.	Economic & Community Dev. Manager	Report to closed council November 2015.	Nov-15
21/09/2015	251/15	Proposal For A Stand Alone Visitor Information And Tourist Centre At Longford	That Council 2. support a 3 year trial of a Visitor Information Centre in the Memorial Hall, Longford, contributing up to \$15,000 toward the cost of equipment and furniture, subject to the following: a) Consultation with existing users is undertaken and an agreement reached in respect to shared use of the Hall; and b) The establishment of a group (independent of Council) to manage and man the Visitor Information Centre. 3. liaise with the Heart FM, Longford Tourism Group, Longford Local District Committee and Northern Midlands Business Association.	Economic & Community Dev. Manager	Matter being discussed with Longford Local District Committee, Longford Business & Tourism Association.	
18/05/2015	118/15	Recommendations Of Sub Committees - Northern Midlands Economic Development Committee	That Council note and endorse the following recommendation of the Northern Midlands Economic Development Committee: That Council write to the Minister for Primary Industries and Water to outline Council's vision for the development of a Rural Processing Centre at the western end of Burlington Road, and request the Minister give consideration to approving the inclusion of Cressy Research Farm land in this Centre.	Economic & Community Dev. Manager	Minister responded - no intention to change use of Research Farm.	

# MINUTES – ORDINARY MEETING

## 19 OCTOBER 2015



Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
18/05/2015	118/15	Recommendations Of Sub Committees - Northern Midlands Economic Development Committee	That Council note and endorse the following recommendation of the Northern Midlands Economic Development Committee: That Council write to landowners adjoining the western end of Burlington Road to outline Council's vision for the development of a Rural Processing Centre at the western end of Burlington Road and request the landowners give consideration to making land available for inclusion in the Centre.	Economic & Community Dev. Manager	Letters sent to landowners 25/6/2015, responses awaited.	
21/09/2015	249/15	Tom Roberts: Proposed Interpretation And Grave Upkeep	That Council: i) endorse the proposal for Tom Robert's interpretation at Longford and/or Christ Church Illawarra, and ii) enter into negotiations with Christ Church with regard to the upkeep of Tom Robert's grave.	Economic & Community Dev. Manager	First meeting held 9/10.	
18/05/2015	118/15	Recommendations Of Sub Committees - Ross Local District Committee	That Council note and investigate the following recommendation of the Ross Local District Committee: That Council investigate the possibility of offering a subsidy for returning bottles/ cans/ drink bottles.	Engineering Officer	To be included in discussions at next Northern Regional Waste Management Group meeting.	
17/08/2015	212/15	Confirmation Of Minutes - Ross Local District Committee	That Council note and investigate the following recommendation of the Ross Local District Committee: That Council investigate the installation of a bus stop and shelter on Church Street, Ross on the land next to the Town Hall and in front of the Public Toilet for all school buses.	Works & Infrastructure Manager	To be investigated further.	
20/04/2015	91/15	Frequency of Kerbside Refuse Collection	That Council continues to provide a fortnightly collection service and encourages residents to request additional bins if they have insufficient capacity, and investigate if the Regional Waste Management Group could undertake a Green Waste Collection trial within the Northern Midlands.	Works & Infrastructure Manager	To be negotiated with Regional Waste Committee.	
20/04/2015	102/15	Priority Project: Sealing of Nile Road	That Council authorises the preparation of an economic appraisal of road infrastructure investment for the sealing of the Nile Road, up to a maximum of \$10,000.	Works & Infrastructure Manager	Consultant appointed.	
18/05/2015	118/15	Recommendations Of Sub Committees - Ross Local District Committee	That Council note and investigate the following recommendation of the Ross Local District Committee: That the new picnic table on the northern end of Church Street be moved to the southern end of Church Street, and be replaced with the existing sandstone style.	Works & Infrastructure Manager	To be investigated further.	

### LONG TERM ACTIONS

Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
20/04/2015	105/15	Northern Midlands Towns Entrance Statements	That Council authorises officers to investigate the cost to design and implement entrance statements for: a) Avoca; b) Campbell Town; c) Cressy; d) Evandale; e) Longford; f) Perth; g) Ross; and list within the draft 2015/2016 budget for consideration	Executive Officer	Ongoing.	

# MINUTES – ORDINARY MEETING

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
18/05/2015	118/15	Recommendations Of Sub Committees - Longford Local District Committee	That Council note and investigate the following recommendation of the Longford Local District Committee: The Longford Local District Committee recommends Council establish a bi-lateral agreement with State Growth for the maintenance of the appearance and condition of the roundabout and its surrounds.	Executive Officer	To be considered as part of entrance statement review.	
18/05/2015	125/15	Glenorchy City Council Re: Council Reform	That Council defer any action on this request from Glenorchy City Council awaiting the outcome of current benchmarking project with neighbouring councils.	General Manager		
15/10/2012	262/12 (3)	Sub Committee Recommendations - Cressy Local District Committee	That funding be sought for the establishment of a cycle way between Cressy and Longford or other areas that may be appropriate	General Manager	Awaiting suitable grant funding program.	Review 6 Monthly
16/03/2015	60/15	Confirmation Of Minutes - Recommendations Of Sub Committees - Ross Local District Committee	note and investigate the following recommendations of the Ross Local District Committee: The Ross Local District Committee request the Northern Midlands Council to have all cats registered.	Planning & Development Manager	Awaiting outcome of State Government Cat Management Plan, due end 2015.	31-Dec-15
16/03/2015	63/15	Longford Horse Association	Approves expenditure of a maximum of \$2,000 from the Economic Development Committee budget to fund a consultant to review the proposed Longford Horse Trail to identify opportunities and restraints; and report back to Council.	Economic & Community Dev. Manager	Mr Jeff McClintock, landscape consultant, has agreed to undertake this review, contract to be negotiated.	Dec-15
15/09/2014	220/14	Confirmation of Minutes	That Council create an inventory of goods and chattels owned by Council.	Corporate Services Manager	Ongoing. Godfrey Rivers paintings restored.	30-Jun-15

*Matters that are grey shaded have been finalised and will be deleted from this schedule*

## 16 KEY ISSUES BEING CONSIDERED: MANAGERS' REPORTS

*Activities from the 1 to 30 September 2015*

### 1. GOVERNANCE UNIT –GENERAL MANAGER

#### a. Governance – Meetings/Conferences

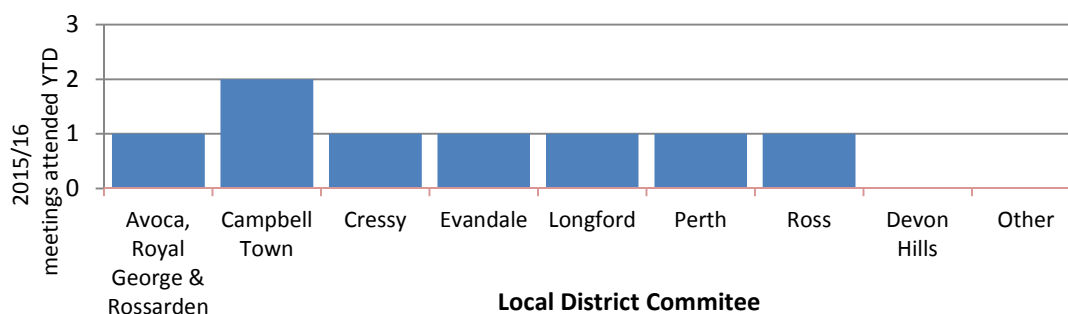
- Council meetings:
  - Ordinary meeting 21 September
- Council Workshops:
  - Ordinary workshop 7 September
- Executive Management Team:
  - 2 September
  - 16 September
  - 30 September
- Staff Meeting
  - 8 September
  - 22 September

# MINUTES – ORDINARY MEETING

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- Community meetings:



- Other Meetings:

- Met with Tony Purse, Loop Architecture
- Met with Jeff McClintock re Honeysuckle Banks masterplan
- Met with Mark Shelton
- Attended General Managers Workshop
- Met with David Denman re Memorial Hall
- Met with Northern General Managers re Shared Services Brief
- Attended Northern Agencies - Ethical Reference Group meeting
- Met with the Deputy Secretary Andrew Wilson re Airport Ex Gratia Rate Payments
- Attended Community Aviation Consultative Group meeting
- Attended Street Light Replacement Project meeting
- Attended meeting re Community Centre and Perth Primary School masterplan project
- Met with John Woolston re TRANSLink
- Met with Gilbert Rouchcoste of Village Well
- Met with John Rowlings re review of TRANSLink prospectus

**b. General Business:**

- Health & Safety and Risk Management Review
- NBN Rollout
- Sub Regional Alliance
- Legal issues, leases and agreement reviews
- Interim Planning Scheme issues
- Road Construction
- Engineering Services
- Drainage issues & TRANSLink stormwater
- Road and Traffic issues
- Resource Sharing
- Animal Control
- Buildings
- Tourism
- NRM North
- Staff issues/Employment
- Childcare issues
- Management Agreements and Committee Administration
- Office improvements
- Media releases and news items
- Grant application administration and support letters
- Local District Committee project support
- Event management
- Governance Audit
- General correspondence.

**c. Other Activities:**

- Citizenships

- Agenda
- Councillor requests, meetings, speeches, emails & phone enquiries
- Project support
- Newsletters
- Staff

### 2. CORPORATE SERVICES BUSINESS UNIT

#### a. Customer Service

- Member of the National Local Government Customer Service Network.
- Service Tasmania contract for services in Campbell Town.
- Policy reviews.

#### b. Finance

- Rates and dog licence issue & collection, valuation maintenance and adjustments, supplementary valuations, street numbering, electronic receipting & direct debit systems, interest and penalty.
- Pension rebates claims and maintenance, classification for two rebate maximums, verification of data.
- Sundry Debtors, and account review.
- Creditor payments and enquiries.
- Payroll, ETP calculations, payroll tax, child support, maternity leave, PAYG & annual summaries, superannuation, salary sacrifice, Workplace Legislation changes, EB provisions, salary reviews, staff training, leave accrual adjustments, leave loading calculations, Councillor allowances and expenses, Workers Compensation claims and payments, Award adjustments, sundry HR and policy issues, and childcare support issues.
- Property sales for unpaid rates, Debt Collection services, Debt summons/warrants.
- Budget adjustments, End of Year Financials, KPI return, Asset Management, Fleet Hire, Long Term Financial Planning, Audit and Annual Report.
- Grants Commission information, sundry grant reporting and auditing. Committee financial management support and auditing.
- Property ownership, licences and leases, property committee, aged care unit tenancy, unclaimed monies register, Public Land Register, and sports centre management support.
- Records Management, archives, website and facebook, town and local committee web pages, new residents information, council information policies and procedures.
- Banking & Investments, Direct Debit, Ezidebit, BPay Billing etc and setup alterations.
- Rate System issues, 2015/16 Rating and Budget issues, General Finance, ABS Data Collection, and Grant Funding issues, Tax issues including GST PAYG FBT Fuel & Land Tax, and Northern Finance committee.
- Cemetery management, onsite map display and website databases.
- Roads to Recovery work schedules, mapping, Annual Report and quarterly reports.
- Childcare financial reporting, audit, budgets & fee schedule reconciliations. Service support and account issues.
- General accounting, customer service, correspondence and reports.
- Audit & Audit committee procedures, processes and support.
- Emergency Management meetings, EM Plan reviews, Emergency Risk Register, Strategic Fire Plan meetings, and general administration issues.
- Waste Transfer Station Management issues, Kerbside waste collection contract issues and special clean-up service.
- General Office support and attendance of meetings, reports, emails & phone enquiries.
- Works & Infrastructure support.
- Tooms Lake & Lake Leake ownership transfers, caretaker support, licence fee review issues, and contract issues.
- Street lighting contract & aurora pole reporting and maintenance.
- Community events and Special Projects support.
- Risk Management, safety management and reporting, drug & alcohol policy implementation, and contractor and volunteer management.
- Light Fleet Management.

#### c. Insurance

- Insurance renewals and policy maintenance.

- Risk Register review and audits.
- 1 ISR claims and 1 Motor Vehicle claim.

### d. Information Technology

- Server and desktop maintenance.
- Minor upgrades of other IT equipment.
- Open Office Software upgrade and enhancement requests.
- GIS maintenance and training.
- Information Management System maintenance.
- IT Independent Audit, Disaster Recovery & IT backup upgrade and maintenance.
- Council Web Site, Town and Local District Committee site maintenance, NMBA website and HH App maintenance.
- Infonet system maintenance.
- ApproveTas maintenance.
- Office telephone system upgrade setup & Mobile phone plan review.
- Sundry database creation and maintenance.
- Mobile device applications implementation, and remote access logins.
- Building security systems maintenance.
- Microsoft software maintenance.
- Maintain photocopiers and printers.
- Advanced security implementation.
- WiFi network and hotspots.
- Fleet tracking.
- Tourism Centre Easy Planning Permit Access point.
- ECM Upgrade implementation & training.

### 3. ECONOMIC AND COMMUNITY DEVELOPMENT UNIT

#### a. Tourism/Economic Development focus

- Participating in cost-benefit analysis training on October 22<sup>nd</sup>.
- Participating in crowd funding workshop on November 25<sup>th</sup>.
- Participating in Business and Employment Pub Biz networking session on October 27<sup>th</sup>.
- Assisting with organising the farewelling of the Cleaner on October 22<sup>nd</sup>.
- On a working group to develop convict-themed self guided tours of the heritage Highway Region.
- Assisting TNT to plan the Northern Midlands Tourism Skills Training Workshop October 24<sup>th</sup> and participating in the TNT Infrastructure and Cycling Strategy projects.
- Assisting NSW-based author, Diana Reynolds with the promotion of her recently launched book: *"A Small Girl's 1960s Tasmania"*. Copy of book due mid-October (assisted Diana with the writing of the Longford Grand Prix section of the book).
- Preparing a funding application Expression of Interest to the Stronger Communities Funding Program for the purchase of four marquees for hire to Northern Midlands events organisers. Have been advised the EOI was successful and a formal funding application is being prepared.
- In negotiations for Longford to host a folk festival event on January 14<sup>th</sup> 2016.
- Working with Councillor Polley on the Tom Roberts Interpretation Project and in preliminary stages of developing a plan for a Northern Midlands Artist Trail.
- Council's application to the National Stronger Regions Fund Round Two are submitted on July 31<sup>st</sup>. Coordinated the preparation of the application, and developed the business case, procurement management plan, asset management plan, quality management plan, project management plan, risk management plan and TRANSlink business database; undertook the online entry of the application data. Managed the consultancy for the environmental and ecological assessment of the precinct.
- Investigating with State Growth whether Council should consider supporting a public walk from Launceston to Hobart along the Midland Highway planned for Easter 2016.
- Longford Equestrian Association: assisting with the association formation meeting to be held 22 October 2015.
- Prepared and submitted a Tasmanian Community Fund application for funding for the proposed Longford Destination Play Space.
- Longford Visitor Appeal Study: managing implementation of the report implementations and the Longford Placemaking Strategy workshops on October 26<sup>th</sup>.

- Liaising with Opcon Pty Ltd re the community consultation for the 2016 Longford Revival Festival and liaising with Woolmers and Brickendon Estates re their potential involvement in the festival.
- Member of the Northern Region Futures Plan working group.
- Commenced review of Council's online business directory.
- Participated in an information session on the Asian Business Engagement Plan funding program and on a working group progressing this project.
- Proposed nomination of the Ross Bridge for National Heritage Listing: await nomination form template from Australian Government.
- Coordinated Council's funding application for Bridges Renewal Programmes Round One Funding for Westmoor Bridge, Powranna Road Cressy. Funding secured. Prepared and submitted application for funding in Round Two for Lake River Bridge on Macquarie Road.
- Managing the consultancy for the financial and economic analysis of the Campbell Town War Memorial Oval Precinct Development Plan. Draft report received and consultants presented at the October Councillor's workshop.
- Participating in the review of the Economic and Community Development Unit.
- Assisting the Heritage Highway Tourism Region Association Board with the implementation of the Association's 2015/16 Business Plan.
- Representing NMBA at the quarterly TCCI Chambers Alliance Forums.
- Collaborating with NMBA to plan the 2015 Northern Midlands 'Think Big: Shop Small' Campaign.
- Assisting with driving the 'Tourism Potential of Ben Lomond National Park: Feasibility Study'. Report received and steering committee to meet October 23<sup>rd</sup> to review the report and plan the way forward.
- Supported a film company to develop a feasibility study towards the making of a Norfolk Island – Norfolk Plains documentary: company currently applying for funding.
- Facilitating the progressing of the agenda of the Northern Midlands Economic Development Committee.
- Serving on a working group aiming to secure a sustainable future for Heart FM Radio Station. Prepared a business case for Northern Midlands Community Broadcasters, assisted with the securing of a General Manager (voluntary position) for the radio station and progressing the development of the studio in the Memorial Hall. Managing the orientation program for the Station's General Manager on October 21<sup>st</sup>.
- Assisted with securing funds from Your Community Heritage Grants program to interpret convict stories at Woolmers and Brickendon Estates. Assisting with the introduction of the convict-themed tours.
- Representing the Heritage Highway Region at quarterly Tourism Northern Tasmania Local Tourism Association forums.

### **b. Community development focus**

- Assisting to promote the 26TEN Adult Literacy Program to Longford residents.
- Prepared and submitted an application to the Heart Foundation Local Government Awards 2015. Award secured: announcement/cheque presentation event (Turbomeet at the Velodrome) held September 12<sup>th</sup>. Allocation of the award funds being finalised.
- Managing project briefs for the Perth and Longford Recreation Grounds Master Plans.
- Working to secure the future of the Country Courier.
- Managing the development of the 2015-2020 Disability Discrimination Access Action Plan. First committee meeting held October 6<sup>th</sup> and town assessment visits being scheduled.
- Collaborating with Beacon Foundation and local district high schools to establish a Northern Midlands Business Partnership Group: assisted with organising the stakeholder held August 27<sup>th</sup> 2015. Managing the planning of the first Group Meeting in October 2015.
- Managing contracts with PCYCs and Northern Job Links for the third term youth programs.
- Participating on the Christ Church tree restoration/management working group and assisted the Parish to secure a Tasmanian Community Fund Grant for the project.
- Participating in the implementation of the Master Plan for the Northern Midlands Health, Fitness and Sports Centre.
- Coordinating Council's Further Education Bursary Program 2015. Committee meeting to select recipients October 19<sup>th</sup>.
- Assisting Health Revival with efforts to secure grant funding to expand the range of programs and equipment at the Northern Midlands Sports Centre. To date, a grant has been secured from the Longford Rotary Club.
- Assisting Campbell Town resident Mr Bill Chugg to re-home his war memorabilia.
- Participating in the quarterly Northern Midlands Health Service Providers Forums.



- Participating on a state Equine Emergency Management working group.
- Managing the risk register for the Economic and Community Development Unit.
- Member of the Northern Region Sport and Recreation Committee.
- Member of Council's Health and Safety Committee.

#### 4. PLANNING & DEVELOPMENT UNIT

##### a. Policy

- Continuing participation in NTD regional planning committee.
- Ongoing review of current policies.
- Ongoing review of work programs and standard operating procedures.
- Regular planning and building assessment unit meetings.
- Participation in the Economic Development Committee.
- Pursue development of tyre recycling facility.
- Participation in State Planning Taskforce - Technical Reference Group.
- Participation in Launceston Gateway Project - brief and presentations.
- Preparation of Land Use and Development Strategy proposal.
- Perth Strategy Plan

##### b. Health

- Ongoing issues requiring water samples etc.
- Liaise with Department of Health re. Royal George water quality issues.
- Liaise with Department of Health re. Avoca water quality issues.
- Ongoing testing of recreational water quality.
- Continue to support and administer the Immunisations programme.
- Licensing and inspection of food premises.
- Place of Assembly licence inspections and renewals is ongoing.
- Review of procedures for continuous improvement is ongoing.
- School Immunisation Programme.
- EPA - Smoke Awareness campaign.
- Ongoing review of potential asbestos issues at Avoca.

##### c. Building.

- Follow up of illegal works continuing.
- Assistant Building Surveyors attending ongoing professional development training seminars.
- Plumbing inspections and assessment are ongoing.
- Review of procedures for continuous improvement is ongoing.
- Amended Plumbing and Building regulations to be assimilated into ongoing practices.
- Comment on building regulatory framework reform.

##### d. NRM

- Participation with the Mill Dam Committee.
- Operation of NRM Committee of Council.
- National rainwater and grey water initiative of the Australian Government – opportunities to be investigated.
- Environmental Management Plan – review of implementation programme.
- Review of relevant development proposals is ongoing.
- Weed management and action plan implementation.
- Follow up and monitoring of reported weed infestations
- Regular articles in local news papers.
- Coordination of Mill Dam bank stabilisation project.
- Maintenance of Mill Dam plantings.

##### e. Compliance

- Permit conditions – Structured review of compliance with planning permit conditions – ongoing.
- Building audit - ongoing.
- Service of Building and Planning Notices.
- Prosecution for illegal buildings and works ongoing as required.
- Signage.

- Follow up dog registrations and compliance with kennel and dangerous dog restrictions.
- Regular inspection visits to Mill Dam.
- Campaign re picking up after dogs.
- Active review of dogs not previously registered.
- Promote consistent processes across region.
- Fire Abatement inspections and notices.
- Overhanging tree inspections - Implementation of Policy.

### **f. Planning**

- Participation in the TRANSlink working group.
- Consideration of TRANSlink rail hub development concept.
- Participation in Regional Planning Scheme issues.
- Consideration of Planning Directives.
- Consideration of proposed planning legislative amendments.
- Ongoing review of procedures and physical office environment.
- Brief for Heritage Streetscape project.
- Resource Sharing - BODC.
- Amendments to interim scheme.
- Assessment of development proposals.

### **g. Animal Control**

- Continued follow up of dog registrations.
- Follow up of kennel licences
- After hours call outs for dog at large etc.
- Review of procedures.
- Dog attacks.
- Dangerous Dog declarations.

## **5. WORKS & INFRASTRUCTURE UNIT**

In conjunction with INFO 5 – Works & Infrastructure Report.

### **a. Asset Management**

- New asset information collection and verifications– ongoing.
- Programmed inspections of flood levee and associated infrastructure – ongoing.

### **b. Traffic Management**

- Liaising with Department of State Growth to resolve traffic issues within municipality.
- Traffic counts on roads throughout the municipality – ongoing.

### **c. Development Work**

- McShane subdivision, stage 2, (Seccombe Street, Perth) has reached practical completion.
- 4 Lot Pegasus subdivision Ross at practical completion.
- 3 lot Coenen subdivision, White Hills Road has reached practical completion.
- Stage 2 of Hollejett subdivision (3 lots) in Edward Street, Perth has reached practical completion.
- 3 lot Gadsby subdivision in Cromwell Street, Perth has reached practical completion.
- 5 lot Chugg subdivision in Malcombe Street, Longford has reached practical completion.
- 13 lot Shervan subdivision between Norfolk Street and Drummond Crescent, Perth has reached practical completion.
- Stage 2 of the Kerr/Bean/Shervan subdivision, Mulgrave and Seccombe Street, Perth has reached practical completion.
- 9 Lot Shervan Subdivision in Fairtlough Street, Perth has reached practical completion

### **d. Waste Management**

- Input into regional waste management discussions – ongoing.

### **e. Tenders and Contracts**

- Work on Westmoor Bridge, Powranna Road has commenced.

### **f. Flood levee**

- Programmed monthly/ bi-monthly inspections of flood levee carried out by Works and Infrastructure

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staff.

## g. Engineering

- Input into Northern Regional Infrastructure group – ongoing.
- Hydraulic modelling of stormwater system in Western Junction Industrial Area – ongoing.

## h. Capital works

- Road reconstruction works in Cromwell Street, Perth – practically complete.
- Kerb and road reconstruction works in Macquarie Street, Cressy – in progress.
- Construction of new kerb in Bond Street, Ross – in progress.

## 17 RESOURCE SHARING SUMMARY FROM 01 JULY 2015

Prepared by: Martin Maddox, Accountant/Executive Officer

Resource sharing summary for the period 1 July to 30 June 2016 was circulated in the Attachments.

## 18 VANDALISM: SEPTEMBER 2015

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	Estimated Cost of Damages		
		September 2015	Jan - Sept 2015	September 2014
Water tank stolen from Waste Transfer Station	Evandale	\$ 700		
Graffiti in toilet on a number of occasions	Perth Train Park	\$ 500		
Graffiti in toilet on two occasions	Valentines Square, Campbell Town	\$ 300		
Graffiti in picnic shed and 24 hour toilet	Victoria Square, Longford	\$ 600		
<b>TOTAL COST VANDALISM</b>		\$ 2,100	\$ 10,900	\$ Nil

## 19 VOLUNTEER REGISTRATION AND HANDBOOKS

Council officers have recently prepared a Volunteer Handbook for all Northern Midlands Council volunteers. The handbook has been distributed to all Management Committees, Advisory Committees and volunteers of the Council. The purpose of the handbook is to provide information to our volunteers about their role and obligations, as well as Council's obligations to them as a volunteer.

It is a requirement that all volunteers of Council complete a volunteer registration form. The purpose of the volunteer registration form is for insurance purposes, so, in the unlikely event a volunteer is injured during the course of their volunteering duties, Council has a record of the role and duties of that volunteer. Volunteers have been advised that failure to complete a volunteer registration form will result in them being unable to continue their volunteer service for Council. However, volunteers who take issue with the requirement to complete a volunteer registration form have been invited to discuss their concerns with Council officers to reach a resolution.

*Mr Payton attended the meeting at 5.10pm*

### DECISION

**Cr Calvert/Cr Goninon**

That the Information items be received.

Carried unanimously

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## 290/15 PROPOSED MEMBERSHIP OF THE LAUNCESTON CHAMBER OF COMMERCE

*Responsible Officer:* General Manager, Des Jennings

*Report prepared by:* Manager Economic and Community Development, Lorraine Green

### 1 PURPOSE OF REPORT

To seek Council's approval for the Council to become a member of the Launceston Chamber of Commerce.

### 2 INTRODUCTION/BACKGROUND

The Launceston Chamber of Commerce leads business efforts to grow existing industries, recruit new companies and develop an active entrepreneurial environment resulting in quality job creation and a diverse economy.

One of the Chamber's key objectives is to advance regional growth. In accordance with this, the Chamber's Executive Officer, Maree Tetlow, is participating on the steering committee's for several regional projects including the Regional Export Strategy and has provided letters of support for regional projects including the TRANSlink Stormwater Upgrade Project.

A number of Northern Midlands businesses are members of the Launceston Chamber of Commerce, as are Launceston City Council and Meander Valley Council. West Tamar Council is considering Chamber membership.

Ms Tetlow has asked if our Council will also become a Council member.

### 3 FINANCIAL IMPLICATIONS

As a business with 51-99 FTE employees, Council's 2015-2016 membership fee would be \$1,235 GST exclusive, and the fee would be pro-rate dependent upon when the membership is taken out.

### 4 OPTIONS FOR COUNCIL TO CONSIDER

Council can either approve the membership of the Launceston Chamber of Commerce or not approve the membership.

### 5 OFFICER'S COMMENTS/CONCLUSION

The advantages of being a member of the Launceston Chamber of Commerce include:

- Special access to activities, member functions, briefings and educational services.
- Discounted membership rates to VIP networking functions and events.
- Regular communication on what is happening within the region, including advice on education and self development opportunities.
- Free listing on the Chamber's website
- Opportunities to network at Member Functions - many free of charge to Chamber Members.
- Use of Launceston Chamber of Commerce Boardroom at a heavily discounted rate\*
- Ability to email the Chamber database at a discounted fee at management discretion.
- Certificates of Origin at discounted member rate.
- Voting rights and the opportunity to nominate for a place on the Chamber Board.
- Discounted membership of Virgin Lounge.
- Access to Free IR Support.

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## 6 ATTACHMENTS

N/A

### RECOMMENDATION 1

That the matter be discussed.

### RECOMMENDATION 2

That Council approves Council becoming a member of the Launceston Chamber of Commerce.

### DECISION

**Cr Polley/Cr Lambert**

That the matter be discussed.

Carried unanimously

**Cr Polley/Cr Knowles**

That Council approves Council becoming a member of the Launceston Chamber of Commerce.

Carried unanimously

## 291/15 ACCELERATED STREET LIGHT REPLACEMENT PROGRAM

*Responsible Officer:* Des Jennings; General Manager

*Report prepared by:* Des Jennings; General Manager

### 1 PURPOSE OF REPORT

The purpose of this report is to seek Council's support for officers to work with other councils in the northern region on a program to replace minor road lighting with Light Emitting Diode (LED) street lights.

As the project has been identified as a regional project, the basis for the report has been prepared by Meander Valley Council and shared with other councils within the region.

### 2 INTRODUCTION/BACKGROUND

Local Governments around Australia and the world are replacing old, outdated street lights with low energy LED technology and realising the benefits.

Benefits of the new LED lights include:

- Improved energy efficiency – up to 77% reduction in energy use
- Lower greenhouse gas emissions – up to 77% reduction in CO2-e
- Great savings for councils and ratepayers – up to 40%
- Improved safety and lighting quality for motorists/pedestrians/cyclists
- Reduced street crime
- An upgraded design to more closely reflect current ASNZ Standards
- Less light spill into nearby properties
- Low toxicity – no mercury

Almost 80 Australian councils have or are in the process of replacing street lights, which will earn them the biggest energy and emissions savings that are possible from any efficiency measure available. In Tasmania, Hobart and Glenorchy City councils recently completed the replacement of around 5,000 street lights. As

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negotiations between these two councils and TasNetworks are incomplete, the final savings are unclear.

Launceston City Council (LCC) has recently contracted Ironbark Consulting to assess options and report on the potential savings to replace:

- All street lights across Tasmania
- Minor road lights in Launceston

The Ironbark business case considered future energy price rises, capital costs per light and other variables to determine potential cost savings to 2036 for four possible scenarios:

- i) TasNetworks owned and maintained (status quo);
- ii) Council owned, TasNetworks maintained;
- iii) Council owned, council or third party maintained;
- iv) Third party owned and maintained.

Of the scenarios, only the first two can be achieved now, and both imply that TasNetworks must continue to play a role in street lights into the foreseeable future. In the case of Launceston, scenario 1 where TasNetworks retain ownership could generate a saving between \$6mill and \$7.7mill over the next 20 years. If however, LCC commit to scenario 2 and take over ownership, then the Council can potentially save between \$7.7mill and \$11.9mill during the same period.

The findings of the business case to replace the minor road lights in Launceston can be applied to all Northern Midlands Council (Council) to estimate the savings from a minor road lighting replacement.

1,105 of Council's 1,197 street lights (92%) are under 125 watts and could theoretically be changed to LEDs as part of a minor road light replacement program. Note: 92% is higher than the proportion to be replaced in Launceston.

Recent installation costs per light range between \$500 for Municipal Association of Victoria (MAV) in Victoria and \$875 for Hobart and Glenorchy City councils. On this basis, the accelerated replacement of 1,105 lights would cost Council in the range of \$552,500 and \$966,900. Though, the lower cost is more likely, given the scale and timing of the proposed regional program.

The savings of the LCC business case equate to 20% to 26% reduction in costs for the TasNetworks owned scenario, and 26% to 40% for Council owned lights.

Council pays around \$239,000 per year in street lighting charges. If the proportionate savings from LCC are applied to Council's example, then we can calculate general cost savings to 2036 in the range of \$0.96mill to \$1.2mill if TasNetworks retains ownership, and \$1.2mill to \$1.9mill for the Council owned scenario. Given the higher proportion of minor road lights in Council, these estimated savings are considered conservative.

The savings outlined above are based on typical costs of borrowing. However, all councils in Tasmania will receive an extra allocation of Roads to Recovery (R2R) funding over the next two financial years that can be used to pay capital costs of the replacement project.

Based on the advice from the consultants, Council could commit around \$552,500 of Australian Government funding to replace minor road lights to generate savings in excess of \$1.9mill over 20 years.

### 3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following "Volume 1 – Mapping Our Direction" goals have relevance to this issue:

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- Part 1b: Finance
  - 1.9 Financial Management
  - 1.13 Asset Management
- Part 3: Community Development
  - 3.1 Individual and Community Safety
- Part 5: Physical Assets
  - 5.1 Transport Infrastructure Operations

## 4 POLICY IMPLICATIONS

N/A

## 5 STATUTORY REQUIREMENTS

N/A

## 6 FINANCIAL IMPLICATIONS

There is no requirement for a financial commitment at this stage.

