



**NORTHERN
MIDLANDS
COUNCIL**

MINUTES

ORDINARY MEETING OF COUNCIL

MONDAY, 21 SEPTEMBER 2020

**VIA ZOOM VIDEO CONFERENCING
PLATFORM**



NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

21 SEPTEMBER 2020

MINUTES OF THE ORDINARY MEETING OF THE NORTHERN MIDLANDS COUNCIL HELD ON MONDAY, 21 SEPTEMBER 2020 AT 5.00PM VIA ZOOM VIDEO CONFERENCING PLATFORM IN ACCORDANCE WITH THE *COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020, SECTION 18* (AUTHORISATION FOR MEETINGS NOT TO BE HELD IN PERSON)

288/20 ATTENDANCE

1 PRESENT

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

In Attendance:

Mr Des Jennings – General Manager, Mr Leigh McCullagh – Works Manager, Mrs Erin Miles – Development Supervisor (to 7.46pm), Mr Paul Godier – Senior Planner (to 7.16pm), Mrs Gail Eacher – Executive Assistant

2 APOLOGIES

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290/20 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.

291/20 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

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

Nil received.



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

292/20 CONFIRMATION OF MINUTES

1 OPEN COUNCIL: ORDINARY COUNCIL MEETING MINUTES

DECISION

Cr Goss/Cr Calvert

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 17 August 2020 be confirmed as a true record of proceedings.

Carried unanimously

2 CONFIRMATION OF MINUTES OF COMMITTEES

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

	Date	Committee	Meeting
i)	5/7/2020	Devon Hills Neighbourhood Watch & Residents Committee	Ordinary
ii)	4/8/2020	Perth Local District Committee	Ordinary
iii)	9/8/2020	Devon Hills Neighbourhood Watch & Residents Committee	AGM
iv)	9/8/2020	Devon Hills Neighbourhood Watch & Residents Committee	Ordinary
v)	11/8/2020	Evandale Community Centre & Memorial Hall Management Committee	Ordinary
vi)	11/8/2020	Liffey Hall Management Committee	AGM & Ordinary
vii)	1/9/2020	Ross Local District Committee	Ordinary
viii)	1/9/2020	Evandale Advisory Committee	Ordinary
ix)	1/9/2020	Perth Local District Committee	Ordinary
x)	2/9/2020	Longford Local District Committee	Ordinary

DECISION

Cr Lambert/Cr Adams

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

Carried unanimously

3 RECOMMENDATIONS OF SUB COMMITTEES

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

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

Perth Local District Committee

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

Murals, Artworks & 2021 Perth Bicentenary

- 1) PLDC generally supportive of interpretative panels with consideration to be given to simplicity & consistency within township & with existing interpretive panels currently installed (e.g. Sheepwash Creek). Timeline Synopsis presented to PLDC (as supplied by NMC) & endorsed.

Officer's comments:

The text of interpretation panel is to be reviewed and the Committees views are noted.

Officer's recommendation:

That Council note the Committees motion and Officer's comments.

Murals, Artworks & 2021 Perth Bicentenary

- 2) PLDC wish to have population number @ 2020 included in timeline synopsis as a pertinent & relevant detail.

Officer's comments:

The text of interpretation panel is to be reviewed. Data utilised in the current text is the latest available ABS 2016 Census Data.

Officer's recommendation:

That Council note the Committees motion and Officer's comments.

Murals, Artworks & 2021 Perth Bicentenary

- 3) PLDC are not supportive of NMC's decision NOT to assist with coordination, particularly given the number of regional areas celebrating concurrently within NMC municipality (& other council districts) & subsequently request NMC to reconsider & provide a leadership role.

Officer's Comments:

Council's previous decisions in this regard:

27 April 2020 decision:

That Council endorse the 24 June 2019 decision of Council.

24 June 2019 decision:

That the Perth Local District Committee be advised that Council does not have the resources of an events coordinator, but would provide secretarial support only.

Officer's recommendation:

That the Committee note the 24 June 2019 and 27 April 2020 decisions of Council, namely that Council does not have the resources of an events coordinator, but would provide secretarial support only.

DECISION

Cr Adams/Cr Calvert

Murals, Artworks & 2021 Perth Bicentenary

That

- 1) Council note the Committees motion and Officer's comments.
- 2) Council note the Committees motion and Officer's comments.
- 3) the Committee note the 24 June 2019 and 27 April 2020 decisions of Council, namely that Council does not have the resources of an events coordinator, but would provide secretarial support only.

Carried unanimously

Perth Local District Committee

At the ordinary meeting of the Perth Local District Committee held on 1 September 2020 the following motion/s were recorded for Council's consideration:

Murals, Artworks

- 1) PLDC is strongly opposed to the new wording of the mural and request that Council change the wording of the Timeline Synopsis mural to exclude reference to Launceston and seek final approval through PLDC Chair.

Officer's comments:

The mural on the IGA wall is to be installed. The interpretation panel is on hold. The text of the interpretation panel is to be reviewed.

Officer's recommendation:

That the Committees recommendation and Officer's comments be noted.

Murals, Artworks

- 2) PLDC request Council provides an update on the action regarding permission to install a mural on the exterior wall of the Community Centre.

Officer's comments:

Update to be provided to the Committee.

Officer's recommendation:

That the Committees recommendation and Officer's comments be noted.

DECISION

Cr Adams/Cr Calvert

Murals, Artworks

That

- 1) Council note the Committees motion and Officer's comments.
- 2) Council note the Committees motion and Officer's comments.

Carried unanimously

2021 Perth Bicentenary

PLDC request Council provides details on the progress of grant funding applications for the 2021 Bicentenary celebrations:
(i) Estimated date of outcome (ii) total funds being sought (iii) responsible officer for managing the funding

Officer's comments:

The Committee were advised on 3 October 2019 that 'once a plan has been put together it is to be submitted to Council for consideration, which may include a request for assistance to seek funding for the project'.
Council is yet to receive a plan and funding request from the committee.

Officer's recommendation:

That the Committee be advised that Council will give consideration to the Committees request once a formal plan, inclusive of budget details, and request has been received.

Main Street Planters

Council note that the Main Street planter boxes have been repaired and coated with 'mod wood'. PLDC note this action is in conflict with the previous recommendation of the PLDC at the 4 August 2020 meeting.

Officer's comments:

The Committees comments are noted.

Officer's recommendation:

That the Committees comments be noted. That the committee be advised that a Main Street design plan is progressing and includes consideration of the number and type of planters.

Priority Project List / Budget Requests

PLDC request the Perth River Reserve Parkland Project is prioritised in Council grant seeking and provide PLDC with regular updates on progress of this and other priority items at each subsequent monthly meetings.

Officer's comment:

Council submits applications for grant funding as suitable opportunities arise.

Officer's recommendation:

That Council submit applications for grant funding as suitable opportunities arise.

Clarence Street Speeding Vehicles

Council investigate traffic calming measures in Clarence and provide PLDC with advice of the outcome. Carried

Officer's comment:

- 1) The Committee's concerns have been noted.
- 2) The Committee has been advised previously that only a small section of Clarence Street has sufficient width to allow for the planting of trees in the median strip.
- 3) Speeding is a Police matter and concerned residents should raise concerns directly with Tasmania Police at the time of occurrence

Officer's recommendation:

That the recommendations of the Committee be noted.

DECISION

Cr Adams/Cr Calvert

That,

1) 2021 Perth Bicentenary

the Committee be advised that Council will give consideration to the Committees request once a formal plan, inclusive of budget details, and request has been received.

2) *Main Street Planters*

That the Committees comments be noted. That the committee be advised that a Main Street design plan is progressing and includes consideration of the number and type of planters.

3) *Priority Project List / Budget Requests*

That Council submit applications for grant funding as suitable opportunities arise.

4) *Clarence Street Speeding Vehicles*

That the recommendations of the Committee be noted.

Carried unanimously

Longford Local District Committee

At the ordinary meeting of the Longford Local District Committee held on 1 September 2020 the following motion/s were recorded for Council's consideration:

7.2 Proposal for the Racecourse to be the home for the Magic Millions.

The following motion was passed unanimously:

"That this committee support the Council in its bid to attract the Magic Millions Horse sales to Longford and ask that funds be provided by Council to develop a horse activity strategy to encompass an event such as Magic Millions can be based at Longford Racecourse."

Officer's comment:

The LLDC has been told on various occasions that Council does not own the Longford Racecourse therefore restricting its ability to develop strategies or provide funding.

Officer's recommendation:

That Council note the support of the Longford Local District Committee.

7.10 Vinnies replacement Op-Shop.

The meeting was circulated with the Longford Rotary proposal for a pilot project op-shop to replace Vinnies. The four Rotary members declared an interest and the item was discussed.

"The Committee believes there is a need for such a facility and would support the idea of a pilot project and encourage the Council to assist in its establishment."

Officer's comment:

The Longford Rotary has confirmed that a new op shop is being opened in Longford.

Officer's recommendation:

That Council note the Committees recommendation and acknowledge that a report for financial assistance will be considered by Council.

DECISION

Cr Adams/Cr Brooks

That Council note

7.2 *Proposal for the Racecourse to be the home for the Magic Millions.*

the support of the Longford Local District Committee.

7.10 *Vinnies replacement Op-Shop.*

the Committees recommendation and acknowledge that a report for financial assistance will be considered by Council.

Carried unanimously

Ross Local District Committee

At the ordinary meeting of the Ross Local District Committee held on 2 September 2020 the following motion/s were recorded for Council's consideration:

7.4 MOU

This committee, the RLDC, supports the idea of Ross and the Campbell Town Forum, meeting on an as needs basis to discuss issues of mutual interest, and that these meetings be resourced by NMC.

Officer's comment:

Currently due to COVID-19, Council Officers are not attending Local District or community meetings. Once this period has ended,



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Council may need to consider available resources and Officer availability.

Officer's recommendation:

That Council note the motion and consider when appropriate the attendance and resourcing accessibility of the proposed meetings.

DECISION

Cr Adams/Cr Goss

7.4 MOU

That Council note the motion and consider when appropriate the attendance and resourcing accessibility of the proposed meetings.

Carried unanimously

293/20 DATE OF NEXT COUNCIL MEETING: 19 OCTOBER 2020

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 19 October 2020 via the Zoom video conferencing platform in accordance with the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, Section 18 (authorisation for meetings not to be held in person).

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294/20 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
07/09/2020	Council Workshop Discussion: <ul style="list-style-type: none"> Village Green: Memorial Hall Development Swimming Pool Strategy Review: Future of the Campbell Town town hall Shipping containers: motion to LGAT general meeting Robert Henley proposal for 32 Norfolk Street, Perth Blue Tree Proposal Update: Cressy Recreation Ground Development AMTA: the importance of mobile networks to Tasmania Tenders
21/09/2020	Council Workshop Discussion: <ul style="list-style-type: none"> Council Meeting Agenda items
05/10/2020	Presentations planned to be received at next workshop: <ul style="list-style-type: none"> Aspire Briefing

2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 17 August to 21 September 2020 are as follows:

Date	Activity
18 August 2020	Attended GM Review Zoom meeting with HR, Longford
19 August 2020	Attended Can Do Community Family Violence Initiative Webinar, Gipps Creek
19 August 2020	Attended LGAT webinar, Gipps Creek
19 August 2020	Attended TasWater State Briefing webinar, Gipps Creek
24 August 2020	Attended Leon Compton radio interview
24 August 2020	Attended Helping Hand Annual General Meeting and Quarterly Meeting, Longford
25 August 2020	Attended meeting with Rural Business CEO & Board, Longford
26 August 2020	Attended Visit Northern Tasmania Events re Covid-19 meeting, Longford
29 August 2020	Attended Longford Junior Football Sponsors Evening, Longford
1 September 2020	Attended Tasmanian Women In Ag Annual General Meeting, Launceston
2 September 2020	Attended NTDC Quarterly Meeting, Riverside
3 September 2020	Attended meeting with GM, Longford
4 September 2020	Attended interview Tasmania Talks, Gipps Creek
4 September 2020	Attended ABC Drive Show interview, Longford
7 September 2020	Attended Citizenship Ceremony, Longford
7 September 2020	Attended Council Workshop, Longford
8 September 2020	Attended Rossarden Kids Xmas Group AGM, Avoca
9 September 2020	Attended Family Violence Local Govt Primary Prevention webinar, Gipps Creek
10 September 2020	Attended LGAT Mayors Workshop, Riverside
11 September 2020	Attended LGAT General Meeting, Riverside
14 September 2020	Attended meeting with Department of Foreign Affairs & Trade State Director, Longford
14 September 2020	Attended meeting with Launceston Airport CEO, Longford
15 September 2020	Attended Can Do Community Family Violence Initiative Meeting, Longford

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16 September 2020	Attended meeting with Department of State Growth via Zoom, Longford
16 September 2020	Attended LGAT webinar, Longford
16 September 2020	Attended Cities Power Partners webinar, Longford
17 September 2020	Attended meeting with Department of Communities RE Family Violence, Hobart
17 September 2020	Attended Order of Australia Ceremony, Hobart
18 September 2020	Attended class presentation at Campbell Town District High School, Campbell Town
18 September 2020	Attended Fingal Irrigation Scheme Meeting, Avoca
21 September 2020	Attended meeting with Senator Chandler, Longford
21 September 2020	Attended Council Workshop and Ordinary Meeting, Longford

3 GENERAL MANAGER'S ACTIVITIES

General Manager's activities for the prior month are as follows:

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

- Attended NTDC General Meeting
- Met with CEO of NTDC
- Attended Launceston Transport Strategy Workshop
- Attended NTDC Board discussion

4 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.

5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

No reports relating to attendance at conferences and seminars have been received.

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6 132 & 337 CERTIFICATES ISSUED

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

S132. Certificate of liabilities

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

S337. Council land information certificate

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

	No. of Certificates Issued 2020/2021 year												Total 2020/2021 YTD	Total 2019/2020
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
132	136	71											207	846
337	34	41											75	449

7 ANIMAL CONTROL

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

Item	Income/Issues 2019/2020		Income/Issues for August		Income/Issues 2020/2021	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,278	101,937	2,000	45,424	2,787	61,786
Dogs Impounded	44	4,089	1	65	2	130
Euthanized	1	-	-	-	-	-
Re-claimed	39	-	1	-	2	-
Re-homed/Dogs Home *	4	-	-	-	-	-
New Kennel Licences	15	1,080	-	-	1	72
Renewed Kennel Licences	70	3,080	-	-	76	3,344
Infringement Notices (paid in full)	42	12,149	5	1,020	10	1,855
Legal Action	-	-	-	-	-	-
Livestock Impounded	-	-	1	65	1	65
TOTAL		122,335		46,574		67,253



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

** previously sent to RSPCA (and subsequently Launceston City Council shelter) to 30 January 2019; commenced with utilising the Dogs Home April 2019.*

Registration Audit of the Municipality:

Perth audit will be included with the registration follow ups

Kennel Licences

1 new kennel licence applied for in August.

Kennel licence inspections almost complete

Microchips:

11 dogs microchipped

Infringements:

3 infringements issued.

Attacks:

1 attack – non serious attack - Infringement issued

Impounded Dogs:

1 dog impounded – 1 reclaimed by owners.

8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: Chris Wicks, Environmental Health Officer

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	2017/2018	2018/2019	2019/2020	2020/2021	No. of premises inspected this month	Current No. of Premises Registered
Notifiable Diseases	4	5	1	0		
Inspection of Food Premises	77	127	111	16	3	125

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.

NOTE: Department of Health has advised all EHOs to suspend food inspections unless absolutely unavoidable.

9 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Animal Control	4	5										
Building & Planning	-											
Community Services	-											
Corporate Services	-	3										
Governance	-											
Waste	1											
Works	31	27										

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

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

Nil to report.

11 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status
29/06/2020	208/20	Footpath Trading By-Law	That the matter be deferred to a Council Workshop for discussion.	General Manager	Listed for workshop discussion.
16/03/2020	Deferred item	GOV8 Overhanging Trees/Hedges: Evandale	Deferred to provide opportunity for the community to attend	General Manager	No further action to be taken at this time. To be workshopped and report to be relisted.
29/06/2020	191/20	Information Items	That Council request a meeting with the Minister to address communication, between the Department of State Growth and Council, in regard to progressing the decisions relating to the Perth Link Road Project (By-Pass) transfers.	General Manager	Matter in progress with discussion with General Manager of State Roads.
19/08/2019	238/19	Local District Committees: Review of Memorandum of Understanding	That the matter be deferred to a workshop	General Manager	Requested response from Committees by 30 August. Report to October Council Meeting.
29/06/2020	204/20	Northern Midlands Business Digital Innovation Program Proposal; Opportunity to Promote the Northern Midlands in the IF Locations Guide; Northern Midlands Business Association Pandemic Support Package	That Council v) Continue to fund NMBA to provide the pandemic support package until 30 June 2020 (a further payment of \$4,670 of the \$7,000 contracted to be paid); vi) Review the final report from NMBA (due 3 July 2020 as per the terms of the Consultancy Agreement) on the pandemic support work undertaken 1 April 2020 to 30 June 2020, with the report to be aligned to the key tasks NMBA committed to perform in the pandemic support package Consultancy Agreement; vii) Consider the NMBA 30 June 2020 pandemic support package outcome report at the July 2020 Council Meeting and determine if the outcomes achieved warrant NMBA the extension of the pandemic support package for a further three months;	General Manager	In progress.
27/04/2020	113/20	South Longford Expansion: Project Brief	That Council a) endorse the South Longford Expansion: Project Brief (the brief to include other areas for expansion, including east Longford); and b) invite tenders from appropriately qualified and experienced consultants to produce the South Longford Expansion Strategy (inclusive of other areas identified); and c) receive a further report.	General Manager	In progress.
20/07/2020	227/20	Recommendations of Sub Committees - Longford Local District Committee - Erection of signs	Council officers investigate the request - Can Council approach State Growth to have some signs erected to prevent cyclists and pedestrians using off roads (off-ramps) that have speeds greater than 80 kmh and can Council please erect "Beware of Cyclists" signs in Pateena Road	Engineering Officer	Request for pedestrian/cyclist signs on highway not supported by Dept of State Growth. Committee advised. Cyclists are permitted to use highways in accordance with the Act, as bicycles are classified as vehicles. Signage for Pateena Road under investigation.
20/07/2020	241/20	Traffic Concerns: Intersection of Marlborough & Wellington streets Longford	That Council i) conduct a vehicle movement survey on the - Wellington/Marlborough street and Wellington/Lyttleton Street - intersections to ascertain the data on vehicle movements through those intersections; and ii) investigate current heavy vehicle movements and routes through Longford and identify possible solutions and alternate routes; and iii) present the data and options for discussion at a Council Workshop prior to a report being tabled at a future Council meeting.	Engineering Officer	A Traffic Engineer has been engaged by Council to undertake investigation.

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Date	Min. Ref.	Details	Action Required	Officer	Current Status
17/02/2020	039/20	Recommendations of Sub Committees - Cressy Local District Committee	Bartholomew Park Sign - 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	Works Manager	Design drawing to be provided by Committee.
29/06/2020	204/20	Northern Midlands Business Digital Innovation Program Proposal; Opportunity to promote the Northern Midlands in the IF Locations Guide; Northern Midlands Business Association Pandemic Support Package	That Council ... ii) Collaborates with the Northern Midlands Courier to build on the 'Call a Local' campaign by the production of a Northern Midlands business directory for inclusion as a pull out insert in two editions of forthcoming Couriers (plus extra copies for free distribution at local outlets) and publication online on Council's website; ...	Project Officer	NMBA directory updated.
29/06/2020	204/20	Northern Midlands Business Digital Innovation Program Proposal; Opportunity to promote the Northern Midlands in the IF Locations Guide; Northern Midlands Business Association Pandemic Support Package	That Council ... iii) Dependent on the cost of the production and distribution of the two copies of the business directory in the Courier, allocate the remainder of the \$25,000 budget to the production and distribution of a hard copy television, radio and online video/You Tube production to promote visiting the Northern Midlands to intrastate markets; iv) in conjunction with i) and iii) with a proposal to be brought to council to focus on television and google advertising, and buy Tasmania and promote ecommerce sites; through ecommerce education workshops and identify costs of the initiatives. ...	Project Officer	Options and costings being completed.
29/06/2020	204/20	Northern Midlands Business Digital Innovation Program Proposal; Opportunity to promote the Northern Midlands in the IF Locations Guide; Northern Midlands Business Association Pandemic Support Package	That Council ... ix) Request NMBA to collaborate with Council on the development and undertaking of an annual business satisfaction survey with regard to NMBA support of local businesses.	Project Officer	To be progressed with NMBA.
29/06/2020	192/20	Northern Midlands Further Education Bursary Program 2020: Update Report	That Council establish a clear process before considering the applications in 2021.	Project Officer	Report to Council workshop September.
29/06/2020	193/20	Pandemic Recovery Proposal: Incentives to entice Intrastate Visitors to Northern Midlands to Stay, Play and Spend	That Council support the proposed course of action to entice intrastate visitors to Northern Midlands to stay, play and spend, and allocate a budget of \$2,000 towards the project commencing in Longford, and a further recommendations be made to the next Council meeting in relation to the other towns across the Northern Midlands.	Project Officer	Being progressed in liaison with Tourism Officer.
29/06/2020	202/20	Proposal to Establish a Short to Medium Term, Temporary, Pop-Up, Neighbourhood House at Longford	That Council approve a budget of \$2,000 to enable the establishment and operation of a short to medium term, temporary, pop-up, Neighbourhood House at Longford.	Project Officer	Funding application submitted to Tasmanian Community Fund. Outcome awaited.

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Date	Min. Ref.	Details	Action Required	Officer	Current Status
29/06/2020	194/20	Proposed Blue Tree Project	That the matter be deferred pending receipt of further proposals relating to mental health initiatives.	Project Officer	Informal response received from Dept State Growth that lighting the tree is an undesirable outcome and could potentially distract drivers negotiating the ramp curve at night. Discussed at September workshop. Awaiting further advice.
20/07/2020	227/20	Recommendations of Sub Committees - Longford Local District Committee - Tree: Perth Bypass	That Council note the request - That the Committee approach Council to see how the tree on the bypass can be solar lit as a natural artistic feature.	Project Officer	Discussed at September workshop. Awaiting further advice.
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 installed. Video production being negotiated.
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	Executive & Comms Officer	Information sought to prepare appropriate community consultation. Contacted DPIWWE and Tasmanian Aboriginal Centre, awaiting response. In progress.
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/ Corporate Services Manager	Listed for workshop discussion.
17/08/2020	268/20	Taswater Operations Inquiry	That Council A) provide the feedback to LGAT for a submission to the Legislative Council inquiry into TasWater Operations (LISTED AS A 1-5) ...	Corporate Services Manager	In progress.
17/08/2020	268/20	Taswater Operations Inquiry	That Council ... B) request TasWater provide a breakdown of the increase in water rates charged to the community by TasWater since its inception	Corporate Services Manager	In progress.
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	A flood map is to be incorporated by an amendment to the Planning Scheme. Flood modelling for all of Perth required. Discussed at workshop 6 July 2020. 3 quotes to be sought by 30/10/2020.

LONG TERM ACTIONS

Date	Min. Ref.	Details	Action Required	Officer	Current Status
10/04/2017	120/17	Perth Structure Plan	Draft amendments to the planning scheme to be prepared.	Senior Planner	Flood modelling for all of Perth required. Discussed at workshop 6 July 2020, 3 quotes to be sought by 30 October.
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	Exec Assistant	In progress.



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Date	Min. Ref.	Details	Action Required	Officer	Current Status
			historic photographs; Production of a photo book of historic photographs for display.		
18/05/2020	146/20	Northern Midlands Youth Voice Forum	That Council endorse the progression of the Northern Midlands Youth Voice Forum	Youth Officer	On hold.

COMPLETED ACTION ITEMS FOR DELETION

Date	Min. Ref.	Details	Action Required	Officer	Current Status
20/07/2020	227/20	Recommendations of Sub Committees - Longford Local District Committee - Longford Racecourse	That Council ... formally approach Tas Racing and seek the status of future planning for the site.	General Manager	Meeting held 9 September. Report to Council.
20/07/2020	240/20	Request to lower speed limit on Brumby Street Longford	That Council submit a request to the Department of State Growth for the speed limit to be lowered to 50kmh on the northern part of Brumby Street, Longford	Engineering Officer	Request approved, signage to be installed.
17/08/2020	273/20	Policy Review: Private Works and Driveway Entrances	That Council endorse the amendments to the Private Works and Driveway entrances Policy.	Executive & Comms Officer	Complete.
17/08/2020	267/20	Policy: Northern Midlands Council Logo Usage	That Council endorse the revised Northern Midlands Council Logo Usage Policy.	Executive & Comms Officer	Complete.
17/08/2020	272/20	Nomenclature: New Road Name – Zircon Place Perth	That Council agree to the new road name Zircon Place	Corporate Services Manager	Complete.
29/06/2020	207/20	Draft Local Provisions Schedule: comments from Tasmanian Planning Commission	That Council resolves to advise the Tasmanian Planning Commission:	Senior Planner	Documents submitted to Tasmanian Planning Commission 27 August 2020.
17/02/2020	044/20	Proposed By-Law – Placement of Shipping Containers	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	Senior Planner	Draft motion submitted to LGAT. Report to Council.
29/06/2020	209/20	Request to Amend the Northern Tasmania Regional Land Use Strategy: 98 Ridgeside Lane, 211 Logan Road And Ct 101154/1, Logan Road, Evandale	That i) the existing data be reviewed to determine whether it can be amended to provide the required information; ii) Council obtain strategic advice and negotiate with other councils (and possibly NTDC) to undertake forecasts for the region.	Senior Planner	Report to Closed Council.

12 RESOURCE SHARING SUMMARY: 01 JULY 2020 TO 30 JUNE 2021

Resource Sharing Summary 1/7/20 to 30/6/21 As at 31/8/20	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts	29.50	1,610.35
Street Sweeper - Plant Hire Hours	28.50	2,759.56
Total Services Provided by NMC to Meander Valley Council		4,369.91

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Service Provided by Meander Valley Council to NMC

Wages and Oncosts

Plumbing Inspector Services	63.20	4,719.32
Total Service Provided by MVC to NMC		4,719.32
Net Income Flow	-	349.41
Total Net	-	349.41

Private Works and Council Funded Works for External Organisations

Hours

Economic & Community Development Department

Northern Midlands Business Association

Promotion Centre Expenditure	Not Charged to Association Funded
- Tourism Officer	4.00 from Council Budget A/c 519035

Works Department Private Works Carried Out	36.50
	40.50

13 VANDALISM

Prepared by: Jonathan Galbraith; Engineering Officer

Incident	Location	Estimated Cost of Damages		
		August 2020	Total 2020/21	August 2019
Graffiti Train Park toilets	Perth	\$ 150		
Doors and defibrillator box damage, Trout Park toilets	Cressy	\$ 300		
TOTAL COST VANDALISM		\$ 450	\$ 650	\$ 300

14 YOUTH PROGRAM UPDATE

Council's Youth Program has been suspended until such time as the state of emergency has been lifted and Council's normal operations are resumed.

15 STRATEGIC PLANS UPDATE

Prepared by: Lorraine Green, Project Officer

CURRENT AS OF 9 SEPTEMBER 2020

Strategic Plans By Location & Consultant	Start Date	Implementation 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: Nomination submitted for Ben Lomond to be the state's next iconic walk. Nomination unsuccessful.
Campbell Town			
War Memorial Oval Precinct			<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. Request submitted March 2020 for extension to deadline to enable completion of court surrounds work – anticipated Sept/Oct 2020.. 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.
Tennis/multi-purpose courts			
Oval Irrigation System & Public Toilet			<ul style="list-style-type: none"> August 2020: application being prepared to Improving the Playing Field grant program for oval irrigation system and new public toilet facility.

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Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
			<ul style="list-style-type: none"> September 2020: funding being sought for hit-up practice wall.
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. Council secured \$1 million loan through the Northern Economic Stimulus package towards the implementation of the main street component of the strategy. 20 November 2017 ; 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. Request for funding through the Local Government Land Transport Infrastructure Program submitted April 2020.
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. Plaque acknowledging funding partners installed. Nationals in Government funding commitment of \$400,000 made March 2019. Funding agreement signed January 2020. Design Consultant engaged – late 2021 completion date anticipated.
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). First report due 30.6.20. October 2019: assisted Cressy Cricket Club with funding application to Stronger Communities Programme for clubrooms upgrade: funding secured. Facility upgrade design brief completed. Design work completed. Planning application advertised closes 7 August - completion December 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) Clubhouse	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. 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. Extension of completion date requested (to end December 2020) AFL Tas funding commitment of \$60,000 secured – to be paid upon project completion. Anticipated completion in December 2020.
Longford			
Community Sports Centre Master Plan (RT & NJ Construction Services)	Feb-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		<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. Deed of Agreement signed June 2020.

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Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
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. Agreement signed June 2020.
Perth			
Community Centre Development Plan/Perth Early Learning Centre Redevelopment (Loop Architecture)	Oct-15		<ul style="list-style-type: none"> 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. Deed of Agreement signed and returned.
CBD Precinct Concept Master Plan (Lange Design and Loop Architecture)	Apr-20		<ul style="list-style-type: none"> Consultancy Agreement signed.
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. Council resolved at June 2020 Meeting to develop a Swimming Pool Strategy. Work underway.
Village Green Master Plan (Lange Design, Loop Architecture)	Jun-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 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. Stage 2 with Local Road & Community Infrastructure funding.
Western Junction			
Launceston Gateway Precinct Master Plan Freight Demand Analysis Report (SGS) Master Plan	Oct-15		<ul style="list-style-type: none"> 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.
TRANSlink Stormwater Upgrade Project			<ul style="list-style-type: none"> 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.
Municipal wide			
Integrated Priority Projects Plan (Luke Curtain, Jacobs)	Apr-20		<ul style="list-style-type: none"> Consultancy Agreement signed. Background information compiled for consultant.

COMPLETED ACTION ITEMS FOR DELETION

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
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 submitted. War Animal plaque to be installed.

16 REVIEW OF TASMANIA'S LOCAL GOVERNMENT LEGISLATION FRAMEWORK – UPDATE

Prepared by: Gail Eacher, Executive Assistant

The following information has been provided by the Review Project Team in relation to the Review of Tasmania's Local Government Legislation Framework:

Review

The Minister for Local Government, the Hon Mark Shelton MP, announced in April that timeframes for the completion of the Review of Tasmania's Local Government Legislation Framework would be impacted due to the emergency response to the COVID-19 pandemic. The attention of all levels of government has, appropriately, been upon the COVID-19 response. This period has required significant agility from councils to adapt operations to meet physical distancing requirements. Notices issued under the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act* have enabled councils to conduct meetings remotely and altered other provisions of the *Local Government Act* and associated regulations to facilitate physical distancing.

We are now able to provide an update on the revised timeframes.

Timing and Implementation

As announced in our last newsletter, the Government has agreed to the development of a new Local Government Bill and stand-alone Local Government (Elections) Bill to implement the 48 approved reforms (available to view [here](#)).

To ensure adequate time for consultation and implementation, the Bills will be consulted on and introduced into Parliament separately. A draft Local Government Bill will be released for consultation in early 2021, with the Bill to be introduced to Parliament later in 2021. The draft new Local Government (Elections) Bill will be released for public consultation following the passage of the Local Government Bill.

Further details of the revised timeframes are available on the Review's website at www.dpac.tas.gov.au/lgreview.

As a newsletter subscriber, you will be notified directly when the draft Local Government Bill is released for public consultation. The release of the draft Bill will be publicly advertised and available on the Review website.

Work Underway

A draft Local Government Bill is currently being developed to give effect to the reforms approved in Phase 2. Technical Working Groups comprising experienced local government sector employees from across the State are being engaged for advice to ensure that details are practical and achievable at an operational level. We appreciate the valuable contributions these members play through their collaboration with the Project Team to develop a legislative framework that is practical and fit-for-purpose.

DECISION

Cr Goninon/Cr Lambert

That the Information items be received.

Carried unanimously



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295/20 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT) - MOTIONS FOR THE GENERAL MEETING: 4 DECEMBER 2020

Responsible Officer: Des Jennings, General Manager
Report prepared by: Erin Miles, Development Supervisor

1 PURPOSE OF REPORT

The purpose of this report is to seek the endorsement of a motion submitted to the Local Government Association of Tasmania (LGAT) for consideration at the 4 December 2020 general meeting to seek support for the regulation of the placement of shipping containers.

2 INTRODUCTION/BACKGROUND

A report relating to a proposal to introduce a Shipping Container By-Law was tabled at the 17 February 2020 Council meeting (min. ref. 044/20), the following was the decision of Council at that time:

DECISION

Cr Goninon/Cr Polley

That:

- 1) Council does not proceed with the Placement of Shipping Containers By-Law.*
- 2) 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

The matter was listed for discussion at the Council workshops held on 2 March, 6 July, 3 August and 7 September 2020.

Councils are invited to submit motions on matters connected with the objectives of the Association or of common concern to members for inclusion in the Agenda of the LGAT General Meeting to be held on 4 December 2020. The closing date for the submission of motions to LGAT's December 2020 meeting was 4 September 2020. Council officers subsequently sought and received approval from LGAT to submit a draft motion subject to the endorsement of Council at the 21 September 2020 Council meeting.

In accordance with Council's February decision, Council officers consulted with the northern region General Managers; and the following draft motion was submitted to LGAT for consideration at the 4 December 2020 meeting, subject to the endorsement of Council.

That LGAT lobby for amendment to the State Planning Provisions to further regulate the placement of shipping containers to reduce their visual impact on the streetscape within township areas.

Providing context to the motion, the following background has also been provided:

The Northern Midlands Council is experiencing an ongoing issue of shipping containers being placed on private property within its towns and villages, negatively impacting the visual amenity of our towns.

Council has explored the option of implementing a by-law; however, is not confident that a by-law would not conflict with current planning legislation.

The Northern Midlands Interim Planning Scheme 2013 addresses the placement of shipping containers; however, Council is concerned that the provisions are not stringent enough, resulting in containers being placed in locations which detract from the aesthetics of our municipality.

Council would like to see regulation that includes:

- Time limits on the placement of containers,*
- A requirement for all containers to require a planning permit from Council,*

- A requirement that containers be located behind the building line of an existing building or appropriately screened, unless used as the primary structure (i.e. Food services), and
- A requirement for containers to be freshly painted or clad.

Council's participating in the Northern Tasmania General Manager's meeting on the 31st July 2020 "agreed that there was support for more prescriptive controls and parameters and that Councils in the region would support NMC efforts in lobbying for improved controls."

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
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
 - ♦ Continuous improvement is embedded in staff culture
- Progress –
 - Economic Development – Supporting Growth & Changes
 - ♦ Towns are enviable places to visit, live & work
 - ♦ 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
- 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

N/a

5 STATUTORY REQUIREMENTS

N/a

6 FINANCIAL IMPLICATIONS

N/a

7 RISK ISSUES

There is a risk that LGAT's lobbying for amendment to the State Planning Provisions to further regulate the placement of shipping containers is unsuccessful, in which case Council will continue to regulate shipping containers under the current provisions. If this is the case, Council will need to look at alternative mechanisms to mitigate the visual impact of shipping

containers within our townships.

8 CONSULTATION WITH STATE GOVERNMENT

LGAT, on behalf of the northern region Council's will consult with the relevant state minister regarding changes to the State Planning Provisions.

9 COMMUNITY CONSULTATION

No direct community consultation has been undertaken on the matter thus far.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may endorse or not endorse the motion forwarded to LGAT for consideration at the general meeting to be held on 4 December 2020.

11 OFFICER'S COMMENTS

Council has held extensive discussions on regulation and management of the placement of shipping containers within its towns and villages; and has consulted with the northern region General Managers.

Regulation on the placement of shipping containers through the State Planning Provisions would enable councils to have recourse and adequately provide direction in relation to the placement of shipping containers.

12 ATTACHMENTS

Draft Shipping Container Motion to LGAT

RECOMMENDATION

That

- i) Council receive the report, and
- ii) endorse the submission of the following motion to the Local Government Association of Tasmania (LGAT) for consideration at the 4 December 2020 general meeting

That LGAT lobby for amendment to the State Planning Provisions to further regulate the placement of shipping containers to reduce their visual impact on the streetscape within township areas.

DECISION

Cr Adams/Cr Goninon

That Council

- i) receive the report, and
- ii) endorse the submission of the following motion to the Local Government Association of Tasmania (LGAT) for consideration at the 4 December 2020 general meeting

That LGAT lobby for amendment to the State Planning Provisions to further regulate the placement of shipping containers to reduce their visual impact on the streetscape within township areas.

Carried unanimously

296/20 ANNUAL GENERAL MEETING AND 2020 COUNCIL CALENDAR

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

1 PURPOSE OF REPORT

The purpose of this report is to make a determination in relation to

- 1) the time and date for Council's Annual General Meeting 2020; and
- 2) 2020 year-end Council functions.

2 INTRODUCTION/BACKGROUND

2.1 Annual General Meeting

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

2.2 Year End Functions

Historically it has been Council practice to hold:

- A year end function for Councillors and Management
- Two year end function for the membership of Local District Committees, one in the north and one in the south of the municipality.

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
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation

4 STATUTORY REQUIREMENTS

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

The *Local Government Act 1993* requires:

Section 72. Annual Report

(2) The General Manager is to

(d) advertise in a daily newspaper circulating in the municipal area the availability of the report, together with an invitation to electors to lodge submissions on the report with the council for discussion at its annual general meeting.

Section 72B Annual General Meeting

(1) A council must hold an Annual General Meeting on a date that

(b) is not before 14 days after the date of the first publication of a notice under subsection (2).

(2) a Council must publish a notice in a daily newspaper circulating in the municipal area or other prescribed newspaper specifying the date, time and place of the Annual General Meeting.

5 FINANCIAL IMPLICATIONS

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

6 RISK MANAGEMENT

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

7 COMMUNITY CONSULTATION

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

8 OFFICER'S COMMENTS/CONCLUSION

8.1 Annual General Meeting

It is proposed that the Annual Report be first advertised for public comment on or before Saturday, 28 November.

It is recommended that the Annual General Meeting be held at the Longford Council Office on Monday, 14 December 2020 at 5pm, in conjunction with the Council Meeting planned for that date.

8.2 Year End Functions

Historically it has been Council practice to hold:

- A year end function for Councillors and Management
- Two year end function for the membership of Local District Committees, one in the north and one in the south of the municipality.

Given the current circumstances, due to COVID-19, it is proposed that for the 2020 calendar year, Council set aside the practice of the holding of three end of year functions as detailed.

RECOMMENDATION

That

- 1) the Annual General Meeting for the Northern Midlands Council be held at the Longford Council Offices on Monday, 14 December 2020, commencing at 5pm;

and

- 2) Council in regard to the 2020 calendar year, set aside the practice of the holding of end of year functions for:
 - a) Councillors; and
 - b) the membership of Local District Committees;

and

- 3) Council write to the Local District Committees advising them of the decision in regard to 2b) above.



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

DECISION

Cr Adams/Cr Davis

That

- 1) the Annual General Meeting for the Northern Midlands Council be held at the Longford Council Offices on Monday, 14 December 2020, commencing at 5pm;

and

- 2) Council in regard to the 2020 calendar year, set aside the practice of the holding of end of year functions for:

- a) Councillors; and
- b) the membership of Local District Committees;

and

- 3) Council write to the Local District Committees advising them of the decision in regard to 2b) above.

Carried unanimously

297/20 PROPOSAL FOR THE COUNCIL OWNED PROPERTY AT 32 NORFOLK STREET, PERTH

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

The purpose of this report is to bring to the attention of Council a proposal submitted by Mr Robert Henley in relation to its property holding at 32 Norfolk Street, Perth.

2 INTRODUCTION/BACKGROUND

On 14 August 2020 a request and the following proposal was received from Mr Robert Henley in relation to its land holding at 32 Norfolk Street, Perth, copy attached.

1. *Name the public open space along Sheep Wash Creek the "Dolly Dalrymple Reserve".*
2. *Reorganise the subdivision boundaries at 32 Norfolk St so the cottage retains its current garden size, making it more attractive to potential purchasers in terms of its ability to be developed as a family home and thus potentially increase the revenue to the Council as the larger block would be worth more than a smaller block.*
3. *The Council, as owners of lot 2 and 3, would then be able to rehabilitate and restore the well (currently on lot 2 of the subdivision) and include this a special feature of the Dolly Dalrymple Reserve. E13.1.1 (a-e) of the Planning Scheme is concerned with the preservation and protection of historic cultural heritage. While the well is not included in the identified heritage places, the comment from the Council's Heritage Advisor demonstrates that the well is worthy of protection under the Planning Scheme. It would seem that Council has a moral as well as legal responsibility to protect the well.*
4. *The Reserve should be developed with walking paths, mass tree planting to attract birds and other natives species which have been "dislodged" since the gum trees and other shrubs and grasses have been removed from the area, including the clearing undertaken for the Cromwell St development. The reinstatement of some type of picnic/bbq area and appropriate shelter structures should also be considered.*
5. *Develop appropriate information panels outlining the history of Dolly Dalrymple, Adye Douglas and Frederick Houghton, the well, the history of Sheep Wash Creek, the history of Norfolk St as the main road and its alteration with the development of the train line.*

As per Council's decision to subdivide 32 Norfolk Street, works are well progressed and include:

- The formal subdivision is near finalisation
- Certificates of Titles are in preparation – with the well to be identified on the Certificate of Title
- Part Five Agreement is in train, detailing fencing type, finish and floor slab level
- Water and sewerage is connected to Lot 2
- Contract entered into for the supply of services to Lot 2
- Fencing contractor engaged and works near completion
- Contract for kerb, water table and footpath to be approved at September Council meeting (part of 10 Norfolk Street works).

Subsequently, as the project is well progressed, it is recommended that Council give consideration to the naming of the reserve and that the community be surveyed on the naming and the option of dual naming.

