



**NORTHERN  
MIDLANDS  
COUNCIL**

# **MINUTES**

**ORDINARY MEETING OF COUNCIL**

**MONDAY, 16 NOVEMBER 2020**



# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

MINUTES OF THE ORDINARY MEETING OF THE NORTHERN MIDLANDS COUNCIL HELD ON MONDAY, 16 NOVEMBER 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)

## 378/20 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, Miss Maree Bricknell – Corporate Services Manager, Mr Leigh McCullagh – Works Manager, Mrs Erin Miles – Development Supervisor (to 8.03pm), Mr Paul Godier – Senior Planner (to 8.03pm), Mrs Gail Eacher – Executive Assistant

### 2 APOLOGIES

Nil.

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408/20	PROPOSAL TO ESTABLISH A MOTOR MUSEUM AT LONGFORD	2020

Council **RESOLVED** to include in the Agenda, the late item GOV 11: Local Government Association of Tasmania (LGAT): Motions for the Annual General Meeting and General Meeting to be held on 3 December 2020.

### **380/20 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.



# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

## 381/20 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 requests received.

## 382/20 CONFIRMATION OF MINUTES

### 1 OPEN COUNCIL: ORDINARY COUNCIL MEETING MINUTES: 19 OCTOBER 2020

#### 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, 19 October 2020** be confirmed as a true record of proceedings.

Carried unanimously

### 2 OPEN COUNCIL: SPECIAL COUNCIL MEETING MINUTES: 26 OCTOBER 2020

Cr Davis/Cr Adams

That the Open Council Minutes of the Special Meeting of the Northern Midlands Council held at the Council Chambers, Longford on **Monday, 26 October 2020** be confirmed as a true record of proceedings.

Carried unanimously

### 3 CONFIRMATION OF MINUTES OF COMMITTEES

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

	Date	Committee	Meeting
i)	4/8/2020	Perth Community Centre Management Committee	Ordinary
ii)	6/10/2020	Perth Local District Committee	Ordinary
iii)	6/10/2020	Campbell Town District Forum	Ordinary
iv)	13/10/2020	Liffey Valley Hall Committee	Ordinary
v)	21/10/2020	Ross Community Sports Club Inc.	Ordinary
vi)	3/11/2020	Campbell Town District Forum	Ordinary
vii)	3/11/2020	Evandale Advisory Committee	Ordinary
viii)	4/11/2020	Longford Local District Committee	Ordinary

#### DECISION

Cr Adams/Cr Lambert

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

Carried unanimously

#### 4 RECOMMENDATIONS OF SUB COMMITTEES

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

##### Campbell Town District Forum

At the ordinary meeting of the Campbell Town District Forum held on 6 October 2020 the following motion/s were recorded for Council's consideration:

##### **7.2 Southern entrance signage.**

The draft design for the southern entrance to Campbell Town is an acceptable style, but the position needs to be reviewed when the Midlands highway design is notified.

##### **Officer's comment:**

That Council note the committee's comments.

##### **Officer's recommendation:**

That Council note the committee's comments.

##### **DECISION**

Cr Lambert/Cr Adams

That Council note the Committee's comments.

Carried unanimously

##### **Tourist signage**

Tourist symbol information to be placed at road entries to Campbell Town.

##### **Officer's comment:**

That Council Officers investigate the matter.

##### **Officer's recommendation:**

That Council note the request.

##### **DECISION**

Cr Calvert/Cr Lambert

That Council Officers investigate the matter.

Carried unanimously

##### **Old Pump House repair**

The repair work on the Old Pump House be carried out as per the original planned design some years ago.

##### **Officer's comment:**

The Old Pump House is not open to the public, the cost of repair and works was deemed too expensive to be a feasible project.

##### **Officer's recommendation:**

That Council note the request.

##### **The Campbell Town District High School school crossing be repainted**

The CTDHS school crossing be repainted.

##### **Officer's comment:**

That Council Officers investigate the matter.

##### **Officer's recommendation:**

That Council note the request.

##### **DECISION**

Cr Calvert/Cr Adams

That Council note these requests.

Carried unanimously



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## Longford Local District Committee

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

### **7.2 Streetscape: Wellington and Marlborough Streets with the Heritage Precincts**

The Longford Local district committee request the Northern Midlands Council convenes a workshop meeting to allow the LLDC to outline a Longford Streetscape Plan for the main thoroughfares through Longford within the Heritage Precinct.

#### **Officer's comment:**

The Local District Committee will be included in the Public Consultation process.

#### **Officer's recommendation:**

That Council note the request of the committee.

#### **DECISION**

Cr Adams/Cr Lambert

That Council note the request of the Committee.

Carried unanimously

### **9 Memorial Hall and village green proposals**

9 (1) That the BBQ and shed be cleaned up and upgraded but left in its current form.