## 7 RISK ISSUES

With financial savings, emissions reductions, safety improvements and enhanced lighting quality, there are no unfavourable circumstances that pose a genuine risk to Council by electing to support the program.

## 8 CONSULTATION WITH STATE GOVERNMENT

Negotiations with TasNetworks on approval and costs to replace existing assets, for potential supply/install of new lights, and to maintain future assets are principally important if a replacement program is to succeed.

Working with other councils in a constructive and timely manner is equally important for the success of a regional program involving so many partners, external stakeholders and tight time constraints.

Seeking approval to utilise R2R funding from the Australian Government will be key to unlocking the maximum savings for Council.

Investigating procurement costs and services of the MAV will clarify the best scenario for Council, set a benchmark for pricing and help inform discussions with TasNetworks.

Discussing potential funding and support opportunities with Tasmanian Climate Change Office (TCCO) is considered prudent.

## 9 COMMUNITY CONSULTATION

N/A

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council can decide to retain the current street lights. Alternatively, Council can decide to replace minor road lights in Northern Midlands only, rather than participate in a program on a regional scale.



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## 11 OFFICER'S COMMENTS/CONCLUSION

An LED street lighting program in Northern Tasmania would accelerate the phasing out of inefficient and expensive mercury vapour street lights on local roads. While councils do not own the lights, we are financially responsible for all maintenance, replacement and energy costs, which for Council is around 75% of our annual electricity bill.

Traditionally, street light replacement programs were difficult due to 3 main barriers:

- i) costs (most commonly capital cost);
- ii) expertise and time to deal with the dynamic nature of street lighting;
- iii) delays around approval of lighting technology by Distribution Network Service Providers (DNSPs) such as TasNetworks and other external stakeholders.

This year will see TasNetworks complete the supply and install of LED street lights in Hobart and Glenorchy. This project has initiated approval by TasNetworks for use of 18W Sylvania LED street lights in Tasmania. It has also set precedents on maximum installed price, write down values, facility access fees/agreements, and handover of ownership. As a result the barriers that Tasmanian councils faced have been largely overcome.

Though TasNetworks are still reluctant to resource the replacement programs sufficiently, the advice from the Glenorchy City Council, Project Manager is to partner with other councils to generate economies of scale and sufficient influence to overcome this barrier.

Ironbark Sustainability, who has over 10 years' experience consulting on street lighting in Australia, believes that *'every single successful project has been the result of cooperative dialogue and relationships between councils, DNSPs and other key stakeholders'*.

The suggestion is for the northern councils to initiate a regional program along with the Local Government Association of Tasmania (LGAT). Restricting collaboration to one region reduces the potential for delays, and improves the logistics for communication and delivery. LGAT could simultaneously be researching approaches to support other regions and provide an opt-in for councils that does not inhibit the timing of the northern region program.

The timing of the R2R funding boost – available till mid-2017 – is highly fortuitous, as it could enable Council to complete the replacement program using Australian Government money. This would save borrowing for the project, which in the current market equates to an additional saving of around 4% annually.

To benefit from the R2R funding the project must be completed by mid-2017. This is a tight timeline that will require rapid agreement by councils who wish to participate, as follows:

Actions	Completed by
Finalise individual business cases and confirm partner councils	December 2015
Design and preparation	March 2016
Project tendering/contract	June 2016
Project complete	June 2017

A project team of officers from LCC, LGAT, West Tamar Council and Meander Valley Council has been formed to advance the immediate next steps, which include:

Actions	Completed by
Consult with MAV on replicating Victorian model locally	October 2015
Consult with TCCO on potential funding and support	Oct/Nov 2015
Discuss capital cost and process with TasNetworks	November 2015

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To alleviate stakeholder concerns and counterbalance inconvenience it is recommended that a campaign to proactively and consistently communicate the benefits be initiated during the design phase. This may be best managed through cooperatively funding a regional Communications Officer as a shared central resource for the duration of the program.

There is potential to offset some installation costs by partnering with Internet Service Providers (e.g. iiNet) looking for opportunities to expand public WiFi throughout Tasmania. There is also an opportunity to profit from emissions reductions by councils selling emissions credits through the Australian Government's Emissions Reduction Fund (ERF). However, these are not critical to the success of the project, may not return significant financial benefit to councils due to high administration requirements – and high transactions fees in the case of ERF – which makes them both worthy to consider as the 'cream on top'.

### RECOMMENDATION 1

That the matter be discussed.

### RECOMMENDATION 2

It is recommended that Council:

- i) meet with TasNetworks regarding planned upgrades across the state; and
- ii) in principle, support working with other councils in the northern region to accelerate the replacement of existing minor road lights with LEDs.

### DECISION

**Cr Goss/Cr Lambert**

That the matter be discussed.

Carried unanimously

**Cr Knowles/Cr Gordon**

It is recommended that Council:

- i) meet with TasNetworks regarding planned upgrades across the state; and
- ii) in principle, support working with other councils in the northern region to accelerate the replacement of existing minor road lights with LEDs.

Carried unanimously

## 292/15 CITY OF FREMANTLE: NUCLEAR BAN TREATY

*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Amanda Mason, Executive Officer

### 1 PURPOSE OF REPORT

The purpose of this report is to seek a decision from Council regarding an invitation from the City of Fremantle inviting Council to:

- a) contribute financially to the cost of a sculpture being gifted to the Nagasaki Peace Park, Japan;
- b) become involved in work for a Nuclear Ban Treaty.

### 2 INTRODUCTION/BACKGROUND

Attached to this report is the invitation from the Mayor of Fremantle outlining how Council can be involved in the work for a Nuclear Ban Treaty.

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## 3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following “Volume 1 – Mapping Our Direction” goals have relevance to this issue:

- 1.8 Regional, State, Federal and International Relations

## 4 POLICY IMPLICATIONS

Not applicable at this stage.

## 5 STATUTORY REQUIREMENTS

N/A

## 6 FINANCIAL IMPLICATIONS

Donations are being sought from \$500 to \$2,000.

## 7 RISK ISSUES

No risks have been identified at this stage.

## 8 CONSULTATION WITH STATE GOVERNMENT

N/A

## 9 COMMUNITY CONSULTATION

N/A

## 10 OPTIONS FOR COUNCIL TO CONSIDER

There are two issues for Council to consider:

- To become involved in the work for a Nuclear Ban Treaty; and
- To donate financially to the Australian Sculpture-Gifting to Nagasaki Peace Park.

## 11 OFFICER’S COMMENTS/CONCLUSION

It is noted that expressions of interest for financial donations closed on 16 October 2015, however, it is anticipated late contributions would be accepted.

Further information can be obtained in respect to the Nuclear Ban Treaty at the request of Council.

## 12 ATTACHMENTS

- 12.1 Correspondence from Mayor of Fremantle dated 14 September 2015;
- 12.2 Invitation – Australian Sculpture-Gifting to Nagasaki Peace Park; and
- 12.3 Fremantle Declaration

## RECOMMENDATION 1

That Council discuss the matter.

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## RECOMMENDATION 2

That Council

1. does/does not become involved in the work for a Nuclear Ban Treaty by implementing the items at 1 – 7 of the attached document; and
2. does/does not contribute financially to the Australian Sculpture-Gifting to Nagasaki Peace Park.

## DECISION

**Cr Polley/Cr Knowles**

That the matter be discussed.

Carried unanimously

**Cr Polley/Cr Goninon**

That Council

1. does not become involved in the work for a Nuclear Ban Treaty by implementing the items at 1 – 7 of the attached document; and
2. does not contribute financially to the Australian Sculpture-Gifting to Nagasaki Peace Park.

Carried

## Voting for the motion:

Mayor Downie, Deputy Mayor Goss, Cr Adams, Cr Calvert, Cr Goninon, Cr Gordon, Cr Lambert, Cr Polley

## Voting against the motion:

Cr Knowles

## 293/15 WORK HEALTH & SAFETY POLICY

File: 44/001/001  
Responsible Officer: Des Jennings, General Manager  
Report prepared by: Amanda Mason, Executive Officer

### 1 PURPOSE OF REPORT

The purpose of this report is to seek Council approval for a new Work Health & Safety Policy.

### 2 INTRODUCTION/BACKGROUND

Council has had in place an Occupational Health & Safety Policy since 1997.

On 1 January 2012 new work health and safety (WH&S) laws came into effect in many states and territories to harmonise occupational health and safety (OH&S) laws across Australia.

WHS legislation includes a model WHS Act, Regulations, Codes of Practice and a national compliance and enforcement policy. The model WHS Act is not significantly different from previous occupational health and safety (OH&S) laws but it makes it easier for businesses and workers to comply with their requirements across different states and territories.

Tasmania is one of the states within Australia that now uses harmonised WH&S legislation instead of the previous OH&S laws.

Council recently reviewed its Policy Manual in its entirety, so for this reason and the change to a harmonised WH&S legislation, it is proposed that the Occupational Health & Safety Policy be replaced with the attached Work Health & Safety Policy.

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## 3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following “Volume 1 – Mapping Our Direction” goals have relevance to this issue:

- Part 1 - Governance

## 4 POLICY IMPLICATIONS

Regular review of Policies is important to ensure they remain current and correspond with legislative changes.

## 5 STATUTORY REQUIREMENTS

Applicable legislation to the Work Health & Safety Policy includes:

*Age Discrimination Act 2004 (Cth)*

*Anti-Discrimination Act 1998 (TAS)*

*Australian Human Rights Commission Act 1986 (Cth)*

*Disability Discrimination Act 1992 (Cth)*

*Fair Work Act 2009 (Cth)*

*Local Government Act 1993 (TAS)*

*Racial Discrimination Act 1975 (Cth)*

*Sex Discrimination Act 1984 (Cth)*

*Work Health & Safety Act 2012 (TAS)*

*Workers Rehabilitation & Compensation Act 1988 (TAS)*

## 6 FINANCIAL IMPLICATIONS

N/A

## 7 RISK ISSUES

Failure to have a current Work Health & Safety Policy that is reflective of the new legislation may leave Council open and liable in circumstances where there is a workplace incident or injury and/or a worker does not follow WH&S procedures.

## 8 CONSULTATION WITH STATE GOVERNMENT

N/A

## 9 COMMUNITY CONSULTATION

N/A

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council can accept or reject the Work Health & Safety Policy.

## 11 OFFICER'S COMMENTS/CONCLUSION

The new Work Health & Safety Policy is reflective of the legislative changes introduced in 2012 and will be reviewed again in December 2016, or earlier if there are further legislative changes.

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## 12 ATTACHMENTS

12.1 Occupational Health & Safety Policy

12.2 Work Health & Safety Policy

## RECOMMENDATION 1

That Council adopt the Work Health & Safety Policy.

## DECISION

**Cr Calvert/Cr Goss**

That Council adopt the Work Health & Safety Policy.

Carried unanimously

## 294/15 CONCERNS WITH HAWTHORN HEDGE & INFRASTRUCTURE – FALLS PARK EVANDALE

*Responsible Officer:* Wayne Chellis, Works & Infrastructure Manager

*Report prepared by:* Wayne Chellis; Works & Infrastructure Manager

## 1 PURPOSE OF REPORT

The purpose of this report is to advise council of ongoing concerns with the Hawthorn hedge and other infrastructure at the frontage of Falls Park (Market facility) off Logan Road, Evandale.

## 2 INTRODUCTION/BACKGROUND

The Hawthorn hedge was planted and is maintained by the lessee of Falls Park Market facility in approximately 1994. To the best of my knowledge council had very little input into the planting of the hedge, however I recall it was strongly supported by the Evandale Local District Committee in particular the Chair person at that time. In making that decision it appears that the aesthetics of the heritage area was considered a higher priority than the safety of the users.

## 3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following “Volume 1 – Mapping Our Direction” goals have relevance to this issue:

- 5.1 Transport Infrastructure Operations

Ensure that council’s roads, bridges, footpaths and related assets are planned, designed, developed, constructed and maintained to meet service, safety, and efficiency standards acceptable to the community.

## 4 POLICY IMPLICATIONS

Council is normally responsible for the front fences (if necessary) for reserves and building sites.

## 5 STATUTORY REQUIREMENTS

N/A

## 6 FINANCIAL IMPLICATIONS

An allocation of \$175,000 in the 2016/2017 Capital Works Program will be required to undertake the

proposed works in this report.

### 7 RISK ISSUES

There is a risk of injury to the pedestrians using the footpath. In particular on Sundays during the period the market is operating at which time the number of pedestrians and vehicles increases.

#### Concerns with Infrastructure

- (a) Unfortunately the hedge planting location reduces the available walking path and the users need to be cautious of scratching their arms and legs as they walk past the hedge thorns. In particular during the market on Sundays when the number of users of the narrow footpath is high.

Hydro poles installed within the footpath reduces the path even further and reduces the width to make it even more difficult for pedestrians to use without being scratched by Hawthorns.

- (b) Asphalt footpath is badly cracked most likely due to the Hawthorn hedge location or poor sub grade material.
- (c) Water Main installed in the footpath is only shallow and has broken on occasions just east of Falls Park frontage.
- (d) Kerb and gutter is badly cracked and has moved in several locations.

Failing infrastructure is likely to be caused by any one or all four of the following:

- i) Poor sub grade conditions (ground Movement);
  - ii) Hawthorn hedge roots altering the ground conditions;
  - iii) shallow depth of water main; and/or
  - iv) installation method of water main; i.e. glued joints which will not tolerate ground movement.
- (e) Entrance Gates are in poor conditions and brickwork pillars and fence is broken

291 HEC Pole Narrowing Footpath



296 Pole in Footpath



297 Kerb Condition





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293 Footpath damage caused by Tree roots or sub grade conditions



89 Fence to be replaced



### 8 CONSULTATION WITH STATE GOVERNMENT

N/A

### 9 COMMUNITY CONSULTATION

Lessee of Falls Park, Mr Peter Woof, has been consulted again regarding the concerns with the hawthorn hedge.

After visiting the mainland Mr Woof suggested that if the hedge is removed Council should install a post and rail fence which will last 80 years.

Mr Woof was advised that the best Tasmanian split posts, unlike mainland timbers, only last about 15 years. In addition to that a post and rail fencing is expensive and easy to climb over.

### 10 ACTION TAKEN

To provide a safer walking path in the vicinity of the hydro poles a section of hedge has been removed, the footpath widened with asphalt and a farm type fence has been installed to restrict entry to Fall Park. (photos attached)

Tas Water has been advised of the concerns with the water main in the existing footpath to provide them with sufficient time to consider replacement prior to Council undertaking the construction of a concrete footpath.

### 11 OPTIONS FOR COUNCIL TO CONSIDER

Allocate \$175,000 in next financial year's Capital Works Program for the following work to be carried out in about September 2016.

- (a) Construction of a new section of kerb and gutter which also includes the reconstruction of approximately one metre of road verge where the existing kerb and gutter has failed. Work to be carried out in September 2016
- (b) Removal of Hawthorn hedge and mesh fence.
- (c) Installation of temporary panel security fence
- (d) Construction of exposed aggregate 1.8 metre wide footpath generally accepted in heritage areas.

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Footpath to be located on the Falls Park side of the existing hydro poles to provide a separation between the kerb and gutter and the footpath.

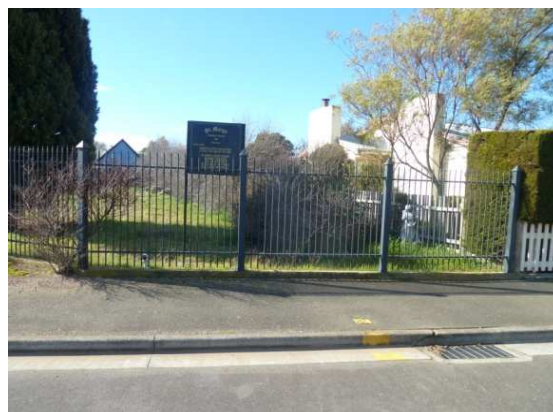
The purpose is to eliminate future tripping points, that sometimes occurs following concrete movement when the footpath is constructed hard up to the kerb and gutter.

- (e) Installation of a new 175metre long heritage style fence to be installed on the edge of the proposed new footpath.
- (f) Planting of a narrow form of trees in line with existing trees which will not require constant pruning.
- (g) Refurbish the existing entrance gates to be installed on separate 100mm to 150mm steel tube posts placed at the front of the proposed new brick pillars and fence.

### Front fence to be considered



Current Entrance 2015



Proposed Entrance



## 12 OFFICER'S COMMENTS/CONCLUSION

The work listed above will improve council's infrastructure, provide a safe footpath for pedestrians to use during the busy period (market days) and enhance the frontage of the market facilities.

### RECOMMENDATION 1

That the matter be discussed

### RECOMMENDATION 2

That council allocate \$175,000 in 2016/2017 budget to undertake improvements to the infrastructure (as listed under item 11), including replacement of kerb & channel, footpath, fence, entrance and hedge.

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## DECISION

**Cr Polley/Cr Goninon**

That the matter be discussed.

Carried unanimously

**Cr Polley/Cr Goss**

That the matter

1. be deferred to the 2016 budget deliberations,
2. be included in the itinerary for the 2016 Councillor bus tour; and
3. be considered by the Evandale Advisory Committee.

Carried unanimously

## **295/15 WEST PERTH STORM WATER ASSESSMENT**

*Responsible Officer:*

*Wayne Chellis – Works & Infrastructure Manager*

*Report prepared by:*

*Wayne Chellis – Works & Infrastructure Manager; and  
Des Jennings – General Manager*

### **1 PURPOSE OF REPORT**

The purpose of the report is to provide an update to Council on the correspondence received from Cameron Oakley, Consulting Engineer, for Hydrodynamica, who has completed a Stormwater Assessment and recommendations to the drainage system identified in the West Perth Drainage Study to be adopted by Council.

### **2 INTRODUCTION/BACKGROUND**

Council at its meeting on 21 September 2015 considered options to resolve stormwater drainage issues at west Perth, at this time the resolution was as follows Min. Ref. 272/15):

#### DECISION

**Cr Polley/Cr Knowles**

*That the matter be discussed.*

Carried unanimously

**Cr Goninon/Cr Knowles**

*That Council*

- 1) *initiate ongoing discussion with the State Government and TasRail to fully investigate opportunities to fund the required upgrade of Youl Main Road and Drummond Street and their associated drainage culverts, including culverts under the railway line; and*
- 2) *concurrently investigate the introduction of a stormwater head-works levy.*

Carried unanimously

Investigations were undertaken to assess the risks and consequences of nuisance flooding between Edward Street and Drummond Street in West Perth caused by the 865ha Sheepwash Creek catchment. The investigations utilised the 20 year and 100 year stormwater flows determined in 2011 in order to assess existing infrastructure, and to recommend the civil works required to mitigate the impacts of flooding.

### **3 STRATEGIC PLAN 2007/2017**

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following “Volume 1 – Mapping Our Direction” goals have relevance to this issue:

- 1.13 Asset Management
- 4.6 Strategic Planning
- 5.2 Hydraulic Infrastructure (Stormwater)

# MINUTES – ORDINARY MEETING

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## 4 POLICY IMPLICATIONS

Provide guidance for development controls for an area subject to some flooding.

Provides guidance to Council to prioritise stormwater facility upgrades.

## 5 STATUTORY REQUIREMENTS

Consistent with Council's "duty of care" and the provisions of the Land Use Planning and Approvals Act 1993 and the Urban Drainage Act 2013 to minimise the impact of flooding on urban properties.

## 6 FINANCIAL IMPLICATIONS

Mr Oakley proposes the cost estimates for Youl Road, Western Rail and Drummond Street Culvert relocation for the following two options:

Option	Materials	Supply Cost	Installation Cost	Total
Section 4.4, addition culvert alongside existing road and rail crossings	2 no. 3600x900 culverts (total area 6.5 m2). Total length 50m	\$182,277	\$150,328	\$332,605
Section 4.5, new culvert crossing on original creek alignment (some floodwater would bypass this arrangement in the 100 year event)	2 no. 4200x900 culverts (total area 7.6 m2). Total length 50m	\$234,883	\$172,877 (assumed 15% loading on above install)	\$407,760

*Hydrodynamica report p.22*

With regard to Drummond Street, Mr Oakley proposes cost estimates for three options:

Materials	Supply Cost	Installation Cost	Total
2 no. DN1200 culverts (flush joint for open trenching)	\$24,186	\$64,679	\$88,865
2 no. DN1200 culverts (butt joint for jacking pipe)	\$39,459	\$64,679 (assumed the same as trenching)	\$104,138
2 no. 3600 x 900 box culverts	\$131,056	\$117,248	\$248,304

*Hydrodynamica report p.27*

## 7 RISK ISSUES

Identified risk issues include:

- At present there is a risk to public safety during times of major flood events when roadways are submerged. Upgrading of the drainage facilities will minimise the likelihood of road surface flooding.
- Council takes no action to minimise the likelihood of road surface flooding and the development of parcels of land for residential subdivision purpose are lost.
- The improvements to the stormwater infrastructure are made and the area is hit with events greater than what it was designed for.
- The Council does not equitably distribute the cost of the stormwater improvements to the individuals that receive a direct benefit.

## 8 CONSULTATION WITH STATE GOVERNMENT

Discussion will be necessary with TasRail and the Department of State Growth (DIER).

## 9 COMMUNITY CONSULTATION

Affected property owners will be consulted.



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## 10 OPTIONS FOR COUNCIL TO CONSIDER

There are three options for Council to consider:

- i) Take no action;
- ii) Review the costings and assess the various options for the distribution of those costs proportionally to Council and the properties directly impacted within the catchment area.

## 11 OFFICER'S COMMENTS/CONCLUSION

Mr Cameron undertook investigations to assess the risks and consequences of nuisance flooding between Edward and Drummond streets in West Perth, in order to recommend the civil works required to investigate the impacts of these events.

The following table summarises the issues, risk and recommendations provided by this report:

Issue	Rating	Risks	Recommendations
Outdated catchment model	N/A	Could be over/underestimating modelled flows	Undertake RORB/Flood frequency analysis of catchment taking large dam & highway realignment into consideration. Include survey of the existing dam and examine options to provide permanent storage capacity for storm events
Edward Street culverts	Greater than 20 year but less than 100 year peak flows	Upstream floodwaters, flooding of Youl Road intersection, flooding over road not controlled	Determine desired service level of road Install grated headwall Create floodway/adjust road height levels Require future development levels to be raised to 161 mAHD Require future dwellings to provide 300mm freeboard
Edward Street to Youl Road channel	Insufficient to hold 100 year peak flow	Flooding of adjacent land, flooding of Youl Road	Determine desired service level of Youl Rd. Require future development levels to be raised to 161 mAHD Require future dwellings to provide 300mm freeboard. Remove redundant access crossing Widen channel between chainages 260m & 160m Consider installing new Youl Road and rail culvert at chainage 160m.
Youl Road and Western rail line culverts	Greater than 20 year but less than 100 year peak flows	Flooding of adjacent land, flooding of Youl Road	Determine desired service level of Youl Rd. Installation of new culverts (a) next to existing, or (b) at chainage 160m.
Drummond Street culverts	Greater than 20 year but less than 100 year peak flows	Flooding of adjacent land, flooding of Drummond Street, flooding of Cemetery Road	Determine desired service level of Drummond Street Remove Old Cemetery Rd culvert Remove pine, fence, and willow obstructions Create floodway/adjust road height levels Consider future vision for land parcel bounded by Drummond Street, Youl Road, and Norfolk Street Install 2 additional DN1200 culverts Conduct modelling of downstream reaches to determine properties are not adversely affect by allowing additional flows

*Hydrodynamica report p.4*

Accordingly, after due consideration of the report, Council agreed at its meeting on 21 September 2015 to:

- continue with discussions with the State Government and TasRail to investigate opportunities to fund the required upgrades.
- concurrently investigate the introduction of a stormwater head-works levy.

## 12 ATTACHMENTS

12.1 Hydrodynamica Report on West Perth Stormwater Assessment and Recommendations – September 2015

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## RECOMMENDATION 1

That Council discuss the matter.

## RECOMMENDATION 2

That Council receive the report titled *Stormwater Assessment and Recommendations for Northern Midlands Council - West Perth* dated September 2015.

## DECISION

**Cr Goninon/Cr Knowles**

That the matter be discussed.

Carried unanimously

**Cr Knowles/Cr Gordon**

That

- i) Council receive the report titled *Stormwater Assessment and Recommendations for Northern Midlands Council - West Perth* dated September 2015.
- ii) the assessment area be included in the itinerary for the 2016 Councillor bus tour.

Carried unanimously

## 296/15 STORMWATER: TRANSLINK/WESTERN JUNCTION FLOODING

Responsible Officer: Wayne Chellis, Works & Infrastructure Manager

### 1 PURPOSE OF REPORT

The purpose of the report is to present to Council Hydrodynamica's final report and seek Council's endorsement thereof.

*Note: this report is to be read in conjunction with the attached final report dated October 2015.*

### 2 INTRODUCTION/BACKGROUND

Council at its meeting on 20 July 2015 resolved to:

- support the application for funding under the National Stronger Regions Fund program to implement the stormwater management plan for the TRANSLink Precinct to an amount of \$1,400,000 with an additional contingency of 10 percent \$140,000.
- authorise Council officers to acquire identified parcels of land for detention basin purposes.

An assessment of the existing stormwater infrastructure and future requirements has been undertaken for TRANSLink Precinct and catchment. The assessment found several risks to private property associated with deficiencies. The major risks are:

Property	Probability of Flood	Impact Consequence Rating
No. 16 Johns Street	Less than every 5 years	High
No. 1 Hudson Fysh Drive	Less than every 5 years	High
Lots 21 & 26 Gatty St	Less than every 5 years	High
Evandale Rd & No. 2	Less than every 5 years	High
Translink Avenue	Less than every 5 years	High

The potential for additional risks were determined near Boral Road and Hudson Fysh Drive due to the probability of future development of rural land within the catchment.

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Resulting from extensive modelling, analysis, and consultation across Northern Midlands Council departments, eight projects have been conceptualised (refer to the overview plan in Appendix A). A summary of the projects and separate concept estimates are as follows:

Project	Description	Core Construction Management
1	Basin 1 infrastructure upgrades, swales and pipework	\$295,414
2	Evandale Road culvert capacity improvements	\$106,590
3	Piping of overland flows along Richard Street	\$281,060
4	Decommission basin 2 and divert flows north	\$904,816
5	New Boral Rd detention basin	\$395,856
6	Expansion of detention basin 4 capacity	\$573,248
7	Gatty Street overland flow path works	\$115,400
8	New Gatty Street detention basin	\$176,860
Total		\$2,849,244

These projects have been put forward by Northern Midlands Council for the Federal Governments National Stronger Regions Fund Grants (Round 2), with the goal of commencing detailed design in early 2016.

## 3 STRATEGIC PLAN 2007-2017

The Strategic Plan 2007/2017 (2012/2013 revision) provides the guidelines within which Council operates. The following “Volume 1 – Mapping Our Direction” goals have relevance to this issue:

- Part 1B : Finance
  - 1.9 Financial Management
  - 1.13 Asset Management
- Part 2 : The Local Economy
  - 2.1 Long Term Economic Development
  - 2.3 Business Support
- Part 4 : Structure Planning and Sustainability
  - 4.6 Strategic Planning
  - 4.7 Land Use Planning
  - 4.8 Growth Centre – Transport & Industry
  - 4.14 Regional Planning
- Part 5 : Focus on Physical Assets
  - 5.2 Hydraulic Infrastructure
  - 5.4 Emergency Management

## 4 POLICY IMPLICATIONS

N/A

## 5 STATUTORY REQUIREMENTS

*Urban Drainage Act 2013*

*Local Government Highways Act 1982*

Tasmanian Municipal Standard Drawings

## 6 FINANCIAL IMPLICATIONS

The estimated cost of this project is \$2,849,244 plus GST of \$284,924.



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The estimated cost of infrastructure improvement is \$1,400,000 (exclusive of GST) to be funded by Council.

## 7 RISK ISSUES

A Risk Workshop was undertaken to assess the risks and consequences of the identified infrastructure deficiencies. The Risk Matrix and Summary Documents resulting from the workshop are listed in the Document Register.

The workshop confirmed that although the capacities of some stormwater assets are inadequate, the immediate risk of damage by flooding is currently restricted to a few key properties. In order of priority these risks are:

### 7.1 No. 16 Johns Street

Johns Street Basin (Basin 2) is significantly undersized and is predicted to flood in less than the 1 in 5 year ARI rainfall event. Overtopping of this basin has been observed by Council employees. The basin spillway is at 90 degrees to Johns Street and flood waters spill from it, across Johns Street and down the driveway of no. 16 Johns Street, at which point water enters the building. The 5 year ARI peak spill rate is modelled to be 301 L/s with the 100 year rate increasing to over 1000 L/s.

### 7.2 No. 1 Hudson Fysh Drive

Basin 4, located behind no. 49 TRANSlInk Avenue South, is significantly undersized and is predicted to flood in less than the 1 in 5 year ARI rainfall event. Overtopping of this basin has been observed by Council employees. Overtopping of this basin and the inadequate overland flow path contribute to flooding of the storage units at the rear no. 1 Hudson Fysh Drive. Peak flooding is modelled to be over 2.6 m<sup>3</sup>/s in the 100 year event.

In addition to the risks to these developed lots there are risks for which development is desired. In order of priority the immediate risks identified to these lots are:

### 7.3 Lots 21 & 26 Gatty Street

The existing headwall and culvert at the top of Lots 21 and 26 Gatty Street is undersized and is predicted to flood in less than the 1 in 5 year ARI rainfall event.

The headwall collects extensive flows from a privately constructed cut-off drain and when it overtops the flood waters flow overland towards Gatty Street. This is of concern as this area may affect future development of the property, and floodwaters may be passed downstream to 48 TRANSlInk Avenue and to the intersection of Gatty Street and Translink Avenue south. There is no direct flow through to basin 4 and there is potential in larger storm events for the flooding of no. 44 TRANSlInk Avenue South.

### 7.4 Evandale Road & No. 2 TRANSlInk Avenue

Modelling suggests the Evandale Road culvert, at the south-east of no. 2, is inadequate to carry 5 year ARI flows, thus causing flooding across Evandale Road and in the corner Lot (no. 2). Compounding this issue is that basin 1 is predicted to overtop in the 20 year storm event, peaking at 850 L/s in the 100 year event.

Overtopping will likely result in the immediate flooding of no. 2 TRANSlInk Avenue, additional flows over Evandale Road just north of the roundabout, and potentially through the service station hardstand at no. 1 TRANSlInk Avenue.

### 7.5 Project Cost

Project construction cost will have associated risks, but these can be successfully managed if the

following are properly addressed:

- Good pre-tender cost estimation resulting in realistic project funding
- Well-scoped and specified works resulting in least contract variations

The following uncertainties will also need to be managed to avoid unnecessary cost increases:

- Uncertain ground conditions
- Uncertain weather

The first risk can be managed by adequate geotechnical investigation as part of design.

The second risk can be minimised by appropriate scheduling of works to avoid bad weather.

### 8 CONSULTATION WITH STATE GOVERNMENT

Council will need to undertake works to comply with the state legislation, i.e. *Urban Drainage Act 2013*.

### 9 COMMUNITY CONSULTATION

Consultation has been undertaken with property owners and permission has been granted for Council to dig test holes.

### 10 OPTIONS FOR COUNCIL TO CONSIDER

The options available to Council are to either accept the report, or take no further action.

### 11 OFFICER'S COMMENTS/CONCLUSIONS

#### 11.1 Description of Proposed Works

The area in question varies from flat to gently undulating and stormwater disposal is a long-standing problem in the area. Present stormwater assets include stormwater pipework, open drains and a limited number of detention basins. The main problems are centred on three areas:

- the northern part of the development near the intersection of Evandale Road and TRANSlink Avenue;
- central area, around Boral Road; and
- the southern part, around Gatty Street, which is a gateway to an area of proposed development.

The project will address a number of issues that prevent the stormwater system from dealing with a 100 year storm event. This will be done by a combination of the following:

- increasing stormwater pipe sizes of selected sections;
- augmenting some lines with a second, parallel line for increased capacity;
- diverting some stormwater sources, such as adjacent rural catchment land;
- building additional detention basins;
- upgrading detention basin outlets to prevent upstream build-up as happens at present; and
- providing grassed open drains for additional stormwater flowpaths.

The concept design work already undertaken has identified preferred options for how the above items can be combined into most effective stormwater strategy.