To progress the dual naming option:

- a) application must be completed providing supporting evidence including evidence of consultation with relevant aboriginal communities and organisations, consultation with local councils, statutory entities and landowners, and evidence that the proposed name conforms to the Tasmanian Place Naming Guidelines.
- b) applications are considered by the Reference Group.
- c) the Panel has established an annual calendar for Aboriginal and Dual Name submissions. Submissions are required to be received by the Registrar of Place Names prior to the end of March each year, following which they will be referred to the Reference Group for consideration and advice back to the Panel. The Reference Group will provide its report to the Panel by the end of September each year, to enable a recommendation to the Minister by the end of December. The timetable has been adopted to ensure there is sufficient time for the Reference Group to engage with all necessary stakeholders and to prepare its report for the Panel.

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
 - ♦ Improve community assets responsibly and sustainably
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
 - Economic Development – Supporting Growth & Changes
 - ♦ Towns are enviable places to visit, live & work
 - ♦ Developers address climate change challenges
 - ♦ Maximise external funding opportunity
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ 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

No policy implications are identified.

5 STATUTORY REQUIREMENTS

Planning approvals have been given for the subdivision and the open space declared for both 10 and 32 Norfolk Street.

Local Government (Meeting Procedures) Regulations 2015

18. Motion to overturn decision

- (1) For the purposes of this regulation, a decision may be overturned, wholly or partly, by –
- (a) a motion directly rescinding or otherwise overturning the decision or part of the decision; or
 - (b) a motion that conflicts with, or is contrary to, the decision or part of the decision.
- (2) A council or council committee may only overturn a decision passed at a previous meeting held since the last ordinary election –
- (a) by an absolute majority, in the case of a council; or
 - (b) by a simple majority, in the case of a council committee.
- (3) Any report given by the general manager to a council in respect of a proposed motion to overturn a decision of the council, or that will result in the overturning of a decision of the council, wholly or partly, is to include –
- (a) a statement that the proposed motion, if resolved in the affirmative, would overturn that previous decision or part of that previous decision; and
 - (b) the details of that previous decision, or the part of that previous decision, that would be overturned; and
 - (c) advice as to whether or not that previous decision, or that part of that previous decision, directed that certain action be taken; and
 - (d) if that previous decision, or that part of that previous decision, directed that certain action be taken, advice as to whether or not that action has been wholly or substantially carried out.

Works are well progressed as identified earlier in this report.

If Council was to support the motion put forward by Mr Henley, the current subdivision approval and works on the site would need to be set aside.

Council would be required to initiate a new subdivision and also remove infrastructure that has been constructed on site that formed part of the original approval and have portions of agreed contractual arrangements also set aside. Contractual agreements are in place for TasNetworks and NBN is being progressed together with 10 Norfolk Street works.

To progress the dual naming option:

- a) application must be completed providing supporting evidence including evidence of consultation with relevant aboriginal communities and organisations, consultation with local councils, statutory entities and landowners, and evidence that the proposed name conforms to the Tasmanian Place Naming Guidelines.
- b) applications are considered by the Reference Group.
- c) the Panel has established an annual calendar for Aboriginal and Dual Name submissions. Submissions are required to be received by the Registrar of Place Names prior to the end of March each year, following which they will be referred to the Reference Group for consideration and advice back to the Panel. The Reference Group will provide its report to the Panel by the end of September each year, to enable a recommendation to the

Minister by the end of December. The timetable has been adopted to ensure there is sufficient time for the Reference Group to engage with all necessary stakeholders and to prepare its report for the Panel.

6 FINANCIAL IMPLICATIONS

An estimate of expenditure to date is \$12,000, inclusive of subdivision and works on site; all associated costs incurred have as yet not been recognised.

Costs have included the actual site surveys, preparation of subdivision plans and necessary reports, including: Bushfire Hazard Assessment Report and Hazard Management Plan; Noise and Vibration Report; and Extant Record to support the development application.

The actual water and sewerage connection to Lot 2 have also been completed and contractor engaged to erect fencing for Lots 1 and 2.

The expected income from the residence on the Lot is expected to be in excess of \$220,000 and \$140,000 plus for Lot 2.

If Council was to agree to the proposal, the income from Lot 2 would be forgone.

7 RISK ISSUES

Council's Officers have expended funds to implement its decision related to the subdivision at 32 Norfolk Street. An amendment to the Development Application would necessitate expenditure of additional funds above those spent to date.

The loss of the income from the sale of Lot 2 would impact the future development of the site, as additional funds will need to be sought from other avenues, or impact other developments that would benefit from the estimated \$140,000 loss.

8 CONSULTATION WITH STATE GOVERNMENT

A new development application may necessitate consultation with authorities, including: TasWater and Tasrail.

9 COMMUNITY CONSULTATION

The initial development application required public consultation with the subdivision of the land.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may either take no action or give consideration to the suggestions made by Mr Henley.

1. *Name the public open space along Sheep Wash Creek the "Dolly Dalrymple Reserve".*
2. *Reorganise the subdivision boundaries at 32 Norfolk St so the cottage retains its current garden size, making it more attractive to potential purchasers in terms of its ability to be developed as a family home and thus potentially increase the revenue to the Council as the larger block would be worth more than a smaller block.*
3. *The Council, as owners of lot 2 and 3, would then be able to rehabilitate and restore the well (currently on lot 2 of the subdivision) and include this a special feature of the Dolly Dalrymple Reserve. E13.1.1 (a-e) of the Planning Scheme is concerned with the preservation and protection of historic cultural heritage. While the well is not included in the identified heritage places, the comment from the Council's Heritage Advisor demonstrates that the well is worthy of protection under the Planning Scheme. It would seem that Council has a moral as well as legal responsibility to protect the well.*

4. *The Reserve should be developed with walking paths, mass tree planting to attract birds and other natives species which have been “dislodged” since the gum trees and other shrubs and grasses have been removed from the area, including the clearing undertaken for the Cromwell St development. The reinstatement of some type of picnic/bbq area and appropriate shelter structures should also be considered.*
5. *Develop appropriate information panels outlining the history of Dolly Dalrymple, Adye Douglas and Frederick Houghton, the well, the history of Sheep Wash Creek, the history of Norfolk St as the main road and its alteration with the development of the train line.*

As works have substantially commenced and are nearing completion, the Officer’s recommendation is that Council give consideration to the naming of the reserve , along with the option of dual naming.

11 OFFICER’S COMMENTS/CONCLUSION

In his document, Mr Henley has put forward the following suggestions:

1. *Name the public open space along Sheep Wash Creek the “Dolly Dalrymple Reserve”.*

Council may wish to consider seeking community comment on the naming of the public open space the “Dolly Dalrymple Reserve”.

Dual naming is also an important consideration.

2. *Reorganise the subdivision boundaries at 32 Norfolk St so the cottage retains its current garden size, making it more attractive to potential purchasers in terms of its ability to be developed as a family home and thus potentially increase the revenue to the Council as the larger block would be worth more than a smaller block.*

The actual finalisation of the subdivisions at 10 and 32 Norfolk Street are near completion, with title preparation well underway. Water and sewerage is also now connected to the new block with a fencing contractor engaged and works in progress.

3. *The Council, as owners of lot 2 and 3, would then be able to rehabilitate and restore the well (currently on lot 2 of the subdivision) and include this a special feature of the Dolly Dalrymple Reserve. E13.1.1 (a-e) of the Planning Scheme is concerned with the preservation and protection of historic cultural heritage. While the well is not included in the identified heritage places, the comment from the Council’s Heritage Advisor demonstrates that the well is worthy of protection under the Planning Scheme. It would seem that Council has a moral as well as legal responsibility to protect the well.*

The area of Lot 2 is 500m² (Lot 1 is 450m²), with the remaining 3,711m² (balance of the Lot) declared as public open space, a significant portion of land set aside by Council of the area for community purpose, for passive recreation purposes.

The actual well is not heritage listed, but Council is identifying the well on the Title of the property to protect the well. The well has also been capped to protect the infrastructure.

4. *The Reserve should be developed with walking paths, mass tree planting to attract birds and other natives species which have been “dislodged” since the gum trees and other shrubs and grasses have been removed from the area, including the clearing undertaken for the Cromwell St development. The reinstatement of some type of picnic/bbq area and appropriate shelter structures should also be considered.*

Council has endorsed the overall master plan for the Sheepwash Creek envelope, which includes future shared paths, appropriately located landscape planting that does not interfere with stormwater management and other passive recreational infrastructure.

A Water Sensitive Urban Design is currently being prepared for portion of number 10 Norfolk Street.

5. *Develop appropriate information panels outlining the history of Dolly Dalrymple, Adye Douglas and Frederick Houghton, the well, the history of Sheep Wash Creek, the history of Norfolk St as the main road and its alteration with the development of the train line.*

Interpretation signage is a worthwhile initiative and is currently a component of the Perth Main Street Master Plan planning process, with a standard template in development.

As per Council's decision to subdivide 32 Norfolk Street, works are well progressed and near completion.

Subsequently, it is recommended that Council give consideration to the naming of the reserve and that the community be surveyed on the naming and the option of dual naming.

12 ATTACHMENTS

12.1 Dolly Dalrymple Reserve - A Proposal to the Northern Midlands Council

RECOMMENDATION

That Officer's survey the Perth Community on the proposal to name the reserve the "Dolly Dalrymple Reserve"; and explore the dual naming of the reserve with a further report back to Council.

The General Manager, Mr Des Jennings, drew the attention of Councillors to the following statement, submitted by Ms Kerry Donoghue of Perth, which was circulated to Councillors prior to the meeting:

I would like an explanation as to how you can "workshop" an idea today about the convict well in Norfolk Street when, last week, you enclosed it behind a paling fence to prepare the block for sale.

Your moral bankruptcy astonishes me. You have taken from Perth a possible great tourist attraction. You have made an unpromising area uglier. You are prepared to sell a block of land that has water on, in and under it.

There are other questions I have about the cottage that you have robbed of its garden. What happened to the palings that you removed? I asked if I could have them if you were throwing them out or purchase them. I have received no response.

What happened to the old sign post outside the cottage? Since September last year I have expressed interest in purchasing it for my coaching inn front garden. Again, no response.

Have they been destroyed or has someone taken them?

The convict well deserved to be celebrated, not erased!

What is your frenetic need to squeeze every dollar out of an area that could have become a lovely part of the recreational edge of Perth.

DECISION

Cr Polley/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Polley/Cr Calvert

That the name "Dolly Dalrymple Reserve" be put forward for the reserve formed by the subdivision at 10 and 32 Norfolk Street Perth.

Carried

Voting for the motion:

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

Voting against the motion:

Cr Brooks, Cr Goninon

Cr Polley/Cr Lambert

That Council note the receipt of Ms Donoghue's letter.

Carried unanimously

298/20 LONGFORD ROTARY COMMUNITY SHOP

Responsible Officer: Des Jennings, General Manager
Report prepared by: Lorraine Green, Project Officer

1 PURPOSE OF REPORT

To:

- i) Provide Council with background information on the Community Shop;
- ii) Seek Council's response to a request for seeding capital of \$5,000 for the Community Shop.

2 INTRODUCTION/BACKGROUND

The St Vincent de Paul Opportunity Shop in Longford closed in March 2020 at the commencement of the pandemic and will not be reopening. There has been a groundswell of comments in the community about the closure of the Op Shop and the loss of a local outlet for low cost, high quality second-hand clothing and household items.

The significant impacts of the COVID-19 pandemic has been a catalyst for Council to consider various initiatives that could be explored to assist with social recovery for the Northern Midlands community. Two of the key initiatives explored were an opportunity shop and a neighbourhood house.

Early in the process, the Rotary Club of Longford expressed interest in auspicing an opportunity shop, utilising the business model of the recently opened Beauty Point Community Shop which is an initiative of the Rotary Club of West Tamar.

The Longford Rotary Club has progressed the initiative including renting premises in the heart of Longford and commencing the stocking of the community shop. The official launch is planned for 3 October 2020.

The community shop will not only be a place to purchase affordable clothing and household items. It will also be a community hub, with the shop volunteers providing a caring, listening ear.

Volunteers will be the lifeblood of the shop. All positions will be voluntarily filled by Rotarians, their partners and Friends of Rotary. The volunteers will benefit from contributing their time and labour, experiencing working as a team member, and having the satisfaction of knowing they are making a valuable contribution to their community.

The profit from the community shop will be directed to local community projects.

The Club has written to Council seeking seeding capital of \$5,000 to assist with the set-up costs of the shop (the letter is held as an Attachment).

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
 - Money Matters
Core Strategies:
 - ♦ Budgets are responsible yet innovative
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:

- ♦ Proactive engagement drives new enterprise
 - ♦ Collaborative partnerships attract key industries
- 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
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ 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
 - ♦ Connect – Improve sense of community ownership
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
 - Environment – Cherish & Sustain our Landscapes
Core Strategies:
 - ♦ 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

N/A

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

The Rotary Club has requested seeding capital of \$5,000 and will acknowledge Council's support in promotional materials including in the shop window space on the main street.

7 RISK ISSUES

The Rotary Club of Longford will carry the risk for the project. The Club has done considerable due diligence on similar operations and has assessed the community shop as being a viable, profitable venture.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

The demand for the community shop has come from the community and this Rotary Club initiative has been warmly welcomed by the community.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can either approve or not approve the seeding capital of \$5,000.

11 OFFICER'S COMMENTS/CONCLUSION

The Rotary Community Shop will fill a service gap in Longford that has existed since the St Vincent de Paul opportunity shop closed in March 2020. It will provide a valuable community service, provide local volunteers with the opportunity to serve their community and generate funds to be returned to the community through local community projects.

12 ATTACHMENTS

12.1 Letter of request from the Rotary Club of Longford

RECOMMENDATION

That Council approve seeding capital of \$5,000 towards the set-up costs of the Longford Rotary Community Shop.

DECISION

Cr Polley/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Polley/Cr Brooks

That Council approve seeding capital of \$5,000 towards the set-up costs of the Longford Rotary Community Shop.

AMENDMENT

Cr Goninon/Cr Lambert

That a decision on the matter be deferred until the business case is presented to Council.

Lost

Voting for the amendment:

Cr Davis, Cr Goninon, Cr Lambert

Voting against the amendment:

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

The motion was
Put and
Carried

Voting for the motion:

Mayor Knowles, Cr Adams, Cr Brooks, Cr Calvert, Cr Goss, Cr Goninon, Cr Lambert, Cr Polley

Voting against the motion:

Cr Davis

299/20 LONGFORD MOTOR RACING BOOK

Responsible Officer: Des Jennings, General Manager
Report prepared by: Samantha Dhillon, People & Culture Business Partner

1 PURPOSE OF REPORT

The purpose of this report is to seek Council's support for a book that is being written by Neil Kearney about Longford Motor Racing. The book is being written from a community perspective – how the people of Northern Midlands conceived and created an event that is still famous throughout the world, more than half a century after it ended.

Once the book is complete, Mr Kearney is hoping that Council will publish the book, or at least support his company, Media Makers with the financial cost of publishing the book.

2 INTRODUCTION/BACKGROUND

Mr Kearney grew up in Longford, lived on a farm near Evandale throughout the 1990's and even though he now resides in Victoria with his own family, he still calls the Northern Midlands home.

Mr Kearney has a very accomplished career spanning journalism for almost fifty years, has been an Executive Producer at all three of Australia's commercial television networks (channels 7, 9 and 10), and has written and/or consulted on high profile documentaries and movies.

Mr Kearney has been researching and writing this book about Longford Motor Racing for several months now, as he feels the story needs to be told. Mr Kearney believes his book will appeal to motor racing enthusiasts around the world, and be an enormous, long-lasting promotion and advertisement for the municipality, for years to come.

Mr Kearney aims for his book to be of the same standard as *The Norfolk Plains* which Council published in 2013. Without demeaning the Norfolk Plains history, Mr Kearney feels the Longford Motor Racing book will have a much greater sales potential and promote reviews throughout local, national, and international media. In summary, the book will promote the Northern Midlands region around Tasmania, Australia, and the world.

3 STRATEGIC PLAN 2017-2027

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

- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:
 - 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:
 - ♦ Council nurtures and respects historical culture
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
 - ♦ Communicate – Communities speak & leaders listen
 - ♦ Connect – Improve sense of community ownership

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

If Council elect to support Mr Kearney's request, there will be a cost to Council for the publication of the book. At the time of preparing this report, that exact cost is unknown.

However, to provide some comparison, the following costs were attributed to the publication of 1500 copies of *The Norfolk Plains* in 2013:

- \$12,000 for the design and book layout; and
- \$15,776 for publication of the book

The Norfolk Plains books were printed in China, which was a cheaper option than printing locally or in Australia.

7 RISK ISSUES

N/A

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

Mr Kearney has interviewed more than forty people from the community, to assist with writing the book and has access to pictures for inclusion through a local community member. As such, the community have been consulted because the approach Mr Kearney wanted to take was that the book is written from a community perspective.

10 OPTIONS FOR COUNCIL TO CONSIDER

N/A

11 OFFICER'S COMMENTS/CONCLUSION

It is strongly suggested that Council consider supporting Mr Kearney's book initiative, as this book is the most favourable way to tell the personal stories, of how a voluntary workforce collaborated to pull together an extraordinary event, which still to this day is Tasmania's biggest ever sporting event.

12 ATTACHMENTS

N/A

RECOMMENDATION

Council consider supporting Mr Kearney's book publication in some form, which will promote the Northern Midlands municipality throughout Australia and the world. Thus, being a fantastic advertising initiative for tourism purposes.

DECISION

Cr Goninon/Cr Polley

That the matter be deferred pending further information on costings, together with a business case, and investigation on the possible printing thereof.

Carried unanimously

300/20 CAMPBELL TOWN TENNIS CLUB FUNDING REQUEST

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

The purpose of the report is to give consideration to a request from the Campbell Town Tennis Club to provide funding and support for an application for a grant to build clubrooms.

2 INTRODUCTION/BACKGROUND

The redevelopment of the Campbell Town War Memorial Oval is progressing in accordance with the direction set by the Campbell Town War Memorial Oval Precinct Development Plan 2014. Pivotal to the plan was the development of a multipurpose centre to provide clubroom facilities for all users of the oval precinct.

The development plan is progressively being implemented. To date the multifunction centre has been constructed and new tennis courts. The multifunction centre is serving as the clubrooms/amenities for the Campbell Town Football Club, the local swimming pool and the local tennis club.

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
 - Money Matters
Core Strategies:
 - ♦ Budgets are responsible yet innovative
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
 - ♦ Attract healthy, wealth-producing business & industry
 - Economic Development – Supporting Growth & Changes
 - ♦ New & expanded small business is valued
 - ♦ Towns are enviable places to visit, live & work
 - ♦ Developers address climate change challenges
- 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
- 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 initial interpretation of the request from the Tennis Club suggested that perhaps the Club was seeing funding towards clubrooms. It is believed that such financial support would be at variance to the strategic approach of Council, namely to not duplicate facilities.

Duplication is generally not a good use of resources, particularly community funds. As generally any development of community facilities is funded by the whole community, not just the sporting participants.

After further discussion with John Chester, the President of the Tennis Club, clarity was provided, indicating that the Club was seeking support for an enclosed shelter from the elements that may be heated during the cooler periods.

5 STATUTORY REQUIREMENTS

5.1 Tasmania Community Fund Grant:

Funding Council secured a Tasmanian Community Fund grant towards the consolidation of the new recreation complex at the oval precinct which included funding for components of the tennis court relocation to the oval precinct. The grant agreement with the Tasmanian Community Fund requires Council to expend \$20,000 for a shade structure, \$5,000 on an irrigation system and \$5,000 on landscaping. This funding has yet to be expended and if not committed to the intended use, will need to be returned to the Tasmanian Community Fund.

5.2 Northern Midlands Planning Scheme:

- The site is zoned “recreation”.
- The sports and recreation” use is a permitted use in the zone.
- Planning approval would be required.

6 FINANCIAL IMPLICATIONS

The request also includes financial support for the preparation of a concept plan and costings.

Assistance with the grant application would also be necessary.

Council secured a Tasmanian Community Fund grant of \$55,000 to assist with the cost of relocating the tennis courts to the oval precinct. The grant agreement with the Tasmanian Community Fund requires Council to expend \$20,000 for a shade structure, \$5,000 on an irrigation system and \$5,000 on landscaping. This funding has yet to be expended and if not committed to the intended use, will need to be returned to the Tasmanian Community Fund.

7 RISK ISSUES

The greatest risk is that of duplication of facilities within close proximity. Funding, development and ongoing maintenance costs.

8 CONSULTATION WITH STATE GOVERNMENT

Consultation with relevant state government agencies may be necessary.

9 COMMUNITY CONSULTATION

Advertising/public exhibition is not required for a “permitted” development, therefore community consultation would need to be undertaken externally to the planning approval process, if required.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can either support the request or not.

11 OFFICER’S COMMENTS/CONCLUSION

Copy of the letter requesting support is included as an attachment.

There is sufficient place onsite for a shelter and Council officers have commenced communications with the tennis Club. Council has allocated \$30,000 in the 2020/21 budget to complete the shelter, remaining landscaping and irrigation as per the grant funding agreement for the development.

Officer’s discussions with the club related to a 6m long x 4.5m deep x 2.4-3m high shelter with skillion roof custom orb wall sides with glazing at a higher level for 3 sides of the structure. A 12m long x 6m deep with no sides (fully open) example was taken to the first meeting to commence discussions. The overall size was to be determined to fall in line with the budget.

Officers made mention of the football ground interchange bench structures for an example to determine if the club was happy with a similar structure to move things along.

During discussion, the Club wanted the front to be enclosed with glazed doors, a side door (not required if front has doors) and the shelter to be heated. Council’s budget will be able to achieve an adequate shelter, but would require extra funding to accommodate the above.

At the second meeting the Club advised that they wanted to apply for grant funding so they could have a club house next to the court and use the \$30,000 to go toward the proposal. They were advised that Council may not be in favour of such a request and should they wish to go outside of the original shelter/scope, they would need to write to the General Manager and/or Council to request approval for such a development.

As mentioned, the General Manager has discussed the proposal further with the President of the Club who has clarified that they are not promoting new clubrooms, but an adequate shelter that may be enclosed, with heating for the cooler periods.

12 ATTACHMENTS

12.1 Correspondence dated 7 September 2020

RECOMMENDATION

That Council liaise with the Campbell Town Tennis Club to explore ways to improve the current viewing area with adequate shelter, heating and seating.

DECISION

Cr Calvert/Cr Goninon

That the matter be discussed.

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

Cr Goninon/Cr Calvert

That Council liaise with the Campbell Town Tennis Club to explore ways, including financing, to improve the current viewing area with adequate shelter, heating and seating.

Carried unanimously

**301/20 LONGFORD CUP NEW YEAR'S DAY: REQUEST FOR FINANCIAL
SUPPORT**

Responsible Officer: Des Jennings, General Manager

Report prepared by: Fiona Dewar, Tourism Officer

1 PURPOSE OF REPORT

To provide information to Councillors to support the request from the Tasmanian Turf Club for financial and in-kind assistance to run the Longford Cup New Year's Day Picnic Races in 2021.

2 INTRODUCTION/BACKGROUND

The Event

For many people in the Northern Midlands community and beyond the New Year's Day Picnic Races is a major date in their calendars and is looked forward to all year.

People travel from far and wide to attend, making Longford the destination to be on New Year's Day.

This quote from a local community member who attends the New Year's Day Picnic Races almost every year:

"The day is so much fun, it's wonderfully social. It's great to see the families gathering in their groups and having their picnics. It's not so much a betting experience, but a shared social experience. There are people from all walks, all there for the same reason – to have fun and let their hair down, while feeling safe in the rural family-friendly environment. The sounds of cheering and chatter and laughter is joyful."

The Challenge

The Tasmanian Turf Club is determined to keep the Longford Cup in Longford despite pressure to move the event to Launceston. Once the event leaves Longford, it will not come back. An example of a regional town losing its Cup Day is the Deloraine Cup. It was lost to Launceston and now a busload of 40 people travel to Launceston each year to see it, and so that town has permanently lost the community engagement and spirit around their country race meet.

The event runs on a lean budget, and implementing a Covid-19 safety plan and putting practices in place has incurred a financial burden that is beyond the normal budget. To keep the event at Longford organisers have requested assistance:

\$8,000.00 towards the cost of Covid safety items:

- Stand alone sanitiser stations with refills, jet spray disinfectant and other cleaning supplies
- Covid safe rules and regulations signage
- Crowd control fencing to keep patrons from moving between zones
- Extra security staff
- Portable toilets

In-kind support

- Security fencing if available at the time of the event.

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
- Money Matters
Core Strategies:
 - ♦ Budgets are responsible yet innovative
- Best Business Practice & Compliance
Core Strategies:
 - ♦ Excellent standards of customer service
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
 - Economic Development – Supporting Growth & Changes
 - ♦ Towns are enviable places to visit, live & work
 - Tourism Marketing & Communication
 - ♦ Tourism partnerships build sense of place identity
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ Council nurtures and respects historical culture
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
 - ♦ Connect – Improve sense of community ownership
- Place –
 - Environment – 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

N/A

5 STATUTORY REQUIREMENTS

Emergency Management Implication and Covid-19 Risk.

The minimum standards for managing the risks of Covid-19 have been determined by *Public Health. Under the work Health and Safety Act 2012*, a business must manage the risks of Covid-19 entering or spreading at their business workplace and event site. In many cases the risk may not be completely eliminated, so other steps are taken to reduce the risk as far as reasonably practicable.

Covid-19 Safety Plans, including Risk Assessment and Emergency Management Plan must be in place.

6 FINANCIAL IMPLICATIONS

Council has already allocated \$1,100 to this event and the additional request of \$8,000 could be funded from the allocation for Round 2 Events which currently has a balance of \$14,690.

7 RISK ISSUES

The risk is that Longford and the Northern Midlands may lose a significant and popular annual event if the cost of meeting the extensive Covid safety requirements prevents the event from being held at the Longford racetrack. Once

gone, the event will not come back to Longford, and that is a great loss to the community.

There is also reputational risk to the Northern Midlands Council, as the community will be very disappointed if Council did not assist this popular event to go ahead in wake of the pandemic.

In such challenging times brought about by Covid-19, there are many events that are not going ahead in the foreseeable future, and some will not survive at all. We cannot risk losing an event of such significance and history.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

To provide or not provide the financial support as requested.

11 OFFICER'S COMMENTS/CONCLUSION

By providing the support requested Council will be ensuring the success and future of a significant and historic event in the Northern Midlands that is enjoyed by many of our community and that attracts many people from around Tasmania to the town of Longford.

12 ATTACHMENTS

N/A

RECOMMENDATION

That Council provide the financial support of \$8,000.

DECISION

Cr Polley/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Adams/Cr Polley

That Council provide in-principle financial support of \$8,000, subject to the investigating of other funding sources and negotiation on how the funding is to be provided.

Carried unanimously

302/20 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: Des Jennings, General Manager

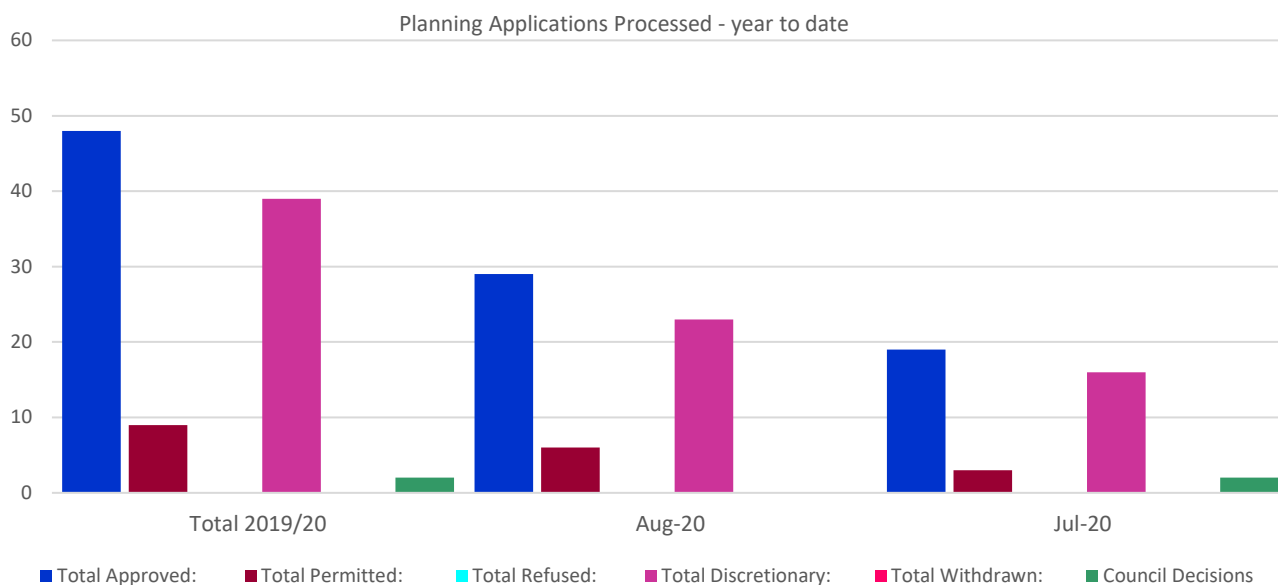
1 PURPOSE OF REPORT

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

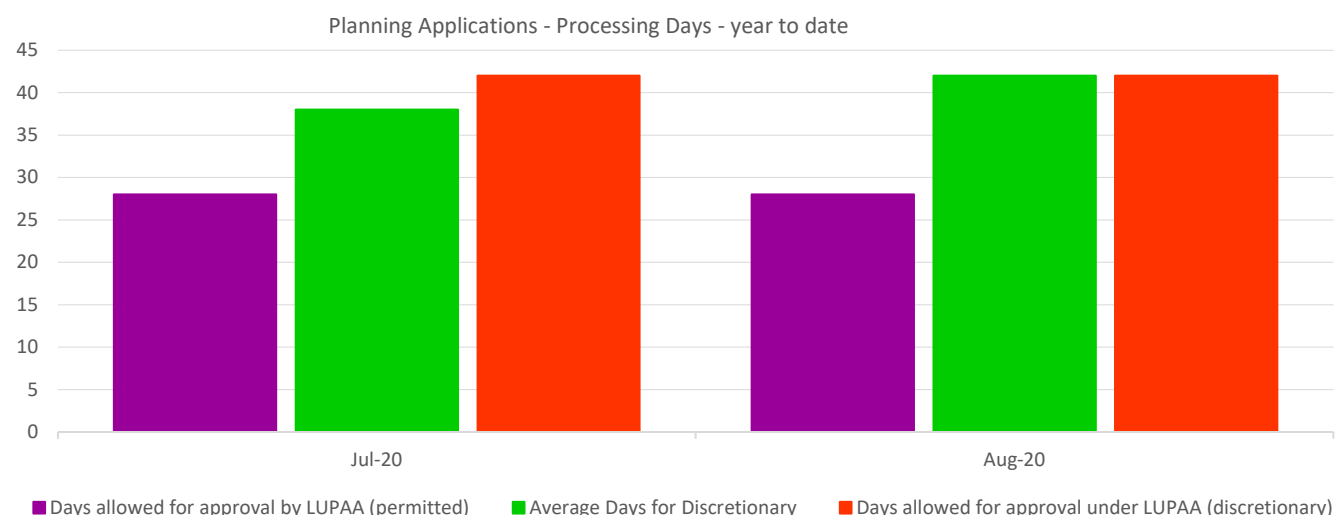
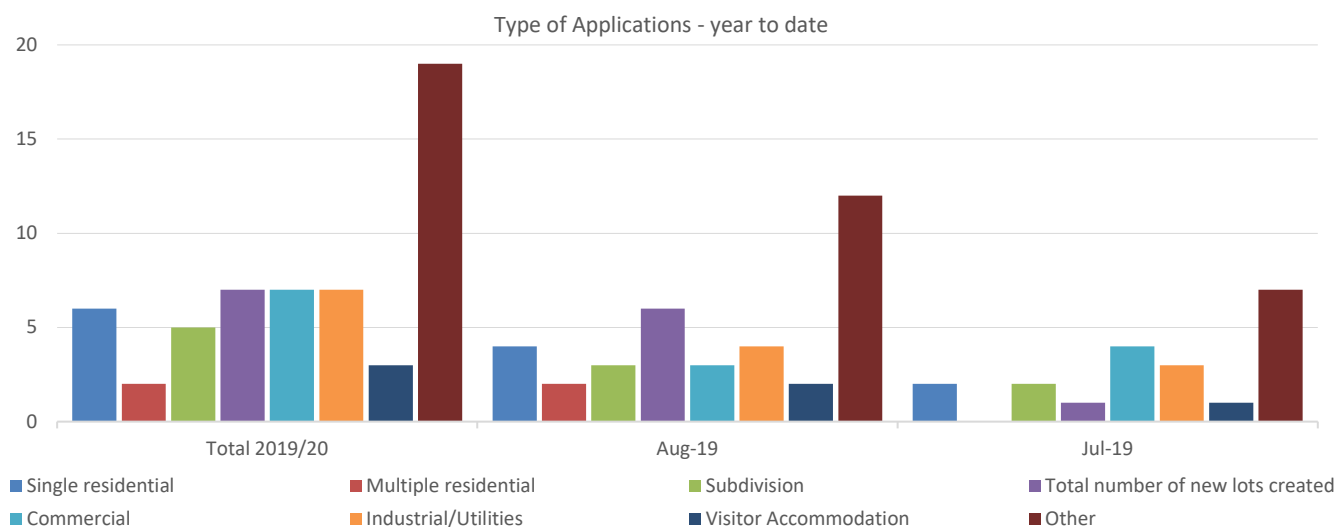
2 DEVELOPMENT SERVICES REPORTING

2.1 Planning Decisions

	Total YTD	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
Number of valid applications	32	21	11										
Single residential	6	2	4										
Multiple residential	2	0	2										
Subdivision	5	2	3										
Total number of new lots created	7	1	6										
Commercial	7	4	3										
Industrial/Utilities	7	3	4										
Visitor Accommodation	3	1	2										
Total permitted	0	0	0										
Total discretionary	3	1	2										
Other	19	7	12										
Total number of applications approved	48	19	29										
Total Permitted	9	3	6										
Average Days for Permitted		25	26										
Days allowed for approval by LUPAA		28	28	28	28	28	28	28	28	28	28	28	28
Total Exempt under IPS	13	8	5										
Total Refused	0	0	0										
Total Discretionary	39	16	23										
Average Days for Discretionary		38	42										
Days allowed for approval under LUPAA		42	42	42	42	42	42	42	42	42	42	42	42
Total Withdrawn	0	0	0										
Council Decisions	2	2	0										
Appeals lodged by the Applicant	0	0	0										
Appeals lodged by third party	0	0	0										



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020



August 2020					
Project	Details	Address	Applicant	No of LUPAA Perm / Disc / days	Exempt
DELEGATED DECISIONS					
PLN-20-0099	2-lot Subdivision (access via ROW, Bushfire Prone Area)	36 High Street, Campbell Town TAS 7210	Cohen & Associates	30	P
PLN-20-0152	Swimming pool	766 Logan Road, Evandale TAS 7212	Prime Design	28	P
PLN-20-0159	Install Riverflow Gauge on Phillip St Culvert	road reserve adjacent to, 30 Phillip Street, Perth TAS 7300	Northern Midlands Council	17	P
PLN-20-0168	Alterations & additions	Arrandale, 60 Arrandale Road, Longford TAS 7301	Danielle Aitkin	23	P
PLN-20-0145	change of use to food services and replacement of existing signage	1/30 Marlborough Street, Longford TAS 7301	Jatinder Singh & Pankaj Kumar Angirlia	28	P
PLN-20-0153	Shed	350 Marlborough Street, Longford TAS 7301	James & Anthea Chugg	28	P
PLN-20-0129	4 Lot subdivision (access to lot 2 by right of way)	3 Spencers Lane, Cressy TAS 7302	Colin Smith	42	D

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

21 SEPTEMBER 2020

August 2020

Project	Details	Address	Applicant	No of LUPAA Perm / Disc / days	Exempt
DELEGATED DECISIONS					
PLN-20-0135	Replace timber bridge with concrete bridge (#1813) (vary setback, Water Quality Code)	Road reserve adjacent to, 227 Hop Valley Road, Blackwood Creek TAS 7301	Northern Midlands Council	42	D
PLN-20-0136	Replace timber bridge with concrete bridge (#4519) (Irrigation district, vary setbacks, Water Quality Code)	Verwood Road, Ross TAS 7209	Northern Midlands Council	42	D
PLN-20-0140	New dwelling and shed (Road & Railway Assets Code)	1419 Barton Road, Campbell Town TAS 7210	Charlie Ellis	41	D
PLN-20-0147	Change of use to visitor accommodation (within strata scheme)	10 Maxwell Avenue, Poatina TAS 7302	Mrs Rae Foletta	42	D
PLN-20-0148	Dwelling addition (patio) (vary setback to rural resource zone; Landslip Hazard Area)	121 Caledonia Drive, Relbia TAS 7258	Adams Building Design	43	D
PLN-20-0086	Single dwelling (vary rear setback, Road & Railway Assets Code)	41A Arthur Street, Perth TAS 7300	Alister John & Meranda Jade Mr & Mrs Fox	42	D
PLN-20-0125	carport (heritage precinct)	19 Pultney Street, Longford TAS 7301	Mr Tony Murfet	42	D
PLN-20-0154	Demolition of shed & part of dwelling, additional crossover (Road & Railway Assets Code)	19-21 Mary Street, Perth TAS 7300	Michael Hefford	43	D
PLN-20-0055	Change of use of dwelling & ancillary dwelling to visitor accommodation (non-impervious access & parking, second crossover, sign)	7 King Street, Cressy TAS 7302	Graham & Amanda Carvolth	41	D
PLN-20-0120	Goal posts and netting	23 William Street, Longford TAS 7301	Longford Primary School	42	D
PLN-20-0123	Shed (vary setbacks in rural zone; Heritage Listed Place; within Scenic Corridor)	518 Pateena Road, Longford TAS 7301	Cochrane Enterprises Pty Ltd	43	D
PLN-20-0131	Dwelling addition (garage) and 30m x 15m machinery shed (vary setbacks in rural zone; irrigation district; attenuation area)	284 Wilmores Lane, Longford TAS 7301	Jamie Goss	42	D
PLN-20-0132	Multiple Dwellings (2) (vary rear setback, privacy provisions & parking/turning forward of building line; Water Quality Code)	4 Affleck Court, Perth TAS 7300	BVZ Designs	43	D
PLN-20-0138	Dwelling additions, covered walkway, shed (22m x 16m) & 2nd access (vary setbacks in Rural Resource Zone; Road and Railway Assets Code)	Orana, 418 Marlborough Street, Longford TAS 7301	Mr Steffan Fauvel	42	D
PLN-20-0143	Dwelling (vary passing bay requirements and rear setback)	21A Napoleon Street, Perth TAS 7300	Abode Designer Homes	43	D
PLN-20-0144	Change room redevelopment, public dump point, relocation of overnight camping area and carpark upgrade (vary setbacks & lighting provisions; Carparking & Sustainable Transport Code)	2a Macquarie Street, Cressy TAS 7302	Northern Midlands Council	41	D

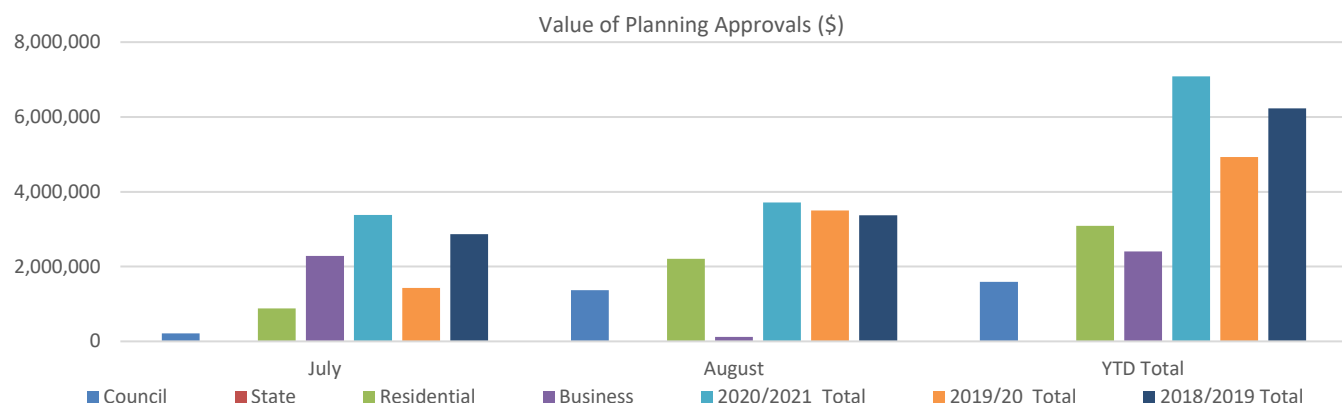
NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

August 2020

Project	Details	Address	Applicant	No of LUPAA Perm / Disc / days	Exempt
DELEGATED DECISIONS					
PLN-20-0155	12m x 9m farm shed (vary setbacks in rural resource zone)	79 Haslewood Street, Longford TAS 7301	Michael & Claire Walker	44	D
PLN-20-0157	Garage (vary rear setback) & demolition of existing shed (Heritage precinct)	25 Talisker Street, Perth TAS 7300	Mr Caven Boyle	40	D
PLN-20-0160	Garage (vary rear setback)	7 Affleck Court, Perth TAS 7300	Mr Gary Pinner	41	D
PLN-20-0163	Dwelling (variations to rear building envelope, solar provisions & private open space access)	3 Honeysuckle Grove, Evandale TAS 7212	Mr Billy Leslie-Wilson	34	D
PLN-20-0142	3-lot subdivision & new accesses (vary lot size & building setback; Bushfire Prone Area; within 50m of railway and watercourse)	244 Perth Mill Road, Evandale TAS 7212	Design to Live	43	D
PLN-20-0149	Shed (10m x 7m) (vary rear setback & side building envelope, heritage precinct)	24 Drummond Street, Perth TAS 7300	Urban Design Solutions	42	D