9 (2) That additional toilets can be achieved by upgrading and securing the ones on the bicycle track

9 (3) When the decision is made on the Memorial Hall that public toilets be included in the design but inside the structure's envelope.

#### **Officer's comment:**

Council has recently advertised the tender for the upgrades to the Memorial Hall on the Longford Village Green. The design includes upgrades to the public toilets and amenities.

#### **Officer's recommendation:**

That Council note the comments of the Committee.

#### **DECISION**

Cr Davis/Cr Goss

That Council note the request of the Committee.

Carried unanimously

**383/20      DATE OF NEXT COUNCIL MEETING: 14 DECEMBER 2020**

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 14 December 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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## 384/20 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
3/11/2020	<b>Council Workshop</b> Discussion: <ul style="list-style-type: none"> <li>Perth Streetscape Development</li> <li>Integrated Priority Project Plan</li> <li>Lease</li> <li>NAIDOC Week</li> </ul>
16/11/2020	<b>Council Workshop</b> Discussion: <ul style="list-style-type: none"> <li>Council Meeting Agenda items</li> </ul>
30/11/2020	<b>Presentations planned to be received at next workshop:</b> <ul style="list-style-type: none"> <li>Perth Streetscape Development</li> <li>Longford Main Street</li> </ul>

### 2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities attended & planned for the period 19 October 2020 to 16 November 2020 are as follows:

Date	Activity
21 October 2020	Attended Campbell Town Hospital Board meeting, Campbell Town
21 October 2020	Attended Campbell Town Hospital dementia meeting, Campbell Town
22 October 2020	Attended respect in the Workplace Campaign luncheon, Brickendon
23 October 2020	Attended Fingal Valley Festival meeting, Fingal
24 October 2020	Attended Kwik Campers Tasmania launch, Western Junction
26 October 2020	Attended Reconciliation Collective Forum, Hobart
27 October 2020	Attended LGAT briefing re TasWater, Launceston
27 October 2020	Attended meeting with John Tucker, Longford
29 October 2020	Attended LGAT Code of Conduct Session, Campbell Town
3 November 2020	Attended TasWater General Meeting, Riverside
4 November 2020	Attended Campbell Town District Forum meeting
4 November 2020	Attend Ross Local District Committee meeting
4 November 2020	Attended Council Workshop, Longford
11 November 2020	Attended flag raising ceremony, Longford
16 November 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)

- Met with Council property lessee
- Attended Citizenship Ceremony
- Met with consultants re Perth development proposal
- Attended Bishopsbourne Hall Committee meeting
- Attended Local Government Professionals Conference, Campbell Town
- Met with Ian Fraser Veteran's Cricket Club of Tasmania
- Attended briefing re Bushfire Mitigation Measures Bill
- Attended NTDC meeting re Northern Tasmania Land Use Strategy
- Attended Regional General Managers meeting



- Met with Liberal Member for Lyons, John Tucker
- Visited Longford Rotary opportunity shop
- Attended Tasmanian Agribusiness Workforce Roundtable
- Met with Hamish Maxwell

## 4 PETITIONS

### 1 PURPOSE OF REPORT

In accordance with the Vision, Mission and Values of Council as identified in the *Council's Strategic Plan 2017-2027* 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

The following non-compliant petition was tabled and received by Councillors at the meeting.

#### 3.1 **Heritage Code, Norfolk St, 32 Norfolk Cottage and its Convict Well, The Jolly Farmer Inn and the Proposed Public Space**

A non-compliant *petition* was received by Council on 16 November 2020 in relation to above matter.

The *petition* is non-compliant for the following reasons:

In order for a petition to be compliant it needs to meet the provisions of the *Local Government Act 1993* Section 57. Petitions (see 2. above).

The reasons the *petition* is *non-compliant* are as follows:

**S57 2(a) a clear and concise statement identifying the subject matter and the action requested; and**

*The petitioner has provided a statement identifying the subject matter, but no clear action has been identified*

**S57 2(d) a statement specifying the number of signatories; and**

*A statement identifying the number of signatories has not been received.*

**S57 2(e) at the end of the petition –**

(i) ...

(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,

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has not been changed.

*The petitioner has provided your name, but not your full name and address and certification statement.  
It is noted that should the petition be amended to specify the action required (S57(2)(a) above), the petitioner would not be able to provide a statement certifying that the subject matter and action requested has not been changed.*

S57 (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;

...

petition means a paper petition or electronic petition;

signatory means –

(a)...

