



**NORTHERN
MIDLANDS
COUNCIL**

MINUTES

ORDINARY MEETING OF COUNCIL

MONDAY, 17 FEBRUARY 2020



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

MINUTES OF THE ORDINARY MEETING OF THE NORTHERN MIDLANDS COUNCIL HELD AT THE COUNCIL CHAMBERS, 13 SMITH STREET, LONGFORD AT 5.01 PM ON MONDAY, 17 FEBRUARY 2020

035/20 ATTENDANCE

1 PRESENT

Mayor Mary Knowles OAM, Deputy Mayor Richard Goss, Cr Dick Adams OAM, Cr Matthew Brooks, Cr Andrew Calvert, Cr Ian Goninon, Cr Janet Lambert, Cr Michael Polley AM

In Attendance:

Mr Des Jennings – General Manager, Miss Maree Bricknell – Corporate Services Manager, Mr Leigh McCullagh – Works Manager, Mrs Amanda Bond – Community & Development Manager, Mr Paul Godier – Senior Planner (from 6:45pm to 8:14pm), Ms Erin Boer – Urban & Regional Planner (from 6:45pm to 8:14pm), Ms Lucie Copas – Executive & Communications Officer

2 APOLOGIES

Cr Jan Davis

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037/20 ACKNOWLEDGEMENT OF COUNTRY

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

038/20 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

No declarations were made.

039/20 CONFIRMATION OF MINUTES

1 OPEN COUNCIL: ORDINARY COUNCIL MEETING MINUTES

DECISION

Cr Adams/Cr Goss

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 20 January 2020 be confirmed as a true record of proceedings.

Carried unanimously

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2 CONFIRMATION OF MINUTES OF COMMITTEES

Attachments: Section 1 – Page 1

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

	Date	Committee	Meeting
i)	03/12/2019	Campbell Town District Forum	Ordinary
ii)	10/12/2019	Evandale Community Centre & Memorial Hall Management Committee	Ordinary
iii)	10/12/2019	Liffey Hall Committee	Ordinary
iv)	15/12/2019	Devon Hills Neighbourhood Watch & Residents Committee	Ordinary
v)	07/01/2020	Longford Local District Committee	Ordinary
vi)	14/01/2020	Ross Community Sports Club Inc.	Ordinary
vii)	29/01/2020	Cressy Local District Committee	Ordinary
viii)	30/01/2020	Avoca, Royal George & Rossarden Local District Committee	Ordinary
ix)	04/02/2020	Campbell Town District Forum	Ordinary
x)	04/02/2020	Ross Local District Committee	Ordinary
xi)	04/02/2020	Evandale Advisory Committee	Ordinary
xii)	05/02/2020	Longford Local District Committee	Ordinary

DECISION

Cr Adams/Cr Lambert

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

Carried unanimously

3 RECOMMENDATIONS OF SUB COMMITTEES

NOTE: *Matters already considered by Council at previous meetings have been incorporated into INFO 10: Officer's Action Items.*

Cressy Local District Committee

At the ordinary meeting of the Cressy Local District Committee held on 29 January 2020 the following motion/s were recorded for Council's consideration:

Bartholomew Park sign

That the Bartholomew Park sign be removed from the top of the history board and a new sign (redesign) be installed at the corner of the park facing Main and Church Streets.

Officer comment:

The Committee have developed some background information giving an explanation of the name of the park. The committee do not support the current location of the park name as it detracts from the history board and have requested a new sign (more in keeping with the design of the town) be installed in the corner of the park with the explanation plinth.

Officer recommendation:

That Council officers investigate and design a new park sign and explanation plinth (providing background on the park name) to be located at the corner of Main and Church streets, Cressy near the trout sculpture, and it be brought back to the Committee for comment.

DECISION

Cr Adams/Cr Calvert

That Council officers investigate and design a new park sign and explanation plinth (providing background on the park name) to be located at the corner of Main and Church streets, Cressy near the trout sculpture, and it be brought back to the Committee for comment.

Carried unanimously



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Ross Local District Committee

At the ordinary meeting of the Ross Local District Committee held on 4 February 2020 the following motion/s were recorded for Council's consideration:

Trees on Tooms Lake Road

The Ross Local District Committee invites Councillors to meet with concerned members of the committee for a site tour and to further discuss issues.

Officers comment:

This issue has previously been actioned by Officers.

Recommendation:

That Council note the motion and advise Officers if they wish to meet with the Committee.

DECISION

Cr Brooks/Cr Calvert

That Council note the motion and advise Officers if they wish to meet with the Committee.

Carried unanimously

Evandale Advisory Committee

At the ordinary meeting of the Evandale Advisory Committee held on 4 February 2020 the following motion/s were recorded for Council's consideration:

Toilet Amenities – Honeysuckle Banks

That Council reconsider the request to provide toilet amenities at a suitable location in the vicinity of Honeysuckle Banks as part of the 2020/2021 budget deliberations.

Officers comment:

This matter has been considered previously, as follows:

The following request was put to Council following the 1 October 2019 meeting of the Committee:

That Council investigate the provision of a toilet amenity in the vicinity of Honeysuckle Banks in order to alleviate the issue of persons defecating in the parkland.

Decision of 21 October 2019 Council meeting:

That Council officers investigate this request.

The matter was considered by Council officers and it was recommended not to progress (feedback was provided to Council in 18 November 2019 Council meeting minutes).

Recommended not to progress.

Recommendation:

That the matter be investigated by Council officers and the request be considered in the 2020/2021 budget deliberations.

DECISION

Cr Lambert/

That the matter be investigated by Council officers and the request be considered in the 2020/2021 budget deliberations.

The motion lapsed for want of a seconder.

DECISION

Cr Calvert/Cr Polley

That no further action be taken.

Carried

Voting for the motion:

Cr Calvert, Cr Polley, Cr Adams, Cr Brooks, Cr Goninon, Cr Goss

Voting against the motion:

Mayor Knowles, Cr Lambert



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Longford Local District Committee

At the ordinary meeting of the Longford Local District Committee held on 5 February 2020 the following motion/s were recorded for Council's consideration:

Titles

That this Committee ask the Council to establish from the Lands Department the ownership of the Longford racecourse and the titles around it which are part of the curtilage, that would include the block of land bordered by Anstey, Craycroft, Brickendon and Wellington Streets.

Officers comment:

Council Officers will investigate.

Recommendation:

That Council note the motion.

DECISION

Cr Adams/ Brooks

That Council note the motion.

Carried unanimously

040/20 DATE OF NEXT COUNCIL MEETING: 16 MARCH 2020

Mayor Knowles advised that the next Ordinary Council Meeting would be held at the Northern Midlands Council Chambers at Longford at 5.00pm on Monday, 16 March 2020.



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041/20 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.

Date Held	Purpose of Workshop
03/02/2020	Council Workshop Discussion: <ul style="list-style-type: none">Australian Mayoral Aviation CouncilTEER Strategy & Partnership AgreementLocal District Committees: Memorandum of UnderstandingGreater Launceston Transport Vision and Work Plan
10/02/2020	Council Workshop: <ul style="list-style-type: none">Professional Development
17/02/2020	Council Workshop Discussion: <ul style="list-style-type: none">Council Meeting Agenda items

2 MAYOR'S COMMUNICATIONS

Mayor's Communications for the period 21 January 2020 to 17 February 2020 are as follows:

Date	Activity
23 January 2020	Attended meeting with Rebecca White, Launceston
23 January 2020	Attended ABC interview Launceston
24 January 2020	Attended meeting with Guy Barnett, Longford
26 January 2020	Attended Australia Day Event, Ross
29 January 2020	Attended TCF press interview at Avoca
30 January 2020	Attended Avoca Royal George Local District Committee, Avoca
31 January 2020	Met with residents at Rossarden and Storys Creek regarding fire proximity
31 January 2020	Attended Evacuation Centre, Avoca
3 February 2020	Attended meeting with ratepayer, Longford
3 February 2020	Attended Council Workshop, Longford
4 February 2020	Attended Campbell Town District Forum meeting, Campbell Town
4 February 2020	Attended Ross Local District Committee meeting, Ross
4 February 2020	Attended Evandale Local District Committee meeting, Evandale
5 February 2020	Attended TasWater meeting, Launceston
6 February 2020	Attended ABC interview, Gipps Creek
8 February 2020	Attended induction of Rev Gannon, Longford
10 February 2020	Attended Council Workshop, Longford
11 February 2020	Attended Heritage Highway meeting, Ross
12 February 2020	Attended Statewide Independent Wholesalers Official opening, Western Junction
12 February 2020	Attended Longford Railway Sesquicentenary Committee meeting, Longford
16 February 2020	Attended Commemoration Service, Longford
17 February 2020	Attended Red Cross meeting, Longford
17 February 2020	Attended Council Workshop and Meeting, Longford
Attended to email, phone, media and mail inquiries.	

3 PETITIONS

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

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

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

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

- (a) a clear and concise statement identifying the subject matter and the action requested; and
- (b) in the case of a paper petition, a heading on each page indicating the subject matter; and
- (c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and
- (d) a statement specifying the number of signatories; and
- (e) at the end of the petition –
 - (i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and
 - (ii) in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.

(3) In this section –

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

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

petition means a paper petition or electronic petition;

signatory means –

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

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.

The Strategic Plan 2017-2027 provides the guidelines within which Council operates.

- Lead –
 - Leaders with Impact
Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity
 - ♦ Manage – Management is efficient and responsive
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
 - ♦ Continuous improvement is embedded in staff culture

2 CONFERENCES AND SEMINARS

No reports received.

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5 132 & 337 CERTIFICATES ISSUED

	No. of Certificates Issued 2019/2020 year												Total 2019/2020 YTD	Total 2018/2019
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
132	96	50	68	100	74	72	97						557	934
337	48	25	29	49	43	33	37						264	462

6 ANIMAL CONTROL

Prepared by: *Martin Maddox, Accountant and
Tammi Axton, Animal Control Officer*

Item	Income/Issues 2018/2019		Income/Issues for January		Income/Issues 2019/2020	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,224	101,911	40	1,242	4,191	99,665
Dogs Impounded	77	4,771	6	412	31	2,424
Euthanized	7	-	-	-	1	-
Re-claimed	56	-	6	-	27	-
Re-homed/To RSPCA	14	-	-	-	3	-
New Kennel Licences	8	576	-	-	11	792
Renewed Kennel Licences	70	3,080	-	-	70	3,080
Infringement Notices (paid in full)	54	10,773	7	1,718	20	4,905
Legal Action	-	-	-	-	-	-
Livestock Impounded	-	-	-	-	-	-
TOTAL		121,112		3,372		110,866

Registration Audit of the Municipality:

Audit of Perth has been started. Animal Control Officers will be conducting the audit one day a week over 12 weeks.

Kennel Licences

Yearly inspections will commence in March

Microchips:

1 dog microchipped.

Infringements:

3 infringements issued.

Attacks:

2 attacks

- Attack 1. Serious attack on a dog - Dogs euthanised and infringements issued.
- Attack 2. Serious attack on goats – dog declared dangerous and infringements issued.

Impounded Dogs:

6 dog impounded – 6 reclaimed by owner.

7 HEALTH ISSUES

Prepared by: *Chris Wicks, Environmental Health Officer*

Immunisations

The *Public Health Act 1997* requires that Councils 'A council must develop and implement an approved program for immunisation in its municipal area'. 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.

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MONTH	2017/2018		2018/2019		2019/2020	
	Persons	Vaccination	Persons	Vaccination	Persons	Vaccination
July-September	82	82	64	99	72	42
October-December	39	31	41	41	46	31
January-March	39	38	-	-		
April-June	39	37	62	45		

Northern Midlands Medical Services provide the school immunisation program for the Northern Midlands Council.

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	2016/2017	2017/2018	2018/2019	2019/2020
Notifiable Diseases	4	4	5	1
Inspection of Food Premises	75	77	127	99

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

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

Inspections are conducted according to a risk-based assessment and cover all aspects of food storage, handling and preparation. A total of 35 criteria are assessed for either compliance, non-compliance or serious non-compliance. Actions, including follow-up inspections, are taken according to the outcome of inspections.

8 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Animal Control	1	-	-	2	-	-	-					
Building & Planning	1	-	-	1	3	-	-					
Community Services	-	-	-	1	3	-	1					
Corporate Services	-	-	-	1	-	1	1					
Governance	-	1	-	-	-	-	1					
Waste	-	-	-	-	-	-	-					
Works	6	8	3	24	33	10	30					

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

Date	Recipient	Purpose	Amount \$
	Council wages and plant	Assistance to Campbell Town SES	
	Council gifts and donations	Flowers and gifts	
19-Sep-18	Campbell Town District High School	Chaplaincy	\$1,500
19-Sep-18	Campbell Town District High School	Inspiring Positive Futures Program	\$8,000
23-Jul-19	Reptile Rescue	Reptile rescue	\$1,000
14-Oct-19	Campbell Town District High School	Donation - School Achievement Awards	\$150
14-Oct-19	Perth Primary School	Donation - School Achievement Awards	\$50
14-Oct-19	Evandale Primary School	Donation - School Achievement Awards	\$50
14-Oct-19	Longford Primary School	Donation - School Achievement Awards	\$50
14-Oct-19	Cressy District High School	Donation - School Achievement Awards	\$150
14-Oct-19	Perth Fire Brigade	Donation	\$100
14-Oct-19	Longford Fire Brigade	Donation	\$100

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Date	Recipient	Purpose	Amount \$
18-Dec-19	Launceston Arts Society	Donation - Eskleigh Art Award Exhibition	\$150
17-Dec-19	Cressy District High School	Inspiring Positive Futures Program	\$8,000
17-Dec-19	Longford Care-a-car Committee	Donation	\$1,000
18-Dec-19	Helping Hand Association	Donation	\$1,500
School & Bursary Programs			
14-Oct-19	Aladdin Addicoat	Bursary Program 2019 - instalment 2	\$1,000
23-Oct-19	Ruby Graham	Bursary Program 2019 - instalment 1	\$1,000
28-Oct-19	Eden Arrieta-Shadbolt	Bursary Program 2019 - instalment 2	\$1,000
18-Dec-19	Ruby Graham	Bursary Program 2019 - instalment 2	\$1,000
24-Dec-19	Adam Martin	Bursary Program 2019 - instalment 2	\$1,000
22-Jan-20	James Grey	Bursary Program 2019 - instalment 2	\$1,000
22-Jan-20	Hayden Smith	Bursary Program 2019 - instalment 1	\$1,000
22-Jan-20	Samantha Airey	Bursary Program 2019 - instalment 1	\$1,000
22-Jan-20	Charlotte Layton	Bursary Program 2019 - instalment 2	\$1,000
22-Jan-20	Chelsea Johnson	Bursary Program 2019 - instalment 2	\$1,000
Sporting Achievements			
8-Jul-19	Lucy Johnston	Australian Interschools Equestrian Championships	\$100
8-Jul-19	Jock Johnston	Australian Interschools Equestrian Championships	\$100
8-Jul-19	Nick Smart	Australian U12 Boys AFL Football Championships	\$100
8-Jul-19	Sophie Cuthbertson-Cass	National Primary Athletics School Sports Competition	\$100
23-Jul-19	Hayden Scott	Junior World Darts Championships 2019 in Gibraltar	\$200
31-Jul-19	Katie Campbell	U12 Nth Tas Junior Soccer Assoc Oceania Cup NSW	\$100
31-Jul-19	Judy Gurr	Australian Senior Sides Bowls Championships	\$100
31-Jul-19	Celeste Nicholson	U12 Nth Tas Junior Soccer Assoc Oceania Cup NSW	\$100
31-Jul-19	Jonty Groves	Tasmanian School Sport Australia U12 Touch Football Team	\$100
31-Jul-19	Logan Groves	Tasmanian School Sport Australia U12 Touch Football Team	\$100
5-Aug-19	Narrinda Cawthen	Australian Indoor Bias Bowls Championships 2019	\$100
5-Aug-19	Ava Walker	U12 Girls School Sport Australia Touch Football Championships	\$100
22-Aug-19	Lucy Smith	NTJSA Girls Rep Team - Oceania Cup NSW	\$100
19-Sep-19	Jade McLennan	U15 Aust School Football carnival	\$100
23-Sep-19	Lachlan Colgrave	U13 State Soccer team	\$100
TOTAL DONATIONS			\$33,400

10 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status
20/01/2020	013/20	Conara Park Proposal	That Council does not agree to undertake the stakeholder engagement on behalf of the Department of State Growth regarding the decommissioning of the existing rest area in Conara.	Community & Development Manager	Dept of State Growth notified. Complete.
24/06/2019	174/19	Draft By-Law: Placement of Shipping Containers By-Law	That Council proceed with the development of a Placement of Shipping Containers By-law; seek a solution to the issues, identify what measures are taken by other councils and that the matter be further workshopped.	Community & Development Manager	Report to Council.
20/01/2020	007/20(21)	Information Items - Draft Placement of Shipping Containers By-Law	That Council receive the information in relation to the Draft Placement of Shipping Containers By-Law and await a further report to be tabled at the next Council meeting.	Community & Development Manager	Report to Council.
21/10/2019	323/19	Northern Midlands Land Use and Development Strategy	That Council 2. receive updates, to be provided in the INFO items section of the Council Meeting Agenda	Community & Development Manager	Complete.
21/10/2019	324/19	Overhanging Trees – Hedge at Evandale	That Council requires the owners of 12 Macquarie Street, Evandale, and any other locations in the municipality to remove their hedges in accordance with Council's Overhanging Tree Policy, and that Council officers notify the owners accordingly and proceed in accordance with Council's Overhanging Tree Policy.	Community & Development Manager	Listed for workshop discussion.

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Date	Min. Ref.	Details	Action Required	Officer	Current Status
22/07/2019	207/19	Policy – Bond Payment and Return	That the matter of bond payment consolidation be listed for discussion at a future workshop.	Community & Development Manager	Listed for workshop discussion.
20/01/2020	012/20	Proposed Mural Installation – Perth	That Council endorses the attached revised implementation plan and the project be progressed immediately.	Community & Development Manager	Stakeholders notified 23/01/2020. Complete.
17/09/2018	258/18	Initiation of Draft Planning Scheme Amendment 04/2018 Include Flood Risk Mapping in the Planning Scheme for land along Sheepwash Creek from Arthur Street to Cemetery Road, Perth	That Council, acting as the Planning Authority, pursuant to section 34 of the former provisions of the Land Use Planning and Approvals Act 1993 resolve to initiate draft Planning Scheme Amendment 04/2018 to the Northern Midlands Interim Planning Scheme 2013 to include the flood risk mapping for land zoned General Residential and Future Residential, based on the mapping shown in the attachment, in the planning scheme maps.	Senior Planner	Once Sheepwash Creek works are finished, a flood map is to be incorporated by an amendment to the Planning Scheme.
9/12/2019	405/19	Confirmation of Minutes of Committees - Cressy Local District Committee - Doggy Waste Bag Dispenser – Cressy Recreation Ground -	That Council install a waste bag dispenser for dog faeces at the Cressy Recreation Ground.	Animal Control Officer	Complete.
21/10/2019	313/19	Confirmation of Minutes - Ross Local District Committee - 7.1 Macquarie River	The Ross Local District Committee requests that the Northern Midlands Council progress the dual naming of the Macquarie River to Tinamirakuna which includes community consultation and investigation. - That Council support the proposal and progress the request	Corporate Services Manager	Information being sought to prepare appropriate community consultation.
20/01/2020	017/20	Longford Local Legends Committee Establishment and Policy	That Council establish a Longford Local Legends Project committee and the existing members be appointed for a period of 12 months, following which time the committee membership will be advertised in accordance with the Memorandum of Understanding.	Corporate Services Manager	Committee to sign MOU and commence project.
20/01/2020	014/20	Monthly Financial Statement	That Council not agree to the new items in mid-year budget amendment recommendations and that the new items be listed for consideration in the 2020/2021 budget.	Corporate Services Manager	Noted.
20/01/2020	005/20	Recommendations of Sub Committees -Ross Local District Committee	Campbell Town & District Mens Shed - That Council assess and consider any request received from the Mens Shed at the time of receipt subject to budget consideration	Corporate Services Manager	Noted.
16/09/2019	280/19	Northern Midlands Youth Advisory Group	That the matter be deferred to a workshop, in order to consider the inclusion of youth across the municipality who are in attendance at other schools which may be outside of the municipal area (inclusive of logistics).	Youth Officer	Report to March Council workshop.
19/08/2019	238/19	Local District Committees: Review of Memorandum of Understanding	That the matter be deferred to a workshop	General Manager	Listed for further workshop discussion.
10/12/2018	361/18	Municipal Swimming Pools	That a decision be deferred subject to further information being available.	General Manager	Discussed at 28/10/2019 Special Projects Workshop. Awaiting outcome of grant funding application.
20/01/2020	008/20	Northern Midlands Council Local Recycling Committee: Terms of Reference	That Council endorse the Terms of Reference for the Local Recycling Committee.	General Manager	Advertising for membership commenced, closes on 19/03/2020. Report to Council 27/04/2020.
21/10/2019	320/19	Street Libraries Project	ii) quotes be sought from the Mens Shed to build the street libraries and a report be presented to Council.	Exec Assistant	Quotes to be sought from Mens Sheds
15/05/2017	149/17	Council's Social Recovery Plan	That Council adopt the Northern Midlands Social Recovery Plan and undertake a community education campaign to get the message about the Plan and its operation out widely across the Northern Midlands.	Project Officer	Community education campaign commenced with article in media. Information provided on Council Facebook page and website periodically, as and when required.
16/09/2019	281/19	Northern Midlands Further Education Bursary Program Update	That i) Council maintain its number of bursaries for this cycle (5 bursaries); and ii) Council workshop the review of the criteria for the award of bursaries in the new cycle; and iii) a report be presented to Council following workshop discussion.	Project Officer	Workshop date to be set.
19/11/2018	323/18	Tom Roberts Interpretation at Longford	That Council approve the proposal to develop a Tom Roberts interpretation panel for erection in the grounds of Christ Church Longford and a short Tom Roberts' video, and consider funding these items in the mid-year budget review process.	Project Officer	Interpretation panel in final stages of design. Video production to commence early 2020.
21/10/2019	313/19	Confirmation of Minutes - Longford Local District Committee - 7.2 Characteristics of	That this committee request that a planner attend a meeting to explain the future direction of the planning in Longford, with reference to the 'desired future characteristics' for planning out the town in the future. - That the General Manager arrange a presentation	Executive & Communications Officer	Attended meeting 5/2/2020.

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Date	Min. Ref.	Details	Action Required	Officer	Current Status
		Longford - (see also 8.5)			
21/10/2019	313/19	Confirmation of Minutes - Longford Local District Committee - 7.4 Longford Equestrian facility and recreational path	That this committee supports the Councillors to continue the development of the horse centre and trails and forward the Longford Equestrian Centre paperwork to the General Manager for consideration and a time line. - That the Longford Local District Committee be advised that Council is awaiting advice from TasRacing on opportunities associated with the Longford Race Track.	Executive & Communications Officer	Committee advised.
20/01/2020	009/20	Policy Review: Code of Conduct for Elected Members	That Council adopts the Model Code of Conduct for Councillors set out in Schedule 1 of the Local Government (Model Code of Conduct) Order 2016, as notified in the Tasmanian Government Gazette on 13 April 2016, and as amended by the Local Government (Model Code of Conduct) Amendment Order 2018, as notified in the Tasmanian Government Gazette on 26 December 2018.	Executive & Communications Officer	Complete.
20/01/2020	016/20	Policy: Contractual Insurances	That Council endorse the changes to the Contractual Insurances Policy with the level of public liability insurance required for all civil engineering construction contractors or building construction contractors to be \$20m (including contracts under \$100,000).	Executive & Communications Officer	Complete.
20/01/2020	015/20	Policy: Information Technology Security	That Council endorse the implementation of the Information Technology Security Policy.	Executive & Communications Officer	Complete.
20/01/2020	010/20	Reconciliation Tasmania – January Celebration	That Council support the event in principle, however, seek further input from the group for a date later in the year.	Executive & Communications Officer	Reconciliation Tasmania advised. Funding no longer available.
20/01/2020	025/20	Proposal to Introduce Free Green Waste Disposal Days	That the matter be deferred pending a further report to Council; the report to include full costings and details of alternative measures to dispose of green waste, e.g. green waste bins.	Works Manager	Report to March Council meeting.
20/01/2020	024/20	Proposal to Relocate Lions Park Picnic Shelter to Perth Train Park	That the matter be deferred to the February meeting of Council and consultation with the Lions Club be undertaken; and, should the shelter not be relocated, the future of the shelter be determined.	Works Manager	Met with members of Lions Club. Report to March Council meeting.
20/01/2020	005/20	Recommendations of Sub Committees - Longford Local District Committee	That i) Council Officers request that the Department of State Growth review the intersection; ii) Council endorse the actions taken by Council officers; and iii) Council receive a formal report in 2 months time.	Works Manager	Report to March Council meeting.

LONG TERM ACTIONS

Date	Min. Ref.	Details	Action Required	Officer	Current Status
10/04/2017	120/17	Perth Structure Plan	That Council endorse the Perth Structure Plan and draft amendments to the planning scheme be prepared.	Senior Planner	Report to March workshop.
18/09/2017	293/17	Nomenclature – Naming of New Street: Effra Court, Perth (Off Edward Street)	That Council ii) develop guidelines for the naming of streets, with links to indigenous and old family names favoured.	Corporate Services Manager	Tas Place Naming Guidelines introduced list of local suggested names - listed for workshop.
17/09/2018	262/18	Nomenclature: Rescind Town Name "Lymington"; and Gazette Town Name "Nile"	That Council request assistance and proceed in proclaiming a new Town boundary of Nile.	Corporate Services Manager	Awaiting electoral office for procedure and process for elector poll.
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	Community sessions held in June 2019 in Longford and Campbell Town. Report to Council meeting once finalised.
18/09/2017	279/17	Historical Records and Recognition: Service of Councillors	That Council, ...and ii) progress the following when the glass enclosed area at the front of the Council Chambers is nearing completion: Photograph/photographs of current Councillors – professional printing and framing; Archiving of historic photographs; Production of a photo book of historic photographs for display.	Exec Assistant	To be progressed.

Matters that are grey shaded have been finalised and will be deleted from these schedules

11 KEY ISSUES BEING CONSIDERED: MANAGERS' REPORTS

1. GOVERNANCE

a. Meetings/Conferences

- Council meetings:
 - Ordinary Meeting 20 January
- Council Workshops:

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- 13 January – Special Workshop
- 20 January – Scheduled
- Executive Management Team:
 - 14 January
 - 28 January
- Staff Meeting
 - 7 January
 - 21 January
- Community meetings:



- Meetings:
 - Met with prospective developer re Perth project
 - Attended Citizenship Ceremony
 - Met with Senator Claire Chandler
 - Met with representatives from Campbell Town Men's Shed
 - Met with Ms Rebecca White MP, Tasmanian Labor Leader and Anita Dow, Labor Shadow Minister for Local Government
 - Met with the Hon Guy Barnett MP (Minister for Primary Industries & Water; Minister for Energy; Minister for Resources; Minister for Veterans Affairs)
 - Attended Regional General Manager's Meeting
 - Attended Australia Day function, Ross
 - Met with Andrew Moore, Clubs Tasmania
 - Met with developer re Longford project

b. General Business:

- Health & Safety and Risk Management Review
- Legal issues, leases and agreement reviews
- Interim Planning Scheme matters
- Road Construction
- Engineering Services
- Drainage issues & TRANSLink stormwater
- Road and Traffic matters
- Resource Sharing
- Animal Control matters
- Buildings
- Tourism
- 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
- Emergency Management
- Strategic Plan
- Local Government Reform

- Citizenship ceremonies
- Newsletters
- General correspondence.

c. Human Resources

- Recruitment
 - Early Childhood Educators – 2 x p/time and 1 x casual filled
 - Facilities Officer – interviewing
 - Casual Cleaner (Campbell Town Complex) – interviewing
 - Apprenticeship – Horticulture – applications close 9 Feb 2020
 - Program Facilitator (Campbell Town) – applications close 9 Feb 2020
 - On Call Animal Control Officer – applications close 9 Feb 2020
- Corporate Voice and Organisational Branding Project – circulated to the EMT. Implement during Feb 2020
- Employee Satisfaction Survey – questions drafted and circulated to EMT for their feedback
- Family and Domestic Violence Policy – complete and with the General Manager for his review
- Reviewing Council Logo Policy, to ensure in line with branding project and implementation of the same
- General human resource matters – ongoing
- Performance management and disciplinary matters – as required
- Employee learning and development – as required
- Development and implementation of new Human Resources Policies and Procedures – as required
- Continuous Improvement meeting – next meeting on 19/2/20.

d. Media and communications

- Preparation of Council pages in Northern Midlands Courier
- Preparation of articles for the LGAT newsletter and Local Government Focus Magazine
- Preparation of media releases, speeches and communications for website, newsletters and Facebook page

e. Council Volunteer committees and projects

- Attendance at Local District Committee meetings and provide secretarial support
- Liaising with Council's Management Committees
- Maintaining Council's Volunteer Register
- Requesting bi-monthly risk checklists be completed by facility committees of management
- Liaising with booking officers regarding booking of Council facilities

f. NRM

- On-going facilitation of Mill Dam Action Group and partnership relationships.
- Customer Requests response, including but not limited to: Local District Committee's, weed complaint support requests.
- On-going collaboration with Department of Primary Industries Parks Water and Environment, with particular focus on bio-security regarding reported weed infestations.

2. COMMUNITY & DEVELOPMENT

a. Animal Control

- Respond and investigate complaints in respect to dog management, including issuing notices and fines
- Respond and investigate reported dog attacks
- Conduct routine dog patrols within the municipality
- Review and renew kennel licenses within the municipality
- Conduct dog microchipping service
- Ongoing dog registration audit
- Chairing Cat Management Working Group meetings (NRM North, surrounding Councils and other relevant groups)
- Taking complaints regarding cat management and other animal related issues, including livestock matters
- Investigating development of Dog Management Plan for municipality

b. Building/Plumbing

- Plumbing and building inspections and assessments, as required
- Permit authority assessments

- Meeting with developers to discuss requirements, as required
- Attendance at Consumer, Building & Occupation Services Permit authority forums
- Participation in Planning & Building Portal
- Ongoing review of Building for Bushfire Bulletins
- Plumbing Surveyor stands as Vice Chair of Tasmanian Plumbing Surveyors Association
- Working on closing off or extending building files (from year 2000-2016) prior to 30 June 2020
- Permit Authority training booked

c. Planning

- Local Provisions Schedules for incorporation into statewide Planning Scheme submitted to Tasmanian Planning Commission, awaiting response from Commission
- Northern Midlands Land Use Strategy (endorsed, to be publicly advertised in line with Local Provisions Schedule)
- Participation in the Launceston Gateway Precinct Master Plan project working group
- Participation in Regional Planning Scheme issues
- Attendance at State Planning Provisions hearings
- Attendance at forums regarding State Planning Portal development
- Consideration of Planning Directives
- Consideration of proposed planning legislative amendments
- Ongoing review of procedures
- Management of Perth Structure Plan project
- Preparation of Perth Recreation Strategy brief
- Response to enquiries and development opportunities
- Amendments to Interim Scheme
- Assessment of development proposals
- Liaison with appellants and RMPAT regarding Planning Appeals and attendance at Tribunal hearings for Planning Appeals
- Review of policies, by-laws and procedures.

d. Compliance

- Ongoing review of all outstanding and arising compliance issues
- Undertake scheduled inspections and inspections arising from complaints regarding overhanging trees, issuing reminders and notices and engaging contractors to complete works, where required
- Conduct inspections of Council's free overnight camping facilities, following up on complaints and feedback and sharing information about the permit requirements
- Reviewing Council's Display of Goods on Highway By-Law, On Street Dining By-Law, Freestanding Sign By-Law which expires in 2020 and working to consolidate into one by-law (submitted to Director of Local Government for comment in December 2019)
- Inspection and issue of Fire Abatement notices (seasonal).

e. Environmental Health

- Monitoring air, noise and water quality as required
- Advising in respect to development applications, as required
- Investigating reported breaches of environmental health matters
- Issuing food registrations and conducting inspections
- Responding to general enquiries from the public on health matters
- Issuing Place of Assembly licences for events, as required
- Investigating environmental incidents, as required
- Investigating notifiable diseases, as required
- Use of drone for investigations, as required
- Facilitation of School Immunisation Program.

f. Policy

- Review and update Council's Policy Manual as required
- Delegations register – review and update as required
- *Public Interest Disclosures Act* procedures
- Ongoing review of work programs and standard operating procedures

- Regular planning and building assessment unit meetings
- By-Law preparation.

g. Events

- Liaising with various organisations and community groups regarding holding events within the Northern Midlands
- Advertising events through Council's web and social media publications
- Planning for Northern Midlands Business and Volunteer Expo
- Reviewing and improving Council's Event Management Guide
- Participation in MAV Insurance forums relating to events.

h. Health & wellbeing

- Participating in the quarterly Northern Midlands Health Service Providers Forums
- Member of the Northern Region Sport and Recreation Committee
- Council's End Men's Violence Against Women Campaign.

i. Tourism

- Heritage Highway Tourism Region Association
 - Marketing activities, itineraries, newsletter and social media campaigns
 - Updating event directory
- Providing support and information for all Northern Midlands Visitor Centres and provision of information to Regional Tourism organisations and tourism operators
- Research and update of information signage, including information plaques in Campbell Town, various interpretation panels/signage opportunities throughout the municipality
- Attendance at Destination Action Plan workshops for region
- Northern Midlands Business Association
- Coordinating Northern Midlands Visitor & Information Centre
- Research and investigate various Tourism opportunities for the Northern Midlands
- Attendance at Tourism related forums and conferences.

3. CORPORATE SERVICES

a. Customer Service

- Member of the National Local Government Customer Service Network.
- Member of the State Local Government Rating Network.
- Administer the Service Tasmania contract for customer services in Campbell Town.
- Customer Service Charter and Policy reviews and survey feedback review.
- Telephone system and on-hold messages administration.
- MGB maintenance and allocation.

b. Finance

- Issue and collection of Rates and Animal registration and sundry fees and charges.
- Municipal revaluation 2019, valuation maintenance and adjustments, and supplementary valuations.
- Street numbering, address allocation and road and street naming.
- Cash, electronic receipting, and direct debit system administration.
- Rate interest and penalty calculations and administration.
- Pension rebates claims and maintenance, classification for two rebate maximums, verification of Centrelink data.
- Sundry Debtors, and aging account review.
- Creditor payments and enquiries. ABN administration. Electronic Ordering and committals.
- Payroll, ETP calculations, payroll tax, child support, maternity leave, one touch payroll process, 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.
- Debt Collection and issue Debt summons. Manage Agency Debt Collection contracted services.
- Municipal Budget and adjustments, End of Year Financials, KPI return, Asset Management, Fleet Hire, Long Term Financial Planning, Audit and Annual Report.
- Related Party Disclosures.

- Grants Commission administration, sundry grant reporting and auditing.
- Committee financial management support and auditing.
- Stimulus loan funding applications, administration and repayment procedures.
- Property ownership, licences and leases, and aged care unit tenancy.
- Unclaimed monies register and Public Land Register.
- Records Management, archives, scanning and disposal process, new resident's information, council information policies and procedures.
- Banking & Investments, borrowings administration. Direct Debit, Ezidebit, BPay Billing etc. and setup alterations.
- Rate System issues, 2019/20 Rating and instalments, coding and maintenance.
- General Finance issues, Grant Funding issues, Tax issues including GST, PAYG, FBT, Fuel & Land Tax, ATO Creditor information.
- Cemetery management, onsite map display and website databases.
- Roads to Recovery work schedules, mapping, quarterly and annual reports.
- General accounting, correspondence and reports.
- Audit, Internal Audit & Audit committee procedures, processes and support.
- Waste Transfer Station Management issues, kerbside waste collection contract issues and special clean-up service.
- 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/funding.
- Light Fleet Management.
- Master plan development assistance where required.
- General Office support and attendance of meetings, reports, emails & phone enquiries.

c. Risk Management

- Risk Management register review.
- Safety management and reporting.
- Drug & alcohol testing administration.
- Contractor and volunteer management/induction/audits.
- SDS Register and database.
- Plant risk assessments.
- Swimming pool risk management.
- Incident reporting.
- Emergency Management meetings, EM Plan reviews, Emergency Risk Register, Strategic Fire Plan meetings, Emergency desktop exercise and general administration issues.

d. Insurance

- Insurance renewals and policy maintenance.
- Claims maintenance and review.

e. Information Technology

- Server and desktop maintenance, and server upgrade.
- New computer setup and minor upgrades of other IT equipment.
- Open Office Software upgrades and enhancement requests, strategic upgrade planning.
- GIS maintenance and training.
- Disaster Recovery & IT backup maintenance.
- Council Website, and Town / Local District Committee website maintenance and upgrades.
- Livepro System setup and development
- Support Open Office Town Planning & Development system
- Cemetery and Convict Brick database developed and ongoing maintenance.
- Office telephone system maintenance & 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 IT security implementation and training.
- WiFi network and hotspots & CCTV camera setup and maintenance.
- Fleet tracking.
- ECM maintenance & training.
- Delegations software maintenance.
- Audio system improvements in community facilities
- Tech One Information System – cloud hosting monitoring
- Sundry IT reports, audits and analysis.

f. Childcare

- Childcare management and support.
- Childcare financial reporting, audit, budgets & fee schedule reconciliations.
- Additional Perth School After School Care service reference group.
- Cressy School After School Care service.
- Longford After School Care service.
- Review new funding model
- Administer capital funding projects to improve services.

4. WORKS & INFRASTRUCTURE

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

- 3 Lot Dixon Subdivision, Anstey Street, Longford has reached practical completion.
- 9 Lot Youl Road Subdivision, Perth at practical completion.
- Stage 1 of 25 Lot Dixon Subdivision, Clarence Street, Perth has reached practical completion.

d. Waste Management

- Input into Regional Waste Management discussions – ongoing.
- Input into discussions on the format of a statewide waste authority – ongoing.
- Regular safety audits of all sites – ongoing.

e. Tenders and Contracts

- Tender for Campbell Town Main Street Urban Design and Traffic Management in progress.
- Tender for Sportsground Lighting – at practical completion.
- Tenders awarded for Snow Hill Road, Old Coach Road, Storys Creek Road and Gipps Creek Road.

f. Flood levee

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

g. Engineering

- Hydraulic modelling of stormwater system in Western Junction Industrial Area – ongoing.
- Development of stormwater plans for all towns as required by the Urban Drainage Act 2013 – ongoing.
- Input into heavy vehicles and bridge working group with Department of State Growth and other Councils – ongoing.

h. Capital works

- Longford Sports Centre building – in progress.
- Longford Recreation Ground Carpark – Complete
- Water main relocation Drummond Street Perth - Complete
- Paton Street, Longford reconstruction – kerb complete, sealing still to be completed
- Mary Street, Perth footpath – in progress.
- Valleyfield Road – In progress



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12 RESOURCE SHARING SUMMARY: 01 JULY 2019 TO 30 JUNE 2020

Resource Sharing Summary 1/7/19 to 30/6/20 As at 31/1/20	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts	143.00	7,804.47
Street Sweeper - Plant Hire Hours	129.50	10,972.47
Total Services Provided by NMC to Meander Valley Council		18,776.94
Service Provided by Meander Valley Council to NMC		
Wages and Oncosts		
Plumbing Inspector Services	395.00	29,495.73
Total Service Provided by MVC to NMC		29,495.73
Net Income Flow		- 10,718.79
Total Net		- 10,718.79
Private Works and Council Funded Works for External Organisations	Hours	
Economic & Community Development Department		
Northern Midlands Business Association		
Promotion Centre Expenditure		<i>Not Charged to Association Funded from Council Budget A/c 519035</i>
- Tourism Officer	44.00	
Works Department Private Works Carried Out	54.00	
	98.00	

13 VANDALISM

Prepared by: Jonathan Galbraith; Engineering Officer

Incident	Location	Estimated Cost of Damages		
		Jan 2020	Total 2019/20	Jan 2019
Toilet Skate Park Fire	- Longford	\$ 1,000		
Toilets removed light diffuser	- Campbell Town	\$ 350		
TOTAL COST VANDALISM		\$ 1,350	\$ 4,600	\$ 7,500

14 YOUTH PROGRAM UPDATE

Prepared by: Billie-Jo Lowe, Youth Officer

Council contracts Launceston PCYC to provide youth programs in Evandale and Perth.