2.2 Value of Planning Approvals

	2020/2021					2019/20	2018/2019
	Council	State	Residential	Business	Total	Total	Total
July	217,500	0	877,000	2,283,000	3,377,500	1,429,000	2,863,500
August	1370000	10000	2,208,500	121,000	3,709,500	3,503,000	3,369,300
YTD Total	1,587,500	10,000	3,085,500	2,404,000	7,087,000	4,932,000	6,232,800
Annual Total						55,891,900	36,482,950



2.3 Matters Awaiting Decision by TPC & RMPAT

TPC	TASMANIAN PLANNING COMMISSION
TPS	Tasmanian Planning Scheme. The State Planning Provisions (SPPs) came into effect on 2/3/2017. They will have no practical effect until the Local Provisions Schedule (LPS) is in effect in a municipal area. Northern Midlands Council's Draft Local Provisions Schedule submitted to the Commission 19/12/2019. Post lodgement meeting held 5/5/2020. The Commission has given until 10/7/2020 to provide a response to the matters raised at the meeting. Matters raised by the Commission and recommended response tabled at the 29/6/2020 Council meeting. Extension of time until 28/08/2020 for the provision of remaining responses to the post lodgement enquiries.
02/2019	PLN-19-0070, 86 Burghley St Longford, rezone to General Residential and s43A application for 7 Lot Subdivision. Hearing held 13/12/2019. Additional information provided to the Commission on 21/1/2020. The Commission had flood report reviewed. The Commission has advised that it considers it would be difficult to approve the amendment and permit in

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

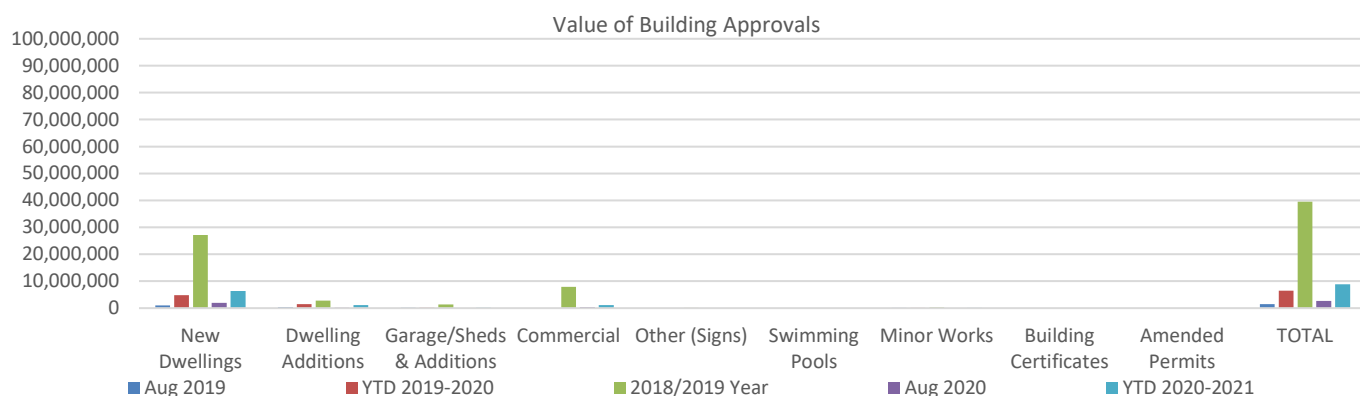
	the absence of further site specific flood modelling being submitted and gave the proponent (Woolcott Surveys) until 4/8/2020 to provide further flood modelling, noting that the invitation to submit further flood modelling is not intended to indicate that the application will be approved if the modelling work is completed. The Commission has given Woolcott Surveys a further extension, until 9 October 2020, to submit further flood modelling work.
06/2019	PLN-19-0221, 74 Marlborough Street Longford, rezone part of site to General Residential, insert new clause for lot size, and s43A application for 6 lot subdivision. 1 representation received, considered at Council meeting 15/6/2020. Readvertised until 17 July 2020 to include in the exhibition documents: correct application documents, map coordinates for the proposed rezoning and instrument of certification with wording of new clause. The Commission has been advised that no representations were received. Awaiting decision from the Commission.
01/2020	PLN-20-0001, 41-43 Wellington St Longford, rezone to General Residential and s43A application for 3 lot subdivision. S39 Report sent to the Commission 3/7/2020.
03/2020	PLN20-0071, 2A Saundridge Rd Cressy Site specific amendment to allow for subdivision, in conjunction with s43A for 2 lot subdivision. Exhibition closed 12/8/2020. Representation received. To be considered at Council meeting of 21/9/2020.
RMPAT RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL	
54-20P	PLN20-0024, 60 Malcombe St Longford Multiple Dwellings appeal against Council refusal. Preliminary conference held 17/7/2020. Mediation undertaken. Consent agreement signed in accordance with Council's resolution of 17/8/2020. Permit issued in accordance with Tribunal decision.
Decisions received	
TPC	
02/2020	PLN-20-0049, 21 Napoleon St Perth, rezone to General Residential and s43A application for 2 lot subdivision. Decision received. Scheme amended and permit issued.
RMPAT	
-	-

2.4 Building Approvals

The following table provides a comparison of the number and total value of building works for 2019/2020 – 2020/2021:

	YEAR: 2019-2020				YEAR		YEAR: 2020-2021			
	Aug 2019		YTD 2019-2020		July 2019 - June 2020		Aug 2020		YTD 2020-2021	
	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value
		\$		\$		\$		\$		\$
New Dwellings	5	961,000	16	4,823,049	110	27,131,594	10	1,950,527	31	6,321,487
Dwelling Additions	5	376,000	11	1,486,251	35	2,757,001	2	143,000	8	1,189,650
Garage/Sheds & Additions	5	130,000	6	150,000	47	1,394,142	5	121,000	9	222,700
Commercial	0	0	0	0	9	7,952,000	2	456,150	4	1,086,150
Other (Signs)	0	0	0	0	1	5,000	0	0	0	0
Swimming Pools	0	0	0	0	0	0	0	0	0	0
Minor Works	2	2,880	4	13,080	20	287,983	0	0	2	35,000
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	0	0	0	0	0	0
TOTAL	17	1,469,880	37	6,472,380	222	39,527,720	19	2,670,677	54	8,854,987
Inspections										
Building	0		0		58		0		0	
Plumbing	15		54		282		21		41	

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 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		2	46	47
Property owner not home or only recently started			1	
Complying with all conditions / signed off			21	28
Not complying with all conditions				1
Re-inspection required			17	6
Notice of Intention to Issue Enforcement Notice				
Enforcement Notices issued				
Enforcement Orders issued				
Infringement Notice				1
No Further Action Required		2	7	16
Building Permit Reviews		This Month	2019/2020	Total 2018/2019
Number of Inspections			30	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			7	
Building Notices issued				
Building Orders issued				
No Further Action Required			16	34

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

Illegal Works - Building	This Month	2019/2020	Total 2018/2019
Number of Inspections	1	28	14
Commitment provided to submit required documentation		1	3
Re-inspection required		6	4
Building Notices issued		4	3
Building Orders issued		4	3
Emergency Order			
No Further Action Required	1	14	2

Illegal Works - Planning	This Month	2019/2020	Total 2018/2019
Number of Inspections	15	99	17
Commitment provided to submit required documentation	2	9	5
Re-inspection required	9	57	5
Enforcement Notices issued			3
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued		5	1
No Further Action Required	4	25	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 Future
Core 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, Progress
Core 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 Landscapes
Core 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



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

approvals, this may result in work without approval. Council continues to promote requirements to ensure the public is aware of its responsibility when conducting development.

6 COMMUNITY CONSULTATION

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

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

7 OFFICER'S COMMENTS/CONCLUSION

There have been 4 commercial building approvals valued at \$1,086,150 for 2020/21 (year to date), there were no commercial building approvals for the same period last year.

In total, there were 54 building approvals valued at \$8,854,987 (year to date) for 2020/2021, compared to 37 building approvals valued at \$6,472,380 (year to date) for 2019/20.

RECOMMENDATION

That the report be noted.

DECISION

Cr Adams/Cr Goninon

That the report be noted.

Carried unanimously

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

303/20 MONTHLY FINANCIAL STATEMENT

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 August 2020.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 31 August 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: 30-Jul-20 2

A. Operating Income and Expenditure

	Budget	Year to Date Budget	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$11,236,820	-\$11,236,820	-\$11,624,901	\$388	103.5%	
Recurrent Grant Revenue	-\$4,293,307	-\$715,551	-\$878,934	\$163	122.8%	
Fees and Charges Revenue	-\$1,848,426	-\$308,071	-\$466,330	\$158	151.4%	
Interest Revenue	-\$675,507	-\$112,586	-\$84,011	-\$29	74.6%	
Reimbursements Revenue	-\$63,880	-\$10,647	-\$39,101	\$28	367.3%	
Other Revenue	-\$968,444	-\$161,407	-\$113,864	-\$48	70.5%	
	-\$19,086,384	-\$12,545,082	-\$13,207,141	\$662	105.3%	
Employee costs	\$5,536,773	\$922,796	\$839,686	\$83	91.0%	
Material & Services Expenditure	\$5,248,743	\$874,791	\$832,250	\$43	95.1%	
Depreciation Expenditure	\$5,732,369	\$955,395	\$955,069	\$0	100.0%	
Government Levies & Charges	\$861,522	\$143,587	\$26,577	\$117	18.5%	
Councillors Expenditure	\$199,210	\$33,202	\$3,279	\$30	9.9%	
Interest on Borrowings	\$272,007	\$45,335	\$87,216	-\$42	192.4%	
Other Expenditure	\$1,712,984	\$285,497	\$643,299	-\$358	225.3%	Pension rebates for full year
Plant Expenditure Paid	\$524,700	\$87,450	\$137,827	-\$50	157.6%	
	\$20,088,308	\$3,348,051	\$3,525,203	-\$177	105.3%	
	\$1,001,924	-\$9,197,030	-\$9,681,938			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$602,390	\$100,398	\$0	\$100	0.0%	
Underlying (Surplus) / Deficit	\$1,604,314	-\$9,096,632	-\$9,681,938			
	-		-			
Capital Grant Revenue	-\$10,749,146	-\$1,791,524	-\$350,000	-\$1,442	19.5%	
Subdivider Contributions	-\$524,114	-\$87,352	0	-\$87	0.0%	
Capital Revenue	-\$11,273,260	-\$1,878,877	-\$350,000			
	-		-			

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

Budget Alteration Requests

- For Council authorisation by absolute majority

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

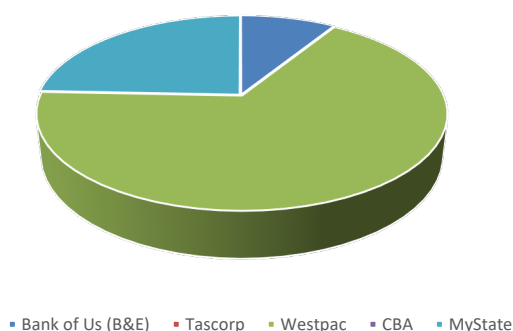
Aug

July

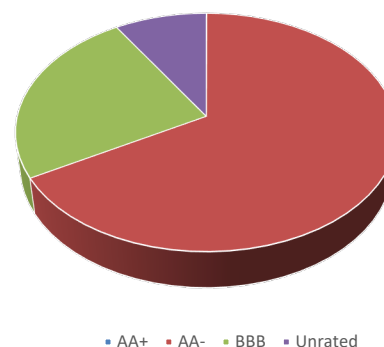
B. Balance Sheet Items

	Year to Date Actual	Monthly Change		Same time last year	Comments
Cash & Cash Equivalents Balance					
- Opening Cash balance	\$16,905,670	\$16,506,867			
- Cash Inflow	\$7,906,023	\$6,479,127			
- Cash Payments	-\$3,228,212	-\$1,402,512			
- Closing Cash balance	\$21,583,481	\$21,583,481			
	-	-			
Account Breakdown					
- Trading Accounts	\$8,020,054				
- Investments	\$13,563,428				
	\$21,583,481				
	-				
Summary of Investments	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value
Tasmanian Public Finance Corporation Call Account	1/08/2020	31/08/2020	0.25	\$5,389	\$5,390
CBA Call Account	1/08/2020	31/08/2020	0.15	\$1,573	\$1,573
Westpac	9/06/2020	9/09/2020	0.60	\$2,500,000	\$2,503,781
Bank of Us	25/05/2020	25/11/2020	1.00	\$680,802	\$684,234
Bank of Us	30/03/2020	29/01/2021	2.00	\$522,229	\$530,957
My State Financial	25/05/2020	25/05/2021	1.20	\$3,303,434	\$3,343,076
Westpac	6/07/2020	4/07/2022	3.37	\$5,500,000	\$5,869,684
Westpac	29/06/2020	29/06/2023	3.30	\$1,050,000	\$1,153,950
Total Investments				\$13,563,428	\$14,092,645

Investments by Institution



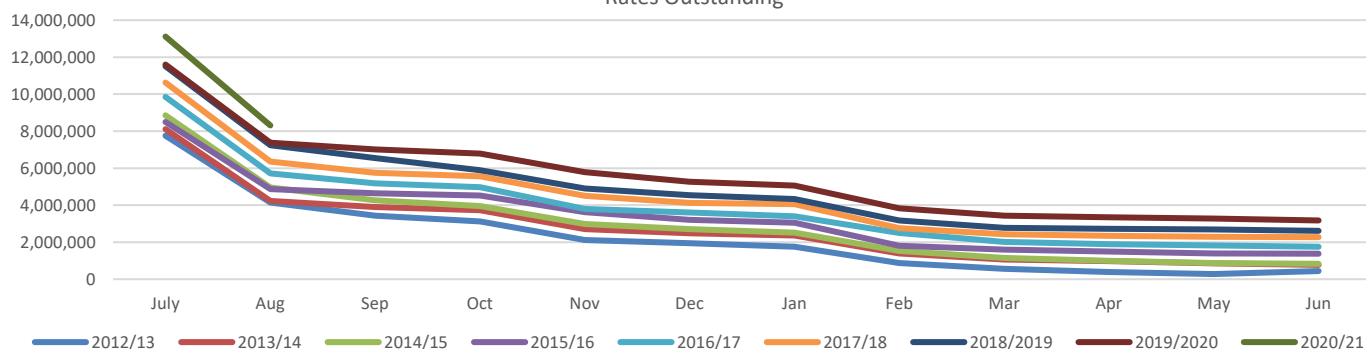
Total Investments by Rating (Standard & Poor's)



Rate Debtors	2020/21	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	\$2,808,852		\$2,275,315	
Rates Raised	\$11,624,872		\$11,297,084	
	\$14,433,724		\$13,572,400	
Rates collected	\$5,695,005	49.0%	\$5,860,257	51.9%
Pension Rebates	\$476,465	4.1%	\$450,857	4.0%
Discount & Remissions	\$49,594	0.4%	\$42,917	0.4%
	\$6,221,064		\$6,354,032	
Rates Outstanding	\$8,309,796	71.5%	\$7,370,760	65.2%
Advance Payments received	-\$97,137	0.8%	-\$152,392	1.3%

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

Rates Outstanding



Trade Debtors

Current balance	\$698,361	
- 30 Days	\$655,452	
- 60 Days	\$7,939	
- 90 Days	-\$7,315	
- More than 90 days	\$42,285	
Summary of Accounts more than 90 days:	-	
- Norfolk Plains Book sales	171	Paid by outlet as sold
- Hire/lease of facilities	4,726	
- Removal of fire hazards	7,100	
- Dog Registrations & Fines	16,973	Send to Fines Enforcement
- Private Works	12,643	
- Regulatory Fees	671	
- Govt Reimbursements	-	
	-	

C. Capital Program

	Budget	Actual (\$,000)	Target 17%	Comments
Renewal	\$11,293,402	\$1,743,376	15%	
New assets	\$9,542,194	\$1,779,699	19%	
Total	\$20,835,595	\$3,523,075	17%	
Major projects:				
- Longford Sports Centre stage 2 & carpark	\$890,000	\$44,750	5%	
- Campbell Town Rec Ground Site Works	\$166,500	\$19,252	12%	
- Evandale Rec Ground Amenities	\$866,205	\$57,157	7%	
- Cressy Rec Ground Amenities	\$837,855	\$45,840	5%	
- Cressy Pool Improvements	\$516,000	\$20,043	4%	
- Ross Caravan Park units	\$220,000	\$28,195	13%	
- Ross Village Green	\$400,000	\$89,009	22%	
- Sheepwash Creek development	\$715,000	\$506,109	71%	
- Barton Road reconstruction	\$535,000	\$0	0%	
- Macquarie Road reconstruction	\$370,000	\$0	0%	
- Bridge 1469 Storrs Creek Road	208,000	\$51,624	25%	In progress
- Bridge 1813 Hop Valley Road	192,000	\$192,406	100%	Complete
- Bridge 1940 Cressy Road	200,000	\$7,500	4%	
- Bridge 4519 Verwood Road	112,035	\$119,185	106%	Complete

* 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	58.9%	88.0%	-29.1%	⬇
- Own Source Revenue / Total Revenue	78%	93%	-15.8%	⬇
Sustainability Ratio				
- Operating Surplus / Operating Revenue	-8.4%	73.3%	-81.7%	⬇
- Debt / Own Source Revenue	50.2%	60.2%	-10.0%	↔
Efficiency Ratios				
- Receivables / Own Source Revenue	60.9%	59.8%	1.1%	⬇
- Employee costs / Revenue	29.0%	6.4%	22.7%	⬆
- Renewal / Depreciation	197.0%	182.5%	14.5%	⬆

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

Unit Costs

- Waste Collection per bin	\$10.53	\$17.60	↔
- Employee costs per hour	\$46.14	\$55.47	↗
- Rate Revenue per property	\$1,581.76	\$1,636.39	↔
- IT per employee hour	\$3.30	\$10.61	↘

E. Employee & WHS scorecard

	YTD	This Month
Number of Employees	90	90
New Employees	2	0
Resignations	3	0
Total hours worked	15139	9909
Lost Time Injuries	0	0
Lost Time Days	0	0
Safety Incidents Reported	2	1
Hazards Reported	19	8
Risk Incidents Reported	3	2
Insurance claims - Public Liability	0	0
Insurance claims - Industrial	1	0
Insurance claims - Motor Vehicle	3	0
IT - Unplanned lost time	0	0
Open W/Comp claims	2	1

F. Waste Management

Waste Transfer Station

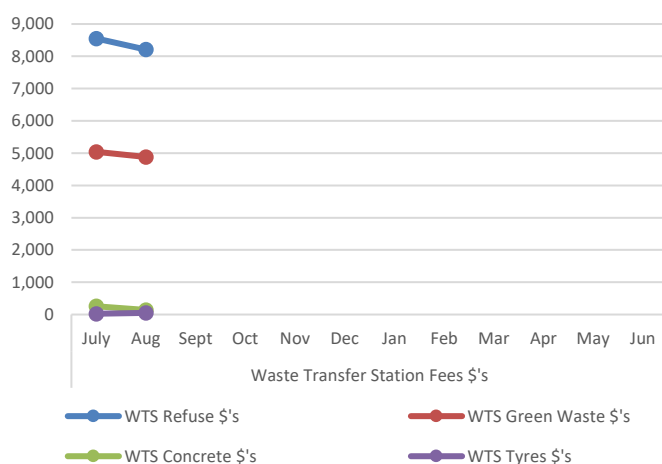
Takings

	2018/19	2019/20	2020/21 Budget	2020/21 Year to Date
- Refuse	\$93,411	\$92,611	\$15,297	\$16,760
- Green Waste	\$52,960	\$50,996	\$8,046	\$9,922
- Concrete	\$2,376	\$1,551	\$252	\$398
			\$0	\$76
Total Takings	\$152,877	\$142,782	\$23,595	\$27,156

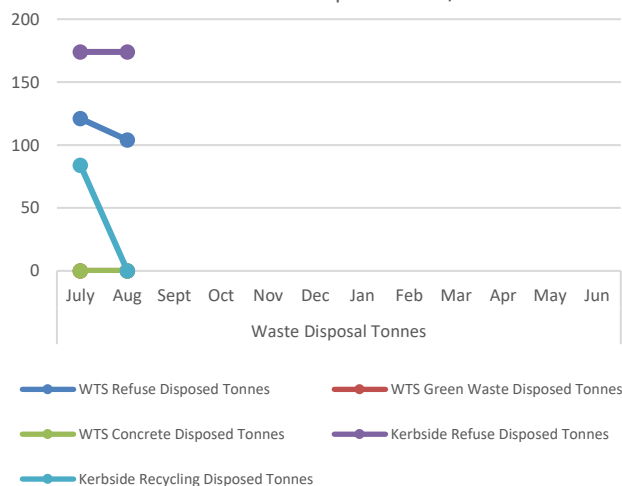
Tonnes Disposed

WTS Refuse Disposed Tonnes	1,325	1388	1954	225
WTS Green Waste Disposed Tonnes	5200	5400	6015	0
WTS Concrete Disposed Tonnes	0	0	0	0
Kerbside Refuse Disposed Tonnes	2217	2326	1806	348
Kerbside Recycling Disposed Tonnes	1051	1036	869	84
Total Waste Tonnes Disposed	\$9,793	10150	10644	657

Waste Transfer Station Fees \$'s 2020/21



Tonnes Waste Disposed 2020/21



4 OFFICER COMMENTS

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



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

5 ATTACHMENTS

- 5.1 Income & Expenditure Summary for period ending August 2020.
- 5.2 Capital Works Report to end August 2020.

RECOMMENDATION

That Council receive and note the Monthly Financial Report for the period ending 31 August 2020.

DECISION

Cr Goss/Cr Goninon

That Council receive and note the Monthly Financial Report for the period ending 31 August 2020.

Carried unanimously

304/20 NOMENCLATURE: NEW ROAD NAME MONASTERY COURT

File: 34/007
Responsible Officer: Maree Bricknell, Corporate Services Manager
Report Prepared by: Natalie Horne, Administration Officer

1 PURPOSE OF REPORT

This report considers the naming of a new court created by a subdivision off Paton Street Longford.

2 INTRODUCTION/BACKGROUND

A 22-lot subdivision has been developed off Paton Street Longford, 5 lots having access from Paton Street and 17 lots with access of the new cul-de-sac.

Three names were suggested to the developer.

- Sawmill Court – as land is on old mill
- Flanagan Court – notable headmaster of original Longford school
- Monastery Court – monastery associated with owner of land
- Preece Court – notable local identity original businessman in Longford

The developer advised that their preference was for the new new cul-de-sac to be named Monastery Court.

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
 - ♦ Manage – Management is efficient and responsive
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
 - ♦ Excellent standards of customer service
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ Council nurtures and respects historical culture

4 STATUTORY REQUIREMENTS

As this name is within a Town Boundary under section 20E of the Act, urban roads which are wholly contained within a proclaimed town boundary, Council has authority to assign the names.

5 FINANCIAL IMPLICATIONS

It is accepted that the developer is responsible for installing street signage associated with the new road.

6 RISK ISSUES

The Nomenclature Board's guiding principles for the assignment of place names state:



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

Existing road names should not be duplicated within adjoining municipalities and ideally within the state. More critically they should not be duplicated within adjoining localities or suburbs (as recently gazetted for addressing purposes). Even the re-arrangement of the generic or type from say "Court" to "Place" may still result in potential misinformation and confusion to the user.

7 OFFICER'S COMMENTS/CONCLUSION

Recommendation is to approve the name "Monastery Court".

8 ATTACHMENTS

8.1 Location plan.

RECOMMENDATION

That Council agree to the road name Monastery Court being assigned to the new court created off Paton Street Longford.

DECISION

Cr Adams/Cr Brooks

That Council agree to the road name Monastery Court being assigned to the new court created off Paton Street Longford.

Carried unanimously

Mayor Knowles adjourned the meeting for a short break at 6.01pm.

Mayor Knowles reconvened the meeting after the break at 6.16pm.

**305/20 NOMENCLATURE: RENAMING OF SECTION OF ILLAWARRA ROAD AT
PERTH – OAKMOUNT STREET**

File: 34/007
Responsible Officer: Maree Bricknell, Corporate Services Manager
Report Prepared by: Natalie Horne, Administration Officer

1 PURPOSE OF REPORT

This report considers the renaming of a section of Illawarra Road isolated by the new Midland Highway bypass at Perth.

2 INTRODUCTION/BACKGROUND

Council was contacted by Place Names Tasmania regarding to the section of Illawarra Road off Drummond Street which has been cut off from the rest of Illawarra Road due to the construction of the new highway.

According to Section 7.3 of the Tasmanian Place Naming Guidelines: "A named road or street must include only one contiguous section navigable by vehicles. Unconnected navigable sections, such as where separated by an unbridged stream, pedestrian segment, railing etc must have separate road names approved."

As such, Illawarra Road does not adhere to the Guidelines and could be a cause of confusion, particularly in the case of emergency service response. To avoid potential confusion and promote public safety can Council please consider having one side of Illawarra Road renamed and readdressed.

The renaming of the road would affect 5 Properties in this section of road.

An entirely new name is required

- Drummond Street continues past the intersection up the hill.
- There is future planning for Youl Road to be ended at Edward Street creating public open space and new walk/cycle track to link up with the new track created at the end of the work in Illawarra Road which means that the small section of Illawarra Road cannot link to it.
- Cromwell Street accesses onto Youl Road – there is a possibility when the section of Youl Road is taken up Cromwell Street could be realigned with the section of Illawarra Road. Making this an extension of Cromwell Street.

It is suggested that the section road be renamed Oakmount Street as these properties have a view to Oakmount hill to the north. A search of the Place Names data base did not show any conflicts within the State.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Leaders with Impact
Core Strategies:
 - ♦ Manage – Management is efficient and responsive
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
 - ♦ Excellent standards of customer service

4 POLICY IMPLICATIONS

The Tasmanian Place Naming Guidelines from DPIPWE is used to suggest new road names to Council, with the preference

to local heritage and ancestry.

5 STATUTORY REQUIREMENTS

Under the *Survey Coordination Act 1944*, urban roads which are wholly contained within a proclaimed town boundary, Council has authority to assign the names.

6 FINANCIAL IMPLICATIONS

It is proposed that Council be responsible for installing street name signage associated with renaming this road.

7 RISK ISSUES

The DPIWE guiding principles for the assignment of place names state:

Existing road names should not be duplicated within adjoining municipalities and ideally within the state. More critically they should not be duplicated within adjoining localities or suburbs (as recently gazetted for addressing purposes). Even the re-arrangement of the generic or type from say "Court" to "Place" may still result in potential misinformation and confusion to the user.

8 CONSULTATION WITH STATE GOVERNMENT

If Council agrees to assign the name 'Oakmount Street' for the road then the Council is to advise the Nomenclature Board Secretary within forty days of assigning the name.

9 COMMUNITY CONSULTATION

Under the Tasmanian Place Naming Guidelines renaming a road is within town boundary is at Council discretion

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can agree / not agree to assign the name as requested.

11 OFFICER'S COMMENTS/CONCLUSION

Feedback suggests that assigning the name 'Oakmount Street' to the road would be supported.

12 ATTACHMENTS

12.1 Location Plan.

RECOMMENDATION

That Council assign the name "Oakmount Street" to the section of Illawarra Road isolated by the new Midland Highway bypass at Perth and that the Nomenclature Board be advised of the new name within 40 days.

DECISION

Cr Goss/Cr Lambert

That Council assign the name "Oakmount Street" to the section of Illawarra Road isolated by the new Midland Highway bypass at Perth and that the Nomenclature Board be advised of the new name within 40 days.

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

306/20 GRANT FUNDING FOR UPGRADE OF LONGFORD WASTE TRANSFER STATION

Responsible Officer: Leigh McCullagh - Works Manager
Report Prepared by: Jonathan Galbraith - Engineering Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider a proposal to make use of grant funding to carry out upgrade works at the Longford Waste Transfer Station (WTS).

2 INTRODUCTION/BACKGROUND

Every year the Northern Tasmanian Regional Waste Management Group (NTRWMG) allocates a \$100,000 grant to a member Council for upgrades to a Waste Facility to bring it in line with best practice. This year the NTRWMG has offered the grant to Northern Midlands Council.

The NTRWMG has carried out assessments of all Council sites and has advised that the main upgrade required at the Longford to meet best practice standards is for an undercover area to be provided for recycling.

It is proposed to build a shed approximately 28m x 6m in size with separate bays for the storage of different types of recyclables.

3 STRATEGIC PLAN 2017-2027

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

- 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

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

- Council planning and building requirements
- Build Code of Australia
- National Waste Policy 2018

6 FINANCIAL IMPLICATIONS

The NTRWMG has offered to contribute 50% of the cost of these works up to \$100,000. Council are required match this contribution with an equal contribution from their funds.

The cost of works is estimated as follows:

- Shed – including concrete slab - \$ 130,000

• Power upgrade -	\$ 5,000
• Upgrades to sealed surfaces around shed and site entrance -	\$ 5,000
• Earthworks and construction of embankments and plantings to reduce site noise -	\$ 10,000
• Stillages and storage containers -	\$ 10,000
• Stormwater works -	\$ 5,000
• Project management, design work and Council approvals -	\$ 5,000
• Polystyrene processing machine - (subject to NTRWMG approval)	\$ 30,000

An amount of \$100,000 was originally included for Waste Transfer Station Upgrades in the Draft Capital budget, however, the project was contingent on receiving matching grant funding. As the success or otherwise of the grant application was unknown at that time, this project was removed from the budget approved by Council. Therefore, the addition of this project would require an additional budget allocation of \$100,000, this would therefore need to be funded through the utilisation of the *Waste - All Areas WTS Improvements* budget allocation and Council's cash reserves.

7 RISK ISSUES

Possible risk issues

- Time delays in construction work
- Concerns of nearby residents who believe the Waste Transfer Station is too close to their properties and should be relocated to another site.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can choose to either accept the grant money and carry out the upgrade works or not.

11 OFFICER'S COMMENTS/CONCLUSION

11.1 Proposed works

It is proposed to construct a 28m x 6m shed next to the existing Tip Shop. The shed will have six bays, at 4m wide, for different recycling streams including e-waste, cardboard, glass, paint and polystyrene.

Other works will be required around the front of the shed including upgrading and sealing the surface at the front of the shed, removal of existing fencing and stormwater works.

The location next to the tip shop has been chosen because it is considered best practice to have the recycling drop off as the first area which users of the site will come to, so that they are encouraged to remove recyclables first before moving on to the general waste disposal area.

11.2 Life of existing site

It is requirement of the NTRWMG grant funding that Council commits to using the site for at least the next 20 years. Several nearby residents have expressed concerns to Council about the proximity of the site in relation to their properties, in particular the owners of 74 Brumby St have horses and are concerned about the noise from greenwaste mulching and concrete crushing operations. Should Council choose to carry out the site upgrades and

commit to remaining at the site for at least the next 20 years it is likely that Council will continue to receive complaints from the owners of 74 Brumby St. It is recommended that as part of the upgrade works an earth embankment be constructed around the concrete area and planted with trees. The greenwaste area is already surround by an embankment and trees but some further works could also be done in this area.

11.3 Proposed future upgrades

The population of Longford and Perth has grown significantly over recent years and is predicted to continue to grow. It is recommended that in the following years further money be allocated to carry out works at the site.

- 2021 – 2022 – Upgrade concrete area and improve drainage
- 2022 – 2023 – Upgrade and widen gravel surface in greenwaste area
- 2023 – 2024 – Upgrade safety rails above bins

A future development plan for the site is in preparation and will be presented to Council in due course.

12 ATTACHMENTS

12.1 Site plans

12.2 Shed elevations

RECOMMENDATION

That Council

- accepts the \$100,000 grant from the NTRWMG for the construction of a recycling shed and other site upgrades at the Longford Waste Transfer station; and
- plans to continue using the current site for at least the next 20 years; and
- approve a budget adjustment accepting the Capital Grant Revenue of \$100,000; and
- reallocate \$20,000 from the Waste - All Areas WTS Improvements budget allocation; and
- accesses the balance of the funds required, being \$80,000 from Council's cash reserves.

DECISION

Cr Goss/Cr Adams

That Council

- accepts the \$100,000 grant from the NTRWMG for the construction of a recycling shed and other site upgrades at the Longford Waste Transfer Station; and
- plans to continue using the current site for at least the next 20 years; and
- approve a budget adjustment accepting the Capital Grant Revenue of \$100,000; and
- reallocate \$20,000 from the Waste - All Areas WTS Improvements budget allocation; and
- accesses the balance of the funds required, being \$80,000 from Council's cash reserves.

Carried unanimously

307/20 ILLAWARRA ROAD SAFETY ISSUES

Responsible Officer: Leigh McCullagh, Works Manager
Report Prepared by: Jonathan Galbraith, Engineering Officer

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with information relating to road safety issues around the intersection of Pateena Road and Illawarra Road.

2 INTRODUCTION/BACKGROUND

Councillor Michael Polley has been approached by property owners and members of the community who have raised safety concerns about the intersection of Pateena Road and Illawarra Road since the completion of the Perth bypass.

As a result of the works traffic now approaches this intersection at a faster speed due to the higher standard of the road and the 110km speed limit which ends just before the Pateena Road intersection.

There have also been a number of other changes at the intersection which may have an impact on safety:

- The access to the new Mackinnon property is directly opposite Pateena Road
- The new bike path to Perth starts at this point
- Illawarra Road has been widened at the intersection meaning that vehicles turning right from Pateena Road or the Mackinnon property access have to cross a wider road than previously.



Pateena Road intersection from the west



Looking across Illawarra Road from the Mackinnon property access

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
- People –
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
 - Core Strategies:
 - ♦ Communicate – Communities speak & leaders listen
 - ♦ Participate – Communities engage in future planning

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

The Austroads Standards provide guidance on road design and the Department of State Growth designs all new roads in accordance with these standards.

6 FINANCIAL IMPLICATIONS

No financial implications for Council.

7 RISK ISSUES

Property owners and members of the public have raised concerns that there is an increased risk of a crash at this intersection as a result of the recent road upgrades.

8 CONSULTATION WITH STATE GOVERNMENT

On 20 August 2020 Council's Acting General Manager sent an email to the Project Managers for the Perth Link Roads project at the Department of State Growth, advising as follows:

A consultation session regarding the Final Stage of the Midland Highway was recently held at Council, attended by DSG's Vanessa King and Jacobs Consultants (via Zoom); with feedback provided (see below email for your information).

In addition to the Midland Highway final stage consultation matters that were discussed at that time, the following was raised in relation to the Illawarra Road/Pateena Road intersection:

- that the lighting at the redeveloped intersection of Illawarra Road/Pateena Road terminates prior to the intersection – Council requested that consideration be given to the continuation of the lighting to the Pateena Road intersection as this section of road is causing confusion, and a collision has already occurred.*

Subsequent to the consultation session, Councillors have raised the following additional concerns/queries in relation to the Perth Links Road:

- concerns about the safety of the relocated access to Mountford Berry Farm being directly opposite Pateena Road, as well as being in such close proximity to the termination of the off-ramp and the bicycle lane (see attached plan).*
- whether the Department of State Growth propose to improve this intersection and provide a slip-lane as part of the next phase of works planned for Illawarra Road and, if not, whether these safety concerns can be addressed in conjunction with the next phase of works planned for Illawarra Road.*

We look forward to your advice in relation to these concerns/queries.

To date, a response has not been received.

9 COMMUNITY CONSULTATION

Concerns have been raised with Council by nearby property owners and members of the local community.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may or may not agree to pursue this matter further with the Department of State Growth.

11 OFFICER'S COMMENTS/CONCLUSION

This intersection is the responsibility of the Department of State Growth and they are responsible for assessing the safety of the intersection.

Several suggestions have been put forward by members of the community including lowering the speed limit to 80kph from the Pateena Road intersection through to the Longford roundabout and installing street lights. There are already street lights a short distance from the Pateena Road intersection at the on and off ramps to the bypass and Leighlands Road intersection which carries similar traffic volumes.



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RECOMMENDATION

That Council requests the Department of State Growth to review the safety of this intersection and investigate safety improvements including the lowering of the speed limit to 80kph and installation of lighting.

DECISION

Cr Polley/Cr Calvert

That the matter be discussed.

Carried unanimously

Cr Polley/Cr Goninon

That Council requests the Department of State Growth to review the safety of this intersection and investigate safety improvements including the lowering of the speed limit to 80kph and installation of lighting.

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

308/20 PUBLIC QUESTIONS & STATEMENTS

Due to COVID-19 the Council Meeting scheduled for Monday 21 September 2020 commencing at 5.00pm will take place electronically which unfortunately at this stage prevents public attendance.

Due to this situation the public will be unable to attend the meeting to ask questions during Public Question Time, to ensure questions can still be asked, questions can be submitted prior to the meeting and they will be read out at the meeting. **Questions must be received by no later than 12.00pm on Monday 21 September 2020.**

Questions can be emailed to council@nmc.tas.gov.au; or be mailed or hand delivered to the Council Chambers, 13 Smith Street, Longford.

A public recording of the meeting will be placed on Council's website as soon as practicable after the meeting.

1 PUBLIC QUESTIONS

GOV 9 PROPOSAL FOR THE COUNCIL OWNED PROPERTY AT 32 NORFOLK STREET, PERTH

[Ms Kerry Donoghue, Perth](#)

The statement submitted by Ms Donoghue was received and noted during deliberations on the report.

309/20 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 Gonion/Cr Davis

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 9.

Carried unanimously

2 STATEMENTS

PLAN 8 PLN-20-0081: 7A SCONE STREET, PERTH

[Mrs Dyan Littlejohn, Perth](#)

Council's Development Supervisor, Mrs Miles read the following statement submitted by Mrs Littlejohn Henley:

It has been brought to my attention that my private residential address of 9 Scone Street Perth Tasmania has been used as the basis for a written representation for Development Application No: PLN-20-0081.

It highlights in item 10.4.2, sections a), c) and d) that 9 Scone Street Perth may be affected by shadowing from the proposed dwelling and shed. Also mentioning the distance from my fence to the dwelling.

I would like it noted in the minutes of this meeting that I certainly have NOT given ANYONE permission to use my address in any way. I have not been consulted by any member of the public, nor Council Planning Development staff regarding this matter.

Further more, I have sighted the documents showing shadowing and position of proposed dwelling and shed and I am NOT concerned with any aspect of it.

There has been no correspondence regarding this proposed development.

I feel if consultation had occurred this would have made it clear to all parties that I absolutely have no objections.

As my dwelling at 9 Scone Street Perth is the only residence that could possibly be affected, I am at a loss to understand why this representation has not resulted in myself being consulted, and why any one but myself would be concerned with my loss of "ample sunlight to my habitable rooms".

I would certainly hope that there has been no wrong doing by any of the parties concerned. I would also appreciate a written explanation regarding this matter

**310/20 PLANNING APPLICATION PLN-20-0137:
1 WELLINGTON STREET LONGFORD**

File Number: PLN-20-0137
Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 1 Wellington Street, Longford for a dog washing facility.

2 BACKGROUND

Applicant: Mr Brian Oliver	Owner: Northbury Park Investments Pty Ltd
Zone: General Business	Codes: Carparking and Sustainable Transport Code, Road and Railway Assets Code
Classification under the Scheme: General Retail and Hire	Existing Use: Storage
Deemed Approval Date: 26/9/2020	Recommendation: Refuse

Discretionary Aspects of the Application

- Variation to parking provisions

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 31, Effective from 27 August 2020*

Preliminary Discussion

Prior to submission of the application, the applicant held discussions with Council officers regarding the application. The lack of parking was identified as a potential issue

Subject site



3 STATUTORY REQUIREMENTS

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

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

4 ASSESSMENT

4.1 Proposal

It is proposed to develop and use a dog washing facility.