#### 11.2 Land Acquisition

While the acquisition of land for the project is not part of the actual capital works it is a critical precursor to the overall project.

The cost of land and associated costs may not form part of the funding application but are critical to

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the success of the project.

As identified in minute number 208/15, Council officers have been authorised to acquire the land necessary to construct or expand detention basins.

## 12 ATTACHMENTS

- 12.1 Final Report from Hydrodynamica titled *TRANSlink Precinct Stormwater Assessment – Breadalbane* (dated October 2015).

## RECOMMENDATION 1

That Council discuss the matter.

## RECOMMENDATION 2

That Council endorse the final report from Hydrodynamica titled *TRANSlink Precinct Stormwater Assessment – Breadalbane* (dated October 2015).

## DECISION

**Cr Goninon/Cr Adams**

That the matter be discussed.

Carried unanimously

**Cr Adams/Cr Knowles**

That Council endorse the final report from Hydrodynamica titled *TRANSlink Precinct Stormwater Assessment – Breadalbane* (dated October 2015).

Carried unanimously

## 297/15 MONTHLY FINANCIAL STATEMENT

File: Subject 24/023  
Prepared by: Maree Bricknell, Corporate Services Manager

## 1 PURPOSE OF REPORT

The purpose of this report is to present the monthly financial reports as at 30th September 2015.

## 2 INTRODUCTION/BACKGROUND

The Corporate Services Manager circulated a copy of the Monthly Financial Summary for the period ended 30th September 2015.

A. Operating Income and Expenditure						
	Budget	Year to Date Budget	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$9,446,051	-\$9,446,051	-\$9,253,416	-\$193	98.0%	
Recurrent Grant Revenue	-\$4,369,402	-\$1,092,351	-\$859,145	-\$233	78.7%	
Fees and Charges Revenue	-\$1,706,334	-\$426,584	-\$685,070	\$258	160.6%	SG Perth Bypass planning fees in advance \$186K
Interest Revenue	-\$272,000	-\$68,000	-\$8,683	-\$59	12.8%	Accrued revenue adjustment included
Reimbursements Revenue	-\$88,898	-\$22,225	-\$53,094	\$31	238.9%	
Other Revenue	-\$1,200,322	-\$300,081	-\$193,406	-\$107	64.5%	Pension rate rebates not yet received
	-\$17,083,007	-\$11,355,290	-\$11,052,814	-\$302	97.3%	
Employee costs	\$4,923,111	\$1,230,778	\$1,245,903	-\$15	101.2%	
Material & Services Expenditure	\$4,672,663	\$1,168,166	\$1,131,366	\$37	96.8%	

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Depreciation Expenditure	\$4,693,630	\$1,173,408	\$1,172,740	\$1	99.9%	
Government Levies & Charges	\$662,620	\$165,655	\$9,482	\$156	5.7%	State Govt Fire Levy instalment not yet paid
Councillors Expenditure	\$187,332	\$46,833	\$47,975	-\$1	102.4%	
Other Expenditure	\$813,525	\$502,222	\$575,046	-\$73	114.5%	
Plant Expenditure Paid	\$658,420	\$164,605	\$165,191	-\$1	100.4%	
	\$16,611,301	\$4,451,666	\$4,347,703	\$104	97.7%	
	-\$471,706	-\$6,903,624	-\$6,705,111			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$450,000	\$112,500	\$0	\$113	0.0%	
Underlying (Surplus) / Deficit	-\$21,706	-\$6,791,124	-\$6,765,112			
	\$0		\$0			
Capital Grant Revenue	-\$2,352,000	-\$588,000	-92050	-\$496	15.7%	No capital grants received yet.
Subdivider Contributions	-\$350,000	-\$87,500	0	-\$88	0.0%	No new assets recognised at this stage
Capital Revenue	-\$2,702,000	-\$675,500	-\$92,050			
	-		-			

## Budget Alteration Requests

- For Council authorisation by absolute majority
- Evandale - High St Footpath (Cambock to Barclay) transferred to  
Evandale - High St Memorial Hall Carpark reconstruction and landscaping  
-\$42,000  
\$42,000
- Authorised by General Manager under Delegation

## B. Balance Sheet Items

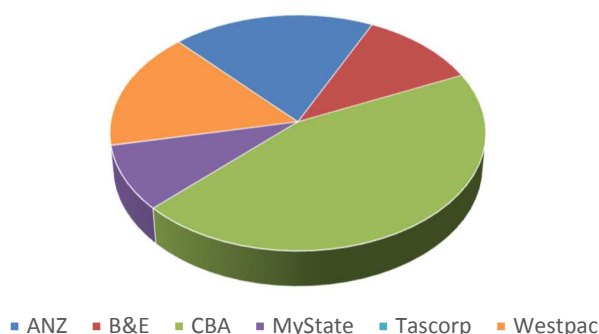
	Year to Date Actual		Monthly Change		Same time last year	Comments
<b>Cash &amp; Cash Equivalents Balance</b>						
- Opening Cash balance	\$11,389,501		\$13,244,088			
- Cash Inflow	\$7,173,009		\$1,262,424			
- Cash Payments	-\$5,577,363		-\$1,521,366			
- Closing Cash balance	\$12,985,146		\$12,985,146			
	-		-			
Account Breakdown						
- Trading Accounts	\$647,193					
- Investments	\$12,337,954					
	\$12,985,146					
	-					
Summary of Investments	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value	
Tasmanian Public Finance Corporation	1/09/2015	30/09/2015	2.00	\$5,034	\$5,042	
Commonwealth Bank	16/07/2015	30/09/2015	1.90	\$508,293	\$510,304	
Commonwealth Bank	17/07/2015	16/10/2015	2.80	\$1,000,000	\$1,006,981	
Commonwealth Bank	4/08/2015	4/11/2015	2.80	\$1,000,000	\$1,007,058	
Commonwealth Bank	4/09/2015	4/11/2015	2.80	\$2,000,000	\$2,009,359	
Bass & Equitable	25/05/2015	23/11/2015	2.70	\$1,371,516	\$1,389,981	
Commonwealth Bank	26/08/2015	25/11/2015	2.80	\$1,000,000	\$1,006,981	
Westpac Banking Corporation	14/09/2015	14/12/2015	2.56	\$2,000,000	\$2,012,765	
My State Financial	25/12/2014	25/12/2015	3.75	\$1,104,725	\$1,146,152	
ANZ	12/09/2015	11/01/2016	3.00	\$1,070,887	\$1,081,537	
ANZ	14/05/2015	14/05/2016	2.80	\$1,277,499	\$1,313,367	
Total Investments				\$12,337,954	\$12,489,526	
Actual Interest Earnings			\$73,739			

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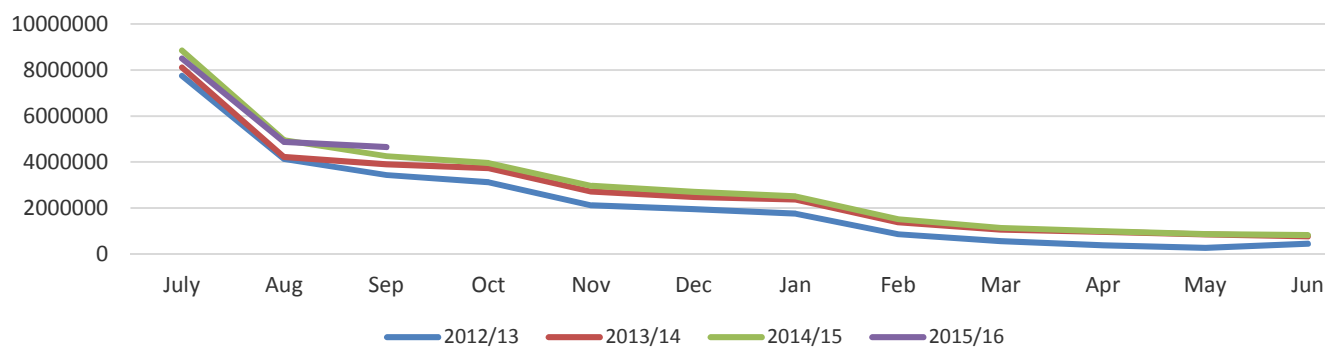


Investments by Institution



Rate Debtors	2015/16	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	\$1,017,753	11.2%	\$772,705	
Rates Raised	\$9,269,442		\$9,169,959	
	\$10,287,196		\$9,942,664	
Rates collected	\$5,183,693	55.9%	\$5,231,734	0.57052968
Pension Rebates	\$406,594	4.4%		
Discount & Remissions	\$47,112	0.5%	\$443,346	4.8%
	\$5,637,400		\$5,675,080	
Rates Outstanding	\$4,730,428	51.0%	\$4,267,584	46.5%
Advance Payments received	-\$80,633	0.9%		

Outstanding Rates



Trade Debtors			
Current balance	\$130,938		
- 30 Days	\$113,159		
- 60 Days	-\$1,515		
- 90 Days	\$1,866		
- More than 90 days	\$17,428		
Summary of Accounts more than 90 days:			
- Norfolk Plains Book sales		3,176	
- Hire of meeting rooms		93	
- Removal of fire hazards		3,440	
- Damage to bridge		3,076	
- Dog Registrations & Fines		6,568	
- Ben Lomond Study		-	
- Building Plumbing Fees		985	
- Damage to tree guard		91	
		-	

█ Paid by outlet as sold  
█ To be written off as bad debt  
█ Cannot locate debtor  
█ Sent to Fines Enforcement  
█ Arrangement to pay  
█ Arrangement to pay

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C. Capital Program				
	Budget	Actual (\$,000)	Target 100%	Comments
Renewal	\$7,828,900	\$624,646	8%	
New assets	\$3,163,000	\$583,354	18%	
Total	\$10,991,900	\$1,208,000	11%	
Major projects:				
- Powranna Bridge	\$1,922,000	\$291,231	15%	Concrete work commenced offsite
- Lake River Bridge	\$1,250,000	\$0	0%	Awaiting outcome of grant application
- Ross Toilet Block Replacement	\$150,000	\$4,317	3%	Planning & Building Permit stage
- Glenelg Street K&G and Reconstruction	\$350,000	\$9,175	3%	Scheduled Dec/Jan
- Wilmores Lane reconstruction	\$642,000	\$207	0%	Scheduled Jan/Feb
- Delmont Road reconstruction	\$390,000	\$0	0%	Scheduled Nov/Dec

\* Full year to date capital expenditure for 2015/16 provided as an attachment.

D. Financial Health Indicators				
	Target	Actual	Variance	Trend
Financial Ratios				
- Rate Revenue / Total Revenue	55.3%	51.0%	4.3%	↑
- Own Source Revenue / Total Revenue	74%	92.2%	-17.8%	↘
Sustainability Ratio				
- Operating Surplus / Operating Revenue	0.1%	61.2%	-61.1%	↘
- Debt / Own Source Revenue	0.0%	0.0%	0.0%	↔
Efficiency Ratios				
- Receivables / Own Source Revenue	38.2%	47.7%	-9.5%	↘
- Employee costs / Revenue	28.8%	11.3%	17.5%	↗
- Renewal / Depreciation	166.8%	53.3%	113.5%	↗
Unit Costs				
- Waste Collection per bin	\$9.80	\$9.07		↔
- Employee costs per hour	\$41.03	\$35.62		↗
- Rate Revenue per property	\$1,378.99	\$1,353.20		↔
- IT per employee hour	\$3.17	\$3.39		↘

E. Employee & WHS scorecard		
	YTD	This Month
Number of Employees	82.8	84
New Employees	1	1
Resignations	0	0
Total hours worked	34974	16092
Lost Time Injuries	0	0
Lost Time Days	66	22
Safety Incidents Reported	7	5
Hazards Reported	6	3
Risk Incidents Reported	2	1
Insurance claims - Public Liability	1	1
Insurance claims - Industrial	3	1
Insurance claims - Motor Vehicle	1	1
IT - Unplanned lost time	0	0

## 3 ALTERATIONS TO 2015-16 BUDGET

The following alteration to the 2015-16 Budget is provided for Council consideration and approval (by absolute majority).

- The replacement of a gravel footpath with concrete in High Street, Evandale (between Cambock and Barclay), has been transferred to complete the car parking and landscaping of the Memorial Hall grounds off High Street - \$42,000.

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The following alteration has been approved by the General Manager under delegation:

- No items identified for month of September 2015.

### 4 OFFICERS COMMENTS

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

### 5 ATTACHMENTS

- 5.1 Income & Expenditure Summary for period ending 30th September 2015.
- 5.2 Account Management Report to end September 2015.

### RECOMMENDATION

That Council receive and note the Monthly Financial Report for the period ending 30th September 2015.

### DECISION

**Cr Polley/Cr Lambert**

That Council receive and note the Monthly Financial Report for the period ending 30<sup>th</sup> September 2015.

Carried unanimously

## 298/15 ANNUAL GENERAL MEETING

*Responsible Officer:* Maree Bricknell, Corporate Services Manager

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

### 1 PURPOSE OF REPORT

The purpose of this report is to determine a time and date for Council's Annual General Meeting 2015.

### 2 INTRODUCTION/BACKGROUND

Section 72A of the *Local Government Act (LGA)* requires Council to hold an Annual General meeting no later than 15 December 2015.

### 3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The goals identified in, "*Volume 1 – Mapping Our Direction*", 1.1 Governance are applicable to this report.

### 4 STATUTORY REQUIREMENTS

The *Local Government Act 1993* requires Council to prepare an Annual Plan for the municipal area for each financial year. The Council is also required to prepare an Annual Report which provides a summary of the Annual Plan for the preceding financial year. The Act sets out the details of what must be provided in the Annual Report which includes a copy of the Audit opinion for the preceding financial year.

Council must invite the community to make submission on its Annual Report for discussion at the Annual General Meeting.

Under section 72b (2) of the *Local Government Act 1993* Council must publish a notice on at least two



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separate occasions in a daily newspaper circulating in the municipal area specifying the date, time and place of the Annual General Meeting.

### 5 FINANCIAL IMPLICATIONS

Council prepares the Annual Report internally and distributes the report on disc and/or hard copy.

### 6 RISK MANAGEMENT

Council has a responsibility under the *Local Government Act 1993* to hold an Annual General Meeting.

### 7 COMMUNITY CONSULTATION

The Annual General Meeting provides an opportunity for Council to inform and engage with the community on current issues within the community. The meeting provides an opportunity for the public to gauge the success of the Council over the twelve month period taking into account the initiatives that were set in the preceding Annual Plan.

### 8 OFFICER'S COMMENTS/CONCLUSION

The Annual Report is currently being prepared and will be advertised for public comment on Saturday 21 and 28 November 2015.

It is recommended that the Annual General Meeting be held at the Longford Council Office on Monday, 14 December 2015 at 5pm, in conjunction with the Council Meeting planned for that date.

### RECOMMENDATION 1

That the matter be discussed.

### RECOMMENDATION 2

That the Annual General Meeting for the Northern Midlands Council be held at the Longford Council Offices on Monday, 14 December 2015, commencing at 5pm.

### DECISION

Cr Polley/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Polley/Cr Goninon

That the Annual General Meeting for the Northern Midlands Council be held at the Longford Council Offices on Monday, 14 December 2015, commencing at 5pm.

Carried unanimously

## 299/15 LONGFORD STREET CYCLING CRITERIUM

File: 44/001/001  
Report prepared by: Maree Bricknell

### 1 PURPOSE OF REPORT

The purpose of this report is to seek Council's position regarding contributing financially to a new event on

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the Northern Midlands Event Calendar – the Longford Street Cycling Criterium.

## 2 INTRODUCTION/BACKGROUND

Organisers of the Launceston Classic Street Criterium held on Sunday, 6th December early evening have held a Saturday Criterium at Symmons Plains in past years.

In conjunction with the newly formed Longford-Esk Cycling Club organisers would like to relocate the event to the township of Longford this year.

The new cycle track would be used for the cyclists to warm up, and the races are suggested around the village green & church grounds as per the attached map.

It is anticipated that at least 2,000 spectators would also need to be catered for in the town.

Race streets would need to be closed between 10am -2.30pm, with some periods when heavy vehicles could be allowed through if necessary.

Longford Esk Cycling club would door-knock affected businesses and residences to arrange for access on the day, as well as approach food and coffee stalls regarding being on the Village Green.

It has also been suggested that penny farthings be demonstrated prior at the event start, and Launceston strollers adding colour.

It is considered that this event will be a great promotional opportunity for Longford's refurbished velodrome and for the Longford town in general – video footage taken around the course will be played on big screens in city during their criterium race, and in an event compilation video that is widely distributed – last year's video was viewed by over 12 million people.

Tourism Northern Tasmania supports the event at Longford.

The commitment from Council towards the running of the event includes

- Booking of the Village Green
- provide traffic management for road closures
- provide mobile garbage bins on Village Green as required.

## 3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following "Volume 1 – Mapping Our Direction" goals have relevance to this issue:

- Part 2 – Economic Development

## 4 POLICY IMPLICATIONS

It is noted that Council has Special Event funding application process for new and continuing events to its area.

## 5 STATUTORY REQUIREMENTS

Not applicable.

## 6 FINANCIAL IMPLICATIONS

The funding amount that the Longford-Esk Cycling Club is seeking to establish the Longford Street stage is approximately \$3,000, plus GST.

Should Council wish to contribute to the event it may need to extend its Round 2 Event Funding budget

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allocation at the November meeting.

## 7 RISK ISSUES

Without support for Traffic Management the newly formed Longford-Esk Cycling Club may not be able to bring the event to the Longford township.

## 8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

## 9 COMMUNITY CONSULTATION

Community consultation has not occurred in respect to this proposal, given the timeframe in which it has been raised. However, it is generally considered that the cycling event will be a good promotion to Longford township and the newly refurbished velodrome.

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council has three options to consider:

- Contribute \$3,000 to the Longford Criterium
- Not contribute.
- Contribute to an alternative level.

## 11 OFFICER'S COMMENTS/CONCLUSION

The Longford Street Criterium adds to the already popular velodrome and road cycling courses around Longford.

## 12 ATTACHMENTS

12.1 Criterium Street map

### RECOMMENDATION 1

That Council discuss the matter.

### RECOMMENDATION 2

That Council contribute the amount of \$..... to the Longford Criterium under its 2015/2016 Special Event Round 2 funding round.

### DECISION

**Cr Adams/Cr Goss**

That the matter be discussed.

Carried unanimously

**Cr Polley/Cr Goninon**

That Council contribute the amount of \$3,000 to the Longford Criterium under its 2015/2016 Special Event Round 2 funding.

Carried unanimously

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## 300/15 STATEWIDE MOU – KEY REGULATORY REQUIREMENTS – CONSULTATION

Report prepared by: Duncan Payton, Planning & Development Manager

### 1 PURPOSE OF REPORT

This report provides Council with the draft MOU between the State Government and the LGAT (on behalf of the Councils) on key regulatory requirements for discussion and direction..

### 2 INTRODUCTION/BACKGROUND

In 2012, the Premiers Local Government Council (PLGC) commenced a joint project between the State and local government to address the current and future role of local government in Tasmania.

The final report for that project was released in August 2014.

Following this and whilst *both spheres of government agree it is essential that the local government sector is well equipped to fulfil the multiplicity of roles entrusted to it*, a Legislation Working Group was established and a Strategic Action Plan (SAP) was endorsed by the PLGC in May 2015.

One of the first priority actions of the SAP was the development of a high level agreement between the State Government and local governments in relation to key regulatory requirements. This agreement is to provide for:

- clear role delineation, guidance and assistance to councils in undertaking their roles;
- a dedicated and ongoing forum for strategic consultation with councils and other stakeholders; and
- joint development of tools and systematic review.

Public health, environment and land use planning were considered by the working group as high priority areas to be addressed in the agreement. A draft agreement, including a schedule addressing public health, is attached for comment.

Once endorsed, the draft schedule will be used as a template for the development of further schedules addressing other priority areas.

The draft MOU was released for consultation on 21 September and closes on 23 October.

To assist, the following questions have been provided:

- 1) Do you support the objectives of the MOU?
- 2) Can you see any opportunities to enhance the MOU?
- 3) What are the major obstacles facing implementation of the MOU and how might they be overcome?
- 4) In addition to health, environment and land use planning, do you think there are additional schedules that should be added to the MOU?
- 5) Do you think there are any elements of the MOU that should be removed?

### 3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following “Volume 1 – Mapping Our Direction” policies have relevance to this issue:

- 1.1 Governance
- 1.8 Regional/State/Federal/International Relations
- 4.2 Public Health
- 4.7 Land Use Planning

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- 4.13 Natural Resource Management

## 4 POLICY IMPLICATIONS

There is no specific policy relevant to this request, however as schedules are prepared and acted upon, this may impact on various policies and procedures.

## 5 STATUTORY REQUIREMENTS

There is no specific statutory requirement in regard to this consultation and MOU. The schedules will seek to address requirements under many pieces of legislation.

## 6 FINANCIAL IMPLICATIONS

There is no specific financial impact to Council. However, the aim of the MOU is to simplify the task of meeting our legislative obligations and should therefore result in some savings to Council.

## 7 RISK ISSUES

There are no specific risk issues for Council.

1. <i>Do you support the objectives of the MOU?</i>	The draft MOU presents a very reasonable set of objectives aiming for better legislation, compliance and outcomes for Tasmanian communities.
2. <i>Can you see any opportunities to enhance the MOU?</i>	The proposed health schedule has not attempted to go far beyond a description of the current situation. Notwithstanding the high end status of the MOU, more detail should be included in the schedules to drive improved and simplified process.
3. <i>What are the major obstacles facing implementation of the MOU and how might they be overcome?</i>	Resistance to change or the desire to maintain the status-quo may impede the production of useful schedules and thus the purpose of the MOU.
4. <i>In addition to health, environment and land use planning, do you think there are additional schedules that should be added to the MOU?</i>	Consideration could be given to schedules that address matters such as: <ul style="list-style-type: none"><li>• Animal Control - cats and perhaps a consistent state-wide approach to dogs - particularly after hours service;</li><li>• Simplified creation of uniform by-laws; and</li></ul> Advertising signage on State roads
5. <i>Do you think there are any elements of the MOU that should be removed</i>	Not at this time.

## 8 CONSULTATION WITH STATE GOVERNMENT

This is part of the State's consultation process.

## 9 COMMUNITY CONSULTATION

There has been no community consultation in regard to this proposal.

## 10 OPTIONS FOR COUNCIL TO CONSIDER

- Provide comment on the draft MOU; or
- Not provide comment on the draft MOU.

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## 11 OFFICER'S COMMENTS/CONCLUSION

An opportunity to work with the State to reduce or simplify the regulatory burden placed on Council should be viewed as a positive step.

In response to the discussion questions proposed:

## 12 ATTACHMENTS

Consultation draft MOU.

## RECOMMENDATION

That the report be discussed.

## DECISION

**Cr Knowles/Cr Calvert**

That the matter be discussed.

Carried unanimously

**Cr Knowles/Cr Lambert**

That the report be noted and include the comment that the objectives of the MOU should include working towards the constitutional recognition of local government.

Carried unanimously

*Mayor Downie adjourned the meeting for the evening mealbreak at 6.02pm, at which time Ms Green and Miss Mason left the meeting.*

*Mayor Downie reconvened the meeting after the mealbreak at 6.45pm.*

## 301/15 PUBLIC QUESTIONS & STATEMENTS

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* relates to the provision of Public Question Time during a Council meeting. Regulation 31(7) of the Regulations stipulates that "a Council is to determine any other procedures to be followed in respect of public question time at an ordinary council meeting."

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

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

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## 1 PUBLIC QUESTIONS

No questions were forthcoming from the gallery.

## 302/15 COUNCIL ACTING AS A PLANNING AUTHORITY

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

### DECISION

**Cr Goninon/Cr Goss**

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda items PLAN 1 – PLAN 7.

Carried unanimously

## 2 STATEMENTS

### **PLAN 1 P15-220 - 61 Weston Street, Longford**

#### Mr Cassidy, Longford

Mr Cassidy tabled photographs and provided the following statement to which he spoke:

*"Regarding the objection to a 2 lot subdivision P15-220 zoned low density rural residential at our property 61 Weston Street.*

*"The proposed subdivision is only one house block and approx 4 acres and is on the opposite side of Brumby Street to Brickendon's boundary (the objector) fence.*

*"The said lambing paddock on Brickendon is not visible from this proposal as there is a buffer zone of pine trees, bush and gorse and Brumby Street in between.*

*"We have lived here for the past 6 years and there has been no problems with lambing our ewes, our fences are secure and we tend our stock. We have been farming in the Bishopsbourne area for 35 years.*

*"Therefore in our opinion this proposal will not have any impact on Brickendon.*

*"I would like to table photos taken from the proposed subdivision looking east towards Brickendon.*

*"Thank you for your time."*

### **PLAN 4 P15-287 - 437 Woolmers Lane, Longford**

#### Douglas Tangney – Pitt & Sherry (representing Tyrecycle)

Mr Tangney provided the following statement to which he spoke:

*"Thank you Mayor and Alderman for the opportunity to speak to the Council meeting tonight. I am representing Jim Fairweather of Tyrecycle, the proponent for the tyre chipping facility proposed for 437 Woolmers Lane, Longford ( P15-287).*

*"Tyrecycle demonstrate tyres are a resource, not a waste and have built a successful national and international business around reusing tyres and waste rubber. Tyrecycle is excited to bring their tyre chipper to Longford and chip their portion of the tyres at the site, if their proposal is approved.*

*"They were encouraged to come to Longford following a successful meeting with the General Manager and are grateful for the assistance the Councils planning department and the landowner have provided during the approval process.*



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*"Following approval tonight, the rubber hits the road in October and November 2015 to remove 3,000 tonnes of tyres and plans are underway for a future chipping campaigns.*

*"Tyrecycle is only contracted to manage 3,000 tonnes at Woolmers Lane and the additional 11,000 tonnes remains to be dealt with. Tyrecycle is willing and able to assist with the remaining tyres, should adequate financial provision become available.*

*"Thank you for your time."*

## **PLAN 7      P15-157 – 'Williamwood' (accessed from Auburn Road), 109 Auburn Road, Ross**

*Cr Calvert declared an interest in item PLAN 7, signed the register and left the meeting at 6.48pm*

### **Paul Willows – Evandale (for XLD Grain)**

Mr Willows addressed Council and advised that following their previous application they had worked closely with Council's planning department, the Ross community and Councillors to address concerns raised and had consequently identified the current site for the proposed grain processing and distribution facility.

Mr Willows advised that they had attempted to engage with the representors to discuss their concerns, to no avail. He pointed out that a bird management protocol had been developed to ensure that the activity would not attract birds and effectively control any bird issues which may arise.

Mr Willows advised that the operation would possibly employ 2 full-time staff and at least 6 casual staff at harvest time.

### **Julie Bingley – Somercotes**

Ms Bingley advised that their well established cherry orchard was located at Somercotes; that the business provides employment and contributes to the economy of the region. She indicated that they considered the proposal to have the potential to jeopardise their existing business.

Ms Bingley questioned the use of silo bags in regard to their longevity, ability to adequately store grain without being compromised by pests and considered the use of silo bags to be a short term storage option which required consistent monitoring and management.

She expressed the opinion that the location of the proposed grain store would impact on their business and would require them to net their orchards at a cost of approximately \$100,000/Ha; thus limiting the viability of the operation and any expansion. She considered the proposal to not be compatible with their fruit production business.

## **303/15      PLANNING APPLICATION P15-220 61 WESTON STREET, LONGFORD**

*Responsible Officer:      Duncan Payton, Planning & Development Manager*

*Report prepared by:      Erin Boer, Planning Officer*

*File Number:              109300.67, s735; CT 122095/3*

### **1      INTRODUCTION**

This report assesses an application for a 2-lot subdivision (attenuation area & bushfire-prone area) at 61 Weston Street, Longford.

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## 2 BACKGROUND

**Applicant:**

PDA Surveyors (obo Cassidy)

**Owner:**

RF & BD Cassidy

**Zone:**

Low Density Residential

**Special Areas:**

Bushfire-prone area  
Attenuation Distance

**Classification under the Scheme:**

Subdivision

**Existing Use:**

Residential (single dwelling)

**Deemed Approval Date:**

12-Oct-2015

**Recommendation:**

Approve

**Discretionary Aspects of the Application**

- Discretionary use (subdivision under clause 9.5.1)
- Special Areas – within attenuation distance of Brickworks Factory and Waste Transfer Station (reliance on performance criteria of clause E11.6.1.
- Clause 12.4.3.1 P3 & P4 – Connection to sewer & stormwater infrastructure

**Planning Instrument:** *Northern Midlands Interim Planning Scheme 2013*

Figure 1 – Photograph of subject site



## 3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application).

Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme.

Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

## 4 ASSESSMENT

### 4.1 Proposal

It is proposed to:

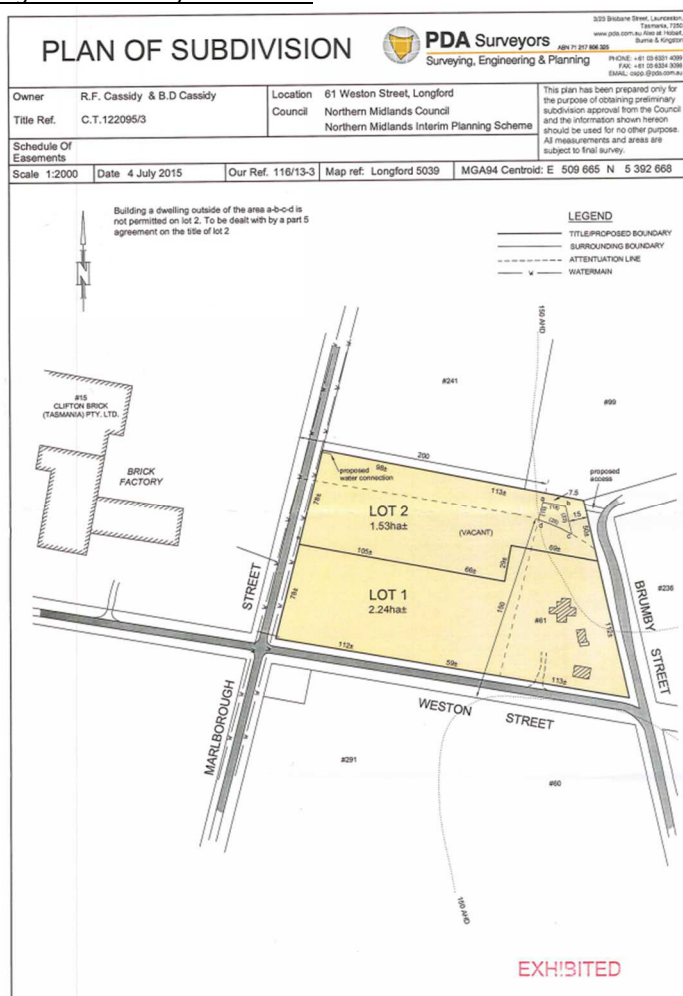
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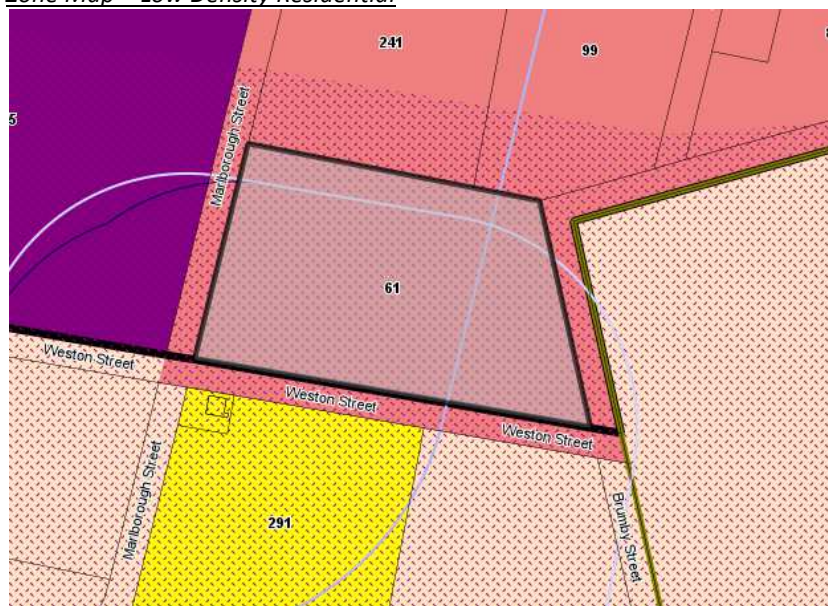
- Subdivide a 3.781ha lot into one 2.2ha lot and one 1.35ha lot.