There were no PCYC sessions were held in Evandale and Perth due to school holidays

Free2B girls program

Billie-Jo has successfully applied for a Tasmania Community Fund grant for the program to be facilitated in Longford and Campbell Town over 2 years. The Longford program is scheduled to commence on Thursday 6 February. The Campbell Town program will commence upon the appointment of the program facilitator currently being advertised.

Active Northern Midlands Youth Program

Billie-Jo has successfully applied for a Healthy Tasmania grant to develop after school physical activity programs for both Cressy and Campbell Town District High Schools. The program will appoint an Activities Coordinator to run programs such as fitness classes, sport competitions and games, boxing, yoga and boot camp type activities. Bus transport will be available for both programs to enable students who reside out of the townships to participate.

Longford Skate Park Art project

Billie-Jo is liaising with Cressy High School and artists Fakington Wilde and Sam Shand who were involved in the painting of the George Town skate park. The project will involve art students from Cressy District High School to work with the artists to design and paint the

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skate ramps. The painting was postponed to 2020 due to paint supply issues and is now scheduled to commence during term 1. Date to be advised.

Meetings

Billie-Jo represents Council on the Northern Youth Coordinating Committee and the Northern Midlands Interagency Group.

15 STRATEGIC PLANS UPDATE

Prepared by: Lorraine Green, Project Officer

CURRENT AS OF 3 FEBRUARY 2020

Strategic Plans By Location & Consultant	Start Date	Completion Date	Current Status
Blessington			
Feasibility Study: Investment in Ben Lomond Skifield Northern Tasmania (TRC Tourism)	Jun-15		<ul style="list-style-type: none"> Ongoing collaboration with Parks and Wildlife Services and other key stakeholders to progress implementation of report recommendations. State Government budget included commitment of \$400,000 to upgrade the shuttle bus carpark below Jacob's Ladder. Project completed June 2019 Jan 2019: Application submitted nominating Ben Lomond as the state's next iconic walk. Nomination unsuccessful. Being discussed with Tourism Northern Tasmania
Campbell Town			
War Memorial Oval Precinct Cenotaph redevelopment			<ul style="list-style-type: none"> Plans received Jan 2017 and state budget submission made for \$158,000 to fund the cenotaph precinct upgrade. Feb 2018: State liberal election commitment of \$70,000 towards the redevelopment of the cenotaph precinct. Final report due 31 Dec 2019. Work completed: acquittal report being prepared.
Tennis/multi-purpose courts			<ul style="list-style-type: none"> September 2017: Funding application submitted to TCF for \$55,000 towards the courts development: application successful. Grant deed executed and funds received. Acquittal report to be prepared. November 2017: Funding application submitted to Sport & Recreation Tas for \$80,000 to assist with the courts development: application successful. Acquittal report submitted December 2019.
CBD Urban Design and Traffic Management Strategy (GHD) (Lange Design and Rare Innovations)	May-16		<ul style="list-style-type: none"> GHD contracted to prepare the strategy: final report accepted at November 2017 Council Meeting. Feb 2017: State Government budget submission made for matching funding for the implementation of the Main Street component of the urban design strategy Council secured \$1 million loan through the Northern Economic Stimulus package towards the implementation of the main street component of the strategy. 20.11.17; Lange Design and Rare Innovations Design contracted to prepare the design and construction tenders. Stage 1 concept plan received April 2018. June 2019: Landscape Works Technical Specification received.
Cressy			
Swimming Pool Master Plan (Loop Architecture)	Dec 15		<ul style="list-style-type: none"> Master Plan accepted at October 2017 Council meeting. Liberal election commitment of \$100,000 to upgrade the complex. Acquittal report due November 2020. Playground installation completed May 2019 externally funded by Tasmanian Community Fund and Stronger Communities Programme. Acquittal reports accepted. Nationals in Government funding commitment of \$400,000 made March 2019. Funding agreement signed January 2020. Design brief has commenced: Design Consultant to be engaged early March 2020.
Recreation Ground Master Plan (Lange Design & Loop Architecture)	Feb-17		<ul style="list-style-type: none"> 17 Jan 2017: confirmation that the state govt has approved \$220,000 for the ground upgrade through the Northern Economic Stimulus Package. Feb 2017: Lange Design and Loop Architecture contracted to develop the master plan. Master Plan accepted at April 2018 Council Meeting. Levelling the Playing Field grant for inclusive changerooms (\$354,076) secured October 2019 (to be matched by Council funding). October 2019: assisted Cressy Cricket Club with funding application to Stronger Communities Programme for clubrooms upgrade: funding secured. Facility upgrade design brief nearing completion. Design Consultant to be engaged

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Strategic Plans By Location & Consultant	Start Date	Completion Date	Current Status
			late February 2020.
Evandale			
Honeysuckle Banks			<ul style="list-style-type: none"> At May 2017 Council meeting, Council i) accepted in principle the Honeysuckle Banks Plan; ii) consider funding the minor works components of the plan in future Council budgets, and iii) request Council Officers to seek to secure external grants to assist with the implementation of the full plan.
Morven Park Master Plan (Lange Design)	Nov-16	April -18	<ul style="list-style-type: none"> Nov 2016 Lange Design contracted to develop master plan. Council accepted 2030 Master Plan at April 2018 Council Meeting.
Clubhouse	April 18		<ul style="list-style-type: none"> State Liberal election commitment of \$158,000 towards facilities' upgrades. Progress reports submitted Dec 2018, March 2019 and Sept 2019. Feb 2019: funding of 50% matching grant by Council (\$430,300) secured under Levelling the Playing Field State Government Grant Program. First progress report submitted 7 Oct 2019. Final report due 30 June 2020. AFL Tas funding commitment of \$60,000 secured – to be paid upon project completion. <p>Upgrade design has commenced: construction expected to commence first half of 2020.</p>
Longford			
Community Sports Centre Master Plan (RT & NJ Construction Services)	Feb-15	Jun-15	<ul style="list-style-type: none"> 17 Jan 2017: Council advised State Govt has approved \$1,000,000 for the centre upgrade through the Northern Economic Stimulus Package March 2018: Tender for new gym and amenities shed awarded to RT & NJ Construction Services. Work progressing within available funding.
CBD Urban Design Strategy (Lange Design and Loop Architecture)	May-16	Oct-17	<ul style="list-style-type: none"> December 2016: Draft Urban Design Strategy received. Strategy and Guidelines manual accepted at the October 2017 Council Meeting. Negotiations underway February 2018 with State Growth towards development of a deed regarding the future maintenance of the Illawarra Road roundabout. Nationals in Government funding commitment of \$4 million made in March 2019. Documentation to secure funds submitted 3 October 2019. Outcome anticipated early 2020.
Memorial Hall & Village Green Infrastructure			<ul style="list-style-type: none"> Sept 17: Philp Lighton Architects contracted to undertake the study of the Council Offices, Memorial Hall, Town Hall and Library facilities. Report received. March 19: Nationals in Govt commitment of \$4m to Longford Urban Design Project memorial hall redevelopment and village green infrastructure upgrade are components of the project. Application to secure the funding commitment submitted 3 October 2019. Outcome anticipated early 2020.
Perth			
Community Centre Development Plan/Perth Early Learning Centre Redevelopment (Loop Architecture)	Oct-15		<ul style="list-style-type: none"> Application for upgrade and expansion of child care centre submitted for the Building Better Regions Fund. Outcome unsuccessful. March 2019: Nationals in Government funding commitment of \$2.6million for the redevelopment of the Early Learning Centre. Documentation to secure funds submitted 4 Oct 2019. Outcome anticipated early 2020.
Ross			
Swimming Pool Master Plan (Loop Architecture)	Dec-15		<ul style="list-style-type: none"> Draft Master Plan received May 2016: structural assessment approved August 2016 Final plan received June 2017 Final report to be presented to workshop September 2017 Council resolved at October 2017 Meeting to undertake a survey of the use of the pool across the 2017-2018 swimming season. Pool usage data received May 2018.
Village Green Master Plan (Lange Design, Loop Architecture)	Jun-16	Dec-16	<ul style="list-style-type: none"> Master Plan accepted in principle at Council 12 December 2016 Meeting. Jan 2017: cost estimate for design and documentation, tender process and project management received from JMG. 17 Jan 2017: Council advised State Government has approved \$300,000 loan through the Northern Economic Stimulus Package for the implementation of the Master Plan. Feb 2017: Application lodged with Building Better Regions Fund for \$237,660 to enable the Master Plan to be implemented in its entirety. Application unsuccessful. Feb 2017: Lange Design and Loop Architecture contracted to manage the implementation of the master plan. Concept design presented to Council workshop on 8 May. Planning approval with conditions to be met passed at January 2018



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Strategic Plans By Location & Consultant	Start Date	Completion Date	Current Status
			Council Meeting. • March 2018: Lange Design submitted full project package for Village Green, ready for planning application to be prepared by Council officers. • Work progressing.
Western Junction			
Launceston Gateway Precinct Master Plan Freight Demand Analysis Report (SGS) Master Plan	Oct-15	May-16	• Council approved the preparation of a brief for the precinct master plan at the Sept 2016 Council Meeting. • Liberal election commitment of \$5.5million upgrade of Evandale Main Road between the Breadalbane roundabout and the airport, and \$1million for edge-widening and other works to improve safety along Evandale Main Road from the airport to Evandale. • March 2018: Council seeking meeting with Dept of State Growth to discuss planning for the Evandale Main Road upgrade, Breadalbane roundabout to Airport roundabout. State Government budget papers state this planning is to commence in the first quarter 2019.
TRANSLink Stormwater Upgrade Project			• Applications lodged with National Stronger Regions Fund 2015/ 2016: unsuccessful. • Application submitted Feb 2017 to the Building Better Regions Fund for \$2,741,402 (total project cost is \$5,482,805: council's contribution is \$1,525,623 and private investors \$1,215,780). Application unsuccessful. • Application submitted December 2017 for Round Two Building Better Regions Fund: notified July 2018 unsuccessful. • Purchase of parcel of land for stormwater detention purpose.

16 STATE GOVERNMENT ELECTION COMMITMENTS 2018

Prepared by: Lorraine Green, Project Officer

CURRENT AS OF 3 FEBRUARY 2020

Election Commitment	Estimated Completion Date	Current Status
Ben Lomond		
Assisting to improve water supply to Ben Lomond Village and ski fields (\$60,000 commitment to Ben Lomond Committee)		Informal report May 2019 that the stakeholders are working to reach agreement with the way forward for this project.
Campbell Town		
Redevelopment of Cenotaph (\$70,000)	31/12/2019	13 June 2018: signed grant deed returned with tax invoice for the funds. Progress reports submitted Dec 2018 and June 2019. Work completed: acquittal report being prepared.
Midlands Highway pedestrian underpass (\$1.5million)		Project listed in the State Government 2019 Budget.
Cressy		
Infrastructure upgrade at Cressy Swimming Pool (\$100,000)	30/11/2020	13 June 2018: signed grant deed returned with tax invoice for the funds. July 2018: Loop Architecture preparing concept plans for kiosk upgrade and toddler's pool shade structure. Dec 2018: first progress report submitted. Completion date extended to November 2020 in light of securing Australian Govt grant of \$400,000. Design brief commenced: Design Consultant to be engaged early March 2020..
Evandale		
Morven Park Recreation Ground Upgrades (\$158,000)	30/6/2020	Recipient information form submitted 16 July 2018. Grant deed signed Sept 2018. Election commitment first progress report submitted March 2019, second report submitted June 2019: third report submitted Sept 2019.
Western Junction		
Duplication of road from Breadalbane roundabout to Airport roundabout (\$5.5million)		March 2018: Council wrote to State Growth to initiate participation in the design for the road duplication. State Government 'Building Your Future: First Year Agenda' document states planning for this work will commence in the quarter Jan-March 2019.

18 TOUR OF TASMANIA

Prepared by: Fiona Dewar, Tourism & Events Officer

GTR Events has provided a wrap-up of the 2019 Tour of Tasmania which was held from 3 to 7 December, the following is an extract from the report:

EVENT SUMMARY

The Spirit of Tasmania Cycling Tour was successfully delivered over five days from 3-7 December 2019. Competitors traversed some of Northern Tasmania's most expansive and picturesque, albeit physically gruelling, countryside between Launceston and Devonport.

Dating back to 1930, the Spirit of Tasmania Cycling Tour is a major race of the National Road Series (NRS), which is regarded as the premier national league for road cycling in Australia. The series' vision aligns with Cycling Australia's 2020 strategic platform which supports the achievement of the five pillars of Sport, Community, Commercial, Advocacy and Governance.

The Tour is the final event in the 2019 NRS and is the last opportunity for riders to stamp their name on the Series racing records for the year. This, therefore, always creates some thrilling and intense racing throughout both the men's and women's events. Exceptionally competitive and exciting riding was executed by the cyclists in the quest for both the final men's and women's Yellow Jerseys and stage wins throughout the event.

The NRS is designed to provide the opportunity for up-and-coming riders to showcase their talent and provide a national developmental pathway to the professional international arena. Cyclists from all over Australia and overseas battled it out to have their name written on the Spirit of Tasmania Cycling Tour honour rolls alongside previous illustrious champions of the Tour who have gone on to achieve world fame. Several of this year's competitors will now move onto international Continental and World Tour circuits including this year's winner of the Men's Tour, Dylan Sunderland from Team BridgeLane.

Sunderland, the previous winner of the 2018 Spirit of Tasmania Cycling Tour, fought through the 84 strong field, made up of 11 men's teams and 16 individual riders, to take the honours once again. It is a testament to the series and the Spirit of Tasmania Cycling Tour's value that it can see it's victor securing entry to the ICU World Tour with Team NTT. Sunderland will now be moving to Girona near Barcelona in Spain to commence his international career.

Following on from the successful addition of a women's race in 2018, the Women's Tour was again successfully delivered in 2019 with a field of 33 starters made up of six teams and two individual riders. Sarah Gigante was the winner of the 2019 Women's Tour and will now be moving to the United States of America to advance to the UCI Women's World Tour next season.

Mild weather conditions prevailed throughout the five days of the Tour, however winds of up to 80 kph throughout the event were the greatest challenge to riders and event staff this year. Nevertheless, the event was delivered safely, and extremely positive feedback from local towns has been received. The George Town Council Mayor has already contacted GTR Events asking for greater involvement for the council next year while the University of Tasmania has proposed some alternative courses to use in future years in Launceston to ensure the event stays at that location and is continually challenging the competitors.

PARTICIPATION NUMBERS

The Spirit of Tasmania Cycling Tour 2019 again consisted of male and female elite cyclists. Both team and individual riders can participate within the Tour

Riders can be from UCI registered Continental teams, nationally registered teams and State institute teams that are registered with Cycling Australia.

GTR Event has the ability to provide up to two wildcard entries for the Spirit of Tasmania Cycling Tour, for the 2019 Tour, one wild card entry was awarded to a West Australian Team. It is always positive reinforcement for the Tour to have non-NRS teams vying for entry to the event.

17 teams and 18 individual entries made a total of 117 riders (men and women) participating in this year's event, with a huge 94 of those competitors travelling from interstate or overseas.

Men's Teams: Each team can enter a minimum of four and a maximum of eight riders into the event – made up of riders from the Elite and U19 categories.

Women's Teams: Each team can enter a minimum of three and a maximum of six riders into the event – made up of riders from the Elite and U23 categories.



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GTR Events have expressed their desire to continue to grow the relationship with Council, have a good understanding of Council's funding criteria via the Events Grants Program, and have expressed gratitude for Council's assistance, stating that: "without assistance such as yours the event would definitely struggle to continue".

19 STATEWIDE PLANNING SCHEME – SUBMISSION OF LOCAL PROVISIONS SCHEDULE

Report prepared by: Amanda Bond, Community & Development Manager

Council endorsed the draft Northern Midlands Local Provisions Schedule (LPS) at its meeting of 21 October 2019 (Minute Reference 334/19) subject to a list of amendments being completed. The amendments were completed and the draft LPS was submitted to the Tasmanian Planning Commission on 19 December 2019.

The Tasmanian Planning Commission have confirmed receipt of the draft LPS and on 2 January 2020 wrote to Council requesting an unedited version of the Priority Vegetation Overlay mapping layer. This was provided to the Commission by JMG Engineers and Planners on 7 January 2020.

The next step will be a post lodgement conference between the Commission, JMG and Council staff to discuss any issues the Commission flags in its preliminary review. This is anticipated to be within 6 weeks of lodgement of the LPS, however, the Commission have indicated it may take slightly longer than 6 weeks for this conference to occur given the volume of material they are assessing at present.

Further updates will be provided to Council each month.

20 TASMANIAN ALUMINUM COMPOSITE PANEL AUDIT

Report prepared by: Amanda Bond, Community & Development Manager, Trent Atkinson, Project Officer

Councillor Polley has requested an update regarding the status of buildings within the Northern Midlands municipality which are constructed with Aluminium Composite Panel (ACP)(flammable cladding).

The Consumer, Building and Occupational Services (CBOS) division of the Department of Justice conducted an Audit and released the summary on 19 January 2018.

A request was made to building surveyors and industry in general, to submit any building projects that contained ACP to the director. The Director compiled a list of 43 buildings affected in Tasmania from those findings.

A risk criteria was developed by the Director comprised of four groups, 'Low Risk', 'Medium Risk', 'Medium – High Risk' and High Risk.

The outcomes of the Audit were:

1. 43 buildings were identified
2. After examination of documentation, site inspection, unique aspects and consideration of the use against holistic fire aspects of the buildings 42 were deemed 'Low Risk'
3. One Building required detailed review and rectification which was the Launceston General Hospital (LGH)
4. Undertake training in the use and certification of performance based solutions to be run in all areas of the State for Building Surveyors, Architects and Building Designers.
5. Restrict the use of ACP with a PE core in Tasmania via the Product Accreditation processes in the *Building Act 2016*.
6. Specify the minimum design documentation requirements for commercial specification and design; similar requirements have been introduced in respect to domestic/residential design, leading to an improved standard of documentation

A specific request has been lodged with CBOS for information detailing the buildings identified within the Northern Midlands municipal area affected by ACP. A response is awaited, however, it is the understanding of Council officers that no buildings were identified in the Northern Midlands as being above the low risk category and requiring rectification.

DECISION

Cr Lambert/ Cr Brooks

That the Information items be received.

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

042/20 GREATER LAUNCESTON TRANSPORT VISION AND WORK PLAN

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

The purpose of this report is to consider the Greater Launceston Transport Vision and Greater Launceston Work Plan for community consultation.

2 INTRODUCTION/BACKGROUND

The Greater Launceston region is growing and with this growth comes a variety of impacts on our region's transport networks and services. To effectively manage these impacts there is a need to ensure Launceston and the surrounding townships maintain appropriate amenity within their neighbourhoods and shopping precincts, whilst investing in a transport system that meets community needs for work, education, recreation and tourism purposes.

The region also has several key stakeholders who are responsible for managing the transport network and services, but these stakeholders are fragmented across various municipal areas, service providers and levels of government.

In May 2018 senior State and Local Government representatives met to discuss the need for a shared transport vision for the region and a clear work plan to align resources and funding to a series of common transport objectives.

On the 21 September 2018 the Tasmanian Minister for Infrastructure confirmed the establishment of a Transport Working Group (TWG) to develop a shared Transport Vision for the Greater Launceston region. The TWG would comprise senior transport engineers, town planners and policy officers from State and Local Government listed below.

Local Government

- City of Launceston Council
- Dorset Council
- George Town Council
- Meander Valley Council
- Northern Midlands Council
- West Tamar Council

State Government

- Department of State Growth: Network Planning
- Department of State Growth: Passenger Transport
- Department of State Growth: Infrastructure Policy

Throughout late 2018 and 2019 a series of TWG workshops were held to research and develop a common Transport Vision for the Greater Launceston region.

A key outcome of the vision's development was the need to put the 'liveability' of the region at the heart of all transport planning and projects.

The final outcome of the process was the delivery of the Greater Launceston Transport Vision and Greater Launceston Transport Vision - Work Plan (refer Attachments 1 and 2).

2.1 Greater Launceston Transport Vision

The Greater Launceston Transport Vision (the Vision) is a long term document aimed at guiding the way the Greater Launceston region plans, assesses, builds and operates its transport network and associated supporting services.

The Vision details four major themes that are critical to the delivery of a sustainable transport system.

Major themes:

- Integrated Transport, Land Use and Economic Planning;
- Greater Launceston Network Planning;
- Transport Options; and
- Primary Transport Corridors.

2.2 Greater Launceston Transport Vision - Work Plan

The Greater Launceston Transport Work Plan has been developed to maximise the communities understanding of the current, proposed and future activities and investment required to develop a sustainable transport network and associated services.

The work plan is not intended to be an extensive action list (that would be traditionally included within a transport strategy), but instead is a three - four year work plan that maps out the key initiatives and investments required to shape the short and medium term transport needs of the region.

The work plan responds to the below series of questions:

- What do we already know?
- What do we need to investigate?
- Establishing a clear vision?
- What strategies do we need to get us there?
- What we're working on?
- What's in the pipeline?

The final work plan details approximately 28 projects, initiatives and programs to be delivered by local and state government, as well as other key stakeholders.

The Work Plan also highlights a series of priority projects that are critical to the management of short term transport issues and informing the long term transport needs of the region; including a future Greater Launceston Transport Strategy.

2.3 Next Steps

The next step in the development of a Greater Launceston Transport Vision and Work Plan is to seek approval from all partner Councils and State Government to exhibit the two documents for public consultation.

It's proposed to put the Vision and Work Plan on community consultation for four weeks and seek feedback via an independent website to maximise the consistency in community communication and the ability to collate a single feedback dataset.

The exhibition period will commence once all Vision partners have endorsed the two documents for consultation.

2.4 Economic Impact

The Greater Launceston Transport Vision aims to support the continue population and economic growth within the Greater Launceston region, and the establishment of a sustainable and prosperous region.

The Work Plan details various government investment that will provide employment opportunities for the regional economy, while also supporting further improvements in transport efficiency and private sector investment.

2.5 Environmental Impact

The Greater Launceston Transport Vision and Work Plan ensures a balanced approach to the investment in new infrastructure while also ensuring that Government and our communities transition to a more sustainable transport future.

The Vision encourages the use of more sustainable transport modes such as walking, cycling and public transport, and avoids the motor vehicle being seen as the only viable mode of transport within the region.

2.6 Social Impact

The Greater Launceston Transport Vision and Work Plan aims to maximise the transport choices within our community, increase amenity around the City, our towns, activity / shopping centres and within our neighbourhoods, and ensure that transport infrastructure is designed to meet the needs of an aging population and those with special needs.

3 STRATEGIC PLAN 2017-2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates.

- Lead –
 - Leaders with Impact
Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity
 - ♦ Manage – Management is efficient and responsive
 - Money Matters
Core Strategies:
 - ♦ Budgets are responsible yet innovative
 - ♦ Efficiency in resource sharing and Council reform
 - ♦ Improve community assets responsibly and sustainably
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
 - ♦ Continuous improvement is embedded in staff culture
 - ♦ Effective and efficient marketing, communications & IT
 - ♦ Excellent standards of customer service
 - Workforce Standards
Core Strategies:
 - ♦ People & Culture Framework generates professionalism
 - ♦ Workplace Health & Safety is fully compliant
 - ♦ Emergency Management & Safety Plans work well
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
 - ♦ Proactive engagement drives new enterprise
 - ♦ Collaborative partnerships attract key industries
 - ♦ Attract healthy, wealth-producing business & industry
 - Economic Development – Supporting Growth & Changes
 - ♦ New & expanded small business is valued
 - ♦ Support new businesses to grow capacity & service
 - ♦ Towns are enviable places to visit, live & work
 - ♦ Minimise industrial environment impact on amenity
 - ♦ Developers address climate change challenges

- ♦ Maximise external funding opportunity
- Tourism Marketing & Communication
 - ♦ Tourism thrives under a recognised regional brand
 - ♦ Tourism partnerships build sense of place identity
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ Planning benchmarks achieve desirable development
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity
 - ♦ Public assets meet future lifestyle challenges
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
 - ♦ Communicate – Communities speak & leaders listen
 - ♦ Participate – Communities engage in future planning
 - ♦ Connect – Improve sense of community ownership
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
 - Environment – Cherish & Sustain our Landscapes
Core Strategies:
 - ♦ Cherish & sustain our landscapes
 - ♦ Meet environmental challenges
 - ♦ Eco-tourism strongly showcases our natural beauties
 - History – Preserve & Protect our Built Heritage for Tomorrow
Core Strategies:
 - ♦ Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

N/a.

5 STATUTORY REQUIREMENTS

N/a.

6 FINANCIAL IMPLICATIONS

There is no budget requirement for the implementation of the Greater Launceston Transport Vision. All consultation will be done in collaboration with the six partner Councils and the Department of State Growth and within current budget allocations.

The Greater Launceston Transport Vision - Work Plan includes a series of initiatives that are already confirmed within Launceston City Council's budget and long term financial plan.

7 RISK ISSUES

The success of the Vision will rely on ongoing collaboration across all levels of government in the region, and a desire for an integrated approach to the planning and implementation of transport and land use.

8 CONSULTATION WITH STATE GOVERNMENT

The Vision has been developed through collaboration between State and Local Government to address the region's current and future transport challenges.

9 COMMUNITY CONSULTATION

Once the Greater Launceston Transport Vision and Work Plan has been considered by all councils the community will be consulted on the documents.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may either endorse the exhibition of the Greater Launceston Transport Vision and Work Plan or not.

11 OFFICER'S COMMENTS/CONCLUSION

The Northern Midlands will be a direct beneficiary of the Greater Launceston Transport Vision and Work Plan.

Particularly, shaping the pattern of development and influencing the location, scale, density, design and mix of land uses; planning is of utmost importance to help facilitate transport and land use system by:

- Reducing the need to travel and the length of journeys
- Making it safer and easier for people to access services
- Minimise the impact of transport on communities
- Improving freight flows and freight access to key terminals
- Providing efficient distribution of goods and services to business and the community
- Providing a choice of travel modes

A particular focus Northern Midlands has at this time is the collaboration that has occurred with other relevant stakeholders to develop the Launceston Gateway Precinct Master Plan, a strategic long term plan for an integrated intermodal transport and logistic hub, large scale warehousing and allied businesses, to service the state. The overarching strategy will see consolidated services around the ever-expanding TRANSlinc Precinct, Launceston Airport and the Western Junction rail node.

This multi-stakeholder, collaborative initiative, identified in the Greater Launceston Plan, will facilitate long term economic growth.

Further opportunities are associated with Urban Growth Plans and particularly those of Perth, Evandale and Longford; the one town that will have the greatest impact is Perth. With the new Perth Links road nearing completion, future residential expansion may lead to the doubling of the population from 3,000 to 6,000 over time.

Employment at the TRANSlinc and Launceston Airport precinct is nearing 1,800 and with the potential residential growth associated with Perth and the surrounding towns of Longford and Evandale; there is the potential to reduce the need for people to travel; and connecting people to their place of work, education, essential services and recreation activities is real.

Essentially targeting development in areas that provide jobs and services that are easily accessible to residential areas and providing high quality pedestrian and cycling infrastructure.

Transport, supported by quality urban design and land use planning, plays a key role in determining the quality of a region, a city, a neighbourhood, and a community. If we get these elements right, we can achieve our targets for liveability and economic prosperity.

12 ATTACHMENTS

Not yet released for public exhibition – circulated as attachment to CON 4(5)

RECOMMENDATION

That Council:

- 1) endorses the exhibition of the Greater Launceston Transport Vision and the Greater Launceston Transport Vision Work Plan for community consultation and seek community feedback over a period of four weeks.
- 2) endorses the use of an independent host site for the Greater Launceston Transport Vision and the Greater Launceston Transport Vision Work Plan community consultation process to provide a single contact point for the Greater Launceston community.
- 3) notes that the report is available to Councillors on request to the General Manager under s 28D of the Local Government Act 1993 (Tas).
- 4) determines that the report mentioned at Recommendation 1 is released and made available to the public as part of a regional local government and State launch event planned for February or March 2020.

DECISION

Cr Polley/Cr Adams

That Council:

- 1) endorses the exhibition of the Greater Launceston Transport Vision and the Greater Launceston Transport Vision Work Plan for community consultation and seek community feedback over a period of four weeks.
- 2) endorses the use of an independent host site for the Greater Launceston Transport Vision and the Greater Launceston Transport Vision Work Plan community consultation process to provide a single contact point for the Greater Launceston community.
- 3) notes that the report is available to Councillors on request to the General Manager under s 28D of the Local Government Act 1993 (Tas).
- 4) determines that the report mentioned at Recommendation 1 is released and made available to the public as part of a regional local government and State launch event planned for February or March 2020.

Carried unanimously

043/20 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: *Amanda Bond, Community & Development Manager*

1 PURPOSE OF REPORT

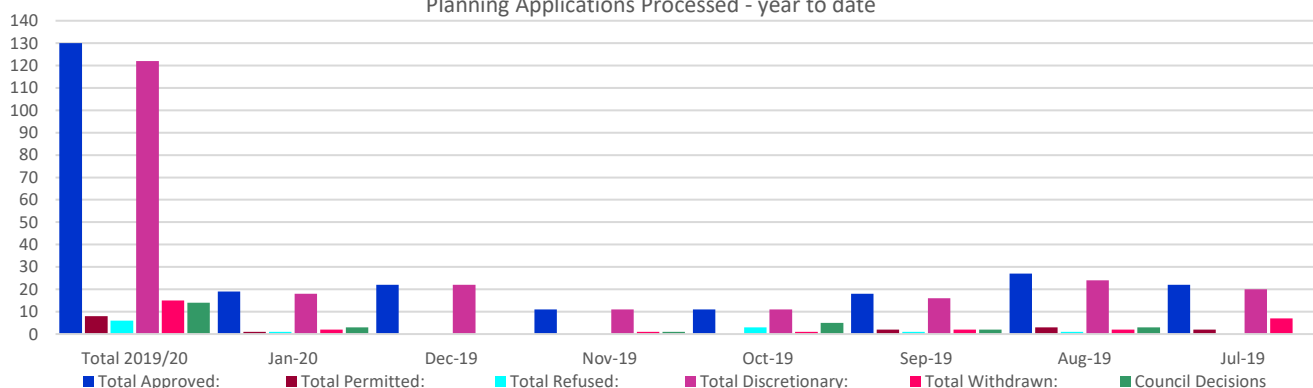
The purpose of this report is to present the Development Services activities as at the month end.

2 DEVELOPMENT SERVICES REPORTING

2.1 Planning Decisions

Planning decisions	Total 2019/20	Jan-20	Dec-19	Nov-19	Oct-19	Sep-19	Aug-19	Jul-19
Number of valid applications	104	12	11	18	11	11	18	23
Single residential	12	2	0	0	0	4	4	2
Multiple residential	16	0	3	0	4	4	5	0
Subdivision	17	5	4	0	2	2	2	2
Total number of new lots created	64	2	11	0	41	3	5	2
Commercial	15	1	4	1	1	4	2	2
Industrial/Utilities	18	3	3	2	3	3	1	3
Visitor Accommodation	7	1	3	1	0	1	1	0
Total permitted	0	0	0	0	0	0	0	0
Total discretionary	7	1	3	1	0	1	1	0
Other	55	7	7	7	4	3	14	13
Total Approved:	130	19	22	11	11	18	27	22
Total Permitted:	8	1	0	0	0	2	3	2
Average Days for Permitted		22	-	-	-	28	25	25
Days allowed for approval by LUPAA		28	28	28	28	28	28	28
Total Exempt under IPS:	27		2	9	5	0	4	7
Total Refused:	6	1	0	0	3	1	1	0
Total Discretionary:	122	18	22	11	11	16	24	20
Average Days for Discretionary:		39	39	36	40	38	41	40
Days allowed for approval under LUPAA:		42	42	42	42	42	42	42
Total Withdrawn:	15	2	0	1	1	2	2	7
Council Decisions	14	3	0	1	5	2	3	0
Appeals lodged by the Applicant	3	0	0	1	0	1	0	1
Appeals lodged by third party	1	0	0	1	0	0	0	0

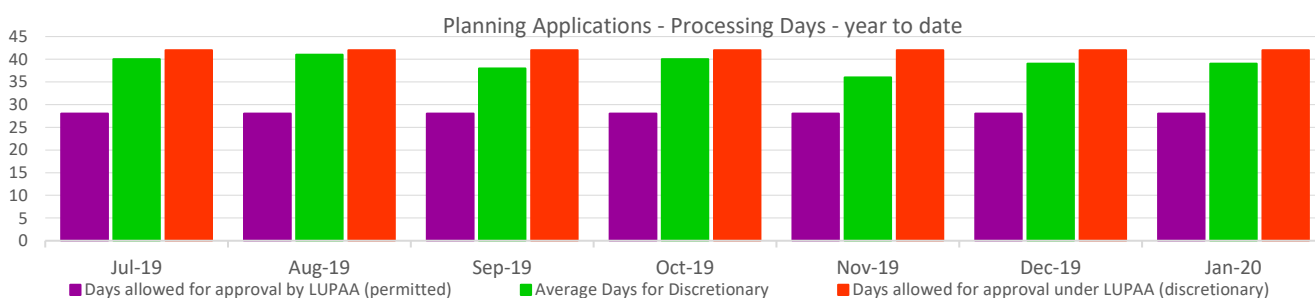
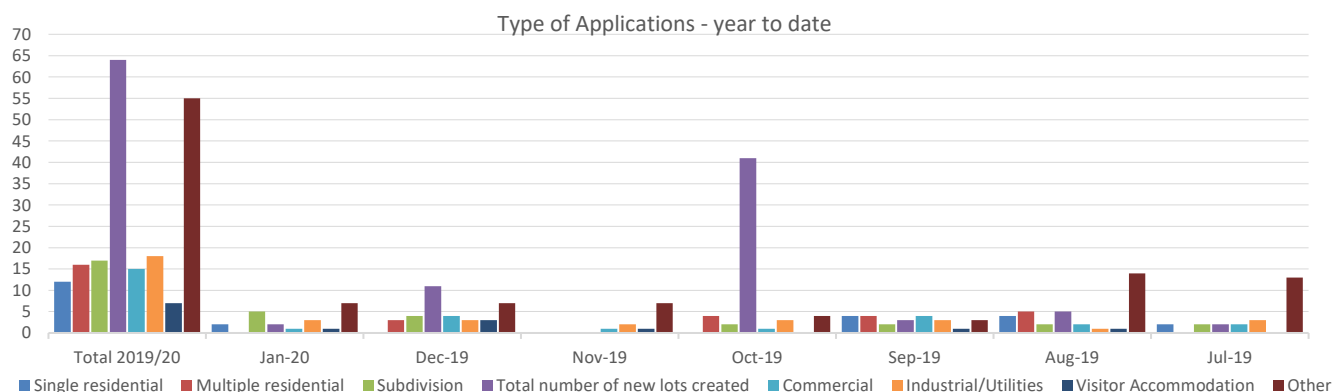
Planning Applications Processed - year to date



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Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-19-0225	Bridge replacement and minor vegetation clearance (vary zone setbacks, Biodiversity Code, Water Quality Code)	Gipps Creek Road (Bridge 2057), ROSSARDEN TAS 7213	Northern Midlands Council	41	D
PLN-19-0227	Construction of warehouse/office/workshop building (storage & service industry) (variations to open space & landscaping requirements, road & railway assets code provisions, car parking & sustainable transport code provisions)	42 Translink Avenue South, Western Junction TAS 7212	6ty°	42	D
PLN-19-0229	2 lot subdivision (subdivision adjoining residential zone) and construction of a warehouse & office building (bulky goods sales & service industry) (variations to front & side setbacks & car parking code provisions),	8 Union Street, Longford TAS 7301	6ty°	33	D
PLN-19-0230	Bridge replacement and minor vegetation clearance (vary zone setbacks, Biodiversity Code, Water Quality Code)	Storys Creek Road (Bridge 4000), ROSSARDEN TAS 7213	Northern Midlands Council	41	D
PLN-19-0236	Steps, landing and awning	112-118 Main Street, CRESSY TAS 7302	Loop Architecture	22	P
PLN-19-0239	2 Lot re-subdivision	991 Bishopsbourne Road and 171641/1, BISHOPSBOURNE TAS 7301	Woolcott Surveys	41	D
PLN-19-0241	Removal of 3 gum trees (Native Vegetation)	17 Drummond Crescent, PERTH TAS 7300	Mr Mark van den Bosch	38	D
PLN-19-0185	Dwelling alterations & additions (Vary side [S] setback; Heritage Precinct)	92 Wellington Street, LONGFORD TAS 7301	Mr Tony Keegan	42	D
PLN-19-0244	Ground mounted solar array (scenic management area)	2 Sinclair Street, PERTH TAS 7300	John & Sandra Fardon	42	D
PLN-19-0223	Boundary adjustment (re- subdivision between 2 lots) (Bushfire Prone Area)	226 Trafalgar Lane, EVANDALE TAS 7212	Mr Dallas McCulloch	41	D
PLN-19-0224	Change of use to Visitor Accommodation (non-impervious access and parking)	15 Arrandale Road, LONGFORD TAS 7301	Sarah Reutersward	42	D
PLN-19-0233	Dwelling (vary side [N&S] setbacks)	30 Clarence Street, Perth TAS 7300	Urban Design Solutions	42	D

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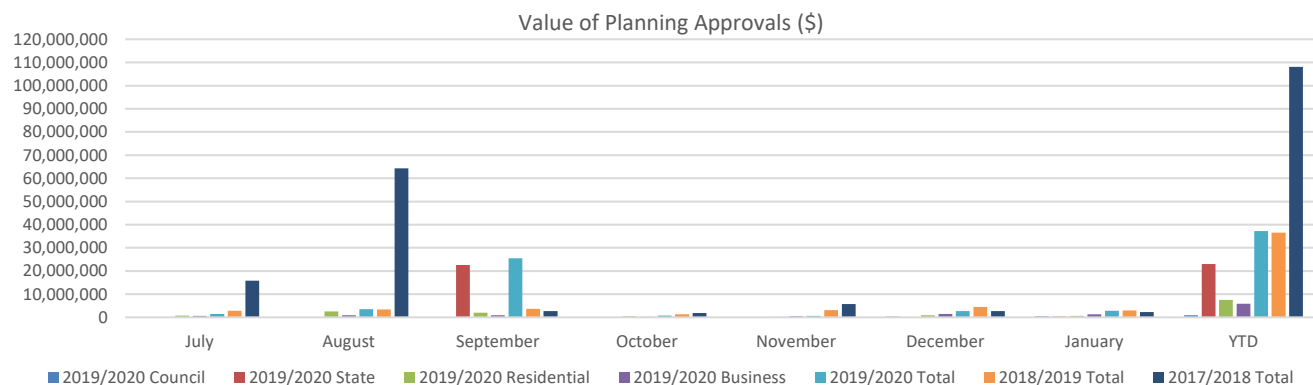
17 FEBRUARY 2020