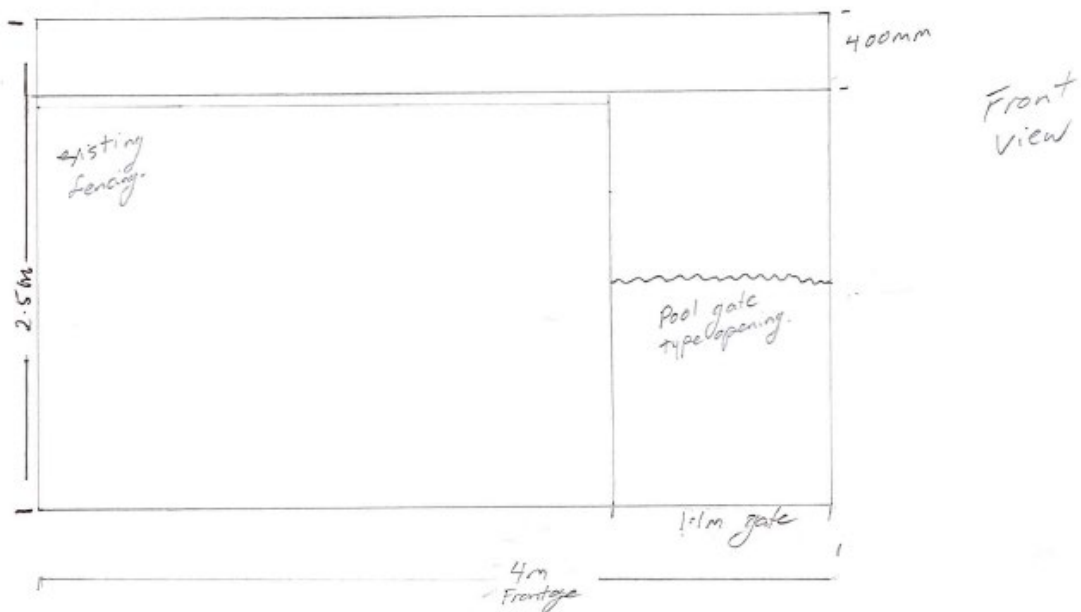
Site Plan



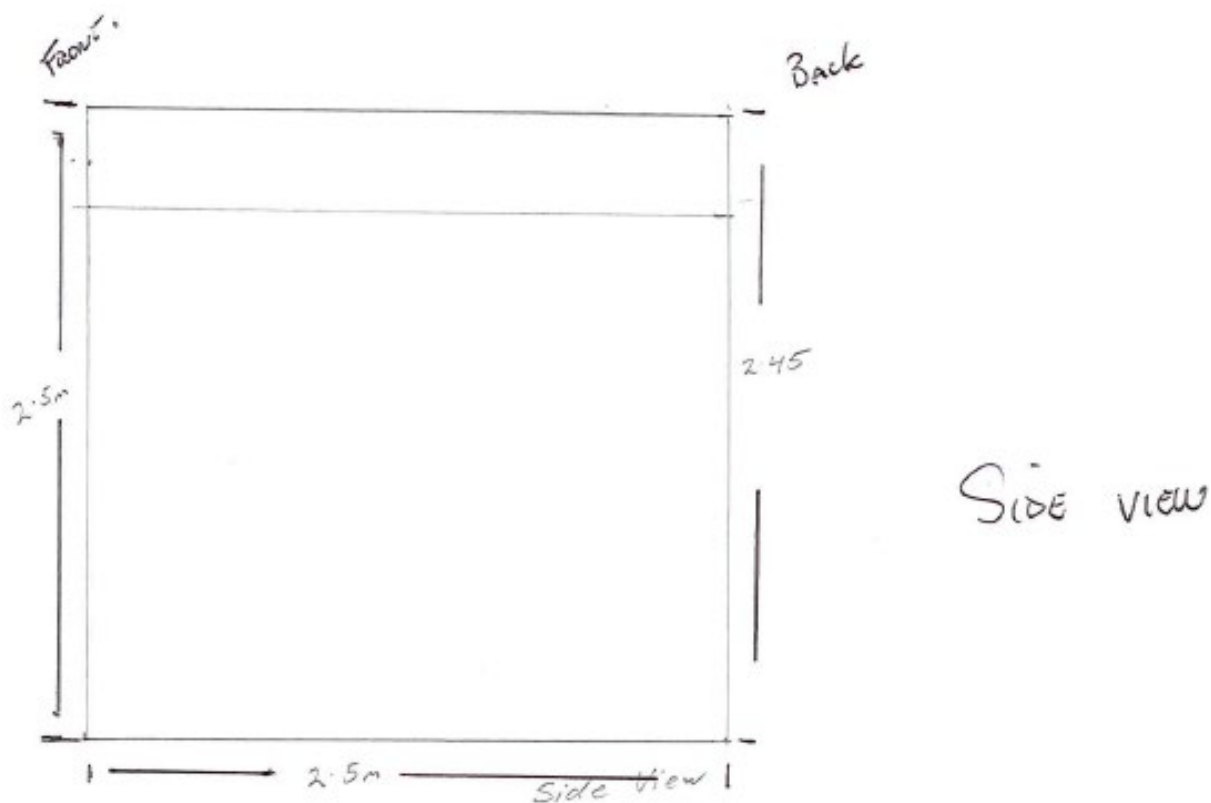
Elevation



Elevation

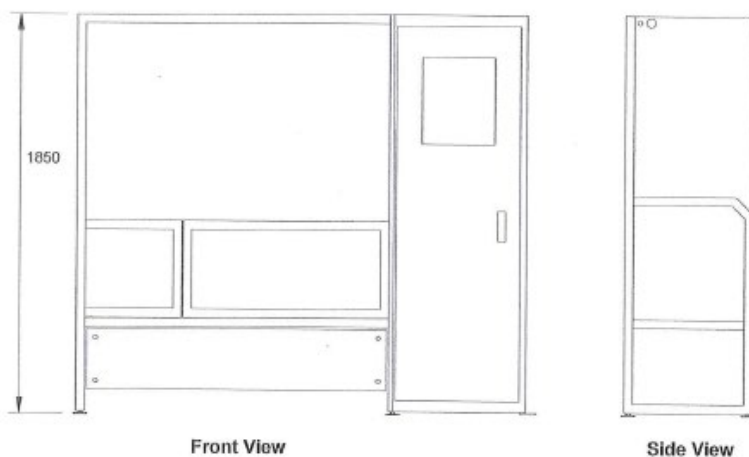


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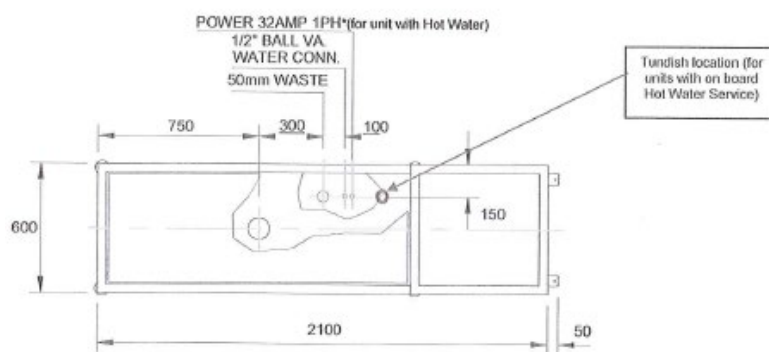


Specifications and Plan

1.1 Specifications



1.2 Plan

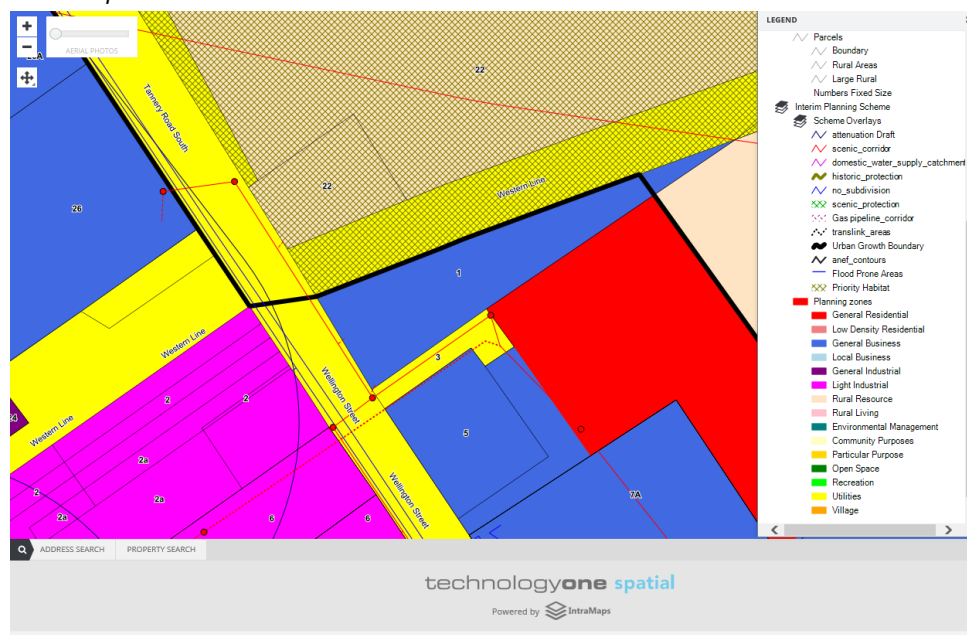


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Last Edited 08/02/2018
© Tru Blu Dog Wash 2018

Page 1

4.2 Zone and land use

Zone Map – General Business Zone



The land is zoned General Business. The relevant Planning Scheme definition is:

<i>General retail and hire</i>	use of land for selling goods or services, or hiring goods.
--------------------------------	---

‘General retail and hire’ is Permitted (with permit) in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on 7th August 2020. The site contains storage units. It adjoins the railway to the north, Wellington Street to the west, and TasWater land and supermarket carparking to the south.

4.4 Permit/site history

Relevant permit history includes:

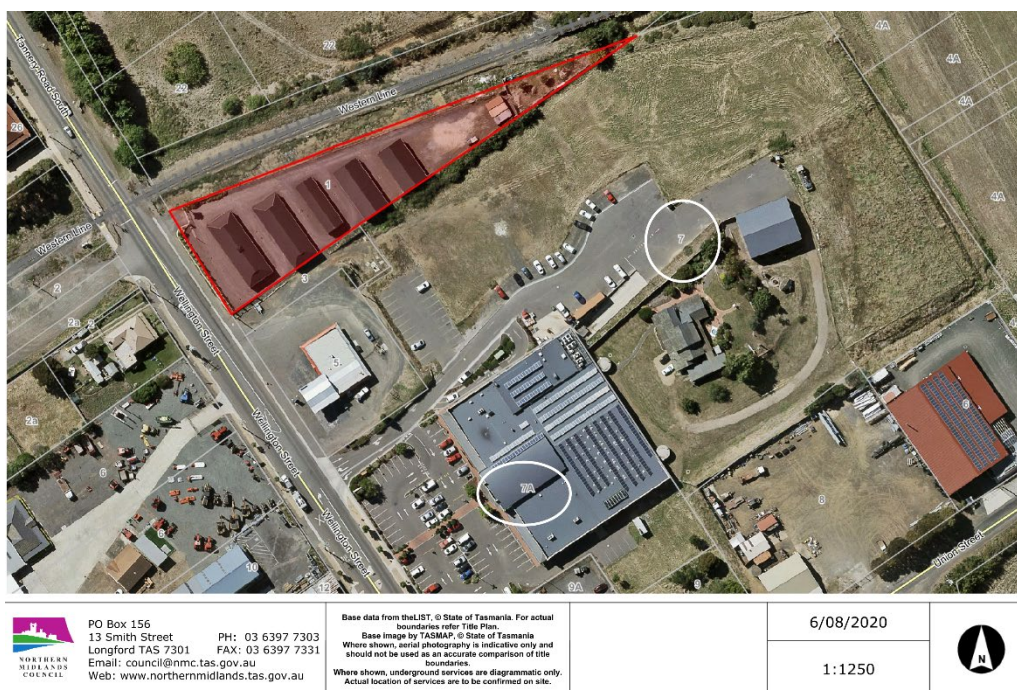
- P04-229 – storage units

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:

- Frazer Read obo Hills Street North Property Group Pty Ltd, 7 & 7a Wellington Street, Longford

Map showing location of representor’s properties in relation to subject site



The matter raised in the representation is outlined below followed by the planner’s comments and the applicant’s response to the representation.

Issue – lack of onsite car parking

The proposal without onsite car parking is unacceptable and would not satisfy the relevant performance criteria of Clause E6.6.1 of the Car Parking and Sustainable Transport Code of the Planning Scheme.

There is limited availability of public car parking spaces within reasonable walking distance of the site and in the absence of any on site provision the proposal is likely to rely on illegal occupation of the nearby shopping centre private carpark

It is submitted that the proposal must be required to mark out and sign carparking spaces on site for staff and customers of the use. If this cannot be achieved the application should be refused.

Planner's comment:

The closest public parking is on street outside the site. Council's Works Department requests that onsite parking be provided and fenced in case a dog escapes and runs onto Wellington Street. The Department of State Growth advises that its support of the proposal is subject to the provision of parking on the same side of the road, preferably within the same property as the wash station, to prevent patrons from crossing this very busy road.

It is therefore considered that the proposal does not satisfy the requirement of the Carparking and Sustainable Transport Code for on-road parking safety, and vehicle and cycle safety.

The applicant advises:

The facility will only cater for one customer at a time, for people to park in the private carpark would mean they would need to walk over 200m through traffic to get to the dog wash. We have a 32 metre frontage at the storage facility for public parking which is ample space considering that only one customer can use the wash at one time. Checking over CCTV footage the frontage is very rarely used for parking, often one car at a time and only for a few minutes. The dog wash staff will be employed in the storage side of the business and will be parking onsite at the storage facility.

4.6 Referrals

Council's Works Department

Summary: Council's Engineering Officer advised that no Works conditions are required but requested the developer to provide off-street parking which should be signed to discourage people from parking on the road. The Works Manager believes that given it is so close to the road it would be better if parking was behind a fence in case a dog escapes and runs out on to the road.

TasWater

Summary: TasWater issued a Submission to Planning Authority Notice on 27/7/2020.

Department of State Growth

Summary: The Department's support of this development is subject to the provision of parking on the same side of the road, preferably within the same property as the wash station in order to prevent patrons from crossing this very busy road.

TasRail (adjoining landowner)

Precis: No objection. Requests TasRail's standard notes be attached to the permit.

4.7 Planning Scheme Assessment

GENERAL BUSINESS ZONE

21.3 Use Standards

21.3.1 Amenity

Objective To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.			
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.
Complies.		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	P2	Noise must not cause unreasonable loss of amenity to nearby sensitive uses.

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

c) 5dB(A) above background for intrusive noise.	
Condition required.	N/a

21.4 Development Standards

21.4.1 Siting, Design and Built Form

Objective To ensure that buildings are visually compatible with surrounding development.	
Acceptable Solutions	Performance Criteria
A1 The entrance of a building must be: a) clearly visible from the road or publicly accessible areas on the site; and b) provide a safe access for pedestrians.	P1 No performance criteria.
Complies.	N/a
A2 Building height must not exceed: a) 8m; or b) 1m greater than the average of the heights of buildings on immediately adjoining lots.	P2 Building height must: a) be consistent with the local area objectives if any, and b) have regard to the streetscape and the desirability of a greater setback for upper floors from the frontage; and c) avoid unreasonable levels of overshadowing to public places or adjoining properties.
Complies.	N/a
A3.1 Buildings must be set back the same as or less than the setback of an immediately adjoining building. A3.2 Extensions or alterations to existing buildings must not reduce the existing setback.	P3 Building setbacks must: a) provide for enhanced levels of public interaction or public activity; and b) ensure the efficient use of the site; and c) be consistent with the established setbacks within the immediate area and the same zone; and d) be consistent with the local area objectives, if any; and e) provide for emergency vehicle access.
Complies.	N/a

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
E.5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Does not comply. 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	N/a
E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a

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
<p>A1 The number of car parking spaces must not be less than the requirements of:</p> <p>a) Table E6.1; or</p> <p>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p> <p>b) the availability of public car parking spaces within reasonable walking distance; and</p> <p>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</p> <p>d) the availability and frequency of public transport within reasonable walking distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>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</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <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><i>P1 The number of car parking spaces provided must have regard to:</i></p> <p><i>a) the provisions of any relevant location specific car parking plan.</i></p> <p>Comment: There is no relevant location specific car parking plan.</p> <p><i>b) the availability of public car parking spaces within reasonable walking distance.</i></p> <p>Comment: The nearest public car parking spaces are in Wellington Street, immediately outside the subject site.</p> <p><i>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.</i></p> <p>Comment: There is no reduction in demand due to sharing of spaces by multiple uses.</p> <p><i>d) the availability and frequency of public transport within reasonable walking distance of the site.</i></p> <p>Comment: Not applicable to this application for a dog wash.</p> <p><i>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping.</i></p> <p>Comment: The applicant advises that the layout and use of the storage units means that parking for the dog wash cannot be provided on site.</p> <p><i>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.</i></p> <p>Comment: Council's Works Department requests that onsite parking be provided and fenced in case a dog escapes and runs onto Wellington Street. The Department of State Growth advises that its support of the proposal is subject to the provision of parking on the same side of the road, preferably within the same property as the wash station, to prevent patrons from crossing this very busy road.</p> <p><i>g) an empirical assessment of the car parking demand.</i></p> <p>Comment: An empirical assessment of the car parking demand has not been undertaken.</p> <p><i>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience.</i></p> <p>Comment: On-street parking will not have an adverse effect on the streetscape or amenity. It might have an adverse effect on vehicle and cycle safety.</p> <p><i>i) the recommendations of a traffic impact assessment prepared for the proposal.</i></p> <p>Comment: A traffic impact assessment was not required or provided.</p> <p><i>j) any heritage values of the site.</i></p> <p>Comment: The site is not heritage listed or in a heritage precinct.</p> <p><i>k) for residential buildings and multiple dwellings.</i></p> <p>Comment: The proposal is not for residential buildings or multiple dwellings.</p>	

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Retail and hire	1 space per 30m ² net floor area	1 space per 100m ² net floor area

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: No bicycle parking spaces are proposed. As the use is a dog wash, this satisfies the performance criteria.

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

No onsite parking is proposed. The closest public parking is on street outside the site. Council's Works Department requests that onsite parking be provided and fenced incase a dog escapes and runs onto Wellington Street. The Department of State Growth advises that its support of the proposal is subject to the provision of parking on the same side of the road, preferably within the same property as the wash station, to prevent patrons from crossing this very busy road.

It is therefore considered that the proposal does not satisfy the requirement of the Carparking and Sustainable Transport Code for on-road parking safety, and vehicle and cycle safety.

8 ATTACHMENTS

- Application & plans, correspondence with applicant
- Referral responses
- Representation & applicant's response

RECOMMENDATION

That application PLN-20-0137 to develop and use a dog washing facility at 1 Wellington Street, Longford be refused on the following grounds:

No onsite parking raises safety concerns contrary to clauses:

- E6.6.1 P1 f) – the number of car parking spaces provided must have regard to the safety of on-road parking, having regard to the nature of the road (Wellington Street, category 4 road); and
- E6.6.1 h) – the number of car parking spaces provided must have regard to the effect on vehicle and cycle safety.

DECISION

Cr Polley/Goninon

That the matter be discussed.

Carried unanimously

Cr Polley/Cr Davis

That application PLN-20-0137 to develop and use a dog washing facility at 1 Wellington Street, Longford be refused on the following grounds:

No onsite parking raises safety concerns contrary to clauses:

- E6.6.1 P1 f) – the number of car parking spaces provided must have regard to the safety of on-road parking, having regard to the nature of the road (Wellington Street, category 4 road); and
- E6.6.1 h) – the number of car parking spaces provided must have regard to the effect on vehicle and cycle safety.

Carried

Voting for the motion:

Mayor Knowles, Cr Adams, Cr Davis, Cr Goninon, Cr Goss, Cr Lambert, Cr Polley

Voting against the motion:

Cr Brooks, Cr Calvert



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

311/20 PLANNING APPLICATION PLN-20-0115: 55 WELLINGTON STREET, LONGFORD

File Number: PLN-20-0115
Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 55 Wellington Street, Longford to install a book return chute with 'returns' written on it.

2 BACKGROUND

Applicant:
Northern Midlands Council

Owner:
Northern Midlands Council

Zone:
General Business

Codes:
Signs Code, Heritage Code, Heritage Precincts Specific Area Plan

Classification under the Scheme:
Community meeting & entertainment

Existing Use:
Community meeting & entertainment

Deemed Approval Date:
26 September 2020

Recommendation:
Approve

Discretionary Aspects of the Application

- Development on heritage listed property (reliance on performance criteria of clause E13.6.1).
- Development within heritage precinct (reliance on performance criteria of clause E13.6.1 and E15.5.2).
- Sign on heritage listed property and within heritage precinct (reliance on performance criteria of clause E13.6.13).

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 31, Effective from 27 August 2020*

Preliminary Discussion

Prior to submission of the application, the applicant was advised that a planning permit would be required.

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

Approval is sought to install a book return chute with 'returns' written on it at the Longford Library.

4.2 Zone and land use

The land is zoned General Business. A library (community meeting & entertainment) is Discretionary in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on 29 July 2020. The site contains the Longford Library and is opposite the Village Green and Christ Church. It adjoins a shop to the side and a house to the rear.

4.4 Permit/site history

- 3/74 Library alterations/additions
- DA39/99 Disabled access
- P05-346 Online Access Centre signs
- P14-355 Wi-Fi access point
- P17-146 Linc sign
- P18-027 Repainting existing painted surfaces
- PLN20-0015 Chute for book return

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 representations were received from:

Dee Alty

- Objects on the grounds that the installation has already occurred, it is a heritage building and that the current addition despoils the integrity of the building.
- A better solution would have been at the rear of the building in the newer section, now a child's area.

Len Langan

- Supports Dee Alty's objection to the planning application for 55 Wellington Street, Longford.

Planner's comments

The fact that the installation has already occurred is not a ground for refusal under the planning scheme. The application still needs to be considered on its merits.

Council's Heritage Adviser has commented that the new return book chute is minor works, located in a section of the building façade that has previously been altered. The chute has low visual impact on the historic cultural heritage value of the overall façade. The prominent location is important for access and safety. This work is easily reversible if or when the library use was to cease. The low historic impact of the works is confirmed by the Tasmanian Heritage Council, who has registered no interest in this work.

4.6 Referrals

Heritage Adviser

Summary: Council's Heritage Adviser, David Denman, advised:

The new return book chute is minor works, located in a section of the building façade that has previously been altered. The chute has low visual impact on the historic cultural heritage value of the overall façade. The prominent location is important for access and safety.

This work is easily reversible if or when the library use was to cease.

The low historic impact of the works is confirmed by the Tasmanian Heritage Council, who has registered no interest in this work.

Tasmanian Heritage Council

Summary: On 2 July 2020, the Tasmanian Heritage Council provided a notice under s36(3)(a) of the *Historic Cultural Heritage Act 1995* that it has no interest in the permit application, meaning it does not wish to be involved in determining the permit application.

4.7 Planning Scheme Assessment

ASSESSMENT AGAINST THE GENERAL BUSINESS ZONE

21.3 Use Standards

21.3.1 Amenity

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

NORTHERN MIDLANDS COUNCIL

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21 SEPTEMBER 2020

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.
Complies.		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.		N/a	

21.4 Development Standards

21.4.1 Siting, Design and Built Form

Objective To ensure that buildings are visually compatible with surrounding development.			
Acceptable Solutions		Performance Criteria	
A1	The entrance of a building must be: a) clearly visible from the road or publicly accessible areas on the site; and b) provide a safe access for pedestrians.	P1	No performance criteria.
Complies.		N/a	
A2	Building height must not exceed: a) 8m; or b) 1m greater than the average of the heights of buildings on immediately adjoining lots.	P2	Building height must: a) be consistent with the local area objectives if any, and b) have regard to the streetscape and the desirability of a greater setback for upper floors from the frontage; and c) avoid unreasonable levels of overshadowing to public places or adjoining properties.
Complies.		N/a	
A3.1	Buildings must be set back the same as or less than the setback of an immediately adjoining building;	P3	Building setbacks must: a) provide for enhanced levels of public interaction or public activity; and b) ensure the efficient use of the site; and c) be consistent with the established setbacks within the immediate area and the same zone; and d) be consistent with the local area objectives, if any; and e) provide for emergency vehicle access.
A3.2	Extensions or alterations to existing buildings must not reduce the existing setback.		
Complies.		N/a	

21.4.2 Subdivision

N/a

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

N/a

N/a

N/a

N/a

N/a

Complies – no loss of parking or requirement for additional parking.

N/a

N/a

N/a

N/a

N/a

N/a

Complies – see code assessment below.

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E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	Complies – see code assessment below.

ASSESSMENT AGAINST THE LOCAL HISTORIC HERITAGE CODE

E13.6.1 Demolition

Objective <i>To ensure that the demolition or removal of buildings and structures does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
Acceptable Solutions	Performance Criteria
A1 Removal of non-original cladding to expose original cladding.	P1.1 Existing buildings, parts of buildings and structures must be retained except: <ul style="list-style-type: none"> a) where the physical condition of place makes restoration inconsistent with maintaining the cultural significance of a place in the long term; or b) the demolition is necessary to secure the long-term future of a building or structure through renovation, reconstruction or rebuilding; or c) there are overriding environmental, economic considerations in terms of the building or practical considerations for its removal, either wholly or in part; or d) the building is identified as non-contributory within a precinct identified in Table E13.1: Heritage Precincts, if any; and P1.2 Demolition must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Does not comply.	Comment: The demolition of part of the front wall for the installation of the book return chute is consistent with P1.1 b) above to secure the long-term future of the building through renovation by allowing the library provide a contemporary environment for library users. Comment: The management objectives are: <i>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.</i> <i>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.</i> Council's heritage adviser has commented: <i>The new return book chute is minor works, located in a section of the building façade that has previously been altered. The chute has low visual impact on the historic cultural heritage value of the overall façade. The prominent location is important for access and safety. This work is easily reversible if or when the library use was to cease.</i> It is considered that the demolition of part of the front wall for the installation of a book return chute does not detract from meeting the management objectives of the precinct.

E13.6.13 Signage

Objective <i>To ensure that signage is appropriate to conserve the historic heritage significance of local heritage places and precincts.</i>	
Acceptable Solutions	Performance Criteria
A1 Must be a sign identifying the number, use, heritage significance, name or occupation of the owners of the property not greater than 0.2m ² .	P1 New signs must be of a size and location to ensure that: <ul style="list-style-type: none"> a) period details, windows, doors and other architectural details are not covered or removed; and b) heritage fabric is not removed or destroyed through attaching signage; and 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 d) signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Comment: Does not comply.	New signs must be of a size and location to ensure that: <ul style="list-style-type: none"> a) period details, windows, doors and other architectural details are not covered or removed. Comment: The sign does not cover or remove period details, windows, doors or other architectural details. <ul style="list-style-type: none"> b) heritage fabric is not removed or destroyed through attaching signage.

	<p>Comment: The attaching of the sign does not remove or destroy heritage fabric.</p> <p>c) <i>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.</i></p> <p>Comment: Council's heritage adviser has commented:</p> <p><i>The new return book chute is minor works, located in a section of the building façade that has previously been altered. The chute has low visual impact on the historic cultural heritage value of the overall façade. The prominent location is important for access and safety. This work is easily reversible if or when the library use was to cease.</i></p> <p><i>The low historic impact of the works is confirmed by the Tasmanian Heritage Council, who has registered no interest in this work.</i></p> <p>d) <i>signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</i></p> <p>Comment: The management objectives are:</p> <p><i>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.</i></p> <p><i>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.</i></p> <p>Council's heritage adviser has commented:</p> <p><i>The new return book chute is minor works, located in a section of the building façade that has previously been altered. The chute has low visual impact on the historic cultural heritage value of the overall façade. The prominent location is important for access and safety. This work is easily reversible if or when the library use was to cease. The low historic impact of the works is confirmed by the Tasmanian Heritage Council, who has registered no interest in this work.</i></p> <p>It is considered that the demolition of part of the front wall for the installation of a book return chute does not detract from meeting the management objectives of the precinct.</p>
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ASSESSMENT AGAINST THE SIGNS CODE

Building Fascia Sign – a sign on the front of a building	
Acceptable Solutions	Performance Criteria
<p>A15 A building fascia sign must be located in the following zones:</p> <ul style="list-style-type: none"> • Community Purpose; or • General Business (no permit required); or • General Industrial; or • Light Industrial; or • Local Business (no permit required); or • Village. 	<p>P15 No performance criteria</p>
<p>Complies – the 'returns' sign is to be located in the General Business zone.</p>	<p>N/a</p>
<p>A16 A building fascia sign, if contained wholly within the building fascia must:</p> <ol style="list-style-type: none"> a) not project above or below the fascia of the building; and b) not exceed two-thirds the depth of the fascia band; and c) not exceed 950mm; and d) not project more than 200mm from the vertical face of the fascia; e) only be illuminated through the use of internal lighting, neon, or external spot-lighting sensitively designed to minimize glare and overspill of light; 	<p>P16 No performance criteria</p>

<p>and</p> <p>f) not be flashing; and</p> <p>g) not extend over a window or significant architectural feature; and</p> <p>h) be in keeping with the design of the building.</p>	
<p>Not applicable – the sign is not contained in the building fascia.</p>	
<p>A17 A building fascia sign, if not contained within the building fascia must:</p> <p>a) be limited to two signs on the front of the building.</p> <p>Complies – there be only be two building fascia signs – the ‘returns’ sign and the sign above it.</p> <p>b) together with any other signage, not cover more than 25% of the front of the building.</p> <p>Complies – signage will not cover more than 25% of the front of the building.</p>	<p>P17 No performance criteria</p>
<p>A18 A building fascia sign, if not contained within the building fascia, must:</p> <p>a) have a maximum area of 15m².</p> <p>Complies – the sign will have an area less than 15m².</p> <p>b) not be illuminated.</p> <p>Complies – the sign will not be illuminated</p>	<p>P18 A building fascia sign, if not contained within the building fascia:</p> <p>a) if larger than 15m²; and/or</p> <p>b) being illuminated (not flashing or rotating) must demonstrate that:</p> <p>a) it is sympathetic to the architectural character and detailing of the building; and</p> <p>b) it is of appropriate dimensions so as not to dominate the streetscape or premises on which it is located; and</p> <p>c) it will not result in loss of amenity to neighbouring properties; and</p> <p>d) it will not contribute to or exacerbate visual clutter; and</p> <p>e) it will not distract motorists as a result of size illumination or movement; and</p> <p>f) Illumination is sensitively designed to minimize glare and overspill of light, through the use of neon, internal lighting or by sympathetically designed external spot-lighting.</p>

E15.5.2 Heritage Precincts

<p>Objective</p> <p>To ensure that the design and siting of signs complement or enhance the streetscape of Heritage Precincts.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 No acceptable solution</p>	<p>P1 If within the Heritage Precincts Specific Area Plan, shall be consistent with the Character Statements.</p>
<p>-</p>	<p>Comment: The Character Statement is:</p> <p><i>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</i></p>

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	<p><i>live in or visit the town.</i></p> <p>Council's heritage adviser has commented:</p> <p><i>The new return book chute is minor works, located in a section of the building façade that has previously been altered. The chute has low visual impact on the historic cultural heritage value of the overall façade. The prominent location is important for access and safety. This work is easily reversible if or when the library use was to cease. The low historic impact of the works is confirmed by the Tasmanian Heritage Council, who has registered no interest in this work.</i></p> <p>It is considered that the Returns sign is consistent with the Character Statements.</p>
SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	Complies – See heritage adviser's assessment.
SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	<i>Proposals for development associated with a use class specified as a discretionary use, must be considered as if that use class had permitted status where the proposal does not establish a new use, or substantially intensify the use - Complies.</i>
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	<p>Unless approved as part of another development or prohibited by another provision, an application for demolition may be approved at the discretion of the planning authority.</p> <p>Complies – the demolition is approved as part of the application to install the returns chute.</p>
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> <p><i>Statutory Planning</i></p>	

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Development on heritage listed property (reliance on performance criteria of clause E13.6.1).
- Development within heritage precinct (reliance on performance criteria of clause E13.6.1 and E15.5.2).
- Sign on heritage listed property and within heritage precinct (reliance on performance criteria of clause E13.6.13).

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

Council's heritage adviser and the Tasmanian Heritage Council do not object to the proposal. As discussed in this report the proposal is found to satisfy the requirements of the Local Historic Heritage Code and the Signs Code. It is recommended that the application be approved.

8 ATTACHMENTS

- Application & plans
- Referral responses
- Representations

RECOMMENDATION

That land at 55 Wellington Street, Longford be approved to be developed and used for a book return chute (Heritage Listed Place, Heritage Precinct) in accordance with application PLN-20-0115, and subject to the following condition:

1 Layout not altered

The use and development must be in accordance with the endorsed document **P1** (elevation) and **P2** (returns chute).

DECISION

Cr Goninon/Cr Adams

That the matter be discussed.

Carried unanimously

Cr Goninon/Cr Polley

That application PLN-20-0115 for a book return chute (Heritage Listed Place, Heritage Precinct) at 55 Wellington Street, Longford be refused on the following grounds:

- Impact of the book chute on the Heritage Listed Place and the Heritage Precinct.

And, that the existing brick wall be re-instated to match the surrounding block work.

Carried unanimously

**312/20 PLANNING APPLICATION PLN-20-0098:
847 HOBART ROAD, BREADALBANE**

File Number: 203300.12; CT161446/1
Responsible Officer: Des Jennings, General Manager
Report prepared by: Erin Miles, Development Supervisor

1 INTRODUCTION

This report assesses an application for 847 Hobart Road, Breadalbane to construct a dwelling (vary setbacks in rural zone; within airport Australian Noise Exposure Forecast (ANEF) contours & attenuation area).

2 BACKGROUND

Applicant:

Design to Live

Owner:

Etienne Donald Vos & Elmarie Vos

Zone:

Rural Resource Zone

Codes:

Car Parking and Sustainable Transport Code
Environmental Impacts and Attenuation Code
Airports Impact Management Code

Classification under the Scheme:

Single dwelling

Existing Use:

Vacant

Deemed Approval Date:

25 September 2020

Recommendation:

Approve

Discretionary Aspects of the Application

- Reliance on the performance criteria of the Rural Resource Zone (clauses 26.3.2 P1.1 (b), P1.2 and P1.3).
- Reliance on the performance criteria of the Airports Impact Management Code (clause E12.5.1 P1).
- Reliance on the performance criteria of the Environmental Impacts and Attenuation Code (clause E11.6.1 P1).

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 31, Effective from 27th August 2020.*

Preliminary Discussion

Preliminary discussions were had with the applicant/owner, prior to lodgement, to ascertain application requirements.

Subject site



3 STATUTORY REQUIREMENTS

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

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

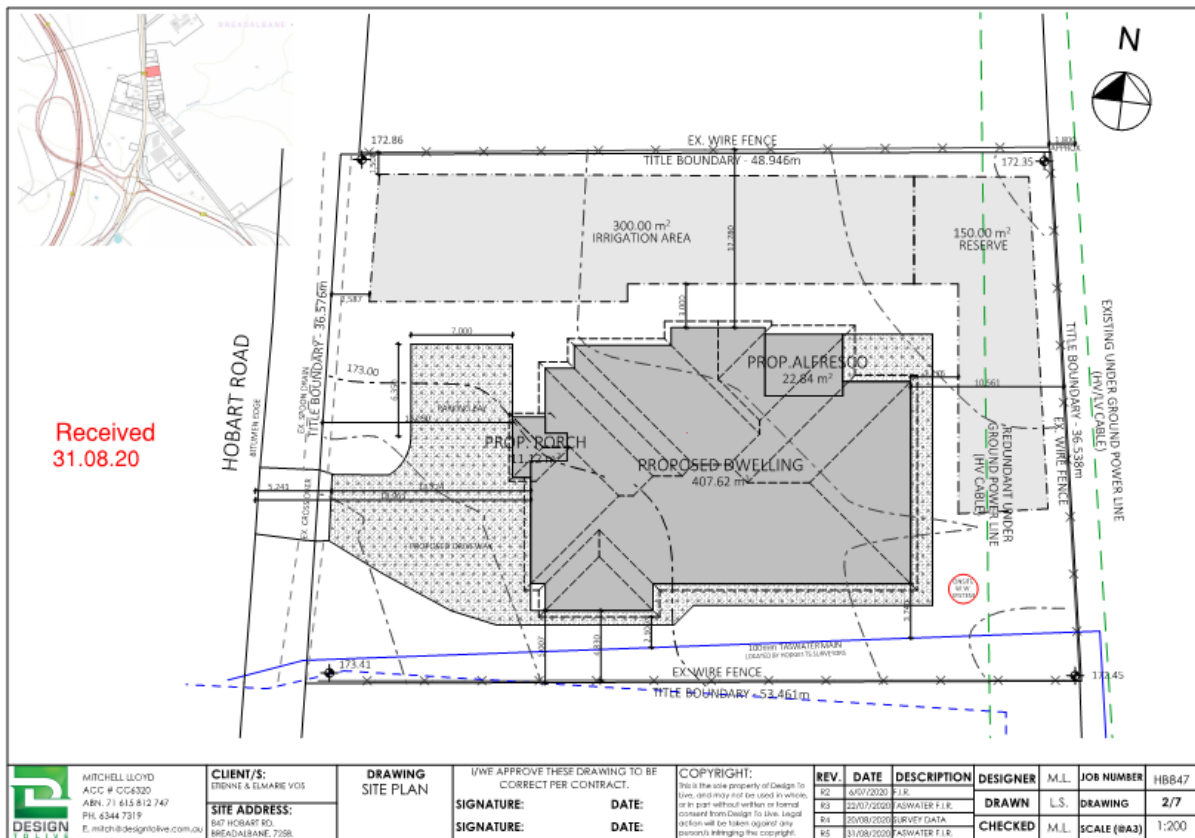
4 ASSESSMENT

4.1 Proposal

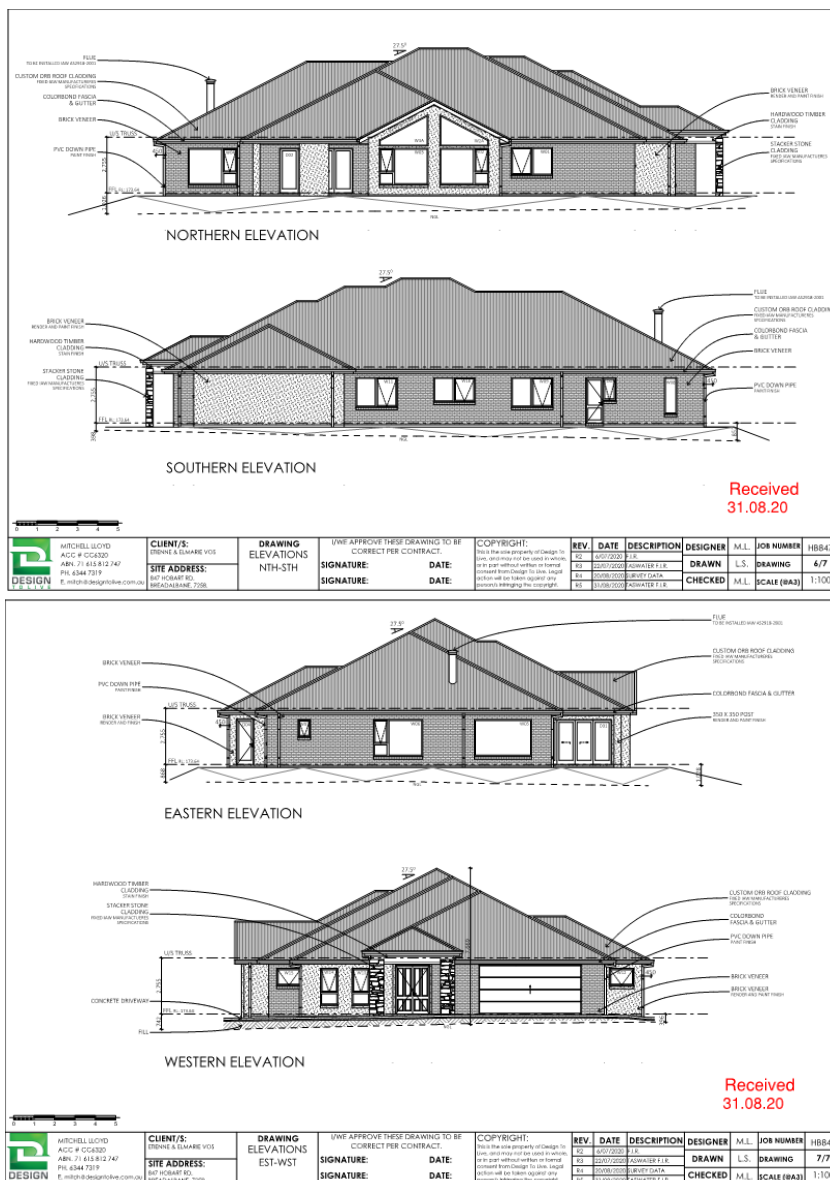
It is proposed to:

- Construct a single dwelling (vary setbacks in rural zone; within airport Australian Noise Exposure Forecast contours & attenuation area).

Site Plan

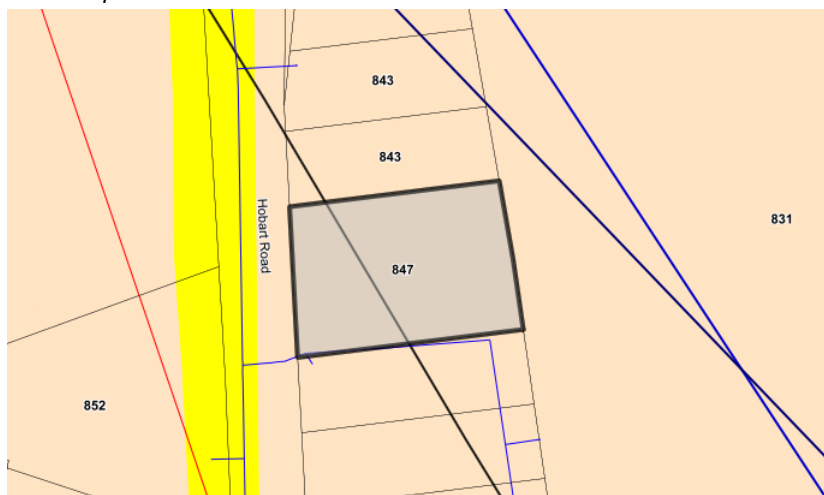


Elevations



4.2 Zone and land use

Zone Map – Rural Resource Zone



The land is zoned Rural Resource and is subject to the Car Parking and Sustainable Transport Code, Airports Impact Management Code and Environmental Impacts and Attenuation Code.

The relevant Planning Scheme definition is:

<i>single dwelling</i>	<i>means a dwelling on a lot on which no other dwelling is situated; or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.</i>
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Residential (new use) is Discretionary in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on the 17th July 2020. The subject site is a 1869m² vacant rectangular lot and is surrounded by a residential uses and farmland/quarries to the east. An existing open drain runs along the front of the lot.

Aerial photograph of area



Photographs of subject site





4.4 Permit/site history

Relevant permit history includes:

- Nil – vacant site.

4.5 Representations

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

Name	Address
MJ Wright	851 Hobart Rd Breadalbane
M & K Challis	843 Hobart Rd Breadalbane

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



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

Issue 1

- Incorrectly shown title boundaries on site plan

Planner's comment:

The site plan has been amended to correctly reference the surveyed data.

Issue 2

- Proximity of wastewater system to Taswater infrastructure

Planner's comment:

Taswater's water main has been located and correctly shown on the site plan. Taswater have issued a Submission to Planning Authority Notice (SPAN). Compliance with the SPAN will be a condition of the permit, if issued.

Issue 3

- Drainage and possible inundation of 843 Hobart Road

Planner's comment:

Council's Works and Infrastructure Officer, Jonathan Galbraith, inspected the site after a significant rainfall/snow event, and concluded the following:

- When the stormwater pipe at 843 Hobart Road is full, the water flows overland.
- Most of the water entering the pipe is from across the road and some from the north.
- There is very little water come from the direction of number 847 (south) and although the house is large it is not significant in relation to the size of the existing catchment.
- We believe that the water from the house will have an insignificant impact on the overall flow through the drains in the area.

There are no provisions within the Planning Scheme to assess appropriate stormwater infrastructure for this project, as it will be dealt with at plumbing approval stage.

4.6 Referrals

The only referrals required were as follows:

Council's Works Department

Summary: Council's Works & Infrastructure Department (Jonathan Galbraith) reviewed the application on the 16/7/2020 and provided recommended conditions that are included in the conditions of approval.