*Figure 2 – Plan of Subdivision*



### 4.2 Zone and land use

Zone Map – Low Density Residential



The land is zoned Low Density Residential; is within a bushfire-prone area and within the Attenuation Distance of the brickworks factory and Longford Waste Transfer Station.

The relevant Planning Scheme definition is:

<i>subdivision</i>	<i>means the act of subdividing or the lot subject to an act of subdividing.</i>
--------------------	--

#### **Extract from Planning Scheme**

#### **Part C Special Provisions**

#### **9.5 Subdivision**

9.5.1 Notwithstanding any other provisions of this planning scheme, with the exception of sub clause 9.2.1, all applications for subdivision may be refused or approved at the discretion of the planning authority, unless the application is for a subdivision that cannot be approved under any applicable development standard or must not be approved under section 84 of the Local Government (Building and Miscellaneous Provisions) Act 1993.

Subdivision is discretionary (permit required) in the zone.

### 4.3 Subject site and locality

A site visit was undertaken by Erin Boer, Planning Officer, on the 25<sup>th</sup> August 2015. The subject site consists of one 3.781ha Low Density Residential zoned lot, which currently contains an existing dwelling and a number of small outbuildings. The site is level and has frontage to three roads; Marlborough Street, Weston Street and Brumby Street. It is proposed that the new access for proposed lot two will be from Brumby Street, which is a gravel road. Low Density Residential zoned land is located to the north, Rural Resource zoned land is located to the east and south east, General Industrial zoned land is located to the west (Brickworks) and Utilities zoned land is located to the south west (Waste Transfer Station). The gas pipeline is located to the south of the site along Weston Street.



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Aerial photograph of area



Photographs of subject site



*^Looking north toward proposed access to lot 2.*



*^Looking north from Weston Street toward existing dwelling.*

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*^Looking west over proposed lot 1*



*^Looking east over proposed lot 1*



*^Looking west toward existing dwelling from Brumby Street*





*^Looking west over proposed lot 2 and proposed access point from Brumby Street*

### 4.4 Permit/site history

Relevant permit history includes:

- 47/85 – Dwelling
- P05-060 – Garage
- P09-229 – Dwelling addition
- P15-019 – 3-lot subdivision (withdrawn prior to public exhibition)

### 4.5 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Dataworks system after completion of the public exhibition period revealed that a representation (Attachment B) was received from:

- R Archer, 'Brickendon' 236 Wellington Street, Longford, 7301.

Map showing location of representor properties in relation to subject site



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

#### Issue 1

- *Land use conflict (dogs, noise generated by farm related activities & trespassing)*



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## Planner's comment:

Mr Archer raises valid points regarding the potential for land use conflicts between rural and residential land. Nevertheless, the planning scheme does not allow for such concerns to be taken into consideration under the provisions of the Low Density Residential Zone. The matters raised in the representation are dealt with via separate legislation, namely, the *Dog Control Act 2000* & *Environmental Management and Pollution Control Act 1994*, and via relevant legislation enforced by Tasmanian Police.

## **Issue 2**

- *Increased density & conversion of agricultural land for residential purposes*

## Planner's comment:

Mr Archer's concerns are a matter to be considered during the rezoning process of future land, rather than for the subdivision of low density land. The proposed lot size is allowable as an acceptable solution under the planning scheme.

## 4.6 Referrals

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

Precis: Council's Works & Infrastructure Department (Terry Eaton / Jonathan Galbraith) reviewed the application on the 25<sup>th</sup> September 2015 and advised that Council services for this subdivision can be addressed by standard conditions. Their recommended conditions are included in the conditions of approval.

### **TasWater**

Precis: The application was referred to Taswater on the 24<sup>th</sup> August 2015. A Submission to Planning Authority Notice was issued on the 22<sup>nd</sup> September 2015 (Ref: TWDA 2015/01331-NMC).

### **Heritage Adviser**

Not applicable to this application

### **Tasmanian Heritage Council**

Not applicable to this application

### **Department of State Growth**

Not applicable to this application

### **Launceston Airport**

Not applicable to this application

### **Tasrail (adjoining landowner)**

Not applicable to this application

### **Environmental Health Officer**

Precis: Council's Environmental Health Officer, Chris Wicks, made the following comments:

*A design report is to be submitted to Council indicating the capacity and limitations of the proposed lot 2, for on-site wastewater management for a residential development. The design report is to be prepared by a suitably qualified person in accordance with the requirements of AS-1547:2012 On-site Domestic Wastewater Management. The report must include all documents as specified in schedule 2, part 3 of the Director of Building Control's Specified List 'Documents in relation to a Special Plumbing Permit for An on-Site Wastewater Management System'.*

### **Natural Resource Management Facilitator**

Not applicable to this application

### **Environment Protection Agency (level 2 under EMPCA)**

Not applicable to this application.

### **Alinta (Gas pipeline)**

The application was referred to Alinta on the 8<sup>th</sup> October 2015. At the time of writing this report, no response had been received.

### **Local District Committee**

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Not applicable to this application.

## 4.7 Planning Scheme Assessment

LOW DENSITY RESIDENTIAL ZONE	
ZONE PURPOSE	
12.1.1	<i>Zone Purpose Statements</i>
12.1.1.1	<i>To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.</i>
12.1.1.2	<i>To provide for non-residential uses that are compatible with residential amenity.</i>
12.1.1.3	<i>To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views.</i>
Assessment: The proposal meets the zone purpose. The development will provide for one additional lot of a size that is excess of the zone requirements, in an area where sewer infrastructure is limited. Accordingly, any proposed development on the site will require the installation of a waste water system.	
LOCAL AREA OBJECTIVES	
<i>To make provision for any additional future needs in low-density residential development at Avoca, Campbell Town, Cressy, Devon Hills and Longford by the incremental expansion of those areas already established for the purpose.</i>	
Assessment: The proposal meets the local area objectives as the proposal, if approved, will allow for the incremental intensification and expansion of the existing residential area of Longford.	
DEVELOPMENT STANDARDS FOR SUBDIVISIONS IN LOW DENSITY RESIDENTIAL ZONE	
<b>12.4.3 Subdivision</b>	
<b>12.4.3.1 Lot Area, Building Envelopes and Frontage</b>	
Objective To ensure:	
a) the area and dimensions of lots are appropriate for the zone; and	
b) the conservation of natural values, vegetation and faunal habitats; and	
c) the design of subdivision protects adjoining subdivision from adverse impacts; and	
d) each lot has road, access, and utility services appropriate for the zone.	
Acceptable Solutions	Performance Criteria
A1.1 Each lot must:	P1.1 <del>Each lot for residential use must provide sufficient useable area and dimensions to allow for:</del>
a) have a minimum area of 1ha; and	<del>a) a dwelling to be erected in a convenient and hazard free location; and</del>
b) have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or	<del>b) on-site parking and manoeuvrability; and</del>
c) be required for public use by the Crown, a an agency, or a corporation all the shares of which are held by Councils or a municipality; or	<del>c) adequate private open space; and</del>
d) be for the provision of public utilities; or	<del>d) reasonable vehicular access from the carriageway of the road to a building area on the lot, if any; and</del>
e) for the consolidation of a lot with another lot with no additional titles created; or	<del>e) development that would not adversely affect the amenity of, or be out of character with, surrounding development and the streetscape.</del>
f) to align existing titles with zone boundaries and no additional lots are created.	P1.2 <del>No performance criteria.</del>
A1.2 Subdivision at Devon Hills will not result in any new lots.	P1.3 <del>Land in Devon Hills must not be further subdivided</del>
Comment: The proposed development complies with acceptable solution A1.1 as follows:	
a) The subdivision proposes lot sizes of 1.53ha and 2.24ha.	
b) The proposed development will only impact on the side boundary setback of the existing dwelling. A	

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setback of approximately 29m is retained, which is well in excess of the 7.5m required by the provisions of the Low Density Residential Zone.	
c-f) N/a	
A1.2) N/a	
A2 Each lot must have a frontage of at least 6m.	P2 No performance criteria.
<p>Comment:</p> <p>Complies with acceptable solution A2. Lot 1 proposes a primary frontage of 112m and lot 2 proposes a primary frontage of 50m. Secondary frontages are all in excess of the required 6m also.</p>	
<p><del>A3 Each lot must be connected to a reticulated:</del></p> <p><del>a) water supply; and</del></p> <p><del>b) sewerage system.</del></p>	<p>P3 Lots that are not provided with reticulated water and sewerage services must be:</p> <p>a) in a locality for which reticulated services are not available or capable of being connected; and</p> <p>b) capable of accommodating an on-site wastewater management system.</p>
<p>Comment:</p> <p>Relies on performance criteria P3. Each lot is proposed to be connected to a reticulated water supply. A condition of the permit, if approved, will require the applicant to supply a design report for a wastewater management system.</p>	
<p><del>A4 Each lot must be connected to a reticulated stormwater system.</del></p>	<p>P4 Stormwater may only be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:</p> <p>a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and</p> <p>b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the pre-development levels of the subdivision; and</p> <p>c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and</p> <p>d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.</p>
<p>Comment:</p> <p>The proposal complies with the performance criteria P4. As conditioned by Council's Works and Infrastructure Department if approved, development on each site shall either be connected to Council's roadside drainage system or detained on-site.</p>	

CODES	
BUSHFIRE PRONE AREAS CODE	Complies. Bushfire Hazard Management Report and Plan prepared by Scott Livingston (AK Consultants) dated 22-Jul-2015.
POTENTIALLY CONTAMINATED LAND	N/A
LANDSLIP CODE	N/A
ROAD AND RAILWAY ASSETS CODE	Complies. See code assessment below.
FLOOD PRONE AREAS CODE	N/A
CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies. See code assessment below.
SCENIC MANAGEMENT CODE	N/A
BIODIVERSITY CODE	N/A

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WATER QUALITY CODE	N/A
RECREATION AND OPEN SPACE CODE	N/A
ENVIRONMENTAL IMPACTS & ATTENUATION CODE	Complies. See code assessment below.
AIRPORTS IMPACT MANAGEMENT CODE	N/A
LOCAL HISTORIC HERITAGE CODE	N/A
COASTAL CODE	N/A
SIGNS CODE	N/A

## ASSESSMENT AGAINST E1.0 (BUSHFIRE PRONE AREAS CODE)

### E1.6 Development Standards

#### E1.6.1 Development standards for subdivision

This standard applies to a development consisting of a subdivision where any part of that subdivision is in a bushfire-prone area.

##### E1.6.1.1 Subdivision: Provision of hazard management areas

Objective:

Subdivision provides, where appropriate, for hazard management areas that:

- facilitate an integrated approach between subdivision and subsequent building on a lot;
- provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building site;
- provide protection for lots at any stage of a staged subdivision.

Acceptable Solutions	Performance Criteria
<p>A1 (a) The TFS or an accredited person certifies, having regard to the objective, that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</p> <p>(b) The proposed plan of subdivision -</p> <ul style="list-style-type: none"> <li>(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivisions; and</li> <li>(ii) shows the building area for each lot; and</li> <li>(ii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 – 2009 <i>Construction of Buildings in Bushfire Prone Areas</i>. The proposed plan of subdivision must be accompanied by a bushfire hazard management plan certified by the TFS or accredited person demonstrating that hazard management areas can be provided; and</li> <li>(iv) applications for subdivision requiring hazard management areas to be located on land that is external to the proposed subdivision must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</li> </ul>	<p>P1 A proposed plan of subdivision must show that there are adequate hazard management areas in relation to the building areas shown on all lots within or partly within a bushfire-prone area. In determining the dimensions of hazard management areas, it must be demonstrated that the following have been taken into consideration:</p> <ul style="list-style-type: none"> <li>(i) the nature of the bushfire-prone vegetation including the type, structure and flammability;</li> <li>(ii) topography, including slope;</li> <li>(ii) other potential forms of fuel and ignition sources;</li> <li>(iv) the risk of bushfire to lots at any stage of staged subdivision;</li> <li>(v) separation distance from the bushfire-prone vegetation does not unreasonably restrict subsequent development.</li> </ul> <p>Applications must demonstrate that hazard management areas can be provided.</p>

Comment:

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Complies with acceptable solution A1. Bushfire Hazard Management Report and Plan has been prepared by accredited practitioner Scott Livingston (AK Consultants) dated 22-Jul-2015. No additional measures are required for the existing dwelling.

## E1.6.1.2 Subdivision: Public access

Objective:

Access roads to, and the layout of roads, tracks and trails, in a subdivision:

- allow safe access for occupants, fire fighters and emergency service personnel;
- provide access to the bushfire-prone vegetation that enables both property to be defended when under attack and hazard management procedures to be undertaken;
- are designed and constructed to allow for fire fighting vehicles to be manoeuvred;
- provide access to water supplies for fire-fighting vehicles; and
- are designed to allow connectivity, and where needed, offering multiple evacuation points.

Acceptable Solutions	Performance Criteria
<p>A1 (a) The TFS or an accredited person certifies, having regard to the objective, that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of private access to building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being consistent with the objective; or</p> <p>(c) A proposed plan of subdivision:</p> <ul style="list-style-type: none"> <li>(i) shows that, at any stage of a staged subdivision, all building areas are within 200m of a road that is a through road; and</li> <li>(ii) shows a perimeter road, private access or fire trail between the lots and bushfire-prone vegetation, which road, access or trail is linked to an internal road system; and</li> <li>(iii) shows all roads as through roads unless: <ul style="list-style-type: none"> <li>a. they are not more than 200m in length and incorporate a minimum 12m outer radius turning area; or</li> <li>b. the road is located within an area of vegetation that is not bushfire-prone vegetation; and</li> </ul> </li> <li>(iv) shows vehicular access to any water supply point identified for fire fighting.</li> </ul>	<p>P1 A proposed plan of subdivision must show the road layout and demonstrate that safe access and egress for occupants, fire-fighting vehicles and emergency service personnel is achieved through the use of appropriate design measures, including:</p> <ul style="list-style-type: none"> <li>(i) two-way traffic;</li> <li>(ii) provision of passing bays;</li> <li>(iii) geometry, alignment and slope;</li> <li>(iv) use of through roads to provide for connectivity;</li> <li>(v) limits on the length of cul-de-sacs and provision of turning areas;</li> <li>(vi) access to water supply points for fire fighting vehicles;</li> <li>(vii) perimeter access;</li> <li>(viii) fire trails.</li> </ul>
<p>Comment: Complies with acceptable solution A1 (b) – see Bushfire Hazard Management Report and Plan has been prepared by accredited practitioner Scott Livingston (AK Consultants) dated 22-Jul-2015.</p>	
<p>A2 Unless the development standards in the zone require a higher standard, construction of roads must meet the requirements of Table E3.</p>	<p>P2 No performance criteria</p>
<p>Comment: Complies with acceptable solution A2. All proposed lots have access to Council maintained roads. Internal access roads to be constructed in accordance with Table E3.</p>	

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Table E3: *Standards for roads, private access and fire trails in bushfire-prone areas.*

Road type	Standard
Roads	Not less than a Class 4A or Class 4B road under Australian Road and Research Board (ARRB) <i>Unsealed Roads Manual – Guidelines to Good Practice</i> 3 <sup>rd</sup> Edition
Private access	Not less than a modified 4C access road under ARRB <i>Unsealed Roads Manual – Guidelines to Good Practice</i> 3 <sup>rd</sup> Edition as specified in the <i>Building Code of Australia</i>
Fire trails	Not less than a modified 4C access road under ARRB <i>Unsealed Roads Manual – Guidelines to Good Practice</i> 3 <sup>rd</sup> Edition as specified in the <i>Building Code of Australia</i>

## E1.6.1.3 Subdivision: Provision of water supply for fire fighting purposes

### Objective:

Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.

Acceptable Solutions	Performance Criteria
<p>A1 In areas serviced with reticulated water by a Regional Corporation:</p> <ul style="list-style-type: none"> <li>(a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or</li> <li>(b) a proposed plan of subdivision shows that all parts of a building area are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa in accordance with Table 2.2 and clause 2.3.3 of AS 2419.1 2005 - Fire hydrant installations.</li> </ul>	<p>P1 No performance criteria</p>
<p>Comment: N/a – see A2.</p>	
<p>A2 In areas that are not serviced by reticulated water by a Regional Corporation or where the requirements of A1 (b) cannot be met:</p> <ul style="list-style-type: none"> <li>(a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures being provided; or</li> <li>(b) a bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient, consistent with the objective, to manage the risks to property and lives in the event of a bushfire; or</li> <li>(c) it can be demonstrated that: <ul style="list-style-type: none"> <li>(i) a static water supply, dedicated to fire fighting, will be provided and that the water supply has a minimum capacity of 10000 litres per building area and is connected to fire hydrants; and</li> <li>(ii) a proposed plan of subdivision shows all building areas to be within reach of a 120m long hose connected to a fire hydrant, measured as a hose lay, with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa; or</li> <li>(d) it can be demonstrated that each building area can have, or have access to, a minimum static water supply of 10000 litres that is: <ul style="list-style-type: none"> <li>(i) dedicated solely for the purposes of fire fighting; and</li> <li>(ii) accessible by fire fighting vehicles; and</li> <li>(iii) is within 3m of a hardstand area.</li> </ul> </li> </ul> </li> </ul>	<p>P2 No performance criteria</p>
<p>Comment: Complies with acceptable solution A2 (d). See Bushfire Hazard Management Report and Plan has been prepared by accredited practitioner Scott Livingston (AK Consultants) dated 22-Jul-2015 for further details.</p>	



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## ASSESSMENT AGAINST E4.0 (ROAD AND RAILWAY ASSETS CODE)

### E4.6 Use Standards

#### E4.6.1 Use and road or rail infrastructure

Acceptable Solutions	Performance Criteria
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
Comment: N/a	
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Comment: N/a – the default speed limit of gravel roads in Tasmania is 80km/h.	
A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	P3 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
Comment: The development complies with acceptable solution A3. The traffic associated with the existing dwelling will remain the same. Proposed lot 2 is currently vacant.	

### E4.7 Development Standards

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

Acceptable Solutions	Performance Criteria
A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h: a) new road works, buildings, additions and extensions, earthworks and landscaping works; and b) building envelopes on new lots; and c) outdoor sitting, entertainment and children's play areas	P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to: a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and



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	d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.
Comment: Complies with acceptable solution A1.	

## E4.7.2 Management of Road Accesses and Junctions

Acceptable Solutions	Performance Criteria
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.

Comment: N/a.

A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
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Comment:

The proposed subdivision complies with performance criteria P2 (c). An assessment regarding the impact of an additional access was provided by the applicant and reviewed by Council's Traffic Engineer. The proposed access to lot 2 will connect to Brumby Street, which experiences minimal traffic flow. Site distances in compliance with this code are available.

## E4.7.3 Management of Rail Level Crossings

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

Comment: N/a

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

Acceptable Solutions	Performance Criteria
<p>A1 Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p>

Comment:

Complies with acceptable solution A1 (a). Although the default speed limit for a gravel road is 80 km/h, it is anticipated that vehicles will be travelling approximately 45km/h in accordance with the sign posted advisory speed. A safe intersection site distance is therefore 90m in accordance with table E4.7.4. Site distances are available in excess of 100m in both directions.

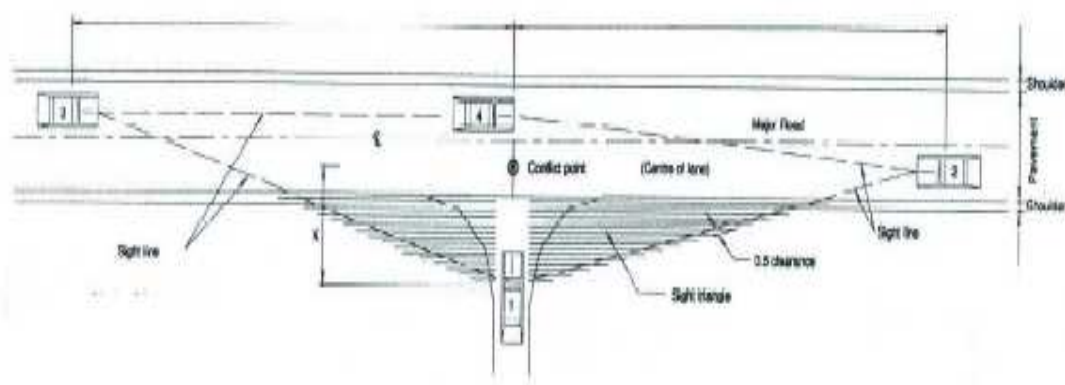


Figure E4.7.4 Sight Lines for Accesses and Junctions

X is the distance of the driver from the conflict point.

For category 1, 2 and 3 roads X = 7m minimum and for other roads X = 5m minimum.

Table E4.7.4 Safe Intersection Sight Distance (SISD)

Vehicle Speed	Safe Intersection Sight Distance (SISD) metres, for speed limit of:	
km/h	60 km/h or less	Greater than 60 km/h
50	80	90
60	105	115
70	130	140
80	165	175
90		210
100		250
110		290

Notes:

- Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.
- For safe intersection sight distance (SISD):
  - All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;
  - These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;
  - A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2

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in Figure E4.7.4;

- (iv) A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
- (v) A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

## ASSESSMENT AGAINST E6.0 (CAR PARKING & SUSTAINABLE TRANSPORT CODE)

### E6.6 Use Standards

#### E6.6.1 Car Parking Numbers

*Objective:*

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

Acceptable Solutions	Comment
A1 The number of car parking spaces must not be less than the requirements of:	Complies with the requirements of Table E6.1 – 2 car parking spaces are provided within the garage for the existing dwelling. Sufficient space is available on site to accommodate parking for future uses on proposed lot 2.
a) Table E6.1; or	
b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	

#### E6.6.2 Bicycle Parking Numbers

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

Acceptable Solutions	Comment
A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	Complies with the requirements of Table E6.1 – sufficient space for 1 bicycle park is available within the garage of the existing dwelling. Sufficient space is available on site to accommodate bicycle parking for future uses on proposed lot 2.
A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	

#### E6.6.3 Taxi Drop-off and Pickup

Not applicable

#### E6.6.4 Motorbike Parking Provisions

Not applicable

### E6.7 Development Standards

#### E6.7.1 Construction of Car Parking Spaces and Access Strips

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

Acceptable Solutions	Comment
A1 All car parking, access strips manoeuvring and circulation spaces must be:	Complies. a) The driveway to the existing garage is sufficiently formed and drained. Future uses on proposed lot 2 will require additional assessment once a development is proposed. b & c) Not applicable – application for subdivision only.
a) formed to an adequate level and drained; and	
b) except for a single dwelling, provided with an impervious all weather seal; and	
c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	

#### E6.7.2 Design and Layout of Car Parking

*Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.*

Acceptable Solutions	Comment
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	A1.1 – N/a A1.2 – Complies for the existing dwelling. Future uses on proposed lot 2 will require additional assessment once a development is proposed.
A1.2 Within the General residential zone,	

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<i>provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</i>	
<p>A2.1 <i>Car parking and manoeuvring space must:</i></p> <p>a) <i>have a gradient of 10% or less; and</i></p> <p>b) <i>where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</i></p> <p>c) <i>have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and</i></p> <p>A2.2 <i>The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.</i></p>	<p>A2.1</p> <p>A) Complies for the existing dwelling. Future uses on proposed lot 2 will require additional assessment once a development is proposed.</p> <p>B) N/a</p> <p>C) Complies. A 3.0m access to the garage is provided for the existing dwelling. Parking spaces are located within the garage. A passing bay is not required. Future uses on proposed lot 2 will require additional assessment once a development is proposed.</p> <p>A2.2 – N/a – the application is for subdivision only. Future uses on proposed lot 2 will require additional assessment once a development is proposed. Existing car parking on proposed lot 1 will remain unchanged.</p>

## E6.7.3 Car Parking Access, Safety and Security

Not applicable

## E6.7.4 Parking for Persons with a Disability

Not applicable

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

Not applicable

## E6.8 Provisions for Sustainable Transport

### E6.8.2 Bicycle Parking Access, Safety and Security

Not applicable – not required for customers or visitors - Private use only.

### E6.8.5 Pedestrian Walkways

Not applicable

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
<b>Residential</b>	1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space for every 5 dwellings	1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation

Table E6.2: Access Widths for Vehicles

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
1 to 5	3.0m	Every 30m

## ASSESSMENT AGAINST E11.0 (ENVIRONMENTAL IMPACTS AND ATTENUATION CODE)

### E11.6 Use Standards

#### E11.6.1 Attenuation Distances

<p>Objective</p> <p>To ensure that potentially incompatible use or development is separated by a distance sufficient to ameliorate any adverse effects.</p>	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 Sensitive use or subdivision for sensitive use within an attenuation area to an existing activity listed in Tables E11.1 and E11.2 must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm, having regard to the:

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	<ul style="list-style-type: none"> <li>a) degree of encroachment; and</li> <li>b) nature of the emitting operation being protected by the attenuation area; and</li> <li>c) degree of hazard or pollution that may emanate from the emitting operation; and</li> <li>d) the measures within the proposal to mitigate impacts of the emitting activity to the sensitive use.</li> </ul>
<p>Comment:</p> <p>Complies with performance criteria P1. A Site Specific Study was provided with the proposal documents. Proposed lot 1 contains an existing dwelling and outbuildings. The impact on these buildings will not change as a result of the proposed subdivision.</p> <p>The proposed plan of subdivision indicates that a building envelope, in compliance with the relevant setbacks of the Residential Low Density Zone, is able to be situated on proposed lot 2, outside of the attenuation distances of the Brickworks Factory and the Longford Waste Transfer Station. If approved, a part five agreement is required as a permit condition to require any future dwelling on the lot to be located within the building envelope.</p>	
A2 Uses listed in Tables E11.1 and E11.2 must be set back from any existing sensitive use, or a boundary to the General Residential, Low Density Residential, Rural Living, Village, Local Business, General Business, Commercial zones, the minimum attenuation distance listed in Tables E11.1 and E11.2 for that activity.	<p>P2 Uses with the potential to create environmental harm and environmental nuisance must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm having regard to:</p> <ul style="list-style-type: none"> <li>a) the degree of encroachment; and</li> <li>b) the nature of the emitting operation being protected by the attenuation area; and</li> <li>c) the degree of hazard or pollution that may emanate from the emitting operation; and</li> <li>d) use of land irrigated by effluent must comply with <i>National Health and Medical Research Council Guidelines</i>.</li> </ul>
Comment: N/a	

## E11.7 Development Standards

Not used in this Scheme.

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/A
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/A
SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	N/A
9.2 Development for Existing Discretionary Uses	N/A
9.3 Adjustment of a Boundary	N/A
9.4 Demolition	N/A
9.5 Subdivision	N/A

## 9.5 Subdivision

9.5.1 *Notwithstanding any other provisions of this planning scheme, with the exception of sub clause 9.2.1, all applications for subdivision may be refused or approved at the discretion of the planning authority, unless the application is for a subdivision that cannot be approved under any applicable development standard or must not be approved under section 84 of the Local Government (Building and Miscellaneous Provisions) Act 1993.*

### Comment:

The proposed subdivision has been assessed as a discretionary application and is not prohibited under section 84 of the Local Government (Building and Miscellaneous Provisions) Act 1993.

STATE POLICIES
The proposal is consistent with all State Policies.
OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993
The proposal is consistent with the objectives of the <i>Land Use Planning &amp; Approvals Act 1993</i> .

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## STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

### *Strategic Plan 2007-2017*

- *The proposal is consistent with the strategic plan*

## 5 SERVICES

### Effluent Disposal

Council's Environmental Health Officer, Chris Wicks, reported that the property does not have access to Taswater's sewer system and a design report to demonstrate to that the site is suitable for installation of a septic tank or alternative waste water treatment system is required.

### Water

The application was referred to Taswater regarding water infrastructure. Their Submission to Planning Authority Notice is included as Attachment C to this report and will be included as an attachment if a permit is issued.

### Stormwater & Access

The application was referred internally to the Council's Works & Infrastructure Department, who advised as follows:

- The subdivision can be serviced by Council infrastructure.

Their recommended conditions of approval will be included if a permit is issued.

### Provision of Services

Prior to the sealing of the final Plan of Subdivision, the applicant would be required to provide water services and stormwater services (unless detained onsite) to the property boundaries of all lots (as required by TasWater/Works & Infrastructure Section's conditions).

### Public Open Space Contribution

In addition, it is considered appropriate to apply the public open space contribution to additional lots created as specified in the *Local Government (Building & Miscellaneous Provisions) Act 1993* as this subdivision is in a township area, in accordance with Council's Policy.

### The Public Open Space Rate

- 1 *The Public Open Space Rate shall be \$1200 per additional lot created (i.e. A subdivision that turns one lot into four has created three additional lots and will attract a public open space contribution/fee of \$3,600.)*

OR

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

## 6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

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## 7 OPTIONS

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

## 8 DISCUSSION

Council has discretion to refuse the application due to the discretionary use of the proposal, and reliance on the performance criteria of provisions relating to connection to reticulated sewer and stormwater services. Sufficient space is available on each site to detain stormwater within the property boundary, or stormwater may be drained to the street. A Waste water design is a requirement of the permit conditions to ensure the site is capable of accommodating a waste water system suitable for residential development, prior to the sealing of final plan.

The proposal also relies on the performance criteria of the Environmental Impacts and Attenuation Code. Nevertheless, a building envelope is available on site that is located outside of both attenuation distances. All provisions relating to lot sizes have been met.

A representation was received to the proposal; however, the concerns raised are better dealt with during the rezoning of land, as the planning scheme has little scope to deal with such concerns. The matters raised are also enforced under separate legislation.

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

## 9 ATTACHMENTS

- A Proposal plans
- B Representation
- C TasWater consent
- D Works & Infrastructure referral

## RECOMMENDATION

That land at 61 Weston Street, Longford be approved to be developed and used for a 2-lot subdivision (attenuation area & bushfire-prone area) in accordance with application P15-220, and subject to the following conditions:

### 1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1** (*Drawing No: 116/13-3 Dated: 4-Jul-2015*) & **D1** (*Bushfire Hazard Management Report and Plan prepared by Scott Livingston (AK Consultants) dated 22-Jul-2015*) & **D2** (*Letter from PDA surveyors dated 23<sup>rd</sup> July 2015*) & **D3** (*Letter from PDA surveyors dated 10<sup>th</sup> August 2015 containing site specific study & driveway access assessment*).

### 2 Council's Works & Infrastructure Department conditions

#### 2.1 Stormwater

- a) Stormwater from each lot shall be detained internally or connected to Council's roadside drainage system.
- b) Concentrated stormwater must not be discharged on to neighbouring properties.

#### 2.2 Access (Rural)

- a) A gravel driveway made of suitable road building gravel shall be constructed from the edge of the road to the property boundary of each lot in accordance with Council standards.
- b) Access works must not commence until an application for vehicular crossing has been approved by Council.



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## 2.3 Municipal standards & certification of works

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

## 2.4 Works in Council road reserve

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

## 2.5 Separation of services

- a) All existing pipes and connections must be located.
- b) Where required, pipes are to be rerouted to provide an independent system for each lot.
- c) Certification must be provided that services have been separated between the lots.

## 2.6 Pollutants

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

## 2.7 Naturestrips

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

## 3 TasWater conditions

Water services shall be provided in accordance with TasWater's Submission to Planning Authority Notice (Ref: TWDA 2015/01331-NMC; dated: 22<sup>nd</sup> September 2015).

## 4 Public open space contributions

A contribution shall be paid towards the cost of providing public open space infrastructure in accordance with Council policy (currently \$1200 per new lot).

## 5 Part Five Agreement

The applicant shall enter into, and comply with all conditions of, an agreement under Part 5 of the Act within the Northern Midlands Council to provide for the following:

- i That any new dwelling on proposed lot 2 shall be contained within the building envelope marked a-b-c-d, as shown on the endorsed plan of subdivision.

This agreement shall be prepared by the applicant and forwarded to Council (with a cheque for the Recorder of Titles for the fee for the registration of the Agreement) which shall then be forwarded to the Land Titles Office with the final plan of survey.

## 6 Wastewater Design Report

A design report is to be submitted to Council indicating the capacity and limitations of the proposed lot 2, for on-site wastewater management for a residential development. The design report is to be prepared by a suitably qualified person in accordance with the requirements of AS-1547:2012 On-site Domestic

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Wastewater Management. The report must include all documents as specified in schedule 2, part 3 of the Director of Building Control's Specified List 'Documents in relation to a Special Plumbing Permit for An on-Site Wastewater Management System'.