JANUARY 2020

Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-19-0234	Carport (vary setbacks in Rural Resource zone)	49 Bridge Street, CAMPBELL TOWN TAS 7210	Mr Gregory Smith	42	D
PLN-19-0238	Dwelling (vary setbacks in rural zone) & consolidation of 2 lots (irrigation district)	34-36 Portugal Street, ROSS TAS 7209	Mr Robert Kennedy	42	D
PLN-19-0247	Carport (vary rear [S] setback)	11 Lewis Street, LONGFORD TAS 7301	Mr David Duff	42	D
PLN-19-0249	Second crossover, patio, carport & 2 outbuildings (vary rear setback)	45A Pakenham Street, LONGFORD TAS 7301	Mr Simon Senior	42	D
PLN-19-0240	2 lot re-subdivision (heritage precinct) (adjoining residential zone, vary General Business zone provisions)	20-22 Marlborough Street, Longford TAS 7301	Mr Carlton Dixon	42	D
COUNCIL DECISIONS					
PLN-19-0232	Construction of eastern entry/exit connection from approved roundabout to connect to unmade section of Seacombe Street (Road & Railway Assets Code)	Midland Highway next to Seacombe Street, Perth TAS 7300	Rebecca Green & Associates	42	C
PLN-19-0231	2-lot subdivision (vary access width; partially within attenuation distance) & demolition of shed	11 Burghley Street, Longford TAS 7301	Rebecca Green & Associates	42	C
COUNCIL DECISIONS - REFUSAL					
PLN-19-0216	Visitor Accommodation (vary setbacks, vary parking provisions, demolish pergola)	72 Main Street, Cressy TAS 7302	Prime Design	42	C
RMPAT DECISIONS					
TPC DECISIONS					

2.2 Value of Planning Approvals

			2019/2020			2018/2019	2017/2018
	Council	State	Residential	Business	Total	Total	Total
July	30,500	0	721,500	677,000	1,429,000	2,863,500	15,790,718
August	0	0	2,595,000	908,000	3,503,000	3,369,300	64,268,900
September	0	22,600,000	1,999,000	858,550	25,457,550	3,704,400	2,749,945
October	20,900	0	491,000	206,000	717,900	1,282,500	1,922,200
November	2,000	0	180,000	466,500	648,500	3,079,000	5,671,000
December	295,000	0	827,000	1514,000	2,636,000	4,499,500	2,660,300
January	490,000	370,000	668,700	1,302,000	2,830,700	2,965,400	2,293,255
YTD	838,400	22,970,000	7,482,200	5,932,050	37,222,650	36,482,950	108,049,468



NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

17 FEBRUARY 2020

2.3 Matters Awaiting Decision by TPC & RMPAT

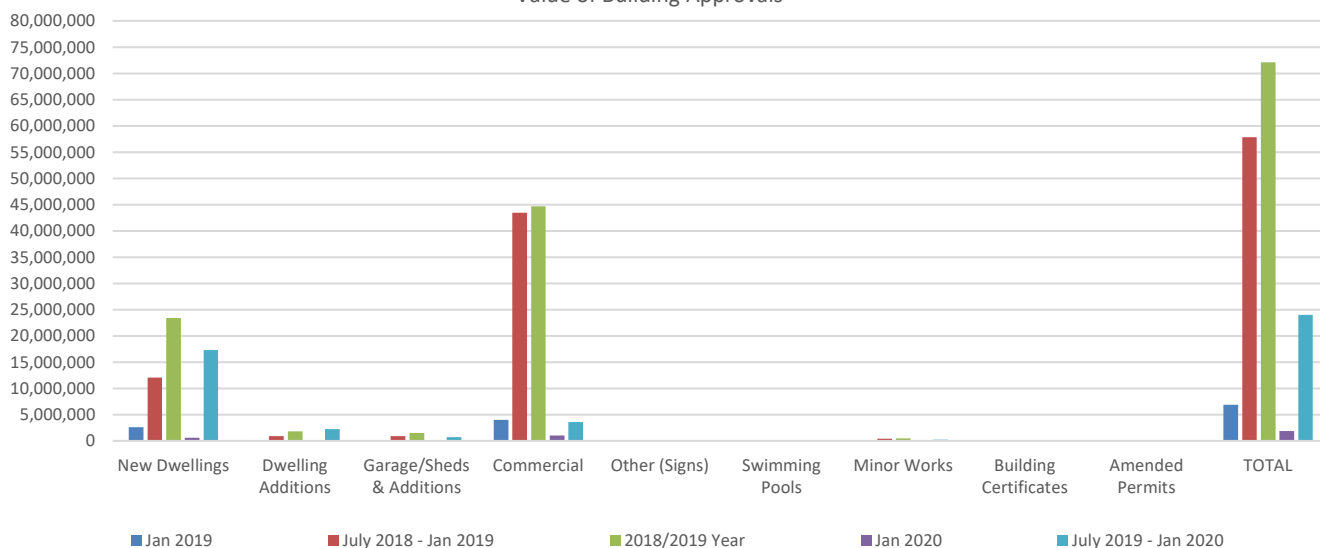
TPC	TASMANIAN PLANNING COMMISSION
TPS	Tasmanian Planning Scheme – State Planning Provisions (SPPs). The SPPs came into effect on 2/3/2017 as part of the Tasmanian Planning Scheme. They will have no practical effect until Local Provisions Schedule (LPS) is in effect in a municipal area. Northern Midlands Council's Draft Local Provisions Schedule submitted to TPC 19 December 2019.
02/2019	PLN19-0070, 86 Burghley St Longford, rezone to General Residential and s43A application for 7 Lot Subdivision. Hearing held 13 December 2019. Additional information provided to TPC on 21 January 2020.
RMPAT	RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL
PLN19-0216	Appeal 08/20P, 72 Main Street, Cressy, Visitor Accommodation. Preliminary Conference set for 14 February 2020.
PLN19-0115	Appeal 118/19P, 495 Nile Road, Evandale, Visitor Accommodation. Preliminary Conference held 10 December 2019. Hearing set for 23-25 March 2020, Hobart.
PLN19-0182	Appeal 116/19P, Road Reserve adjacent to and opposite 55a Main St Perth, 2 bus stops, Dept State Growth. Preliminary Conference held 20 November 2019. Hearing adjourned to allow consideration of alternative sites.
Decisions received	
TPC	
RMPAT	

2.4 Building Approvals

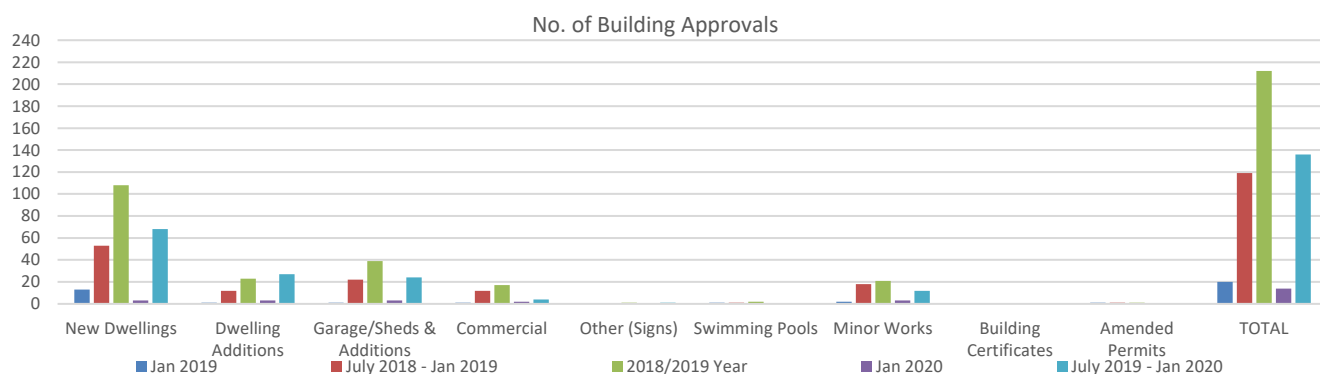
The following table provides a comparison of the number and total value of building works for 2018/2019 – 2019/2020:

	YEAR: 2018 - 2019				YEAR				YEAR: 2019 - 2020			
	Jan 2019		July 2018 - Jan 2019		July 2018 - June 2019		Jan 2020		July 2019 - Jan 2020			
	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value		
	\$		\$		\$		\$		\$			
New Dwellings	13	2,620,000	53	12,079,425	108	23,419,306	3	612,000	68	17,292,051		
Dwelling Additions	1	200,000	12	936,166	23	1,846,538	3	150,000	27	2,234,001		
Garage/Sheds & Additions	1	10,000	22	922,820	39	1,536,420	3	69,200	24	695,142		
Commercial	1	4,000,000	12	43,452,414	17	44,672,414	2	1,050,000	4	3,570,000		
Other (Signs)	0	0	0	0	1	10,000	0	0	1	5,000		
Swimming Pools	1	18,000	1	18,000	2	98,000	0	0	0	0		
Minor Works	2	16,250	18	393,864	21	479,264	3	21,952	12	212,657		
Building Certificates	0	0	0	0	0	0	0	0	0	0		
Amended Permits	1	35,000	1	35,000	1	35,000	0	0	0	0		
TOTAL	20	6,899,250	119	57,837,689	212	72,096,942	14	1,903,152	136	24,008,851		
Inspections												
Building	1		6		9		0		6			
Plumbing	30		178		317		37		178			

Value of Building Approvals



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020



2.5 Planning and Building Compliance – Permit Review

There has been a spike in compliance issues this month. Generally, the response to complaints raised is positive with property owners working with Council to remedy the issue, whether it be by removing the works or applying for the appropriate permits.

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

Planning Permit Reviews		This Month	2019/2020	Total 2018/2019
Number of Inspections		14	35	47
Property owner not home or only recently started			1	
Complying with all conditions / signed off		11	18	28
Not complying with all conditions				1
Re-inspection required		3	12	6
Notice of Intention to Issue Enforcement Notice				
Enforcement Notices issued				
Enforcement Orders issued				
Infringement Notice				1
No Further Action Required			4	16
Building Permit Reviews		This Month	2019/2020	Total 2018/2019
Number of Inspections			18	42
Property owner not home or only recently started				
Complying with all conditions / signed off			5	3
Not complying with all conditions			1	
Re-inspection required			4	
Building Notices issued				
Building Orders issued				
No Further Action Required			9	34
Illegal Works - Building		This Month	2019/2020	Total 2018/2019
Number of Inspections		6	20	14
Commitment provided to submit required documentation		1	1	3
Re-inspection required		2	4	4
Building Notices issued			3	3
Building Orders issued			2	3
Emergency Order				
No Further Action Required		3	9	2
Illegal Works - Planning		This Month	2019/2020	Total 2018/2019
Number of Inspections		9	47	17
Commitment provided to submit required documentation		1	5	5
Re-inspection required		5	24	5
Enforcement Notices issued				3
Enforcement Orders Issued				
Notice of Intention to Issue Enforcement Notice issued			3	1
No Further Action Required		3	10	5

3 STRATEGIC PLAN 2017-2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates.

- Progress – Economic Health and Wealth – Grow and Prosper
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy FutureCore Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive

A Land Use and Development Strategy to direct growth

 - Economic Development – Supporting Growth and Change
- Core Strategies:
- ♦ Towns are enviable places to visit, live and work
- People – Culture and Society – A Vibrant Future that Respects the Past
 - Sense of Place – Sustain, Protect, ProgressCore Strategies:
 - ♦ Planning benchmarks achieve desirable development
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity- Place – Nurture our Heritage Environment
 - Environment – Cherish and Sustain our LandscapesCore Strategies:
 - ♦ Meet environmental challenges- History – Preserve and Protect our Built Heritage for Tomorrow
 - ♦ Our heritage villages and towns are high value assets
- Core Departmental Responsibilities
 - Planning and Development

4 STATUTORY REQUIREMENTS

4.1 *Land Use Planning & Approvals Act 1993*

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

4.2 *Building Act 2016*

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

5 RISK ISSUES

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

6 COMMUNITY CONSULTATION

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

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

7 OFFICER'S COMMENTS/CONCLUSION

To date there has been 2 commercial building approval valued at \$2,520,000 for 2019/2020 (year to date), compared to 12 commercial building approvals valued at \$43,452,414 (year to date) for 2018/2019.



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

In total, there were 136 building approvals valued at \$24,008,851 (year to date) for 2019/2020, compared to 119 building approvals valued at \$57,837,689 (year to date) for 2018/2019.

RECOMMENDATION

That the report be noted.

DECISION

Cr Adams/Cr Lambert

That the report be noted.

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

044/20 PROPOSED BY-LAW – PLACEMENT OF SHIPPING CONTAINERS

Attachments: Section 1 – Page 46

Responsible Officer: Amanda Bond, Community & Development Manager

Report prepared by: Amanda Bond, Community & Development Manager

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider representations received regarding the proposed Placement of Shipping Containers By-Law and to consider proceeding with the Placement of Shipping Containers By-Law.

2 INTRODUCTION/BACKGROUND

This matter was first brought to Council on 27 June 2016 – Minute Reference: 172/16.

The issue identified by the community was the placement of shipping containers in prominent locations, particularly in heritage towns and villages, with little or no effort to reduce their visual impact.

Presently, Council can regulate the placement of shipping containers through the *Northern Midlands Interim Planning Scheme 2013* ('the Planning Scheme').

Shipping containers need to comply with the zone and code provisions of the Planning Scheme. The *Land Use Planning & Approvals Act 1993* contains enforcement provisions that can be used to have unapproved shipping containers removed.

There are some scenarios whereby the placement of a shipping container may be exempt under the current *Northern Midlands Interim Planning Scheme 2013*, for example:

- In the General Residential zone, outside a heritage precinct, where the container is more than 4.5m from the front boundary.
- Rural Resource land where the container is used in conjunction with farming and is at least 30m from boundaries.

It was decided at the 27 June 2016 Council meeting that Council officers prepare a draft by-law for Council consideration.

The matter was brought back to Council with a draft by-law presented on 15 August 2016 – Minute Reference 229/16. At that meeting Council decided to undertake initial consultation with key stakeholders regarding the by-law and bring a report back to a future meeting.

In April 2017 Council again considered the matter, Minute Reference 126/17 and deferred the matter in order to seek clarification on the following items:

- when a property is sold, whether the purchaser would be required to apply for a permit on any existing container on the property; and
- clarification of the meaning of wholly contained within a building.

A report was presented to Council on 21 August 2017, Minute Reference 253/17 answering these questions. The decision of the August 2017 meeting was:

Cr Knowles/Cr Goss

That, in accordance with s.156 of the Local Government Act 1993, Council resolves that it intends to make the proposed Placement of Shipping Containers By-Law No. 1 of 2017 to regulate the placement of shipping containers in the Northern Midlands municipality.

Carried unanimously

In April 2018 a further report presenting the Regulatory Impact Statement in support of the by-law was received by Council at which time the following decision was made, Minute Reference 93/18:

Cr Adams/Cr Polley

- a) *In accordance with section 156 of the Local Government Act 1993, Council resolves that it intends to make the proposed Placement of Shipping Containers By-Law to regulate the placement of shipping containers in the Northern Midlands municipality; and*
- b) *Council endorse the attached Regulatory Impact Statement.*

Carried unanimously

Council officers forwarded the draft by-law and Regulatory Impact Statement to the Director of Local Government in April 2018. The Director of Local Government issued his Certificate of Approval of Regulatory Impact Statement on 1 June 2018.

The Northern Midlands Council advertised the draft by-law for public consultation in August 2018. Five submissions were received. In accordance with section 159 of the *Local Government Act 1993* Council must consider all representations.

Council officers continued to have concerns regarding the conflict of the draft by-law with the *Northern Midlands Interim Planning Scheme 2013*. On this basis the matter was relisted for discussion at a Council workshop.

Council has subsequently workshopped the matter and was presented a report in June 2019. The decision of the June meeting (Minute Reference 174/19) was:

Cr Goninon/Cr Polley

That Council proceed with the development of a Placement of Shipping Containers By-law; seek a solution to the issues, identify what measures are taken by other councils and that the matter be further workshopped.

Carried unanimously

The above decision has four components and therefore the action taken regarding the decision is broken down below:

That Council proceed with the development of a Placement of Shipping Containers By-law

The next step to proceed with the by-law is for Council to consider the representations received with the by-law was publicly advertised. These are considered and officer comments provided in section 9 of this report.

Seek a solution to the issues

The issue that has been identified by officers is a Shipping Container By-Law may contravene the *Northern Midlands Interim Planning Scheme 2013*. It is noted that the Resource Management and Planning Appeal Tribunal recently decided an appeal in respect to the placement of shipping containers which gives the indication that shipping containers are considered “development” in accordance with a planning scheme, and therefore a by-law may in fact contravene the existing legislation of a planning scheme. The decision was *CMK Architects v West Tamar Council & Anor [2019] TASRMPAT 18*.

Identify measures taken by other Councils and that the matter be further workshopped

Council has specifically enquired as to what other Councils do to enforce the placement of shipping containers. Telephone calls have been made to surrounding Councils who have advised as follows:

- West Tamar Council – regulate the placement of shipping containers through the planning scheme
- Break O’Day Council – regulate the placement of shipping containers through the planning scheme
- Meander Valley Council – regulate the placement of shipping containers through the planning scheme
- Southern Midlands Council - regulate the placement of shipping containers through the planning scheme

A further workshop was held on 5 November 2019 discussing the above information. An information item was presented to Council at the January 2020 Council meeting where it was indicated a report would be presented to the February 2020 Council meeting.

3 STRATEGIC PLAN 2017-2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates.

- Lead –
 - Leaders with Impact
 - Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity
 - ♦ Manage – Management is efficient and responsive
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
 - Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
 - Economic Development – Supporting Growth & Changes
 - ♦ New & expanded small business is valued
 - ♦ Support new businesses to grow capacity & service
 - ♦ Towns are enviable places to visit, live & work
 - ♦ Minimise industrial environment impact on amenity
 - ♦ Developers address climate change challenges
 - ♦ Maximise external funding opportunity
- People –
 - Sense of Place – Sustain, Protect, Progress
 - Core Strategies:
 - ♦ Planning benchmarks achieve desirable development
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity
- Place –
 - Environment – Cherish & Sustain our Landscapes
 - Core Strategies:
 - ♦ Cherish & sustain our landscapes
 - History – Preserve & Protect our Built Heritage for Tomorrow
 - Core Strategies:
 - ♦ Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

The adoption of this by-law will create a new enforcement framework for shipping containers.

The adoption of this by-law will mean Council cannot rely on the planning scheme to regulate shipping containers, unless such shipping containers constitute 'development' e.g. shipping containers placed together to form a dwelling.

5 STATUTORY REQUIREMENTS

By-laws are created in accordance with Part 11 of the *Local Government Act 1993*.

The Department of Premier and Cabinet, Local Government Division have released a Making By-Laws (2) Fact Sheet. The process for making a by-law and action taken to date are both identified below:

1. Consider the need for regulation, in the context of existing regulation , and with regard to the alternatives to making a by-law.
Council first considered making a by-law regarding shipping containers in June 2016 (Minute Reference 172/16).
2. Prepare a draft by-law.
Council first considered the draft by-law on 15 August 2016 (Minute Reference 229/16).
3. Undertake initial consultation on the by-law with key stakeholders. This may include inviting comments or submissions and holding meetings or workshops.
At its meeting of 15 August 2016 (Minute Reference 229/16) Council directed the draft by-law be referred to stakeholders and a report be brought back to a future meeting.
4. Adjust the by-law to reflect comments received during initial consultation process.
A report was presented back to Council on 10 April 2017 (Minute Reference 126/17) outlining the feedback received from Council's Local District Committees regarding the draft by-law.
5. Council passes a formal resolution (by an absolute majority) of its intention to make a by-law.
At its meeting of 21 August 2017 (Minute Reference 253/17) Council resolved unanimously its intention to make the Placement of Shipping Containers By-Law.
6. Council prepares a draft Regulatory Impact Statement (RIS) if required.
At its meeting of 16 April 2018 (Minute Reference 93/18) Council endorsed a draft Regulatory Impact Statement in support of the proposed by-law.
7. The RIS and by-law are referred to the Director of Local Government for consideration.
Following the decision of Council at its meeting of April 2018 (Minute Reference 93/18) the draft Placement of Shipping Containers By-Law and draft Regulatory Impact Statement were referred to the Director of Local Government for consideration on 24 April 2018.
8. If satisfied the RIS meets all statutory requirements, the Director will issue a certificate of approval to the council.
The Director of Local Government issued a certificate of approval on 1 June 2018.
9. Council gives notice of the proposed by-law and carries out its public consultation.
Notification was given by way of publication in the Examiner newspaper on 25 August 2018.
10. Notice of the proposed by-law is advertised in print media.
Notification was given by way of publication in the Examiner newspaper on 25 August 2018.
11. Copies of the RIS and by-law are to be made available for public inspection/purchase, and displayed on the council's website, as required under section 158 of the Act.
This occurred following advertising on 25 August 2018.
12. Submissions are invited from the community and key stakeholders. Section 159 of the Act requires that all submissions are to be considered by the council.

Five submissions were received in response to the proposed by-law and these are addressed in section 9 of this report.

13. If required, alterations to the draft by-law are to be made only by an absolute majority. If the alteration substantially changes the purpose of the proposed by-law, or its effect on the public the council will provide public notice.

Should Council wish to make any alterations to the by-law following the submissions received, it will need to do so by an absolute majority. If the changes are substantial, public notification of the change will need to be provided.

6 FINANCIAL IMPLICATIONS

The financial implications to Council will be the cost of enforcing the by-law if it proceeds with the by-law.

7 RISK ISSUES

If Council adopts this by-law it will be asserting that a shipping container is not “development” in accordance with the *Northern Midlands Interim Planning Scheme 2013*. There is a Resource Management and Planning Appeal Tribunal decision (referred above) that a shipping container is classified as “development”. There is a risk that if tested Council will not be able to enforce the by-law because it is in contravention of the *Northern Midlands Interim Planning Scheme 2013* and therefore in breach of section 150(d) of the *Local Government Act 1993*.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

When Council advertised the Draft Placement of Shipping Containers By-Law in August 2018, Council’s records system shows five submissions from the community were received. Copies of these submissions are attached to this report.

All five submissions, in general, support the by-law, however, some submissions raise specific issues and make suggestions to amend the by-law. Each of these issues is identified below with an officer comment:

1. Removal of any reference to the word permanent in the by-law, and include definitions of a Temporary A Permit (less than 3 months), and Temporary B Permit (3 months to 2 years).

Officer comment

The term Permanent Shipping Container is defined in section 4 of the By-Law as ‘a Shipping Container to be kept on the same premises for a period of more than three months’. In some instances it may be reasonable for a shipping container to be placed permanently on someone’s land, for example, if it is appropriately set back from the boundaries, out of sight and adequately screened. It is recommended that the by-law not be amended to reflect these comments.

2. Replace expiry time in section 5 with words “expires 90 days from the date of the permit issue”

Officer comment

This comment relates to Part 4, Section 6, Subclause 5 of the draft By-law which states ‘A Licence or Permit granted by Council expires on the 30th of June following the date on which the Licence or Permit was issued unless earlier cancelled pursuant to sub-clause 7(1)(d) of this By-law’. If Council proceeds with the by-law it

is recommended it be amended so that permits expire when the timeframe for the shipping container to remain on the land expires (if applicable).

3. Temporary B permits be no more than 365 days from date of permit issue, and apply only to exceptional circumstances.

Officer comment

It is not recommended that a Temporary B permit be included in the by-law for the reasons provided at point 1 above.

4. Delete section 7(2)(c).

Officer comment

Section 7(2)(c) of the by-law gives Council the parameters that Council relies on when making a decision to approve a shipping container. Without this section, Council has no parameters to rely on to approve or refuse an application. It is not recommended this section be deleted.

5. Delete section 10.

Officer comment

Section 10 relates to a Permanent Shipping Container as defined in section 4 of the By-Law. In some instances it may be reasonable for a shipping container to be placed permanently on someone's land, for example, if it is appropriately set back from the boundaries, out of sight and adequately screened. It is not recommended that section 10 be deleted.

6. Delete Part 6.

Officer comment

Part 6 is Section 10, therefore the comments made above are reiterated.

7. Parts 5 and 6 – provide clarity around the screening materials

Officer comment

It is the intention in the drafting that screening materials reduce the visual impact of the shipping container, for example, use of plantings or appropriate finishes (eg. timber cladding) be used. It is recommended examples of screening materials be incorporated into the by-law if Council wishes to progress with the by-law.

8. Clarify whether "a person" is also a company

Officer comment

"Person" is defined in the by-law as an individual or body corporate. Body corporate is a formal term for a corporation.

9. Suggestion the by-law apply to private land as well as public land

Officer comment

The by-law is applicable to any piece of land within the municipal area of the Northern Midlands.



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

10 OPTIONS FOR COUNCIL TO CONSIDER

- a) Endorse the by-law as drafted
- b) Endorse the by-law with changes
- c) Not endorse the by-law.

11 OFFICER'S COMMENTS/CONCLUSION

Officers do not recommend the adoption of the Placement of Shipping Containers By-law and recommend that Council continue to regulate shipping containers through the *Northern Midlands Interim Planning Scheme 2013*.

12 ATTACHMENTS

- 12.1 By-law
- 12.2 Submission – Dee Alty
- 12.3 Submission – Arthur Thorpe
- 12.4 Submission – P. M. Barnes
- 12.5 Submission – Iain Twemlow
- 12.6 Submission – Bowie Finch

RECOMMENDATION

That the matter be discussed.

DECISION

Cr Goninon/Cr Polley

That:

- a) Council does not proceed with the Placement of Shipping Containers By-Law.
- b) The provisions of the current planning scheme be workshopped, and Council contact surrounding Councils and invite them to make a joint submission to amend the State Planning Provisions.

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

045/20 REQUEST FOR FEEDBACK ON DRAFT AMENDMENT 01-2019 OF THE STATE PLANNING PROVISIONS

Attachments: Section 1 – Page 60

File: 13/004
Responsible Officer: Des Jennings, General Manager
Report prepared by: Paul Godier, Senior Planner

1 PURPOSE OF REPORT

This report seeks Council's feedback on draft amendment 01-2019 of the State Planning Provisions (SPPs).

2 INTRODUCTION/BACKGROUND

The Minister for Planning, Hon Roger Jaensch MP, has requested Council's feedback on draft amendment 01-2019 of the State Planning Provisions which proposes the inclusion of the draft Apartment Development Code along with other consequential amendments to the SPPs.

The code will have the following standards for buildings and works:

Building separation and setbacks; Common open space and landscaping; Common circulation spaces; Sunlight; Daylight and natural ventilation; Apartment size, layout and storage; Universal design; Private open space; Acoustic privacy; and Waste storage and collection.

Application of Code

The code will apply to development for apartments within the following zones:

Inner Residential; Urban Mixed Use; Local Business; General Business; and Central Business.

Of these zones Northern Midlands Council uses only the Local Business and General Business zones.

Interpretation

The draft code would introduce new definitions to the SPPs:

<i>Apartment</i>	<i>means a dwelling, or a serviced apartment, located above the ceiling level or below the floor level of another dwelling, serviced apartment, or another use, and is part of a building containing two or more dwellings or serviced apartments.</i>
<i>Apartment building</i>	<i>means a building that contains apartments and may also contain non-residential uses.</i>
<i>Dwelling</i>	<i>means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling. A dwelling within an apartment building may have shared on-site laundry facilities.</i>
<i>Serviced apartment</i>	<i>means the use of land to provide Visitor Accommodation in a furnished, self-contained room or suite of rooms which provides amenities for daily use such as kitchen and laundry facilities. A serviced apartment may have shared on-site laundry facilities.</i>

Parking

Use		Parking Space Requirement	
		Car	Bicycle
Residential/ Visitor Accommodation	If an apartment or serviced apartment in the Inner Residential zone	1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space for every 5 apartments (rounded up to the nearest whole number)	1 space per 5 bedrooms
	If an apartment or serviced apartment in the Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone	1 space per apartment	1 space per 5 bedrooms

Waste storage and collection

The draft provisions are:

Objective:	That the storage and collection of waste and recycling does not unreasonably impact on amenity and safety for occupants and the surrounding area and for vehicle traffic, cyclists, and pedestrians.		
Acceptable Solutions		Performance Criteria	
A1	<p>Bulk waste and recycling bins that are commercially serviced must be provided for apartment buildings that contain:</p> <ul style="list-style-type: none"> (a) 5 or more apartments; (b) if within a building containing other uses, 4 or more apartments; or (c) if fronting a pedestrian priority street as defined in the Parking and Sustainable Transport Code, 3 or more apartments, unless waste and recycling bins are provided for individual apartments and the bins are commercially collected on-site. 	P1	<p>Waste and recycling bins for individual apartments may only be provided if:</p> <ul style="list-style-type: none"> (a) there are not more than 4 apartments or tenancies have kerbside collection per site and kerbside collection would not unreasonably compromise the amenity of the surrounding area, or the flow and safety of vehicles, cyclists and pedestrians; (b) the frontage has a width of at least 5m for each apartment and any other tenancy on the site with individual bins, and kerbside collection would not unreasonably compromise the amenity of the surrounding area, or the flow and safety of vehicles, cyclists and pedestrians; or (c) the apartments are within an existing building and areas for bulk waste bin storage and collection cannot reasonably be provided due to site constraints, or unreasonable impacts on the local historic heritage significance of a building listed as a local heritage place, or within a local heritage precinct, in the Local Historic Heritage Code.
A2	<p>Apartments must have an on-site storage area with an impervious surface for waste and recycling bins and:</p> <ul style="list-style-type: none"> (a) if for individual bins for each apartment, must be: <ul style="list-style-type: none"> (i) within an area for the exclusive use of each apartment, or within a common storage area, excluding the area between the building and a frontage; (ii) set back not less than 4.5m from a frontage; (iii) not less than 5.5m from any apartment or 	P2	<p>Apartments must have storage for waste and recycling that is:</p> <ul style="list-style-type: none"> (a) capable of storing the number of bins required for the site; (b) of sufficient size to enable convenient and safe access for occupants; (c) in a location on-site that is conveniently and safely accessible to occupants, without compromising the amenity and flow of public spaces; (d) screened from view from public spaces,

<p>other dwelling; and</p> <p>(iv) screened from the frontage and any apartment or other dwelling by a wall to a height not less than 1.2m above the finished surface level or the storage area; or</p> <p>(b) if for bulk waste bins, must:</p> <p>(i) be located on common property;</p> <p>(ii) include dedicated areas for the storage and management of waste and recycling;</p> <p>(iii) be not less than 5.5m from any apartment or other dwelling;</p> <p>(iv) be screened from the frontage and any apartment or other dwelling by a wall to a height not less than 1.8m above the finished surface level or the storage area;</p> <p>(v) be accessible to each apartment without the need to travel off-site; and</p> <p>(vi) if within a building containing other uses, have separate storage spaces for commercial and residential bins with separate access to each.</p>	<p>apartments and other dwellings; and</p> <p>(e) if the storage area is for common use, separate from apartments and other dwellings on the site to minimise impacts caused by odours and noise.</p>
<p>A3</p> <p>Bulk waste and recycling bins must be collected on-site by private commercial vehicles.</p>	<p>P3</p> <p>No Performance Criterion.</p>
<p>A4</p> <p>Access for private commercial vehicles to the on-site waste and recycling bin collection areas (including for bulk bins or bins for individual apartments) must:</p> <p>(a) have a location, sight distance, geometry, gradient, and off-street parking, manoeuvring and service area that complies with <i>Australian Standard AS 2890.2:2002 – Parking facilities, Part 2 Off-street commercial vehicle facilities</i>; and</p> <p>(b) provide for the vehicle to be located entirely within the site when collecting bins.</p>	<p>P4</p> <p>The on-site collection of waste and recycling bins by private commercial vehicles must not compromise the safety, amenity and convenience of surrounding occupants, vehicular traffic, cyclists and pedestrians, having regard to:</p> <p>(a) the number of bins;</p> <p>(b) the method of collection;</p> <p>(c) the time and frequency of collection;</p> <p>(d) access for vehicles to bin storage areas, including consideration of gradient, sight distances, manoeuvring of the collection vehicle and the direction of vehicle movement and pedestrian access;</p> <p>(e) distance from vehicle stopping point to bins if not collected on-site;</p> <p>(f) the traffic volume, geometry and gradient of the street; and</p> <p>(g) the volume of pedestrians using the street and whether it is a pedestrian priority street as defined in the Parking and Sustainable Transport Code.</p>

The Explanatory Document advises:

This standard includes requirements for the storage and collection of waste and recycling bins, including bulk storage bin collection on-site. The storage and collection of waste and recycling bins can become problematic for sites that contain a number of dwellings or tenancies.

Local government have raised concerns with the adequacy of current planning requirements relating to waste and recycle bin collection. These development standards provide the first opportunity for the SPPs to be revised to deliver suitable standards. If appropriate, equivalent standards will be delivered for other types of use and development as part of a future review of the SPPs.

3 STRATEGIC PLAN 2017-2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates.

- Lead –
 - Leaders with Impact
 - Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity
 - ♦ Manage – Management is efficient and responsive
- People –
 - Sense of Place – Sustain, Protect, Progress
 - Core Strategies:
 - ♦ Planning benchmarks achieve desirable development
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
 - Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
 - ♦ Communicate – Communities speak & leaders listen
 - ♦ Participate – Communities engage in future planning
 - ♦ Connect – Improve sense of community ownership
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
 - Environment – Cherish & Sustain our Landscapes
 - Core Strategies:
 - ♦ Cherish & sustain our landscapes
 - ♦ Meet environmental challenges
 - History – Preserve & Protect our Built Heritage for Tomorrow
 - Core Strategies:
 - ♦ Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

5.1 Land Use Planning & Approvals Act 1993

Council's feedback is sought in accordance with section 30D(2) of the *Land Use Planning & Approvals Act 1993*.

6 FINANCIAL IMPLICATIONS

There are no financial implications to Council.

7 RISK ISSUES

No risk issues are identified.



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

8 CONSULTATION WITH STATE GOVERNMENT

The State Government is undertaking consultation.

9 COMMUNITY CONSULTATION

According to <https://planningreform.tas.gov.au> the development standards and will be publicly exhibited for comment in early to mid 2020.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can advise the Minister for Planning that it supports the draft amendment or suggest changes to the draft amendment.

11 OFFICER'S COMMENTS/CONCLUSION

Within the Northern Midlands the draft code will only apply to the Local Business and General Business zones.

The definition of an apartment will be, *a dwelling, or a serviced apartment, located above the ceiling level or below the floor level of another dwelling, serviced apartment, or another use, and is part of a building containing two or more dwellings or serviced apartments.*

It is considered that the parking requirement of 1 space per apartment in the Local Business and General Business zones is adequate.

The draft code seeks to introduce waste storage and collection standards which are matters councillors have raised as concerns. The standards appear to adequately address these concerns.

12 ATTACHMENTS

12.1 Letter from the Minister for Planning, including the draft amendment and explanatory document.

RECOMMENDATION

That Council advise the Minister for Planning that it supports the draft amendment, particularly the waste storage and collection standards, and requests that equivalent standards be delivered for multiple dwellings in the General Residential zone in the next review of the State Planning Provisions.

DECISION

Cr Goss/Cr Adams

That the matter be discussed.

Carried unanimously

Cr Calvert/Cr Brooks

That Council advise the Minister for Planning that it supports the draft amendment, particularly the waste storage and collection standards, and requests that equivalent standards be delivered for multiple dwellings in the General Residential zone in the next review of the State Planning Provisions.

Carried unanimously

**046/20 REQUEST FOR ADVICE ON DECLARATION OF THE NORTH-WEST
TASMANIA TRANSMISSION UPGRADES PROJECT AS A
'MAJOR INFRASTRUCTURE PROJECT'**

Attachments: Section 1 – Page 97

File: 02/045
Responsible Officer: Des Jennings, General Manager
Report prepared by: Paul Godier, Senior Planner

1 PURPOSE OF REPORT

This report seeks Council's advice whether it supports the making of an Order declaring the North-West Tasmania Transmission Upgrades Project a 'major infrastructure project' and being assessed under the *Major Infrastructure Development Approvals Act 1999* (MIDAA).

2 INTRODUCTION/BACKGROUND

The Minister for Planning, Hon Roger Jaensch MP has requested Council's advice whether it supports the making of an Order declaring the North-West Tasmania Transmission Upgrades Project a 'major infrastructure project' and being assessed under the MIDAA and if not to provide reasons.

If the project is declared a 'major infrastructure project', instead of each planning authority assessing the project in its area, a combined planning authority will be established to assess the project.

Each council can have a member and a deputy on the combined planning authority. The deputy performs the duties of the member if the member is unable to. The member and deputy can be a councillor, a staff member or a consultant.

3 STRATEGIC PLAN 2017-2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates.

- Lead –
 - Leaders with Impact
 - Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity
 - ♦ Manage – Management is efficient and responsive
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
 - Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
 - ♦ Proactive engagement drives new enterprise
 - ♦ Collaborative partnerships attract key industries
 - ♦ Attract healthy, wealth-producing business & industry
 - Economic Development – Supporting Growth & Changes
 - ♦ Support new businesses to grow capacity & service
 - ♦ Minimise industrial environment impact on amenity
- People –
 - Sense of Place – Sustain, Protect, Progress
 - Core Strategies:
 - ♦ Planning benchmarks achieve desirable development
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity

- ♦ Public assets meet future lifestyle challenges
- Place –
 - Environment – Cherish & Sustain our Landscapes
 Core Strategies:
 - ♦ Cherish & sustain our landscapes
 - ♦ Meet environmental challenges

4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

5.1 *Major Infrastructure Development Approvals Act 1999*

Council's advice is sought in accordance with section 9 of MIDAA.

6 FINANCIAL IMPLICATIONS

Section 17 of MIDAA states:

(5) The fee imposed by a combined planning authority for an application for a permit may be fixed with reference to the reasonable cost of the performance by the combined planning authority of its functions including the costs of carrying out an assessment of the proposal but not including the costs of enforcing a permit granted by the combined planning authority.

(6) A combined planning authority may impose a further fee in respect of an application for a permit after receipt of that application, in order to recoup previously unanticipated costs reasonably incurred by the combined planning authority in the performance of its functions including the costs of carrying out an assessment of the proposal but not including the costs of enforcing a permit granted by the combined planning authority.

7 RISK ISSUES

Declaration as a 'major infrastructure project' means Council, as planning authority, will not decide on the application. However, it can advocate on behalf of the community without the constraint of being the planning authority assessing the application.

8 CONSULTATION WITH STATE GOVERNMENT

The State Government is undertaking consultation.

9 COMMUNITY CONSULTATION

The Combined Planning Authority would give public notice of the application. The application would be advertised for 14 days and representations may be made.

10 OPTIONS FOR COUNCIL TO CONSIDER

10.1 Council can advise the Minister for Planning that it:

- a) supports the making of the Order; or
- b) does not support the making of the Order and provide reasons.

AND

10.2 Council can advise the Minister for Planning that its view is the project should be assessed by:

- a) a combine an Order declaring the North-West Tasmania Transmission Upgrades Project a 'major infrastructure project' and being assessed under the *Major Infrastructure Development Approvals Act 1999* d planning authority; or
- b) the Tasmanian Planning Commission.

11 OFFICER'S COMMENTS/CONCLUSION

Declaration of the project as a 'major infrastructure project' and its assessment under the MIDAA is recommended as there will be one planning authority, resourced and dedicated to the project rather than six planning authorities with limited resources and no single coordination framework for assessment or approval.

12 ATTACHMENTS

12.1 Letter from the Minister for Planning.

RECOMMENDATION

That Council advise the Minister for Planning that:

- a) it supports the making of an Order declaring the North-West Tasmania Transmission Upgrades Project a 'major infrastructure project' and being assessed under the *Major Infrastructure Development Approvals Act 1999*; and
- b) its view is the project should be assessed by a combined planning authority.

DECISION

Cr Adams/Cr Calvert

That Council advise the Minister for Planning that:

- a) it supports the making of an Order declaring the North-West Tasmania Transmission Upgrades Project a 'major infrastructure project' and being assessed under the *Major Infrastructure Development Approvals Act 1999*; and
- b) its view is the project should be assessed by a combined planning authority.

Carried unanimously

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

047/20 MONTHLY FINANCIAL STATEMENT

Attachments: Section 1 – Page 99

File: Subject 24/023
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 present the monthly financial reports as at 31 December 2019.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 31 January 2020 is circulated for information.