TasWater

Summary: A Taswater Submission to Planning Authority Notice was issued on 7th September 2020 (Taswater Ref: TWDA 2020/00999-NMC).

Launceston Airport

Precis: The application was referred to the Launceston Airport on the 14/7/2020 and response (included in the attachments to this report) was provided on the 21/7/2020.

Environmental Health Officer

Precis: Council's Environmental Health Officer, Chris Wicks, reviewed the proposal and provided the following response:
An assessment of the capability of site for wastewater management is to be provided by a suitably qualified person. The assessment is to relate specifically to the area indicated on attached plans as 'irrigation area' and 'reserve area'. Subject to the recommendations of the on-site wastewater management assessment, a design report for an on-site wastewater management system will be required at the building permit stage. The report is to be prepared by a suitably qualified person.

4.7 Planning Scheme Assessment

RURAL RESOURCE 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.	
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.	
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.	
26.1.3 Desired Future Character Statements	
The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.	
Assessment: The proposal meets the Desired Future Character Statement, as the development is consistent with the type of development on adjoining lots and the immediate area.	

26.2 Use Table

Discretionary	
Use Class	Qualification
Residential	If for single dwelling

USE AND DEVELOPMENT STANDARDS FOR DWELLINGS

26.3 Use Standards

26.3.1 Discretionary Uses if not a single dwelling – N/a.

26.3.2 Dwellings

<p>Objective</p> <p>To ensure that dwellings are:</p> <p>a) incidental to resource development; or</p> <p>b) located on land with limited rural potential where they do not constrain surrounding agricultural operations.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 Development must be for the alteration, extension or replacement of existing dwellings; or</p> <p>A1.2 Ancillary dwellings must be located within the curtilage of the existing dwelling on the property; or</p> <p>A1.3 New dwellings must be within the resource development use class and on land that has a minimum current capital value of \$1 million as demonstrated by a valuation report or sale price less than two years old.</p>	<p>P1.1 A dwelling may be constructed where it is demonstrated that:</p> <p>a) it is integral and subservient to resource development, as demonstrated in a report prepared by a suitably qualified person, having regard to:</p> <p>i) scale; and</p> <p>ii) complexity of operation; and</p> <p>iii) requirement for personal attendance by the occupier; and</p> <p>iv) proximity to the activity; and</p> <p>v) any other matters as relevant to the particular activity; or</p> <p>b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, having regard to:</p> <p>i) limitations created by any existing use and/or development surrounding the site; and</p> <p>ii) topographical features; and</p> <p>iii) poor capability of the land for primary industry operations (including a lack of capability or other impediments); and</p> <p>P1.2 A dwelling may be constructed where it is demonstrated that wastewater treatment for the proposed dwelling can be achieved within the lot boundaries, having regard to the rural operation of the property and provision of reasonable curtilage to the proposed dwelling; and</p> <p>P1.3 A dwelling may be constructed where it is demonstrated that the lot has frontage to a road or a Right of Carriageway registered over all relevant titles.</p>
Relies on P1.1 (b), P1.2 and P1.3.	<p>P1.1 A) N/a</p> <p>P1.1 B) The subject site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, as it has an overall lot size of 1869m² and single dwellings located on the lots adjacent.</p> <p>P1.2 An indicative Onsite Waste-Water Irrigation System location is detailed on the plans, and a full design report for an on-site wastewater management system will be required at the building permit stage.</p> <p>P1.3 Complies – the lot has frontage to Hobart Road.</p>

26.3.3 Irrigation Districts

<p>Objective</p> <p>To ensure that land within irrigation districts proclaimed under Part 9 of the <i>Water Management Act 1999</i> is not converted to uses that will compromise the utilisation of water resources.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i>.</p>	<p>P1 Non-agricultural uses within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i> must demonstrate that the current and future irrigation potential of the land is not unreasonably reduced having regard to:</p> <p>a) the location and amount of land to be used; and</p> <p>b) the operational practicalities of irrigation systems as they relate to the land; and</p> <p>c) any management or conservation plans for the land.</p>
Complies with A1 – the site is not located within an irrigation district.	N/a

26.4 Development Standards

26.4.1 Building Location and Appearance

<p>Objective</p> <p>To ensure that the:</p> <p>a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and</p> <p>b) development of buildings is unobtrusive and complements the character of the landscape.</p>	
Acceptable Solutions	Performance Criteria

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<p>A1 Building height must not exceed:</p> <p>a) 8m for dwellings; or</p> <p>b) 12m for other purposes.</p>	<p>P1 Building height must:</p> <p>a) be unobtrusive and complement the character of the surrounding landscape; and</p> <p>b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal.</p>
Complies with A1 – Max. build height 7.6m including fill.	N/a
<p>A2 Buildings must be set back a minimum of:</p> <p>a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or</p> <p>b) 200m where a sensitive use is proposed; or</p> <p>c) the same as existing for replacement of an existing dwelling.</p>	<p>P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to:</p> <p>a) the topography of the land; and</p> <p>b) buffers created by natural or other features; and</p> <p>c) the location of development on adjoining lots; and</p> <p>d) the nature of existing and potential adjoining uses; and</p> <p>e) the ability to accommodate a lesser setback to the road having regard to:</p> <p>i) the design of the development and landscaping; and</p> <p>ii) the potential for future upgrading of the road; and</p> <p>iii) potential traffic safety hazards; and</p> <p>iv) appropriate noise attenuation.</p>
Relies on P2.	<p>Complies with P2 as the proposed dwelling is not likely to constrain adjoining primary industry operations having regard to:</p> <p>a) <i>the topography of the land; and</i></p> <p>The site is flat and does not change the impact of the dwelling on adjoining agricultural uses.</p> <p>b) <i>buffers created by natural or other features; and</i></p> <p>Although there is no buffer between the dwelling and adjacent agricultural land, the setback of the proposed dwelling is consistent with the adjoining dwellings, therefore the impact will be similar.</p> <p>c) <i>the location of development on adjoining lots; and</i></p> <p>The setback of the proposed dwelling is consistent with the adjoining dwellings, therefore there will be no greater impact than the current scenario.</p> <p>d) <i>the nature of existing and potential adjoining uses; and</i></p> <p>The adjoining agricultural land is used predominately for grazing and dryland cropping, although there are other non agricultural uses (landscaping supplies and plant nursery) located on the site also.</p> <p>e) <i>the ability to accommodate a lesser setback to the road having regard to:</i></p> <p>i) <i>the design of the development and landscaping; and</i></p> <p>ii) <i>the potential for future upgrading of the road; and</i></p> <p>iii) <i>potential traffic safety hazards; and</i></p> <p>iv) <i>appropriate noise attenuation.</i></p> <p>The setback from the road is consistent with adjoining dwellings and sufficient to allow for future road upgrades.</p>

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 – existing access.
E.5.0 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

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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	Complies – See code assessment below
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	Complies – See code assessment below
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

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 – two spaces provided within garage.			

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Residential:		
If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	1 space per dwelling	1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation.
If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	2 spaces per dwelling	

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:
		a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and

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

Complies – available within garage.

E6.6.3 Taxi Drop-off and Pickup - N/a – private dwelling.

E6.6.4 Motorbike Parking Provisions - N/a – private dwelling.

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:

Complies with A1 (a).

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

Comment:

A1.1 – N/a

A1.2 – N/a (Rural Resource Zone).

A2.1 Car parking and manoeuvring space must: a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .	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.
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Comment:

Complies with A2.1 as follows:

a) Complies

b) N/a

c) Complies

A2.2 – Complies.

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 - N/a

E6.7.4 Parking for Persons with a Disability – N/a

E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup – N/a

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> <ul style="list-style-type: none"> a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and <p>A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</p>	<p>P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</p>
<p>A2 Bicycle parking spaces must have:</p> <ul style="list-style-type: none"> a) minimum dimensions of: <ul style="list-style-type: none"> 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. 	<p>P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.</p>
Comment: Complies with A1.2 and A2.	

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.	

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

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iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

ASSESSMENT AGAINST E11.0

ENVIRONMENTAL IMPACTS AND ATTENUATION CODE

E11.6 Use Standards

E11.6.1 Attenuation Distances

Objective To ensure that potentially incompatible use or development is separated by a distance sufficient to ameliorate any adverse effects.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 Sensitive use or subdivision for sensitive use within an attenuation area to an existing activity listed in Tables E11.1 and E11.2 must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm, having regard to the: <ul style="list-style-type: none"> a) degree of encroachment; and b) nature of the emitting operation being protected by the attenuation area; and c) degree of hazard or pollution that may emanate from the emitting operation; and d) the measures within the proposal to mitigate impacts of the emitting activity to the sensitive use.
Relies on P1.	Complies with P1 – An Environmental Impacts & Attenuation Study, Unpublished report by SEAM Consulting (version 1 July 2020) was provided with the application. The report identifies that the proposed dwelling is near several level 2 activities as defined by the <i>Environmental Management and Pollution Control Act 1994</i> , including three mining leases, but concluded that there would not be significant impacts on the proposed development based on potential dust, noise and visual impacts. The report recommends that the EPA ensure permit conditions on level 2 activities are enforced, including covering of truck loads. The report also notes that the developer should consider the installation of a fence and possibly a vegetative screen along the western road side boundary of Hobart Road so assist in reducing road noise.
A2 Uses listed in Tables E11.1 and E11.2 must be set back from any existing sensitive use, or a boundary to the General Residential, Low Density Residential, Rural Living, Village, Local Business, General Business, Commercial zones, the minimum attenuation distance listed in Tables E11.1 and E11.2 for that activity.	P2 Uses with the potential to create environmental harm and environmental nuisance must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm having regard to: <ul style="list-style-type: none"> a) the degree of encroachment; and b) the nature of the emitting operation being protected by the attenuation area; and c) the degree of hazard or pollution that may emanate from the emitting operation; and d) use of land irrigated by effluent must comply with <i>National Health and Medical Research Council Guidelines</i>.
N/a – the application is for a dwelling.	N/a

E11.7 Development Standards - N/a

ASSESSMENT AGAINST E12.0

AIRPORT IMPACTS MANAGEMENT CODE

E12.5 Use Standards

E12.5.1 Noise Impacts

Objective To ensure that noise impacts on use within the ANEF contours from aircraft and airports are appropriately managed.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 All new buildings must comply with the <i>Australian Standard 2021-2000Acoustics - Aircraft Noise Intrusion - Building Siting and Construction</i> .
Relies on P1.	Complies – condition required to ensure compliance.
A2 Sensitive use (whether ancillary to other use or development or not) must not occur within the 25 ANEF contour.	P2 No performance criteria.

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Objective To ensure that noise impacts on use within the ANEF contours from aircraft and airports are appropriately managed.	
Acceptable Solutions	Performance Criteria
Complies with A2 – the site is within the 20 ANEF contour.	N/a

E12.6 Development Standards

E12.6.1 Obstacles to Aircraft

Objective To ensure that development does not impact on the safety of prescribed airspace.	
Acceptable Solutions	Performance Criteria
A1 Development must be approved pursuant to the <i>Airports Act 1996</i> and the <i>Airport (Protection of Airspace) Regulations 1996</i> and the Manual of Standards.	P1 No performance criteria.
Complies with A1 – refer to referral response from Launceston Airport.	N/a

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a
SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	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

Discretion to refuse the application is limited to:

- Reliance on the performance criteria of the Rural Resource Zone (clauses 26.3.2 P1.1 (b), P1.2 and P1.3).
- Reliance on the performance criteria of the Airports Impact Management Code (clause E12.5.1 P1).
- Reliance on the performance criteria of the Environmental Impacts and Attenuation Code (clause E11.6.1 P1).

Issues relating to service locations as detailed in the representation have been resolved and relevant service authorities notified.

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 847 Hobart Road, Breadalbane be approved to be developed and used for a Dwelling (vary setbacks in rural zone; within airport ANEF contours & attenuation area) in accordance with application PLN-20-0098, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P7** (*Drawing No: HB847, Sheet No's: 1-7, Dated: 31.08.2020 Rev 5*).

2 Council's Works Department conditions

2.1 Floor level

The dwelling floor level must be a minimum of 300mm above the surrounding natural surface level.

2.2 Access (Rural)

- a) A hotmix sealed driveway must be constructed from the edge of **Hobart Road** to the property boundary in accordance LGAT Standard Drawing TSD-R03 and to the approval of Councils Works Manager.
- b) **Access works must not commence** until an application for vehicular crossing has been approved by Council.

2.3 Nature strips

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

3 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2020/00999-NMC, dated 7.9.2020).

4 Launceston Airport

4.1 Airspace Surfaces

Due to the proximity to the prescribed airspace surfaces (OLS) for Launceston Airport, any plant or equipment that extends to a height greater than 15m from existing ground level including during construction may infringe the OLS and must be referred to Launceston Airport for written approval prior to use. Approval from Airservices Australia may be required, this process may take 6 weeks or longer to obtain.

DECISION

Cr Polley/Cr Adams

That the matter be discussed.

Carried unanimously

Cr Davis/Cr Polley

That land at 847 Hobart Road, Breadalbane be approved to be developed and used for a Dwelling (vary setbacks in rural zone; within airport ANEF contours & attenuation area) in accordance with application PLN-20-0098, and subject to the following conditions:

1 Layout not altered

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Carried unanimously

**313/20 PLANNING APPLICATION PLN-20-0158:
19-21 LONGFORD CLOSE, LONGFORD**

File Number: 108301.25
Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 19-21 Longford Close, Longford for a shipping container (vary rear setback).

2 BACKGROUND

Applicant: Christine Spencer	Owner: William Thomas Spencer & Christine Ellen Spencer
Zone: General Residential	Codes: Carparking & Sustainable Transport Code
Classification under the Scheme: Residential (single dwelling)	Existing Use: Residential (single dwelling)
Deemed Approval Date: 26/9/2020	Recommendation: Approve

Discretionary Aspects of the Application

- Variation of rear setback from 4m to 2.1m

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013*

Preliminary Discussion

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

Figure 1 - Subject site from Longford Close



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

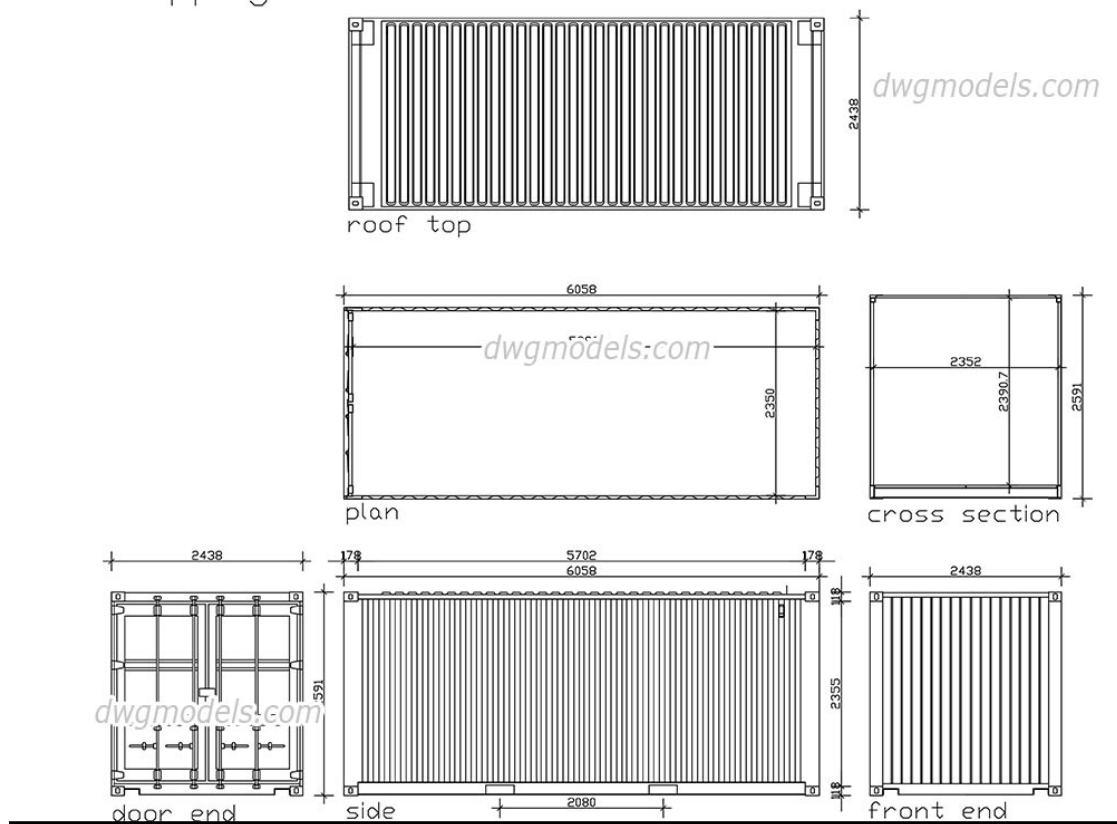
Approval is sought for a 6m long shipping container 2.1m from the rear boundary and 10m from the side boundary.

Figure 2 - Site Plan



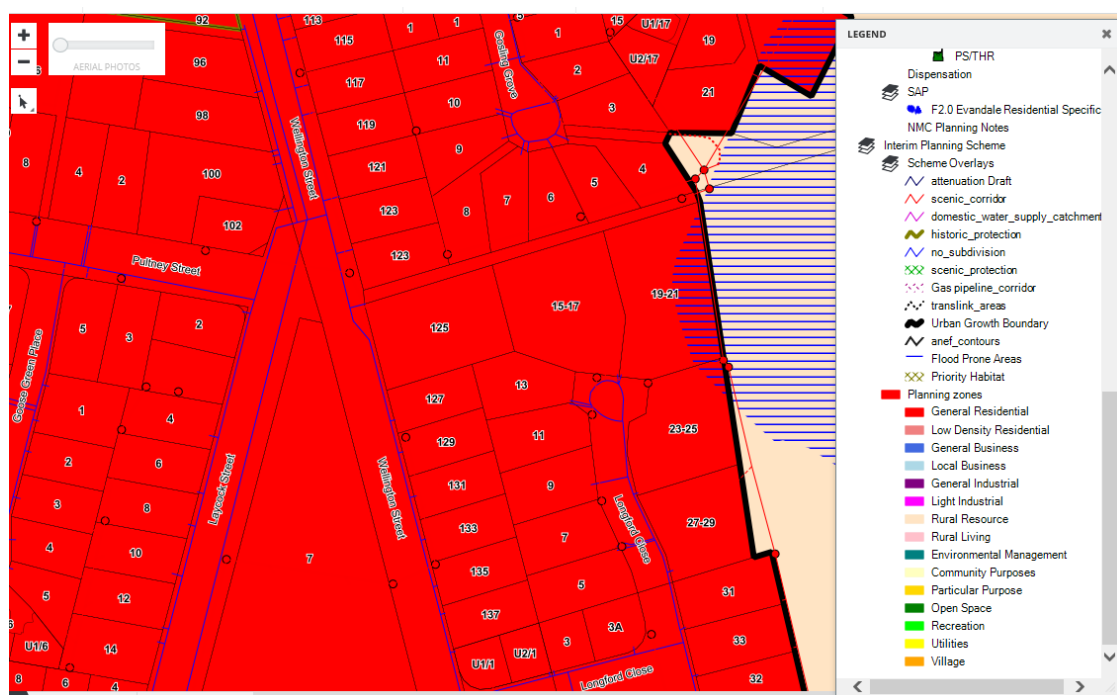
Figure 3 - Elevations

Shipping Container 20' iso



4.2 Zone and land use

Figure 4 - Zone Map – General Residential Zone



The land is zoned General Residential. The relevant Planning Scheme definitions are:

<i>single dwelling</i>	<i>means a dwelling on a lot on which no other dwelling is situated; or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.</i>
<i>outbuilding</i>	<i>means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.</i>

Residential is Permitted (with permit) in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on 9th September 2020. The site contains a single dwelling, outbuilding and the shipping container subject to this application. Surrounding land contains single dwellings. There is a driveway to the rear.

Figure 5 - Photograph of subject site



4.4 Permit/site history

Relevant permit history includes:

- P08-142 – dwelling and garage

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:

- David & Patricia Stewart, 23-25 Longford Close

Figure 6 - Aerial photograph of area – subject site highlighted; representors' property circled



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4.7 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE		
ZONE PURPOSE		
<i>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.</i>		
<i>To provide for compatible non-residential uses that primarily serve the local community.</i>		
<i>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.</i>		
<i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i>		
Assessment: The proposal meets the zone purpose.		
LOCAL AREA OBJECTIVES		
<i>To consolidate growth within the existing urban land use framework of the towns and villages.</i>		
<i>To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.</i>		
<i>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</i>		
Assessment: The proposal meets the local area objectives.		
PRECIS OF DEVELOPMENT STANDARDS FOR SINGLE DWELLINGS		
10.4.2 Setback and building envelopes for dwellings		
	A1	Unless within a building area, then
✓	(a)	4.5m from primary frontage; or not less than existing dwelling on site; OR
N/a	(b)	3m to secondary frontage; or not less than existing dwelling on site; OR
N/a	(b)	if vacant lot, setback which is not more or less than dwellings on immediately adjoining lots; OR
N/a	(c)	not less than the existing dwelling setback if less than 4.5m; OR
N/a	(d)	as per road setback specified in Planning Scheme
	A2	Garage or carport to be set back:
✓	(a)	5.5m from primary frontage or 1m behind the façade, OR
N/a	(b)	The same as the dwelling façade if under dwelling
N/a	(c)	1m if gradient > 1:5 for 10m from frontage
	A3	Dwellings (excluding minor protrusions extending to 1.5m)
	(a)	to be within building envelope:
✓	(i)	frontage setback (as above), or 4.5m from rear boundary of adjoining frontage lot for internal lot
✓	(ii)	45 degrees from the horizontal at a height of 3m above natural ground level,
X		4m rear setback, and max height 8.5m AND
		max height 8.5m AND
✓	(b)	1.5m side setback or built to the boundary (existing boundary wall within .2m of boundary or; 9m or 1/3 of the side boundary, whichever is lesser)
10.4.3 Site coverage and private open space for dwellings		
✓	A1	(a) max. site coverage of 50% (excluding eaves)
✓		(c) at least 25% free from impervious surfaces
✓	A2	(a) POS of 24m ² in one location
✓		(b) horizontal dimension of 4m; AND
✓		(c) directly accessible from, & adjacent to, a habitable room (other than bedroom); AND
✓		(d) not located to the S, SE, or SW of dwelling, unless receives at least 3 hours of sunlight to 50% of area between 9am and 3pm on 21June; AND
✓		(e) between dwelling and frontage only if frontage is orientated between 30 degrees west of north and 30 degrees east of north; AND
✓		(f) not steeper than 1:10, AND
✓		(g) not used for vehicle parking
10.4.4 Sunlight and overshadowing		
✓	A1	1 habitable room (other than bedroom) with window facing between 30 degrees west of north and 30 degrees east of north
10.4.5 Width of openings for garages and carports		
✓	A1	Garage or carport within 12m of a primary frontage (whether free-standing or not), total width of openings facing frontage of < 6m or half the width of the frontage (whichever is lesser).
10.4.6 Privacy		

N/a	A1	Balconies, decks, carports etc. OR windows/glazed doors to a habitable room, more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary – 3m (b) rear boundary – 4m
	A2	Window or glazed door to be offset 1.5m from neighbour's window, OR sill height 1.7m above floor level, OR obscure glazing to 1.7m OR external screen to 1.7m
10.4.7 Frontage fences for single dwellings		
N/a	A1	Applies to maximum building height of fences on and within 4.5m of a frontage
N/a	(a)	1.2m if solid; OR
N/a	(b)	1.8m if above 1.2m has openings which provide a minimum 50% transparency
Easements		
✓		No construction over an easement

The application meets the acceptable solutions of the General Residential zone, except for the variation to the rear setback. The development relies on the following performance criteria:

The siting and scale of a dwelling must:

(a) *not cause unreasonable loss of amenity by:*

(i) *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot.*

Comment: The shipping container is located to the south of the nearest neighbouring boundary. It does not cause unreasonable loss of amenity by reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot.

(ii) *overshadowing the private open space of a dwelling on an adjoining lot.*

Comment: The shipping container is located to the south of the nearest neighbouring boundary. It does not cause unreasonable loss of amenity by overshadowing the private open space of a dwelling on an adjoining lot.

(iii) *overshadowing of an adjoining vacant lot.*

Comment: The shipping container does not adjoin a vacant lot.

(iv) *visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot.*

Comment: With a height of 2.6m and a length of 6m the reduced rear setback does not cause an unreasonable loss of amenity by visual impacts caused by the apparent scale, bulk or proportions when viewed from an adjoining lot.

(b) *provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.*

Comment: The aerial photograph at figure 6 shows that the shipping container provides separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

The variation of the rear setback from 4m to 2.1m satisfies the performance criteria.

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 – does not increase the demand for parking and does not take away parking
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

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a
SPECIFIC AREA PLANS		
F1.0	TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0	HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a
SPECIAL PROVISIONS		
9.1	Changes to an Existing Non-conforming Use	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 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 the variation to the rear setback from 4m to 2.1m

The variation to the rear setback must:

(a) *not cause unreasonable loss of amenity by:*

(i) *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot.*

Comment: The shipping container is located to the south of the nearest neighbouring boundary. It does not cause unreasonable loss of amenity by reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot.

(ii) *overshadowing the private open space of a dwelling on an adjoining lot.*

Comment: The shipping container is located to the south of the nearest neighbouring boundary. It does not cause unreasonable loss of amenity by overshadowing the private open space of a dwelling on an adjoining lot.

(iii) *overshadowing of an adjoining vacant lot.*

Comment: The shipping container does not adjoin a vacant lot.

(iv) *visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot.*

Comment: With a height of 2.6m and a length of 6m the reduced rear setback does not cause an unreasonable loss of amenity by visual impacts caused by the apparent scale, bulk or proportions when viewed from an adjoining lot.

(b) *provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.*

Comment: The aerial photograph at figure 6 shows that the shipping container provides separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Conditions that relate to any aspect of the application can be placed on a permit. It is recommended that the permit require the container to be painted in Classic Cream within 2 months of the permit being issued. The proposal will be conditioned to be used and developed in accordance with the proposal plans.

8 ATTACHMENTS

- Application & plans
- Representation & applicant's response

RECOMMENDATION

That land at 19-21 Longford Close, Longford be approved to be developed and used for a shipping container (vary rear setback) in accordance with application PLN-20-0158, and subject to the following condition:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1** (site plan), **P2** (part site plan) and **P3** (elevations).

2 Painting of container

Within 2 months of the dates of this permit, the shipping container must be painted Classic Cream and maintained for the duration of the use.

DECISION

Cr Davis/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Goss/Cr Brooks

That land at 19-21 Longford Close, Longford be approved to be developed and used for a shipping container (vary rear setback) in accordance with application PLN-20-0158, and subject to the following condition:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1** (site plan), **P2** (part site plan) and **P3** (elevations).

2 Painting of container

Within 2 months of the dates of this permit, the shipping container must be painted Classic Cream and maintained for the duration of the use.

Lost

Voting for the motion:

Mayor Knowles, Cr Brooks, Cr Davis, Cr Goss

Voting against the motion:

Cr Adams, Cr Calvert, Cr Goninon, Cr Lambert, Cr Polley

Cr Adams/Cr Polley

That application PLN-20-0158 to develop and use a shipping container (vary rear setback) at 19-21 Longford Close, Longford be refused on the following grounds:

- The loss of residential amenity due to the visual impact of the container on the streetscape and when viewed from neighbouring properties.

Carried

Voting for the motion:

Cr Adams, Cr Calvert, Cr Goninon, Cr Lambert, Cr Polley

Voting against the motion:

Mayor Knowles, Cr Brooks, Cr Davis, Cr Goss

**314/20 PLANNING APPLICATION PLN-20-0164:
19 SASSAFRAS STREET, PERTH**

File Number: 111800.15
Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 19 Sassafra Street, Perth to construct an extension to a shed (vary rear setback & building envelope).

2 BACKGROUND

Applicant: Vaughan & Kristy Springer	Owner: Vaughan Anthony & Kristy Lee Springer
Zone: General Residential	Codes: Carparking & Sustainable Transport Code
Classification under the Scheme: Residential (single dwelling)	Existing Use: Residential (single dwelling)
Deemed Approval Date: 26/9/2020	Recommendation: Approve

Discretionary Aspects of the Application

- Variation to rear setback and building envelope - reliance on the performance criteria of at clause 10.4.2 P3.

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 31, Effective from 27 August 2020*

Preliminary Discussion

There is no record of the applicant discussing the application with Council officers before submitting it.

Figure 1 - Subject site from Sassafra Street



3 STATUTORY REQUIREMENTS

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

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

4 ASSESSMENT

4.1 Proposal

It is proposed to extend the existing shed by raising its roof to a maximum height of 6.659 m.

Figure 2 - Site Plan

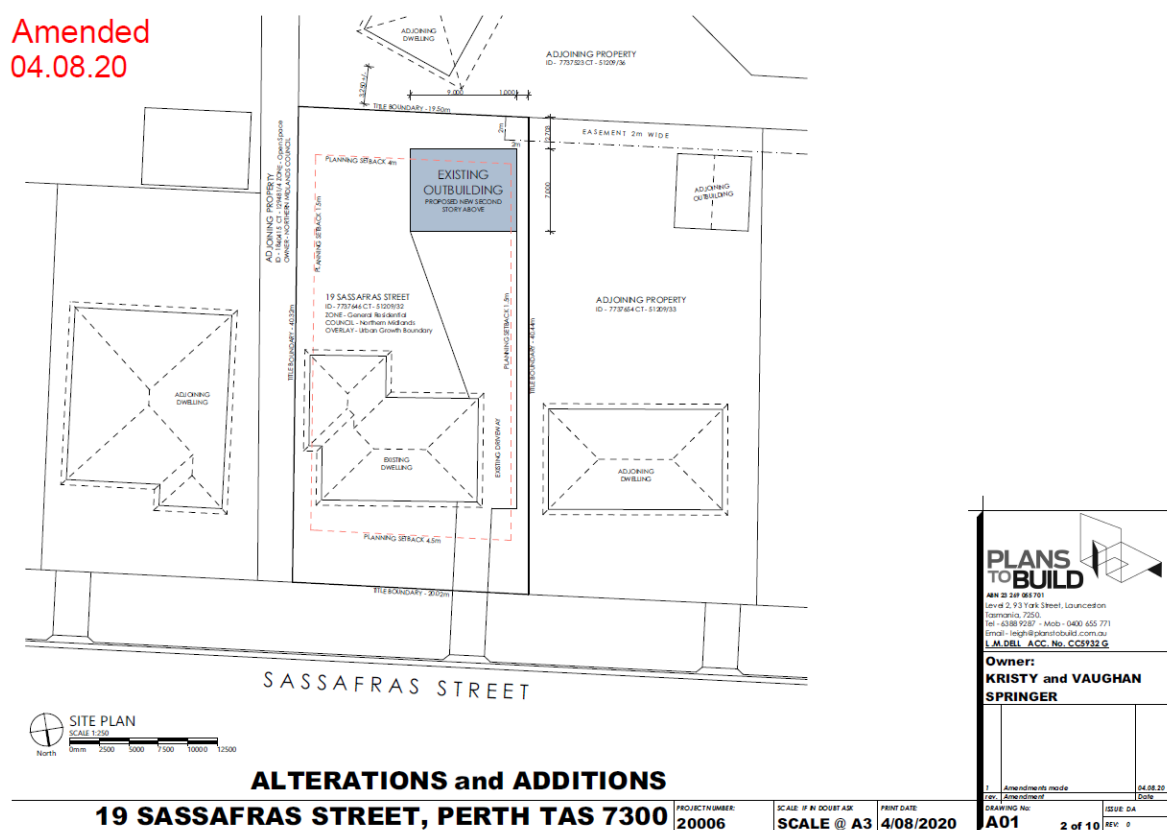


Figure 3 – Floor Plan

Amended
04.08.20

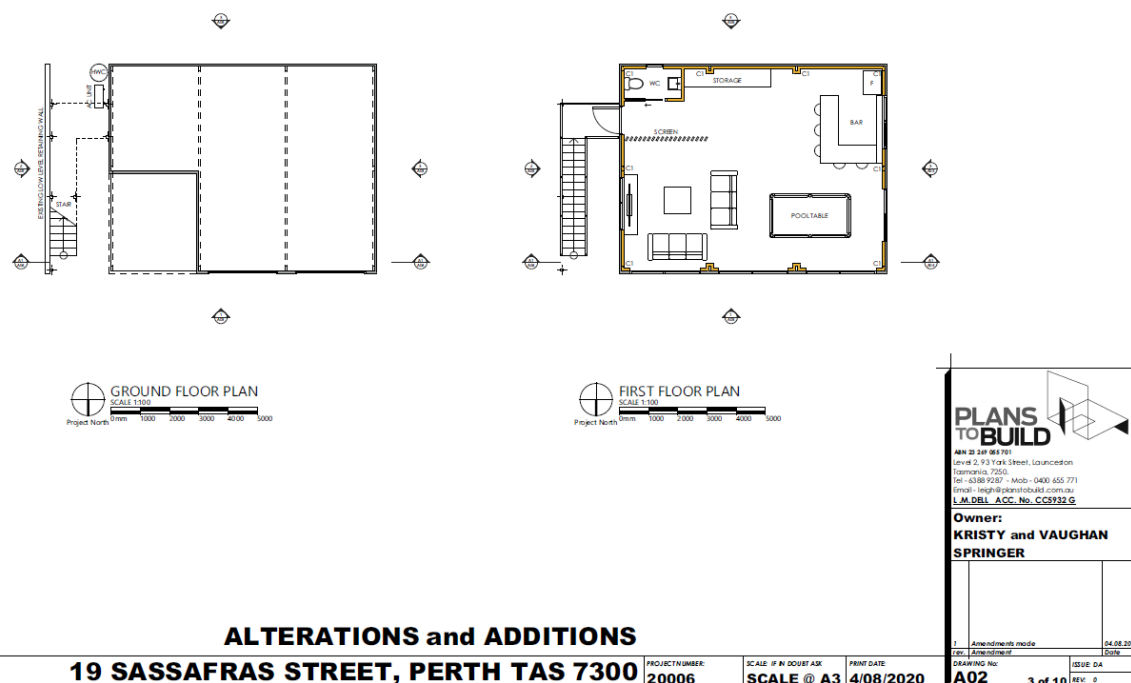


Figure 4 - Elevations

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04.08.20

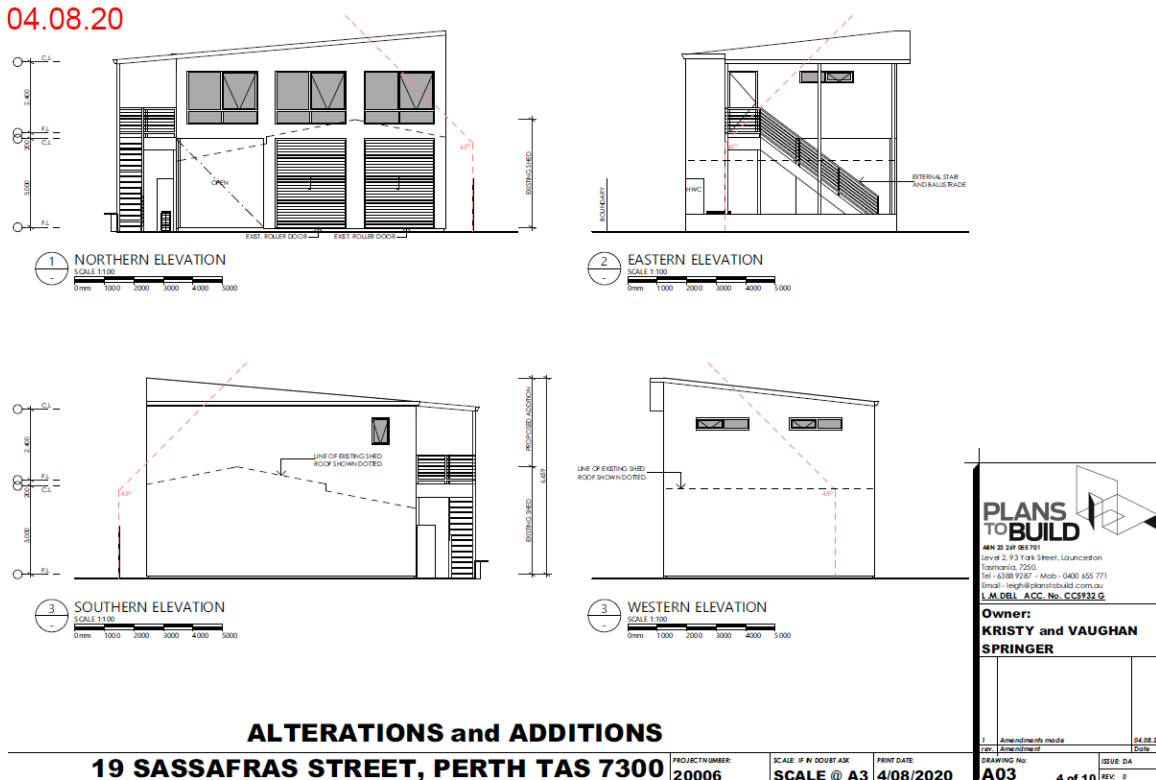
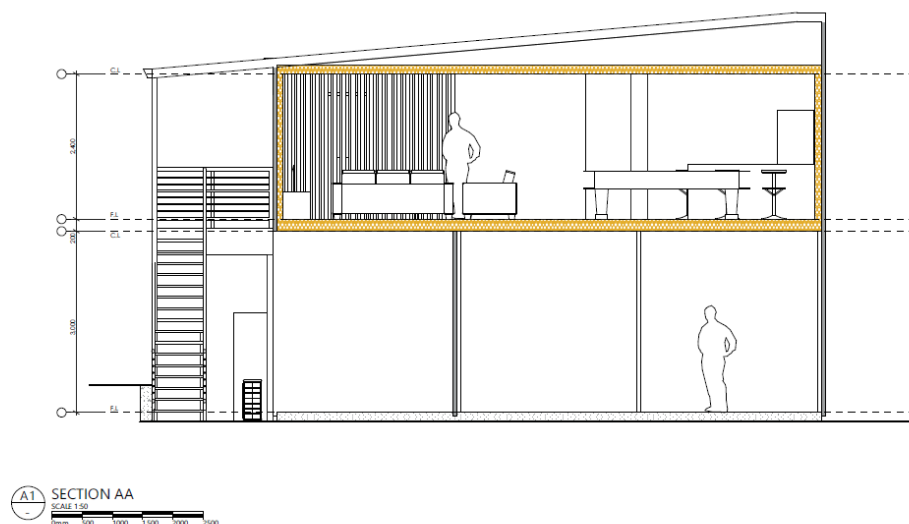


Figure 5 – Section

Amended
04.08.20



PLANS TO BUILD
 401 21 541 08 711
 Level 2, 53 York Street, Launceston
 Tasmania, 7250.
 Tel: +618 9237 1440 - 0400 655 771
 Email: info@plansbuild.com.au
 L.M.D.B.L. ACC. No. CC9322.G

Owner:
**KRISTY and VAUGHAN
 SPRINGER**

1	Amendment mode	04.08.20
1	Amendment	100%
DRAWING NO:		ISSUE DA
A04		5 of 10 REV: 0

ALTERATIONS and ADDITIONS

19 SASSAFRAS STREET, PERTH TAS 7300

PROJECT NUMBER:
20006

SCALE: IF IN DOUBT ASK
SCALE @ A3

PRINT DATE
4/08/2020

DRAWING NO:
A04

ISSUE DA
5 of 10

REV: 0

4.2 Zone and land use

Figure 6 - Zone Map – General Residential Zone



The land is zoned General Residential. The relevant Planning Scheme definition are:

single dwelling	means a dwelling on a lot on which no other dwelling is situated; or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.
-----------------	--

outbuilding	means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.
-------------	--

4.3 Subject site and locality

The author of this report carried out a site visit on 26th August 2020, including viewing the site from 5 Cootamundra Avenue. The site contains a house and shed. Surrounding properties are similarly developed. Figure 1 shows two double storey houses in the area.

Figure 7 - Aerial photograph of area – subject site highlighted



4.4 Permit/site history

Relevant permit history includes:

- P92-67 - dwelling
- P99-70 – carport
- P03-274 – garage
- P04-097 – addition to garage
- P09-076 – dwelling extensions
- P16-091 – alteration

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 no representations were received.

4.6 Referrals

The application did not require any referrals.