## 7 Sealing of plans

All conditions must be complied with prior to sealing of the final plan of survey. Council may, at the developer's request, accept a bond or bank guarantee, for particular works or maintenance, to enable early seal and release of the final plan of survey.

## DECISION

### **Cr Polley/Cr Goninon**

That land at 61 Weston Street, Longford be approved to be developed and used for a 2-lot subdivision (attenuation area & bushfire-prone area) in accordance with application P15-220, and subject to the following conditions:

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

The use and development shall be in accordance with the endorsed plans numbered **P1** (*Drawing No: 116/13-3 Dated: 4-Jul-2015*) & **D1** *Bushfire Hazard Management Report and Plan prepared by Scott Livingston (AK Consultants) dated 22-Jul-2015* & **D2** *Letter from PDA surveyors dated 23<sup>rd</sup> July 2015* & **D3** *Letter from PDA surveyors dated 10<sup>th</sup> August 2015 containing site specific study & driveway access assessment.*

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- b) Concentrated stormwater must not be discharged on to neighbouring properties.

##### **2.2 Access (Rural)**

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##### **2.3 Municipal standards & certification of works**

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- b) Where required, pipes are to be rerouted to provide an independent system for each lot.
- c) Certification must be provided that services have been separated between the

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lots.

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A contribution shall be paid towards the cost of providing public open space infrastructure in accordance with Council policy (currently \$1200 per new lot).

## 5 Part Five Agreement

The applicant shall enter into, and comply with all conditions of, an agreement under Part 5 of the Act within the Northern Midlands Council to provide for the following:

- i That any new dwelling on proposed lot 2 shall be contained within the building envelope marked a-b-c-d, as shown on the endorsed plan of subdivision.

This agreement shall be prepared by the applicant and forwarded to Council (with a cheque for the Recorder of Titles for the fee for the registration of the Agreement) which shall then be forwarded to the Land Titles Office with the final plan of survey.

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A design report is to be submitted to Council indicating the capacity and limitations of the proposed lot 2, for on-site wastewater management for a residential development. The design report is to be prepared by a suitably qualified person in accordance with the requirements of AS-1547:2012 On-site Domestic Wastewater Management. The report must include all documents as specified in schedule 2, part 3 of the Director of Building Control's Specified List 'Documents in relation to a Special Plumbing Permit for An on-Site Wastewater Management System'.

## 7 Sealing of plans

All conditions must be complied with prior to sealing of the final plan of survey. Council may, at the developer's request, accept a bond or bank guarantee, for particular works or maintenance, to enable early seal and release of the final plan of survey.

Carried unanimously

*Cr Calvert returned to the meeting at 7.02pm.*

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304/15

PLANNING APPLICATION P15-241

Country Club Hotel, 9A Wellington Street, LONGFORD

Responsible Officer: Duncan Payton, Planning & Development Manager/  
Report prepared by: Melissa Cunningham, Planner  
File Number: 113600.059 CT 155372/1-2

## 1 INTRODUCTION

This report assesses an application for Country Club Hotel, 9A Wellington Street, Longford to construct a deck and awning.

## 2 BACKGROUND

**Applicant:**

Loop Architecture Pty Ltd

**Owner:**

Stagar Pty Ltd

**Zone:**

General Business

**Codes:**

Heritage precinct  
Heritage-listed place

**Classification under the Scheme:**

Hotel industry

**Existing Use:**

Country Club Hotel

**Deemed Approval Date:**

19-Oct-2015

**Recommendation:**

Approve

### Discretionary Aspects of the Application

- Heritage Code (Heritage-listed place)
- Heritage Precincts Specific Area Plan (Heritage precinct)
- E4.6.1: Use and road or rail infrastructure – more than 40 vehicle access per day
- E6.7.6: Loading and Unloading of Vehicles, Drop-off and Pickup (dedicated loading bay)

**Planning Instrument:** Northern Midlands Interim Planning Scheme 2013



## 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

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permit is required without such permit.

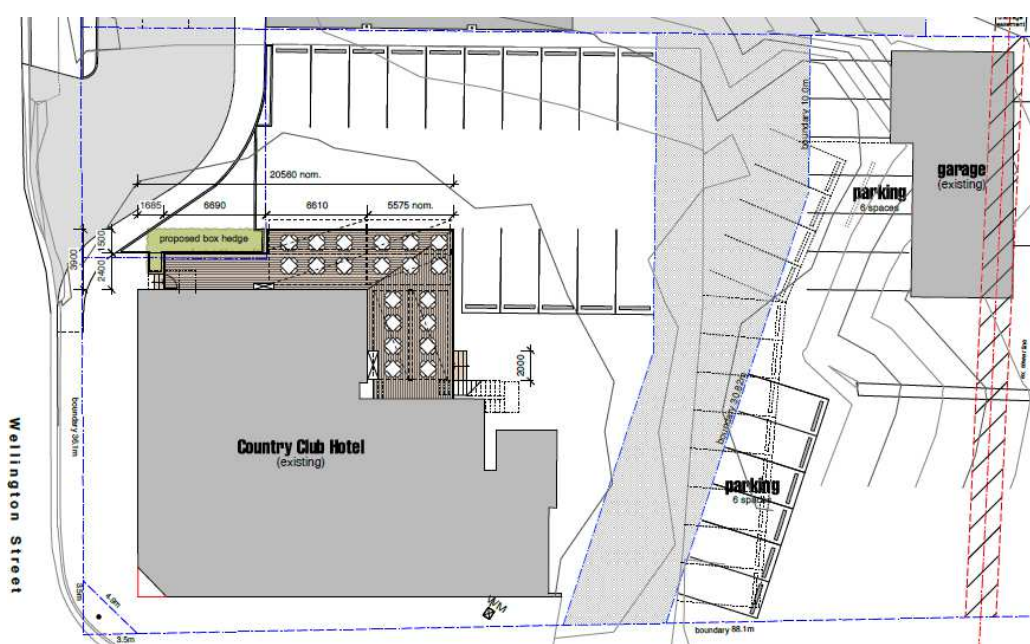
## 4 ASSESSMENT

### 4.1 Proposal

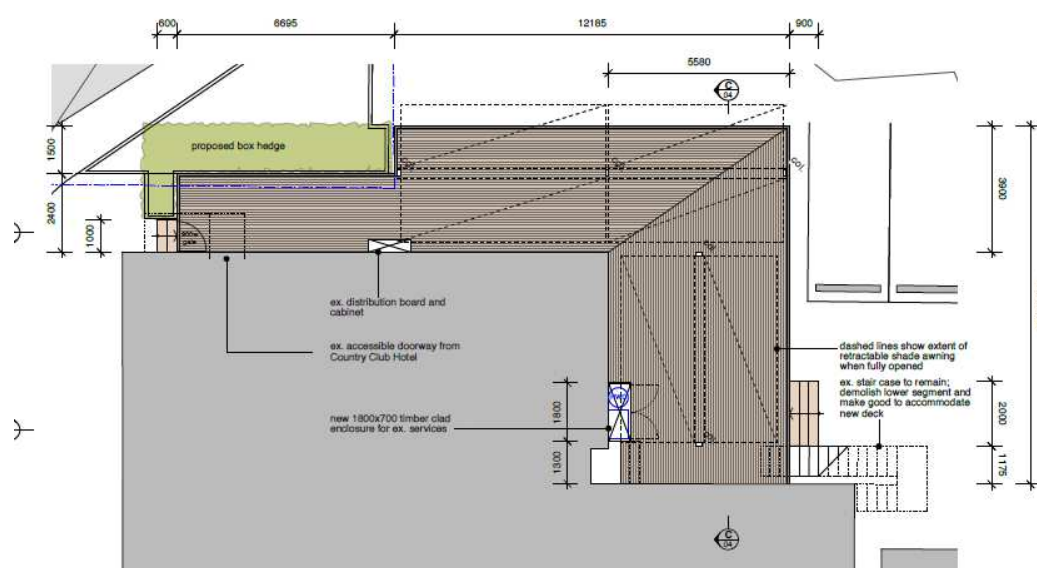
It is proposed to:

- Construct an L-shaped deck on the northern eastern and north western side of the hotel;
- Install retractable canvas/steel awnings over the deck area;
- Install a frameless glass balustrade around the deck area;
- Screen the existing hot water cylinder and services on the north-eastern side of the hotel; &
- Plant a box hedge at the front, and partially along the side of the deck that addresses Wellington Street.

*Figure 1 – Site Plan*



*Figure 2 – Deck Plan*



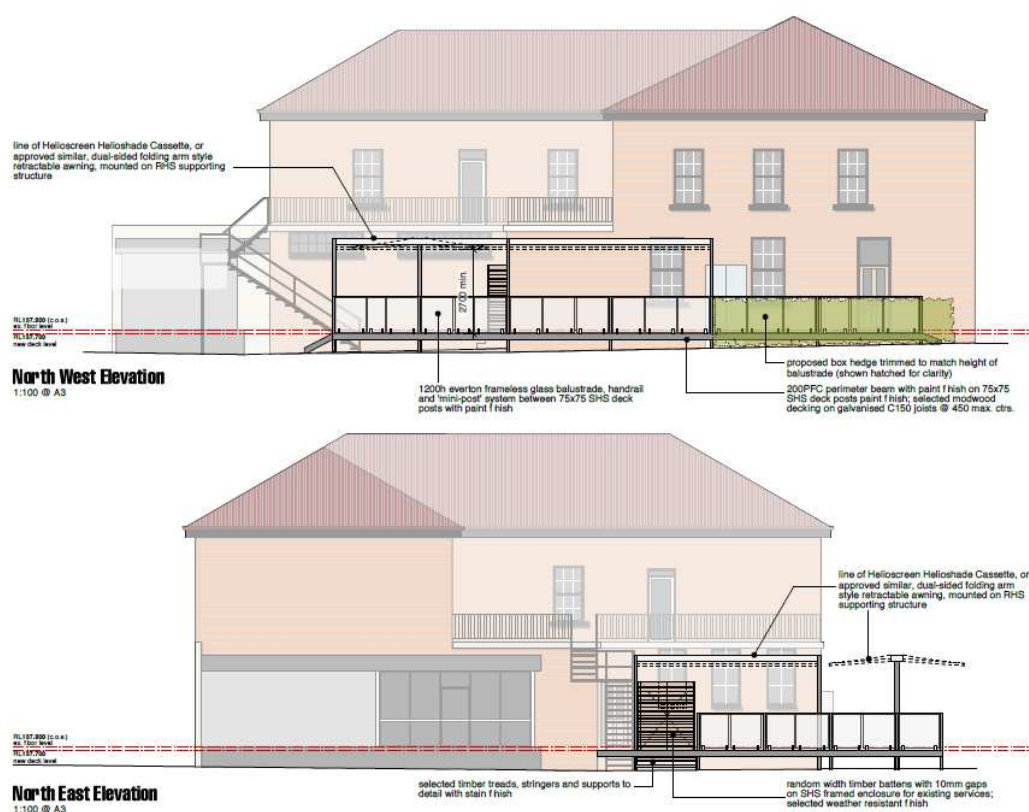


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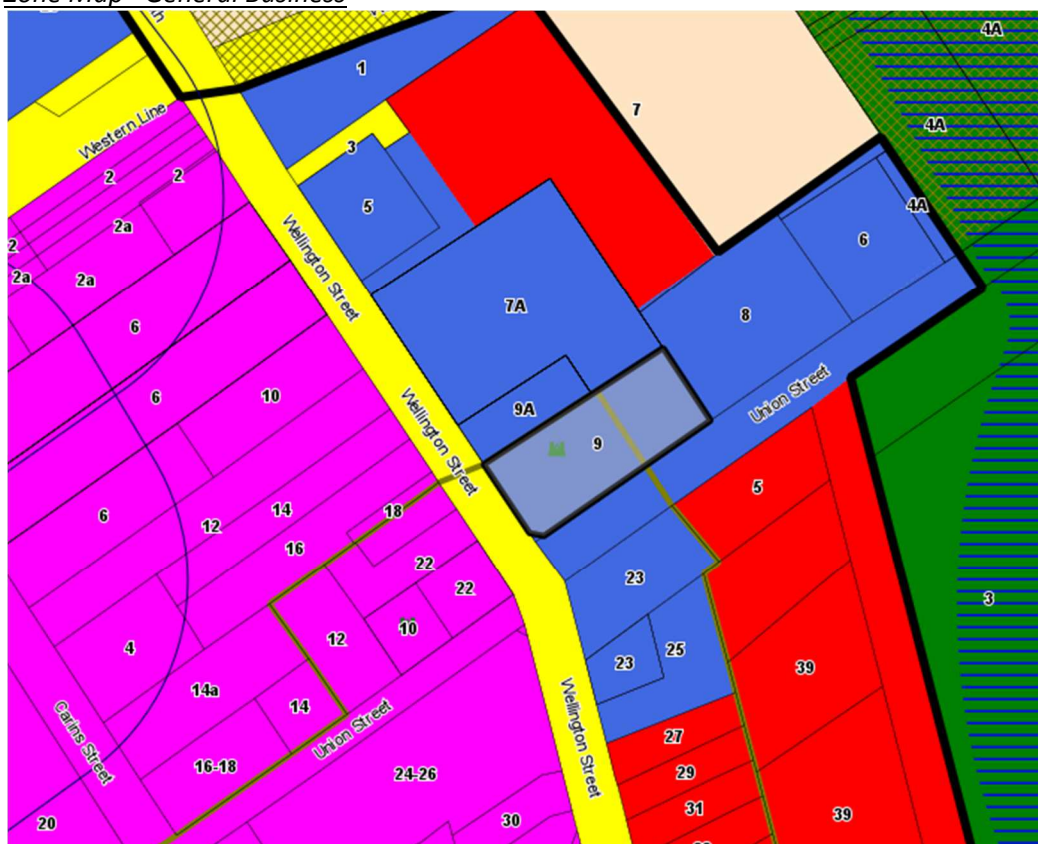


*Figure 3 – Elevations*



### 4.2 Zone and land use

#### Zone Map –General Business



The land is zoned General Business and is within the Heritage Precinct. The relevant Planning Scheme definition is:

<i>Hotel industry</i>	<i>use of land to sell liquor for consumption on or off the premises. If the land is so used, the use may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines and gambling. Examples include a hotel, bar, bottle shop, nightclub and tavern.</i>
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Although the use *Hotel Industry* is ‘permitted’ in the zone, the application became discretionary due to being located within the heritage precinct and the property being heritage listed.

### 4.3 Subject site and locality

The author of this report carried out a site visit on 02 October 2015. The subject site is located on the north-eastern corner of Wellington and Union Streets. The 3480m<sup>2</sup> site contains the double-storey Country Club Hotel and a brick garage. Two rights-of-way exist on the property for vehicle access to and from the BWS property. A sewer easement runs south-north across the lot, partially under the garage. Two thirds of the lot is used for hotel (building & parking areas), whilst the eastern third of the lot is an open lawn area. Vehicle access to the property is off Union Street, with formal parking space provided on the northern side of the hotel. Informal parking area is provided on the eastern side of the hotel, with vehicles often parking on the grass area in the shade. There is also ample parking available in Union Street.

The property is mainly surrounded by commercial uses; BWS and Browns Supermarket to the north, Water Dynamics to the north-east, Kings Bridge Service Station/Tasmania Seadoo & Marine Centre on the south-eastern corner of Wellington/Union Streets, Midlands Tractors on the south-western corner of Wellington/Union and Tasmania Seadoo & Marine Centre/TP Jones on the north-western



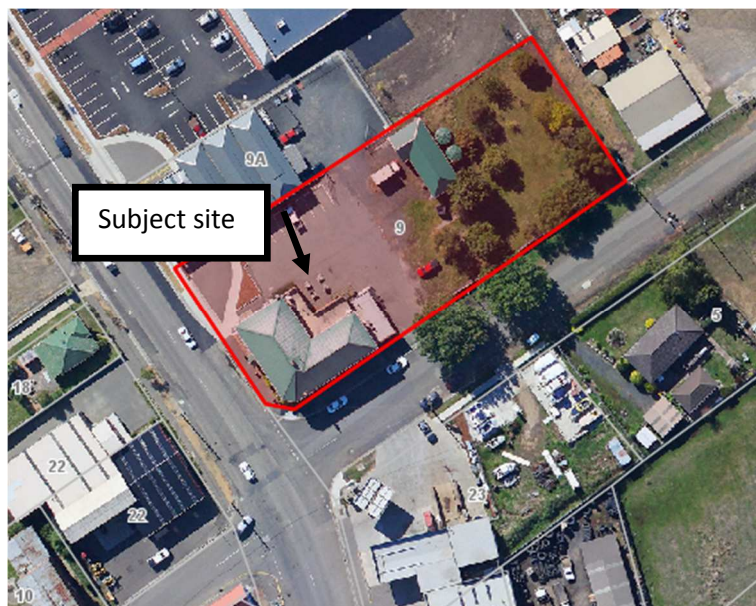
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corner of Wellington/Union Streets. The closest residential use is located 30 metres across Wellington Street (zoned Light Industrial). The closest residential-zoned property is across Union Street (#5) and 62 metres away from the proposed deck.

### Aerial photograph of area



### Photographs of subject site



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### 4.4 Permit/site history

Relevant current permit history includes:

- P12-269: Motel units (Expired)
- P15-241: Deck & awning (current application)

### 4.5 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Dataworks system after completion of the public exhibition period revealed that a representation (Attachment B) was received from:

- Dee Alty, 19 Pakenham Street, Longford

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

#### Issue 1

- *Landscaping around the whole of the site, including screening from the road and bottleshop. Plus reinstatement of the garden beds around the front and southern side of the hotel.*

#### Planner's comment:

Plans show a box hedge that will screen/soften the development from Longford's northern approaches. The box hedge is in keeping with surrounding screening vegetation in the area and will not obstruct the predominant northern view of the hotel. It is agreed that some softening of the development is required; and the proposed box hedging will provide this. It is recommended that a condition of the permit is that the box hedge plants are to be a semi-mature size (minimum planting height of 75cm),



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that have a minimum mature height to reach the top of the glass balustrade. The hedge is to be planted prior to the use of the deck commences and shall be maintained for the duration of use. Also, a condition is required to ensure that the hedge screening does not grow unchecked and screen the view line of the north-western elevation of the hotel. Therefore, the landscaping condition should include that the hedge be maintained and trimmed to ensure that it not protrude higher than 50cm above the balustrade.

Council has no provisions under the Planning Scheme to require the owner to reinstate/replant the garden beds around the front and southern sides of the hotel as this area is not being impacted by the development. There are no provisions that allow Council to make the developer screen in front of the bottleshop.

The development is similar to *alfresco* areas of other hotels; including the Ringwood Hotel at Cressy, Star Bar in Launceston and the Riverside Hotel. The addition of the deck and covered area will bring people out into the open and bring some ambience into the area. It is likely that the peak usage time will be over the warmer months that coincide with the tourist season, and will vastly enhance the streetscape and make the area more interactive for pedestrians and general users of the area.

### Issue 2

- *Hours of operation to be keeping with the residential amenity of the area and sound should be restricted to normal operating hours, except on special permit occasions.*

#### Planner's comment:

Noise and business hours of the deck must be in accordance with the acceptable solutions of the Planning Scheme. The applicant made no submission to request a variation to these provisions. The applicant advised that the use of the deck will be consistent with the current operating hours of the hotel. As the deck is not accessible directly from the bar (it is accessed via the dining room or a passageway), it is not expected that the deck would be used extensively after the dining room closes at night.

The property is mainly surrounded by commercial and business uses. The surrounding area is predominantly zoned General Business and Light industrial and does not enjoy the benefits of 'surrounding residential areas'.

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## Issue 3

- Sufficient on-site parking to be provided if any parking is being compromised by the development.

### Planner's comment:

There is no loss of parking from the proposed development. The development will require an additional six spaces due to the expansion of the public floor area. The site currently requires 18 spaces; therefore, 22 spaces are required overall. At present, there are 27 spaces available. There is also further informal parking available on the grass on the eastern side of the property and there is ample on-street parking available in Union Street.

## 4.6 Referrals

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

Not applicable to this application

### **TasWater**

Not applicable to this application

### **Heritage Adviser**

Mr Denman's review is included as an attachment to this report.

### **Tasmanian Heritage Council**

Precis: As the property is on the Register of the Tasmanian Heritage Council, the proposal was also subject to a Works Application.

A Works Permit has been issued with the following conditions:

1. The new deck structure must be constructed in a manner that does not involve fixings into the heritage fabric.

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<p><u>Reason for condition</u></p> <p>Consistent with the note on drawing 1132wd04A, this is to ensure that the heritage fabric is not unnecessarily affected by the new work.</p> <p>2. The portion of inset glazed balustrade towards the western side boundary (Wellington Street) must be screened with a 'box hedge' as shown in the endorsed plans. The hedge must be established and maintained as part of this permit, such that it screens the view of the at part of the balustrade that would otherwise be seen from Wellington Street.</p> <p><u>Reason for condition</u></p> <p>To ensure that the new balustrade will not visually intrude on the historic character f the registered heritage place as viewed from the street.</p>
<p><b>Department of State Growth</b></p> <p>Not applicable to this application</p>
<p><b>Launceston Airport</b></p> <p>Not applicable to this application</p>
<p><b>Tasrail (adjoining landowner)</b></p> <p>Not applicable to this application</p>
<p><b>Environmental Health Officer</b></p> <p>Not applicable to this application</p>
<p><b>Natural Resource Management Facilitator</b></p> <p>Not applicable to this application</p>
<p><b>Environment Protection Agency (level 2 under EMPCA)</b></p> <p>Not applicable to this application</p>
<p><b>Local District Committee</b></p> <p><u>Precis:</u> At the time of writing this report, no comment had been received.</p>
<p><b>General Manager</b></p> <p>Not applicable to this application</p>
<p><b>Minister administering Crown Lands</b></p> <p>Not applicable to this application</p>

## 4.7 Planning Scheme Assessment

GENERAL BUSINESS ZONE
ZONE PURPOSE
<p>To provide for business, community, food, professional and retail facilities serving a town or group of suburbs.</p> <p>To create through good urban design:</p> <p>a) an attractive and safe environment; and</p> <p>b) activity at pedestrian levels with active road frontages offering interest and engagement to shoppers and; and</p> <p>c) appropriate provision for car parking, pedestrian access and traffic circulation.</p> <p>Assessment: The proposal meets the zone purpose.</p>
LOCAL AREA OBJECTIVES
<p>To consolidate growth within the existing urban land use framework of the towns of Campbell Town, Longford and Perth.</p> <p>To manage development in the General business zone so as to conserve and enhance the quality of the Heritage Precincts in the Campbell Town, Longford, and Perth town centres.</p> <p>To ensure developments within street reservations contribute positively to the context of the Heritage Precincts in each settlement.</p> <p>Assessment: The proposal meets the local area objectives.</p>



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## USE AND DEVELOPMENT STANDARDS

### 21.3 Use Standards

#### 21.3.1 Amenity

##### Objective

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

A1 Commercial vehicles (except for visitor accommodation and recreation) must only operate between 6.00am and 10.00pm Monday to Sunday.

A2 Noise levels at the boundary of the site with any adjoining land must not exceed:

- a) 50dB(A) day time; and
- b) 40dB(A) night time; and
- c) 5dB(A) above background for intrusive noise.

**Comment:** As the applicant has not requested a variation to the prescribed noise levels, a condition shall be placed on permit to ensure that the use of the deck does not exceed the prescribed noise levels in the general day to day use.  
There are some existing-use rights for the hotel to hold live outdoor music events as an existing-rights use. If the deck is to be used for occasional one-off events such as live music, a place of assembly licence is required under Section 78 of the *Public Health Act 1978*. This licence restricts the noise level and the hours of operation for the event.

### 21.4 Development Standards

#### 21.4.1 Siting, Design and Built Form

##### Objective

To ensure that buildings are visually compatible with surrounding development.

A1 The entrance of a building must be:  
a) clearly visible from the road or publically accessible areas on the site; and  
b) provide a safe access for pedestrians.

A2 Building height must not exceed:  
a) 8m; or  
b) 1m greater than the average of the heights of buildings on immediately adjoining lots.

A3.1 Buildings must be: set back the same as or less than the setback of an immediately adjoining building;

A3.2 Extensions or alterations to existing buildings must not reduce the existing setback

**Comment:** The application meets all the acceptable solutions provisions for siting, height and built form.

#### 21.4.2 Subdivision - NA

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

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## E4.0 ROAD AND RAILWAY ASSETS CODE

### E4.6 Use Standards

#### E4.6.1 Use and road or rail infrastructure

##### Objective

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

##### A1 – Not applicable

P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.

##### A3 – Not applicable

**Comment:** The safety and the efficiency of the road network will not be unduly impacted by the increased use of the access. The current access arrangements are not proposed to change, with the access servicing the existing 27 car parking spaces and also servicing the rear of the BWS building.

### E4.7 Development Standards

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

#### E4.7.2 Management of Road Accesses and Junctions

##### Objective

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

A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.

**Comment:** Complies.

#### E4.7.3 Management of Rail Level Crossings - NA

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

##### Objective

To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

##### A1 Sight distances at

- a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4: and
- b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia; or
- c) If the access is a temporary access, the written consent of the relevant authority has been obtained.

**Comment:** Complies.

## E6.0 - CAR PARKING & SUSTAINABLE TRANSPORT CODE

### E6.6 Use Standards

#### E6.6.1 Car Parking Numbers

##### Objective:

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

A1 The number of car parking spaces must not be less than the requirements of:

- a) Table E6.1; or
- b) A parking precinct plan contained in Table E6.6: Precinct Parking Plans.

**Comment:** Overall the development requires 22 carparking spaces to be provided. Currently 27 spaces are provided; therefore, the application meets the acceptable solution of clause E6.6.1.

#### E6.6.2 Bicycle Parking Numbers

##### Objective:

To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure

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and convenient parking for bicycles.

A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or

A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.

**Comment:** Condition required for three bicycle parking spaces to be provided.

## E6.6.3 Taxi Drop-off and Pickup

Objective

To ensure that taxis can adequately access developments.

A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).

**Comment:** As there is provision to vary the acceptable solution, a condition requiring one dedicated taxi drop-off space to be provided.

## E6.6.4 Motorbike Parking Provisions

Objective

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

A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.

**Comment:** Condition requiring two motorbike parking spaces to be provided.

## E6.7 Development Standards

### E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective

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

A1 All car parking, access strips manoeuvring and circulation spaces must be:

- a) formed to an adequate level and drained; and
- b) except for a single dwelling, provided with an impervious all weather seal; and
- c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.

**Comment:** Line marking is required for the parking spaces on the eastern side of the hotel.

### E6.7.2 Design and Layout of Car Parking

Objective

To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.

A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and

~~A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.~~

A2.1 Car parking and manoeuvring space must:

- a) have a gradient of 10% or less; and
- b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and
- c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and

A2.2 The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.

**Comment:** Complies

### E6.7.3 Car Parking Access, Safety and Security

Objective

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

A1 Car parking areas with greater than 20 parking spaces must be:

- a) secured and lit so that unauthorised persons cannot enter or;
- b) visible from buildings on or adjacent to the site during the times when parking occurs.

**Comment:** It is likely that the deck will mainly create significant additional patronage to the property in the

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warmer months and primarily whilst the dining room is open. This will provide an increase in the surveillance of the car parking area with people using the deck. There is passive surveillance of the car park from Wellington Street, Union Street and partially from the rear of the BWS site.

## E6.7.4 Parking for Persons with a Disability

### Objective

To ensure adequate parking for persons with a disability.

A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.

A2 One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with Australian Standards AS/NZ 2890.6 2009.

**Comment:** Condition required that two disability parking spaces are provided.

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

### Objective

To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.

P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.

**Comment:** Ample room is available at the rear of the building for loading and unloading of vehicles. There is no proposed changes to the existing use of the site for loading and unloading vehicles.

## E6.8 Provisions for Sustainable Transport

### E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

### E6.8.2 Bicycle Parking Access, Safety and Security

#### Objective

To ensure that parking and storage facilities for bicycles are safe, secure and convenient.

A1.1 Bicycle parking spaces for customers and visitors must:

- a) be accessible from a road, footpath or cycle track; and
- b) include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993; and
- c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and
- d) be available and adequately lit in accordance with Australian Standard AS/NZS 1158 2005 Lighting Category C2 during the times they will be used; and

A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.

A2 Bicycle parking spaces must have:

- a) minimum dimensions of:
  - i) 1.7m in length; and
  - ii) 1.2m in height; and
  - iii) 0.7m in width at the handlebars; and
- b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.

**Comment:** Condition required for the three bicycle parking spot to have a rail or hoop installed to allow bicycle to be locked to it that meets Australian Standard AS 2890.3 1993.

### E6.8.5 Pedestrian Walkways

#### Objective

To ensure pedestrian safety is considered in development

A1 Pedestrian access must be provided for in accordance with Table E6.5.

**Comment:** Condition required for a 1m wide footpath separated from the driveway and parking aisles except at crossing points. Separation is deemed to be achieved by:

- i) a horizontal distance of 2.5m between the edge of the driveway and the footpath; or
- ii) protective devices such as bollards, guard rails or planters between the driveway and the footpath;

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and  
iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles. The parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/A
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	Complies - see Heritage Adviser's review
SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	N/A
9.2 Development for Existing Discretionary Uses	N/A
9.3 Adjustment of a Boundary	N/A
9.4 Demolition	N/A
9.5 Subdivision	N/A
STATE POLICIES	
The proposal is consistent with all State Policies.	
OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993	
The proposal is consistent with the objectives of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	
STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES	
<b>Strategic Plan 2007-2017</b> <ul style="list-style-type: none"> <li>The proposal is consistent with the strategic plan</li> </ul>	

## 5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

## 6 OPTIONS

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

## 7 DISCUSSION

Discretion to refuse the application is limited to impacts that the heritage values of the area, heritage impacts on the heritage listed hotel and variation to the Road and Railway Code, and Car Parking and Sustainable Transport Code.

The proposed development to construct a deck and awning on the northern side of the hotel will not impact on the heritage values of the property or the surrounding heritage precinct. The development has been designed to be unobtrusive when viewed from the north. The development of the deck will encourage and facilitate the continued use of the hotel. It will add ambience to an otherwise desolate area and encourage revival of an area dominated by vehicle usage.

One representation was received to the development application from a Longford resident. The representation raised a number of points, some of which have been addressed by the proposal (landscaping, opening hours, parking), some of which cannot be addressed through this permit (landscaping around hotel and in front of the bottleshop).

Overall, the proposed development complies with the requirements of the Planning Scheme. Some conditions are required to be placed upon the permit to ensure that on-site parking complies with the Planning Scheme. Landscaping will be required to screen/soften the Wellington Street view of the deck.

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## 8 ATTACHMENTS

- A Application & plans
- B Responses from referral agency
- C Representations & applicant's response
- D Heritage Adviser's review

## RECOMMENDATION

That land at Country Club Hotel, 9A Wellington Street, Longford be approved to be developed and used for a deck and awning in accordance with application P15-241, and subject to the following conditions:

### 1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P7** (*Drawing No: Loop Architecture, Sheet No's: 1232 wd00-wd06, Issue A, Dated: March 2014*).

### 2 Visual screen

Prior to commencement of the use allowed by this permit, a permanent screen of shrubs shall be planted in accordance with the endorsed plans to provide an effective visual screen and shall be maintained for the duration of the use.

- The plantings shall have a minimum planting height of 75cm and have a minimum mature height to reach the top of the glass balustrade.
- The hedge shall be maintained and trimmed to ensure that the hedge does not protrude higher than 50cm above the balustrade.

### 3 Exterior and security lighting

Exterior lighting and security lighting must be designed, baffled and located in accordance with Australian Standard and no direct light is emitted outside the boundaries of the subject land.

### 4 Specified noise limit

Noise levels at the property boundary must not exceed:

- Daytime noise level of 50 dBA;
- Night time noise level of 40 dBA; &
- 5dBA above background for intrusive noise.

### 5 Delivery hours

Deliveries to and from the site (including waste collection) must only take place between the hours of 6:00am and 10:00pm.

### Parking/access

Before the use starts, areas set aside for parked vehicles and access lanes as shown on the endorsed plans shall be constructed to the satisfaction of the Planning Authority.