3 ALTERATIONS TO 2019-20 BUDGET

Following a budget review of income and expenditure items the following alterations/variances are highlighted and explained:

SUMMARY FINANCIAL REPORT

For Month Ending: 31-Jan-20 7

A. Operating Income and Expenditure						
	Budget	Year to Date Budget	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$11,311,634	-\$11,311,634	-\$11,318,080	\$6	100.1%	
Recurrent Grant Revenue	-\$4,318,501	-\$2,519,126	-\$2,020,070	-\$499	80.2%	Advanced grants to come
Fees and Charges Revenue	-\$1,991,837	-\$1,161,905	-\$1,341,678	\$180	115.5%	
Interest Revenue	-\$904,007	-\$527,338	-\$442,875	-\$84	84.0%	Reimbursements from state govt to come
Reimbursements Revenue	-\$74,681	-\$43,564	-\$50,355	\$7	115.6%	
Other Revenue	-\$1,492,710	-\$870,748	-\$518,065	-\$353	59.5%	TasWater dividends to come
	-\$20,093,370	-\$16,434,314	-\$15,691,123	-\$743	95.5%	
Employee costs	\$5,701,031	\$3,325,601	\$3,157,222	\$168	94.9%	
Material & Services Expenditure	\$5,168,753	\$3,015,106	\$2,828,217	\$187	93.8%	
Depreciation Expenditure	\$5,458,770	\$3,184,283	\$3,184,190	\$0	100.0%	
Government Levies & Charges	\$851,614	\$496,775	\$456,197	\$41	91.8%	
Councillors Expenditure	\$204,330	\$119,193	\$110,902	\$8	93.0%	
Interest on Borrowings	\$272,007	\$158,671	\$192,440	-\$34	121.3%	
Other Expenditure	\$1,316,100	\$767,725	\$759,402	\$8	98.9%	Pension rebates for full year
Plant Expenditure Paid	\$519,210	\$302,873	\$371,829	-\$69	122.8%	
	\$19,491,815	\$11,370,225	\$11,060,399	\$310	97.3%	
	-\$601,555	-\$5,064,089	-\$4,630,724			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$566,317	\$0	\$0	\$0	0.0%	
Underlying (Surplus) / Deficit	-\$35,238	-\$5,064,089	-\$4,630,724			1*
	-		-			
Capital Grant Revenue	-\$2,778,383	-\$1,620,723	-\$655,947	-\$965	40.5%	
Subdivider Contributions	-\$640,962	\$0	-\$95,001	\$95		
Capital Revenue	-\$3,419,345	-\$1,620,723	-\$750,948			
	-		-			

Budget Alteration Requests

- For Council authorisation by absolute majority

Budget	Budget	Actuals
Operating	Capital	

Capital works budget variances above 10% or \$10,000 are highlighted

January

December

Original Budget Operating Surplus	-\$173,033	1*
- Interest on Investments	-\$41,000	1 Additional interest expected
- Youth Bursary reimbursements from Cape Hope	-\$8,000	3 Contribution for existing nurseries
- Election roll maintenance	\$6,340	4 Budget allocation required
- NTDC Population Program	\$5,360	5 Budget allocation required
- Youth Program Grant Youth Camp	-\$3,000	6 Grant funding

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

17 FEBRUARY 2020

- Youth Program Grant Active NM Youth	-\$34,410		6	Grant funding
- Youth Program Grant Free2b Girls	-\$35,888		6	Grant funding
- Youth Grant funding expenditure	\$73,298		6	Grant funding expenditure
- Supplementary Rates	-\$40,000		7	Rate revenue above budget
- General Financial Assistance Grant Revenue	-\$7,000		8	Allocation above budget
- Rate Certificate revenue	-\$10,000		9	Allocation above budget
- Property Revaluation	\$117,450		10	Budget allocation required not billed in 18/19
- Economic Development Plan	\$2,462		11	Budget allocation required not billed in 18/19
- Lfd Sports Centre plumbing works	\$5,106		PBI	Fund from Public Building Improvements
- Evandale Community Centre rising damp/painting	\$6,082		PBI	Fund from Public Building Improvements
- Street Banner maintenance	\$3,988		12	Budget allocation required
- Planning Fees	-\$80,000		13	Revenue incl \$50k from TasWater
- Planning appeal reimbursements	-\$12,500		14	Valleyfield cost reimbursement
- Planning Appeal costs	\$80,000		15	Additional allocation
- Planning Advice costs	\$12,500		16	Additional allocation
- Works trainee reimbursements	-\$20,000		17	Budget allocation required
- Ct Rec Special Ctee reimbursement	-\$11,496		18	Committee ceased to operate
- Morven Park Ctee reimbursement for works	-\$13,602		19	Reimbursement for works performed
- Town Tennis Club contribution to Tennis Court				
Development	-\$60,000		20	Donation
- Evandale Community Centre glass roof contribution	-\$35,000		21	Contribution
- Cressy Rec Amenities Upgrade Grant	-\$354,076		22	Grant revenue
- Public Open Space revenue	-\$25,000		23	Additional revenue allocation
- Strata Development contributions	\$15,192		24	Delete budget no longer levied
- Strata Development contributions refunded	\$19,200		25	Budget allocation required
- Maintenance for Sheepwash Creek & Lions Park extension	\$4,000		26	Budget allocation required
- Abandoned Vehicle removals	\$3,000		27	Additional budget
- Grant Avoca Hall supper room improvements	-\$15,641		28	Grant funding
- Special Projects 2018/19 not carried forward	\$10,738		29	Budget allocation required
- Longford Fred Davies Grandstand repairs	\$21,433	fund from Public Bid Improv	PBI	Approval Minute Ref: 377/19
additional stiffening joist at the mid span, to make decking				
safe for public use	\$5,000	fund from Public Bid Improv	PBI	Additional Budget required
New Items				
- Integrated Priority Projects Report	not approved	\$40,000	-	Minute Ref: 426/19
- Internal Audit function	not approved	\$4,000	2	Additional functions audited
- Manager Planning & Development	\$88,542		-	Prorata budget - \$200,000 per annum
- Perth Streetscape Concept Plan	not approved	\$17,820	-	Consultancy
- Anzac Day Banners for four towns	not approved	\$6,000	-	
- Additional Donation to Just Cats Assoc.	not approved	\$5,000	-	Second donation of \$5,000
New Operating Surplus	-\$35,238		1*	
Capital				
- Parklets tables/seating	707987	\$15,000		Budget reallocation
- Street Furniture	715255	-\$15,000		Budget reallocation
- Fleet 1 Utility	700001	\$21,460		Budget reallocation
- Fleet 66 Reach Arm Slasher	700066	\$78,309		Budget reallocation
- Fleet 154 Slasher head	700154	\$10,525		Budget reallocation
- Fleet 65 Reach Arm Tractor	700065	-\$110,294		Budget reallocation
- Rossarden Shipping Container for storage	720206	\$5,440		Budget reallocation
- Small Plant	715320	-\$5,440		Budget reallocation
- PBI allocation of projects to operating	715350	\$37,621		Budget reallocation
- Rec Ground Lighting	708000	\$7,522		Budget reallocation
- Power Pole Replacements	707801	-\$7,522		Budget reallocation
- Town Rec Scoreboard	707805.42	\$22,698		Budget reallocation
- Town Rec Power Poles	707805.44	-\$20,000		Budget reallocation
- Town Rec Irrigation	707805.41	-\$2,698		Budget reallocation
- Town Rec Landscaping	707805.85	\$60,000		Budget reallocation
- Town Rec Site Works	707805.31	-\$40,000		Budget reallocation
- Town Rec Footpaths	707805.32	-\$20,000		Budget reallocation
- Evan High Street Stormwater	788617	\$12,500		Budget reallocation
- Stormwater unallocated projects	788575	-\$12,500		Budget reallocation
New Capital Items				
- Perth Bypass Grant associated works funding		-\$924,000		Grant revenue
- Perth Bypass Grant expenditure		\$924,000		Grant funded
- Nth Waste Management Group solar bin contribution		-\$4,429		Grant revenue
- Nth Waste Management Group solar bin expenditure		\$4,429		Grant funded
- Roads - Seccombe Street connection to roundabout		\$200,000		Budget allocation required
- Roads - Carins Street reconstruction deferred	750235	-\$175,000	reduce to fund Seccombe St	Defer Carins Street project
- Roads - Resheeting		-\$25,000	reduce to fund Seccombe St	Reduce program to fund balance required
- Town Hall Exterior painting/improvements	not approved	\$100,000	funded original budget	Take budget off HOLD status
- Perth Main Street flowering pots	707814	\$10,000	fund from Street Trees	New Budget Item -Minute Ref: 316/19
- Perth Train Park shelter		\$0	awaiting design/decision	Defer to Budger 2020/21 Minute Ref: 162/19
November				
State Growth - Bus Shelter Grant	325043	-\$22,830		
Teddy Sheean Grant - Campbell Town War Memorial	515772	-\$900		



NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

17 FEBRUARY 2020

October

September

August

Carried Forward budgets		
Lfd - Parklet actual exp plus \$10k instal	707987	\$61,716
Grant - R&R Childcare Capital Shed / Bathroom	791099	\$7,362
Evan - Lamp Posts Main Street	707774	\$15,000
Street Tree Program	707814	\$38,500
Evan - Town Entrance Statement	707855	\$3,141
Cry - Recreation Ground Building		
Redevelopment	707923	\$12,795
Ross - Town Square Development	707972	\$21,262
Grant - Avoca Museum Solar Panels and Heat Pump	707994	\$23,000
Lfd - Rec Ground Grandstand Improvements	707962	\$161,239
Lfd - Recreation Ground Amenities		
Redevelopment	707995	\$2,408,386
Lfd - Recreation Ground Carpark Upgrade	708008	\$33,022
Ctown - Recreation Ground Redevelopment	707805	\$3,484,792
Lfd - Longford Community Sports Centre		
Redevelopment	707990	\$1,000,000
Perth - Bus Shelter	707877.2	\$9,914
Lfd - Council Chambers Toilet and Kitchen Upgrade	720117	\$34,168
Pth - Old Punt Rd Midlands Hwy to William St Footpaths	750971.6	\$92,000
Ctown - High St Streetscape Improvements (Bridge St to King St)	750544	\$110,000
Evan - Morven Park Amenities Redevelopment	720119	-\$6,557
Total c/fwds		\$7,509,740
Ctown - War Memorial Oval Upgrade - Audio Equip	707805.9	\$30,000
Ctown - War Memorial Oval Upgrade - Curtains	707805.9	\$10,000
Ctown - War Memorial Oval Upgrade - Irrigation	707805.44	-\$40,000
Waste - Kerbside Collection additional	321800	\$11,500

July

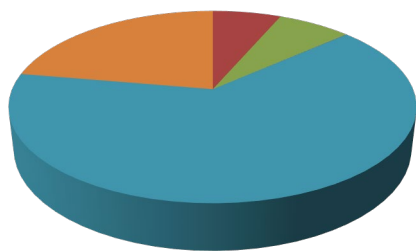
HR Consultancy - transfer budget allocation	100500	-\$3,000
Media Consultancy - for Corporate branding review	103700	\$3,000

B. Balance Sheet Items

	Year to Date Actual		Monthly Change		Same time last year	Comments
Cash & Cash Equivalents Balance						
- Opening Cash balance	\$16,539,074		\$19,516,387			
- Cash Inflow	\$14,138,562		\$537,062			
- Cash Payments	-\$11,606,757		-\$982,569			
- Closing Cash balance	\$19,070,879		\$19,070,879			
	-		-			
Account Breakdown						
- Trading Accounts	\$1,113,307					
- Investments	\$17,957,572					
	\$19,070,879					
	-					
Summary of Investments	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value	
Tasmanian Public Finance Corporation Call Account	1/01/2020	31/01/2020	0.75	\$5,376	\$5,379	
CBA Call Account	29/01/2020	31/01/2020	0.65	\$1,413,800	\$1,413,850	
Westpac	3/10/2019	3/02/2020	1.49	\$500,000	\$502,511	
Commonwealth Bank	4/12/2019	4/03/2020	1.32	\$1,000,000	\$1,003,291	
Westpac	7/11/2019	10/03/2020	1.38	\$2,500,000	\$2,511,721	
Commonwealth Bank	24/01/2020	24/03/2020	1.23	\$1,000,000	\$1,002,022	
Bank of Us	30/10/2019	30/03/2020	1.60	\$518,773	\$522,229	
Westpac	15/01/2020	15/04/2020	1.60	\$2,500,000	\$2,509,959	
My State Financial	25/12/2019	25/05/2020	2.00	\$1,292,668	\$1,303,434	
Bank of Us (B&E)	24/01/2020	25/05/2020	1.70	\$676,956	\$680,802	
Westpac	6/01/2020	4/07/2022	3.37	\$5,500,000	\$5,962,105	
Westpac	30/12/2019	29/06/2023	3.30	\$1,050,000	\$1,171,228	
Total Investments	0/01/1900	0/01/1900	0.00	\$17,957,572	\$18,588,531	
Total Investments	0/01/1900	0/01/1900	0.00	\$18,895,618	\$19,650,857	

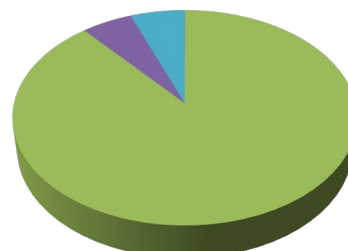
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Investments by Institution



■ ANZ ■ Bank of Us (B&E) ■ MyState ■ Tascorp ■ Westpac ■ CBA

Total Investments by Rating (Standard & Poor's)

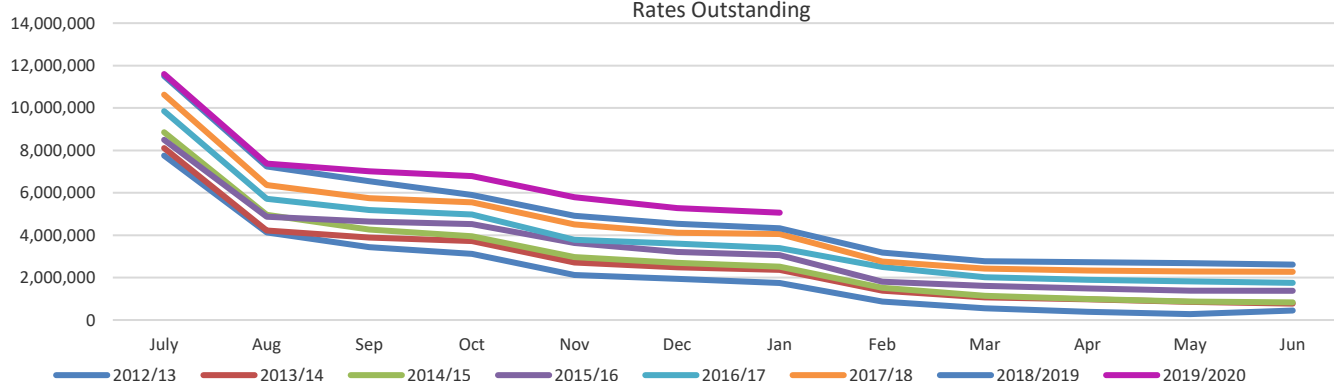


■ AA+ ■ AA- ■ Unrated ■ BBB ■ BBB-

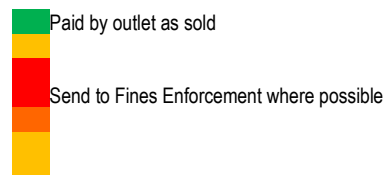
Rate Debtors	2019/20	% to Raised	Last Year Same Time	% to Raised
Discount & Remissions	\$42,779	0.4%	\$101,563	1.0%
Balance b/fwd	\$2,275,315		\$2,245,313	
Rates Raised	\$11,432,775		\$10,669,432	
	\$13,708,090		\$12,914,745	
Rates collected	\$8,334,947	72.9%	\$8,220,487	77.0%
Pension Rebates	\$455,942	4.0%	\$450,050	4.2%
	\$8,833,668		\$8,772,099	
Rates Outstanding	\$5,060,989	44.3%	\$4,331,172	40.6%
Advance Payments received	-\$186,567	1.6%	-\$188,526	1.8%



Rates Outstanding



Trade Debtors			
Current balance	\$265,351		
- 30 Days		\$189,436	
- 60 Days		\$11,158	
- 90 Days		\$6,346	
- More than 90 days		\$58,911	
Summary of Accounts more than 90 days:			
- Norfolk Plains Book sales		639	
- Hire/lease of facilities		549	
- Removal of fire hazards		7,212	
- Dog Registrations & Fines		19,220	
- Private Works		18,998	
- Regulatory Fees		1,179	
- Govt Reimbursements		11,115	



Sundry accounts assessed and deemed uncollectable or remitted during January 2020
(see attached list for further details)

- Dog Registrations & Fines	\$16,922.97
- Other	\$1,761.12
	\$18,684.09

C. Capital Program

	Budget	Actual (\$,000)	Target 58%	Comments
Renewal	\$13,146,217	\$6,990,196	53%	
New assets	\$7,429,413	\$2,712,785	37%	
Total	\$20,575,630	\$9,702,981	47%	
Major projects:				

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

17 FEBRUARY 2020

- Campbell Town Rec Ground	\$4,002,292	\$3,803,796incl c/fwds	95%	Substantially complete
- Longford Sports Centre Extension	\$1,276,255	\$957,727incl c/fwds	75%	Stage 2 - fitout commenced
- Campbell Town Main Street Improvements	\$1,000,000	\$125,741incl c/fwds	13%	Design stage
- Sheepwash Creek development	\$998,500	\$136,930incl c/fwds	14%	In progress
- Evandale Rec Ground Amenities	\$962,043	\$36,306	4%	Design stage
- Office extension/upgrades	\$744,168	\$45,792incl c/fwds	6%	Commenced
- Cressy Rec Ground Amenities	\$720,950	\$13,249	2%	Design stage
- Saundridge Road reconstruction	\$588,542	\$416,435	71%	Complete
- Valleyfield Road reconstruction	\$200,000	\$12,330	6%	Commenced
- Bridge Replacements				
- Bridge 2057 Gipps Crk Road, Unnamed Crk	184,832	\$127	0%	Design & Construct
- Bridge 4000 Storrs Crk Road, Tasmania Crk	153,445	\$127	0%	Design & Construct
- Bridge 5028 Old Coach Road,	136,723	\$10,444	8%	Commenced
- Bridge 2150 Snow Hill Road	125,000	\$31,147	25%	Commenced

* Full year to date capital expenditure for 2019/20 provided as an attachment.

D. Financial Health Indicators

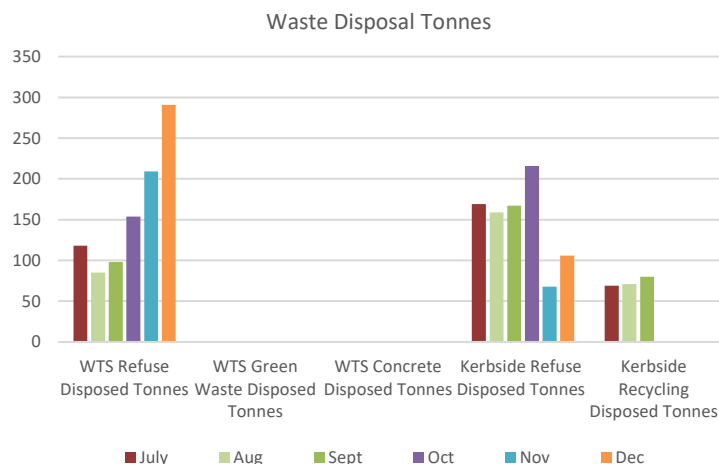
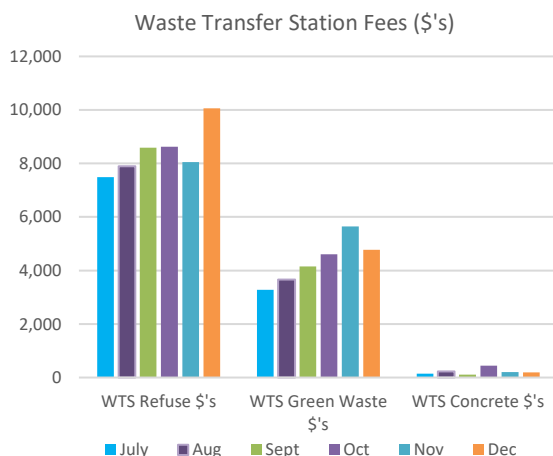
	Target	Actual	Variance	Trend	
Financial Ratios					
- Rate Revenue / Total Revenue	56.3%	72.1%	-15.8%	↘	
- Own Source Revenue / Total Revenue	79%	87%	-8.6%	↘	
Sustainability Ratio					
- Operating Surplus / Operating Revenue	0.2%	29.5%	-29.3%	↘	
- Debt / Own Source Revenue	47.0%	54.3%	-7.2%	↔	
Efficiency Ratios					
- Receivables / Own Source Revenue	33.8%	31.7%	2.1%	↘	
- Employee costs / Revenue	28.4%	20.1%	8.3%	↗	
- Renewal / Depreciation	240.8%	219.5%	21.3%	↗	
Unit Costs					
- Waste Collection per bin	\$10.53	\$11.84		↔	
- Employee costs per hour	\$47.51	\$38.59		↗	
- Rate Revenue per property	\$1,592.29	\$1,593.20		↔	
- IT per employee hour	\$3.30	\$3.23		↘	

E. Employee & WHS scorecard

	YTD	This Month	
Number of Employees	101	101	
New Employees	22	5	
Resignations	6	2	
Total hours worked	81822	11015	
Lost Time Injuries	0	0	
Lost Time Days	0	0	
Safety Incidents Reported	14	4	
Hazards Reported	59	9	
Risk Incidents Reported	0	0	
Insurance claims - Public Liability	0	0	
Insurance claims - Industrial	0	0	
Insurance claims - Motor Vehicle	0	0	
IT - Unplanned lost time	1	0	
Open W/Comp claims	1	0	

F. Waste Management

Waste Transfer Station	2017/18	2018/19	2019/20 Budget	2019/20
Takings			Year to Date	
- Refuse	\$96,262	\$93,411	\$54,023	\$50,704
- Green Waste	\$55,282	\$52,960	\$29,748	\$26,105
- Concrete	\$1,333	\$2,376	\$905	\$1,328
Total Takings	\$143,942	\$152,877	\$83,290	\$78,137
Tonnes Disposed				
WTS Refuse Disposed Tonnes	1510	1325	829	955
WTS Green Waste Disposed Tonnes	4123	5200	2949	0
WTS Concrete Disposed Tonnes	0	0	0	0
Kerbside Refuse Disposed Tonnes	2201	2217	1073	885
Kerbside Recycling Disposed Tonnes	1037	1051	537	220
Total Waste Tonnes Disposed	8871	9793	5387	2060



4 OFFICER COMMENTS

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

5 ATTACHMENTS

- 5.1 Income & Expenditure Summary for period ending January 2020.
- 5.2 Capital Works Report to end January 2020.
- 5.3 Sundry Debtor Remissions and Bad Debt listing as at January 2020.

RECOMMENDATION

That Council

- i) receive and note the Monthly Financial Report for the period ending 31 January 2020.
- ii) authorise sundry debtor account remissions and bad debt write-offs as deemed uncollectable amounting to a total of \$18,684-09.
- iii) That Council fund banner signs commemorating ANZAC Day in this financial year to the cost of \$6,000.

DECISION

Cr Adams/Cr Polley

That Council:

- i) receive and note the Monthly Financial Report for the period ending 31 January 2020.
- ii) authorise sundry debtor account remissions and bad debt write-offs as deemed uncollectable amounting to a total of \$18,684-09.
- iii) That Council fund banner signs commemorating ANZAC Day in this financial year to the cost of \$6,000.

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

048/20 2020/2021 MUNICIPAL BUDGET

File: Subject 24/029
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 for Council to set the parameters for the 2020-2021 Municipal Budget.

2 INTRODUCTION/BACKGROUND

The 2020-2021 Budget process is conducted mostly in accordance with Council's previously adopted procedure in an endeavour to finalise the process during June 2020:

- Issue a memo in February to Councillors and staff to list projects/ capital works for consideration and costing
- Place the Budget on Local District Committee agendas
- Conduct a Councillor Bus Tour during April (scheduled on Tuesday 21st April)
- List all major or new works/projects that have been considered by Council for consideration in the Budget process
- Set Budget parameters prior to drafting Budget
- Draft Budget having regard to:
 - i) Strategic Plan
 - ii) Budget parameters
 - iii) Local District Committee requests
 - iv) Long Term Capital Works programs
 - v) Departmental management and operational requirements
- Hold Council workshop/s to consider and review draft budget and review rating methodology
- Present a revised draft Budget to Council meeting for adoption
- Levy rates and charges in July.

With the Audit legislation requiring Annual Financial Statements to be completed by 15th August, it is suggested that Council move through the budget process with an aim to finalise/ adopt at the June meeting, this will allow financial staff to prepare and meet timelines for the end of year financial statements.

It is common practice each year for Council to undertake a Municipal Bus Tour to inspect projects that have been identified for inclusion in the forthcoming budget and also to meet with Local District Committee representatives to discuss their issues of priority. It was resolved that the Bus Tour be held on Tuesday 21st April 2020, and for Councillors that cannot attend photos of capital works items listed be provided. An itinerary for the proposed Council Bus Tour will be prepared and circulated prior to the tour.

Proposed budget timetable is as follows:

16 February 2020	Council Meeting	Set budget parameters
06 April 2020	Workshop	Capital Works Budget
21 April 2020	Bus Tour	
4 May 2020	Workshop	Draft Budget 1
1 June 2020	Workshop	Draft Budget 2
16 June 2020	Workshop (Optional)	Draft Budget 3
29 June 2020	Council Meeting	Adopt Budget
Mid-July 2020		Issue Annual Plan
Mid-July 2020		Issue Rates

3 STRATEGIC PLAN 2017/2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates.

- Lead –
 - Money Matters
- Core Strategies:
 - ♦ Budgets are responsible yet innovative
 - ♦ Efficiency in resource sharing and Council reform
 - ♦ Improve community assets responsibly and sustainably

4 POLICY IMPLICATIONS

Rating methods and financial policies will be considered during the Budget deliberations.

5 STATUTORY REQUIREMENTS

Council must adopt a Budget by absolute majority in accordance with section 82 of the *Local Government Act 1993*, prior to 31 August and not more than one month before the start of the financial year.

6 FINANCIAL IMPLICATIONS

Careful consideration must be taken to enable Council to have sufficient funds to maintain assets and meet commitments for the 2020-2021 financial period.

Some outside influences this year that need to also be considered include:

- Federal government external funding for projects under consideration
- Continuation of Roads to Recovery grant funding program
- EBA wage growth
- Low Bank Interest rates
- Development trends in area (incl Perth Road Bypass implications)
- Resource Sharing arrangements
- Stimulus Projects in progress
- Debtors ability to pay.

7 RISK ISSUES

Council must adopt its budget to enable annual planning to commence and rates and charges to be levied for the 2020-2021 financial period.

8 CONSULTATION WITH STATE GOVERNMENT

A submission to the State Grants Commission papers was put forward for consideration during the Government Grant funding distribution process.

9 COMMUNITY CONSULTATION

Council meet with Local District Committees to discuss priority budget projects listed by the committees. There is also direct input into the formation of the Budget from ratepayers, and indirect input via councillors and departmental managers.

10 OPTIONS FOR COUNCIL TO CONSIDER

The following budget parameters are suggested for the 2020-21 Budget for Council consideration, review and endorsement - note Hobart's December 2019 annual movement of CPI was 2.7 percent (National 1.8 percent).

- a) Ongoing operational expenditure to be funded by annual rate income where possible.
- b) Government grants to be expended in the specific areas for which the grants are received (i.e. untied road grants spent on roads) for capital or special projects. Untied Financial Assistance grants to be expended on capital or special projects if possible.
- c) New services to be funded from new rates raised.
- d) User pays principle to be used where possible.
- e) Cash reserves to be quarantined or committed to specific planned projects. Stimulus loan repayments to be allocated on an annual basis.
- f) Wages to be indexed with Enterprise Bargaining Agreement, and other General Operating expenses be indexed by the LGAT calculated Local Government cost index for 2020 of *estimated 3.00%* (3.38% last year).
- g) Contract payments increased as per agreement provisions.
- h) Interest on investments calculated at 1.25 percent.
- i) 2% percent increase in financial assistance grant funding.
- j) State stimulus loan funding, at nil interest rate, being only borrowings from external sources for capital or operating expenditure, unless funded from new rates raised for new assets.
- k) Minimise any Annual Asset Renewal shortfall.
- l) General rate increases be modelled on a relationship to the LGAT calculated Local Government cost index of *estimated 3.0%* (was 3.1% last year) for the Budget period, plus
 - o any percentage determined in the LTFP for long term sustainability, and
 - o for Asset Management renewal funding if required.
- m) Budget operating surplus of at least 5% of rate revenue.
- n) Emergency Management allocation equal to 10 year average actual expenditure (excluding grant reimbursements).

RECOMMENDATION

That Council adhere to its previously adopted Budget process as detailed above, and endorse the following 2020-21 Draft Budget parameters

- a) Ongoing operational expenditure to be funded by annual rate income where possible.
- b) Government grants to be expended in the specific areas for which the grants are received (i.e. untied road grants spent on roads) for capital or special projects. Untied Financial Assistance grants to be expended on capital or special projects if possible.
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 - o any percentage determined in the LTFP for long term sustainability, and
 - o for Asset Management renewal funding if required.
- m) Budget operating surplus of at least 5% of rate revenue.
- n) Emergency Management allocation equal to 10 year average actual expenditure (excluding grant reimbursements).

DECISION

Cr Polley/Cr Adams

That Council adhere to its previously adopted Budget process as detailed above, and endorse the following 2020-21 Draft Budget parameters:

- a) Ongoing operational expenditure to be funded by annual rate income where possible.
- b) Government grants to be expended in the specific areas for which the grants are received (i.e. untied road grants spent on roads) for capital or special projects. Untied Financial Assistance grants to be expended on capital or special projects if possible.
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 - o any percentage determined in the LTFP for long term sustainability, and
 - o for Asset Management renewal funding if required.
- m) Budget operating surplus of at least 5% of rate revenue.
- n) Emergency Management allocation equal to 10 year average actual expenditure (excluding grant reimbursements).

Carried unanimously

049/20 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.

1 PUBLIC QUESTIONS

Train Park & Heavy Vehicle Parking Issues: Perth

Nick Moore, Perth

I have lived at Little Mulgrave St Perth for 20+ years. The park is a huge tourist and locals visitor spot. As such families and small children constantly move around park and roadway.

I often help maintain park voluntarily. Residents observe the movements and discuss issues between themselves.

One major issue getting more prevalent is movement of oversize vehicles including tour buses in the small culdesac. The end turning circle is a 10 point turn. For oversize vehicles. Anything larger than a car and medium caravan has turning issues.

Residents' driveways at times are part of the movements.

A sign saying no vehicle access exists at end of street.

Small white flexi posts at irregular times get reinstalled but last about 1 day before begin flattened or broken off. Never replaced straight away, some if ever. A cost to ratepayers each time.

It is time for a serious appraisal of the streets use by oversize vehicles. Of late a full sized semi dog trailer has consistently crossed the bitumen in to the private land next to turnaround. Parking each night. The user may or may not have approval. One block belongs to a Hobart owner I believe.

The road is cracking there and often walkers and kids use the zone as a pathway. No flexi posts have been there for a long time. This vehicle alone would squash them in a second.

Some solutions.

Put solid length of Armco along circular road end loop. Council can still access park through poles and a lockable gates. It has nil effect on NMC. Railway vehicles can access site via gravel road near boomgates. They do this already.

Or telegraph poles on cradles. Council depot may have spares/ or maybe relocate some?

Plus add traffic restrictions physical or solid along street for oversize vehicles.

Add “No oversize vehicle access” signs at toilet block entry to street end.

One advantage of restrictors would mean that late night racing hoon drivers and fast drug dealer exits may reduce from street. Busloads of teams urinating in the land at end might stop as well. Not a bad thing.

A comment is often that “No one has reported this before. First we have heard of it”. A cursory inspection in any day at the street would show the movements of large vehicles and buses constantly. This has been happening for a long time. Especially in summer. Only a few residents live in street. Large multiples of comments are not likely.

The food truck idea is a good community asset. Their location and movements are ok. Any traffic calming could take their parking needs into consideration. As with any NMC work it would be advisable to consult with street residents. We have to put up with any consequences.

General Manager, Des Jennings comments are:

- That Council would take Mr Moore’s comments on board and investigate the matter and bring it back to Council for further consideration to provide a response.



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

050/20 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 Adams

That the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993 for Agenda item/s PLAN 1 – PLAN 4.

Carried unanimously

2 STATEMENTS

PLAN 1 32 Norfolk Street, Perth

Ingrid Selby, Western Junction

The land council intends to subdivide for housing lots in Norfolk St is at present subject to flooding from time to time. In 2016 it became a lake. If it is land filled it could be subject to subsidence. Also effects on the other properties in Norfolk St with regard to artificially raised land nearby are totally unknown.

It is not the purpose of council to speculate with ratepayers money. This is the business of private enterprise.

Normally a subdivider is the one who is sued in the case of any known pre existing conditions that cause damage to buildings subsequently erected.

Bearing in mind the problems that Hobart has faced with the covering in of the Cat and Fiddle Stream, and the Cascades Rivulet, the unknown effects of climate change on our weather patterns, the recent devastating floods in the Sydney area;

WILL THE COUNCILLORS WHO ARE IN FAVOUR OF THIS SUBDIVISION, PERSONALLY CARRY THE INSURANCE AGAINST THESE EVENTS OR, PLACE THE RATEPAYERS AT RISK OF MASSIVE PAYOUTS TO THE PURCHASERS OF THIS LAND AND THE HOMEOWNERS IN THE FUTURE?

Community & Development Manager, Amanda Bond's comments are:

- That Council acting as the planning authority does have the power to make decision with regard to land in accordance with the Land Use Planning scheme. Ms Selby asked even if council owns the land to which Mrs Bond replied yes.

PLAN 2 10 Norfolk Street, Perth

Fiona Stevenson, Perth

Dear Mayor and Councillors

My name is Fiona Stevenson and I live in Perth. My property is opposite the proposed site.

I have questions for the 10 Norfolk St development.

1. Is there a detailed financial plan for the development works (Not percentages) that has been done that the councillors are aware of and how much is the development works costing as accurate as possible.
2. Are all of the councillors aware of the flooding issues that the residents are concerned about through their eyewitness accounts considering only 3 councillors have taken time to speak with the organisers of the past public meeting on this subject.

General Manager, Des Jennings comments are:

- That with regard to costings Council had estimates of costs prepared and Council were provided with estimates of percentages within a report which was considered prior to purchase of the property. Again

these are only estimates, because the works haven't actually occurred yet. The total possible construction cost for the subdivision is estimated between \$450,000 and \$500,000. We have the breakdown available, but we will be engaging contractors for that work. Regretfully that will be kept confidential until that process commences. The breakdown in costs will be available to the public once the works have commenced.

Mrs Stevenson stated that only three Councillors attended a public meeting on the property, she advised that she had also called and left messages for Councillors who had not been in contact. Mrs Stevenson suggested that the Councillors that did not attend the public meeting would not have knowledge of the eyewitness accounts of the flooding that residents have seen and so voting on something without that information is not really doing your due diligence so I would suggest that is a fallacy due to quite a bit of information that is missing and an engineer also doesn't have that information so I feel that is a really very poor thing.

Michaela Boon, Perth

10 Norfolk Street Perth & the attached land purchased by NMC is a KNOWN FLOOD PLAIN.

Infilling is proposed to be carted in to raise the level of the 8 lot development.

This interference with the land will have an unknown consequences on surrounding properties in the area. As a property owner living in the immediate vicinity my questions on behalf of all concerned locals are there:

1. WILL NORTHERN MIDLANDS COUNCIL INDEMNIFY MY (& OTHERS) PROPERTY AGAINST FLOOD DAMAGE?
2. WILL NMC BE RESPONSIBLE FOR THE SUBSEQUENT LOSS OF VALUE ON THE HOMES IN THE AREA ADJACENT TO THE PROPOSED DEVELOPMENT?

General Manager, Des Jennings comments are:

- That regrettably the answer is no. Before Council progressed, the application, Council developed a design based on flood modeling for up to the 1 in 100-year event. The development design is based on modelling that shows that inundation will not occur. Council has also undertaken significant stormwater works on Sheepwash Creek to improve stormwater flow in the area thus further reducing the impact of significant rain events, and there are further ongoing works as well. That information has been provided to us by way of qualified advice which Council must seek prior to a formal decision.

Further, in response to the second question, Council can only reiterate again, Council has developed a plan in accordance with appropriate requirements. That means that a requirement of the planning scheme is to engage a hydrologist to assess flooding in the area. With regards to the possible loss of value that is yet to be determined by the Valuer General at some stage, in the future.

PLAN 4 9 Marlborough Street, Longford

Duncan Lawes, Longford

Thank you Mayor Knowles.

My name is Duncan Lawes and I live in Wellington Street, Longford, Recently I put in objections to it officially. I have two main questions and there are some comments of which I'll outline.

Basecamp has offered an unacceptable planning standards therefore the Council will make a discretionary decision on this application. So it appears that the Council will make this decision based on an unprofessional car park site plan and without a traffic impact assessment conducted by suitably qualified person. With regard to legal issues, due diligence, true traffic impact assessment and professionally prepared accurate and to scale. The carpark plan is not accurate or to scale. Should there be significant Council before a decision is made on Basecamp carpark, especially a traffic impact assessment. That seems like something that would need to just happen. The carpark design is impracticable and poses a significant

risk to northbound pedestrians due to restricted sight lines. Vehicle access in Wellington Street is also restricted by a narrowing of the carpark in front of the reception area brick wall and the southern bound fence far less than 9.6m indicated in the site plan and the crossover is also offset. There is a lot to navigate, it's amazing how many are coming out of there driving you are actually blind and you can't see pedestrians until you're actually on the road and then if you are disabled you have to negotiate a telegraph pole and I don't know if you can even get out of that bit because the site plan isn't to scale, it looks like there is lots of space but there isn't. I don't know if a car can even get out if a car is next to it, so I don't know if the plan has been prepared right there's no author that's come back. So question two, what permit conditions will Council apply to the Basecamp Longford visitor accommodation to prevent overcrowding and overstay issues similar to the Latrobe Council's crisis where 70 season workers were living in the one property? Under the Building Act here it says visitor accommodation definition is also that at no time is anyone other than the owner occupier to reside in a premises for any period more than 3 months in a 12 month period. I would like to know what terms are you likely to impose to prevent many many people living in this area in the one building. Also just in regard to the comments on this I'm happy that the Council has proposed to adopt the recommendations to restrict the noise. We have ongoing noise issues, the restricted noise is Monday to Sunday between 6am and 10pm, I'm happy that the Council has adopted this but on page 1 of the planners comments about my representation the noise restrictions on a Friday doesn't have a cut off time. It says that the planners comments say that the noise restrictions for Friday night shall be before 7am but no cut off time after that and for Saturday its 9am for noise restriction for them but no cut off time.

Cr Richard Goss asked why the noise restrictions do not apply to Friday to Sunday, Ms Erin Boer advised that the noise restrictions listed in the report were taken directly from the guidelines issued by the Environmental Protection Authority on their website.

Rod Summers, Longford

My name is Rod Summers I live in wellington street, opposite the facility.

Just referring to 21.3.1 the amenities, so it actually says the uses Visitor Accommodation and Business and Professional Services are not associated with any noise generating activities and is therefore considered to comply with these limits. A condition may be applied to the permit to ensure compliance. So Council has identified under the performance criteria that it is not applicable. So during the last couple of 6-8 weeks or the noise level is unacceptable living opposite them at my address.