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4.7 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE	
ZONE PURPOSE	
<p><i>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.</i></p> <p><i>To provide for compatible non-residential uses that primarily serve the local community.</i></p> <p><i>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.</i></p> <p><i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i></p>	
Assessment: The proposal meets the zone purpose.	
LOCAL AREA OBJECTIVES	
<p><i>To consolidate growth within the existing urban land use framework of the towns and villages.</i></p> <p><i>To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.</i></p> <p><i>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</i></p>	
Assessment: The proposal meets the local area objectives.	
ASSESSMENT AGAINST DEVELOPMENT STANDARDS FOR SINGLE DWELLINGS	
10.4.2 Setback and building envelopes for dwellings	
A1	Unless within a building area, then
✓	(a) 4.5m from primary frontage; or not less than existing dwelling on site; OR
N/a	(b) 3m to secondary frontage; or not less than existing dwelling on site; OR
N/a	(b) if vacant lot, setback which is not more or less than dwellings on immediately adjoining lots; OR
N/a	(c) not less than the existing dwelling setback if less than 4.5m; OR
N/a	(d) as per road setback specified in Planning Scheme
A2	Garage or carport to be set back:
✓	(a) 5.5m from primary frontage or 1m behind the façade, OR
N/a	(b) The same as the dwelling façade if under dwelling
N/a	(c) 1m if gradient > 1:5 for 10m from frontage
A3	Dwellings (excluding minor protrusions extending to 1.5m)
X (see assessment below)	(a) to be within building envelope (refer to diagram 10.4.2A at Figure 8)
	(i) frontage setback (as above), or 4.5m from rear boundary of adjoining frontage lot for internal lot
	(ii) 45 degrees from the horizontal at a height of 3m above natural ground level, 4m rear setback, and max height 8.5m AND
✓	(b) 1.5m side setback or built to the boundary (existing boundary wall within .2m of boundary or; 9m or 1/3 of the side boundary, whichever is lesser)
10.4.3 Site coverage and private open space for dwellings	
✓	A1 (a) max. site coverage of 50% (excluding eaves)
✓	(c) at least 25% free from impervious surfaces
✓	A2 (a) POS of 24m ² in one location
✓	(b) horizontal dimension of 4m; AND
✓	(c) directly accessible from, & adjacent to, a habitable room (other than bedroom); AND
✓	(d) not located to the S, SE or SW of dwelling, unless receives at least 3 hours of sunlight to 50% of area between 9am and 3pm on 21June; AND
✓	(e) between dwelling and frontage only if frontage is orientated between 30 degrees west of north and 30 degrees east of north; AND
✓	(f) not steeper than 1:10, AND
✓	(g) not used for vehicle parking

NORTHERN MIDLANDS COUNCIL

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21 SEPTEMBER 2020

10.4.4 Sunlight and overshadowing	
✓	A1 1 habitable room (other than bedroom) with window facing between 30 degrees west of north and 30 degrees east of north
10.4.5 Width of openings for garages and carports	
✓	A1 Garage or carport within 12m of a primary frontage (whether free-standing or not), total width of openings facing frontage of < 6m or half the width of the frontage (whichever is lesser).
10.4.6 Privacy	
N/a	<p>A1 Balconies, decks, carports etc. OR windows/glazed doors to a habitable room, more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <p style="margin-left: 40px;">(a) side boundary – 3m</p> <p style="margin-left: 40px;">(b) rear boundary – 4m</p> <p>A2 Window or glazed door to be offset 1.5m from neighbour's window, OR sill height 1.7m above floor level, OR obscure glazing to 1.7m OR external screen to 1.7m</p>
10.4.7 Frontage fences for single dwellings	
N/a	A1 Applies to maximum building height of fences on and within 4.5m of a frontage
N/a	(a) 1.2m if solid; OR
N/a	(b) 1.8m if above 1.2m has openings which provide a minimum 50% transparency
Easements	
✓	No construction over an easement

ASSESSMENT AGAINST CLAUSE 10.4.2 A3/P3:

<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p style="margin-left: 40px;">(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</p> <p style="margin-left: 40px;">(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p style="margin-left: 40px;">(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or</p> <p style="margin-left: 40px;">(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the</p>	<p>P3 The siting and scale of a dwelling must:</p> <p>(a) not cause unreasonable loss of amenity by:</p> <p style="margin-left: 40px;">(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot.</p> <p>Comment: The shadow plans indicate that the shed extension will overshadow windows to the lounge room and dining room of the house at 5 Cootamundra Drive from around 12pm on the 21st June. Both rooms have other windows that will not be overshadowed by the shed extension. The owner of 5 Cootamundra has advised that the shed extension has her full support and she does not have any issues with the project.</p> <p>It is therefore concluded that the shed will not cause an unreasonable loss of amenity reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot.</p> <p style="margin-left: 40px;">(ii) overshadowing the private open space of a dwelling on an adjoining lot.</p> <p>Comment: The shadow plans indicate that the shed will overshadow private open space of the house at 5 Cootamundra Drive from around 12pm on the 21st June. However, 5 Cootamundra Drive has other areas of private open space that will not be overshadowed by the shed. The owner of 5 Cootamundra has advised that the shed extension has her full support and she does not have any issues with the project.</p> <p>It is therefore concluded that the shed will not cause an unreasonable loss of amenity by overshadowing the private open space of a dwelling on an adjoining lot.</p> <p style="margin-left: 40px;">(iii) overshadowing of an adjoining vacant lot.</p> <p>Comment: The shed extension will not overshadow an adjoining vacant lot.</p> <p style="margin-left: 40px;">(iv) visual impacts caused by the apparent scale, bulk or</p>
---	---

<p>lesser).</p>	<p><i>proportions of the dwelling when viewed from an adjoining lot.</i></p> <p>Comment: The shed will be set 2.7m from the rear boundary, have a wall height of approximately 5.6m facing 5 Cootamundra Drive and a wall length of 9m, less than half the length of the boundary.</p> <p>It is therefore concluded that the shed extension will not cause an unreasonable loss of amenity by visual impacts caused by the apparent scale, bulk or proportions when viewed from an adjoining lot.</p> <p>(b) <i>provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</i></p> <p>Comment: The aerial photo indicates that the surrounding area has sheds at similar setbacks, and there are two storey dwellings in the surrounding area.</p> <p>It is therefore concluded that the shed extension will provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p>
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Figure 8 - Building envelope as required by Diagram 10.4.2A of the Northern Midlands Interim Planning Scheme 2013

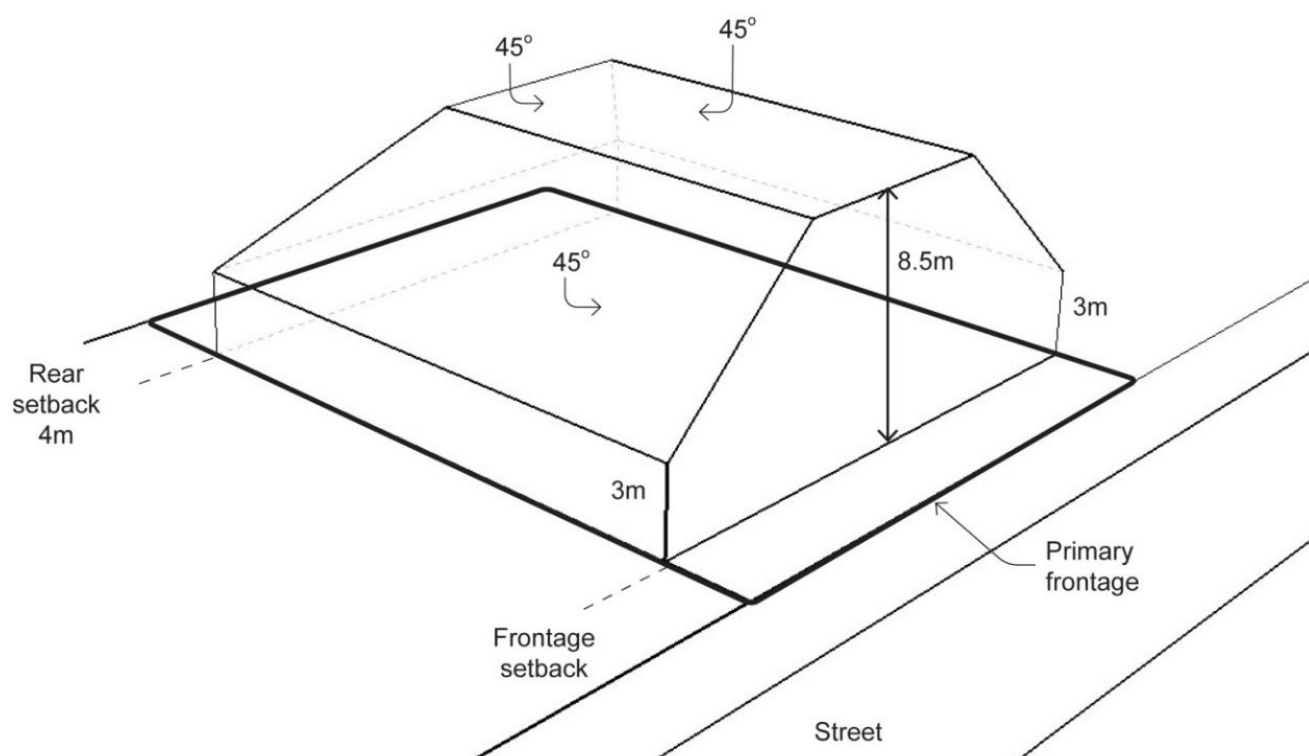
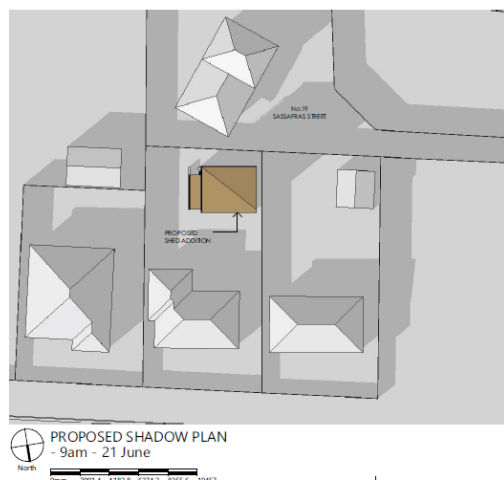
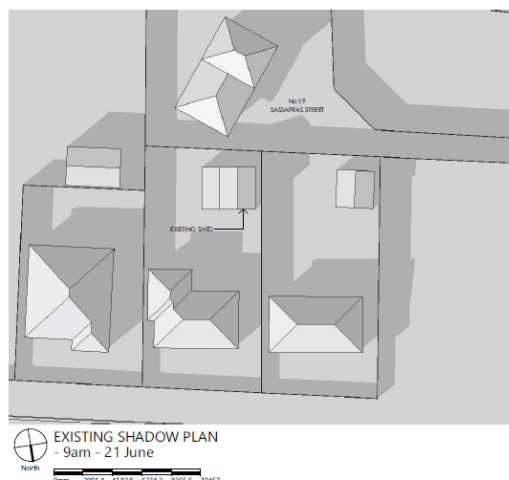


Figure 9 - Shadow plans



Amended
04.08.20

ALTERATIONS and ADDITIONS

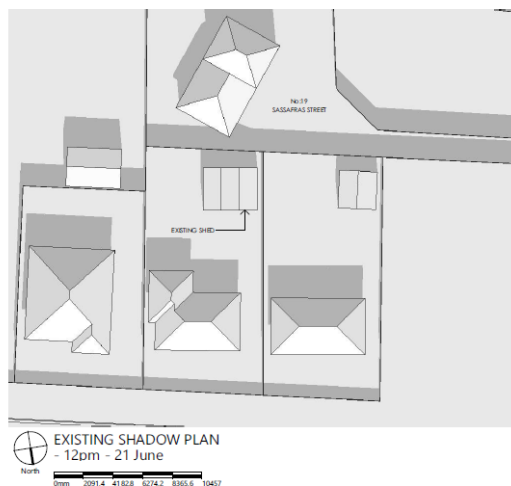
19 SASSAFRAS STREET, PERTH TAS 7300		PROJECT NUMBER:	SCALE: IF IN DOUBT ASK	PRINT DATE:	DRAWING No:		ISSUE: DA
		20006	SCALE @ A3	4/08/2020	A05		6 of 10

PLANS TO BUILD
 AN 20 241 083 781
 Level 2, 93 York Street, Launceston
 Tasmania 7250.
 Tel: +61 8 9337 7711 - Mob: +61 8 9337 7711
 Email: leigh@plansbuild.com.au
 L.M.D.B.L. ACC. No. CC8932 G

Owner:
KRISTY and VAUGHAN SPRINGER

1	Amendments made	04.08.20
REV:	Amendment	Date

Figure 10 - Shadow plans



Amended
04.08.20

ALTERATIONS and ADDITIONS

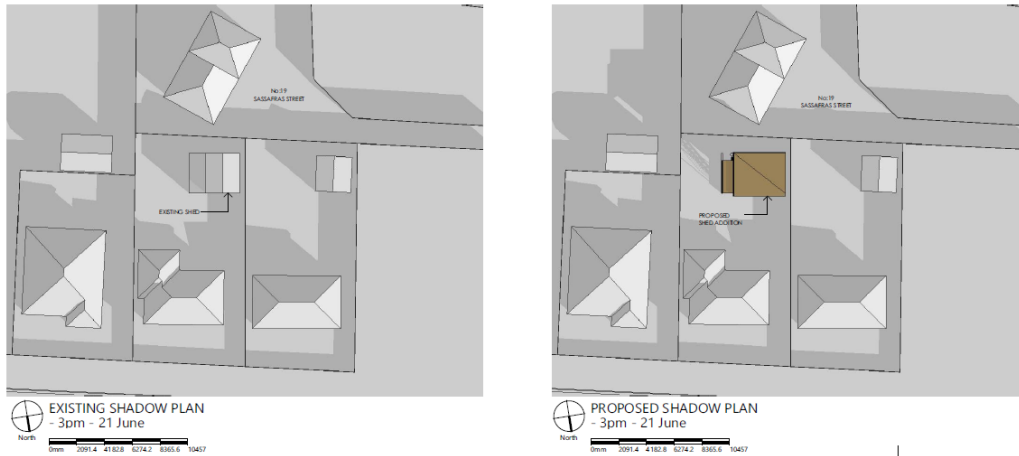
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		20006	SCALE @ A3	4/08/2020	A06		7 of 10

PLANS TO BUILD
 AN 20 241 083 781
 Level 2, 93 York Street, Launceston
 Tasmania 7250.
 Tel: +61 8 9337 7711 - Mob: +61 8 9337 7711
 Email: leigh@plansbuild.com.au
 L.M.D.B.L. ACC. No. CC8932 G

Owner:
KRISTY and VAUGHAN SPRINGER

1	Amendments made	04.08.20
REV:	Amendment	Date

Figure 11 - Shadow plans



Amended
04.08.20

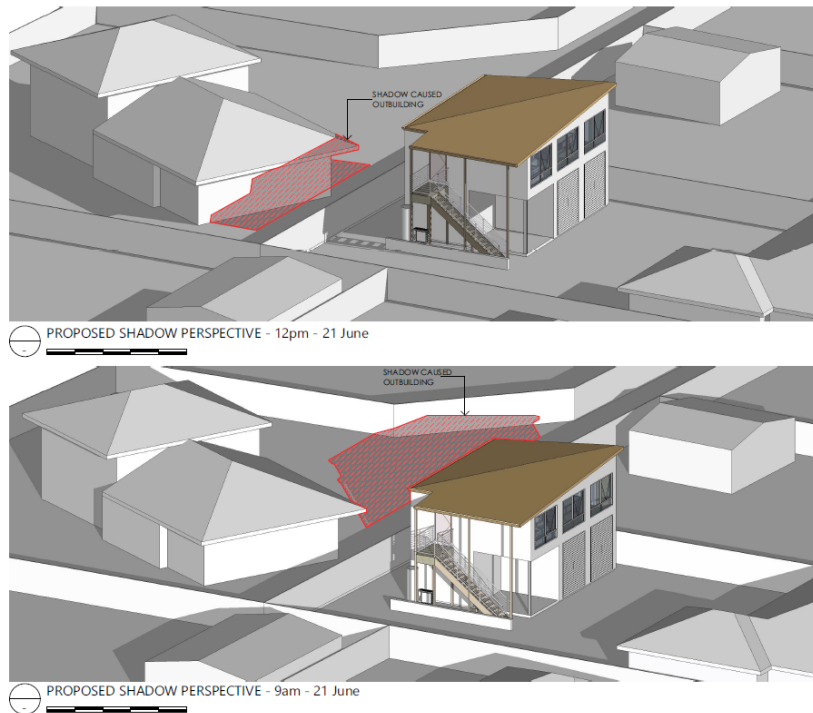
ALTERATIONS and ADDITIONS

19 SASSAFRAS STREET, PERTH TAS 7300

PROJECT NUMBER: 20006 SCALE: 1/1000 ASK PRINT DATE: 4/08/2020

PLANS TO BUILD Unit 21 211 181 711 Level 2, 93 York Street, Launceston Tasmania, 7250 Tel: +61 8 9287 1111 Mob: +61 8 9287 1111 Email: info@plans2obuild.com.au L.M.D.B.L. ACC. No. CC8732 G	
Owner: KRISTY and VAUGHAN SPRINGER	
1. Amendment made Date: 04.08.20 Issue: 04	2. Amendment made Date: 04.08.20 Issue: 04
DRAWING No: A07 8 of 10 REV: 0	

Figure 12 - Shadow plans



Amended
04.08.20

ALTERATIONS and ADDITIONS

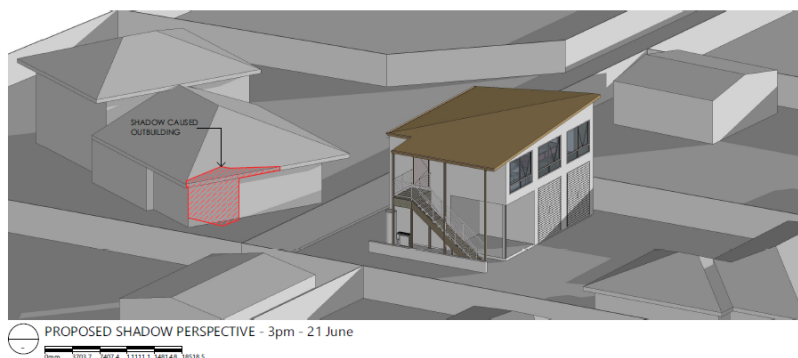
19 SASSAFRAS STREET, PERTH TAS 7300

PROJECT NUMBER: 20006 SCALE: 1/1000 ASK PRINT DATE: 4/08/2020

PLANS TO BUILD Unit 21 211 181 711 Level 2, 93 York Street, Launceston Tasmania, 7250 Tel: +61 8 9287 1111 Mob: +61 8 9287 1111 Email: info@plans2obuild.com.au L.M.D.B.L. ACC. No. CC8732 G	
Owner: KRISTY and VAUGHAN SPRINGER	
1. Amendment made Date: 04.08.20 Issue: 04	2. Amendment made Date: 04.08.20 Issue: 04
DRAWING No: A08 9 of 10 REV: 0	

Figure 13 - Shadow plans

Amended
04.08.20



ALTERATIONS and ADDITIONS

19 SASSAFRAS STREET, PERTH TAS 7300

PROJECT NUMBER: 20006 SCALE: 1:1000 ASH SCALE @ A3 4/08/2020

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 – no loss of parking and no additional parking required
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a
SPECIFIC AREA PLANS		
F1.0	TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0	HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a
SPECIAL PROVISIONS		
9.1	Changes to an Existing Non-conforming Use	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 *Land Use Planning & Approvals Act 1993*.

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

Discretion to refuse the application is limited to the variation to the rear setback and building envelope - reliance on the performance criteria of at clause 10.4.2 P3.

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

The performance criteria for deciding on the variations are:

The siting and scale of a dwelling must:

(a) *not cause unreasonable loss of amenity by:*

(i) *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot.*

Comment: The shadow plans indicate that the shed extension will overshadow windows to the lounge room and dining room of the house at 5 Cootamundra Drive from around 12pm on the 21st June. Both rooms have other windows that will not be overshadowed by the shed extension. The owner of 5 Cootamundra has advised that the shed extension has her full support and she does not have any issues with the project.

It is therefore concluded that the shed will not cause an unreasonable loss of amenity reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot.

(ii) *overshadowing the private open space of a dwelling on an adjoining lot.*

Comment: The shadow plans indicate that the shed will overshadow private open space of the house at 5 Cootamundra Drive from around 12pm on the 21st June. However, 5 Cootamundra Drive has other areas of private open space that will not be overshadowed by the shed. The owner of 5 Cootamundra has advised that the shed extension has her full support and she does not have any issues with the project.

It is therefore concluded that the shed will not cause an unreasonable loss of amenity by overshadowing the private open space of a dwelling on an adjoining lot.

(iii) *overshadowing of an adjoining vacant lot.*

Comment: The shed extension will not overshadow an adjoining vacant lot.

(iv) *visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining*

lot.

Comment: The shed will be set 2.7m from the rear boundary, have a wall height of approximately 5.6m facing 5 Cootamundra Drive and a wall length of 9m, less than half the length of the boundary.

It is therefore concluded that the shed extension will not cause an unreasonable loss of amenity by visual impacts caused by the apparent scale, bulk or proportions when viewed from an adjoining lot.

(b) *provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.*

Comment: The aerial photo indicates that the surrounding area has sheds at similar setbacks, and there are two storey dwellings in the surrounding area.

It is therefore concluded that the shed extension will provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

The application is found to satisfy the requirements of the planning scheme and it is recommended for approval.

8 ATTACHMENTS

- Application & plans, correspondence with applicant

RECOMMENDATION

That land at 19 Sassafras Street, Perth be approved to be developed and used for an extension to shed (vary rear setback and building envelope) in accordance with application PLN-20-0164, and subject to the following condition:

1 Layout not altered

The use and development must be in accordance with the endorsed documents **P0 – P9** (Project No. 20006, Drawing Nos. A00 – A09, Dated 04.08.20).

DECISION

Cr Adams/Cr Calvert

That the matter be discussed.

Carried unanimously

Cr Davis/Cr Polley

That land at 19 Sassafras Street, Perth be approved to be developed and used for an extension to shed (vary rear setback and building envelope) in accordance with application PLN-20-0164, and subject to the following condition:

1 Layout not altered

The use and development must be in accordance with the endorsed documents **P0 – P9** (Project No. 20006, Drawing Nos. A00 – A09, Dated 04.08.20).

Carried

Voting for the motion:

Mayor Knowles, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goss, Cr Lambert, Cr Polley

Voting against the motion:

Cr Goninon



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

315/20 DRAFT PLANNING SCHEME AMENDMENT 04/2020: LOW DENSITY RESIDENTIAL ZONE, SOUTHERN LONGFORD

File: Draft Amendment 04/2020
Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report recommends that Council initiate and certify a draft amendment make Domestic Animal Breeding, Boarding or Training (if not animal pound, cattery or kennel) and Veterinary Centre ‘permitted’ in the Low Density Residential Zone in southern Longford.

2 SUMMARY INFORMATION

Applicant:

Northern Midlands Council

Proposal:

Amend the Planning Scheme to include Domestic Animal Breeding, Boarding or Training (if not animal pound, cattery or kennel) and Veterinary Centre ‘permitted’ in the Low Density Residential Zone in southern Longford.

Critical Date:

There is no statutory time frame for Council to decide whether to initiate an amendment of its own motion

Recommendation:

Initiate and certify the draft amendment

Planning Instrument:

Northern Midlands Interim Planning Scheme 2013

Planning Authority:

Northern Midlands Council

3 BACKGROUND

Research into a recent enquiry has revealed that:

- The Low Density Residential zone in southern Longford (see Figure 1) was previously zoned Particular Purposes (Horse Training and Stables) (see Figure 2).
- The Particular Purpose zone allowed Equestrian Facility (stabling, exhibiting, or riding of horses) and Veterinary Centre as permitted uses.
- A report from Council’s former strategic planner on preparing the current interim scheme advised that the Particular Purpose zone contained fundamentally residential uses within the scope of the Residential use class with an associated subordinate use and was compatible with the Low Density Residential zone.
- The land was therefore zoned Low Density Residential, allowing Horse Training and Veterinary Establishment within the Sports and Recreation use class.
- This means that new uses for stabling, exhibiting, or riding of horses or for a veterinary establishment must be directly associated with and a subservient part of sports and recreation. That is, they must be associated with horse racing.
- The current scheme does not allow for new horse stabling, exhibiting or riding not relating to horse racing, or for a new general veterinary establishment, which the previous planning scheme did.

Figure 1 – Current Northern Midlands Interim Planning Scheme 2013 – new uses for veterinary centre or horse stabling, exhibiting or riding must be associated with horse racing

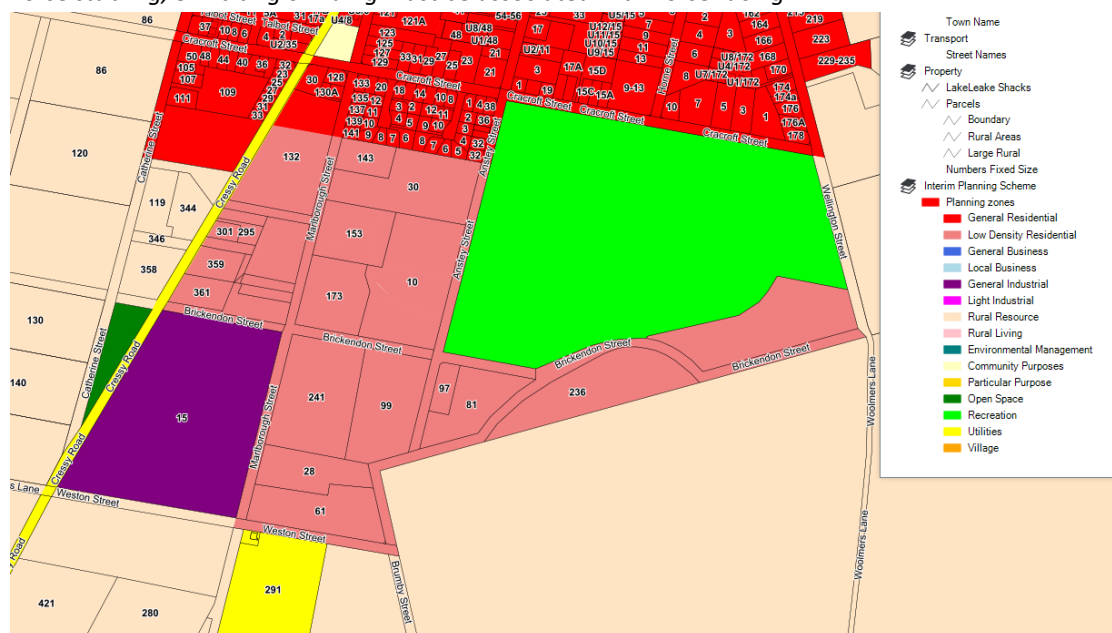
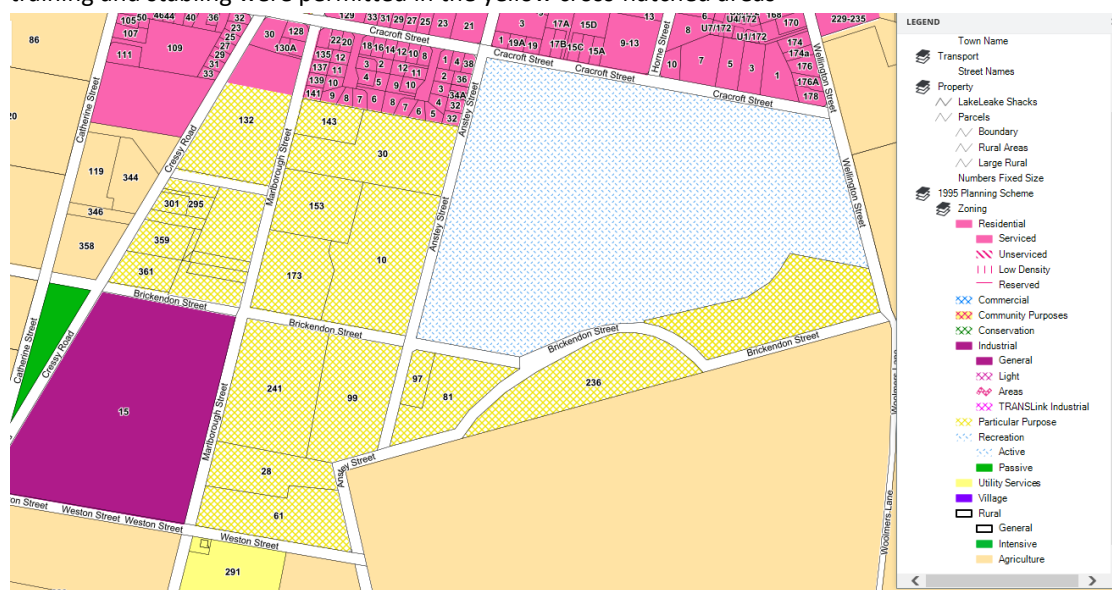


Figure 2 – Previous Northern Midlands 1995 Planning Scheme – new uses for veterinary centre and horse training and stabling were permitted in the yellow cross-hatched areas



4 STATUTORY REQUIREMENTS

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

Section 34 (1) (b) A planning authority may of its own motion initiate an amendment of a planning scheme administered by it.

Section 33 (2B) - Before making a decision as to whether or not to initiate an amendment of the planning scheme, the planning authority must consider –

- (a) whether the requested amendment is consistent with the requirements of [section 32](#); and
- (ab) any representation made under [section 30J](#), and any statements in any report under [section 30J](#) as to the merit of a representation, that may be relevant to the amendment; and
- (b) any advice referred to in [section 65 of the Local Government Act 1993](#) received by it.

Comment:

- (a) This report finds that the draft amendment is consistent with section 32 of the Act.
- (ab) There are no representations under section 30I relevant to the draft amendment.
- (b) This report provides advice in relation to section 65 of the Local Government Act 1993 (advice of qualified persons).

Section 35 (1) After preparing a draft amendment of a planning scheme, the planning authority must determine whether the draft amendment meets the requirements specified in section 32 and –

- (a) if satisfied that it does, certify the draft amendment as so meeting those requirements; or*
- (b) if not so satisfied, proceed to modify the draft amendment until it does meet those requirements and then certify the modified draft amendment as so meeting those requirements.*

5 DRAFT AMENDMENT

It is proposed to add the highlighted sections to the planning scheme:

Clause 12.2 (Low Density Residential Zone) Use Table – Northern Midlands Interim Planning Scheme 2013

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Business and professional services	If: on CT 110574/1, 110574/2, 111673/1, 111673/2, 112949/3, 113908/1, 113908/2, 122095/3, 124312/1, 135118/1, 135118/2, 135118/3, 140326/1, 157278/1, 157278/2, 164829/1, 164829/2, 167605/1, 171035/1, 171035/2, 173613/1, 173613/2, 173613/6, 173613/1, 173613/2, 173613/6, 173613/1, 173613/6, 177618/1, 177618/2, 177618/2, 19327/2, 19327/3, 244840/1, 244841/1, 26599/1, or 63989/1; and for veterinary centre.
Domestic animal breeding, boarding or training	If: on CT 110574/1, 110574/2, 111673/1, 111673/2, 112949/3, 113908/1, 113908/2, 122095/3, 124312/1, 135118/1, 135118/2, 135118/3, 140326/1, 157278/1, 157278/2, 164829/1, 164829/2, 167605/1, 171035/1, 171035/2, 173613/1, 173613/2, 173613/6, 173613/1, 173613/2, 173613/6, 173613/1, 173613/6, 177618/1, 177618/2, 177618/2, 19327/2, 19327/3, 244840/1, 244841/1, 26599/1, or 63989/1; and not for animal pound, cattery or kennel.
Residential	If an ancillary dwelling, caretakers dwelling, home-based business, single dwelling
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Food services	If a Restaurant on the land described in CT 200085/1 (part of 31-41 Grant Street, Campbell Town
Business and professional services	If a medical centre
Emergency services	
General retail and hire	If for a local shop
Community meeting & entertainment	If not a cinema or function centre
Sports and recreation	Including horse training or veterinary establishments on land in South Longford described on CT 110574/1-2; 111673/1-2; southern part of 112949/3; 113908/1-2; 122095/3; 124312/1; 135118/1-3; 140326/1; 157278/1-2; 19327/2-3; 244840/1; 244841/1; 26599/1; 63989/1.
Visitor accommodation	
Utilities	If not for minor utilities
Prohibited	

All other uses	
----------------	--

This aligns with the previous planning scheme:


Clause 12.2.2 Table of Uses and Developments in the Particular Purpose

(Horse Training and Stables) Zone – Northern Midlands 1995 Planning Scheme

1	2	3	4
PERMITTED (NO PERMIT REQUIRED)	PERMITTED (WITH PERMIT)	DISCRETIONARY (WITH PERMIT)	PROHIBITED
Utility Services - minor	Equestrian Facility Home Business Passive Recreation Recreation Active Veterinary Establishment	House House & Ancillary Apartment Car Park Subdivision	All other uses not listed.

Figure 3 - subject titles outlined in red.



 <p>PO Box 156 13 Smith Street Longford TAS 7301 Email: council@nmc.tas.gov.au Web: www.northernmidlands.tas.gov.au</p>	<p>Base data from theLIST, © State of Tasmania. For actual boundaries refer Title Plan. Base image by TASMAR, © 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.</p>	14/09/2020
		1:7500

Public Exhibition

Public Exhibition of the draft amendment and permit occurs after it has been certified, as per section 38 of the *Land Use Planning and Approvals Act 1993*:

- (1) After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in [section 32](#), the planning authority must –
 - (a) cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period agreed to by the planning authority and the Commission; and
 - (b) advertise, as prescribed, the exhibition of the draft amendment.

6 FINANCIAL IMPLICATIONS TO COUNCIL

Assessment of the application is within budget allocations.

7 OPTIONS

Initiation of draft amendment

Council can:

- Initiate the draft amendment; or
- Not initiate the draft amendment

Certification of draft amendment

If Council initiates the draft amendment, Council can:

- Certify the draft amendment as meeting the requirements of section 32; or
- Modify the draft amendment until meets the requirements of section 32, and then certify it.

8 DISCUSSION

8.1 ASSESSMENT FOR CONSISTENCY WITH SECTION 32 OF THE LAND USE PLANNING & APPROVALS ACT 1993

Section 32 of the Land Use Planning & Approvals Act 1993 requires that an amendment of a planning scheme–

Must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area.

Comment: In the Low Density Residential zone in southern Longford, the planning scheme currently allows new uses for horse training or veterinary establishments if they are directly associated with horse racing.

The draft amendment proposes to make new uses for horse breeding, boarding or training and veterinary centres ‘permitted’ (with permit) in the Low Density Residential zone in southern Longford.

Adjacent land is zoned General Residential (contains single and multiple dwellings), Recreation (contains the Longford Racecourse), General Industrial (contains the Longford Brickworks), Utilities (contains a Waste Transfer Station and gas off-take) and Rural Resource.

Table 8.2 Use Classes

Use Class	Description
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 .
Domestic animal breeding, boarding or training	use of land for breeding, boarding or training domestic animals. Examples include an animal pound, cattery and kennel.
Sports and recreation	use of land for organised or competitive recreation or sporting purposes including associated clubrooms. Examples include a bowling alley, fitness centre, firing range, golf course or driving range, gymnasium, outdoor recreation facility, public swimming pool, race course and sports ground.

It is considered that making new uses for horse breeding, boarding or training or veterinary establishments ‘permitted’ (with permit) avoids the potential for land use conflict with the adjacent land.

Must be consistent with the Regional Land Use Strategy and any mandatory provisions ([section 300](#)).

Comment: The Regional Land Use Strategy identifies this part of Longford as a Supporting Consolidation Area and identifies Longford as a District Service Centre.

District Service Centres are identified as being significant regional settlement areas with an important sub-regional role in terms of access to a wide range of services, education and employment opportunities.

Employment within District Centres is strongly related to surrounding productive resources. The draft amendment is consistent with the Regional Land Use Strategy.

The draft amendment is consistent with mandatory provisions under section 30(O) of the former provisions of the *Land Use Planning & Approvals Act 1993*.

Must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

Comment: Use and development permissible under the amendment is expected to have a positive impact in environmental, economic and social terms.

Must be consistent with the overarching requirements for planning schemes [sections 20(2), (3), (4), (5), (6), (7), (8), and (9)]:

(2) A planning scheme may–

(aa) make any provision which relates to the use, development, protection or conservation of any land in the area; and

(a) set out policies and specific objectives; and

(b) regulate or prohibit the use or development of any land; and

(c) designate land as being reserved for public purposes; and

(d)

(e) set out requirements for the provision of public utility services to land; and

(f) require specified things to be done to the satisfaction of the Commission, relevant agency or planning authority; and

(g) apply, adopt or incorporate any document which relates to the use, development or protection of land; and

(h) provide that any use or development of land is conditional on an agreement being entered into under Part 5; and

(ha) set out provisions relating to the implementation in stages of uses or developments; and

(i) provide for any other matter which this Act refers to as being included in a planning scheme; and

(j) provide for an application to be made to a planning authority to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme.

Comment: The draft amendment does not conflict with the requirements in section (2)(aa-j) above.

(3) Subject to subsections (4), (5) and (6), nothing in any planning scheme is to be taken (including by virtue of requiring a permit to be obtained) to–

(a) prevent the continuance of the use of any land, upon which buildings or works are not erected, for the purposes for which it was being lawfully used before the coming into operation of the scheme; or

(b) prevent the use of any building which was erected before that coming into operation for any purpose for which it was lawfully being used immediately before that coming into operation, or the maintenance or repair of such a building; or

(c) prevent the use of any works constructed before that coming into operation for any purpose for which they were being lawfully used immediately before that coming into operation; or

(d) prevent the use of any building or works for any purpose for which it was being lawfully erected or carried out immediately before that coming into operation; or

(e) require the removal or alteration of any lawfully constructed buildings or works; or

(f) prevent a development, which was lawfully commenced but not completed before the coming into operation of the scheme, from being completed within–

(i) 3 years of that coming into operation; or

(ii) any lesser or greater period specified in respect of the completion of that development under the terms of a permit or special permit granted before the coming into operation of the scheme.

Comment: The draft amendment does not conflict with these requirements.

(4) Subsections (3) and (3A) do not apply to a use of land–

(a) which has stopped for a continuous period of 2 years; or

(b) which has stopped for 2 or more periods which together total 2 years in any period of 3 years; or

(c) in the case of a use which is seasonal in nature, if the use does not take place for 2 years in succession.

Comment: The draft amendment does not conflict with these requirements.

(5) [Subsection \(3\)](#) does not apply to the extension or transfer from one part of a parcel of land to another of a use previously confined to the first-mentioned part of that parcel of land.

Comment: The draft amendment does not conflict with these requirements.

(6) [Subsections \(3\)](#) and [\(3A\)](#) do not apply where a use of any land, building or work is substantially intensified.

Comment: The draft amendment does not conflict with these requirements.

(7) Nothing in any planning scheme or special planning order affects –

(a) forestry operations conducted on land declared as a private timber reserve under the [Forest Practices Act 1985](#); or

(b) the undertaking of mineral exploration in accordance with a mining lease, an exploration licence, or retention licence, issued under the [Mineral Resources Development Act 1995](#), provided that any mineral exploration carried out is consistent with the standards specified in the Mineral Exploration Code of Practice; or

(c) fishing; or

(d) marine farming in State waters.

Comment: The draft amendment does not conflict with these requirements.

(8) The coming into operation of a planning scheme or a special planning order does not legitimize a use or development which was illegal under a planning scheme or a special planning order in force immediately before that coming into operation.

Comment: The draft amendment does not conflict with these requirements.

(9) A planning scheme may require a use to which [subsection \(3\)](#) applies to comply with a code of practice approved or ratified by Parliament under an Act.

Comment: The draft amendment does not conflict with these requirements.

Must seek to further the objectives in Schedule 1 of the Act

Part 1 – The objectives of the resource management and planning system of Tasmania are –

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

Comment: The draft amendment results in the efficient use of land for residential purposes in a location identified and supported in the Regional Land Use Strategy.

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

Comment: The site is within an area identified within the Regional Land Use Strategy that is a Supporting Consolidation Area. The proposed subdivision as a result of the amendment will result in efficient utilisation of existing services.

(c) to encourage public involvement in resource management and planning.

Comment: If initiated, the draft amendment will be placed on public exhibition, providing an opportunity for public involvement.

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

Comment: The draft amendment is consistent with this objective.

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

Comment: The application was referred to TasWater. It will be decided on by the Tasmanian Planning Commission, consistent with this objective.

Part 2 – The objectives of the planning process established by the Act are, in support of the objectives set out in Part 1 of the Schedule –

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

Comment: The proposed General Residential zone is consistent with the surrounding zone and land uses. The draft amendment is consistent with the Regional Land Use Strategy. The proposal is therefore consistent with this objective.

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

Comment: The Northern Midlands Interim Planning Scheme 2013 is the planning instrument that applies to the subject land.

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

Comment: Future development of the site will be connected to reticulated sewer and stormwater systems or dispose of on-site in accordance with relevant standards. The proposal is consistent with this objective.

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

Comment: The draft amendment is consistent with this objective.

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

Comment: The draft amendment is consistent with this objective.

(f) *to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania.*

Comment: The draft amendment is consistent with this objective.

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

Comment: The draft amendment is consistent with this objective.

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

Comment: No adverse impact on public infrastructure has been identified through the referral process. It is considered that the draft amendment is consistent with this objective.

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

Comment: The draft amendment does not impact on agricultural land capability.

Must be in accordance with State Policies.

State Policy for the Protection of Agricultural Land – the site is within an urban area.

Water Quality Management State Policy – the site is connected to reticulated stormwater system.

State Coastal Policy - There is no coastal land within the municipal area of the Northern Midlands.

National Environmental Protection Measures – There are none relevant to this application.

RECOMMENDATION

- A) That Council, under section 34 (1) (former provisions) of the Land Use Planning and Approvals Act 1993, initiate Draft Scheme Amendment 04/2020 to the Northern Midlands Interim Planning Scheme 2013 by inserting the following into clause 12.2 Low Density Residential Zone Use Table:

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

21 SEPTEMBER 2020

Permitted	
Use Class	Qualification
Business and professional services	If: on CT 110574/1, 110574/2, 111673/1, 111673/2, 112949/3, 113908/1, 113908/2, 122095/3, 124312/1, 135118/1, 135118/2, 135118/3, 140326/1, 157278/1, 157278/2, 164829/1, 164829/2, 167605/1, 171035/1, 171035/2, 173613/1, 173613/2, 173613/6, 173613/1, 173613/2, 173613/6, 173613/1, 173613/6, 177618/1, 177618/2, 177618/2, 19327/2, 19327/3, 244840/1, 244841/1, 26599/1, or 63989/1; and for veterinary centre.
Domestic animal breeding, boarding or training	If: on CT 110574/1, 110574/2, 111673/1, 111673/2, 112949/3, 113908/1, 113908/2, 122095/3, 124312/1, 135118/1, 135118/2, 135118/3, 140326/1, 157278/1, 157278/2, 164829/1, 164829/2, 167605/1, 171035/1, 171035/2, 173613/1, 173613/2, 173613/6, 173613/1, 173613/2, 173613/6, 173613/1, 173613/6, 177618/1, 177618/2, 177618/2, 19327/2, 19327/3, 244840/1, 244841/1, 26599/1, or 63989/1; and not for animal pound, cattery or kennel.