- 6.1 Areas set aside for the parking of vehicles together with the aisles and access lanes must be all-weather seal coat surface of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas. The areas must be constructed drained and maintained in a continuously useable condition to the satisfaction of the Planning Authority.
- 6.2 The boundaries of all car spaces, access and egress lanes and the direction in which vehicles should proceed along the access lanes must at all times be clearly indicated on the ground to the satisfaction of the Planning Authority.
- 6.3 Areas set aside for the parking and movement of vehicles as shown on the endorsed plan must be made available for such use and must not be used for any other purpose.
- 6.4 Install a 1m wide footpath separated from the driveway and parking aisles except at crossing points. Separation is deemed to be achieved by:
  - a horizontal distance of 2.5m between the edge of the driveway and the footpath; or



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- protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
- signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

6.5 The parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.

## 7 Disabled parking

- Before the use starts provision must be made in the parking area on the subject land to the satisfaction of the Planning Authority for two of car parking spaces clearly marked for the disabled.
- Spaces must be designed to be in accordance with Australian Standard AS 2890.6 – 2009 with a suitable path of travel with appropriate surfaces, grades and dimensions from the parking space to the building.

## 8 Bicycle parking

Before the use starts provision must be made on the subject land for three bicycle parking spots and are to have a rail or hoop installed to allow bicycle to be locked to it that meets Australian Standard AS 2890.3 1993

## 9 Motorbike parking

Before the use starts provision must be made on the subject land for the parking of two motorbikes in accordance with AS2890.1 2004 to the satisfaction of the Planning Authority.

## 10 Taxi drop off space

Before the use starts provision must be made on the subject land for one dedicated taxi drop-off space.

## 11 Heritage requirements

The proposed development shall comply with the requirements of the Tasmanian Heritage Council Works Approval (Works application number: 4839) – attached as Attachment A.

## DECISION

### Cr Goss/Cr Lambert

That land at Country Club Hotel, 9A Wellington Street, Longford be approved to be developed and used for a deck and awning in accordance with application P15-241, and subject to the following conditions:

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

The use and development shall be in accordance with the endorsed plans numbered **P1 – P7** (*Drawing No: Loop Architecture, Sheet No's: 1232 wd00-wd06, Issue A, Dated: March 2014*).

#### **2 Visual screen**

Prior to commencement of the use allowed by this permit, a permanent screen of shrubs shall be planted in accordance with the endorsed plans to provide an effective visual screen and shall be maintained for the duration of the use.

- The plantings shall have a minimum planting height of 75cm and have a minimum mature height to reach the top of the glass balustrade.
- The hedge shall be maintained and trimmed to ensure that the hedge does not protrude higher than 50cm above the balustrade.

#### **3 Exterior and security lighting**

Exterior lighting and security lighting must be designed, baffled and located in accordance with Australian Standard and no direct light is emitted outside the boundaries of the subject land.

#### **4 Specified noise limit**

Noise levels at the property boundary must not exceed:

- Daytime noise level of 50 dBA:

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- Night time noise level of 40 dBA; &
- 5dBA above background for intrusive noise.

## 5 Delivery hours

Deliveries to and from the site (including waste collection) must only take place between the hours of 6:00am and 10:00pm.

## 6 Parking/access

Before the use starts, areas set aside for parked vehicles and access lanes as shown on the endorsed plans shall be constructed to the satisfaction of the Planning Authority.

- 6.1 Areas set aside for the parking of vehicles together with the aisles and access lanes must be all-weather seal coat surface of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas. The areas must be constructed drained and maintained in a continuously useable condition to the satisfaction of the Planning Authority.
  - 6.2 The boundaries of all car spaces, access and egress lanes and the direction in which vehicles should proceed along the access lanes must at all times be clearly indicated on the ground to the satisfaction of the Planning Authority.
  - 6.3 Areas set aside for the parking and movement of vehicles as shown on the endorsed plan must be made available for such use and must not be used for any other purpose.
  - 6.4 Install a 1m wide footpath separated from the driveway and parking aisles except at crossing points. Separation is deemed to be achieved by:
    - a horizontal distance of 2.5m between the edge of the driveway and the footpath; or
    - protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
    - signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.
  - 6.5 The parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.
- ## 7 Disabled parking
- Before the use starts provision must be made in the parking area on the subject land to the satisfaction of the Planning Authority for two of car parking spaces clearly marked for the disabled.
  - Spaces must be designed to be in accordance with Australian Standard AS 2890.6 – 2009 with a suitable path of travel with appropriate surfaces, grades and dimensions from the parking space to the building.

## 8 Bicycle parking

Before the use starts provision must be made on the subject land for three bicycle parking spots and are to have a rail or hoop installed to allow bicycle to be locked to it that meets Australian Standard AS 2890.3 1993

## 9 Motorbike parking

Before the use starts provision must be made on the subject land for the parking of two motorbikes in accordance with AS2890.1 2004 to the satisfaction of the Planning Authority.

## 10 Taxi drop off space

Before the use starts provision must be made on the subject land for one dedicated taxi drop-off space.

## 11 Heritage requirements

The proposed development shall comply with the requirements of the Tasmanian Heritage Council Works Approval (Works application number: 4839) – attached as Attachment A.

Carried unanimously

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## 305/15 PLANNING APPLICATION P15-246 BERRY FARM, COOL STORE AND ACCESS TO ARRANDALE ROAD, LONGFORD

*Responsible Officer:* Duncan Payton, Planning & Development Manager  
*Report prepared by:* Duncan Payton, Planning & Development Manager  
*File Number:* 111200.05 CT 3308-48

### 1 INTRODUCTION

This report assesses an application to develop and use a berry farm (controlled environment agriculture) including cool store, water tank and new access from Arrandale Road and variation to boundary setbacks for poly tunnels at Pateena Road, Longford.

### 2 BACKGROUND

**Applicant:**  
C. Lyne obo M Hughes

**Owner:**  
M Hughes

**Zone:**  
Rural Resource

**Codes:**  
E4 - Road and Railway Assets E6 - Car parking and Sustainable Transport

**Classification under the Scheme:**  
Resource Development (controlled environment agriculture)

**Existing Use:**  
Resource Development (agriculture)

**Deemed Approval Date:**  
19 October-2015

**Recommendation:**  
Approve

#### Discretionary Aspects of the Application

- new access to Arrandale Road;
- variation to boundary setback for poly tunnels;
- construction of car parking and access strip.

**Planning Instrument:** *Northern Midlands Interim Planning Scheme 2013*

### 3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application). Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme.

Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

### 4 ASSESSMENT

#### 4.1 Proposal

It is proposed to convert, in stages, the existing agricultural use for grazing to berry growing under poly tunnels as follows:

- Stage 1:
  - planting of approximately 4ha of strawberries - on tables under poly tunnels (4.4m high x 8.5m wide x 100 metres long) -

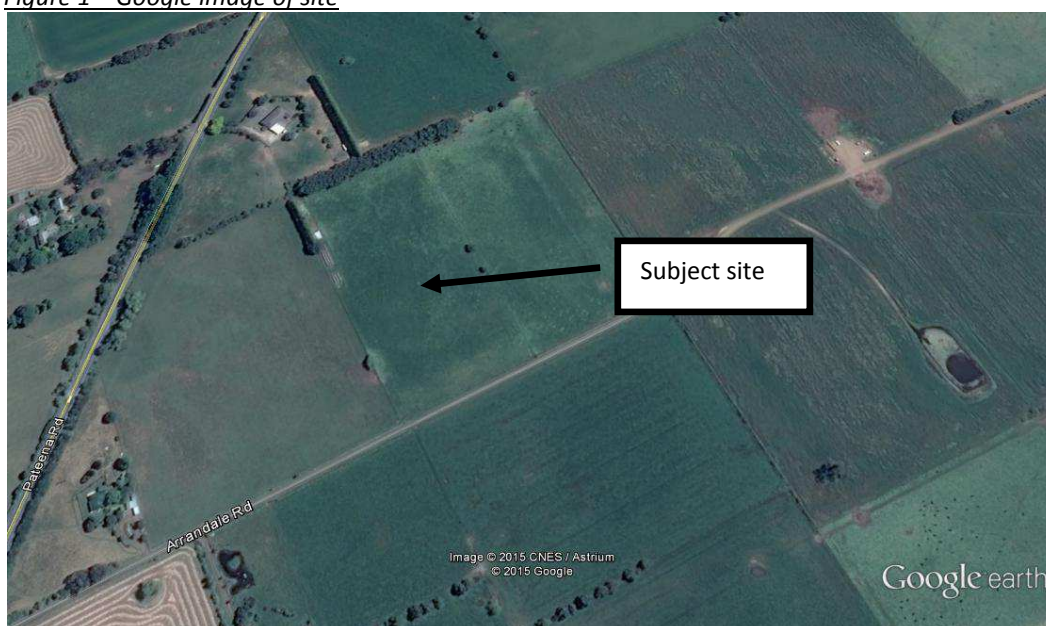
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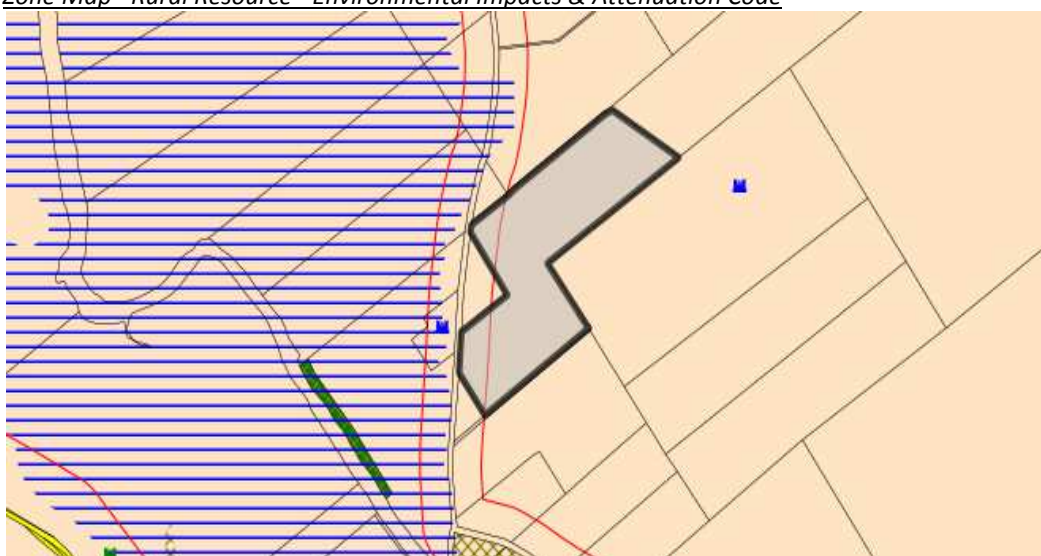
- construction of a 5.2m high cool room and storage shed (14.2m x 35.4m) with gravel hardstand
- construction of new access and access strip (driveway) from Arrandale Road
- Installation of 600kl water tank
- planting of wind breaks
- Stage 2:
  - planting of 4ha of berries under poly tunnels.
- Stage 3:
  - planting of 2ha of berries under poly tunnels

Figure 1 – Google image of site



### 4.2 Zone and land use

Zone Map –Rural Resource - Environmental Impacts & Attenuation Code



The land is zoned General Residential and is partially within the Tourist Road Corridor depicted in the Scenic Management Code. However, all development and use proposed is outside the area defined by the corridor and is thus unaffected by the Scenic Management Code.

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The relevant Planning Scheme definition is:

<i>Controlled environment agriculture</i>	<i>means an agricultural use carried out within some form of built structure, whether temporary or permanent, which mitigates the effect of the natural environment and climate. Such agricultural uses include production techniques that may or may not use imported growth medium. Examples include greenhouses, polythene covered structures and hydroponic facilities.</i>
---	---

Resource development for controlled environment agriculture, not on prime agricultural land, is permitted, no permit required within the zone.

However, the proposal has become discretionary as a result of the desire to relax the boundary setbacks for the poly tunnels, construction of access strip and car parking and the new access to Arrandale Road.

## 4.3 Subject site and locality

A site inspection was conducted by the author of this report on 11 October 2015.

The subject site is open farm land with fall towards Pateena Road. There are existing residences to the north, west and south over Arrandale Road.

## 4.4 Permit/site history

There is no relevant permit history for this site.

## 4.5 Representations

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

- P&C Wolfhagen, 24 Arrandale Road;
- J&D Aitken, 60 Arrandale Road; and
- G Peltzer, 812 Pateena Road.

All three representors were supportive of the berry farm proposal. However, they all expressed concern with regard to traffic safety issues arising from intensified use of Arrandale Road, which is a narrow gravel road with relatively deep grassed stormwater drains on each side.

The representors concerns were forwarded to the applicant, who provided a detailed response to be read in conjunction with the Traffic Impact Assessment provided with the application (see attachments).

Arrandale Road is a 4m wide unsealed road (in a road reservation of around 9m) travelling from Pateena Road some 580m to the Arrandale gate. It currently services Arrandale, two other dwellings and provides some stock and vehicle access to Newry paddocks.

The subject site, including the proposed access is on the 449m frontage to the northern side of Arrandale Road belonging to the proponent.

Inspection of the road shows that for vehicles to pass, one or usually both vehicles will need to have their off side wheels in the grass verge, which incorporates stormwater drainage. This is the current situation and if the berry farm goes ahead it will result in a small increased chance of existing users encountering vehicles travelling in the opposite direction.

Despite the default speed limit of 80km/h on this road, most vehicles will travel considerably slower. Vision is good, there are existing driveways to pull into if needed and the grass verge and stormwater drains are not too steep for a normal sedan to manoeuvre. It is likely that the worst case will be a very occasional minor inconvenience in having to make way for other users of this public road.

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## 4.6 Referrals

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

Works and Infrastructure require conditions to address stormwater to be dispersed on site and construction of the access to Arrandale Road.

### **TasWater**

Not applicable to this application

### **Heritage Adviser**

Not applicable to this application

### **Tasmanian Heritage Council**

Not applicable to this application

### **Department of State Growth**

Not applicable to this application

### **Launceston Airport**

Not applicable to this application

### **Tasrail (adjoining landowner)**

Not applicable to this application

### **Environmental Health Officer**

Not applicable to this application

### **Natural Resource Management Facilitator**

Not applicable to this application

### **Environment Protection Agency (level 2 under EMPCA)**

Not applicable to this application

### **Local District Committee**

Not applicable to this application

### **General Manager**

Not applicable to this application

### **Minister administering Crown Lands**

Not applicable to this application

## 4.7 Planning Scheme Assessment

The proposed development and use of a new access, cool room, storage, water tank and up to ten hectares of berry production under poly tunnels satisfies the provisions of the Rural Resource zone, only relying on performance criteria for the relaxation of the setbacks and car park construction and for the provision of a new access to Arrandale Road.

The performance criteria at clause 26.4.1 P2 requires:

*Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to:*

- a) *the topography of the land; and*
- b) *buffers created by natural or other features; and*
- c) *the location of development on adjoining lots; and*
- d) *the nature of existing and potential adjoining uses; and*
- e) *the ability to accommodate a lesser setback to the road having regard to:*
  - i) *the design of the development and landscaping; and*
  - ii) *the potential for future upgrading of the road; and*
  - iii) *potential traffic safety hazards; and*



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iv) *appropriate noise attenuation.*

The location of the proposed poly tunnels will have no impact on adjoining primary industry and dwellings as there are vegetation buffers between stages 1 and 2 and the dwelling to their north. Further tree belts are proposed to be planted as part of stage 1 and stage 3 will not be commenced until they create a sufficient buffer to the existing dwellings north of this area.

The proposed 10m setback to Arrandale Road is acceptable as this is not a tourist road, usage of the road will not require upgrade works beyond the existing reserve, the poly tunnels will not create any traffic hazard and will not require any noise attenuation.

The Performance Criteria at E4.6.1 P3 requires:

*For limited access roads and roads with a speed limit of more than 60km/h:*

- a) *access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and*
- b) *any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and*
- c) *an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.*

As a new access is proposed and the Acceptable Solution does not apply, the proposal satisfies the Performance Criteria:

- a) not applicable as Arrandale Road is not a category 1 road;
- b) not applicable as Arrandale Road is not a category 1,2 or 3 road;
- c) the access is designed and located to maintain an adequate level of safety and efficiency for all road users and is supported by the TIA submitted by the applicant.

Given the small number of existing vehicle movements on Arrandale Road and the similarly small volume of additional movements proposed, combined with the short length between the proposed access and Pateena Road, the applicants submission that there will be relatively few times when vehicles travelling in opposite directions will meet, is supported. Vision along the road, from the crest to the proposed access is good. Traffic will generally be travelling slowly and on the few times when another vehicle is met there will be only minor inconvenience as vehicles can pass carefully with both off side wheels on the grass, there are driveways available for refuge and opportunity to simply wait until the road is clear.

Arrandale Road is a short (some 580m), gravel, rural road servicing a small number of rural properties. It is unreasonable to suggest that the proponents 449.33m frontage should be denied direct access.

The Performance Criteria at E6.7.1 P1 requires:

*All car parking, access strips, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.*

The proposal seeks only to provide parking on the 2.3m gravel verge of the access strip. Whilst this is acceptable, given that the access strip to the cool room will be some 300m, to satisfy the performance criteria a condition will be placed on the permit requiring a minimum of fifteen identifiable spaces useable in all weather conditions.

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/A
E2.0	POTENTIALLY CONTAMINATED LAND	N/A
E3.0	LANDSLIP CODE	N/A

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E4.0	ROAD AND RAILWAY ASSETS CODE	See above
E.5.0	FLOOD PRONE AREAS CODE	N/A
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	See above
E7.0	SCENIC MANAGEMENT CODE	N/A
E8.0	BIODIVERSITY CODE	N/A
E9.0	WATER QUALITY CODE	N/A
E10.0	RECREATION AND OPEN SPACE CODE	N/A
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/A
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/A
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/A
E15.0	SIGNS CODE	N/A

SPECIFIC AREA PLANS		
F1.0	TRANSLINK SPECIFIC AREA PLAN	N/A
F2.0	HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/A

SPECIAL PROVISIONS		
9.1	Changes to an Existing Non-conforming Use	
9.2	Development for Existing Discretionary Uses	
9.3	Adjustment of a Boundary	
9.4	Demolition	N/A
9.5	Subdivision	

STATE POLICIES		
The proposal is consistent with all State Policies.		

OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993		
The proposal is consistent with the objectives of the <i>Land Use Planning &amp; Approvals Act 1993</i> .		

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES		
The proposal is consistent with the <i>Strategic Plan 2007-2017</i>		

## 5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

## 6 OPTIONS

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

## 7 DISCUSSION

Discretion to refuse the application is limited to consideration about the new access to Arrandale Road, the provision of identifiable car parking and reduction of setbacks.

As discussed above and in the attached assessment against scheme provisions, the proposal satisfies the scheme provisions and the representors are only opposed to the access to Arrandale Road.

Notwithstanding the opposition to the use of Arrandale Road due to its relative narrowness and the difficulty for vehicles to pass, the traffic impact assessment provided by the applicant supports the use of this road. Arrandale Road is a 580m long public road currently providing access to two individual houses and two rural properties.

449m of the northern side of Arrandale Road is frontage to the subject site. To deny access for this agricultural use onto this rural road would be unreasonable and is not supported by the provisions of the

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scheme or the findings of the TIA.

Approval of the proposal is recommended.

## 8 ATTACHMENTS

- A Application, plans & TIA
- B Representations and applicants response
- C Assessment against scheme provisions.

## RECOMMENDATION

That land at Pateena Road, Longford, described in CT3308/48, be approved to be developed and used for controlled environment agriculture (berry farm) including cool store, water tank and new access to Arrandale Road in accordance with application P15-246, and subject to the following conditions:

### 1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P3**, and endorsed documents **D1** (submission by C Lyne dated 18 August 2015), **D2** (AK Consultants Bushfire Report dated 19 August 2015), **D3** (GHD Traffic Impact Assessment dated August 2015)

### 2 Stormwater

All stormwater run-off from any structures and hardstand areas on site must either be dispersed or detained within the site or connected to the Council roadside drainage system, to the satisfaction of Council's Works and Infrastructure Manager.

### 3 Access (Rural)

- a) A driveway crossover must be constructed from the edge of Arrandale Rd in accordance with Council standards and the *"Proposed Berry Farm, Pateena Rd, Traffic Impact Assessment"* provided by GHD.
- b) Access works must not commence until an application for vehicular crossing has been approved by Council.

### 4 Municipal standards & certification of works

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

### 5 Works in Council road reserve

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

### 6 Pollutants

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

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be charged to the developer/property owner.

## 7 Access Strip and Car parking

Prior to the commencement of the use, the access strip and fifteen (15) car parking spaces - including one space for persons with a disability - shall be readily identifiable and designed and constructed to Australian Standard AS 2890..1 - 2004 Off Street Car Parking.

## DECISION

### Cr Goss/Cr Goninon

That land at Pateena Road, Longford, described in CT3308/48, be approved to be developed and used for controlled environment agriculture (berry farm) including cool store, water tank and new access to Arrandale Road in accordance with application P15-246, and subject to the following conditions:

#### 1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P3**. and endorsed documents **D1** (submission by C Lyne dated 18 August 2015), **D2** (AK Consultants Bushfire Report dated 19 August 2015), **D3** (GHD Traffic Impact Assessment dated August 2015)

#### 2 Stormwater

All stormwater run-off from any structures and hardstand areas on site must either be dispersed or detained within the site or connected to the Council roadside drainage system, to the satisfaction of Council's Works and Infrastructure Manager.

#### 3 Access (Rural)

- a) A driveway crossover must be constructed from the edge of Arrandale Rd in accordance with Council standards and the *"Proposed Berry Farm, Pateena Rd, Traffic Impact Assessment"* provided by GHD.
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#### 5 Works in Council road reserve

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

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- b) Prior to the commencement of the development works the developer/property owner must install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. Material or debris must not be

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transported onto the road reserve (including the naturestrip, footpath and road pavement). Any material that is deposited on the road reserve must be removed by the developer/property owner. Should Council be required to clean or carry out works on any of their infrastructure as a result of pollutants being released from the site the cost of these works may be charged to the developer/ property owner.

## 7 Access Strip and Car parking

Prior to the commencement of the use, the access strip and fifteen (15) car parking spaces - including one space for persons with a disability – shall be readily identifiable and designed and constructed to Australian Standard AS 2890.1 - 2004 Off Street Car Parking.

Carried unanimously

### 306/15 PLANNING APPLICATION P15-287 437 WOOLMERS LANE, LONGFORD

Responsible Officer: Duncan Payton, Planning & Development Manager  
Report prepared by: Paul Godier, Senior Planner  
File Number: 114300.06

## 1 INTRODUCTION

This report assesses an application for 437 Woolmers Lane, Longford, to develop and use a tyre chipping facility.

## 2 BACKGROUND

### Applicant:

Tyrecycle

### Zone:

Rural Resource

### Classification under the Scheme:

Recycling and waste disposal

### Deemed Approval Date:

30 October 2015

### Owner:

Keith Gatenby

### Codes:

Car Parking and Sustainable Transport code; Road and Railway Assets code

### Existing Use:

Tyre storage and farmland

### Recommendation:

Approve

### Discretionary Aspects of the Application

- Development and use for recycling and waste disposal in the Rural Resource zone.
- Variation to parking requirements.

**Planning Instrument:** *Northern Midlands Interim Planning Scheme 2013*

## 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.

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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 application advises the following.

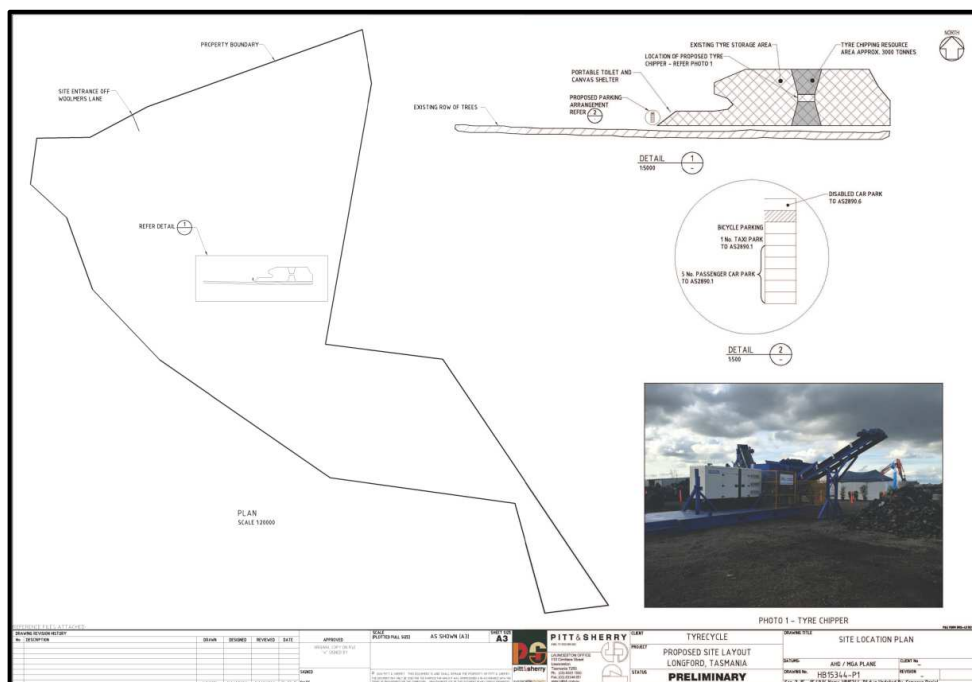
- In year 1, it is proposed to operate the facility for 40 days and chip 3,200 tonnes of tyres.
- Future campaigns may be undertaken on an annual basis of up to 10 days, chipping 1,200 tonnes per campaign each year, depending on the quantities of stored tyres.
- Chipped tyres will be containerised and transported to Melbourne for secondary processing.
- The chipper comprises one hopper, one shredder, one generator, six conveyors and a bobcat. The equipment is contained in one 20 foot container and one 40 foot container.
- The chipper is operated by a 620 litre diesel tank, providing 24 hours of processing before refuelling is required. Refuelling will be via a mobile tanker and hard piped into the generator.
- The chipper will be located within the existing tyre stockpile. Chipped tyres will be stockpiled adjacent to the chipper for daily loading into 40 foot containers. Each container will hold approximately 25 tonnes of chipped tyres. Loading of containers will occur from 7am – 12 noon.
- The chipper will operate 5 days per week from 7am to 5pm with 80-100 tonnes of chipped tyre produced per 10 hour day.
- Used tyres are loaded into a loading bucket located over the in-feed conveyor, delivered into the shredder, screened (and relayed to the shredder for out of specification chips) then conveyed to the stockpile for loading into containers.
- 75% of the chips are 6 inch square and 25% are 6 inch 'fingerlings'. Any chips that fall off conveyors or the shredder are retrieved manually and reintroduced into the process or placed on the stockpile at the end of each day.
- Containers will be transported off site by SeaRoad to Devonport ferry terminal. The proposed preferred transport route is west along Woolmers lane to Longford, then along the Bass Highway to the Devonport ferry terminal. There will be a total of 3-4 container trucks arriving empty and leaving full each day.



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*Figure 1 – Site Plan*



*Figure 2 – Photographs of Chipper*



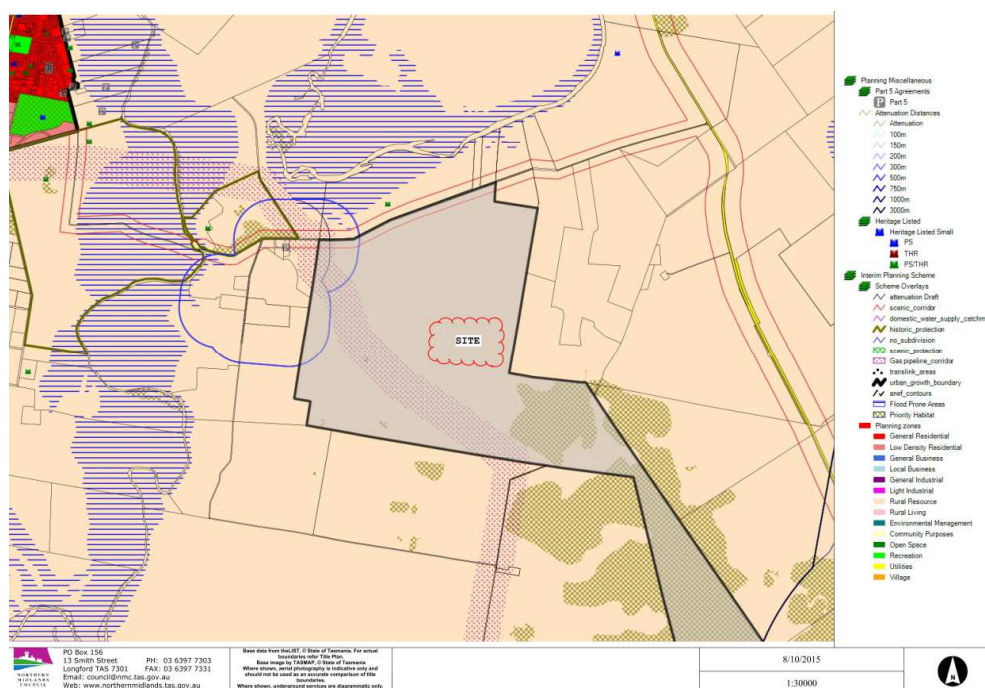
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## 4.2 Zone and land use

### Zone Map –Rural Resource



The land is zoned Rural Resource. The Planning Scheme defines *Recycling and Waste Disposal* as: *use of land to collect, dismantle, store, dispose of, recycle or sell used or scrap material. Examples include a recycling depot, refuse disposal site, scrap yard, vehicle wrecking yard and waste transfer station.*

*Recycling and Waste Disposal* is Discretionary in the zone.

## 4.3 Subject site and locality

The author of this report carried out a site visit on 8 October 2015. The site is located south-east of Longford and is accessed from Woolmers Lane. The land contains a tyre storage area, with surrounding farmland. The proposed site of the chipper is among the existing tyre storage area.

## 4.4 Permit/site history

Relevant permit history includes:

- P10-354 – Temporary storage of scrap tyres
- P13-199 - Temporary storage of scrap tyres

## 4.5 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Dataworks system after completion of the public exhibition period revealed that no representations were received.

## 4.6 Referrals

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

**Precis:** Council's Consultant Engineer, Terry Eaton reported that the access meets ASD requirements for a 100kmh approach speed, 2.5 second reaction time, which is considered satisfactory for a rural access road.

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## TasWater

Not applicable to this application

## Heritage Adviser

Not applicable to this application

## Tasmanian Heritage Council

Not applicable to this application

## Department of State Growth

Not applicable to this application

## Launceston Airport

Not applicable to this application

## Tasrail (adjoining landowner)

Not applicable to this application

## Environmental Health Officer

Not applicable to this application

## Natural Resource Management Facilitator

Not applicable to this application

## Environment Protection Agency (level 2 under EMPCA)

Precis: The application was referred to the EPA. The EPA advised that in accordance with section 25(1D) of the Environmental Management and Pollution Control Act, it does not need to assess the activity. The EPA advised that the activity would be of very limited scale or duration. Shredding activity would be limited to a relatively fixed duration each year and the activity poses a very low risk of causing serious or material environmental harm or environmental nuisance.

## Local District Committee

Not applicable to this application

## General Manager

Not applicable to this application

## Minister administering Crown Lands

Not applicable to this application

## 4.7 Assessment

An assessment of the application against the planning scheme provisions is contained in Attachment C. The application is assessed as complying with the planning scheme provisions.

With regard to noise, the application advises:

*Noise emissions are unlikely to be noticeable beyond the property boundary. The noise levels of all components working at the same time are so low that staff are not required to wear hearing protection while operating the chipper.*

Source	Emission	Comment
Conveyor x 2	50 dBA each @ 7m	Conveyors operate with electric motors.
Generator	64.5 dBA @ 7m	Generator is fully enclosed in noise attenuation box.
Shredder	70 dBA @ 7m	The noise is generated from the cutting action of the rubber. The shredder system itself generates a negligible audible noise level.
In-feed hopper	Nil – no working mechanical components or walking floor	

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<i>Bob cat</i>	<i>76-100 dBA</i>	
<i>Miscellaneous</i>	<i>Conveyor belt flapping on steel conveyor frame</i>	

The site of the chipper is over 1km from the nearest houses. With the noise levels given above, the chipper is not expected to cause a noise nuisance.