Second point is also about the current proposed development is at 9 Marlborough Street, the property at the rear is actually 60A Wellington Street, there is actually no planning permit for that. Currently all activity and carparking is happening on 60A Wellington Street and there is insufficient carparking on Wellington Street as it is. I have actually contacted Council twice within the last 12 months to put restricted bins on Wellington Street because, I can't get my bin emptied because of carparking on Wellington Street. So that is a huge issue. I respect the Council for having a good go but I can't even reverse into my own driveway because of all the traffic in Wellington Street. So by agreeing with this application you are further restricting access to resources in that area.

General Manager, Des Jennings comments are:

- That Council will investigate the matter, and that he was not aware of any requests, but he will follow up.

Cr Goss requested further information on car parking and why a traffic impact assessment was not completed on the property or the application. Ms Boer advised that a traffic impact assessment is only required where there is a reliance on performance criteria of the Road and Railways Asset Code, this application isn't reliant on the Road and Railways Asset Code therefore it is not reliant on the scheme. In terms of the car parking there is a condition in the permit to ensure that they include disabled facilities in accordance with Australian standards to ensure that they are easily accessible and to the standard. In terms of the permit conditions, to enforce the number of



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occupants and the noise requirements there is also the clause that is referred to in terms of the noise levels, that is a condition of the permit conditions. Also suggest that there is an additional condition relating to length of occupancy, which we have previously spoken to Councillors about in terms of limiting that individual term of stay to a three-month period within 12 months overall period. We discussed noise graduations in terms of the EPA regulations and in terms of carparking in Wellington Street that's another option for Council to consider.

Cr Brooks asked if the business has already started operating without a permit to which Ms Boer replied that she is unaware of an existing permits for commercial use, she advised that the site has an existing approval for residential use which has been existing use rights for residential for many years at the rear of the property but that's been ongoing so I suggest any noise generated is associated with the residential use.



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051/20 PLANNING APPLICATION PLN-18-0296: 32 NORFOLK STREET, PERTH

Attachments: Section 1 – Page 107

File Number: 110500.13; CT 46063/1
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Chloe Lyne, Planning Consultant

1 INTRODUCTION

This report assesses an application for 32 Norfolk Street, Perth for a 3-lot subdivision.

2 BACKGROUND

Applicant: Northern Midlands Council	Owner: Northern Midlands Council
Zone: General Residential Zone	Codes: Bushfire-Prone Areas Code; Road and Railway Assets Code; Flood Prone Areas Code, Water Quality Code; Recreation and Open Space Code
Classification under the Scheme: Discretionary	Existing Use: Residential
Deemed Approval Date: 22 February 2020	Recommendation: Approve subject to conditions

Discretionary Aspects of the Application

- Solar orientation of lots;
- Creation of Public Open Space;
- Proximity to railway; and
- Flood risk.

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 29, Effective 3 June 2019*

Preliminary Discussion

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

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

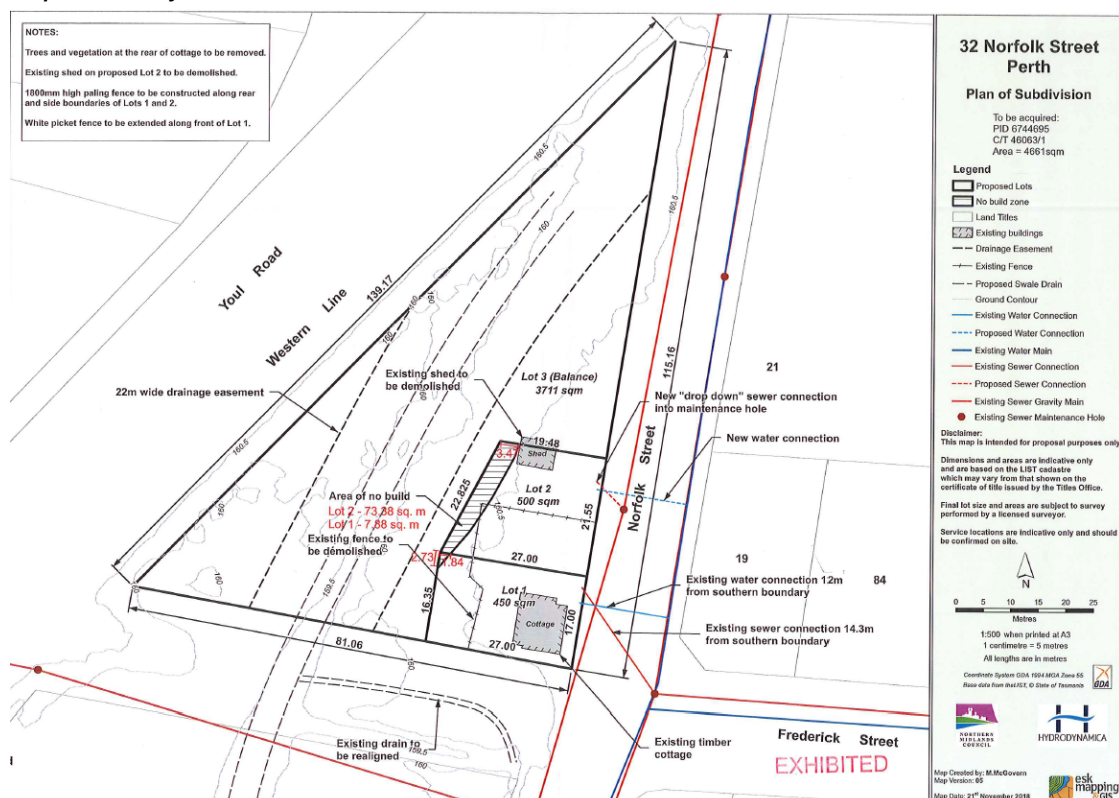
It is proposed to:

- Create a 3-lot subdivision.

Lot 1 will have an area of 450m² and contain an existing single storey dwelling. Lot 2 will have an area of 500m² and will be a vacant residential lot. Lot 2 will include a 'no build' zone at the rear of the lot. Lot 3 (balance) will have an area of 3711m² and is intended to be used as public open space. All three lots have frontage and access via Norfolk Street.

Council currently owns the entire site which it purchased to enable works under the Sheep Wash Creek Water Sensitive Urban Design Master Plan Project to be undertaken to improve flood flows. Lots 1 and 2 are suitable for residential development and as such will be sold off to help fund the works.

Proposed Plan of Subdivision

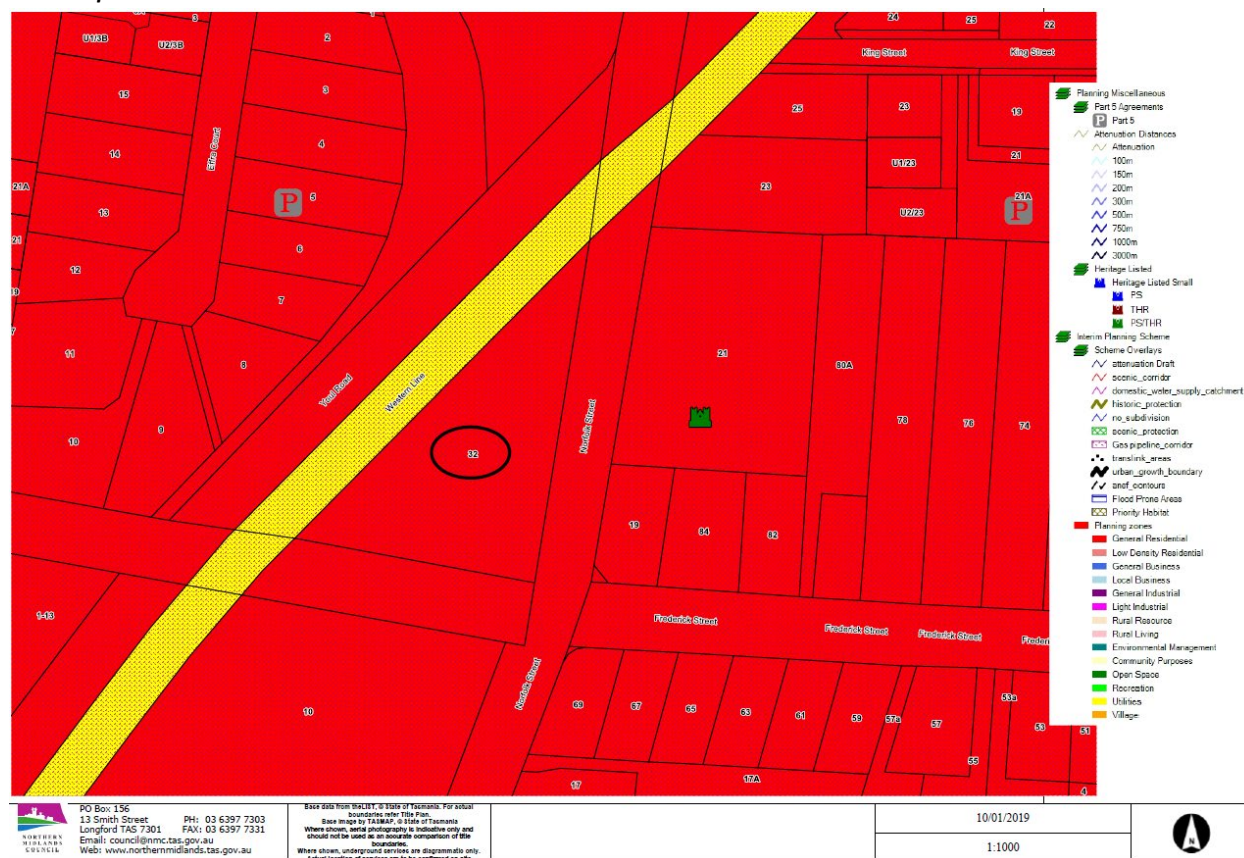


Proposed Plan of Subdivision – Aerial Photo



4.2 Zone and land use

Zone Map – General Residential



The land is zoned General Residential.

4.3 Subject site and locality

The author of this report carried out a site visit on 5th March 2019. The subject site is a triangular shaped piece of land situated between Norfolk Street (to the east) and the railway line (to the west). It is currently developed with a single storey dwelling. It is noted that approval was granted to remove the outbuilding via Permit PLN – 18-0306.

Access to the site is via Norfolk Street via a crossover in the south-eastern corner. An existing drainage line runs along the western boundary adjacent to the railway corridor.

Aerial photograph of area – 2019



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Base data from theLIST, © State of Tasmania. For actual boundaries refer Title Plan.
Base image by TASMAT, © State of Tasmania
Where shown, aerial photography is indicative only and should not be used as an accurate comparison of title boundaries.
Where shown, underground services are diagrammatic only. Actual location of services are to be confirmed on site.

3/02/2020

1:1250



Photographs of subject site



View of existing dwelling (lot 1)



View of part of proposed lot 2 and balance lot



View of site from Youl Main Road (railway line in foreground) including representor's house (cream)

4.4 Permit/site history

Relevant permit history includes:

- PLN-18-0306 – Demolition of shed, tree and vegetation removal.
- Old well (see attached record)

4.5 Representations

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

- Michael McWilliams, 21 Norfolk Street, Perth

Map showing location of representor's property in relation to subject site



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

Issue 1

- The previous DA approved at the February Council meeting had a condition that new trees must be replanted on the site within 12 months. The condition is mentioned in the new application and representor would like to know if the previous condition still stands if the current DA is approved?

Planner's comment:

Any condition relating to previous permits still stands.

Issue 2

- Representor is concerned that the Council has deviated from the published plans for Sheepwash Creek which shows that the lot will be subdivided into two blocks. The representor was told by Councillors that the site was purchased for the Sheepwash Creek development and finds that the plan to subdivide into three lots is deceptive.

Planner's comment:

This issue is not a relevant consideration under the Planning Scheme. The size of the existing lot means it is capable of being subdivided into more than two lots.

Issue 3

- The application seeks a variation to solar orientation with no reason for the variation included in the application.

Planner's comment:

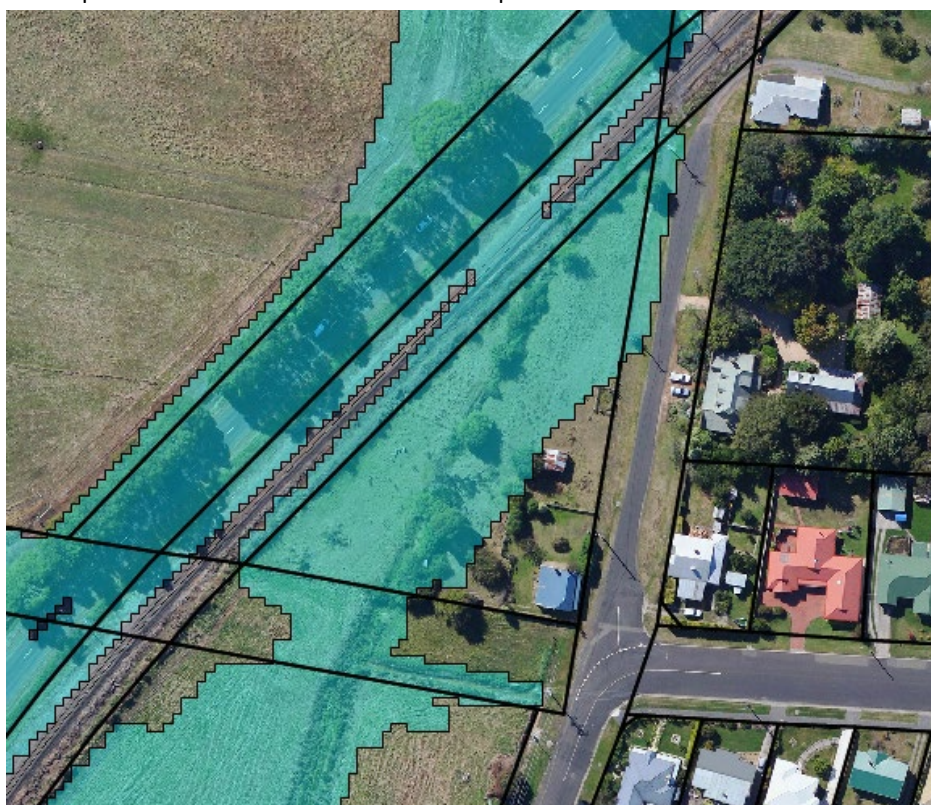
The application material does not include an assessment against the relevant performance criteria under Clause 10.4.15.3 Solar Orientation. However, the assessment in this report has determined the lots are of sufficient size to allow future development that has adequate access to sunlight.

Issue 4

- The proposed subdivision is in a flood prone area, often in heavy rain the block is under water. It is strange that Council would approve a building block subdivision in a flood area when the whole intention of purchasing the land was for flood mitigation.

Planner's comment:

The subject site is currently in a flood prone area with the majority of the site being inundated in a 1:100 year flood. The previously approved works on the subject site along with a number of other mitigation measures along Sheepwash Creek (channel clearing, removal of a culvert and removal of trees in Lions Park) was approved by Council under PLN-18-171 are part of a program of works being undertaken by Council to reduce flood impacts in Perth and improve drainage along Sheepwash Creek. The image below shows the modelled extent of flooding in a 1:100 year event following the drainage channel works. The subdivision has been designed taking into account the revised flood levels and includes a no-build area within Proposed Lot 2 to ensure future dwelling and outbuildings on that lot are not impacted by the 1:100 year event. The flood improvement works have now been completed.



Issue 5

- Representor is concerned about proximity of subdivision to the railway line and the fact that the acoustic assessment refers to guidelines from NSW which don't take account of the Tasmanian situation. Representor states that the engine whistle noise should not be discounted given the site is between two railway crossings.

Planner's comment:

The acoustic assessment refers to NSW guidelines because there are no specific rail noise guidelines for Tasmania. The EPP guidelines for noise generally in Tasmania don't provide specific guidelines or levels for rail noise as railway infrastructure is classified as necessary infrastructure. For this reason, the more detailed NSW guidelines were used as a basis for determining criteria for the assessment.

The engine whistle noise cannot be included in the assessment as it is regarded as a safety device and therefore exempt from any criteria.

4.6 Referrals

Council's Works Department

Precis: Council's Works & Infrastructure Department (Jonathan Galbraith) reviewed the application and provided recommended conditions of approval for a permit, if issued.

TasWater

Precis: A TasWater Submission to Planning Authority Notice was issued on 14th February 2019 (TasWater Ref: TWDA 2019/00178-NMC).

TasRail (adjoining landowner)

Precis: TasRail was contacted regarding the application and the following response was received on 7th March 2019

As with other subdivisions, TasRail's main concerns will arise following sale of the proposed lots when new owners of the lots submit planning applications to build inside the 50 metre attenuation zone.

TasRail notes and endorses the recommendations by Tarkarri Engineering. However, TasRail's main concern will be that the occupants of dwellings on the proposed lots are likely to object or complain about the use of the train horn, particularly given the freight rail services operate 24/7 with a majority of trains passing through Perth late at night or the very early hours of the morning.

For the above reasons, TasRail requests that the planning permit require the seller of the lots to formally advise prospective purchasers of the following:

- train operating times and the use of the train horn, which is required to be sounded twice per level crossing and at any time a train driver perceives a risk

- the discharge of stormwater and any other run-off onto rail land or the rail drainage system is strictly prohibited.

TasRail also asks that below information be included in the planning permit under the heading 'TasRail Notes:'

-unauthorised access to railway land is strictly prohibited for any purpose including for structures, vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure.

- should a service or asset require installation on rail land, a separate permit application to TasRail applies with approval subject to terms and conditions.

Under Section 24 of the Rail Infrastructure Act 2007, the Rail Infrastructure Manager (TasRail) may given an adjoining landholder a notice to clear an obstruction as circumstances require. In the event that the adjoining landholder fails to comply with the clearance notice, then the Rail Infrastructure Manager may apply to a justice for a warrant to access the land to clear the obstruction and recover the costs as a debt due to the railway entity from the landholder.

-Parking of vehicles within the rail land is not permitted.

- Dumping of rubbish or green waste into the rail corridor is not permitted.

-As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.

4.7 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE

ZONE PURPOSE

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

To provide for compatible non-residential uses that primarily serve the local community.

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Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off-site impacts.

To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.

Assessment: The proposal meets the zone purpose. The proposal to create an additional residential lot at densities allowable under the planning scheme is in accordance with the zone purpose.

LOCAL AREA OBJECTIVES

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

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

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

Assessment: The proposal meets the local area objectives. The subject site does not form part of a Heritage Precinct.

10.3 Use Standards

Not applicable

10.4 Development Standards

Not applicable

10.4.15 Subdivision

10.4.15.1 Lot Area, Building Envelopes and Frontage

Objective

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

Acceptable Solutions	Performance Criteria
<p>A1 Lots must:</p> <ul style="list-style-type: none"> a) have a minimum area of at least 450m² which: <ul style="list-style-type: none"> i) is capable of containing a rectangle measuring 10m by 15m; and ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or b) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or c) be for the provision of utilities; or d) be for the consolidation of a lot with another lot with no additional titles created; or e) be to align existing titles with zone boundaries and no additional lots are created. 	<p>P1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:</p> <ul style="list-style-type: none"> a) a dwelling to be erected in a convenient and hazard-free location; and b) on-site parking and manoeuvrability; and c) adequate private open space.
<p>A2 Each lot must have a frontage of at least 3.6m.</p>	<p>P2 Each lot must have appropriate, permanent access by a Right of Carriageway registered over all relevant titles.</p>

Comment: Satisfies A1 and A2

Lot 1 has a site area of 450m², has a depth of 27 metres and width of 17 metres at the frontage and therefore meets A1a). The setback of the existing cottage to the front boundary remains unaltered as a result of the subdivision and compliance with side and rear setbacks is achieved.

Lot 2 has a site area of 500m² a minimum depth of 19.48 metres and width of 21.55 metres and therefore meets A1a). Lot 2 will be vacant once the shed is demolished.

Lot 3 has a site area of 3711m² and meets minimum width and depth requirements. It will be a vacant lot retained by Council.

Lot 1 has a frontage of 17 metres, Lot 2 of 21.55 metres and Lot 3 well in excess of the 3.6m required.

10.4.15.2 Provision of Services

Objective

To provide lots with appropriate levels of utility services.

Acceptable Solutions	Performance Criteria
<p>A1 Each lot must be connected to a reticulated:</p>	<p>P1 Each lot created must be:</p>

a) water supply; and b) sewerage system.	a) in a locality for which reticulated services are not available or capable of being connected; and b) capable of accommodating an on-site wastewater management system.
A2 Each lot must be connected to a reticulated stormwater system.	P2 Each lot created must be capable of disposal of stormwater to a legal discharge point.
<p>Comment: Satisfies A1 and A2</p> <p>Lots 1 and 2 are able to be connected to a water supply and sewerage system and subject to works, a reticulated stormwater system.</p> <p>Lot 3 will be dedicated public open space and as such does not require water and sewerage connections. It will have a legal point of stormwater discharge being the water course that runs through it.</p>	

10.4.15.3 Solar Orientation of Lots

<p><i>Objective</i></p> <p>To provide for solar orientation of lots and solar access for future dwellings.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 At least 50% of lots must have a long axis within the range of:</p> <p>a) north 20 degrees west to north 30 degrees east; or</p> <p>b) east 20 degrees north to east 30 degrees south.</p>	<p>P1 Dimensions of lots must provide adequate solar access, having regard to the likely dwelling size and the relationship of each lot to the road.</p>
<p>A2 The long axis of residential lots less than 500m², must be within 30 degrees east and 20 degrees west of north.</p>	<p>P2 Lots less than 500 m² must provide adequate solar access to future dwellings, having regard to the:</p> <p>a) size and shape of the development of the subject site; and</p> <p>b) topography; and</p> <p>c) location of access way(s) and roads.</p>
<p>Comment: Satisfies P1 and P2</p> <p>Lots 1 and 2 do not have a long axis within the prescribed ranges. Lot 3 meets A1 and A2 does not apply to it.</p> <p>Lot 1 has an existing dwelling on it which is orientated in an east west direction and does not have many northern facing windows. It is conceivable that a rear extension to that dwelling could be constructed with north facing windows which would be able to be adequately setback from the northern boundary such that solar access would be gained.</p> <p>Lot 2 is irregular in shape but is closer to square than rectangular. It is considered that it is of sufficient size that a dwelling can be built on it that won't impede solar access on Lot 1 to the south and can be oriented to the north.</p>	

10.4.15.4 Interaction, Safety and Security

This clause was not used in this planning scheme

10.4.15.5 Integrated Urban Landscape

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

Lot 3 will be public open space (a condition of permit needs this to be shown on the final plan of survey).
The public open space is part of the Sheepwash Creek WSUD Open Space Corridor Master plan and allows connectivity along Sheepwash Creek.

10.4.15.6 Walking and Cycling Network

Objective	
<p>a) To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and</p> <p>b) To design footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible.</p> <p>c) To provide adequate provision to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</p>	
Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road, footpath or public open space.	<p>P1 Subdivision that creates new roads, footpaths, or public open spaces must demonstrate that the walking and cycling network is designed to:</p> <p>a) link to any existing pedestrian and cycling networks; and</p> <p>b) provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces; and</p> <p>c) provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood roads and regional public open spaces; and</p> <p>d) promote surveillance along roads and from abutting dwellings.</p>
<p>Comment: Satisfies P1</p> <p>The dedication of lot 3 as public open space will assist in the creation of an integrated walking/cycling path along Sheepwash Creek which winds through residential areas. It will connect Drummond Street in the south to Phillip Street in the north.</p>	

10.4.15.7 Neighbourhood Road Network

Objective	
<p>a) To provide for convenient, safe and efficient movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood road network; and</p> <p>b) To design and construct road carriageways and verges so that the road geometry and traffic speeds provide an accessible and safe neighbourhood road system for all users.</p>	
Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road.	<p>P1 The neighbourhood road network must:</p> <p>a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and</p> <p>b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and</p> <p>c) provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport; and</p> <p>d) provide safe and efficient access to activity centres for commercial and freight vehicles; and</p> <p>e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and</p> <p>f) provide an interconnected and continuous network of roads within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles and 255 minimize the provision of cul-de-sacs; and</p> <p>g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and</p> <p>h) take into account of any identified significant features.</p>
<p>Comment: Satisfies A1. The subdivision does not create any new road.</p>	

CODES

E1.0	BUSHFIRE PRONE AREAS CODE	Complies subject to conditions
E2.0	POTENTIALLY CONTAMINATED LAND	N/A
E3.0	LANDSLIP CODE	N/A
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies subject to conditions
E5.0	FLOOD PRONE AREAS CODE	Complies
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies
E7.0	SCENIC MANAGEMENT CODE	N/A
E8.0	BIODIVERSITY CODE	N/A
E9.0	WATER QUALITY CODE	Complies
E10.0	RECREATION AND OPEN SPACE CODE	Complies subject to conditions
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

E1.0 Bushfire Prone Areas Code

E1.5 Use Standards

E1.5.1 Vulnerable uses

Not applicable. Subdivision for residential purposes does not constitute a vulnerable use.

E1.5.2 Hazardous uses

Not applicable

E1.6 Development Standards

E1.6.1 Subdivision: Provision of hazard management areas

Objective: Subdivision provides for hazard management areas that: <ul style="list-style-type: none"> (a) facilitate an integrated approach between subdivision and subsequent building on a lot; (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and (c) provide protection for lots at any stage of a staged subdivision. 	
Acceptable solutions	Performance criteria
A1 <ul style="list-style-type: none"> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or (b) The proposed plan of subdivision: <ul style="list-style-type: none"> (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision; (ii) shows the building area for each lot; (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and (iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and (c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written 	P1 <p>A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:</p> <ul style="list-style-type: none"> (a) the dimensions of hazard management areas; (b) a bushfire risk assessment of each lot at any stage of staged subdivision; (c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; (d) the topography, including site slope; (e) any other potential forms of fuel and ignition sources; (f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development; (g) an instrument that will facilitate management of fuels located on land external to the subdivision; and (h) any advice from the TFS.

consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.

Comment: Satisfies A1

The Bushfire Assessment accompanying the application has determined that subject to Hazard Management Areas being implemented on the plan of subdivision that the proposal complies.

E1.6.2 Subdivision: Public and fire fighting access

Objective:	Access roads to, and the layout of roads, tracks and trails, in a subdivision:
	(a) allow safe access and egress for residents, fire fighters and emergency service personnel;
	(b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken;
	(c) are designed and constructed to allow for fire appliances to be manoeuvred;
	(d) provide access to water supplies for fire appliances; and
	(e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

Acceptable solutions	Performance criteria
<p>A1</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads, fire trails, and the location of property access to building areas is included in a bushfire hazard management plan that:</p> <p>(i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and</p> <p>(ii) is certified by the TFS or accredited person.</p>	<p>P1</p> <p>A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <p>(a) appropriate design measures, including:</p> <p>(i) two way traffic;</p> <p>(ii) all weather surfaces;</p> <p>(iii) height and width of any vegetation clearances;</p> <p>(iv) load capacity;</p> <p>(v) provision of passing bays;</p> <p>(vi) traffic control devices;</p> <p>(vii) geometry, alignment and slope of roads, tracks and trails;</p> <p>(viii) use of through roads to provide for connectivity;</p> <p>(ix) limits on the length of cul-de-sacs and dead-end roads;</p> <p>(x) provision of turning areas;</p> <p>(xi) provision for parking areas;</p> <p>(xii) perimeter access; and</p> <p>(xiii) fire trails;</p> <p>(b) the provision of access to:</p> <p>(i) bushfire-prone vegetation to permit the undertaking of hazard management works; and</p> <p>(ii) fire fighting water supplies; and</p> <p>(c) any advice from the TFS.</p>

Comment: Satisfies A1

Lot 1 contains an existing dwelling. Adequate separation to boundaries exists. There is insufficient increase in risk to the existing dwelling by the proposed subdivision.

The private driveway to Lots 2 and 3 will be constructed/maintained in accordance with Table E2A.

Table E2 Standards for property access

Element	Requirement
A.	Property access length is less than 30m; or access is not required for a fire appliance to access a fire fighting water point.

E4 Road and Railway Assets Code

E4.1 Purpose of Code

E4.1.1 The purpose of this provision is to:

- a) ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network; and*
- b) maintain opportunities for future development of road and rail infrastructure; and*
- c) reduce amenity conflicts between roads and railways and other use or development.*

E4.2 Application of Code

E4.2.1 This code applies to use or development of land that:

- a) requires a new access, junction or level crossing; or*
- b) intensifies the use of an existing access, junction or level crossing; or*
- c) involves a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as:

 - i) a future road or railway; or*
 - ii) a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour.**

E4.3. Definition of Terms

E4.3.1 In this code, unless the contrary intention appears:

<i>Category 1 – Trunk Road</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>
<i>Category 2 – Regional Freight Route</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>
<i>Category 3 – Regional Access Road</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>
<i>Category 4 – Feeder Road</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>
<i>Category 5 – Other Road</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>
<i>Future road or railway</i>	<i>means a future road or railway shown on the plans of this planning scheme.</i>
<i>Junction</i>	<i>means an intersection of two or more roads at a common level, including intersections of on and off ramps and grade-separated roads.</i>
<i>Limited access road</i>	<i>means a road proclaimed as limited access under Section 52A of the Roads and Jetties Act 1935.</i>

E4.4 Use or development exempt from this Code

E4.4.1 There are no exemptions from this Code.

E4.5 Requirements for a Traffic Impact Assessment (TIA)

E4.5.1 A TIA is required to demonstrate compliance with performance criteria.

E4.5.2 A TIA for roads must be undertaken in accordance with Traffic Impact Assessment Guidelines, Department of Infrastructure, Energy and Resources September 2007. Australian Guidelines and Australian Standards are to be used as the basis for any required road or junction design.

E4.5.3 A TIA must be accompanied by written advice as to the adequacy of the TIA from the:

- a) road authority in respect of a road; and*
- b) rail authority in respect of a railway.*

E4.5.4 The Council must consider the written advice of the relevant authority when assessing an application which relies on performance criteria to meet an applicable standard

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective <i>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.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>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%.</i>	P1 <i>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.</i>

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.
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: Satisfies P1, A1 and A2 Not applicable.

One new residential lot within 50 metres of a railway corridor is created being proposed lot 2 and therefore upon development of that lot, there will be an increase in traffic movements per day of more than 10%. It is noted that Lot 1 already has a dwelling on it and the separation of that dwelling to the railway corridor will remain unchanged. Lot 3 will be public open space.

The addition of one new residential lot which does not directly abut railway corridor and is separated from it by public open space will not impact on the safe and efficient operation of that railway infrastructure.

E4.7 Development Standards

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

Objective To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to: a) ensure the safe and efficient operation of roads and railways; and b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development.	
Acceptable Solutions	Performance Criteria
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 areas 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 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: Satisfies P1

One new residential lot will be created within 50m of the railway corridor and therefore the application must be

assessed against the Performance Criteria. An acoustic assessment has been submitted with the application to assist in that regard.

Taking account the matters to be considered under the Performance Criteria, the following assessment is made:

- a) The proposed subdivision will not impact the safety or efficiency of the railway line or impede sight distances. No new access across the railway corridor is proposed;
- b) An environmental noise and ground vibration assessment was undertaken by Tarkarri Engineering to determine if Lot 2 requires any specific mitigation measures. The sound and vibration logging monitor was in place on the site for 4 days. The assessment utilised Rail Infrastructure Noise Guidelines from NSW to determine base levels given the absence of such guideline specific to Tasmania. The guidelines recommend a trigger level for heavy rail noise at a receiver location of 80dBA L_{max} . The maximum noise measured was 76.7dBA and therefore the report concludes there is no need for any noise mitigation measures to be installed at the subdivision stage. There are recommendations made at the building construction phase regarding installation of double glazing and the like. Given any future dwelling constructed on the site will need to be assessed against this performance criteria, it is considered appropriate that the recommendations in the report are adopted at that stage via permit condition if necessary.

With respect to ground vibration, the peak velocity levels recorded were below the preferred trigger level at all times and no recommendations in regards to mitigation measures were proposed.

It is noted that TasRail requires a number of notes on the permit to advise future owners the restrictions around entering or interfering with the rail corridor. TasRail also asked that the planning permit require future purchasers to be made aware of the train horn and that stormwater discharge into the rail corridor or system is strictly prohibited.

- c) No addition or extension of an existing building is proposed.
- d) No temporary buildings or works are proposed.

E4.7.2 Management of Road Accesses and Junctions

Objective <i>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.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>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.</i>	P1 <i>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.</i>
A2 <i>For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</i>	P2 <i>For limited access roads and roads with a speed limit of more than 60km/h:</i> a) <i>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</i> b) <i>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</i> c) <i>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.</i>

Comment: Complies with A1, A2 Not applicable

Each lot will have a single crossover providing both access and egress.

E4.7.3 Management of Rail Level Crossings

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

Comment: Not applicable

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

Objective <i>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.</i>	
Acceptable Solutions	Performance Criteria
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with 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.	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.

Comment: Complies with A1

An access point with adequate sight distance can be achieved for all three lots.

E6 Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective <i>To ensure that an appropriate level of car parking is provided to service use.</i>	
Acceptable Solutions	Performance Criteria
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 (except for dwellings in the General Residential Zone).	P1 The number of car parking spaces provided must have regard to: a) the provisions of any relevant location specific car parking plan; and b) the availability of public car parking spaces within reasonable walking distance; and c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and d) the availability and frequency of public transport within reasonable walking distance of the site; and e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and g) an empirical assessment of the car parking demand; and h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and

	<p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>
<p>Comment: Complies with A1</p> <p>Both residential lots are capable of providing the two spaces per dwelling required by Table E6.1.</p>	

E5 Flood Prone Areas Code

E5.1 Purpose of the Code

E5.1.1 The purpose of this provision is to:

- a) ensure that use or development subject to risk from flooding is appropriately located and that adequate measures are taken to protect human life and property and to prevent adverse effects on the environment.
- b) determine the potential impacts of flooding through the assessment of risk in accordance with the Australian Standard.

E5.2 Application of this Code

E5.2.1 This code applies to use or development of land:

- a) mapped as flood risk on the planning scheme maps; or
- b) even if not mapped under subparagraph (a) if it is:
 - i) potentially subject to flooding at a 1% annual exceedance probability; or
 - ii) less than the height indicated on the coastal inundation risk height map; or
 - iii) identified in a report prepared by a suitably qualified person in accordance with the development application which is lodged or required in response to a request under Section 54 of the Act as actually or potentially subject to flooding at a 1% annual exceedance probability.

E5.3 Definition of Terms

Flooding

means the situation that results when land that is usually dry is covered with water as a result of watercourses overflowing, significant overland flows or water flowing into land associated with a rising tide and/or storms, and may include a combination of these factors.

1% Annual Exceedance Probability(AEP)

means the level which has a 1% probability of being exceeded in any year.

Flood Level

E5.4 Use or Development Exempt from this Code

E5.4.1 The following use or development is exempt from this code:

- a) use and development for agriculture (not including development for dairies and controlled environment agriculture) and agricultural infrastructure such as farm tracks, culverts and the like.
- b) use and development for Forestry.
- c) extensions to existing development where floor area does not increase by more than 10% over the floor area which existed as at the effective date.

E5.5 Use Standards

E5.5.1 Use and flooding

<p>Objective</p> <p>To ensure that use does not compromise risk to human life, and that property and environmental risks are responsibly managed.</p>	
Acceptable Solutions	Performance Criteria
A1 The use must not include habitable rooms.	P1 Use including habitable rooms subject to flooding must demonstrate that the risk to life and property is mitigated to a low risk level in accordance with the risk assessment in E5.7.
A2 Use must not be located in an area subject to a medium or high risk in accordance with the risk assessment in E5.7.	P2 Use must demonstrate that the risk to life, property and the environment will be mitigated to a low risk level in accordance with the risk assessment in E5.7.

Comment: Complies with A1 and A2

No new use is proposed.

E5.6 Development Standards

E5.6.1 Flooding and Coastal Inundation

Objective	
<i>To protect human life, property and the environment by avoiding areas subject to flooding where practicable or mitigating the adverse impacts of inundation such that risk is reduced to a low level.</i>	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	<p>P1.1 It must be demonstrated that development:</p> <p>a) where direct access to the water is not necessary to the function of the use, is located where it is subject to a low risk, in accordance with the risk assessment in E5.7 a); or</p> <p>b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is mitigated to a medium risk level in accordance with the risk assessment in E5.7.</p> <p>P1.2 Development subject to medium risk in accordance with the risk assessment in E5.7 must demonstrate that the risk to life, property and the environment is mitigated through structural methods or site works to a low risk level in accordance with the risk assessment in E5.7.</p> <p>P1.3 Where mitigation of flood impacts is proposed or required, the application must demonstrate that:</p> <p>a) the works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and</p> <p>b) the works will not result in an increase in the extent of flooding on other land or increase the risk to other structures;</p> <p>c) inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials; and</p> <p>d) where mitigation works are proposed to be carried out outside the boundaries of the site, such works are part of an approved hazard reduction plan covering the area in which the works are proposed.</p>

Comment: Complies with Performance Criteria

P1.1 – There is no change to the use of the site and therefore P1.1 is not applicable.

P1.2 – Not applicable. The risk of the works is assessed as insignificant.

Complies with P1.3

P1.3 – Hydrodynamica have prepared a flood risk assessment based on hydraulic modelling on the 1:100 year event following the improvement works along Sheepwash Creek (approved under PLN-18-171 and recently completed). The risk assessment determines that even in the no build area on Lot 2, the risk assessment is low and therefore the proposal complies with P1.1.

E9 Water Quality Code

E9.1 Purpose of the Code

E9.1.1 The purpose of this provision is to:

- a) consider the impacts of development to limit adverse effects on the following:
 - i) wetland and watercourse ecosystems; and
 - ii) flow regimes, water levels, biological activity and physical characteristics; and
 - iii) the variety of flora and fauna; and
 - iv) the role of wetlands and watercourses for water supply, flood mitigation, environmental protection, water regulation and nutrient filtering, as resources for recreational activities and as attractive features in the landscape; and
- b) improve the sustainable management of surface water through development.

E9.2 Application of this Code

E9.2.1 This code applies to use or development of land:

- a) within 50 metres of a wetland or watercourse; or
- b) within a Ben Lomond Water catchment area – inner or outer buffer.

E9.3 Definitions of Terms

Ben Lomond Water

means Tasmanian Water and Sewerage Corporation (Northern Region) Pty Ltd

Ben Lomond Water catchment area - inner buffer

means the area defined at Figure E9.6.1.

Ben Lomond Water catchment area - outer buffer

means the area defined at Figure E9.6.2.

Soil and water management plan

means a site-specific plan or drawing that details sediment and erosion control measures on a site.

E9.4 Use or Development Exempt from this Code

E9.4.1 The following use or development is exempt from this code:

- a) forestry subject to a certified forest practices plan;
- b) use for agriculture;
- c) private tracks on agricultural properties that are used for agricultural purposes;
- d) use and development for natural and cultural values management within parks, reserves and State Forest under State Government or Council ownership.
- e) use and development that is connected to reticulated sewer and stormwater.
- f) Level 2 activities assessed by the Environment Protection Authority.

E9.5 Use Standards

Not used in this Scheme.

E9.6 Development Standards

E9.6.1 Development and Construction Practices and Riparian Vegetation

Objective To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.	
Acceptable Solutions	Performance Criteria
A1 Native vegetation is retained within: <ul style="list-style-type: none"> a) 40m of a wetland, watercourse or mean high water mark; and b) a Ben Lomond Water catchment area - inner buffer. 	P1 Native vegetation removal must submit a soil and water management plan to demonstrate: <ul style="list-style-type: none"> a) revegetation and weed control of areas of bare soil; and b) the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and c) that disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.
A2 A wetland must not be filled, drained, piped or channelled.	P2 Disturbance of wetlands must minimise loss of hydrological and biological values, having regard to: <ul style="list-style-type: none"> (i) natural flow regimes, water quality and biological diversity of any waterway or wetland; (ii) design and operation of any buildings, works or structures on or near the wetland or waterway; (iii) opportunities to establish or retain native riparian vegetation; (iv) sources and types of potential contamination of the wetland or waterway.
A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposes.	P3 A watercourse may be filled, piped, or channelled: <ul style="list-style-type: none"> a) within an urban environment for the extension of an existing reticulated stormwater network; or b) for the construction of a new road where retention of the watercourse is not feasible.