AND

- B) That Council, under section 35 (1) (former provisions) of the Land Use Planning and Approvals Act 1993, certify Draft Amendment 04/2020 as meeting the requirements of section 32 of the Act, and place it on Public Exhibition for 28 days, in accordance with section 38 of the Act.

DECISION

Cr Davis/Cr Adams

That the matter be discussed.

Carried unanimously

Cr Davis/Cr Adams

- A) That Council, under section 34 (1) (former provisions) of the Land Use Planning and Approvals Act 1993, initiate Draft Scheme Amendment 04/2020 to the Northern Midlands Interim Planning Scheme 2013 by inserting the following into clause 12.2 Low Density Residential Zone Use Table:

Permitted	
Use Class	Qualification
Business and professional services	If: on CT 110574/1, 110574/2, 111673/1, 111673/2, 112949/3, 113908/1, 113908/2, 122095/3, 124312/1, 135118/1, 135118/2, 135118/3, 140326/1, 157278/1, 157278/2, 164829/1, 164829/2, 167605/1, 171035/1, 171035/2, 173613/1, 173613/2, 173613/6, 173613/1, 173613/2, 173613/6, 173613/1, 173613/6, 177618/1, 177618/2, 177618/2, 19327/2, 19327/3, 244840/1, 244841/1, 26599/1, or 63989/1; and for veterinary centre.
Domestic animal breeding, boarding or training	If: on CT 110574/1, 110574/2, 111673/1, 111673/2, 112949/3, 113908/1, 113908/2, 122095/3, 124312/1, 135118/1, 135118/2, 135118/3, 140326/1, 157278/1, 157278/2, 164829/1, 164829/2, 167605/1, 171035/1, 171035/2, 173613/1, 173613/2, 173613/6, 173613/1, 173613/2, 173613/6, 173613/1, 173613/6, 177618/1, 177618/2, 177618/2, 19327/2, 19327/3, 244840/1, 244841/1, 26599/1, or 63989/1; and not for animal pound, cattery or kennel.

AND

- B) That Council, under section 35 (1) (former provisions) of the Land Use Planning and Approvals Act 1993, certify Draft Amendment 04/2020 as meeting the requirements of section 32 of the Act, and place it on Public Exhibition for 28 days, in accordance with section 38 of the Act.

Carried unanimously

**316/20 PLANNING APPLICATION PLN-20-0167:
158 WELLINGTON STREET, LONGFORD**

File Number: 113600.8; CT 38119/2
Responsible Officer: Des Jennings, General Manager
Report prepared by: Erin Miles, Development Supervisor

1 INTRODUCTION

This report assesses an application for 158 Wellington Street, Longford to construct alterations & 2nd story addition to dwelling (vary building envelope).

2 BACKGROUND

Applicant:

Design to Live

Zone:

General Residential Zone

Classification under the Scheme:

Residential (single dwelling)

Deemed Approval Date:

25.09.2020

Owner:

James Patrick & Tiana Louise Cassidy-Cooper

Codes:

Car Parking and Sustainable Transport Code

Existing Use:

Residential

Recommendation:

Approve

Discretionary Aspects of the Application

- Reliance on the performance criteria of the General Residential Zone (clauses 10.4.2 P3; 10.4.5 P1, 10.4.6 P2).

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 31, Effective from 27.08.2020.*

Subject site



3 STATUTORY REQUIREMENTS

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

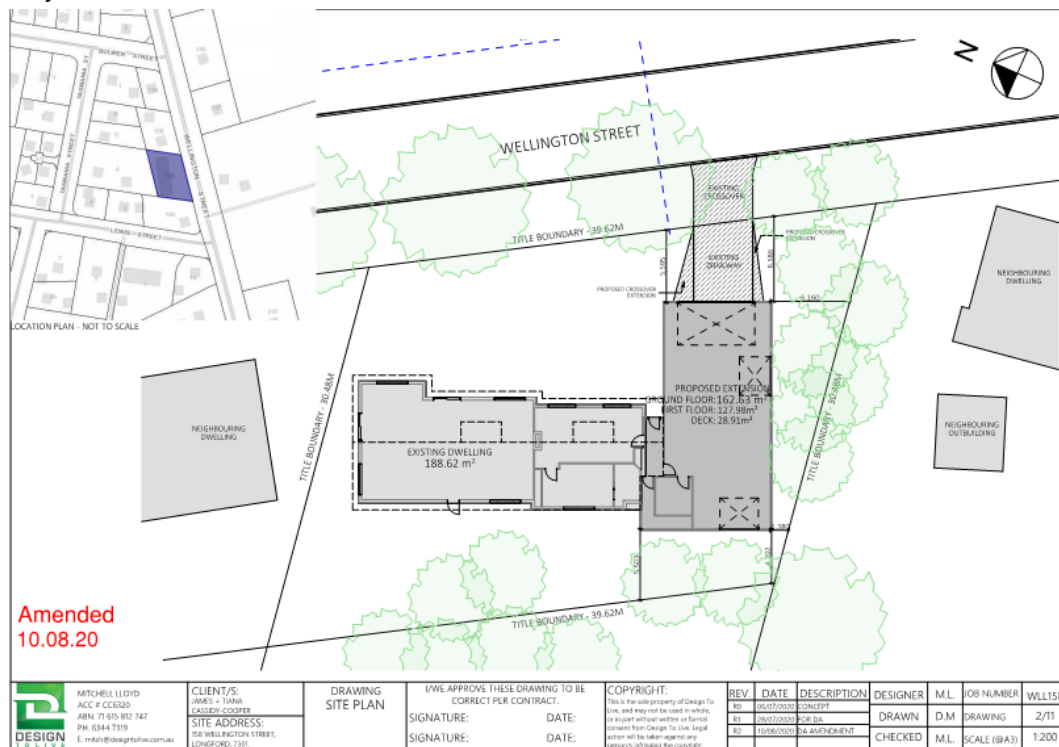
4 ASSESSMENT

4.1 Proposal

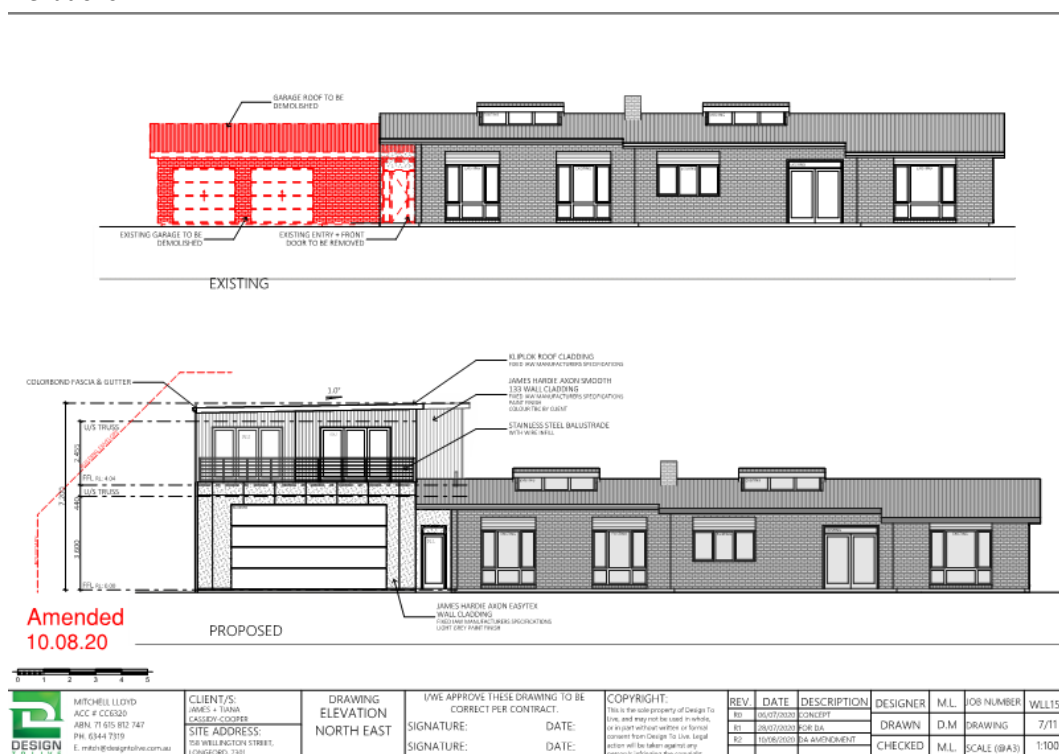
It is proposed to construct:

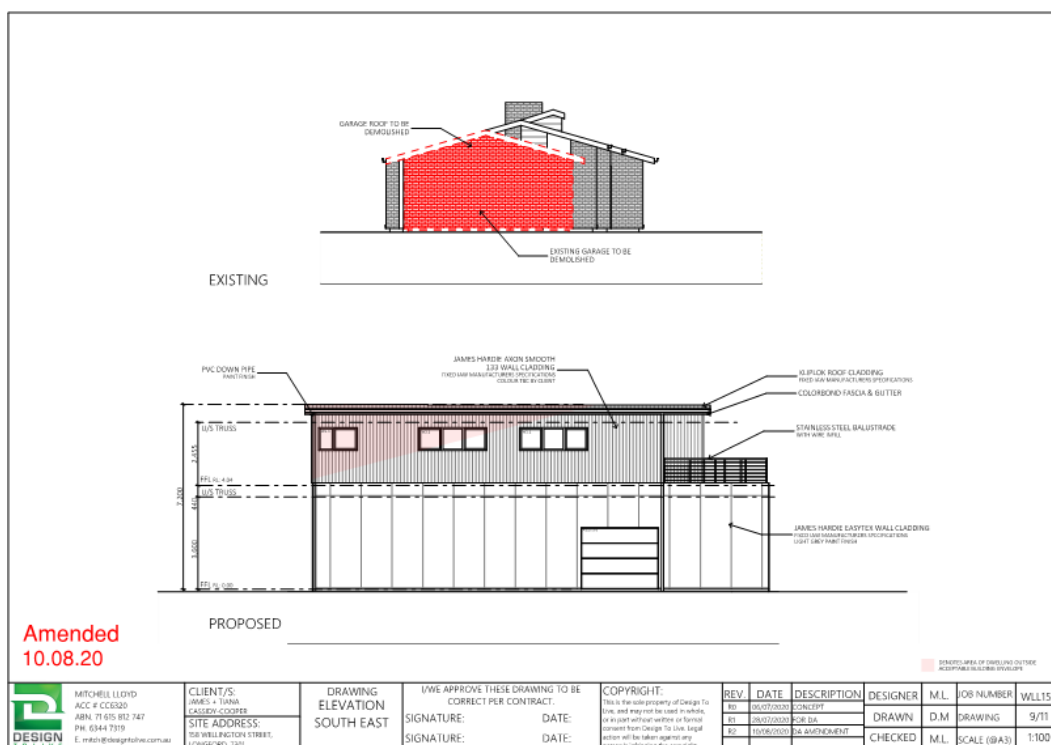
- Dwelling alterations & 2nd story addition to dwelling (vary building envelope).

Subject site



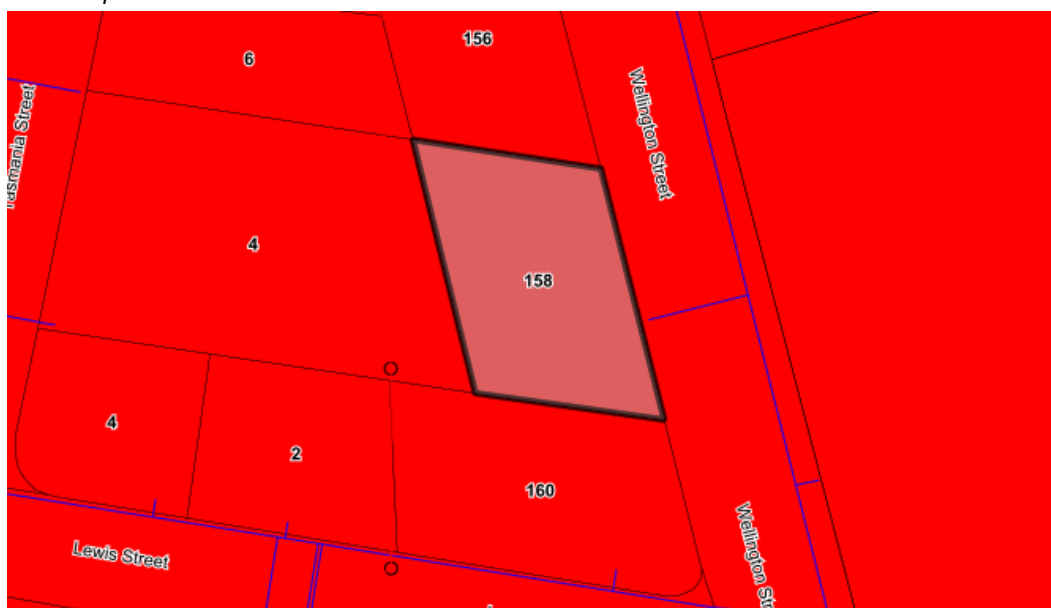
Elevations





4.2 Zone and land use

Zone Map – General Residential Zone



The land is zoned General Residential and is subject to the Car Parking and Sustainable Transport Code.

The relevant Planning Scheme definition is:

single dwelling	means a dwelling on a lot on which no other dwelling is situated; or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.
dwelling	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.
outbuilding	means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.

A residential (single dwelling) use in the zone is 'no permit required', however, a variation to the development standards caused the application to become discretionary.

4.3 Subject site and locality

The author of this report carried out a site visit on the 21st August 2020. The subject site is a 1118m² lot and contains an existing single dwelling. The site is surrounded by established residential uses and has a 39.62m long frontage to Wellington Street.

Aerial photograph of area



Photographs of subject site





4.4 Permit/site history

Relevant permit history includes:

- DA155/88 – dwelling.

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:

- Mark Rhodes, via email.

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

Issue 1

- Application doesn't comply with acceptable solution of clause 10.4.2.

Planner's comment:

The representation states that the proposal needs to rely on part 'b' of the acceptable solution. This is not correct, as the components of the acceptable solution are separated by the word "or". As the proposal achieves a 5.5m front setback, part 'a' of the acceptable solution is met, and no assessment against part 'b' or 'c' is required.

Issue 2

- Reliance on vegetation that is inaccurately detailed in the plans to determine compliance with clauses 10.4.2 P3 and 10.4.5 P1.

Planner's comment:

An inspection of the site was undertaken in person, to determine the effectiveness of existing vegetation in

screening the development and the existing level over shadowing created by the vegetation. This is combined with an analysis of the floor plan and layout of the site of the adjoining dwelling, and calculation of shadow length cast by the development, when undertaking an assessment. Vegetation does not necessarily have to be exactly the same height as the development to provide effective screening when viewed from the adjoining property. The proposed development will cast a shadow of between 16-18m between 11am and 2pm on the 21st June respectively, and the dwelling to the south is located approximately 16m from the proposed extension at the closest point. The shadow height at the furthest point will be low to the ground (below standard window height) and the shadow length will decrease considerably as day length increases.

Issue 3

- Proposed garage door does not satisfy clause 10.4.5 P1.

Planner's comment:

In order to serve the purpose of a garage opening that is accessible by vehicles, it is inevitable that the door will be visible, when viewed directly from the frontage. The proposal relies on the performance criteria of this clause, due to the garage door being slightly larger than the 6m width required by the acceptable solution (approximately 7m proposed). The proposed double garage has been designed to minimise the width that is visible from the street, while still serving the function of allowing access to the double garage. The proposed garage is located 5.5m from the frontage (compliant setback), is screened from north bound traffic by existing vegetation, and achieves good proportions given the 39m + frontage to Wellington Street, which assists in assuring that the garage opening does not dominate the primary frontage.

Issue 4

- Issues with drawings
 - Setback dimensions given to internal face of framing rather than external face of cladding
 - Vegetation shown to south of driveway in nature strip on site plan does not exist
 - Roof of existing dwelling is incorrect (has three distinct 'zones' relating to variations in façade depth and likely sits lower than shown)
 - Renders exaggerate height of some trees

Planner's comment:

- The width of the wall is notated on the plans and therefore the setback from the face of the building is able to be determined.
- An on-site inspection has been undertaken to determine the status/location of existing vegetation.
- No works are proposed to the existing roofline of the dwelling and the drawings are generally in accordance with the existing roof.
- An on-site inspection has been undertaken to determine the status/location of existing vegetation and the vegetation shown in the drawings are conceptual and do not impact on the assessment of the proposal.

4.6 Referrals

TasWater

The application was referred to Taswater on the 24.08.2020, who responded:

Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1) TasWater has assessed the application for the above mentioned permit and has determined that the proposed development does not require a submission from TasWater.

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.

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

21 SEPTEMBER 2020

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.

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.

PRECIS OF DEVELOPMENT STANDARDS FOR SINGLE DWELLINGS

10.4.2 Setback and building envelopes for dwellings

	A1	Unless within a building area, then
✓	(a)	4.5m from primary frontage; or not less than existing dwelling on site; OR
N/a	(b)	3m to secondary frontage; or not less than existing dwelling on site; OR
N/a	(b)	if vacant lot, setback which is not more or less than dwellings on immediately adjoining lots; OR
N/a	(c)	not less than the existing dwelling setback if less than 4.5m; OR
N/a	(d)	as per road setback specified in Planning Scheme
	A2	Garage or carport to be set back:
✓	(a)	5.5m from primary frontage or 1m behind the façade, OR
N/a	(b)	The same as the dwelling façade if under dwelling
N/a	(c)	1m if gradient > 1:5 for 10m from frontage
	A3	Dwellings (excluding minor protrusions extending to 1.5m)
X	(a)	to be within building envelope (i) frontage setback (as above), or 4.5m from rear boundary of adjoining frontage lot for internal lot (ii) 45 degrees from the horizontal at a height of 3m above natural ground level, 4m rear setback, and max height 8.5m AND
✓	(b)	1.5m side setback or built to the boundary (existing boundary wall within .2m of boundary or; 9m or ⅓ of the side boundary, whichever is lesser)

10.4.3 Site coverage and private open space for dwellings

✓	A1	(a) max. site coverage of 50% (excluding eaves)
✓		(c) at least 25% free from impervious surfaces
✓	A2	(a) POS of 24m ² in one location
✓		(b) horizontal dimension of 4m; AND
✓		(c) directly accessible from, & adjacent to, a habitable room (other than bedroom); AND
✓		(d) not located to the S, SE or SW of dwelling, unless receives at least 3 hours of sunlight to 50% of area between 9am and 3pm on 21June; AND
✓		(e) between dwelling and frontage only if frontage is orientated between 30 degrees west of north and 30 degrees east of north; AND
✓		(f) not steeper than 1:10; AND
✓		(g) not used for vehicle parking

10.4.4 Sunlight and overshadowing

✓	A1	1 habitable room (other than bedroom) with window facing between 30 degrees west of north and 30 degrees east of north
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10.4.5 Width of openings for garages and carports

X	A1	Garage or carport within 12m of a primary frontage (whether free-standing or not), total width of openings facing frontage of < 6m or half the width of the frontage (whichever is lesser).
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10.4.6 Privacy

X	A1	Balconies, decks, carports etc. OR windows/glazed doors to a habitable room, more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary – 3m (b) rear boundary – 4m
	A2	Window or glazed door to be offset 1.5m from neighbour's window, OR sill height 1.7m above floor level, OR

		obscure glazing to 1.7m OR external screen to 1.7m
10.4.7 Frontage fences for single dwellings		
	N/a	A1 Applies to maximum building height of fences on and within 4.5m of a frontage
	N/a	(a) 1.2m if solid; OR
	N/a	(b) 1.8m if above 1.2m has openings which provide a minimum 50% transparency
Easements		
	✓	No construction over an easement

The application meets the acceptable solutions of the General Residential zone, except for the variation to the building envelope, garage door width and privacy provisions. Accordingly, the development relies on the following performance criteria:

10.4.2

P3	The siting and scale of a dwelling must:
(a)	not cause unreasonable loss of amenity by:
(i)	reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or
(ii)	overshadowing the private open space of a dwelling on an adjoining lot; or
(iii)	overshadowing of an adjoining vacant lot; or
(iv)	visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and
(b)	provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Comment –

The proposal relies on the performance criteria of this clause, due to the rear portion of the 2nd story addition being outside of the building envelope. The development is not parallel with the boundary, therefore, the front portion of the addition is compliant with the building envelope. The dwelling on the adjoining lot to the south is located in south eastern corner of the lot and is approximately 15m from the proposed addition at the closest point and will therefore not be unreasonably impacted by overshadowing to habitable room windows. The proposed development will cast a shadow of between 16-18m between 11am and 2pm on the 21st June respectively, and the dwelling to the south is located approximately 16m from the proposed extension at the closest point (which is closer than the point at which the variation occurs). The shadow height at the furthest point will be low to the ground (below standard window height) and the shadow length will decrease considerably as day length increases.

The lot to the south has a similar land area of 1200m²+, allowing for a substantial area of private open space that will be free from any overshadowing, throughout the day. Existing vegetation on the common boundary already creates a degree of shadowing, lessening the impact of shadowing created by the proposed development, as well as assisting with the visual impact of the addition. The large lot sizes and character of single dwellings will mean that the addition will retain a separation between dwellings on adjoining lots that is compatible with the surrounding area.

10.4.5 Width of openings for garages and carports for all dwellings

P1	A garage or carport must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.
----	--

Comment –

The proposal relies on the performance criteria of this clause, due to the garage door being slightly larger than the 6m width required by the acceptable solution (approximately 7m proposed). The proposed double garage has been designed to minimise the width that is visible from the street, while still serving the function of allowing access to the double garage. The proposed garage is located over 5.5m from the frontage (compliant setback), is screened from north bound traffic by existing vegetation, and achieves good proportions given the 39m + frontage to Wellington Street, which assists in assuring that the garage opening does not dominate the primary frontage.

10.4.6 Privacy for all dwellings

P2	A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views to:
(a)	window or glazed door, to a habitable room of another dwelling; and
(b)	the private open space of another dwelling; and
(c)	an adjoining vacant residential lot.

Comment –

Variation sought to bedroom 1 window, due to a setback of approximately 2.4m from the site boundary. The window at this point is located adjacent the rear of the garage of the dwelling to the south and established vegetation also provides screening. The window location therefore minimises direct views to neighbouring habitable windows and private open space.

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

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 – 2+ parking spaces available within garage. No intensification of parking spaces required, nor reduction in available parking as a result of the development.
E7.0 SCENIC MANAGEMENT CODE	N/a
E8.0 BIODIVERSITY CODE	N/a
E9.0 WATER QUALITY CODE	N/a
E10.0 RECREATION AND OPEN SPACE CODE	N/a
E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0 AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0 LOCAL HISTORIC HERITAGE CODE	N/a
E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a
SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a
SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	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	
<i>Statutory Planning</i>	

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on the performance criteria of the General Residential Zone (clauses 10.4.2 P3; 10.4.5 P1, 10.4.6 P2).

A representation was received, raising concerns that some provisions of the planning scheme are not met. A full assessment of the proposal, including on-site inspection, has been completed and determined that some of the matters raised are not relevant, or the corresponding performance criteria is met in the opinion of the assessing planner. A letter of support for the development was lodged with the application by the adjoining property owner.

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 158 Wellington Street, Longford be approved to be developed and used for alterations & 2nd story addition to dwelling (vary building envelope) in accordance with application PLN-20-0167, and subject to the following condition:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P11** (*Drawing No: WLL158, Sheet No's: 1-11, Dated: 15.9.2020*).

DECISION

Cr Polley/Cr Calvert

That the matter be discussed.

Carried unanimously

Cr Calvert/Cr Davis

That land at 158 Wellington Street, Longford be approved to be developed and used for alterations & 2nd story addition to dwelling (vary building envelope) in accordance with application PLN-20-0167, and subject to the following condition:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P11** (*Drawing No: WLL158, Sheet No's: 1-11, Dated: 15.9.2020*).

Carried unanimously

317/20 PLANNING APPLICATION PLN-20-0081: 7A SCONE STREET, PERTH

File Number: 112100.04; CT179326/2
Responsible Officer: Des Jennings, General Manager
Report prepared by: Erin Miles, Development Supervisor

1 INTRODUCTION

This report assesses an application for 7a Scone Street, Perth to construct a dwelling & shed (vary rear and side [S & N] setbacks, private open space provisions; within heritage precinct).

2 BACKGROUND

Applicant:

J & B Fidler

Owner:

Joseph Clive Fidler & Betty Evelyn Fidler

Zone:

General Residential Zone

Codes:

Heritage Precinct

Classification under the Scheme:

Discretionary

Existing Use:

Residential

Deemed Approval Date:

25.09.2020

Recommendation:

Approve

Discretionary Aspects of the Application

- Reliance on the performance criteria of the General Residential Zone (Clause 10.4.2 P3 & 10.4.3 P2).

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 31, Effective from 27th August 2020.*

Subject site



3 STATUTORY REQUIREMENTS

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

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

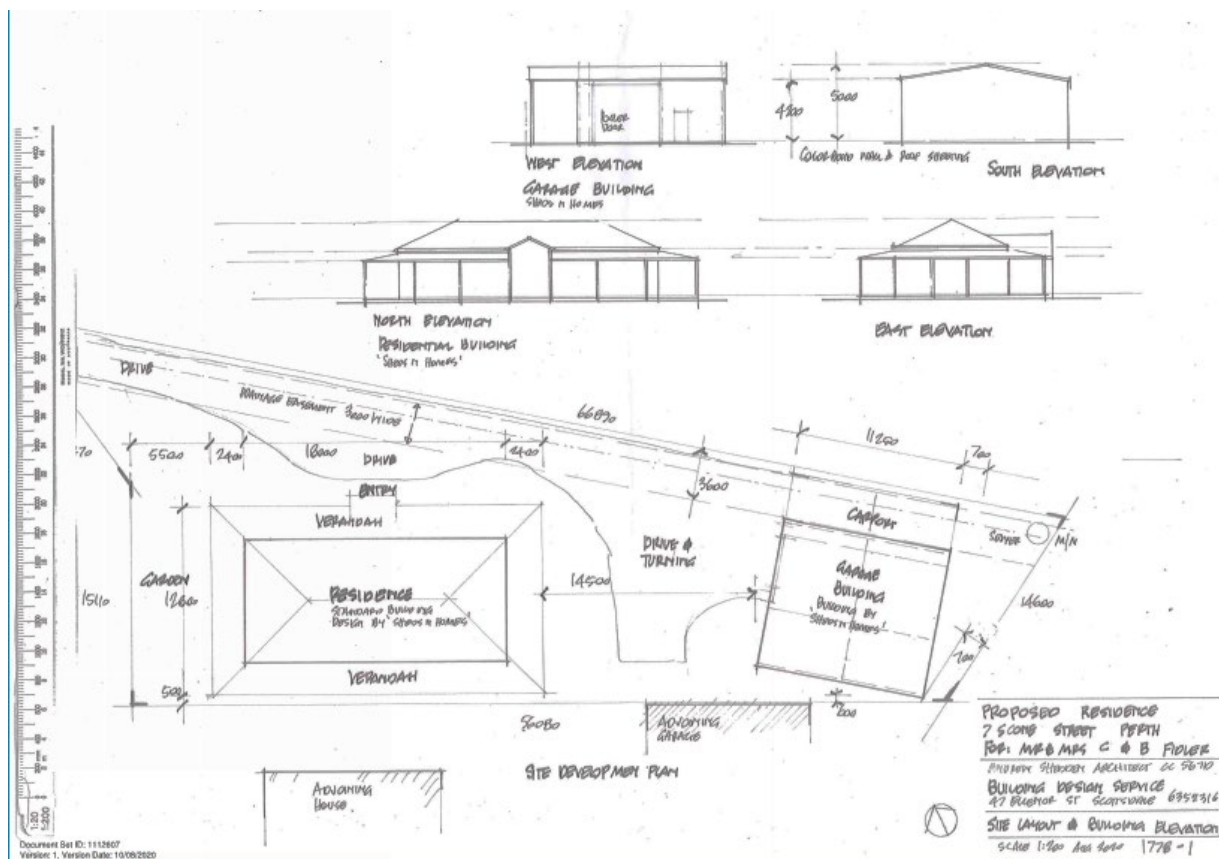
4 ASSESSMENT

4.1 Proposal

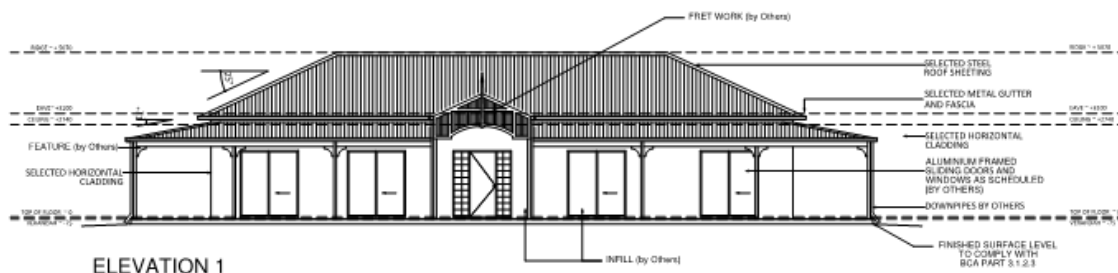
It is proposed to:

- Construct a four bedroom dwelling & shed (vary rear and side [S & N] setbacks, private open space provisions; within heritage precinct).

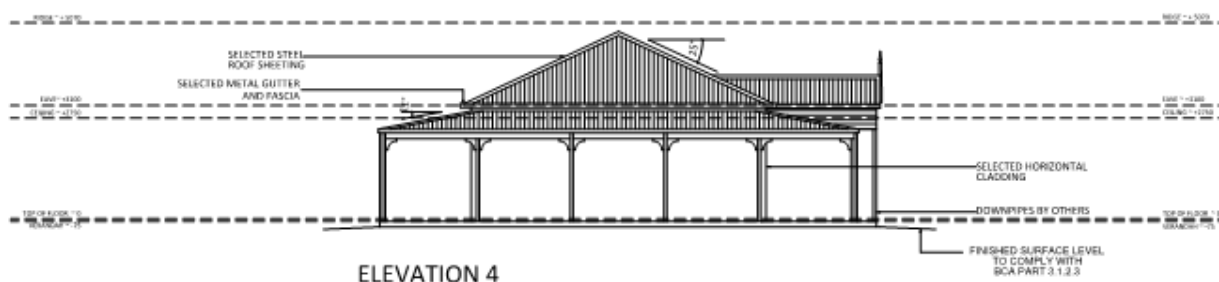
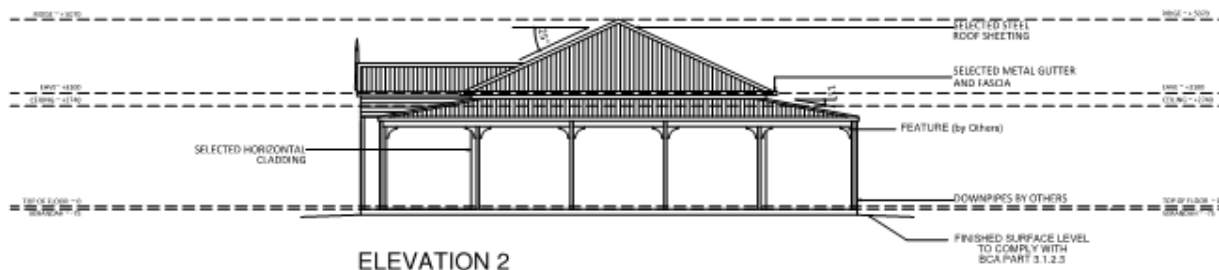
Site Plan



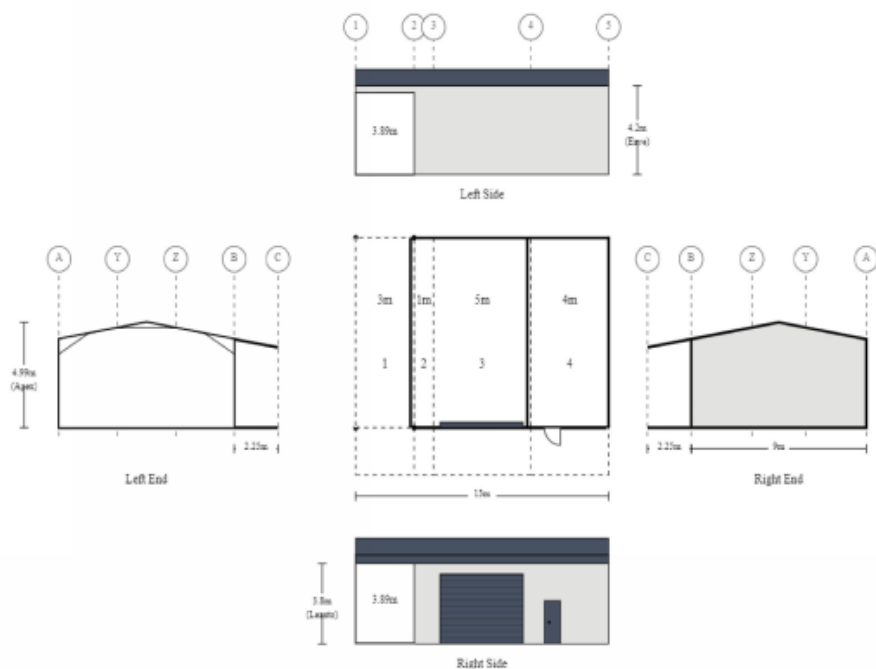
Elevations



Purchaser Name: Betty & Clare Edler Site Address: 7 Stone Street Perth TAS 7300 Australia Plotting # 9, 1403087 - 2 Print Date: 27/04/20	Engineering Page 2 of 12 © Copyright Steeds P Pty Ltd	Steeds Homes Launceston Steeds Pty Ltd Phone: 0437128413 Fax: 0437128413 Email: ian.thomson@steedshomes.com.au	TNC ENGINEERING PTY LTD ACN 610 855 280 MC Aust. (Regulated MEM Structural & Civil) 2741240 QLD RPSQ No. 13752 MC - 6044848 TAG - 004948 N.T. 2052145; Practising Professional Structural & Civil Engineers Signature: <i>R. Nancarrow</i> Date: 27/04/20
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Client Ref: ref: Perth TAS 7300 Australia 2 Print Date: 27/04/20	Engineering Page 4 of 12 © Copyright Steeds P Pty Ltd	Steeds Homes Launceston Steeds Pty Ltd Phone: 0437128413 Fax: 0437128413 Email: ian.thomson@steedshomes.com.au	TNC ENGINEERING PTY LTD ACN 610 855 280 MC Aust. (Regulated MEM Structural & Civil) 2741240 QLD RPSQ No. 13752 MC - 6044848 TAG - 004948 N.T. 2052145; Practising Professional Structural & Civil Engineers Signature: <i>R. Nancarrow</i> Date: 27/04/20
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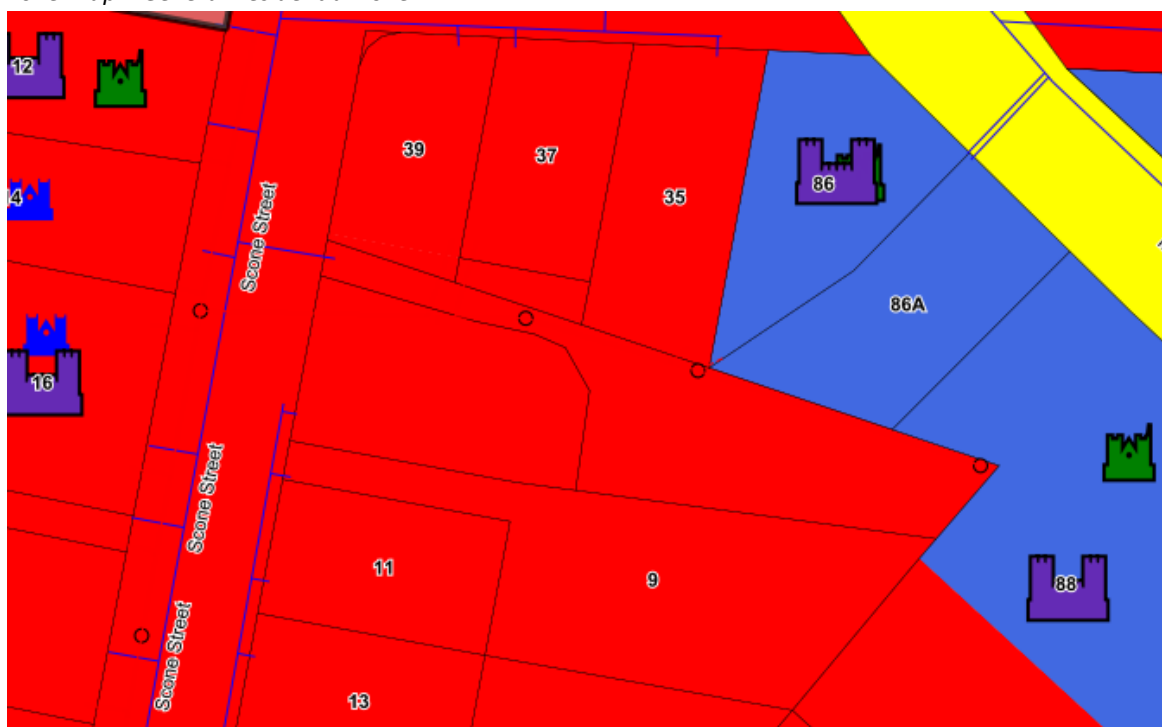


Amended
29.05.20

<p>Site</p> <p>Print Date: 30/05/20 revised Date: 29/05/20 - BR</p>	<p>Layout</p> <p>Not to Scale</p> <p>© Copyright Steels IP Pty Ltd</p>	<p>Seller: Steels in Homes Luncannon Riverside Pty Ltd Phone: 0807 028419 Fax: Email: van@steelsinhomes.com.au</p>	<p>TNC ENGINEERING PTY LTD ACN: 610 855 240 MFR: Aust. (Registered) Structural & Civil 2741240 QLD: FRQC No. 13750; VIC: ECHM44; TAS: CC0466; NT: 2252165; Practising Professional Structural & Civil Engineers</p> <p>Signature: <i>R. Nascarrow</i> R. Nascarrow Date: 26/03/20</p>
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4.2 Zone and land use

Zone Map – General Residential Zone



The land is zoned General Residential and is within the Heritage Precinct.

The relevant Planning Scheme definition is:

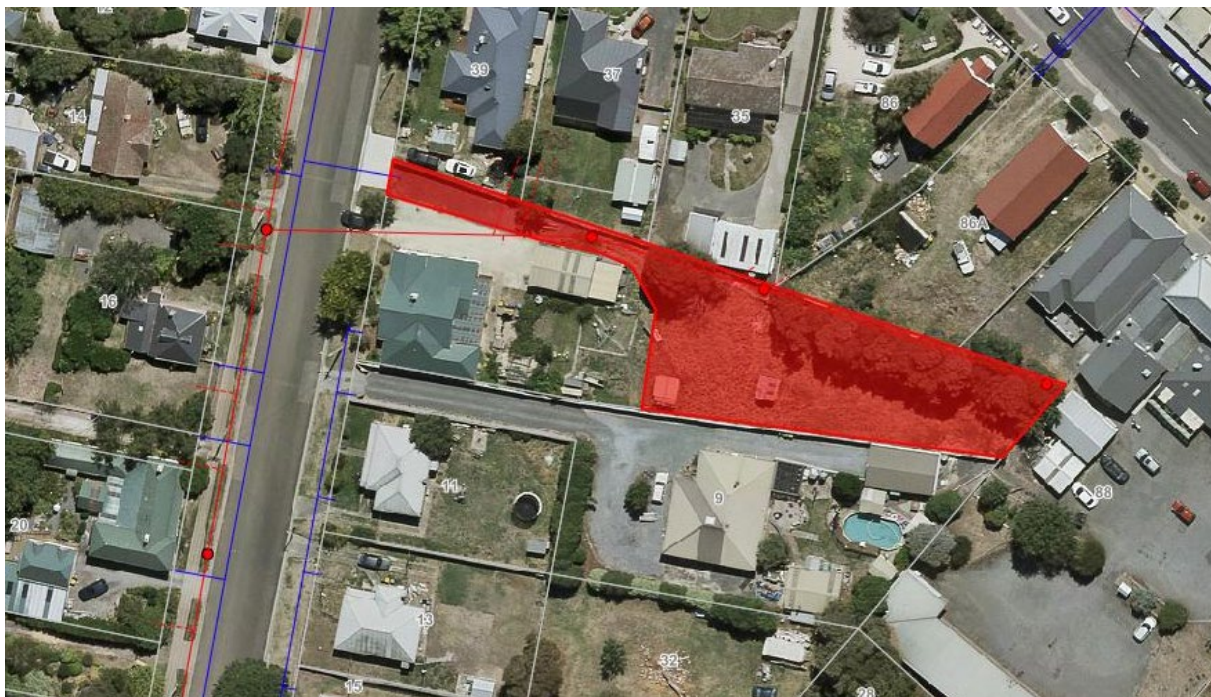
<i>single dwelling</i>	<i>means a dwelling on a lot on which no other dwelling is situated; or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.</i>
<i>outbuilding</i>	<i>means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.</i>

Residential is Discretionary in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on 10.9.2020. The subject site is 1316m² internal lot, with a 3m easement running along the northern boundary. The block tapers to a 14.6m rear setback and is surrounded by established residential uses, except for the land to the east, which contains a pub and ancillary accommodation.