Proposed vehicle movements per day:

- Staff travelling in a single vehicle (2 movements)
- Diesel refuelling once per day (2 movements)
- Transportation of chipped tyres – four trucks per day to unload empty containers, and load full containers (8 movements)
- Miscellaneous vehicle movements (4 movements)

Such movements comply with the Road Assets code, as does the access to the site in terms of sight distances.

Based on a site area of 6,600m<sup>2</sup> for the chipping operation, 17 car parking spaces are required. There will be four staff, so the five proposed parking spaces are considered satisfactory.

## 5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

## 6 OPTIONS

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

## 7 DISCUSSION

Although there are no representations to the application, Council requires all applications regarding used tyres on this land to be brought to Council for a decision.

Discretion to refuse the application is limited to:

- Development and use for recycling and waste disposal in the Rural Resource zone.
- Variation to parking requirements.

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

The application seeks approval for 40 days of chipping in the first year, and anticipates future campaigns of up to 10 days per year.

This will allow removal of the backlog of tyres for which Tyrecycle is responsible in the first year. It will then allow yearly removal of additional tyres brought to the site for which Tyrecycle is responsible.

The permit for tyre storage allows delivery of tyres to the site until December 2016. It is therefore recommended that this permit require the chipping facility not to operate beyond December 2016.

It is recommended that at the end of each chipping campaign, the chipping site be left clean with all chipped material removed.

As detailed in the attached assessment, the application complies with the provisions of the planning scheme. It is recommended that the application be approved with the conditions below.

## 8 ATTACHMENTS

A Application & plans

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- B Responses from referral agencies
- C Planning Scheme Assessment

## RECOMMENDATION

That land at 437 Woolmers Lane, Longford be approved to be developed and used for a tyre chipping facility in accordance with application P15-287, and subject to the following conditions:

### 1 Layout not altered

The use and development must be substantially in accordance with the endorsed documents numbered **D1** (Planning Report and Environmental Assessment Tyre Chipping Facility, Longford, 10 September 2015, Rev00); and **P1** (Site Location Plan, Drawing No: HB15344-P1, dated Sep 2 2015).

### 2 Time limits

- 2.1 The tyre chipping facility must operate for no more than 40 days in the 12 months following the commencement of use of the chipper.
- 2.2 After the initial 12 month period following the commencement of use of the chipper, the tyre chipping facility must operate for no more than 10 days in one 12 month period.
- 2.3 The tyre chipping facility must not operate after December 2016.

### 3 Site

Before the chipper is removed from the land, the site of the chipping operation must be left clean, and all chipped material must be removed.

### 4 Generator

- 4.1 Prior to the commencement of use, the generator must be bunded.
- 4.2 Prior to the commencement of use, a spill kit must be provided on site.

## DECISION

### Cr Goss/Cr Knowles

That the matter be discussed.

Carried unanimously

### Cr Goss/Cr Knowles

That land at 437 Woolmers Lane, Longford be approved to be developed and used for a tyre chipping facility in accordance with application P15-287, and subject to the following conditions:

#### 1 Layout not altered

The use and development must be in accordance with the endorsed documents numbered **D1** (Planning Report and Environmental Assessment Tyre Chipping Facility, Longford, 10 September 2015, Rev00); and **P1** (Site Location Plan, Drawing No: HB15344-P1, dated Sep 2 2015).

#### 2 Operation of facility

- 2.1 Tyres must be removed from the site as shown in the Site Location Plan, Drawing No: HB15344-P1, dated Sep 2 2015.
- 2.2 The operator of the facility must notify council in writing of the date that chipping will commence, at least 1 week before chipping commences.
- 2.3 The operator of the facility must notify council in writing of the date that chipping ceased, within 1 week of chipping ceasing.

#### 3 Time limits

- 3.1 The tyre chipping facility must operate for no more than 50 days in the 12 months following the commencement of use of the chipper.
- 3.2 After the initial 12 month period following the commencement of use of the chipper, the tyre chipping facility must operate for no more than 20 days in one 12 month period.
- 3.3 The tyre chipping facility must not operate after 31 March 2017.



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## 4 Site

Before the chipper is removed from the land, the site of the chipping operation must be left clean, and all chipped material must be removed.

## 5 Generator

5.1 Prior to the commencement of use, the generator must be banded.

5.2 Prior to the commencement of use, a spill kit must be provided on site.

## 6 Truck Movements

6.1 All trucks must enter the site from Woolmers Lane via the Midland Highway.

6.2 All trucks leaving the site must drive directly to the Midland Highway.

Carried unanimously

## 307/15 PLANNING SCHEME AMENDMENT 05/15 REZONE 14 CHURCH LANE, NILE FROM COMMUNITY PURPOSES TO LOW DENSITY RESIDENTIAL

Responsible Officer: Duncan Payton, Planning & Development Manager

Report prepared by: Paul Godier, Senior Planner

File: 203100.13

## 1 INTRODUCTION

On 14 September 2015 the Minister for Planning and Local Government approved the Tasmanian Planning Commission to direct the Northern Midlands Council to initiate an amendment to the planning scheme under section 34(2) of the Land Use Planning and Approvals Act 1993.

The amendment is to rezone 14 Church Lane, Nile, from Community Purposes to Low Density Residential.

## 2 BACKGROUND

### Applicant:

Not applicable

### Owner:

A & C Scott

### Proposal:

To rezone the land from *Community Purposes* to *Low Density Residential*

### Existing Use:

Unused

### Critical Date:

Council has until 30 November 2015 to initiate the amendment.

### Recommendation:

Initiate and certify the amendment

**Planning Instrument:** *Northern Midlands Interim Planning Scheme 2013*

Figure 1 – subject site from entrance





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## 3 STATUTORY REQUIREMENTS

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

Section 34 (2) - *The Commission may, with the approval of the Minister, give a written direction to a planning authority to initiate an amendment of a planning scheme. The planning authority must initiate the amendment of the planning scheme in accordance with the direction within 10 weeks after receiving the direction.*

Section 35 (1) - *After preparing a draft amendment of a planning scheme, the planning authority must determine whether the draft amendment meets the requirements specified in section 32 and –*

- if satisfied that it does, certify the draft amendment as so meeting those requirements; or*
- if not so satisfied, proceed to modify the draft amendment until it does meet those requirements and then certify the modified draft amendment as so meeting those requirements.*

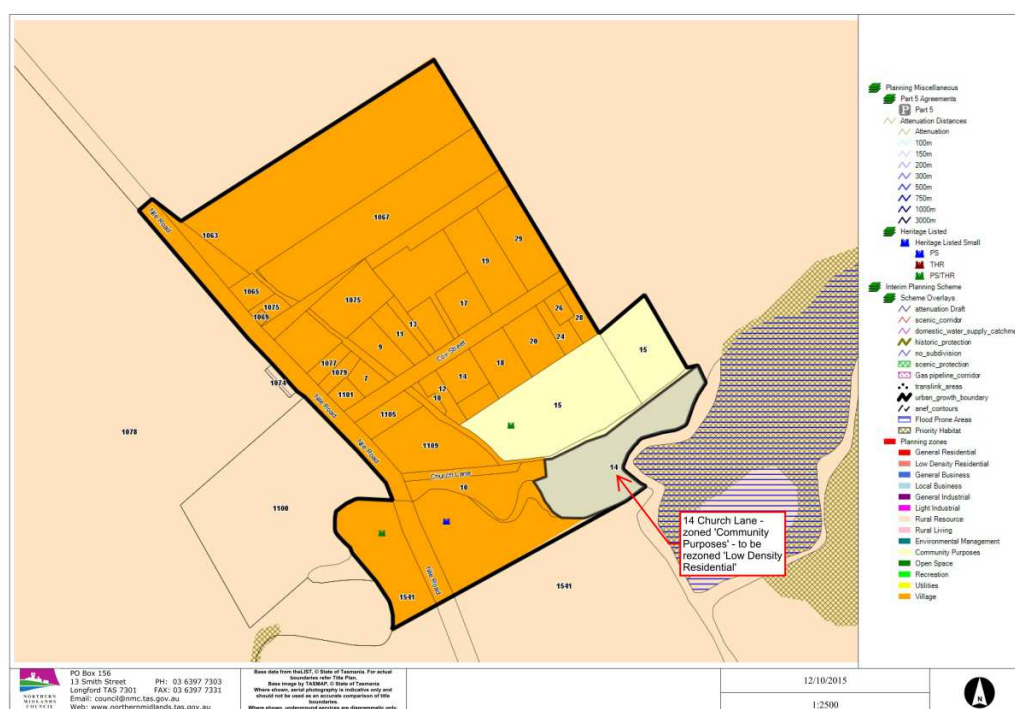
### Comment:

Part 5 of this report finds that the draft amendment is consistent with section 32 of the Act.

## 4 AMENDMENT

The Tasmanian Planning Commission has directed Council to initiate an amendment to rezone 14 Church Lane from 'Community Purposes' to 'Low Density Residential'.

Figure 2 – zone map



### 4.1 Subject site and locality

The author of this report undertook a site inspection on 9 October 2015. The site has an area of 9,200m<sup>2</sup>. The site is accessed from Church Lane by a right of way over 10 Church Lane. A water race runs along the north-western boundary, beyond which is the St Peter's church and cemetery. The site also has frontage to the Nile River, farmland to the north-east, and the residential property at 10

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Church Lane.

*Figure 3 – aerial photograph of showing services*



*Figure 4 - photograph of subject site – water race to the left, river to the right*





*Figure 5 - photograph of subject site looking towards the river*



### 4.2 Permit/site history

The permit/site history includes:

- P05-278: Rezone to Village, include provisions relating to constructing a house on the land (rejected by the Tasmanian Planning Commission).
- P09-373: Home business, ancillary house and shed (refused by Council, approved by the Resource Management and Planning Appeal Tribunal at appeal).
- P12-293: Rezone to Village. Supported by Council but application lapsed because assessment was not completed by Planning Commission before introduction of Interim Scheme.
- July 2013 – submission to Interim Scheme to rezone to Village. Supported by Council and forwarded to Planning Commission.

### 4.3 Public exhibition

Public exhibition of the draft amendment occurs after it has been certified, as per section 38 of the *Land Use Planning & Approvals Act 1993*:

- (1) *After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in [section 32](#), the planning authority must –*
  - (a) *cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period agreed to by the planning authority and the Commission; and*
  - (b) *advertise, as prescribed, the exhibition of the draft amendment.*

### 4.4 Referrals

Referral of the application takes place after it is initiated.

## 5 ASSESSMENT FOR CONSISTENCY WITH SECTION 32 OF THE LAND USE PLANNING & APPROVALS ACT 1993

Section 32 of the *Land Use Planning & Approvals Act 1993* requires that a draft amendment of a planning

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scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of [section 20\(2A\)](#)–

*must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*

*must not conflict with the requirements of [section 300](#); and*

*must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.*

An assessment against these matters is contained in Attachment B.

## 6 FINANCIAL IMPLICATIONS

The cost of undertaking the draft amendment is within existing budget allocations.

## 7 STRATEGIC/ANNUAL PLAN/COUNCIL POLICIES

Consistent with the Strategic Plan - Policy 4.7 – Planned, staged and orderly development consistent with strategic outcomes and the RLUS.

## 8 OPTIONS

Council must initiate the amendment as it has been directed by the Tasmanian Planning Commission.

## 9 DISCUSSION

The assessment of the request at Attachment C has found that it meets the requirements of section 32 of the *Land Use Planning & Approvals Act 1993*.

The amendment complies with the Regional Land Use Strategy requirements for low-density residential of a lot size between 1,600sqm and 10,000sqm (the site is 9,200sqm.) and for low-density residential to be within areas with existing low-density residential characteristics and within close proximity to a settlement size serviced by a rural town centre offering basic facilities and services. Although zoned *Village*, the Nile township has the characteristic of a low-density residential area, and is some 11km from Evandale.

It is recommended that Council initiate and certify the draft amendment and place it on public exhibition for 28 days.

## 10 ATTACHMENTS

- A Letter from the Tasmanian Planning Commission
- B Assessment against Section 32 of LUPA

## RECOMMENDATION

- 1 That Council, under section 34 (2) of the *Land Use Planning & Approvals Act 1993*, initiate Draft Amendment 05/15 to rezone 14 Church Lane, Nile, from Community Purposes to Low Density Residential; and
- 2 That Council, under section 35 (1) of the *Land Use Planning and Approvals Act 1993*, certify Draft Amendment 05/15 as meeting the requirements of section 32 of the Act, and place it on public exhibition for 28 days, in accordance with section 38 of the Act.

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## DECISION

### Cr Knowles/Cr Goninon

- 1 That Council, under section 34 (2) of the *Land Use Planning & Approvals Act 1993*, initiate Draft Amendment 05/15 to rezone 14 Church Lane, Nile, from Community Purposes to Low Density Residential; and
- 2 That Council, under section 35 (1) of the *Land Use Planning and Approvals Act 1993*, certify Draft Amendment 05/15 as meeting the requirements of section 32 of the Act, and place it on public exhibition for 28 days, in accordance with section 38 of the Act.

Carried unanimously

## 308/15 DRAFT AMENDMENT 06/15: REZONE PART OF 9 BOND STREET, ROSS, FROM COMMUNITY PURPOSES TO GENERAL RESIDENTIAL, AND CREATE A 2-LOT SUBDIVISION

Responsible Officer: Duncan Payton, Planning & Development Manager

Report prepared by: Paul Godier, Senior Planner

File Number: 400400.05

### 1 INTRODUCTION

This report recommends that Council initiate a draft amendment to rezone part of 9 Bond Street, Ross, shown as Lot 2 below, from Community Purposes to General Residential, and approve a planning permit to create Lots 1 and 2.

Figure 1 – proposal plan



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## 2 BACKGROUND

**Applicant:**

Northern Midlands Council's Property Committee

**Owner:**

Northern Midlands Council

**Zone:**

Community Purposes

**Codes:**

Potentially Contaminated Land Code; Road and Railway Assets Code; Car Parking and Sustainable Transport Code; Recreation and Open Space Code

**Proposal:**

To rezone part of the land from Community Purposes to General Residential, and to create a 2-lot subdivision

**Existing Use:**

Ross Fire Station and Men's Shed (Lot 1); Council's works storage area (Lot 2)

**Critical Date:**

Decision whether or not to initiate must be made by 29 October 2015

**Recommendation:**

Initiate and certify; approve 2-lot subdivision

**Planning Instrument:** *Northern Midlands Interim Planning Scheme 2013*

## 3 STATUTORY REQUIREMENTS

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

*Section 34 (1) (b) – A planning authority may of its own motion, initiate an amendment of a planning scheme administered by it.*

*Section 33 (2B) - Before making a decision as to whether or not to initiate an amendment of the planning scheme, the planning authority must consider –*

- (a) whether the requested amendment is consistent with the requirements of [section 32](#); and*
- (ab) any representation made under [section 30I](#), and any statements in any report under [section 30I](#) as to the merit of a representation, that may be relevant to the amendment; and*
- (b) any advice referred to in [section 65 of the Local Government Act 1993](#) received by it.*

Comment:

- (a) Part 5 of this report finds that the draft amendment is consistent with section 32 of the Act.
- (ab) There are no representations under section 30I relevant to the draft amendment.  
Council's 30I report regarding the operation of the interim scheme, recommends rezoning part of 9 Bond Street, Ross, to General Residential in accordance with the draft amendment.
- (b) This report provides advice in relation to section 65 of the *Local Government Act 1993* (advice of qualified persons).

## 4 PROPOSAL

### 4.1 Reason for the Proposed Amendment

Council's intent to sell Lot 2 was placed on public exhibition in September 2012 and no objections were received.

To make the land more saleable, it was proposed to amend the zone from *Community Purposes* to *Residential Serviced*.

At its February 2013 meeting, Council resolved to:

- *Initiate a Draft Amendment to rezone part of 9 Bond Street, Ross (Lot 2) from Community*



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*Purposes to Residential Serviced; and*

- *Certify the Draft Amendment as meeting the requirements of section 32 of the Land Use Planning and Approvals Act, on the provision that sign-off is received from the Environmental Protection Authority, and place it on public exhibition for 3 weeks.*

The Interim Scheme came into effect in June 2013, before sign off was received from the EPA. Legislation associated with the introduction of the interim scheme meant that the amendment ceased to have effect.

Council made a submission to the Interim Scheme requesting the zoning change, however, changes to the legislation in January 2015 no longer allow the Commission to agree to that request.

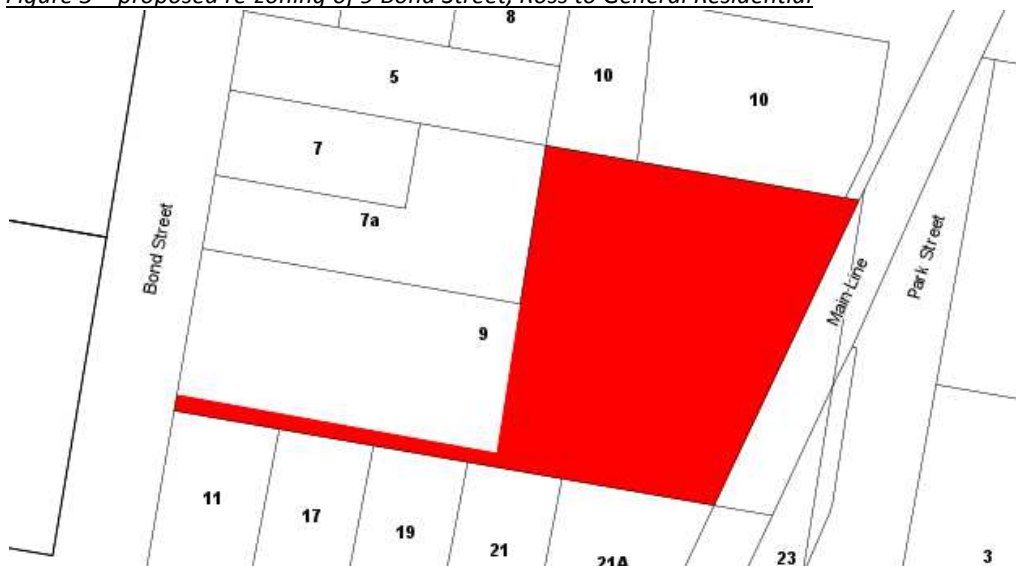
It is recommended that Council again initiate a draft amendment.

## 4.2 Proposed Amendment

Figure 2 – current zone of 9 Bond Street, Ross



Figure 3 – proposed re-zoning of 9 Bond Street, Ross to General Residential



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### 4.3 Zone and land use

The land is zoned Community Purposes and is used for a Fire Station, Men's Shed and council works storage area.

### 4.4 Subject site and locality

The author of this report undertook a site inspection on 9 October 2015. The site is located on the eastern side of Bond Street, Ross. It contains the Ross Fire Station, Men's Shed and council works storage area. Its eastern boundary adjoins the railway line. The other boundaries adjoin properties containing single dwellings.

*Figure 4 – Subject Site from Bond Street*



*Figure 5 – aerial photograph of showing services*



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## 4.5 Permit/site history

- P15-090 – Shipping container and alterations to Men’s Shed.
- January 2015 – amendments to the Land Use Planning & Approvals Act no longer allowed the Planning Commission to rezone the land through the interim scheme process.
- February 2014 – site contamination sign-off received from the EPA.
- December 2013 – Council’s submission to the Interim Scheme process sent to Tasmanian Planning Commission – rezone to General Residential.
- P13-041 – Application to rezone to Residential (application lapsed due to introduction of Interim Scheme).
- P11-018 – Shipping container for Men’s Shed.

## 4.6 Public Exhibition

Public exhibition of the draft amendment occurs after it has been certified, as per section 38 of the *Land Use Planning & Approvals Act 1993*:

- (1) *After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in [section 32](#), the planning authority must –*
- (a) *cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period agreed to by the planning authority and the Commission; and*
  - (b) *advertise, as prescribed, the exhibition of the draft amendment.*

## 4.7 Referrals

### **Council’s Works & Infrastructure Department**

Precis: Council’s Works & Infrastructure Department provided the attached response. Their recommended conditions are included in the conditions of approval.

### **TasWater**

Precis: TasWater provided the attached Submission to Planning Authority Notice, which is included in the conditions of approval.

### **Heritage Adviser**

Not applicable to this application

### **Tasmanian Heritage Council**

Not applicable to this application

### **Department of State Growth**

Not applicable to this application

### **Launceston Airport**

Not applicable to this application

### **Tasrail (adjoining landowner)**

Precis: The application was referred to Tasrail on 25 September. As of writing a response had not been received.

### **Environmental Health Officer**

Not applicable to this application

### **Natural Resource Management Facilitator**

Not applicable to this application

### **Environment Protection Agency**

Precis: Site sign-off received from the EPA.

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## Local District Committee

Precis: The Ross Local District Committee considered the application at its meeting of 7 October 2015.

## General Manager

Precis: Application signed by the General Manager.

## Minister administering Crown Lands

Not applicable to this application

## 5 ASSESSMENT FOR CONSISTENCY WITH SECTION 32 OF THE LAND USE PLANNING & APPROVALS ACT 1993

Section 32 of the *Land Use Planning & Approvals Act 1993* requires that a draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of [section 20\(2A\)](#)–

*must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*

*must not conflict with the requirements of [section 300](#); and*

*must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.*

An assessment against these matters is contained in Attachment C.

## 6 CONSIDERATION OF THE APPLICATION FOR A PERMIT

The planning application for subdivision is made under Section 43A of the Land Use Planning & Approvals Act 1993, which allows an application for a permit which would not be allowed if the planning scheme were not amended as requested.

An assessment against the planning scheme is contained in Attachment D.

## 7 FINANCIAL IMPLICATIONS

The cost of undertaking the draft amendment is within existing budget allocations.

## 8 STRATEGIC/ANNUAL PLAN/COUNCIL POLICIES

The proposal supports clause 2.2.2.1 of the Interim Scheme to encourage growth within the existing settlement patterns in the main towns including Ross.

The proposal supports Strategic Plan policy 4.7 – Planned, staged and orderly development consistent with strategic outcomes and the RLUS.

## 9 OPTIONS

- Initiate and certify the draft amendment; or
- Refuse to initiate and certify the draft amendment.

And, if Council agrees to exhibit the draft amendment;

- Approve the application for a planning permit; or



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- Refuse the application for a permit and state reasons.

## 10 DISCUSSION

### Amendment

The assessment of the request at Attachment C has found that it meets the requirements of the Act.

The proposed rezoning is not expected to result in an increase in the potential of land use conflict, by bringing the site in line with surrounding land uses. That is, the current use is a works storage area. Surrounding uses are residential. The draft amendment is to rezone the works storage area to residential. Potential conflict with the adjoining railway will be addressed by the Road and Rail Assets Code which requires a Discretionary permit for development within 50m of the railway and requires a building area greater than 50m from the railway.

It is recommended that Council initiate and certify the draft amendment and place it on public exhibition for 28 days.

### Planning Application

If Council agrees to initiate and certify the draft amendment, it is to determine the planning application as if the amendment had been approved.

Discretion to refuse the application is limited to subdivision in the Community Purpose and the General Residential zone. Conditions that relate to any aspect of the application can be placed on a permit.

An assessment of the application against the provisions of the scheme is at Attachment D.

The proposed subdivision shows a building envelope able to contain a 35m x 35m square, 50m from the railway line.

The application is assessed as complying with the scheme requirements, and is recommended for approval with the conditions below.

## 11 ATTACHMENTS

- A Application & plans
- B Responses from referral agencies
- C Assessment against Section 32 of LUPA
- D Planning Scheme assessment

### RECOMMENDATION

- a) That Council, under section 34 (1) of the *Land Use Planning & Approvals Act 1993*, initiate Draft Amendment 06/15 to rezone part of 9 Bond Street, Ross, from Community Purposes to General Residential; and
- b) That Council, under section 35 (1) of the *Land Use Planning and Approvals Act 1993*, certify Draft Amendment 06/15 as meeting the requirements of section 32 of the Act, and place it on public exhibition for 28 days, in accordance with section 38 of the Act.

And, if b) is approved;

- a) That, under section 43F of the *Land Use Planning & Approvals Act 1993*, Council resolves that:
  - Land at 9 Bond Street, Ross be approved to be developed and used for a 2-lot subdivision in accordance with application P15-196, and subject to the following conditions:

#### 1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1** (Plan

of Subdivision Ref: 57-49 (7039)).

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

### **2.1 Stormwater**

Each lot must be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.

### **2.2 Access**

- A driveway crossover must be constructed from the edge of Bond Street to the property boundary of Lots 1 & 2 in accordance with Council standards.
- A driveway crossover application form must be completed prior to the commencement of works.

### **2.3 Municipal standards & certification of works**

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

### **2.4 Works in Council road reserve**

Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works & Infrastructure Manager.

Twenty-four (24) hours notice must be given to the Works & Infrastructure Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.

### **2.5 Separation of stormwater services**

- All existing stormwater pipes and connections must be located.
- Where required, pipes are to be rerouted to provide an independent system for each lot.
- Certification must be provided that stormwater services have been separated between the lots.

### **2.6 Easements to be created**

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

### **2.7 Pollutants**

The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.

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

### **2.8 Naturestrips**

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



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## 3 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2015-01549-NMC).

## DECISION

### **Cr Polley/Cr Adams**

- a) That Council, under section 34 (1) of the *Land Use Planning & Approvals Act 1993*, initiate Draft Amendment 06/15 to rezone part of 9 Bond Street, Ross, from Community Purposes to General Residential; and
- b) That Council, under section 35 (1) of the *Land Use Planning and Approvals Act 1993*, certify Draft Amendment 06/15 as meeting the requirements of section 32 of the Act, and place it on public exhibition for 28 days, in accordance with section 38 of the Act.

And, if b) is approved;

- a) That, under section 43F of the *Land Use Planning & Approvals Act 1993*, Council resolves that:

- Land at 9 Bond Street, Ross be approved to be developed and used for a 2-lot subdivision in accordance with application P15-196, and subject to the following conditions:

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##### 2.2 Access

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##### 2.5 Separation of stormwater services

- All existing stormwater pipes and connections must be located.
- Where required, pipes are to be rerouted to provide an independent system for each lot.
- Certification must be provided that stormwater services have been

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separated between the lots.

## 2.6 Easements to be created

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

## 2.7 Pollutants

The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.

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

## 2.8 Naturestrips

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

## **3 TasWater conditions**

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2015-01549-NMC).

Carried unanimously

*Cr Calvert declared an interest in item PLAN 7, signed the register and left the meeting at 7.14pm.*

## **309/15 PLANNING APPLICATION P15-157 'WILLIAMWOOD' (ACCESSED FROM AUBURN ROAD), 109 AUBURN ROAD, ROSS**

Responsible Officer: Duncan Payton, Planning & Development Manager  
Report prepared by: Paul Godier, Senior Planner  
File Number: 400200.01 (CT120818-1)

### **1 INTRODUCTION**

This report assesses an application for 'Williamwood' (accessed from Auburn Road), 109 Auburn Road, Ross for resource processing (grain processing & distribution facility).

### **2 BACKGROUND**

**Applicant:**  
Woolcott Surveys (obo XLD Grain)

**Owner:**  
D.C. & L.M. Booth

**Zone:**  
Rural Resource

**Codes:**  
Road and Railway Assets Code; Car Parking and Sustainable Transport Code

**Classification under the Scheme:**  
Resource processing (not directly associated with produce from the subject site)

**Existing Use:**  
Farmland

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**Deemed Approval Date:**  
25 October 2015

**Recommendation:**  
That the application be refused.

## **Discretionary Aspects of the Application**

- Development and use of the land for Resource Processing (not directly associated with produce from the subject site) in the Rural General zone;
- Reliance on Performance Criteria at Clause 26.3.1 – Discretionary uses not a single dwelling;
- Road and Railway Assets Code;
- Car Parking and Sustainable Transport Code.

**Planning Instrument:** *Northern Midlands Interim Planning Scheme 2013*

Figure 1 - Subject site from Auburn Road



## **3 STATUTORY REQUIREMENTS**

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application).

Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme.

Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

## **4 ASSESSMENT**

### **4.1 Proposal**

It is proposed to:

- Construct a gravel hardstand area of approximately 4.9 hectares;
- Use the hardstand area to store grain in bags 75m long x 3m wide x 1.8m high;
- Construct a shed measuring 16m x 25m x 7.2m high;
- Construct a weighbridge.

The application advises that:

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- The grain will be grown in the Ross area, with part of it coming from the subject property;
- The grain is brought on site during harvest time;
- The grain could remain in the bags for 4-6 months before it is removed from site.

Figure 2 – Site Plan

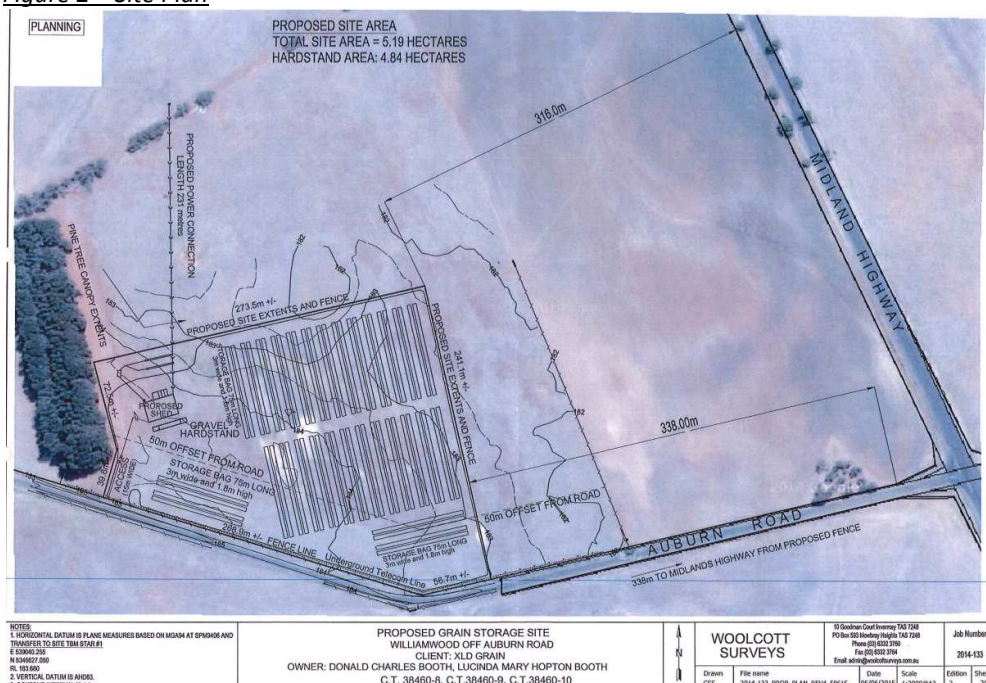
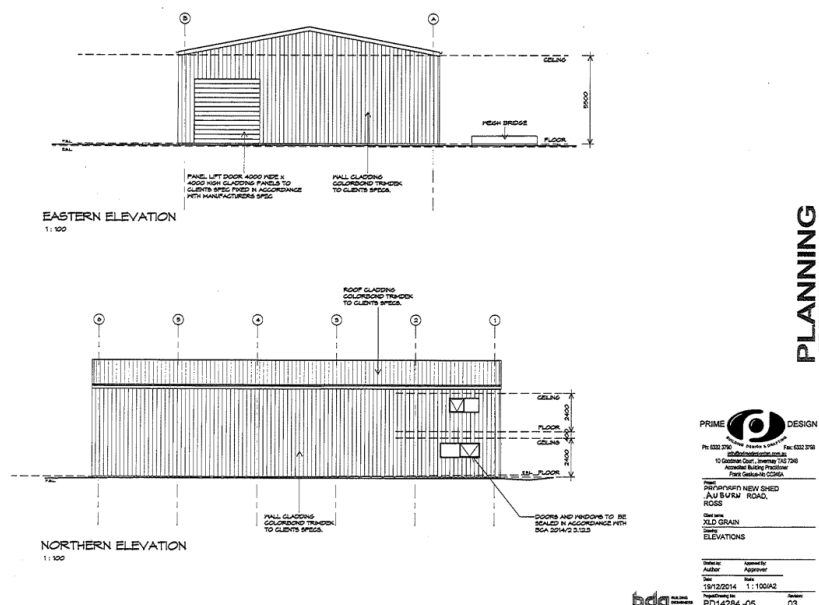


Figure 3 – Elevations



## 4.2 Zone and land use

The land is zoned Rural Resource, and is subject to the Road and Railway Assets Code and the Car Parking and Sustainable Transport Code.