Complies with A1, A2 and A3

No vegetation removal is proposed as part of the subdivision works.

E9.6.2 Water Quality Management

Objective <i>To maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses.</i>	
Acceptable Solutions	Performance Criteria
A1 All stormwater must be: a) connected to a reticulated stormwater system; or b) where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) meet emission limit guidelines from the Board of the Environment Protection Authority in accordance with the State Policy for Water Quality Management 1997.	P1 Stormwater discharges to watercourses and wetlands must minimise loss of hydrological and biological values, having regard to: (i) natural flow regimes, water quality and biological diversity of any waterway or wetland; (ii) design and operation of any buildings, works or structures, on or near the wetland or waterway; (iii) sources and types of potential contamination of the wetland or waterway; (iv) devices or works to intercept and treat waterborne contaminants; (v) opportunities to establish or retain native riparian vegetation or continuity of aquatic habitat.
A2.1 No new point source discharge directly into a wetland or watercourse. A2.2 For existing point source discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existed at the effective date.	P2.1 New and existing point source discharges to wetlands or watercourses must implement appropriate methods of treatment or management to ensure point sources of discharge: a) do not give rise to pollution as defined under the Environmental Management and Pollution Control Act 1994; and b) are reduced to the maximum extent that is reasonable and practical having regard to: i) best practice environmental management; and ii) accepted modern technology; and c) meet emission limit guidelines from the Board of Environmental Management and Pollution Control in accordance with the State Policy for Water Quality Management 1997. P2.2 Where it is proposed to discharge pollutants into a wetland or watercourse, the application must demonstrate that it is not practicable to recycle or reuse the material.
A3 No acceptable solution.	P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.

Comment: Complies with A1, A2.1 and A2.2 and A3 not applicable

It is proposed to drain the stormwater from both lots to a 150mm pipe which will connect into the open drain in the Frederick St road reserve which is part of Council's stormwater system. This drain connects existing overland flow and piped stormwater water from the Frederick St area to Sheepwash Creek.

The amount of water generated by these two small lots will only be a very small increase to the amount of water which is currently drained by this part of the Council stormwater system.

E9.6.3 Construction of Roads

Objective <i>To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.</i>	
Acceptable Solutions	Performance Criteria
A1 A road or track does not cross, enter or drain to a watercourse or wetland.	P1 Road and private tracks constructed within 50m of a wetland or watercourse must comply with the requirements of the Wetlands and Waterways Works Manual, particularly the guidelines for siting and designing stream crossings.

Not applicable

E9.6.4 Access

Objective <i>To facilitate appropriate access at suitable locations whilst maintaining the ecological, scenic and hydrological values of watercourses and wetlands.</i>	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 New access points to wetlands and watercourses are provided in a way that minimises: <ul style="list-style-type: none"> a) their occurrence; and b) the disturbance to vegetation and hydrological features from use or development.
A2 No acceptable solution.	P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.

Not applicable

E9.6.5 Sediment and Erosion Control

Objective <i>To minimise the environmental effects of erosion and sedimentation associated with the subdivision of land.</i>	
Acceptable Solutions	Performance Criteria
A1 The subdivision does not involve any works.	P1 For subdivision involving works, a soil and water management plan must demonstrate the: <ul style="list-style-type: none"> a) minimisation of dust generation from susceptible areas on site; and b) management of areas of exposed earth to reduce erosion and sediment loss from the site.

Not applicable

E9.6.6 Ben Lomond Water Catchment Areas

Objective <i>To address the effects of use and development within defined buffer areas for water catchments.</i>	
Acceptable Solutions	Performance Criteria
A1 Development located within a Ben Lomond Water catchment area - outer buffer must be developed and managed in accordance with a soil and water management plan approved by Ben Lomond Water.	P1 No performance criteria.
A2 Development located within a Ben Lomond Water catchment area - inner buffer must not involve disturbance of the ground surface.	P2 Development located within a Ben Lomond Water catchment area - inner buffer that involves disturbance of the ground surface must not have a detrimental effect on water quality for the reticulated water intakes.

Not applicable

ASSESSMENT AGAINST E10.0 RECREATION AND OPEN SPACE CODE

E10.6 Development Standards

E10.6.1 Provision of Public Open Space

Objective <ul style="list-style-type: none"> a) To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity and health of the community; and b) To ensure that the design of public open space delivers environments of a high quality and safety for a range of users, together with appropriate maintenance obligations for the short, medium and long term. 	
Acceptable Solutions	Performance Criteria
A1 The application must:	P1 Provision of public open space, unless in accordance with Table E10.1, must: <ul style="list-style-type: none"> a) not pose a risk to health due to contamination; and

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a) include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu.	b) not unreasonably restrict public use of the land as a result of: i) services, easements or utilities; and ii) stormwater detention basins; and iii) drainage or wetland areas; and iv) vehicular access; and c) be designed to: i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and ii) reasonably contribute to the pedestrian connectivity of the broader area; and iii) be cost effective to maintain; and iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and v) provide for public safety through <i>Crime Prevention Through Environmental Design</i> principles; and vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and ix) create attractive environments and focal points that contribute to the existing or desired future character statements, if any.
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Relies on P1

Proposed Lot 3 (balance) will have an area of 3711m² and is intended to be used as public open space. The area is of sufficient size and topographical profile to provide for a large useable area of private open space that affords the opportunity to provide pedestrian and cycling linkages with other trails and open space networks in the community including the area around Sheepwash Creek to the south

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
STATE POLICIES	
The proposal is consistent with all State Policies.	
OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993	
The proposal is consistent with the objectives of the <i>Land Use Planning & Approvals Act 1993</i> .	
STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES	
Strategic Plan 2017-2027 <ul style="list-style-type: none"> Statutory Planning 	

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Solar orientation of lots;
- Creation of Public Open Space;
- Proximity to railway; and
- Flood risk

Conditions are required regarding land for public open space and also from TasRail requiring the vendor of the lots to inform purchasers of the proximity to railway line and use of horns by the trains.

It is considered that both lots are of sufficient size to obtain adequate solar orientation to existing and new dwellings.

It is recommended that the application be approved with the conditions given below.

8 ATTACHMENTS

- Application & plans, correspondence with applicant
- Responses from referral agencies
- Representation
- Record of old well by David Denman & Associates

RECOMMENDATION

That land at 32 Norfolk Street, Perth be approved to be developed and used for a 3-lot subdivision (vary solar orientation, Bushfire-prone area, Road & Railway Assets Code) in accordance with application PLN-18-0296, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed documents:

- P1 (Plan of Subdivision Dated 21/11/2018);
- P2 (Stormwater Concept Plan 32 Norfolk St);
- P3 (Bushfire Hazard Assessment Report and Bushfire Hazard Management Plan Dated 5/02/2019);
- P4 (Tarkarri Engineering Technical Memo Dated 08/02/2019);
- P5 (Hydrodynamica memo dated 18/3/2019).

2 Land Set Aside for Public Open Space

When the Final Survey Diagram is submitted for sealing, lot 3 must be dedicated as Public Open Space.

3 Final Plan Endorsement

The final plan of subdivision must be endorsed with a note in accordance with Section 83 (5) of the Local Government (Building and Miscellaneous Provisions) Act 1993 that –

- a) Council will not permit a development within the areas so indicated on the plan

4 Council's Works Department conditions

4.1 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.

4.2 Access

A hotmix sealed driveway crossover must be constructed from the edge of Norfolk St to the property boundary of lots 1 and 2 in accordance with Council standards.

4.3 As constructed information

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

4.4 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.

4.5 Separation of stormwater services

- All existing hydraulic services 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.

4.6 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 General Manager.

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

4.8 Nature strips

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

5 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2019/00178-NMC).

6 Agreement under Part 5 of Land Use Planning Approval Act 1993 - TasRail

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

The owners of Lots 1 and 2, formally acknowledge:

- the dwellings will be exposed to train noise;
- that train services operate 24/7 with the timetable subject to change at any time; and
- the train horn is required to be sounded twice per level crossing and at any other time a train driver perceives a risk.

7 Sealing of Plans

The final plan of survey will not be sealed until all conditions have been compiled with

PERMIT NOTES

TasRail Notes

- (a) *Unauthorised access to railway land is strictly prohibited for any purpose including for structures, vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure.*
- (b) *Should a service or asset require installation on rail land, a separate permit application to TasRail applies with approval subject to terms and conditions.*
- (c) *Under Section 24 of the Rail Infrastructure Act 2007, the Rail Infrastructure Manager (TasRail) may give an adjoining landholder a notice to clear an obstruction as circumstances require. In the event that the adjoining landholder fails to comply with the clearance notice, then the Rail Infrastructure Manager may apply to a justice for a warrant to access the land to clear the obstruction and recover the costs as a debt due to the railway entity from the landholder.*
- (d) *Parking of vehicles within rail land is not permitted.*
- (e) *Dumping of rubbish or green waste into the rail corridor is not permitted.*
- (f) *As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.*

DECISION

Cr Polley/ Goninon

That the matter be discussed.

Carried unanimously

Cr Adams/ Polley

That land at 32 Norfolk Street, Perth be approved to be developed and used for a 3-lot subdivision (vary solar orientation, Bushfire-prone area, Road & Railway Assets Code) in accordance with application PLN-18-0296, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed documents:

- P1 (Plan of Subdivision Dated 21/11/2018);
- P2 (Stormwater Concept Plan 32 Norfolk St);
- P3 (Bushfire Hazard Assessment Report and Bushfire Hazard Management Plan Dated 5/02/2019);
- P4 (Tarkarri Engineering Technical Memo Dated 08/02/2019);
- P5 (Hydrodynamica memo dated 18/3/2019).

2 Land Set Aside for Public Open Space

When the Final Survey Diagram is submitted for sealing, lot 3 must be dedicated as Public Open Space.

3 Final Plan Endorsement

The final plan of subdivision must be endorsed with a note in accordance with Section 83 (5) of the Local Government (Building and Miscellaneous Provisions) Act 1993 that –

- a) Council will not permit a development within the areas so indicated on the plan

4 Council's Works Department conditions

4.1 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.

4.2 Access

A hotmix sealed driveway crossover must be constructed from the edge of Norfolk St to the property boundary of lots 1 and 2 in accordance with Council standards.

4.3 As constructed information

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

4.4 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.

4.5 Separation of stormwater services

- All existing hydraulic services 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.

4.6 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 General Manager.

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

4.8 Nature strips

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

4.9 Roadworks

Kerb and channel, a 1.8m wide concrete footpath, and widening of Norfolk street on western side shall be constructed along the frontage Lots 1 & 2.

An engineering design plan showing the road, footpath and drainage system including pavement long sections and cross sections is to be approved by Council before the commencement of works on site.

5 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2019/00178-NMC).

6 Agreement under Part 5 of Land Use Planning Approval Act 1993 - TasRail

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- the dwellings will be exposed to train noise;

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- (e) *Dumping of rubbish or green waste into the rail corridor is not permitted.*
- (f) *As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.*

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

052/20 PLANNING APPLICATION PLN-19-0218: 10 NORFOLK STREET, PERTH

Attachments: Section 1 – Page 175

File Number: 110500.125, CT128769/2
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Chloe Lyne, Consultant Planner

1 INTRODUCTION

This report assesses an application for 10 Norfolk Street, Perth for an 8 Lot Subdivision and balance.

2 BACKGROUND

Applicant:

Rebecca Green & Associates

Owner:

Northern Midlands Council

Zone:

General Residential

Codes:

Road and Railway Assets Code
Flood Prone Areas Code
Water Quality Code
Recreation and Open Space Code

Classification under the Scheme:

Discretionary

Existing Use:

Vacant

Deemed Approval Date:

22 February 2020

Recommendation:

Approve

Discretionary Aspects of the Application

- Clause 10.4.4.5 P1 – Integrated Urban Landscape
- Clause 10.4.4.6 P1 – Walking and Cycling Network
- Clause E6.5.1 P1 – Flooding and Coastal Inundation
- Clause E7.4.7 P1 – Sight Distance at Accesses, Junctions and Level Crossings
- Clause E9.6.2 P2.1 and P2.2 – Water Quality Management
- Clause E10.6.1 P1 Provision of Public Open Space

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 29, Effective from 3 June 2019.*

Preliminary Discussion

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

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:

- Create an 8-lot residential subdivision plus balance lot to remain as public open space.

Each residential lot is provided with vehicular access to Norfolk Street and will be connected to reticulated water, sewerage and stormwater. Parts of the site require fill to ensure they are above the 100-year flood line as shown in the plan below.

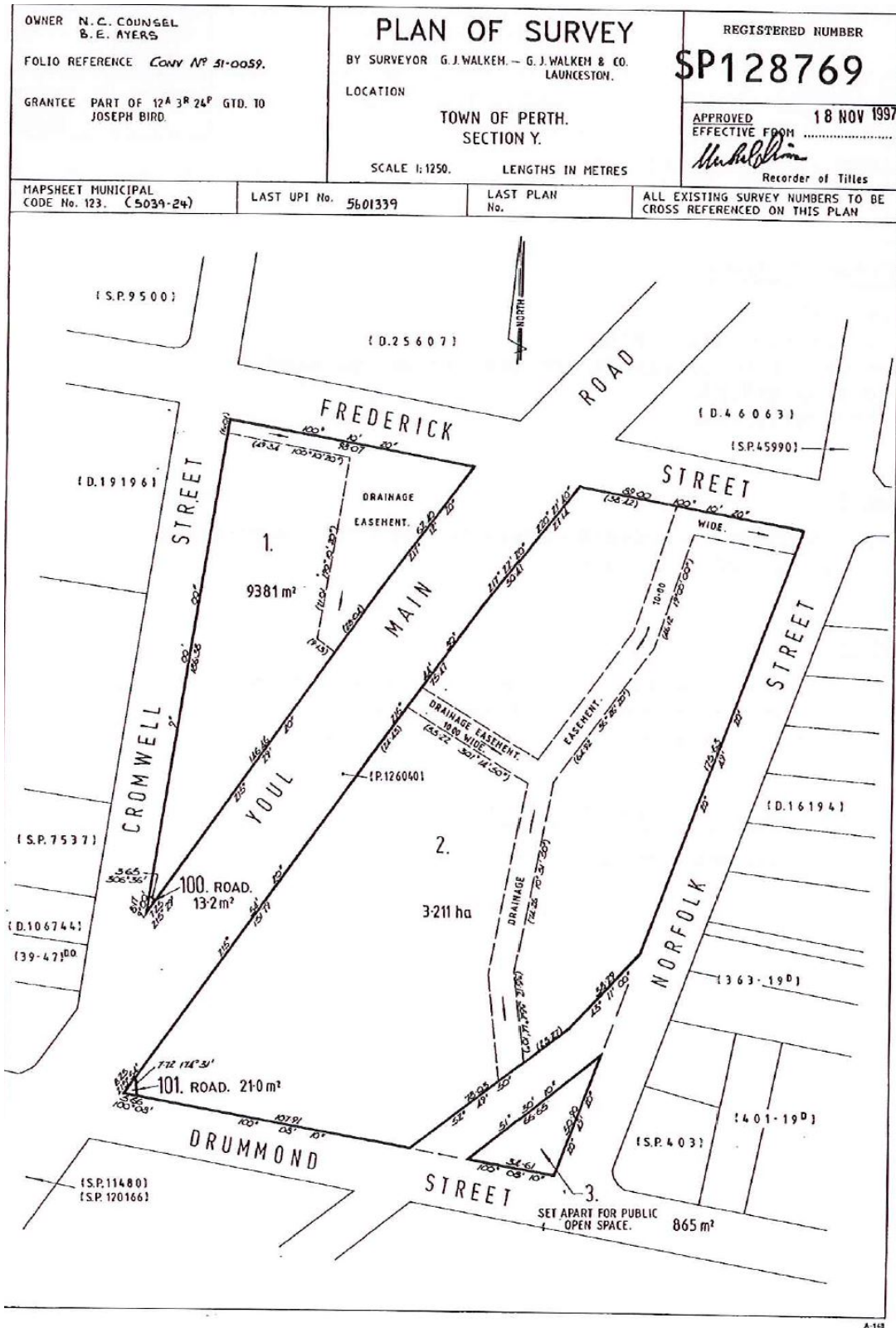
Part of the subdivisional works include street beautification of the western side of Norfolk Street, including the provision of a footpath extending from Drummond Street to Frederick Street, new kerb and channel into the existing western side of Norfolk Street adjacent to the subdivision and street plantings.

[illegible]

Figure 2. Proposed residential lots (6ty Degrees Rev F, 17/09/2019)

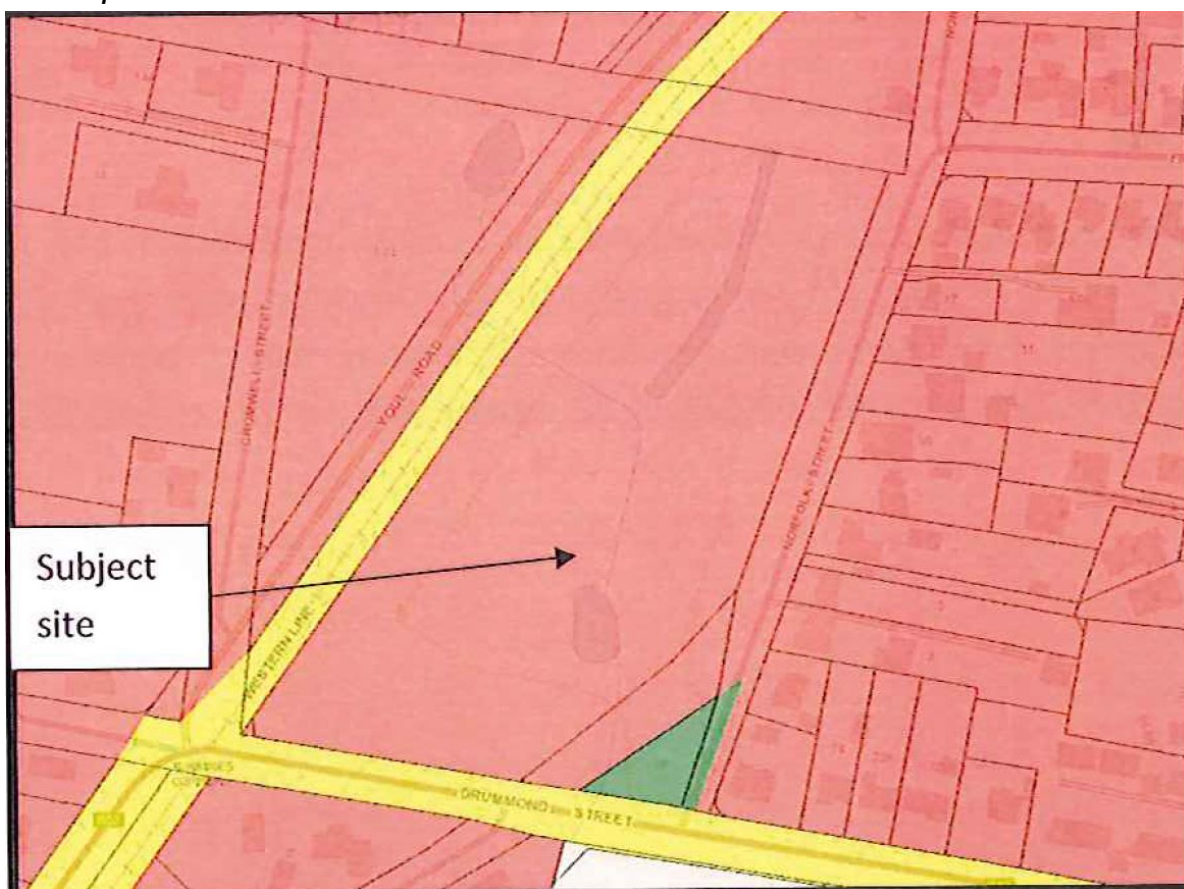
NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

Current title plan



4.2 Zone and land use

Zone Map – General Residential Zone



The land is zoned General Residential and is within the Urban Growth Boundary overlay.

The relevant Planning Scheme definition is:

<i>subdivision</i>	<i>means the act of subdividing or the lot subject to an act of subdividing.</i>
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4.3 Subject site and locality

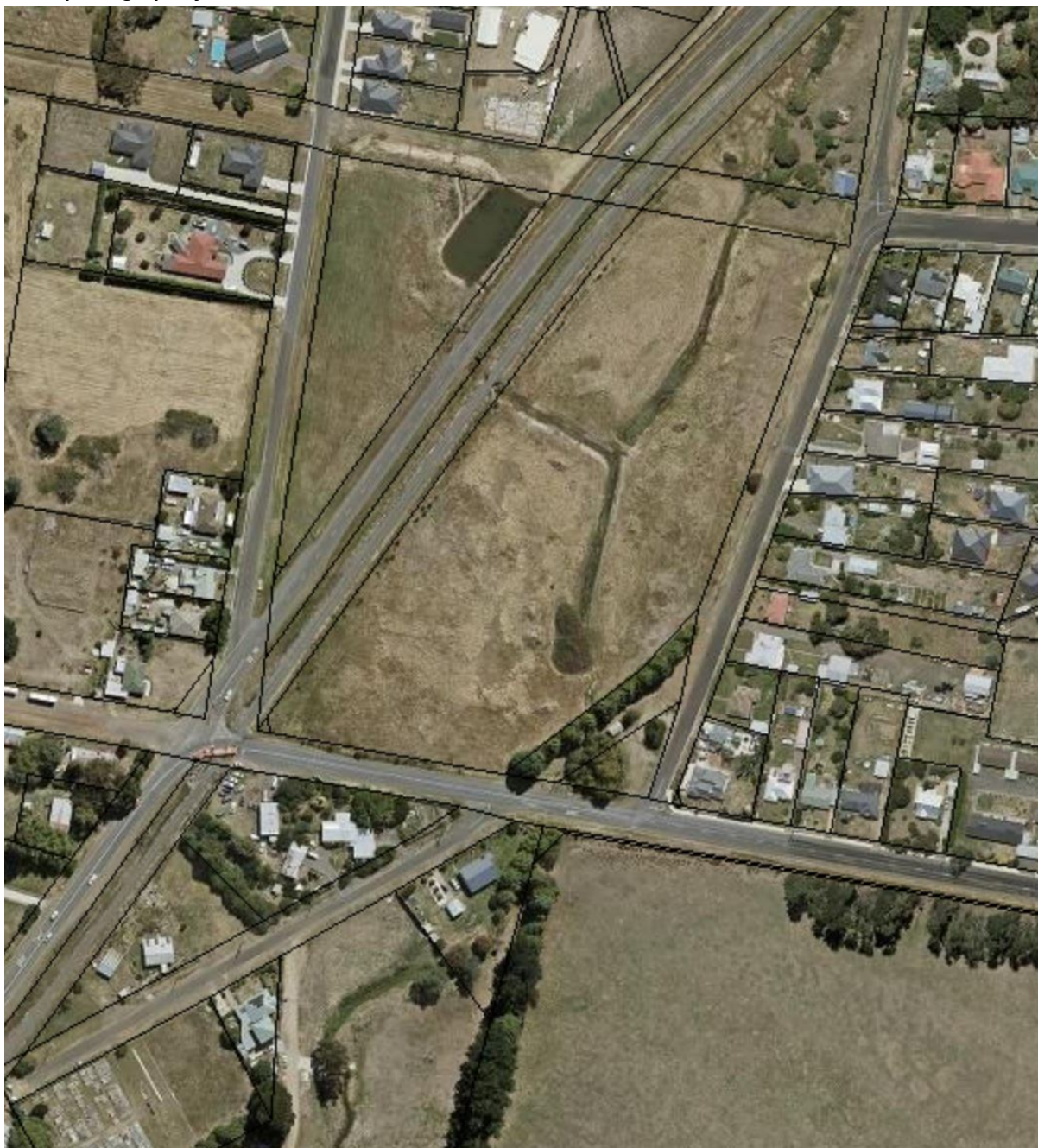
An inspection the of the site was undertaken by Council's Consultant Planner, Chloe Lyne on the 17th December 2019.

The subject site has an area of 3.211ha and is bordered by Drummond Street to the south, Norfolk Street to the east and the western railway line to the west. The site is bounded to the north by a reserved road beyond which is 32 Norfolk Street which is also in Council ownership and contains a single dwelling.

The site is contained within a residential area situated in the south-western corner of the Perth township. A new residential subdivision is under construction on the western side of Youl Main Road.

The site is largely vacant with the exception of a small picnic shelter located in the south-eastern corner. Recent vegetation clearing works have occurred along Sheepwash Creek which bisects the site from north to south. Strategic revegetation has also occurred on proposed lot 9 which will remain as public open space. A drainage easement also bisects the site from north to south.

Aerial photograph of area



Photographs of subject site

View of northern end of site



View of middle portion of site



View of southern section of site



4.4 Permit/site history

Relevant permit history includes:

110500.125 - 10 NORFOLK ST - PERTH - NORTHERN MIDLANDS COUNCIL

110500.125 - 10 NORFOLK ST - PERTH - NORTHERN MIDLANDS COUNCIL

..... P06-400 (27/003/438) - WI - GJ Walkem (Obo Gerke) - WITHDRAWN - 10 Lot Subdivision - WITHDRAWN
110500.125 - 10 NORFOLK ST - PERTH - NORTHERN MIDLANDS COUNCIL

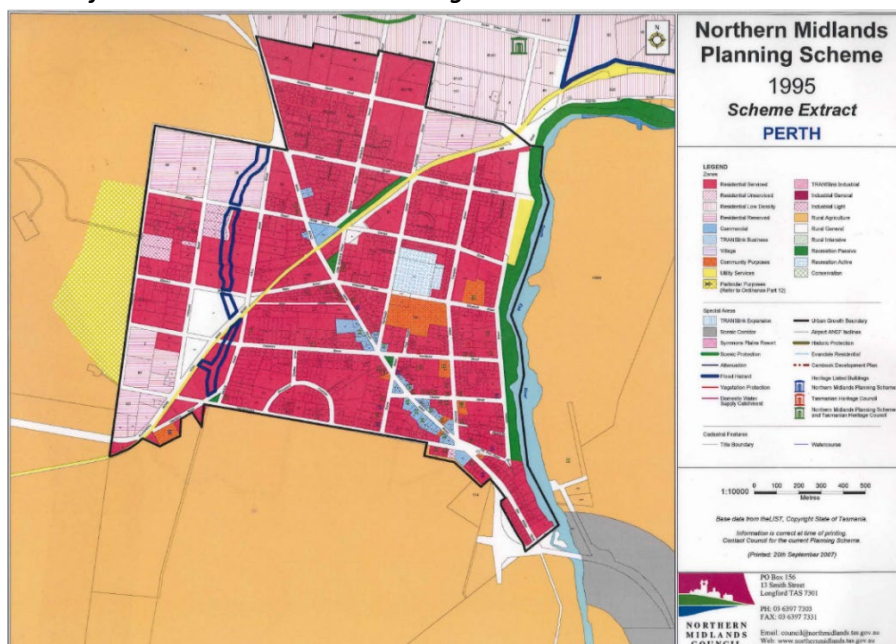
... P11-158 (Not Required) - Owner - Dam Repair Works
110500.125 - 10 NORFOLK ST - PERTH - NORTHERN MIDLANDS COUNCIL

PLN19-0218 - R Green & Assoc - 8 Lot Subdivision
110500.125 - 10 NORFOLK ST - PERTH - NORTHERN MIDLANDS COUNCIL

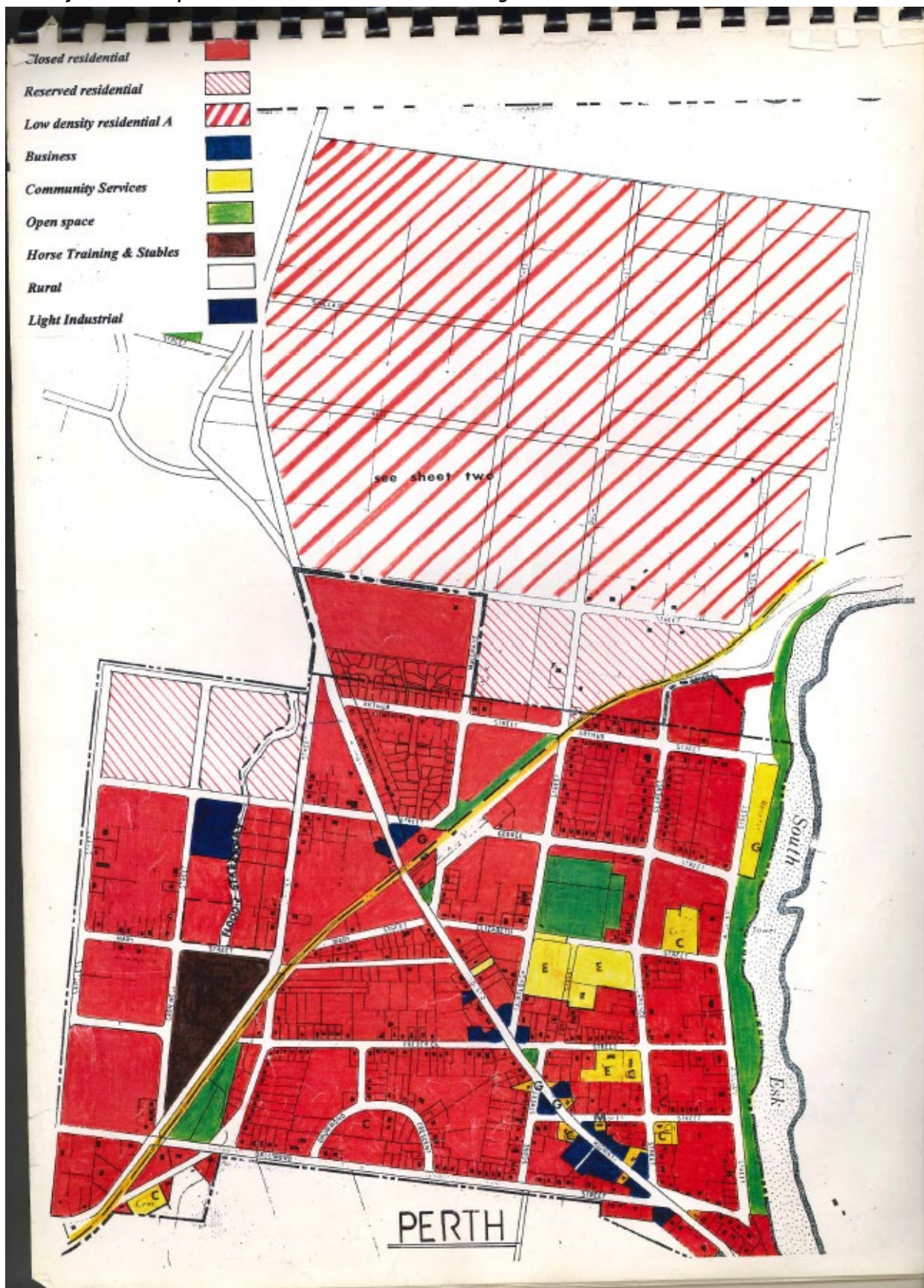
Under the Northern Midlands Planning Scheme 1995 the land was zoned Residential Serviced with a Flood Hazard Special Area over part of the land.

Under the scheme prior to the 1995 scheme, the land was zoned partly Open Space and partly Closed Residential (see scheme extracts below).

Extract from Northern Midlands Planning Scheme 1995



Extract from scheme prior to the Northern Midlands Planning Scheme 1995



4.5 Representations

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

- Stephen and Michaela Boon, 9 Norfolk St, Perth
- Christopher and Ingrid Selby, 8 Range Road, Western Junction
- Michael Tonkin, 9A Norfolk Street, Perth
- James and Fiona Stevenson, 69 Frederick Street, Perth
- Olwyn Nilon, 11 Old Bridge Road, Perth
- TasRail

N.B The application was sent to TasRail for comment. As they are not a formal referral agency their response is being treated as a representation.

Map showing location of representors' properties in relation to subject site
– red indicates representors' properties and yellow the site.



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

Issue 1

- Concerned about the proposal to create residential lots on a known flood plain. The proposal to fill the lots will have an unknown effect on the flow of flood water creating a new flood footprint which may undermine new structures as well as existing ones in the area. Local residents have seen the entire site flood as recently as 2016.

Planner's comment:

Proposed lots 1-7 all have the majority of the lot contained outside the 1:100-year flood line. Lot 8 has approximately 2/3rds of the lot within the 1:100-year flood line. Hydrodynamica were engaged by Council to prepare a fill plan which will ensure all lots sit above the 1:100-year flood line. Hydrodynamica has confirmed that the fill is unlikely to cause any increase to the flood footprint with 32 Norfolk Street as only

a small portion of the creek is being affected and no real barriers to flow are being created which could lead to increased backwater effects.

Issue 2

- There is a sewerage pump station located near 32 Norfolk Street which may need to be relocated, especially in view of the unknown flood path if houses are built on no 10.

Planner's comment:

Hydrodynamica have assessed the potential impact on the flood paths of the proposed fill and determined that there is unlikely to be any increase in the flood footprint at 32 Norfolk Street as a result.

Issue 3

- Concerned about the impact of altered flood flows on heritage listed dwellings.

Planner's comment:

Hydrodynamica have assessed the potential impact on the flood paths and determined that the proposed fill is unlikely to have any material impacts on the flood pathway.

Issue 4

- Concerned about impact of subdivision to a range of listed fauna species.

Planner's comment:

The application is not required to be assessed under the Biodiversity Code (E8) of the Planning Scheme as the site is not mapped as priority habitat and no native vegetation is proposed to be removed.

Issue 5

- Notes that the site has been shown on old maps as a lagoon.

Planner's comment:

The areas of the site subject to the 1:100-year flood will be filled to ensure they are above that particular flood event level.

Issue 6

- The land is ideal for the original proposed public park area. The Council has no right to spend rates money on speculation and developing real estate.

Planner's comment:

This is not a relevant matter for consideration under the Planning Scheme. It is understood that the Council has proposed the subdivision in order to recoup the costs of upgrading the balance area of Public Open Space as well as other parks within the township.

Issue 7

- The site was recently advertised by Council as being reserved for a green belt area with walking, riding, play and dog facilities due to the flood prone nature of the area. Local residents were excited about the prospect of a large open space area in the vicinity. The growing population of Perth would benefit from a new multi-use open space area.

Planner's comment:

This is not a relevant matter for consideration under the Planning Scheme. The balance Lot 9 provides 2.5 ha for use as public open space.

Issue 8

- Queries why Council spent money purchasing the site and the viability of an 8-lot subdivision.

Planner's comment:

This is not a relevant matter for consideration under the Planning Scheme. It is understood that the Council has proposed the subdivision in order to recoup the costs of upgrading the balance area of Public Open Space as well as other parks within the township.

Issue 9

- Representor queries the Traffic Report which states there are no known crash points at the intersection of Norfolk and Frederick Street. The representor provided details of known crash locations in the vicinity including one less than two months ago.

Planner's comment:

When undertaking Traffic Impact Assessments, traffic engineers refer to a database of crashes. If the crashes referred to by the representor were not reported to police, then they would not be on the database.

Issue 10

- Concerned about the visual impact to the streetscape that any new houses and associated landscaping will have, particularly given the heritage nature of many of the homes in Norfolk Street.

Planner's comment:

The subject site is not within a Heritage Precinct and the application does not require assessment against the Local Historic Heritage Code. Streetscape improvement works are proposed along the western side of Norfolk Street as part of the subdivision including the planting of street trees which will improve the visual amenity of the street.

Issue 11

- Queries why Council spent money purchasing the site and the viability of an 8-lot subdivision.

Planner's comment:

This is not a relevant matter for Council acting as the planning authority. Nonetheless it is understood the site was purchased by Council to undertake flood improvement works along Sheepwash Creek and provide public open space. The proposed subdivision enables Council to recoup some of the monies spent on the purchase and works and assist in making the project cost neutral to ratepayers.

Issue 12

- A large subdivision planned at Drummond St negates the need for an additional 8 residential lot.

Planner's comment:

Supply and demand is not a relevant consideration under the Planning Scheme when assessing a subdivision.

Issue 13 (TasRail)

TasRail raised a number of queries regarding the Traffic Impact Assessment and addressing level crossings.

Planner's comment:

Council officers responded to TasRail confirming the crossings in question were not relevant to consideration of the subdivision as all lot accesses are onto Norfolk Street.

4.6 Referrals

Council's Works Department

Precis: Council's Works & Infrastructure Department (Jonathan Galbraith) reported that Council services for this subdivision can be addressed by standard conditions which were included within the referral.

TasWater

Precis: A TasWater Submission to Planning Authority Notice was issued on 12th December 2019. (TasWater Ref: TWDA 2019/0166-NMC).