Aerial photograph of area



Photographs of subject site







4.4 Permit/site history

Relevant permit history includes:

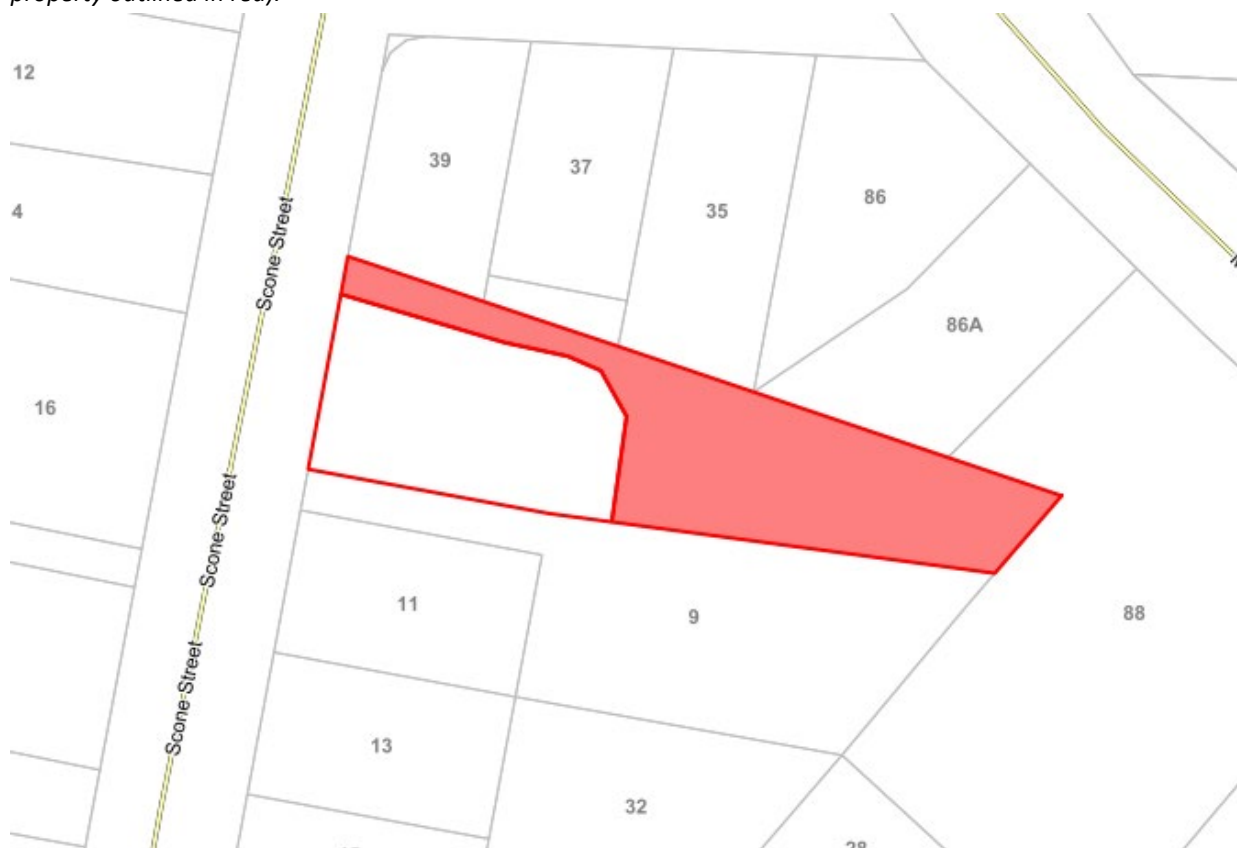
- P13-054 – 2-lot subdivision.

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 a representation (attached) was received from:

- J & K Pirlot, 7 Scone Street, Perth.

Map showing location of representor's property in relation to subject site (subject site highlight, representors property outlined in red).



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

Issue 1

- Non-compliance with clause 10.4.2 of the planning scheme – separation between dwellings, consistency in scale, bulk, massing and proportions of shed with adjoining dwellings, potential overshadowing of 9 Scone Street.

Planner's comment:

The separation between dwellings on the adjoining lots will change slightly, due to the infill nature of the development; however, the separation distances are compatible with that prevailing in the surrounding area within a radius of approximately 100m. The proposed shed is located adjacent to existing sheds to the east and south and will not cause any unreasonable loss of amenity as a result of overshadowing habitable room windows or private open space. The visual impact of the proposed shed will be consistent with the surrounding lots, which also contain sheds on or adjacent to the boundary. The shadow diagrams provided were reviewed for accuracy and this process established that during the middle of the day on the 21st June (shortest day), shadowing would be limited to the driveway area separating the two dwellings up to the base of the northern wall of the adjacent dwelling. Early morning, the proposed dwelling will result in some overshadowing of the northern windows, but not the eastern window to the dining area. Likewise, in the afternoon, some shadowing of the dining area will occur, but the northern and western windows to the living area will be unaffected. A full assessment of the proposal's compliance with clause 10.4.2 is provided in section 4.7 of this report.

4.6 Referrals

The following referrals were required:

TasWater

Summary: A Taswater Submission to Planning Authority Notice was issued on 24.08.2020 (Taswater Ref: TWDA 2020/01239-NMC).

Heritage Adviser

Summary:

Council's Heritage Advisor, David Denman, reviewed the application on the 25.08.2020. Mr Denman noted that he had no objections to the proposal and made the following comments:

The proposed dwelling and Shed will be located on an internal lot and will therefore not form part of the immediate historic streetscape.

The shed/Garage is located in the back corner with no impact on the streetscape.

The scale, form, height, and architectural detailing are all acceptable.

The proposal will not have any adverse impact on the historic heritage values of the streetscape. I have no objection to the proposal.

4.7 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE		
ZONE PURPOSE		
<i>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.</i>		
<i>To provide for compatible non-residential uses that primarily serve the local community.</i>		
<i>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.</i>		
<i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i>		
Assessment: The proposal meets the zone purpose.		
LOCAL AREA OBJECTIVES		
<i>To consolidate growth within the existing urban land use framework of the towns and villages.</i>		
<i>To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.</i>		
<i>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</i>		
Assessment: The proposal meets the local area objectives.		
PRECIS OF DEVELOPMENT STANDARDS FOR SINGLE DWELLINGS		
10.4.2 Setback and building envelopes for dwellings		
	A1	Unless within a building area, then
✓	(a)	4.5m from primary frontage; or not less than existing dwelling on site; OR
N/a	(b)	3m to secondary frontage; or not less than existing dwelling on site; OR
N/a	(b)	if vacant lot, setback which is not more or less than dwellings on immediately adjoining lots; OR
N/a	(c)	not less than the existing dwelling setback if less than 4.5m; OR
N/a	(d)	as per road setback specified in Planning Scheme
	A2	Garage or carport to be set back:
✓	(a)	5.5m from primary frontage or 1m behind the façade, OR
N/a	(b)	The same as the dwelling façade if under dwelling
N/a	(c)	1m if gradient > 1:5 for 10m from frontage
	A3	Dwellings (excluding minor protrusions extending to 1.5m)
x	(a)	to be within building envelope (i) frontage setback (as above), or 4.5m from rear boundary of adjoining frontage lot for internal lot (ii) 45 degrees from the horizontal at a height of 3m above natural ground level, 4m rear setback, and max height 8.5m AND
x	(b)	1.5m side setback or built to the boundary (existing boundary wall within .2m of boundary or; 9m or ⅓ of the side boundary, whichever is lesser)
10.4.3 Site coverage and private open space for dwellings		
✓	A1	(a) max. site coverage of 50% (excluding eaves)
✓		(c) at least 25% free from impervious surfaces
✓	A2	(a) POS of 24m ² in one location

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	✓	(b) horizontal dimension of 4m; AND
	x	(c) directly accessible from, & adjacent to, a habitable room (other than bedroom); AND
	✓	(d) not located to the S, SE or SW of dwelling, unless receives at least 3 hours of sunlight to 50% of area between 9am and 3pm on 21June; AND
	x	(e) between dwelling and frontage only if frontage is orientated between 30 degrees west of north and 30 degrees east of north; AND
	✓	(f) not steeper than 1:10; AND
	✓	(g) not used for vehicle parking
10.4.4 Sunlight and overshadowing		
	✓	A1 1 habitable room (other than bedroom) with window facing between 30 degrees west of north and 30 degrees east of north
10.4.5 Width of openings for garages and carports		
	N/a	A1 Garage or carport within 12m of a primary frontage (whether free-standing or not), total width of openings facing frontage of < 6m or half the width of the frontage (whichever is lesser).
10.4.6 Privacy		
	N/a	A1 Balconies, decks, carports etc. OR windows/glazed doors to a habitable room, more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: <ul style="list-style-type: none"> (a) side boundary – 3m (b) rear boundary – 4m A2 Window or glazed door to be offset 1.5m from neighbour's window, OR sill height 1.7m above floor level, OR obscure glazing to 1.7m OR external screen to 1.7m
10.4.7 Frontage fences for single dwellings		
	N/a	A1 Applies to maximum building height of fences on and within 4.5m of a frontage
	N/a	(a) 1.2m if solid; OR
	N/a	(b) 1.8m if above 1.2m has openings which provide a minimum 50% transparency
Easements		
	✓	No construction over an easement

The application meets the acceptable solutions of the General Residential zone, except for the variation to the southern side and rear setback and private open space provisions. Accordingly, the development relies on the following performance criteria:

10.4.2 Setbacks and building envelope for all dwellings

P3	<p>The siting and scale of a dwelling must:</p> <ul style="list-style-type: none">(a) not cause unreasonable loss of amenity by:<ul style="list-style-type: none">(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or(ii) overshadowing the private open space of a dwelling on an adjoining lot; or(iii) overshadowing of an adjoining vacant lot; or(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.
<p><u>Comment:</u></p> <p>Complies with P3. The variation is for the rear setback of the shed and southern side setback of the dwelling.</p> <p><u>Proposed shed</u></p> <p>The proposed shed is located adjacent to existing sheds to the east and south and will not cause any unreasonable loss of amenity as a result of overshadowing habitable room windows or private open space. None of the adjoining lots are vacant. The visual impact of the proposed shed will be consistent with the surrounding lots, which also contain sheds on or adjacent to the boundary. The shed will not impact on the streetscape due to the internal nature of the lot and will be screened from adjoining residences by the proposed dwelling.</p> <p><u>Proposed dwelling</u></p> <p>The dwelling is proposed to be located 500mm from the southern side boundary, but contains a 2.4m verandah at approximately 2.4m eaves the entire way around the dwelling, resulting in the house wall being approximately 2.9m from the boundary. The 25-degree main roof height, results in an apex height of approximately 5m, with the apex located approximately 7m from the boundary. The dwelling</p>	

to the south contains living and dining areas on the northern side which contain northern windows but also has windows to the east and west providing solar access to these rooms. The dwelling to the south is located approximately 4m from the common boundary. The shadow diagrams provided were reviewed for accuracy and this process established that during the middle of the day on the 21st June (shortest day), shadowing would be limited to the driveway area separating the two dwellings up to the base of the northern wall of the adjacent dwelling. Early morning, the proposed dwelling will result in some overshadowing of the northern windows, but not the eastern window to the dining area. Likewise, in the afternoon, some shadowing of the dining area will occur, but the northern and western windows to the living area will be unaffected. Overshadowing of any private open space will be minimal and limited to late afternoon when these areas are unlikely to be occupied in the middle of winter. The proposed dwelling is therefore not considered to cause an unreasonable loss of amenity as a result of overshadowing.

In terms of visual impact – the dwelling is single story and although located close to the boundary, the verandah will not cause the same bulk adjacent to the boundary that a solid wall would. The scale and proportions of the dwelling are similar to adjacent lots, with the lot to the east containing a dwelling with a floor area of approximately 250m² on a 995m² lot, and the lot to the south containing a 230m² dwelling on 1751m² internal lot.

The separation between dwellings on the adjoining lots will change slightly, due to the infill nature of the development; however, the separation distances are compatible with that prevailing in the surrounding area within a radius of approximately 100m.

10.4.3 Site coverage and private open space for all dwellings

P2 A dwelling must have private open space that:

- (a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:
 - (i) conveniently located in relation to a living area of the dwelling; and
 - (ii) orientated to take advantage of sunlight.

Comment:

Complies with P2 – the dwelling has an area of compliant private open space immediately adjacent to the western side of the dwelling, which is accessible to the living areas of the dwelling via the verandah. The area of private open space will receive good solar access through the middle portion of the day, as there are no nearby obstructions to the north.

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
E.5.0	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	N/a

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)	the availability of public car parking spaces within reasonable walking distance; and

b)	a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	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 - 2 spaces available.			

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
<i>If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)</i>	<i>1 space per dwelling</i>	<i>1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation.</i>
<i>If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)</i>	<i>2 spaces per dwelling</i>	

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:			
Complies – available within shed.			

E6.6.3 Taxi Drop-off and Pickup - n/a

E6.6.4 Motorbike Parking Provisions – n/a

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 that they are useable in all weather conditions.
a)	formed to an adequate level and drained; and		
b)	except for a single dwelling, provided with an impervious all weather seal; and		

c)	except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	
Comment: Complies with A1.		

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 – Complies.		
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 and A2.2.		

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 – N/a

E6.7.4 Parking for Persons with a Disability – N/a

E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup – N/a

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 located where they will encourage use.
a) be accessible from a road, footpath or cycle track; and		
b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i> ; and		

c)	be located within 50m of and visible or signposted from the entrance to the activity they serve; and	
d)	be available and adequately lit in accordance with <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:		
Complies with a1.2 and A2.		

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.	

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.

E13.5 USE STANDARDS

E13.5.1 Alternative Use of heritage buildings

Comment: N/a

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

Objective: To ensure that site coverage is consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts, if any.

Acceptable Solutions	Performance Criteria
A1 Site coverage must be in accordance with the acceptable development criterion for site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 The site coverage must: a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria.

E13.6.4 Height and Bulk of Buildings

Objective: To ensure that the height and bulk of buildings are consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions	Performance Criteria
A1 New building must be in accordance with the acceptable development criteria for heights of buildings or structures within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1.1 The height and bulk of any proposed buildings must not adversely affect the importance, character and appearance of the building or place, and the appearance of adjacent buildings; and P1.2 Extensions proposed to the front or sides of an existing building must not detract from the historic heritage significance of the building; and P1.3 The height and bulk of any proposed buildings must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria.

E13.6.5 Fences

Objective: To ensure that fences are designed to be sympathetic to, and 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
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A1 New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 New fences must: a) be designed to be complementary to the architectural style of the dominant buildings on the site or b) be consistent with the dominant fencing style in the heritage precinct; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
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Comment: N/a

E13.6.6 Roof Form and Materials

<i>Objective: To ensure that roof form and materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
Acceptable Solutions	Performance Criteria
A1 Roof form and materials must be in accordance with the acceptable development criteria for roof form and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 Roof form and materials for new buildings and structures must: a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria.

E13.6.7 Wall materials

<i>Objective: To ensure that wall materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
Acceptable Solutions	Performance Criteria
A1 Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 Wall material for new buildings and structures must: a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Wall material is not specified, but I would recommend that horizontal custom orb sheeting is not used. The preferred material is horizontal weatherboard.

E13.6.8 Siting of Buildings and Structures

<i>Objective: To ensure that the siting of buildings, does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
Acceptable Solutions	Performance Criteria
A1 New buildings and structures must be in accordance with the acceptable development criteria for setbacks of buildings and structures to the road within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 The front setback for new buildings or structure must: a) be consistent with the setback of surrounding buildings; and b) be set at a distance that does not detract from the historic heritage significance of the place; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria.

E13.6.9 Outbuildings and Structures

<i>Objective: To ensure that the siting of outbuildings and structures does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
Acceptable Solutions	Performance Criteria
A1 Outbuildings and structures must be: a) set back an equal or greater distance from the principal frontage than the principal buildings on the site; and	P1 New outbuildings and structures must be designed and located; a) to be subservient to the primary buildings on the site; and

b) in accordance with the acceptable development criteria for roof form, wall material and site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	b) to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
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Comment: Satisfies the performance criteria.

E13.6.10 Access Strips and Parking

Comment: N/a

E13.6.11 Places of Archaeological Significance

Comment: N/a

E13.6.12 Tree and Vegetation Removal

Comment: N/a

E13.6.13 Signage

Comment: N/a

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.

Comment: N/a

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
PERTH HERITAGE PRECINCT CHARACTER STATEMENT
The Perth Heritage Precinct is unique because it is still the core of a small nineteenth century riverside town, built around the thoroughfare from the first bridge to cross the South Esk River, and which retains its historic atmosphere. It combines significant colonial buildings, compact early river's edge residential development, and retains the small-scale commercial centre which developed in the nineteenth century at the historic crossroads and river crossing for travel and commerce between Hobart, Launceston and the North West. Perth's unique rural setting is complemented by its mix of businesses still serving local and visitor's needs. Perth's heritage ambience is acknowledged by many of those who live in or visit the town, and will be enhanced by the eventual construction of the Midland Highway bypass.
Management Objectives
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.
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.

Comment: The proposal is consistent with the Heritage Precinct Character Statement and satisfies the Management Objectives.

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a – The subject site is an internal lot and will not form part of the streetscape.
SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	N/a

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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

Discretion to refuse the application is limited to:

- Reliance on the performance criteria of the General Residential Zone (Clause 10.4.2 P3 & 10.4.3 P2).

A full review of the proposal, including analysis of the impact of potential overshadowing, has been undertaken to determine the applications compliance with the Planning Scheme. The representations raised concerns about these matters and a detailed assessment is provided in response to the provisions of the General Residential Zone.

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

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

RECOMMENDATION

That land at 7a Scone Street, Perth be approved to be developed and used for a Dwelling & Shed (vary rear and side [S & N] setbacks, private open space provisions; within heritage precinct) in accordance with application PLN-20-0081, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P7** (*Drawing No: 1778, Sheet No's: 1-3, Dated: Aug 2020, Drawing No: SLAN200027-2, Page No's: 2-4, Dated: 27/4/2020 & Shed elevations - Drawing No: SLAN200026-3, Dated: 30/3/2020*).

2 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2020/01239-NMC; dated 24.08.2020).

DECISION

Cr Davis/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Davis/Cr Polley

That land at 7a Scone Street, Perth be approved to be developed and used for a Dwelling & Shed (vary rear and side [S & N] setbacks, private open space provisions; within heritage precinct) in accordance with application PLN-20-0081, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P7** (*Drawing No: 1778, Sheet No's: 1-3, Dated: Aug 2020, Drawing No: SLAN200027-2, Page No's: 2-4, Dated: 27/4/2020 & Shed elevations - Drawing No: SLAN200026-3, Dated: 30/3/2020*).

2 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2020/01239-NMC; dated 24.08.2020).

Carried unanimously

318/20 DRAFT PLANNING SCHEME AMENDMENT 03/2020 & PLANNING APPLICATION PLN-20-0071: 2A SAUNDRIDGE ROAD, CRESSY

Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Paul Godier, Senior Planner
File Number: PLN-20-0071

1 INTRODUCTION

At its June 2020 meeting, Council resolved to:

- initiate and certify draft Planning Scheme Amendment 03/2020 to amendment to insert a site specific qualification into the Particular Purpose Zone – Future Residential to allow for a 2 lot subdivision on 2A Saundridge Road; and
- Approve a planning permit for a 2 lot subdivision on 2A Saundridge Road.

The draft amendment and planning permit were placed on public notification and one representation was received. The representation is considered in this report.

Figure 1 – Scheme map showing 2a Saundridge Road – Particular Purpose (Future Residential)

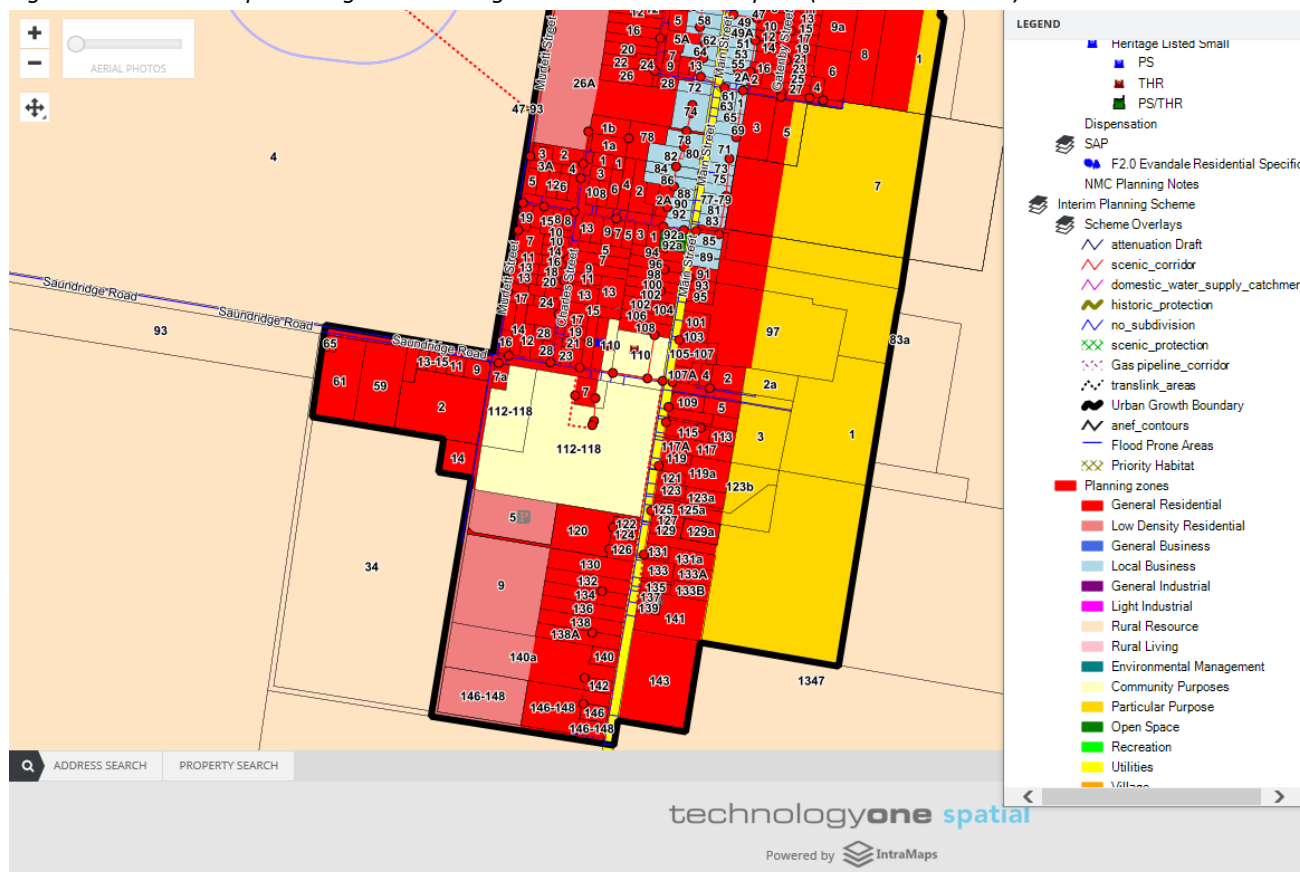
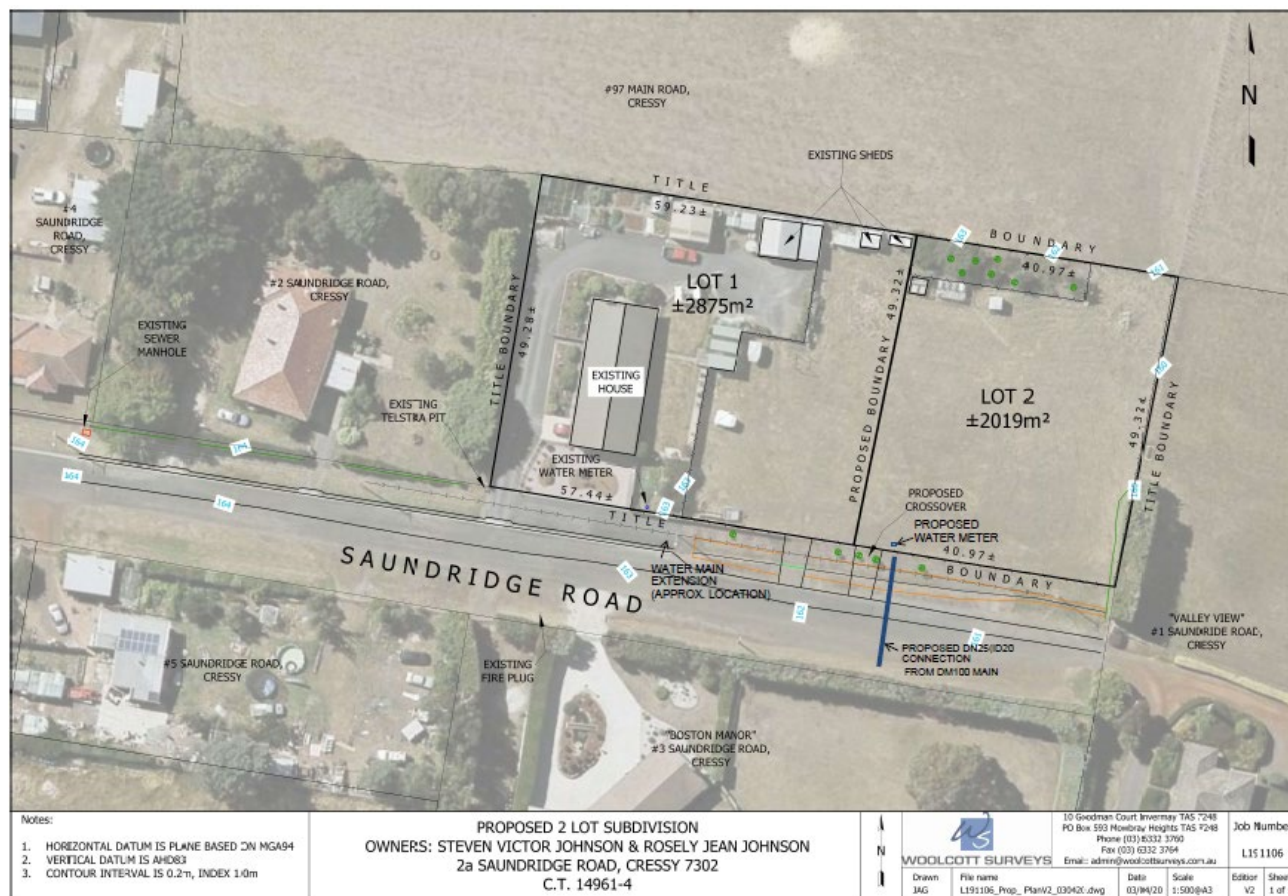


Figure 2 - proposed plan of subdivision



2 SUMMARY INFORMATION

Applicant:

Woolcott Surveys

Owner:

Andrew Johnson

Proposal:

Insert a site specific qualification into the Particular Purpose Zone – Future Residential to allow for a 2 lot subdivision on 2A Saundridge Road, and an application for a 2 lot subdivision

Existing Use:

Residential (single dwelling)

Critical Date:

Report on representation to be sent to Planning Commission by 25 September 2020

Recommendation:

Endorse statement of opinion as to the merit of the representation

Planning Instrument: Northern Midlands Interim Planning Scheme 2013

3 STATUTORY REQUIREMENTS

In accordance with Schedule 6 (3) (2) (b) of the *Land Use Planning & Approvals Act 1993*,

Council is required under Section 39 (2) to forward to the Planning Commission a report comprising –

- a copy of each representation received by the authority in relation to the draft amendment; and
- a statement of its opinion as to the merit of each such representation, including, in particular, its views as to–
 - the need for modification of the draft amendment in the light of that representation; and
 - the impact of that representation on the draft amendment as a whole; and

- (c) *such recommendations in relation to the draft amendment as the authority considers necessary.*

These matters are discussed below.

4 ASSESSMENT OF REPRESENTATION

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

Consideration of the Representation

ISSUE *Concern that condition 2.7 which requires a payment of \$19,974 for road improvements is not fair or reasonable having regard to the characteristics of the amendment and the subdivision.*

The contribution of \$19,974 relates to road widening and kerbing to the full frontage of the land and two concrete driveways.

The draft amendment allows one additional lot. There is no potential for multiple dwellings or for further subdivision. As such, the proposal will generate a small increase in daily traffic only, and none of this traffic will be to the east of the crossover to lot 2. That is, all traffic from the additional lot will head west along Saundridge Road.

The property, along with adjoining land, is within a Future Residential Zone. At some point, this zone will be upgraded to residential zone and made available for subdivision. Traffic generation and circulation will be matters that are considered as part of any rezoning. The upgrade to a residential zone will generate additional traffic movements along Saundridge Road that will be significantly greater than that generated by this one additional lot.

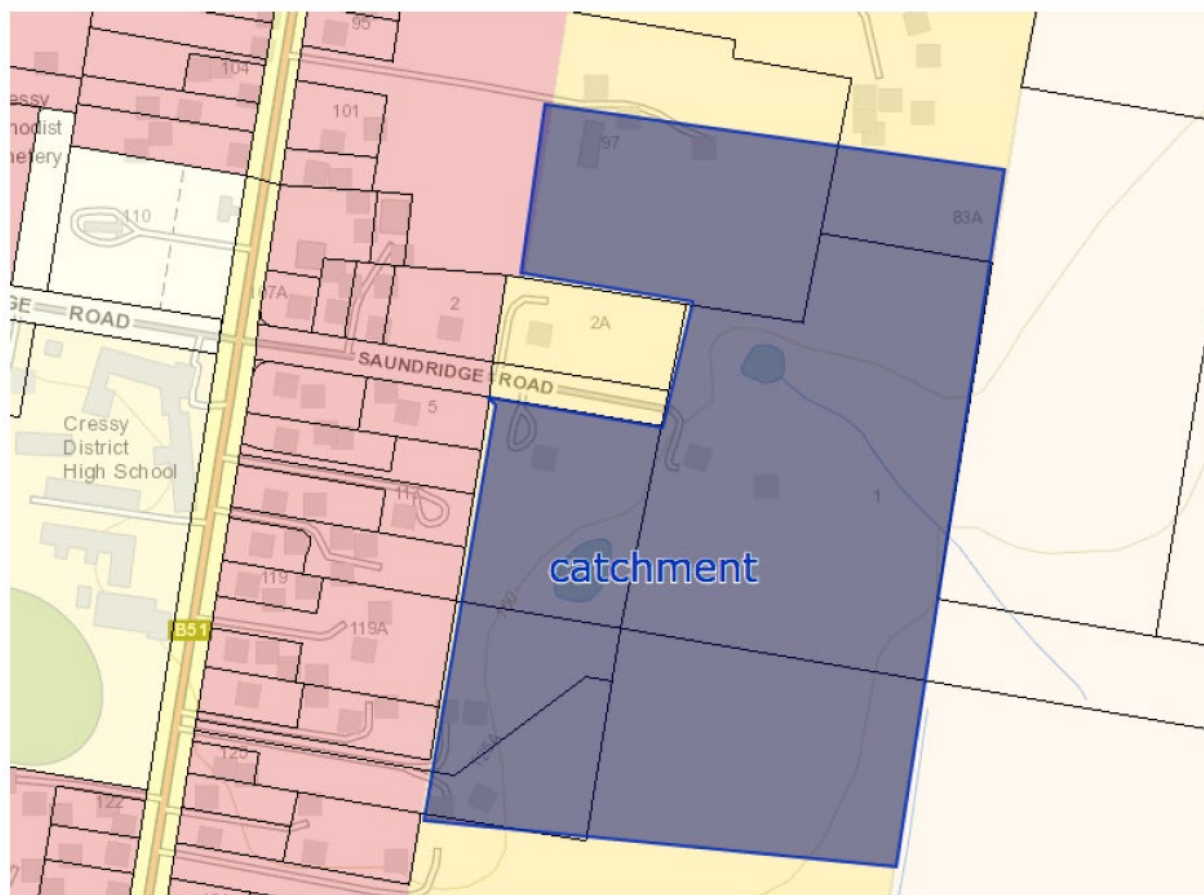
The condition does not describe when the payment will be used by Council to complete the works. Payment without works within a timeframe of one to two years is unreasonable and is nothing more than a tax of development.

In light of the above, Woolcott Surveys considers that the draft permit be amended:

- Such that any financial contribution to Council is not required until the land at the end of Saundridge Road is rezoned to a general residential zone or low density residential zone and that road widening works to Saundridge Road are budgeted and scheduled by Council ; and*
- Be apportioned on a land area basis to reflect the traffic generated from the subject site relative to all land in the Future Residential zone.*

As shown below, some 10.5ha of Future Residential zone land would rely principally on Saundridge Road for access. The subject site represents less than 10% of this area, and therefore less than 10% of the traffic generation.

Figure 3 – Saundridge Road catchment (Source: Woolcott Surveys letter, 11/8/2020)



Woolcott Surveys considers that a reasonable alternative condition would be to delete condition 2.7 and amend condition 2.1 to the effect that a Part 5 Agreement would also require:

- A payment of \$1,190 to Council as a contribution to future kerb and road widening works and a payment of \$5,200 to Council for two concrete driveway aprons if concrete aprons are not existing;
- Payment to be made on the commencement of works to Saundridge Road by Council following a rezoning of the Future Residential zoned land;
- Rates of payment to increase by 2.5% per year; and
- The agreement be null and void if Council does not undertake the work within 15 years from the date of subdivision approval.

Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment

Recommendation

The representation makes a logical argument and is supported. It is recommended that the permit be modified by adding the highlighted section and deleting the ~~strike through~~ as follows:

2.7 Payment in lieu of works

A payment of \$19,974 (68m of kerb = \$7,480; 136 sq. m of road construction = \$9,520; 2 x concrete driveway aprons = \$2,614) shall be made to cover the cost of future kerb and road widening works and a concrete driveway to lot 1 and 2.

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

The applicant must enter into, and comply with all conditions of, an agreement under Part 5 of the Land Use Planning & Approvals Act 1993 with the Northern Midlands Council to provide for the following:

- A payment of \$1,190 to Council as a contribution to future kerb and road widening works and a payment of \$5,200 to Council for two concrete driveway aprons if concrete aprons are not existing;
- Payment to be made on the commencement of works to Saundridge Road by Council following a rezoning of the Future Residential zoned land;
- Rates of payment to increase by 2.5% per year; and
- The agreement be null and void if Council does not undertake the work within 15 years from the date of subdivision approval.

5 OPTIONS

- Move the recommendation; or
- Move alterations to the recommendation.

6 ATTACHMENTS

- Draft amendment and permit
- Representation

RECOMMENDATION

That Council, in accordance with section 39 (2) (b) (former provisions) of the *Land Use Planning & Approvals Act 1993*, forward to the Tasmanian Planning Commission the following regarding the representation:

The representation makes a logical argument and is supported. It is recommended that the permit be modified by adding the highlighted section and deleting the ~~strikethrough~~ as follows:

2.7 Payment in lieu of works

A payment of \$19,974 (68m of kerb = \$7,480; 136 sq. m of road construction = \$9,520; 2 x concrete driveway aprons = \$2,614) shall be made to cover the cost of future kerb and road widening works and a concrete driveway to lot 1 and 2.

The applicant must enter into, and comply with all conditions of, an agreement under Part 5 of the Land Use Planning & Approvals Act 1993 with the Northern Midlands Council to provide for the following:

- A payment of \$1,190 to Council as a contribution to future kerb and road widening works and a payment of \$5,200 to Council for two concrete driveway aprons if concrete aprons are not existing;
- Payment to be made on the commencement of works to Saundridge Road by Council following a rezoning of the Future Residential zoned land;
- Rates of payment to increase by 2.5% per year; and
- The agreement be null and void if Council does not undertake the work within 15 years from the date of subdivision approval.

DECISION

Cr Davis/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Davis/Cr Polley

That Council, in accordance with section 39 (2) (b) (former provisions) of the *Land Use Planning & Approvals Act 1993*, forward to the Tasmanian Planning Commission the following regarding the representation:

The representation makes a logical argument and is supported. It is recommended that the permit be modified by adding the highlighted section and deleting the ~~striketrough~~ as follows:

2.7 Payment in lieu of works

~~A payment of \$19,974 (68m of kerb = \$7,480; 136 sq. m of road construction = \$9,520; 2 x concrete driveway aprons = \$2,614) shall be made to cover the cost of future kerb and road widening works and a concrete driveway to lot 1 and 2.~~

The applicant must enter into, and comply with all conditions of, an agreement under Part 5 of the *Land Use Planning & Approvals Act 1993* with the Northern Midlands Council to provide for the following:

- A payment of \$1,190 to Council as a contribution to future kerb and road widening works and a payment of \$5,200 to Council for two concrete driveway aprons if concrete aprons are not existing;
- Payment to be made on the commencement of works to Saundridge Road by Council following a rezoning of the Future Residential zoned land;
- Rates of payment to increase by 2.5% per year; and
- The agreement be null and void if Council does not undertake the work within 15 years from the date of subdivision approval.

Lost

Voting for the motion:

Mayor Knowles, Cr Davis, Cr Polley

Voting against the motion:

Cr Adams, Cr Brooks, Cr Calvert, Cr Goninon, Cr Goss, Cr Lambert

Cr Goninon/Cr Brooks

That Council, in accordance with section 39 (2) (b) (former provisions) of the *Land Use Planning & Approvals Act 1993*, forward to the Tasmanian Planning Commission the following regarding the representation:

- A) That Council does not support the recommendation to amend condition 2.7;
- B) That any contribution should be treated as per other subdivisions within the municipality and the appropriate charges be levied accordingly; and
- C) That condition 2.7 be retained as detailed below:

2.7 Payment in lieu of works

A payment of \$19,974 (68m of kerb = \$7,480; 136 sq. m of road construction = \$9,520; 2 x concrete driveway aprons = \$2,614) shall be made to cover the cost of future kerb and road widening works and a concrete driveway to lot 1 and 2.

Carried

Voting for the motion:

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

Voting against the motion:

Mayor Knowles, Cr Davis



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

319/20 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 Davis

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 21 SEPTEMBER 2020

320/20 ITEMS FOR THE CLOSED MEETING

DECISION

Cr Calvert/Cr Lambert

That Council move into the “Closed Meeting” with the General Manager, Works Manager, Development Supervisor, Senior Planner and Executive Assistant.

Carried unanimously

321/20 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

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322/20 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*.

323/20 APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE

As per provisions of Section 15(2)(h) of the *Local Government (Meeting Procedures) Regulations 2015*.

324/20(1) PERSONNEL MATTERS

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015*.

324/20(2) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

Management Meetings

324/20(3) MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

As per provisions of Section 15(2)(i) of the *Local Government (Meeting Procedures) Regulations 2015*.

Correspondence Received

324/20(4) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

Action Items – Status Report

324/20(5) MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

As per provisions of Section 15(2)(i) of the *Local Government (Meeting Procedures) Regulations 2015*.

Compliance matter



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325/20 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.

Planning Matter

326/20 PARTICIPATION IN PLANNING SCHEME AMENDMENT TO REZONE 3 COMMONWEALTH LANE, CAMPBELL TOWN (CARPARK) FROM COMMUNITY PURPOSE ZONE TO GENERAL BUSINESS ZONE

As per provisions of Section 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.

DECISION

Cr Davis/Cr Polley

That

A) Council advise Mr Reilly of PDA Surveyors that it provides in principle support for involvement of the land at 3 Commonwealth Lane in a rezoning application from Community Purpose Zone to General Business Zone.

and

B) Council in relation to this matter:

- i) considered whether any discussion, decision, report or document is kept confidential or released to the public.
- ii) determined to release the decision to the public.

Carried unanimously

327/20 TENDER FOR THE CONSTRUCTION OF INFRASTRUCTURE FOR THE SUBDIVISION OF COUNCIL LAND AT NORFOLK STREET, PERTH

As per provisions of Section 15(2)(d) of the *Local Government (Meeting Procedures) Regulations 2015*.

DECISION

Cr Polley/Cr Davis

That Council

A) accept the tender from Paul Zanetto.

B) in relation to this matter:

- i) considered whether any discussion, decision, report or document is kept confidential or released to the public.
- ii) determined to release the decision to the public.

Carried unanimously

328/20 CONTRACT 20/13: PERTH EARLY LEARNING CENTRE – SUPPLY OF CONSULTANCY SERVICES FOR DESIGN

As per provisions of Section 15(2)(d) of the *Local Government (Meeting Procedures) Regulations 2015*.

DECISION

Cr Adams/Cr Polley

That Council

A) Accepts the following Tender

- i) N2SH; and
- ii) Negotiate final scope of services.

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 21 SEPTEMBER 2020

329/20 NORTHERN TASMANIA DEVELOPMENT CORPORATION (NTDC): MEMBERS' AGREEMENT 2020-2023

As per provisions of Section 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.

DECISION

Cr Adams/Cr Goss

That

- A) at the special members meeting to be held on 24 September 2020, Council support the following motion:
- The Members of NTDC Limited (the Company) resolve that upon Meander Valley Council signing the Members Agreement for the Company for the period 2020 to 2023 (Members Agreement) and upon paying the annual subscription fees for the 2020 to 2021 financial year to the Company, Meander Valley Council be permitted at its own discretion to exit as a Member of the Company at the end of the 2020 to 2021 financial year without being required to make any further payments to the Company of the annual subscription fees for the remaining 2 years required under the Members Agreement, by Meander Valley Council giving written notice to the Secretary of the Company by no later than 5pm on 30 June 2021.*
- B) Council request that NTDC review the constitution to make provision for such circumstances.
- C) Council 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

330/20 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.

Longford Racecourse

331/20 REVIEW: CAMPBELL TOWN TOWN HALL

As per provisions of Section 15(2)(d) of the Local Government (Meeting Procedures) Regulations 2015.

DECISION

Cr Calvert/Cr Goss

That Council

- A) contract Watershed Solutions to undertake the review of the Campbell Town Town Hall to identify possible future usage and opportunities for the building, noting that it is the intent of Council to sell the building,
- 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

Voting for the motion:

Mayor Knowles, Cr Adams, Cr Calvert, Cr Goninon, Cr Goss, Cr Lambert

Voting against the motion:

Cr Brooks, Cr Davis, Cr Polley

332/20 LOCAL DISTRICT COMMITTEE MEMBERSHIP

As per provisions of Section 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.

DECISION

Cr Goss/Cr Davis

That Council

- A) i) accept Jonathan Targett as a member of the Perth Local District Committee to fill one of the two vacancies, and
- ii) accept Jo Taylor as a member of the Campbell Town District Forum to fill the single vacancy.



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 21 SEPTEMBER 2020

- 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

DECISION

Cr Goninon/Cr Davis

That Council move out of the closed meeting.

Carried unanimously

Mayor Knowles closed the meeting at 8.09pm.

MAYOR _____

DATE _____