The Planning Scheme defines Resource processing as:

*use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish processing, milk processing, winery and sawmilling.*



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Resource processing (where not directly associated with produce from the subject site) is Discretionary in the zone.

### 4.3 Subject site and locality

A site visit was undertaken on 9 July 2015 Paul Godier, Senior Planner.

The site is approximately 5 hectares of the Williamwood property, located on the northern side of Auburn Road, approximately 340m west of the Midland Highway. The title has an area of 1563 hectares and is surrounded by farmland. A representation to the application notes that the subject title adjoins the title containing the Somercotes cherry orchard to the south, approximately 2.2km from the subject site.

*Figure 4 - Aerial photograph of area*



*Figure 5 – subject site from the Midland Highway, opposite the intersection with Auburn Road*



### 4.4 Permit/site history

Relevant permit history includes:

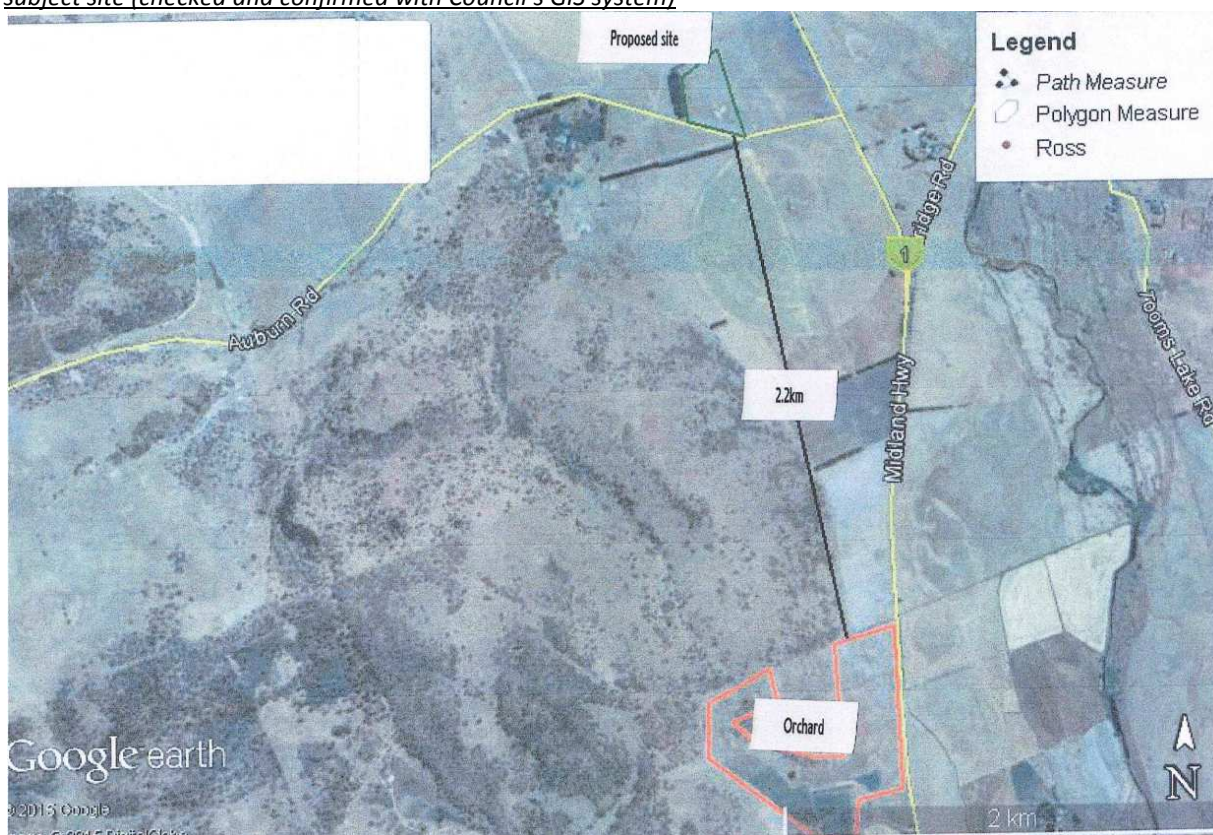
- P15-063 - resource processing (grain processing & distribution site) at 'Williamwood', 109 Auburn Road (accessed from Roseneath Road), Ross – Refused by Council 20 April 2015.

### 4.5 Representations

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

- J Bingley, Somercotes, Ross.

Figure 6 - Map providing with representation, showing location of representor's cherry orchard in relation to subject site (checked and confirmed with Council's GIS system)



A précis of the representation is included below, followed by the planner's comments.

*In 2000 the Somercotes farming business diversified to include 5 hectares of stone fruit, in addition to the traditional cropping, wool and livestock. Cherries have been picked and sold at Somercotes since 2004. The representation outlines the investment made to the cherry enterprise since then, the output from the orchard, its employment, and expansion programme.*

*The proposal must be assessed against Clause 26.3.1 P1.1 in terms of visual impact. The visual impact of the site would be that it would contain 5 hectares of white plastic storage bags which would have a detrimental effect to the rural landscape. Considers that the proposal would therefore contravene the local area objective provided at clause 26.1.2-b.*

*Recognising the closeness of the facility to the village of Ross and the importance of the Heritage Highway as a tourist route, the proposal would have an adverse visual impact upon non-primary industry uses in the area such as tourism.*

*The proposal must be assessed against Clause 26.3.1 P4 b) which requires that primary industry uses will not be unreasonably confined or restrained from conducting normal operations. Provides documents*



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*stating that grain facilities offer extreme bird pressure (provides CSIRO "Bird Management in grain storage facilities 2003").*

*The fundamental problem with large scale grain storage facilities such as proposed is the concentration of a huge quantity of produce in a single location. Consequently, a range of pest species and large pest bird populations are likely to be attracted to the site. This would be compounded by regular spillage of grain. When combined, these factors can lead to the establishment of a resident pest population.*

*Pest birds of concern to orchards, of particular focus within Somercotes' Integrated Pest Management Plan include, but are not limited to, sparrows, starlings, and mynahs. The CSIRO report cites pigeons, starlings, mynahs and sparrows as dominant pest species in grain storage facilities.*

*The grain is proposed to be stored in white coloured bags which can be easily attacked by vermin and pests. Attaches Grain Research and Development Corporation (GRDC) publication "Grain Storage Facilities" which lists that the disadvantages of bags are that they are "... prone to attack by mice, birds, foxes etc..."*

*Attaches a GRDC publication that refers to areas in Queensland where bags have stopped being used as birds quickly learn to puncture the bag to gain access to the grain.*

*The proposed development application does not include detail relating to the high risk, short term usage of bags and does not cite any issues consistent with what appears to be a common problem in this industry of bird pests in grain storage.*

*Attaches Annexure D to Northern Midlands Council planning application P12-199 from 2012 (the document was an attachment to the Council meeting of 10 December 2012 and is available on Council's website). This document makes reference to bird control programme at the Raeburn Road site, however it notes extensive concerns and evidence from the Launceston Airport about XLD Grain's capacity to follow protocols and the lack of durability of the storage system.*

*The proposed resource processing site at Williamwood is not free from conflict with the orchard at Somercotes and would add to increased bird pest population and result in diverse environmental and economic impacts.*

*Somercotes currently spends an estimated \$5,000 annually on activities in its buildings and orchard to minimize or eliminate pest bird activity in line with the current bird pressure. Any increased (bird) activity will lead to these costs rising significantly in a bid to contain the extreme bird pressure that is highly likely to be attracted to such a storage facility located only 2km from the orchard.*

*Any increased bird pressure would need to be mitigated through netting, with an estimated cost of \$100,000 per hectare. Costs to net the current productive orchard area would amount to approximately \$800,000 and would jeopardize the viability of the planned expansion of the additional 12 hectares of orchard, which could result in a further \$1.2 million having to be spent to bird proof the entire orchard proposed to be 20 hectares in total area.*

*As a stand-alone orchard in a non-traditional growing area there is not a need to net the orchard because of the lack of rain in the growing season and the minimal bird pressure.*

*Normal operations do not require netting and the financial impost would unreasonably confine the business if required to net for birds and would restrain further expansion. With such an impact, questions how the proposal could demonstrate compliance clause P4 (b), which requires it to be demonstrated that primary industry uses will not be unreasonably confined or restrained from conducting normal operations.*

*The proposal must be assessed against Clause 26.3.1 P5 in terms of visual impact. The proposal shows 58 storage bags each 3m long, 75m wide and 1.8m high, on a five hectare site, 226m from the Midland Highway. The storage bags are white, and will be highly visible from the public roads.*

### Planner's comment:

*The representation raises two areas of concern; visual impact of the development, and impact on the representor's cherry business (primary industry). The representation relates both of these concerns to provisions of the planning scheme.*

### **Visual Impact**

The concern over visual impact relates to clauses 26.3.1 P1.1 and 26.3.1 P5 of the planning scheme.

**Clause 26.3.1 P1.1** *It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone.*

Relevant Local area objective - **Tourism (clause 26.1.2 b)**

*Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.*

*The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.*

**Clause 26.3.1 P5** *It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:*

- a) the impacts on skylines and ridgelines; and*
- b) visibility from public roads; and*
- c) the visual impacts of storage of materials or equipment; and*
- d) the visual impacts of vegetation clearance or retention; and*
- e) the desired future character statements.*

### **26.1.3 Desired Future Character Statements**

*The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.*

*The development application and representation have been provided to a landscape architect with a request that he review these and provide an advice in relation to the relevant planning scheme provisions. This advice is expected to be circulated to the applicant, representor and councillors on the 16th July.*

Discussion with the landscape architect indicates that his preliminary view is that he expects to recommend dense plantings 3m deep by 3m high around the perimeter of the site.

### **Primary Industry Impact**

The concern over primary industry impact relates to 26.3.1 P4 b) of the planning scheme.

**26.3.1 P4 b)** *It must be demonstrated that primary industry uses will not be unreasonably confined or restrained from conducting normal operations.*

Agricultural/biological/zoological opinion on the impact of the proposal in terms of pest bird populations on Somercotes cherry orchard was sought from a number of firms. None were able to provide an assessment in the time required.

It is common knowledge that birds are attracted to grain, and that birds are attracted to cherries.

XLD has provided a proposed Grain Site Management Protocol which includes shoveling and storage of spilled grain, with grain contaminated by gravel being bagged and transferred to skip waste on site or buried. Any remaining surface grain will be covered by fine road gravel.

The protocol proposes weekly inspections of all bags for damage, with such damage being immediately repaired and documented in the weekly inspection report. During weekly inspections, a bird and rodent count will be conducted, documenting the number and types of species on site at that time, allowing better assessment of behavioural habits and assist in

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ongoing control.

Somercotes views the proposed protocol as being ineffective in preventing the build-up of pest bird populations. Somercotes notes that the birds attracted to grain are those that impact on cherries. Somercotes advises that they currently do not net, and that the costs to net the current productive orchard area would amount to approximately \$800,000 and would jeopardise the viability of the planned expansion of the additional 12 hectares of orchard, which could result in a further \$1.2m having to be spent to bird proof the entire orchard, proposed to be 20 hectares in total area.

The proposal is a discretionary use, and as such must address clause 26.3.1 P4 b) of the planning scheme, detailed above.

Given the information available, that approximately 5ha of land is proposed to be used for grain storage, which attracts birds, approximately some 2km from an existing (and expanding) cherry orchard that does not currently net, it is considered that the application has not demonstrated compliance with this clause.

## 4.6 Referrals

<b>Council's Works &amp; Infrastructure Department</b>
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<u>Precis:</u> Council's Works & Infrastructure Department (Jonathan Galbraith) provided the attached advice. The recommended conditions are included in the conditions of approval.
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<b>TasWater</b>
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Not applicable to this application
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<b>Heritage Adviser</b>
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Not applicable to this application
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<b>Tasmanian Heritage Council</b>
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Not applicable to this application
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<b>Department of State Growth</b>
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<u>Precis:</u> The Department is in the process of providing a response. This will be circulated when it is available.
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<b>Launceston Airport</b>
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Not applicable to this application
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<b>Tasrail (adjoining landowner)</b>
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Not applicable to this application
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<b>Environmental Health Officer</b>
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Not applicable to this application
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<b>Natural Resource Management Facilitator</b>
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Not applicable to this application
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<b>Environment Protection Agency (level 2 under EMPCA)</b>
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Not applicable to this application
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<b>Local District Committee</b>
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<u>Precis:</u> At the time of writing this report, no comment had been received.
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<b>General Manager</b>
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Not applicable to this application
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<b>Minister administering Crown Lands</b>
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Not applicable to this application
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## 4.7 Planning Scheme Assessment

An assessment of the application against the provisions of the planning scheme is attached.

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## 5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

## 6 OPTIONS

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

## 7 DISCUSSION

Discretion to refuse the application is limited to:

- Development and use of the land for Resource Processing (not directly associated with produce from the subject site) in the Rural General zone;
- Reliance on Performance Criteria at Clause 26.3.1 – Discretionary uses not a single dwelling;
- Road and Railway Assets Code;
- Car Parking and Sustainable Transport Code.

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

### **Visual Impact**

It is considered that the visual impact can be reduced to an acceptable level with vegetative screening of the site. Dense landscaping with a minimum height of 3m and 3m deep along the northern, eastern and southern boundaries of the site is recommended.

### **Primary Industry Impact**

Clause 26.3.1 P4 b) requires it to be demonstrated that primary industry uses will not be unreasonably confined or restrained from conducting normal operations.

The application is for approximately 5ha of land is proposed to be used for grain storage, which attracts birds, approximately some 2km from an existing (and expanding) cherry orchard that does not currently net. Some of the pest birds attracted to grain are also pest birds to cherry orchards. The representation has outlined the cost of netting, and provided the view that netting would jeopardize the viability of the business. It is considered that the application has not demonstrated compliance with the clause that primary industry uses will not be unreasonably confined or restrained from conducting normal operations.

It is recommended that the application be refused on this ground.

It is noted that this report was prepared for the July Council meeting. The applicant requested additional time to prepare an assessment of bird impact on Somercotes Orchard, but decided to continue without such assessment.

## 8 ATTACHMENTS

- A Application & plans
- B Additional Information Request
- C Additional Information provided by applicant
- D Responses from referral agencies
- E Representation, applicant's response, further information provided by representor
- F Planning scheme assessment
- G Visual Assessment
- H Email from Woolcott Surveys 13 October 2015.

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## RECOMMENDATION

That application P15-157 to develop and use the land at 'Williamwood' (accessed from Auburn Road), 109 Auburn Road, Ross for Resource processing (grain processing & distribution facility) at be refused on the following ground:

1. The application has not demonstrated that it will not unreasonably confine or restrain Somercotes cherry orchard from conducting normal operations, contrary to clause 26.3.1 P4 b).

## DECISION

### Cr Goninon/Cr Goss

That the matter be discussed.

Carried unanimously

### Cr Knowles/Cr Gordon

That land at 'Williamwood' (accessed from Auburn Road), 109 Auburn Road, Ross be approved to be developed and used for resource processing (grain processing & distribution facility) in accordance with application P15-157, and subject to the following conditions:

#### 1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1** (No. 2014-133, Sheet 10F2, Date 05/06/2015); **P2** (No. 2014-133, Sheet 20F2, Date 05/06/2015); **P3** (No. PD14284-03 Date 19/12/2014); **P4** (No. PD14284-04 Date 19/12/2014); **P5** (No. PD14284-05 Date 19/12/2014); **P6** (No. PD14284-06 Date 19/12/2014); **P7** (No. PD14284-07 Date 19/12/2014); & **P8** (No. A3-9630/1 Date 16/6/15) and Document **D1** (XLD Grain Site Management Protocol updated January 2015).

#### 2 Site Management Protocol

That the applicants shall document all inspections in accordance with Document D1 and supply Northern Midlands Council with a copy on 01 February and 01 August of each year of operation.

#### 3 Council's Works & Infrastructure Department conditions

##### 3.1 Stormwater

All stormwater run-off must be contained within the site. The applicant must provide detailed stormwater design plans for approval by Council's Plumbing inspector.

##### 3.2 Access (Rural)

- An indented truck access must be constructed to the property in accordance with Council standard drawing TSD-R05.
- The access must be sealed for a minimum distance of 14m in accordance with Standard Drawing TSD-R05
- Prior to the commencement of any access works, a vehicular crossing application form must be completed and approved by Council.

##### 3.3 Works in road reserve

No works shall be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works & Infrastructure Manager. Twenty-four hours (24) notice shall to be given to the Works & Infrastructure Department to inspect works within road reserve and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.

##### 3.4 Pollutants

The developer/property owner shall be responsible for ensuring pollutants such as mud, silt or chemicals are not released from the site.

Prior to the commencement of the development works the developer/property owner must install all necessary silt fences and cut-off drains to prevent soil, gravel and other



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debris from escaping the site. No material or debris is to be transported onto the road reserve (including the naturestrip footpath and road pavement). Any material that is deposited on the road reserve shall be removed by the applicant. Should Council be required to clean or carry out works on any of their infrastructure as a result of pollutants being released from the site the cost of these works may be charged to the developer/property owner.

Carried

### Voting for the motion:

Mayor Downie, Deputy Mayor Goss, Cr Adams, Cr Calvert, Cr Goninon, Cr Gordon, Cr Knowles, Cr Lambert

### Voting against the motion:

Cr Polley

*Cr Calvert returned to the meeting at 7.32pm.*

## 302/15 COUNCIL ACTING AS A PLANNING AUTHORITY – CESSATION

### RECOMMENDATION

That the Council cease to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, for the remainder of the meeting.

### DECISION

**Cr Lambert /Cr Knowles**

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

## 310/15 PLANNING PRACTICE QUARTERLY REPORT – JULY – SEPTEMBER 2015

*File:* 13/010

*Responsible Officer:* Duncan Payton, Planning & Development Manager

*Report prepared by:* Paul Godier, Senior Planner

### 1 PURPOSE OF REPORT

This report provides an update on Planning Practice for the July – September quarter, and is required by Part 4.4 of the Strategic Plan.

### 2 INTRODUCTION/BACKGROUND

The Strategic Plan seeks to reinforce community confidence in the planning process and the integrity of Council, with fair, consistent and accountable decision making having regard to community expectations.

### 3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following “Volume 1 – Mapping Our Direction” goals have relevance to this issue:

- 4.4 Planning Practice

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## 4 POLICY IMPLICATIONS

Part 4.4 of the Strategic Plan contains the Policy:

*Reinforce community confidence in the planning process and the integrity of Council.*

To achieve this, the Strategic Plan requires *fair, consistent and accountable decision making having regard to community expectations.*

The bench mark is to have *less than 5% of development applications that result in an appeal.*

PLANNING DECISIONS:	July – September 2015	Year to date
No. of Permitted applications	8	8
No. of Discretionary applications	40	40
Total	48	48
<b>Representations</b>		
No. of applications that received representation/s	5	5
No. of representations successfully mediated	0	0
<b>Council Decisions</b>		
No. of applications decided by Council	5	5
No. of applications approved by Council	4	4
No. of application refused by Council	1	1
<b>Appeals</b>		
No. of decisions appealed	1 (resolved by consent)	1 (resolved by consent)
Council's decision upheld	-	-
Council's decision overturned	-	-

## 5 STATUTORY REQUIREMENTS

### 5.1 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.

## 6 FINANCIAL IMPLICATIONS

Whilst not a direct planning consideration, development within the municipal area is important as it provides revenue growth to Council. Consistent planning decisions are important to maintain developer confidence and consequently maintain or increase development revenue.

## 7 RISK ISSUES

Overall Council currently has a good reputation throughout the development community. Inconsistent decision making would place this reputation at risk.

Council strives to ensure that the planning scheme meets expectations of community. Ongoing changes driven by the State despite public exhibition may not always further this aim.

## 8 CONSULTATION WITH STATE GOVERNMENT

N/A

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## 9 COMMUNITY CONSULTATION

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

## 10 OPTIONS FOR COUNCIL TO CONSIDER

N/A

## 11 OFFICER'S COMMENTS/CONCLUSION

With regard to Planning Practice, it is considered that fair, consistent and accountable decisions have been made during July to September 2015, with there being 1 appeal, less than the benchmark of 2.4 appeals (i.e. 5% of 48 applications).

## RECOMMENDATION

That the report be noted.

## DECISION

**Cr Goninon/Calvert**

That

- i) the report be noted and
- ii) future quarterly reports include trending information and be in an updated format.

Carried unanimously

<b>311/15</b>	<b>PORTER – REQUEST TO REMOVE PART 5 AGREEMENT FROM 24-46 GRANT STREET CAMPBELL TOWN</b>
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Report prepared by: Duncan Payton, Planning & Development Manager

## 1 PURPOSE OF REPORT

This report considers a request received from Graeme and Maureen Porter for Council to agree to the removal of an agreement entered into in 2008 and registered on the title preventing the removal of the native vegetation from the property.

## 2 INTRODUCTION/BACKGROUND

In 2007, Mr Porter was the owner of the land described in Certificate of Title 19761/1 and 19762/2, known as 24-46 Grant Street, Campbell Town.

Mr Porter had planted and maintained an area of native vegetation on this land. Mr Porter wished to gift the land to Elizabeth Macquarie Homes Inc for the purpose of providing accommodation for the elderly. However, he also wished to protect this native vegetation and thus sought to have it protected through an agreement under Part 5 of the Land Use Planning and Approvals Act 1993.

In 2008, the land was transferred to Elizabeth Macquarie Homes Inc and a deed of agreement to protect the native vegetation was entered into between Council and Elizabeth Macquarie Homes Inc and registered on the title.

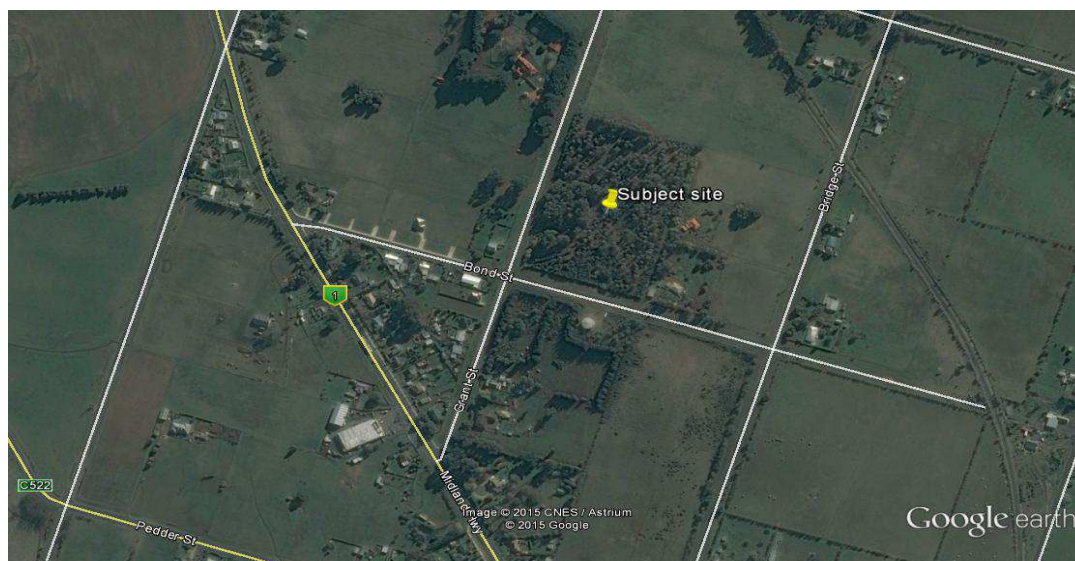
In the ensuing years, Elizabeth Macquarie Homes Inc determined that they would not develop the site and

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it was surplus to their requirements and as a consequence, a drain on their resources.



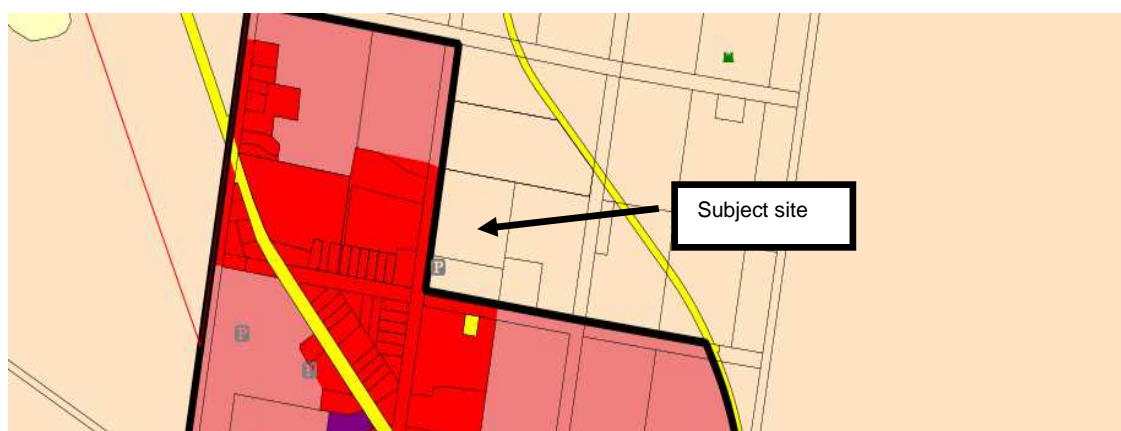
*Google image showing 24-46 Grant Street, Campbell Town*

The site has recently been returned to Mr Porter and is now owned by Graeme and Maureen Porter.

Mr Porter has advised that he is no longer able to maintain the native vegetation and wishes to have the agreement removed to enable the site to be cleared.

Relevantly, Part 5 of the Act provides at:

- s.71(1) A planning authority may enter into an agreement with an owner of land in the area covered by a planning scheme or a special planning order.
- s.71(5) An agreement is binding on the parties on the day on which it is executed.
- s.74(3) An agreement may be ended by the planning authority with the approval of the Commission or by agreement between the authority and all parties who are bound by any covenant in the agreement.
- s.78(2) Where an agreement is registered, the planning authority must, as soon as practicable, lodge with the Recorder notification, in a form approved by the Recorder, of the amendment or ending of the agreement, together with particulars of title to any land to which the agreement relates.



*Zoning map of subject site*

The site is zoned Rural Resource and is surrounded by cleared rural land to the north and east with residential land to the south and west.

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## 3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following “Volume 1 – Mapping Our Direction” policies have relevance to this issue:

- 4.3 Development Control
- 4.7 Land Use Planning

## 4 POLICY IMPLICATIONS

There is no specific policy relevant to this request.

## 5 STATUTORY REQUIREMENTS

Land Use Planning and Approvals Act 1993.

## 6 FINANCIAL IMPLICATIONS

There is no specific financial impact to Council. If Council agrees to the request it should be on the basis that Mr Porter is responsible for all costs.

## 7 RISK ISSUES

There are no specific risk issues for Council. If the agreement is removed it is likely that the vegetation will be removed and the land may be sold for agricultural use or may simply become more attractive as a potential house site adjacent to others on the outskirts of Campbell Town. If the agreement is not removed, it is likely that the site will remain untended until such time as Council is forced to issue an abatement notice in regard to fire risk..

## 8 CONSULTATION WITH STATE GOVERNMENT

There has been no consultation with State Government in regard to this request.

## 9 COMMUNITY CONSULTATION

There has been no community consultation in regard to this request.

## 10 OPTIONS FOR COUNCIL TO CONSIDER

- i) Agree to the request to end the agreement; or
- ii) Not agree to the request.

## 11 OFFICER'S COMMENTS/CONCLUSION

The existing agreement registered on the title is only there because Mr Porter requested it in 2007. There is no strategic or planning requirement that it be maintained.

Whilst the agreement remains in place, the site will not be further developed and over time the cost burden of maintaining the vegetation may result in the site becoming a fire hazard.

Removal of the agreement will have no detrimental effect upon Campbell Town and may lead to the productive use of the site either for agriculture or as the site for a residence.

## 12 ATTACHMENTS

- i) Letter of request from Mr & Mrs Porter



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- ii) Title plan
- iii) Copy of Deed of Agreement

### RECOMMENDATION 1

That the report be discussed.

### RECOMMENDATION 2

That Council advise Mr and Mrs Porter that it agrees to the removal of the agreement, subject to Mr and Mrs Porter being responsible for all associated costs.

### DECISION

#### **Cr Polley/Cr Goninon**

That the matter be discussed.

Carried unanimously

#### **Cr Polley/Cr Calvert**

That Council advise Mr and Mrs Porter that it agrees to the removal of the agreement, subject to Mr and Mrs Porter being responsible for all associated costs.

Carried unanimously

*Mr Godier left the meeting at 7.40pm*

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## CON – ITEMS FOR THE CLOSED MEETING

### DECISION

#### **Cr Goninon/Cr Adams**

That Council move into the “Closed Meeting” with the General Manager, Corporate Services Manager, Planning and Development Manager, Works & Infrastructure Manager and Executive Assistant.

Carried unanimously

### **312/15 APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE**

As per provisions of Section 15(2)(h) of the *Local Government (Meeting Procedures) Regulations 2015*.

### **313/15 (1) PERSONNEL MATTERS**

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015*.

### **313/15 (2) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL**

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.  
*Management Meetings*

### **313/15 (3) MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL**

As per provisions of Section 15(2)(i) of the *Local Government (Meeting Procedures) Regulations 2015*.  
*Correspondence Received*

### **313/15 (4) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL**

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.  
*Action Items – Status Report*

### **313/15 (5) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL**

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.  
*Compliance*

### **314/15 OUTDOOR STAFFING**

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015*.

### DECISION

#### **Cr Polley/Cr Gordon**

That Council employ two additional staff, as required, to assist with road maintenance and construction and the maintenance of council parks and reserves, in addition to the proposed replacement of one staff member who has retired.

Carried

#### **Voting for the motion:**

Mayor Downie, Deputy Mayor Goss, Cr Adams, Cr Calvert, Cr Gordon, Cr Knowles, Cr Lambert, Cr Polley

#### **Voting against the motion:**

Cr Goninon

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## 315/15 RECONSTRUCTION OF ASSET NO'S 925 & 1548 MACQUARIE ROAD, CAMPBELL TOWN (ASHBY ROAD TO MORNINGSIDE BRIDGE)

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.  
*Road Reconstruction*

### DECISION

**Cr Goss/Cr Goninon**

That the matter be discussed.

Carried unanimously

**Cr Polley/Cr Gordon**

That as Council is of the opinion that it is desirable to remove the said trees to address the associated danger, obstruction and inconvenience to the users of Macquarie Road, Campbell Town, the General Manager is required to implement the following action:

That pursuant to *section 39(7) of the Local Government (Highways) Act 1982*; Council resolves to require the occupier of the land situate and known as 'Morningside' on which trees are growing on land adjoining Macquarie Road at Campbell Town, to remove each of the trees as identified in this report (minute reference 315/15) together with the plan attached to this resolution and described as follows:

*Situate adjacent to Road Asset number 774:*

- 1) *The first section of trees commences 235 metres from Ashby Road (on the Campbell Town side) to 663 metres from Ashby Road, number of trees in this section is 101.*
- 2) *The second section of trees commences 798 metres from Ashby Road (on the Campbell Town side) to 877 metres from Ashby Road, number of trees in this section is 19.*

Carried

### **Voting for the motion:**

Deputy Mayor Goss, Cr Adams, Cr Calvert, Cr Gordon, Cr Knowles, Cr Lambert, Cr Polley

### **Voting against the motion:**

Mayor Downie, Cr Goninon

## 316/15 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.  
*Rates Matter*

## 317/15 GADSBY – REQUEST FOR COMPENSATION

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.  
*Request for Compensation*

### DECISION

**Cr Polley/Cr Adams**

That the matter be discussed.

Carried unanimously

**Cr Polley/Cr Gordon**

That Council reject the claim for compensation from MR and AC Gadsby.

Carried unanimously

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**318/15 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL**

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.  
*Tyre Storage*

### DECISION

#### **Cr Lambert/Cr Goninon**

That Council move out of the closed meeting and make the following decision(s) available to the public:

- 314/15 (CON 3) Outdoor Staffing
- 315/15 (CON 4) Reconstruction Of Asset No's 925 & 1548 Macquarie Road, Campbell Town (Ashby Road to Morningside Bridge)
- 317/15 (CON 6) Gadsby – Request for Compensation.

Carried unanimously

Mayor Downie closed the meeting at 8.36pm

MAYOR \_\_\_\_\_

DATE \_\_\_\_\_