4.7 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE
ZONE PURPOSE
<p>To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</p> <p>To provide for compatible non-residential uses that primarily serve the local community.</p> <p>Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off-site impacts.</p> <p>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</p> <p>Assessment: The proposal meets the zone purpose. The proposal will provide for eight additional residential lots on land that can be fully serviced and is zoned for residential purposes. The proposal provides for a range of lot sizes at suburban densities encouraging diversity in future housing development.</p>
LOCAL AREA OBJECTIVES
<p>To consolidate growth within the existing urban land use framework of the towns and villages.</p> <p>To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.</p> <p>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</p> <p>Assessment: The proposal meets the local area objectives. The site is not located within a Heritage Precinct.</p>

10.4.4 SUBDIVISION

10.4.4.1 Lot Area, Building Envelopes and Frontage

<p>Objective:</p> <p>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, private open space, vehicle access and parking, easements and site features.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Lots must:</p> <p>a) have a minimum area of at least 450m² which:</p> <p>i) is capable of containing a rectangle measuring 10m by 15m; and</p> <p>ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or</p> <p>b) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>c) for the provision of utilities; or</p> <p>d) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>e) to align existing titles with zone boundaries and no additional lots are created.</p>	<p>P1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:</p> <p>a) a dwelling to be erected in a convenient and hazard-free location; and</p> <p>b) on-site parking and manoeuvrability; and</p> <p>c) adequate private open space.</p>
<p>A1 (a) – Complies.</p> <p>(i) Complies.</p> <p>(ii) Complies.</p> <p>(b-e) N/a</p>	N/a
<p>A2 Each lot must have a frontage of at least 3.6m.</p>	<p>P2 Each lot must have appropriate, permanent access by a Right of Carriageway registered over all relevant titles.</p>
<p>Complies with A2.</p>	N/a

10.4.4.2 Provision of Services

<p>Objective: To provide lots with appropriate levels of utility services.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Each lot must be connected to a reticulated:</p> <p>a) water supply; and</p> <p>b) sewerage system.</p>	<p>P1 Each lot created must be:</p> <p>a) in a locality for which reticulated services are not available or capable of being connected; and</p> <p>b) capable of accommodating an on-site wastewater management system.</p>
<p>Complies with A1.</p>	N/a

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A2 Each lot must be connected to a reticulated stormwater system.	P2 Each lot created must be capable of disposal of stormwater to a legal discharge point.
Complies with A2.	N/a

10.4.4.3 Solar Orientation of Lots

<i>Objective: To provide for solar orientation of lots and solar access for future dwellings.</i>	
Acceptable Solutions	Performance Criteria
A1 At least 50% of lots must have a long axis within the range of: a) north 20 degrees west to north 30 degrees east; or b) east 20 degrees north to east 30 degrees south.	P1 Dimensions of lots must provide adequate solar access, having regard to the likely dwelling size and the relationship of each lot to the road.
Complies with A1 (b).	N/a
A2 The long axis of residential lots less than 500m ² , must be within 30 degrees east and 20 degrees west of north.	P2 Lots less than 500 m ² must provide adequate solar access to future dwellings, having regard to the: a) size and shape of the development of the subject site; and b) topography; and c) location of access way(s) and roads.
N/a – all lots are greater than 500m ² .	N/a

10.4.4.5 Integrated Urban Landscape

<i>Objective: To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:</i> a) character and identity of new neighbourhoods and urban places; or b) to existing or preferred neighbourhood character, if any.	
Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road, public open space or other reserves.	P1 For subdivision that creates roads, public open space or other reserves, the design must demonstrate that: a) it has regard to existing, significant features; and b) accessibility and mobility through public spaces and roads are protected or enhanced; and c) connectivity through the urban environment is protected or enhanced; and d) the visual amenity and attractiveness of the urban environment is enhanced; and e) it furthers the local area objectives, if any.
Relies on P1 as the balance Lot 9 will be dedicated as public open space.	Proposed Lot 9 with an area of 2.5ha will be dedicated as public open space which will extend the existing parkland located at the corner of Drummond and Norfolk Streets. The proposed public open space will provide connectivity and accessibility around Sheepwash Creek. The visual attractiveness of the site will be improved in the future by further landscaping works within the area of public open space. Complies with P1

10.4.4.6 Walking and Cycling Network

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

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Relies on P1 as the balance Lot 9 will be dedicated as public open space and footpath is proposed.	Proposed lot 9 with an area of 2.5ha will be dedicated as public open space which will extend the existing parkland located at the corner of Drummond and Norfolk Streets. The proposed public open space will provide connectivity and accessibility around Sheepwash Creek. The visual attractiveness of the site will be improved in the future by further landscaping works within the area of public open space. An extension of the footpath on the western side of Norfolk Street also form part of the proposed works and will improve accessibility through the area. Complies with P1
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10.4.4.7 Neighbourhood Road Network

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

Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road.	<p>P1 The neighbourhood road network must:</p> <p>a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and</p> <p>b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and</p> <p>c) provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport; and</p> <p>d) provide safe and efficient access to activity centres for commercial and freight vehicles; and</p> <p>e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and</p> <p>f) provide an interconnected and continuous network of roads within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles and minimise the provision of cul-de-sacs; and</p> <p>g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and</p> <p>h) take into account of any identified significant features.</p>
Complies with A1. No new road is proposed.	N/a

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/a – not located within a Bushfire Prone Area, refer to amendment 01/2019 Insert Bushfire Prone Areas Overlay effective 3 June 2019.
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	Complies – See code assessment below.
E5.0 FLOOD PRONE AREAS CODE	Complies – See code assessment below
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0 SCENIC MANAGEMENT CODE	N/a
E8.0 BIODIVERSITY CODE	N/a
E9.0 WATER QUALITY CODE	Complies – See code assessment below
E10.0 RECREATION AND OPEN SPACE CODE	Complies – See code assessment below.
E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0 AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0 LOCAL HISTORIC HERITAGE CODE	N/a
E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a

NORTHERN MIDLANDS COUNCIL

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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

Objective To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
N/a	N/a
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Complies with A2 – to be further assessed when the proposed subdivision is developed. However, the Traffic Impact Assessment prepared for the application found that the 8 residential lots will generate 56-64 Vehicle Movements per day. This number of vehicle movements is considered insignificant in terms of the number of vehicle movements in the broader road network.	N/a
A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	P3 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
N/a	N/a

E4.7 Development Standards

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

Objective To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:	
a) ensure the safe and efficient operation of roads and railways; and b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development.	
Acceptable Solutions	Performance Criteria
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:	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:

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<p>a) new road works, buildings, additions and extensions, earthworks and landscaping works; and</p> <p>b) building areas on new lots; and</p> <p>c) outdoor sitting, entertainment and children's play areas</p>	<p>a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</p> <p>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</p> <p>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</p> <p>d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.</p>
Complies with A1. Lots 1-7 are all setback in excess of 50m to the Western Rail line and the building envelope on Lot 8 is setback in excess of 50m to the Western Rail line.	N/a

E4.7.2 Management of Road Accesses and Junctions

<p>Objective</p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>	<p>P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
Complies with A1 Each residential lot (1-8) is provided with only one access point to provide both ingress and egress.	N/a
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
N/a	N/a

E4.7.3 Management of Rail Level Crossings

<p>Objective</p> <p>To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Where land has access across a railway:</p> <p>a) development does not include a level crossing; or</p> <p>b) development does not result in a material change onto an existing level crossing.</p>	<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>
N/a	N/a

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

Objective

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

Acceptable Solutions	Performance Criteria
<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 <i>Manual of uniform traffic control devices - Railway crossings</i>, 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>
Relies on P1	<p>Table E4.7.4 requires a safe intersection sight distance of 80m. The Traffic Impact Assessment accompanying the application has confirmed that the safe intersection sight distance is readily achieved for all proposed lots to the south. However, some of the northern accesses, particularly for Lot 8 do not meet the 80m requirement. However, based on the visibility to the Norfolk and Frederick Street intersection and taking account of the requirements of AS2890 it is considered that the sight distance for all lots is satisfactory.</p>

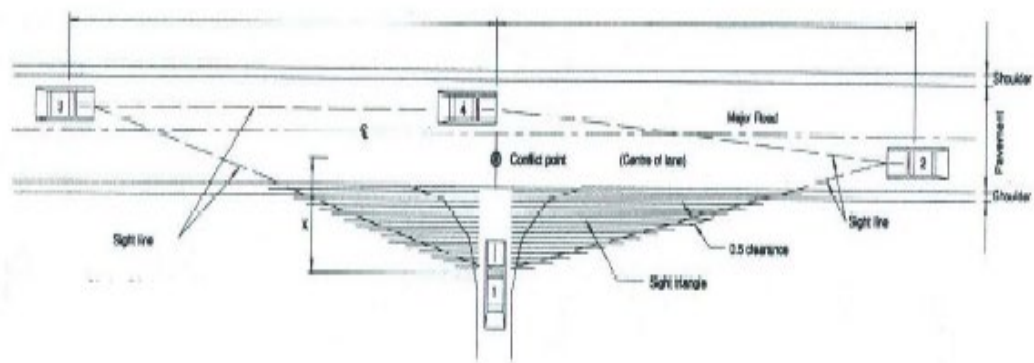


Figure E4.7.4 Sight Lines for Accesses and Junctions

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):

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- (i) All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;
- (ii) These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;
- (iii) A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.7.4;
- (iv) A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
- (v) A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

ASSESSMENT AGAINST E5.0 FLOOD PRONE AREAS CODE

E5.5 Use Standards

E5.5.1 Use and flooding

Objective To ensure that use does not compromise risk to human life, and that property and environmental risks are responsibly managed.	
Acceptable Solutions	Performance Criteria
A1 The use must not include habitable rooms.	P1 Use including habitable rooms subject to flooding must demonstrate that the risk to life and property is mitigated to a low risk level in accordance with the risk assessment in E5.7.
Complies with A1. No new buildings are proposed.	N/a
A2 Use must not be located in an area subject to a medium or high risk in accordance with the risk assessment in E5.7.	P2 Use must demonstrate that the risk to life, property and the environment will be mitigated to a low risk level in accordance with the risk assessment in E5.7.
Complies with A2. The site is not within an area subject to a medium or high risk	N/a

E5.6 Development Standards

E5.6.1 Flooding and Coastal Inundation

Objective To protect human life, property and the environment by avoiding areas subject to flooding where practicable or mitigating the adverse impacts of inundation such that risk is reduced to a low level.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	<p>P1.1 It must be demonstrated that development:</p> <ul style="list-style-type: none"> a) where direct access to the water is not necessary to the function of the use, is located where it is subject to a low risk, in accordance with the risk assessment in E5.7 a); or b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is mitigated to a medium risk level in accordance with the risk assessment in E5.7. <p>P1.2 Development subject to medium risk in accordance with the risk assessment in E5.7 must demonstrate that the risk to life, property and the environment is mitigated through structural methods or site works to a low risk level in accordance with the risk assessment in E5.7.</p> <p>P1.3 Where mitigation of flood impacts is proposed or required, the application must demonstrate that:</p> <ul style="list-style-type: none"> a) the works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and b) the works will not result in an increase in the extent of flooding on other land or increase the risk to other structures; c) inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials; and d) where mitigation works are proposed to be carried out outside the boundaries of the site, such works are part of an approved hazard reduction plan covering the area in which the works are proposed.
N/a	Complies with P1.1 (a), P1.2 is not applicable and complies with P1.3

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All the lots currently have areas which are outside the 1:100 year flood level and following placement of fill they will all be mostly outside of the 1:100 year flood level. In accordance with Table E5.1, that means the risk rating is Low.

The proposed fill works have been assessed by Hydrodynamica as not likely to have an impact on the flood flows and will not result in an increase in the extent of flooding on other land or increase the risk to other structures. All mitigations works are proposed within the boundaries of the site.

ASSESSMENT AGAINST E9.0 WATER QUALITY CODE

E9.5 Use Standards

Not used in this Scheme.

E9.6 Development Standards

E9.6.1 Development and Construction Practices and Riparian Vegetation

Objective

To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.

Acceptable Solutions	Performance Criteria
A1 Native vegetation is retained within: a) 40m of a wetland, watercourse or mean high water mark; and b) a Ben Lomond Water catchment area - inner buffer.	P1 Native vegetation removal must submit a soil and water management plan to demonstrate: a) revegetation and weed control of areas of bare soil; and b) the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and c) that disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.
Complies with A1. No native vegetation removal is proposed.	N/a
A2 A wetland must not be filled, drained, piped or channelled.	P2 Disturbance of wetlands must minimise loss of hydrological and biological values, having regard to: (v) natural flow regimes, water quality and biological diversity of any waterway or wetland; (vi) design and operation of any buildings, works or structures on or near the wetland or waterway; (vii) opportunities to establish or retain native riparian vegetation; (viii) sources and types of potential contamination of the wetland or waterway.
Complies with A3.	N/a
A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposes.	P3 A watercourse may be filled, piped, or channelled: a) within an urban environment for the extension of an existing reticulated stormwater network; or b) for the construction of a new road where retention of the watercourse is not feasible.
Complies with A4. Sheepwash Creek will not be filled, piped or channelled.	N/a

E9.6.2 Water Quality Management

Objective

To maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses.

Acceptable Solutions	Performance Criteria
A1 All stormwater must be: a) connected to a reticulated stormwater system; or b) where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being	P1 Stormwater discharges to watercourses and wetlands must minimise loss of hydrological and biological values, having regard to: (vi) natural flow regimes, water quality and biological diversity of any waterway or wetland; (vii) design and operation of any buildings, works or structures, on or near the wetland or waterway;

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discharged into a natural wetland or watercourse; or	(viii) sources and types of potential contamination of the wetland or waterway;
c) meet emission limit guidelines from the Board of the Environment Protection Authority in accordance with the State Policy for Water Quality Management 1997.	(ix) devices or works to intercept and treat waterborne contaminants;
	(x) opportunities to establish or retain native riparian vegetation or continuity of aquatic habitat.
Complies with A1. Stormwater will be diverted to a reticulated system.	N/a
A2.1 No new point source discharge directly into a wetland or watercourse.	P2.1 New and existing point source discharges to wetlands or watercourses must implement appropriate methods of treatment or management to ensure point sources of discharge:
A2.2 For existing point source discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existed at the effective date.	a) do not give rise to pollution as defined under the Environmental Management and Pollution Control Act 1994; and
	b) are reduced to the maximum extent that is reasonable and practical having regard to:
	i) best practice environmental management; and
	ii) accepted modern technology; and
	c) meet emission limit guidelines from the Board of Environmental Management and Pollution Control in accordance with the State Policy for Water Quality Management 1997.
	P2.2 Where it is proposed to discharge pollutants into a wetland or watercourse, the application must demonstrate that it is not practicable to recycle or reuse the material.
Relies on Performance Criteria. There will be two new stormwater discharge points into Sheepwash Creek.	Complies with P2.1 and P2.2. The two new stormwater outfalls into Sheepwash Creek to the west of the residential lots will implement appropriate methods of treatment including the provision of gross pollutant traps to ensure that the proposal does not give rise to pollution. Sheepwash Creek currently serves as a stormwater outlet generally.
A3 No acceptable solution.	P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.
N/a	N/a

E9.6.3 Construction of Roads

Objective To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.	
Acceptable Solutions	Performance Criteria
A1 A road or track does not cross, enter or drain to a watercourse or wetland.	P1 Road and private tracks constructed within 50m of a wetland or watercourse must comply with the requirements of the Wetlands and Waterways Works Manual, particularly the guidelines for siting and designing stream crossings.
N/a	N/a

E9.6.4 Access

Objective To facilitate appropriate access at suitable locations whilst maintaining the ecological, scenic and hydrological values of watercourses and wetlands.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 New access points to wetlands and watercourses are provided in a way that minimises:
	a) their occurrence; and
	b) the disturbance to vegetation and hydrological features from use or development.
N/a	N/a
A2 No acceptable solution.	P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.
N/a	N/a



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E9.6.5 Sediment and Erosion Control

Objective	
<i>To minimise the environmental effects of erosion and sedimentation associated with the subdivision of land.</i>	
Acceptable Solutions	Performance Criteria
A1 The subdivision does not involve any works.	P1 For subdivision involving works, a soil and water management plan must demonstrate the: <ul style="list-style-type: none"> a) minimisation of dust generation from susceptible areas on site; and b) management of areas of exposed earth to reduce erosion and sediment loss from the site.
N/a	A condition of permit will require the submission of a soil and water management plan to be submitted prior to works commencing.

ASSESSMENT AGAINST E10.0 RECREATION AND OPEN SPACE CODE

E10.6 Development Standards

E10.6.1 Provision of Public Open Space

Objective	
a) To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity and health of the community; and b) To ensure that the design of public open space delivers environments of a high quality and safety for a range of users, together with appropriate maintenance obligations for the short, medium and long term.	
Acceptable Solutions	Performance Criteria
A1 The application must: a) include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu.	P1 Provision of public open space, unless in accordance with Table E10.1, must: <ul style="list-style-type: none"> a) not pose a risk to health due to contamination; and b) not unreasonably restrict public use of the land as a result of: <ul style="list-style-type: none"> i) services, easements or utilities; and ii) stormwater detention basins; and iii) drainage or wetland areas; and iv) vehicular access; and c) be designed to: <ul style="list-style-type: none"> i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and ii) reasonably contribute to the pedestrian connectivity of the broader area; and iii) be cost effective to maintain; and iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and v) provide for public safety through <i>Crime Prevention Through Environmental Design</i> principles; and vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and ix) create attractive environments and focal points that contribute to the existing or desired future character statements, if any.
Relies on P1	Proposed Lot 9 with an area of 2.5 ha is to be set aside for public open space. The area is of sufficient size and topographical profile to provide for a large useable area of public open space that affords the opportunity to provide pedestrian and cycling linkages with other trails and open space networks in the community.

SPECIFIC AREA PLANS

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



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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

STATE POLICIES
The proposal is consistent with all State Policies.

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
<i>Strategic Plan 2017-2027</i> <i>Statutory Planning</i>

5 SERVICES

Sewer & Water

The application was referred to TasWater regarding water and sewer infrastructure. Their certificate of consent is included as to this report and will be included as an attachment if a permit is issued.

Stormwater & Access

The application was referred internally to the Council's Works Department, who advised that the subdivision can be serviced by Council infrastructure. Their recommended conditions of approval will be included if a permit is issued.

Provision of Services

Prior to the sealing of the final plan of subdivision, the applicant would be required to provide water services, sewer and stormwater services to the property boundaries of all lots (as required by TasWater/Works Department Section's conditions).

Public Open Space Contribution

A large area of public open space is provided as part of the subdivision in the form of the 2.5ha lot 9.

6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

7 OPTIONS

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

8 DISCUSSION

Discretion to refuse the application is limited to:

- Clause 10.4.4.5 P1 – Integrated Urban Landscape
- Clause 10.4.4.6 P1 – Walking and Cycling Network
- Clause E6.5.1 P1 – Flooding and Coastal Inundation
- Clause E7.4.7 P1 – Sight Distance at Accesses, Junctions and Level Crossings
- Clause E9.6.2 P2.1 and P2.2 – Water Quality Management
- Clause E10.6.1 P1 Provision of Public Open Space

Council has discretion to approve or refuse the application, due to reliance on the Performance Criteria under the Zone in relation to provision of public open space noting that by providing public open space means the proposal automatically does not comply with the acceptable solution. Council also has discretion to refuse the application under the Road and Rail Network Code in relation to sight distances and the Flood Code, Water Quality Code and Recreation and Public Open Space Code.

The proposed vehicle access will remain convenient, safe and efficient to use, having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles that will access the lots.

The proposed provision of lot 9 as public open space will ensure there is a large area of public open space in the area that also doubles up a runoff for flood flows.

The majority of the residential lots are outside the mapped 1:100-year flood level and the proposed fill will ensure they all above that level. The exception being proposed lot 1 which has an area of 1257m² and will have a small area still subject to flooding and as such is proposed to contain a 130m² building envelope. Hydrodynamica have assessed that the placement of fill will not impact the flood flows or increase risk to other properties or structures.

Referral bodies were consulted regarding the proposal, and provided consent/conditions of approval.

The proposed development meets all relevant provisions of the *Northern Midlands Interim Planning Scheme 2013* and conditions that relate to any aspect of the application can be placed on a permit.

9 ATTACHMENTS

- Application & plans, correspondence with applicant
- Responses from referral agencies
- Representations

RECOMMENDATION

That land at 10 Norfolk Street, Perth be approved to be developed and used for an 8 Lot Subdivision and balance (Flood Prone Areas Code, Water Quality Code & Road & Railway Assets Code) in accordance with application PLN-19-0218, 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 prepared by 6ty (Drawing No: P01, Revision F)* and **P2** *Preliminary Sewer Design Longitudinal Section prepared by 6ty (Drawing No: P02, 21.11.19)*.

2 Land Set Aside for Public Open Space

When the Final Survey Diagram is submitted for sealing, Lot 9 must be dedicated as Public Open Space.

3 Council's Works Department conditions

3.1 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.

3.2 Access (Urban)

- A concrete driveway crossover and apron must be constructed from the edge of Norfolk Street to the property boundary of each Lot in accordance with Council standards.

3.3 Roadworks

- Kerb and channel and hotmix sealed roads shall be constructed along the frontage of all lots.
- A 1.8m wide concrete footpath shall be constructed along the frontage of all lots.

- An engineering design plan showing the road, footpath and drainage system including pavement long sections and cross sections is to be approved by Council before the commencement of works on site

3.4 Street trees

A street tree shall be planted outside the frontage of each lot (where practical) prior to the end of the maintenance period.

3.5 As constructed information

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

3.6 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.

3.7 Works in Council road reserve

- a) Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works Manager.

3.8 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.

3.9 Easements to be created

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

3.10 Pollutants

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

3.11 Nature strips

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

4 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2019/01664-NMC).

5 Soil and Water Management Plan

- 5.1 Before works commence, a Soil and Water Management Plan must be submitted detailing how soil and water is to be managed during the construction process. to prevent the inappropriate discharge of soil, sediment or water from the site.
- 5.2 The Soil and Water Management Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

6 Sealing of Plans

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

DECISION

Cr Polley/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Goninon/Cr Brooks

That the application be refused.

Lost

Voting for the motion:

Cr Goninon, Cr Brooks, Cr Lambert

Voting against the motion:

Cr Adam, Cr Goss, Cr Calvert, Cr Knowles, Cr Polley

Cr Polley/Cr Adams

That land at 10 Norfolk Street, Perth be approved to be developed and used for an 8 Lot Subdivision and balance (Flood Prone Areas Code, Water Quality Code & Road & Railway Assets Code) in accordance with application PLN-19-0218, and subject to the following conditions:

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2 Land Set Aside for Public Open Space

When the Final Survey Diagram is submitted for sealing, Lot 9 must be dedicated as Public Open Space.

3 Council's Works Department conditions

3.1 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.

3.2 Access (Urban)

- A concrete driveway crossover and apron must be constructed from the edge of Norfolk Street to the property boundary of each Lot in accordance with Council standards.

3.3 Roadworks

- Kerb and channel and hotmix sealed roads shall be constructed along the frontage of all lots.
- A 1.8m wide concrete footpath shall be constructed along the frontage of all lots.
- An engineering design plan showing the road, footpath and drainage system including pavement long sections and cross sections is to be approved by Council before the commencement of works on site

3.4 Street trees

A street tree shall be planted outside the frontage of each lot (where practical) prior to the end of the maintenance period.

3.5 As constructed information

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

3.6 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.

3.7 Works in Council road reserve

b) Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works Manager.

3.8 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.

3.9 Easements to be created

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

3.10 Pollutants

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

3.11 Nature strips

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

4 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2019/01664-NMC).

5 Soil and Water Management Plan

- 5.1 Before works commence, a Soil and Water Management Plan must be submitted detailing how soil and water is to be managed during the construction process, to prevent the inappropriate discharge of soil, sediment or water from the site.
- 5.2 The Soil and Water Management Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

6 Sealing of Plans

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

Carried

Voting for the motion:

Mayor Knowles, Cr Polley, Cr Adams, Cr Calvert, Cr Goss

Voting against the motion:

Cr Brooks, Cr Lambert, Cr Goninon



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

053/20 PLANNING APPLICATION PLN-19-0243: 3 COMMONWEALTH LANE, CAMPBELL TOWN

Attachments: Section 1 – Page 271

File Number: 302300.93; CT 138127/1
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Chloe Lyne, Consultant Planner

1 INTRODUCTION

This report assesses an application for 3 Commonwealth Lane, Campbell Town to use two parking spaces for an electric vehicle charging station and two parking spaces for substation/transformer, install canopy, signage, light pole and remove tree (utilities) (within 20m of residential zone, vary setbacks, heritage precinct).

2 BACKGROUND

Applicant:

Fast Cities Australia Pty Ltd

Owner:

Northern Midlands Council

Zone:

Community Purpose Zone

Codes:

Heritage Precinct

Classification under the Scheme:

Discretionary

Existing Use:

Vehicle parking

Deemed Approval Date:

22 February 2020

Recommendation:

Approve

Discretionary Aspects of the Application

- Development within Heritage Precinct
- Variation to development standards (within 20m of residential zone, vary setbacks)

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 29, Effective 3 June 2019*

Preliminary Discussion

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

Subject site – Vehicle is parked in the location of the proposed electric vehicle charging station



Subject site – Electrical substation proposed to be situated to the right of parked vehicle



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

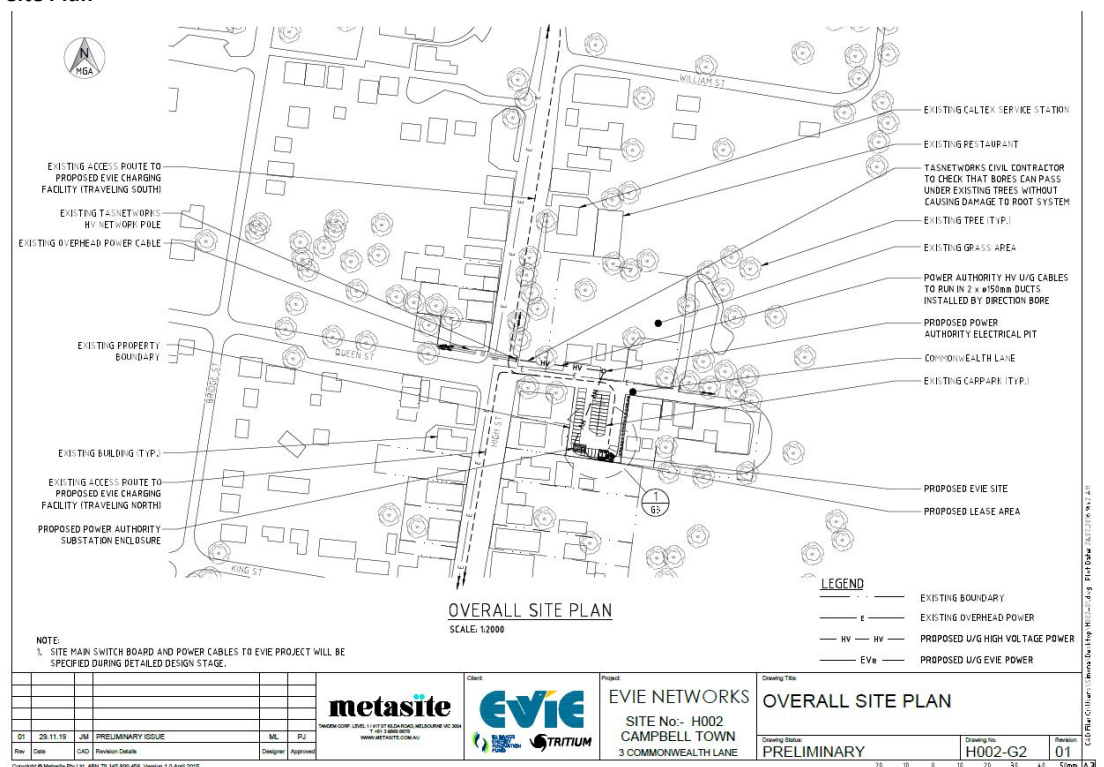
4.1 Proposal

It is proposed to:

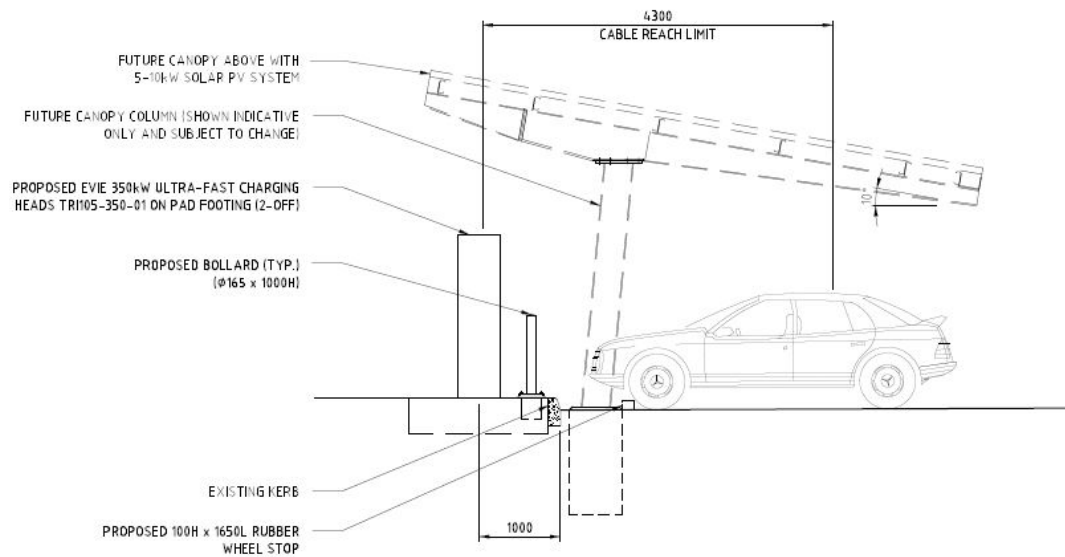
- Utilise two car parking spaces in the south-eastern corner of the site for an electric vehicle charging station with overhead canopy.
- Utilise two car parking spaces in the south-western corner of the site for the substation/transformer.
- Install regulatory signage.
- Install a light pole.
- Remove one small tree.

It is noted that the works include the installation of underground high voltage electricity cables from an existing overhead pole situated in the south-western corner of Valentine Park heading in an easterly direction through the park and associated car park, then across Commonwealth Lane and into the proposed power substation at the south-western corner of the site, as shown in the electricity plan below. These works are exempt from planning approval in accordance with Clause 6.2.1 of the Planning Scheme which exempts the provision of electricity to streets, lots or buildings.

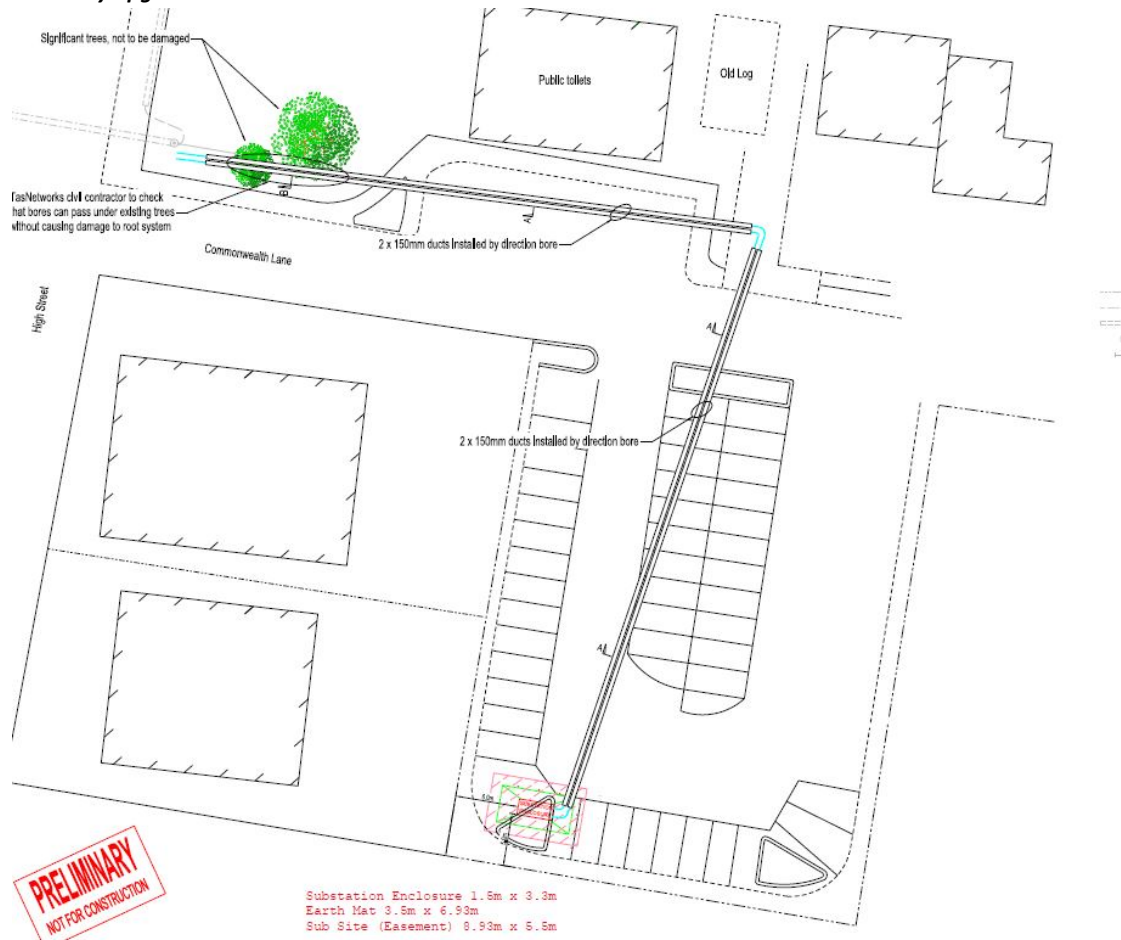
Site Plan



Elevations

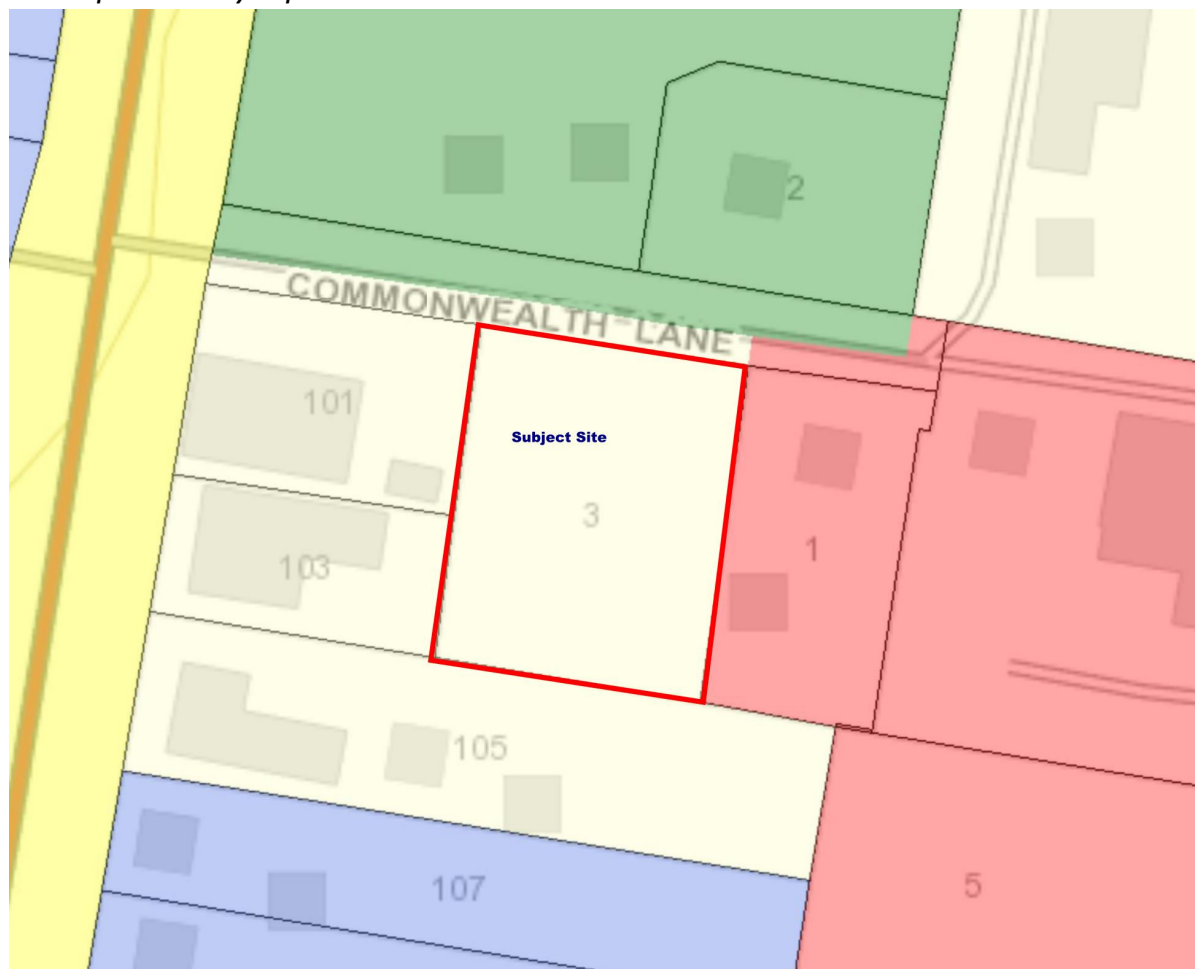


Electricity upgrade Plan



4.2 Zone and land use

Zone Map – Community Purpose Zone



The land is zoned Community Purpose, is within the Heritage Precinct and is subject to the Heritage Precinct Code.

The relevant Planning Scheme definition is:

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

4.3 Subject site and locality

The author of this report carried out a site visit on 5th February 2020.

Aerial photograph of area



Photographs of subject site



4.4 Permit/site history

Relevant permit history includes:

- Amendment 07/2002 – rezone from Residential Serviced to Community Purpose and develop carpark

4.5 Representations

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

- Dave Connell
- Philip Stoneman, 4 Bonnett Place, Mornington
- Charles Gregory, 24 Jeanette Court, Lenah Valley

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

Issue 1

- Supports proposal as a fantastic idea. Representor drives an electric car and said charging stations will be useful

Planner's comment:

Representor supports proposal so no comment necessary.

Issue 2

- Supports proposal

Planner's comment:

Representor supports proposal so no comment necessary.

Issue 3

- Representor supports application and notes that Campbell Town is ideally located as a rest stop for visitors travelling north and south. Notes that the number of electric cars in the state is only going to increase.

Planner's comment:

Representor supports proposal so no comment necessary.

4.6 Referrals

The only referrals required were as follows:

Council's Works Department

Precis: Council's Works & Infrastructure Department (Jake Walley) reported that Works and Infrastructure had no comment.

Heritage Adviser

Council's Heritage Advisor, David Denman, reviewed the application on the 25th December 2019. Mr Denman noted that he had no objections to the proposal and his comments form the Heritage Code assessment of this report. Mr Denman's comments are as follows:

The proposed car charging bays are located at the rear of the existing car park and will not have any adverse impact on the historic heritage values of the streetscape. The location, size and style of the signage and new light are acceptable. It is recommended that the removed tree be replaced in a suitable location to help screen the space from neighbouring properties.

4.7 Planning Scheme Assessment

COMMUNITY PURPOSE ZONE
ZONE PURPOSE
<i>To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.</i>
<i>To provide for a range of health, educational, government, cultural and social facilities to serve the function of settlements and local</i>

communities.

Assessment: The proposal meets the zone purpose. The proposal simply augments existing car parking facilities on the site and improves the range of facilities available to locals and visitors.

LOCAL AREA OBJECTIVES

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

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

Assessment: The proposal meets the local area objectives. The site is situated within a Heritage Precinct, however, the location of the proposed works is such that they will not be readily visible from a streetscape and there will be no discernible change from the visual context of the site as a car park.

17.3 USE STANDARDS

17.3.1 Zone Character

Objective

To ensure that all uses accord with the objectives for the zone or a community facility.

Acceptable Solutions	Performance Criteria
A1 Storage of materials or equipment external to a building must not be visible from the road to which the lot has frontage.	P1 Storage of materials or equipment does not visually detract from the character of the area.
Comment: Complies with A1. No storage of materials is proposed.	
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P2 No performance criteria.
Comment: Complies with A2. All vehicles associated with the use will be parked within the property.	

17.3.2 Amenity

Objective

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

Acceptable Solutions	Performance Criteria
A1 For development within 20m of a residential zone, the operating hours of the use must be between 7.00am and 7.00pm Monday to Friday and 8.00am to 6pm Saturday and Sunday.	P1 The operating hours must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement and illumination.
Comment: Complies with P1. The proposed electric charging station is situated within 20 metres of the residential zone to the east and the electric vehicle charging station will be available for use 24 hours a day. The nature of the proposed use is such that it is unlikely to cause environmental nuisance through noise and traffic movement emissions nor lighting. The site is currently used as a car park so vehicle movements are not anticipated to significantly increase. It is likely that most people will utilise the charging Station during normal business hours. The charging operation does not emit any noise. A condition of permit will ensure that any lighting does not extend beyond the property boundaries.	

17.4 Development Standards

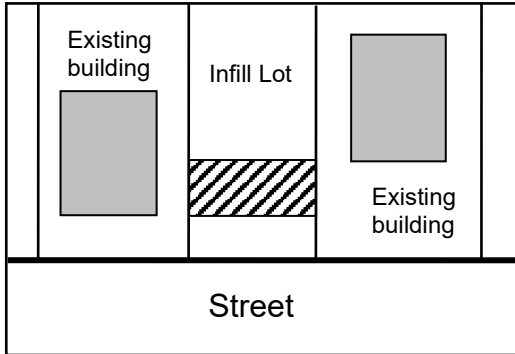
17.4.1 Building Design and Siting

Objective

To ensure that the siting and design of development;

- a) protects the amenity of surrounding uses; and
- b) furthers the local area objectives and desired future character statements, if any.

Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 8m.	<p>P1.1 Building height must:</p> <ul style="list-style-type: none"> a) be unobtrusive and must not dominate the character of the surrounding landscape and streetscape; or b) respond to the site context and the local area objectives, if any, for the provision of community uses; and <p>P1.2 Building height must protect the amenity of adjoining sensitive uses from the impacts of unreasonable overshadowing and overlooking by providing separation that is appropriate for the use, having regard to:</p> <ul style="list-style-type: none"> i) the form of the building; and

	<ul style="list-style-type: none"> ii) the contours or slope of the land; and iii) existing screening or the ability to implement/establish screening.
Comment: Complies with A1. The maximum height of the proposed canopy over the electric vehicle charging station is 4 metres.	
<p>A2 Buildings must be set back from the frontage a minimum distance of 5m or for infill lots, within the range of the front setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 17.4.1 below.</p> <p>Figure 17.4.1 – Front Setback for Infill Lots</p> 	<p>P2 Building frontage setbacks must:</p> <ul style="list-style-type: none"> a) be unobtrusive and must not dominate the character of the surrounding landscape and streetscape; or b) respond to the site context and the local area objectives, if any, for the provision of community uses.
Comment: Complies with A2. The proposed electrical substation and electric vehicle charging units are situated to the rear of the lot and well in excess of 5 metres from the frontage.	
<p>A3 Buildings must be set back from the side and rear boundaries a minimum distance of 3m.</p>	<p>P3 Side and rear building setbacks must:</p> <ul style="list-style-type: none"> a) protect the amenity of adjoining sensitive uses from the impacts of unreasonable overshadowing and overlooking by providing separation that is appropriate for the use; and b) have regard to: <ul style="list-style-type: none"> i) the form of the building; and ii) the contours or slope of the land; and iii) existing screening or the ability to implement/establish screening.
Comment: Complies with P3. The substation is setback 5 metres from the rear title boundary and 6 metres from the western side boundary. The electric vehicle charging station is setback in excess of 3 metres from the eastern side boundary, however there are components that are setback within 3 metres of the rear boundary and require assessment against the performance criteria. Given the maximum height of any of the structures is 4 metres, and the nature of the structures being utilities, there will be no overlooking or overshadowing.	

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

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ASSESSMENT AGAINST E6.0 CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6 Use Standards

E6.6.1 Car Parking Numbers

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

Acceptable Solutions		Performance Criteria	
A1	The number of car parking spaces must not be less than the requirements of:	P1	The number of car parking spaces provided must have regard to:
a)	Table E6.1; or	a)	the provisions of any relevant location specific car parking plan; and
b)	a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	b)	the availability of public car parking spaces within reasonable walking distance; and
		c)	any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and
		d)	the availability and frequency of public transport within reasonable walking distance of the site; and
		e)	site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and
		f)	the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and
		g)	an empirical assessment of the car parking demand; and
		h)	the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and
		i)	the recommendations of a traffic impact assessment prepared for the proposal; and
		j)	any heritage values of the site; and
		k)	for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:
		i)	the size of the dwelling and the number of bedrooms; and
		ii)	the pattern of parking in the locality; and
		iii)	any existing structure on the land.
Comment: Complies with A1. In accordance with Table E6.1 there is no requirement for provision of car parking for utilities. It is noted that whilst the proposal will remove some of the existing car parking spaces from everyday use, the proposal to provide an electric vehicle charging station is considered to be beneficial to the community and environment. The existing car park is underutilised.			

E6.6.2 Bicycle Parking Numbers

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

Acceptable Solutions		Performance Criteria	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Comment. A1.1 is not applicable. Complies with A1.2. There is no requirement for provision of bicycle parking spaces for the Utilities use class			

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

Acceptable Solutions	Performance Criteria
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A1	One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1	No performance criteria.
Comment: Not applicable.			

E6.6.4 Motorbike Parking Provisions

Objective: To ensure that motorbikes are adequately provided for in parking considerations.			
Acceptable Solutions		Performance Criteria	
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.
Comment: 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		Performance Criteria	
A1	All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
Comment: The charging station is not considered to fall within the definition of a car park and therefore does not need to be assessed against E6.7.1.			

E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	P1	The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to: a) the layout of the site and the location of existing buildings; and b) views into the site from the road and adjoining public spaces; and c) the ability to access the site and the rear of buildings; and d) the layout of car parking in the vicinity; and e) the level of landscaping proposed for the car parking.
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.		
Comment: The charging station is not considered to fall within the definition of a car park and therefore does not need to be assessed against E6.7.2.			
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	P2	Car parking and manoeuvring space must: a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
A2.2	The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .		
Comment: The charging station is not considered to fall within the definition of a car park and therefore does not need to be assessed against E6.7.2.			

Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

Objective: To ensure adequate access, safety and security for car parking and for deliveries.			
Acceptable Solutions		Performance Criteria	
A1	Car parking areas with greater than 20 parking spaces must be:	P1	Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:
a)	secured and lit so that unauthorised persons cannot enter or;	a)	levels of activity within the vicinity; and
b)	visible from buildings on or adjacent to the site during the times when parking occurs.	b)	opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.
Comment: Complies with A1. There is no change proposed to the security and lighting of the balance car park.			

E6.7.4 Parking for Persons with a Disability

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

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

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.			
Acceptable Solutions		Performance Criteria	
A1	For retail, commercial, industrial, service industry or warehouse or storage uses:	P1	For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.
a)	at least one loading bay must be provided in accordance with Table E6.4; and		
b)	loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.		
Comment: Not applicable			

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.			
Acceptable Solutions		Performance Criteria	
A1.1	Bicycle parking spaces for customers and visitors must:	P1	Bicycle parking spaces must be safe, secure, convenient and
a)	be accessible from a road, footpath or cycle track; and		

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b)	include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i> ; and	located where they will encourage use.
c)	be located within 50m of and visible or signposted from the entrance to the activity they serve; and	
d)	be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and	
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:	P2
a)	minimum dimensions of:	Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
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: Not applicable		

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment: Not applicable	

Table E6.5: Pedestrian Access

Number of Parking Spaces Required	Pedestrian Facility
1–10	No separate access required (i.e. pedestrians may share the driveway). [Note (a) applies].
11 or more	A 1m wide footpath separated from the driveway and parking aisles except at crossing points. [Notes (a) and (b) apply].

Notes

- a) In parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.
- b) Separation is deemed to be achieved by:
 - i) a horizontal distance of 2.5m between the edge of the driveway and the footpath; or
 - ii) protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
 - iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

ASSESSMENT AGAINST E15.0 SIGNS CODE

E15.6 Use Standards

E15.5.1 Third Party Signage

Objective: To ensure that signs relate to the site on which they are located.	
Acceptable Solutions	Performance Criteria
A1 Must only advertise goods and services available from the site.	P1 Shall be a Billboard Sign and consistent with the desired future character statements, if any.
Comment: Complies with A1. All signs are regulatory and provide details of location and hazards around the electric vehicle charging station.	

E15.5.2 Heritage Precincts

Objective To ensure that the design and siting of signs complement or enhance the streetscape of Heritage Precincts.	
Above Awning Sign	
Acceptable Solutions	Performance Criteria



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A1 No acceptable solution	P1 If within the Heritage Precincts Specific Area Plan, shall be consistent with the Character Statements.
Comment: Complies with A1. The proposed regulatory signs are consistent with the Character Statement as assessed by Council's Heritage Advisor.	

E15.53 Design and siting of signage

There are no provisions in relation to regulatory signage.

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	Complies – See Heritage Advisor's assessment.
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
STATE POLICIES	
The proposal is consistent with all State Policies.	
OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993	
The proposal is consistent with the objectives of the <i>Land Use Planning & Approvals Act 1993</i> .	
STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES	
Strategic Plan 2017-2027	
Statutory Planning	

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

The application for an electric vehicle charging station and associated electrical substation is discretionary.

Discretion to refuse the application is limited to:

- Development within Heritage Precinct
- Variation to development standards (within 20m of residential zone, vary setbacks)

The location of the proposed use and development is entirely appropriate and utilises an existing car parking space in an efficient manner. The nature of the use means there will be no amenity issues as the charging process does not emit sound. Given the site is already a public car park, there is already noise associated with cars entering and existing the site. Council's heritage planner has reviewed the application and determined it is acceptable.

There were three representations to the proposal, all of which are strongly in favour of the development proceeding.

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

The proposal will be conditioned to be used and developed in accordance with the proposal plans. An additional permit will require a replacement tree to be replanted within the site in a location approved by the General Manager.

8 ATTACHMENTS

- Application & plans
- Representations
- Heritage Advisor's assessment
- Works & Infrastructure referral

RECOMMENDATION

That land at 3 Commonwealth Lane, Campbell Town be approved to be developed and used for an electric vehicle charging station, substation/transformer, canopy, signage, light pole and remove tree (utilities) (within 20m of residential zone, vary setbacks, heritage precinct) in accordance with application PLN-19-0243, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered

P1 – Cover Page;

P2 – Site Specifications (dated 29.11.19)

P3 – Overall Site Plan (dated 29.11.19)

P4 – Site Plan (dated 29.11.19)

P5 – Site Setout Plan (dated 29.11.19)

P6 – Site Elevation (dated 29.11.19)

P7 – TasNetworks Proposed Site Plan (dated 11.11.19)

P8 – Signage Details (dated 24/10/19)

P9 – Signage Fixing Details (dated 3/10/19)

P10 – Light Pole Specifications

P11 – Light Bulb Specifications

2 Replacement Tree

Prior to the issue of a building permit, the applicant shall submit a plan showing location and species of a replacement tree to be planted in a suitable location adjacent to the southern boundary to the satisfaction of the General Manager.

3 Lighting

Lighting shall be oriented and baffled so as to contain all light emissions within the site.

DECISION

Cr Goss/Cr Lambert

That the matter be discussed.

Carried unanimously

Cr Goninon/Cr Adams

That land at 3 Commonwealth Lane, Campbell Town be approved to be developed and used for an electric vehicle charging station, substation/transformer, canopy, signage, light pole and remove tree (utilities) (within 20m of residential zone, vary setbacks, heritage precinct) in accordance with application PLN-19-0243, and subject to the following conditions:

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P5 – Site Setout Plan (dated 29.11.19)

P6 – Site Elevation (dated 29.11.19)

P7 – TasNetworks Proposed Site Plan (dated 11.11.19)

P8 – Signage Details (dated 24/10/19)

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2 Replacement Tree

Prior to the issue of a building permit, the applicant shall submit a plan showing location and species of a replacement tree to be planted in a suitable location adjacent to the southern boundary to the satisfaction of the General Manager.

3 Lighting

Lighting shall be oriented and baffled so as to contain all light emissions within the site.

Carried unanimously

**054/20 PLANNING APPLICATION PLN-19-0183: 9 MARLBOROUGH STREET,
LONGFORD**

Attachments: Section 1 – Page 336

File Number: 109300.06; CT114316/2&3
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Erin Boer, Urban & Regional Planner

1 INTRODUCTION

This report assesses an application for 9 Marlborough Street, Longford for partial change of use to Visitor Accommodation & Business and Professional Services (tour company) & Signage (Heritage listed property within heritage precinct).

2 BACKGROUND

Applicant:

Safica Pty Ltd

Owner:

Safica Pty Ltd

Zone:

General Business Zone

Codes:

Car Parking and Sustainable Transport Code
Local Historic Heritage Code
Signs Code

Classification under the Scheme:

Discretionary

Existing Use:

Business and professional services

Deemed Approval Date:

Extension of time until 21 February 2020

Recommendation:

Approve

Discretionary Aspects of the Application

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

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 29, Effective from 3rd June 2019.*

Preliminary Discussion

Prior to the application becoming valid / being placed on public exhibition, further information was requested from the applicant – copies of outgoing correspondence attached.

Subject site



3 STATUTORY REQUIREMENTS

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

Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

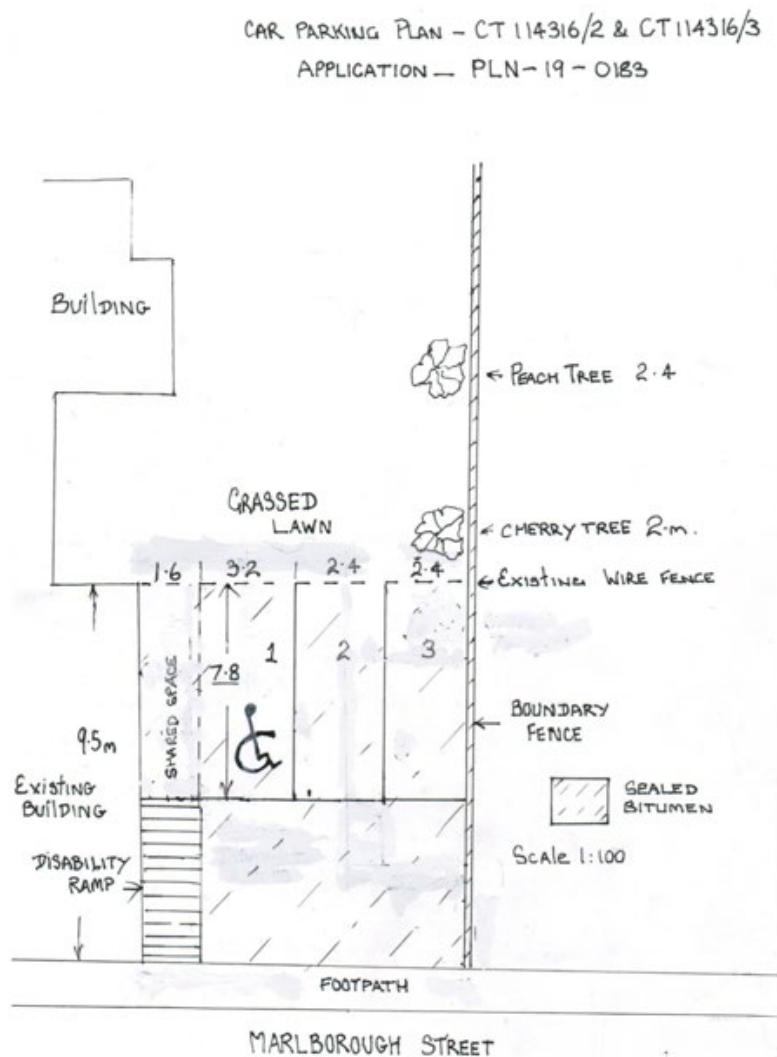
4 ASSESSMENT

4.1 Proposal

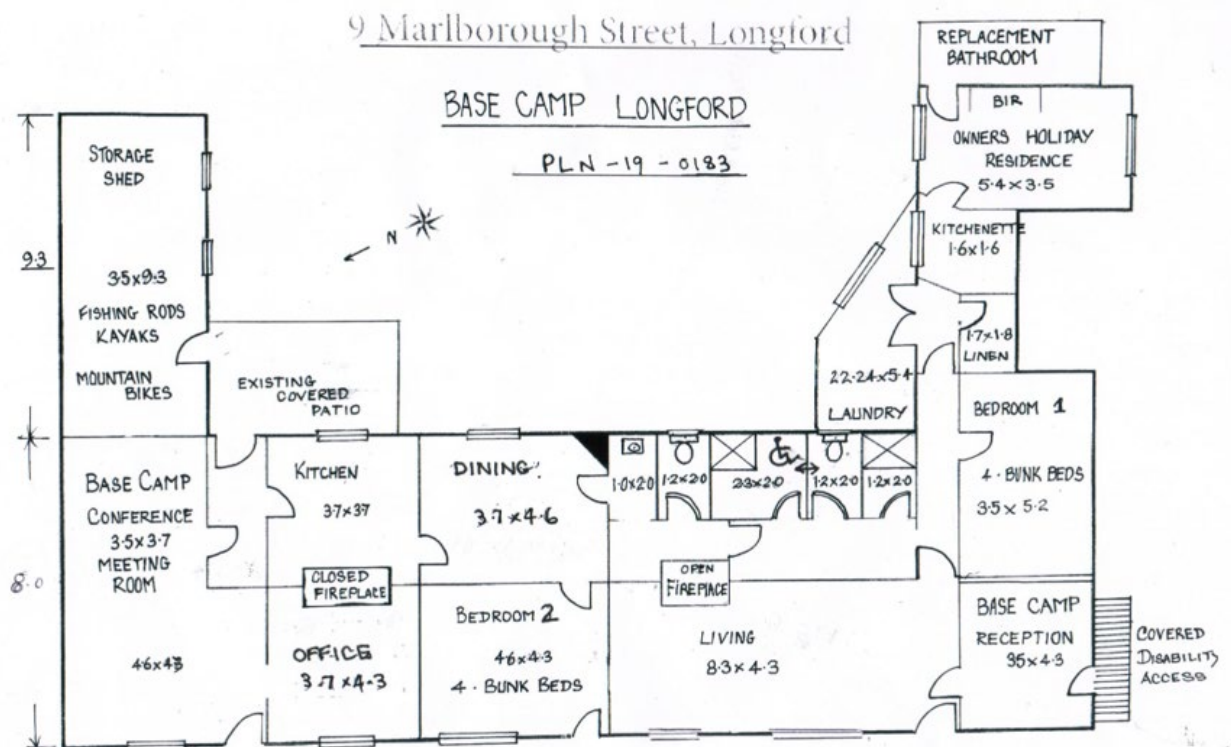
It is proposed to:

- Partial change of use to Visitor Accommodation & Business & Professional Services (tour company) & Signage (Heritage listed property within heritage precinct).

Car Parking Plan



Floor Plan



Elevations (Signage)

BUILDING SIGNAGE — LARGE WINDOW FRAMES X 3



SIGNAGE COLOUR — BLACK BOLD
TEXT SIZE — 30cms

4.2 Zone and land use

Zone Map – General Business Zone



The land is zoned General Business Zone, is a Heritage Listed Place and located within the Heritage Precinct of Longford.

The relevant Planning Scheme definition is:

Visitor accommodation	use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.
Business and professional services	use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.

Visitor Accommodation & Business and Professional Services are permitted uses in the zone. Due to the property being a Heritage Listed place and located within the Heritage Precinct, the application became discretionary.

4.3 Subject site and locality

The author of this report carried out a site visit on the 17th December 2019. The subject site is located within the main business district of Longford and has direct frontage to Marlborough Street. The building is located across two titles, with a total area of approximately 783m². The building has been previously used for a range of small businesses/shops and was recently re-painted. A range of commercial uses surround the site.

Aerial photograph of area



Photographs of subject site





4.4 Permit/site history

Relevant permit history includes:

130/78 - RL Hudson - Shop
109300.06 - 9 MARLBOROUGH ST - LONGFORD - SAFICA PTY LTD

24/82 - RL Hudson - Shop Alterations (Laundrette)
109300.06 - 9 MARLBOROUGH ST - LONGFORD - SAFICA PTY LTD

P08/360 - Matthew Boyd - Shop To Consulting Room
109300.06 - 9 MARLBOROUGH ST - LONGFORD - SAFICA PTY LTD

4.5 Representations

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

- Duncan and Maree Lawes, 81 Wellington Street, Longford

Map showing location of representor's property in relation to subject site



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

Issue 1

- Frequent social gatherings and noisy activities originating from the site.

Planner's comment:

There are no relevant provisions under the planning scheme that allows these matters to be assessed through the planning application process. Noise nuisances are dealt with via the *Environmental Management and Pollution Control Act 1994*. The regulations for noise (Musical instruments and sound amplifying equipment) note that following times are prohibited:

- Monday to Thursday: Before 7am and after 10pm
- Friday: Before 7am
- Saturday: Before 9am
- Sunday and Public Holidays: Before 10am and after 10pm

4.6 Referrals

The only referrals required were as follows:

TasWater

Precis: A Taswater Submission to Planning Authority Notice was issued on the 02.01.2020 (Taswater Ref: TWDA 2019/01870-NMC).

Heritage Adviser

Council's Heritage Advisor, David Denman, reviewed the application on the 8th January 2020. Mr Denman noted that he had no objections to the proposal and made the following comments:

"There are no alterations proposed to the exterior of the building.

The window signage is acceptable.

This proposal will not have any adverse impact on the historic cultural heritage character of the street or townscape.

I have no objections to the proposal."

Tasmanian Heritage Council

Precis: As the property is on the Register of the Tasmanian Heritage Council, the proposal was also subject to a Notice of Heritage Decision. A Notice of Heritage Decision was issued on 10th January 2020 (Works Ref: #6081) and includes conditions regarding repointing brickwork, sealing brickwork and timber floorboard treatments. The Planning Permit will condition the development to be in accordance with the Notice of Heritage Decision.

4.7 Planning Scheme Assessment

GENERAL BUSINESS ZONE	
ZONE PURPOSE	
21.1.1 Zone Purpose Statements	
21.1.1.1	To provide for business, community, food, professional and retail facilities serving a town or group of suburbs.
21.1.1.2	To create through good urban design:
a)	an attractive and safe environment; and
b)	activity at pedestrian levels with active road frontages offering interest and engagement to shoppers and; and
c)	appropriate provision for car parking, pedestrian access and traffic circulation.
Assessment: The proposal meets the zone purpose.	

LOCAL AREA OBJECTIVES	
To consolidate growth within the existing urban land use framework of the towns of Campbell Town, Longford and Perth.	
To manage development in the General business zone so as to conserve and enhance the quality of the Heritage Precincts in the Campbell Town, Longford, and Perth town centres.	
To ensure developments within street reservations contribute positively to the context of the Heritage Precincts in each settlement.	
Assessment: The proposal meets the local area objectives.	

USE AND DEVELOPMENT STANDARDS	
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21.3.1 Amenity

Objective To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles (except for visitor accommodation and recreation) must only operate between 6.00am and 10.00pm Monday to Sunday.	P1 Commercial vehicles (except for visitor accommodation and recreation) must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, odour, dust and illumination.
Not applicable for Visitor Accommodation use proposed. Commercial vehicles associated with the business and professional services use will be conditioned to operate within the hours of 6.00am and 10.00pm Monday to Sunday.	N/a
A2 Noise levels at the boundary of the site with any adjoining land must not exceed: a) 50dB(A) day time; and b) 40dB(A) night time; and c) 5dB(A) above background for intrusive noise.	P2 Noise must not cause unreasonable loss of amenity to nearby sensitive uses.
Complies with A2 – the uses <i>Visitor Accommodation</i> and <i>Business and Professional Services</i> are not associated with any noise generating activities and is therefore considered to comply with these limits. A condition may be applied to the permit to ensure compliance.	N/a

21.4 Development Standards – N/a – no works proposed.

21.4.2 Subdivision -N/a

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/a
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	N/a
E5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0 SCENIC MANAGEMENT CODE	N/a

E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	Complies – See code assessment below
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	Complies – See code assessment below

ASSESSMENT AGAINST E6.0 CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6 Use Standards

E6.6.1 Car Parking Numbers

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

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

Comment:

Visitor Accommodation – 1 space per 4 beds – total 2 spaces required.

Business and Professional Services – 1 space per FTE employee + 1 space per 50m² net floor area – total 2 spaces required.

A total of 4 spaces are required. 3 spaces are proposed. The development relies on the performance criteria P1 as follows:

a) N/a

b) Public parking is available on the street directly adjacent to the subject site.

c) N/a no sharing of spaces, other than between 2 part time employees.

d) Public Transport (buses) is available along Wellington and Marlborough Streets, within walking distance from the subject site (approximately 250m).

e) The site does not easily lend itself to car parking, due to the heritage listed building taking up the majority of the road frontage. The parking proposed makes best use of the available area.

f) On-road parking is available on both sides of the street and pedestrian movement across the road is assisted by a traffic island with pedestrian refuge area. Commercial uses across the road are serviced by off-street parking and adjacent commercial uses utilise on street parking which is available on both Marlborough and Wellington Streets.

g) An empirical assessment of parking demand in the area indicates that there is sufficient on-street parking available to service the remaining space required for the proposed uses

h) The area proposed to be used for car parking is already sealed and used for this purpose.

- i) N/a
j) As the area proposed for parking is already sealed and previously used for this purpose, the impact on heritage values will be minimal.
k) N/a.

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Business and Professional Services <i>bank, office, real estate agency, travel agent</i>	1 space per employee + 1 space per 50m ² net floor area	1 space + 1 space per 500m ² net floor area
Visitor accommodation <i>(bed and breakfast, camping, caravan park, unit/cabin, backpacker hostel, motel, serviced apartments)</i>	1 space per unit or 1 space per 4 beds whichever is greater	1 space per 10 beds

E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.			
Acceptable Solutions		Performance Criteria	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Comment: Relies on P1 – Bicycle parking is not proposed, although could be accommodated on site if required. Visitor accommodation generally accommodates uses with luggage; therefore, a bicycle is unlikely to be the preferred method of travel.			

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.			
Acceptable Solutions		Performance Criteria	
A1	One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1	No performance criteria.
Comment: N/a – less than 50 spaces proposed.			

E6.6.4 Motorbike Parking Provisions

Objective: To ensure that motorbikes are adequately provided for in parking considerations.			
Acceptable Solutions		Performance Criteria	
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.
Comment: N/a – Less than 20 spaces proposed.			

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1	All car parking, access strips manoeuvring and circulation spaces must be:	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure
a)	formed to an adequate level and drained; and		

b) except for a single dwelling, provided with an impervious all weather seal; and	that they are useable in all weather conditions.
c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	

Comment:

Complies with A1 – condition required to ensure line marking is completed, prior to the commencement of use.

E6.7.2 Design and Layout of Car Parking

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

Acceptable Solutions	Performance Criteria
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:
A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	a) the layout of the site and the location of existing buildings; and
	b) views into the site from the road and adjoining public spaces; and
	c) the ability to access the site and the rear of buildings; and
	d) the layout of car parking in the vicinity; and
	e) the level of landscaping proposed for the car parking.

Comment:

A1.1 – N/a

A1.2 – N/a

A2.1 Car parking and manoeuvring space must:	P2 Car parking and manoeuvring space must:
a) have a gradient of 10% or less; and	a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
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 <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .	

Comment:

Complies with A2.1 as follows:

a) Complies.

b) N/a

c) Relies on P2.

A2.2 Relies on P2.

P2 – The proposed parking spaces are a simple drive in entry/reverse exit, or alternatively, there is sufficient space for vehicles to pull up on Marlborough Street and reverse into the site. Although parking spaces are not exactly to specification, they are of sufficient dimensions to safely and efficiently provide parking for intended vehicles.

Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

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

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

E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p>P1 The location and design of parking spaces considers the needs of disabled persons, having regard to:</p> <p>e) the topography of the site;</p> <p>f) the location and type of relevant facilities on the site or in the vicinity;</p> <p>g) the suitability of access pathways from parking spaces, and</p> <p>h) applicable Australian Standards.</p>
<p>A2 One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with <i>Australian Standards AS/NZ 2890.6 2009</i>.</p>	<p>P2 The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to:</p> <p>d) characteristics of the populations to be served;</p> <p>e) their means of transport to and from the site; and</p> <p>f) applicable Australian Standards.</p>
<p>Comment:</p> <p>A1 – Complies.</p> <p>A2 – 1 disabled space proposed. Condition required to ensure compliance with Australian Standard.</p>	

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

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions	Performance Criteria
<p>A1 For retail, commercial, industrial, service industry or warehouse or storage uses:</p> <p>a) at least one loading bay must be provided in accordance with Table E6.4; and</p> <p>b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.</p>	<p>P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.</p>
<p>Comment:</p> <p>N/a – Not a retail, commercial, industrial, service industry, warehouse or storage use.</p>	

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective:	
To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Bicycle parking spaces for customers and visitors must:</p> <p>a) be accessible from a road, footpath or cycle track; and</p> <p>b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and</p> <p>c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and</p>	<p>P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</p>

d)	be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and	
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:	P2
a)	minimum dimensions of:	Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
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 than 5% from a public area where cycling is allowed.	
Comment:		
N/a – no bicycle parking spaces are proposed.		

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development		
Acceptable Solution		Performance Criteria
A1	Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment:		
Complies with A1 – no separate access required.		

Table E6.5: Pedestrian Access

Number of Parking Spaces Required	Pedestrian Facility
1–10	No separate access required (i.e. pedestrians may share the driveway). [Note (a) applies].
11 or more	A 1m wide footpath separated from the driveway and parking aisles except at crossing points. [Notes (a) and (b) apply].

Notes

- a) In parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.
- b) Separation is deemed to be achieved by:
 - i) a horizontal distance of 2.5m between the edge of the driveway and the footpath; or
 - ii) protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
 - iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

ASSESSMENT AGAINST E13.0 LOCAL HISTORIC HERITAGE CODE

E13.1 Purpose

E13.1.1 The purpose of this provision is to:

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

E13.2 Application of the Code

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

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

E13.3 Use or Development Exempt from this Code

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

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

Comment: The subject site is within a Heritage Precinct and is a heritage listed place.

E13.5 USE STANDARDS

E13.5.1 Alternative Use of heritage buildings

<i>Objective: To ensure that the use of heritage buildings provides for their conservation.</i>	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	<p>P1 Notwithstanding Clause 8.9, a permit may be granted for any use of a locally listed heritage place where:</p> <ul style="list-style-type: none"> a) it can be demonstrated that the proposed use will not adversely impact on the significance of a heritage place; and b) the amenity impacts of both the proposed use on the surrounding areas and from the surrounding area on the proposed use are considered acceptable; and c) a report by heritage professional states that it is necessary for conservation purposes or the continued maintenance of the building or where there is an overriding public benefit.

Comment: N/a – both uses proposed are permitted uses in the zone. This clause only applies to the use of heritage buildings for a use that would otherwise be prohibited under clause 8.9.

E13.6 DEVELOPMENT STANDARDS

E13.6.1 Demolition

Comment: N/a

E13.6.2 Subdivision and development density

Comment: N/a

E13.6.3 Site Cover

Comment: N/a – no change.

E13.6.4 Height and Bulk of Buildings

Comment: N/a – no change.

E13.6.5 Fences

Comment: N/a – no change.

E13.6.6 Roof Form and Materials

Comment: N/a – no change.

E13.6.7 Wall materials

Comment: N/a – no change.

E13.6.8 Siting of Buildings and Structures

Comment: N/a – no change.

E13.6.9 Outbuildings and Structures

Comment: N/a – no change.

E13.6.10 Access Strips and Parking

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

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

Comment: Meets acceptable solution A1 (a) (non-residential car parking located behind the building line).

E13.6.11 Places of Archaeological Significance

Comment: N/a

E13.6.12 Tree and Vegetation Removal

Comment: N/a

E13.6.13 Signage

Objective: To ensure that signage is appropriate to conserve the historic heritage significance of local heritage places and precincts.

Acceptable Solutions	Performance Criteria
<p>A1 Must be a sign identifying the number, use, heritage significance, name or occupation of the owners of the property not greater than 0.2m².</p>	<p>P1 New signs must be of a size and location to ensure that:</p> <p>a) period details, windows, doors and other architectural details are not covered or removed; and</p> <p>b) heritage fabric is not removed or destroyed through attaching signage; and</p> <p>c) the signage does not detract from the setting of a heritage place or does not unreasonably impact on the view of the place from public viewpoints; and</p> <p>d) signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: Satisfies the performance criteria P1 as follows:

- Signage will be located within the window panel, but will not result in windows, doors or other architectural details being covered or removed.
- The signage will not result in the removal or detriment of any heritage fabric.
- Council's Heritage Advisor, David Denman noted that the window signage is acceptable, and the proposal will not have any adverse impact on the historic cultural heritage character of the street or townscape. The signage will not protrude from the building or create any changes to the streetscape when viewed from Heritage Corner.
- The proposed signage is of a size and form that do not to adversely impact on the character of the streetscape and will contribute positively to the Heritage Precincts.

E13.6.14 Maintenance and Repair

Objective

To ensure that maintenance and repair of buildings is undertaken to be sympathetic to, and not detract from the [historic cultural heritage significance](#) of local heritage places and precincts.

Acceptable Solution

New materials and finishes used in the maintenance and repair of buildings match the materials and finishes that are being replaced.

No performance criteria.

Comment: Complies with A1. The Heritage Tasmania Notice of Heritage Decision has further conditions around the appropriate maintenance and repair of the building, to ensure the heritage fabric of the building is conserved.

Table E13.1: Local Heritage Precincts

For the purpose of this table, Heritage Precincts refers to those areas listed, and shown on the Planning Scheme maps as Heritage Precincts.

Existing Character Statement - Description and Significance
<p>LONGFORD HERITAGE PRECINCT CHARACTER STATEMENT</p> <p>The Longford Heritage Precinct is unique because it is the core of an intact nineteenth century townscape, rich with significant structures and the atmosphere of a centre of trade and commerce for the district. Traditional commercial buildings line the main street, flanked by two large public areas containing the Christ Church grounds and the War Memorial. The street then curves gently at Heritage Corner towards Cressy, and links Longford to the surrounding rural farmland, creating views to the surrounding countryside and a gateway to the World Heritage listed Woolmers and Brickendon estates. Heritage residential buildings are tucked behind the main street comprising traditional styles from the mid nineteenth century to the early twentieth century, including significant street trees, picket fences and cottage gardens. The rural township feel is complemented by a mix of businesses serving local needs, tourism and historic interpretation. Longford's heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the town.</p>
Management Objectives
<p>To ensure that new buildings, additions to existing buildings, and other developments which are within the Heritage Precincts do not adversely impact on the heritage qualities of the streetscape, but contribute positively to the Precinct.</p> <p>To ensure developments within street reservations in the towns and villages having Heritage Precincts do not to adversely impact on the character of the streetscape but contribute positively to the Heritage Precincts in each settlement.</p>

Comment: The proposal is consistent with the Heritage Precinct Character Statement and satisfies the Management Objectives.

**ASSESSMENT AGAINST E15.0
SIGNS CODE**

CODE PURPOSE

The purpose of this Code is to regulate the construction or putting up for display of a sign or hoarding.

E15.3 Definition of Terms Used in this Code

E15.3.1 In this Code, unless the contrary intention appears:

Other Sign	Any sign not listed.
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Comment: The proposal is for window (other) signage – Black vinyl lettering placed on the glass within the window framework.

E15.5 Standards for Use or Development

E15.5.1 Third Party Signage

Objective: To ensure that signs relate to the site on which they are located.	
Acceptable Solutions	Performance Criteria
A1 Must only advertise goods and services available from the site.	P1 Shall be a Billboard Sign and consistent with the desired future character statements, if any.
Complies with A1.	N/a

E15.5.2 Heritage Precincts

Objective To ensure that the design and siting of signs complement or enhance the streetscape of Heritage Precincts.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution	P1 If within the Heritage Precincts Specific Area Plan, shall be consistent with the Character Statements.
Relies on Performance Criteria P1.	

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E15.5.3 Design and siting of signage

Objective: To ensure that the design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located.	
Other Signs (Window Signs)	
Acceptable Solutions	Performance Criteria
A34 No acceptable solution	<p>P34 Other signs can be located in any zone except the General Residential Zone and the Low Density Residential Zone, provided it can be shown that:</p> <ul style="list-style-type: none"> a) no other form of permitted signage will meet the needs of the proprietor; and b) the sign does not dominate the streetscape and reflects the prevailing character of the area, in terms of shape, proportions and colours; and c) it does not conflict with the Zone Purpose as outlined in Part D of this planning scheme. <ul style="list-style-type: none"> a) be sympathetic to the architectural character and detailing of the building; and b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located; and c) not result in loss of amenity to neighbouring properties; and d) not involve the unnecessary repetition of messages or information on the same street frontage; and e) not contribute to or exacerbate visual clutter; and f) not cause a safety hazard or obstruct movement of anyone inside or outside the associated building; and g) not distract motorists as a result of size, illumination or movement.
<p><u>Comment:</u></p> <p>P34 – The sign is within the General Business Zone. The window signage is required, due to the location of the building taking up almost the entirety of the frontage and the need to not damage the heritage fabric of the building through attaching signage panelling to the building wall. No other signage type will serve this purpose. The signage will not detrimentally impact the Marlborough street streetscape or character of the area. The signage will not cause a distraction to motorists as a result of size, illumination or movement. The proposal is considered to comply with the performance criteria.</p>	

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a – no standards of the Specific Area Plan are relevant to this proposal.

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

STATE POLICIES
The proposal is consistent with all State Policies.

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
<p>Strategic Plan 2017-2027</p> <ul style="list-style-type: none"> Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

- Discretion to refuse the application is limited to reliance on the performance criteria of the Car Parking and Sustainable Transport Code, Local Historic Heritage Code and Signs Code.

A representation to the proposal was received, citing concerns about the potential for the visitor accommodation to result in noisy social gatherings. Such matters are not assessable under the planning scheme provisions and noise regulations are enforced under separate legislation.

The proposal adequately meets all relevant provisions of the planning scheme and can be enforced by conditions on the planning permit where required.

Conditions that relate to any aspect of the application can be placed on a permit. The proposal will be conditioned to be used and developed in accordance with the proposal plans.

8 ATTACHMENTS

- A. Application & plans, correspondence with applicant
- B. Responses from referral agencies
- C. Representations & applicant's response

RECOMMENDATION

That land at 9 Marlborough Street, Longford be approved to be developed and used for a Partial change of use to Visitor Accommodation & Business & Professional Services (tour company) & Signage (Heritage listed property within heritage precinct) in accordance with application PLN-19-0183, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P4** (*Site Plan, Car Parking Plan, Floor Plan/Layout & Building Signage Plan*) & **D1** (*Description of the proposal – prepared by applicant*) & **D2** (*Additional Information letter, dated 20.11.2019, prepared by applicant*).

2 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2019/01870-NMC, dated: 02.01.2020).

3 Tasmanian Heritage Council

The use and development approved by this permit shall comply with the requirements of the Tasmanian Heritage Council Notice of Heritage Decision (THC Works Reference: #6081, dated: 10.01.2020).

4 Parking

Prior to the commencement of the use authorised by this permit, parking spaces must be line marked or provided with other clear physical means to delineate car spaces.

Prior to the commencement of the use authorised by this permit, one (1) parking space must be constructed and designated for use by persons with disabilities in accordance with *Australian Standards AS/NZ 2890.6 2009*.

5 Vehicle movements

Commercial vehicles associated with the business and professional services use (tourism operation) must only operate from the site within the hours of 6.00am and 10.00pm Monday to Sunday.

6 Noise levels

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

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

DECISION

Cr Adams/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Goninon/Cr Brooks

That land at 9 Marlborough Street, Longford be approved to be developed and used for a Partial change of use to Visitor Accommodation & Business & Professional Services (tour company) & Signage (Heritage listed property within heritage precinct) in accordance with application PLN-19-0183, and subject to the following conditions:

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

7 Length of Occupancy

Individual occupancy of the Visitor Accommodation component of the site must be limited to a maximum length of 3 months stay, within any 12 month period.

8 Signage

Prior to the installation of signage, a detailed design of the signage that is professionally drawn to scale, including details of font, size, colour and any images must be provided to the satisfaction of Council. Once approved by Council, the plans shall be endorsed and will form part of this planning permit. Signage must be installed in accordance with the endorsed plan approved by this condition.

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

055/20 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 Goninon/ Cr Lambert

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



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

056/20 ITEMS FOR THE CLOSED MEETING

DECISION

Cr Goninon/ Cr Lambert

That Council move into the “Closed Meeting” with the General Manager, Corporate Services Manager, Community & Development Manager, Works Manager, Senior Planner and Executive & Communications Officer.

Carried by absolute majority

057/20 CONFIRMATION OF CLOSED COUNCIL MINUTES: ORDINARY & SPECIAL COUNCIL MEETINGS

Confirmation of the Closed Council Minutes of Ordinary and Special Council Meetings, as per the provisions of Section 34(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

058/20 APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE

As per provisions of Section 15(2)(h) of the *Local Government (Meeting Procedures) Regulations 2015*.

059/20 PERSONNEL MATTERS

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015*.

060/20 NORTHERN MIDLANDS INTEGRATED PRIORITY PROJECTS PLAN 2020-2030

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

Northern Midlands Priority Projects

061/20 RENEWAL OF LEASE: CAMPBELL TOWN & DISTRICT MEN’S SHED

As per provisions of Section 15(2)(f) of the *Local Government (Meeting Procedures) Regulations 2015*.

DECISION

Cr Goninon/Cr Polley

That Council:

- A) agree to engage Jacobs to prepare the Northern Midlands Integrated Priority Projects Plan 2020-2030; and
- B) in relation to this matter:
 - i) considered whether any discussion, decision, report or document is kept confidential or released to the public; and
 - ii) determined to release the decision to the public

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 FEBRUARY 2020

DECISION

Cr Goninon/ Cr Adams

That Council move out of the closed meeting.

Carried by absolute majority

Mayor Knowles closed the meeting at 8:26PM.

MAYOR _____

DATE _____