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

*the link provided does not provide council with access to the details of persons who are signatories to the petition. The petition, together with the signatories thereto would need to be downloaded by the petitioner and then submitted to Council.*

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

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

## 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		
<b>132</b>	136	71	95	98									<b>400</b>	<b>846</b>
<b>337</b>	34	41	36	44									<b>155</b>	<b>449</b>



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## 7 ANIMAL CONTROL

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

Item	Income/Issues 2019/2020		Income/Issues for October		Income/Issues 2020/2021	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,278	101,937	236	8,145	3949	92,971
Dogs Impounded	44	4,089	1	65	4	282
Euthanized	1	-	-	-	-	-
Re-claimed	39	-	1	-	4	-
Re-homed/Dogs Home *	4	-	-	-	-	-
New Kennel Licences	15	1,080	1	72	5	360
Renewed Kennel Licences	70	3,080	1	44	73	3,212
Infringement Notices (paid in full)	42	12,149	4	1,138	15	3,337
Legal Action	-	-	-	-	-	-
Livestock Impounded	-	-	-	-	1	65
<b>TOTAL</b>		<b>122,335</b>		<b>9,376</b>		<b>100,228</b>

\* 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:

2 weeks each year

### Kennel Licences

1 new kennel licence applied for in October

### Microchips:

0 dogs microchipped

### Infringements:

1 infringement issued.

### Attacks:

1 serious attack on a dog – Dog declared dangerous and infringement issued

### Impounded Dogs:

1 dog impounded – 1 reclaimed by owner.

## 8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: *Graeme Hillyard, 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	27	11	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.



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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	6	2								
Building & Planning	-	-	-	1								
Community Services	-	-	-	-								
Corporate Services	-	3	1	-								
Governance	-	-	-	-								
Waste	1	-	-	-								
Works	31	27	28	34								

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

Date	Recipient	Purpose	Amount \$
15-Sep-20	Campbell Town District High School	Inspiring Positive Futures Program	7,272.73
15-Sep-20	Campbell Town District High School	Chaplaincy	1,363.64
27-Oct-20	Campbell Town District High School	Donation - School Achievement Awards	150.00
27-Oct-20	Perth Primary School	Donation - School Achievement Awards	50.00
27-Oct-20	Evandale Primary School	Donation - School Achievement Awards	50.00
27-Oct-20	Longford Primary School	Donation - School Achievement Awards	50.00
27-Oct-20	Cressy District High School	Donation - School Achievement Awards	136.36
27-Oct-20	Longford Fire Brigade	Donation	100.00
27-Oct-20	Perth Fire Brigade	Donation	100.00
		<b>TOTAL DONATIONS</b>	<b>\$9,272.73</b>

## 11 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status
19/10/2020	343/20	Climate Change: Declaration of A Climate Emergency	That Council: i) declare a Climate Change Emergency; and ii) prepare a Climate Emergency Strategy and Action Plan, inclusive of an audit of initiatives taken by Council over the last 5 years and additional opportunities for improvement; and iii) an allocation for the preparation of the Strategy and Action Plan be included in the 2020/2021 mid-term budget review; and iv) write to the Prime Minister, Tasmanian Premier and Local Government Association of Tasmania (LGAT), urging them to acknowledge and take action to address the climate change crisis.	General Manager	Fee offers to be sought.
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	Advice formally provided to Committees for comment. Requested response from Committees by 30 August. Report to Council workshop.
21/09/2020	306/20	Grant funding for upgrade of Longford Waste Transfer Station	That Council i) 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 ii) plans to continue using the current site for at least the next 20 years; and iii)	Engineering Officer	Further works ongoing to develop master plan for the site.

# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

Date	Min. Ref.	Details	Action Required	Officer	Current Status
			approve a budget adjustment accepting the Capital Grant Revenue of \$100,000; and iv) reallocate \$20,000 from the Waste - All Areas WTS Improvements budget allocation; and v) accesses the balance of the funds required, being \$80,000 from Council's cash reserves.		
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. Report received. To workshop and report to Council.
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 ... 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	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	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. Discussed at September workshop. Awaiting further advice re donations and in-kind support.
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 re donations and in-kind support.
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 DPIPW 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.
19/10/2020	349/20	Nomenclature: Naming of New Park Created In Norfolk Street Perth	That a decision on the matter be deferred to the December Council meeting to allow time to canvass the Perth Local District Committee, residents of Perth and other interested parties, on a preferred name for the park.	Corporate Services Manager	Public consultation process in preparation.
17/09/2018	258/18	Initiation of Draft Planning Scheme Amendment 04/2018 include Flood Risk Mapping in the Planning Scheme for land	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	Senior Planner	A flood map is to be incorporated by an amendment to the Planning Scheme. Drone survey to be



# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

Date	Min. Ref.	Details	Action Required	Officer	Current Status
		along Sheepwash Creek from Arthur Street to Cemetery Road, Perth	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.		undertaken prior to seeking quotes for amendment.

#### 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	To be presented to future workshop pending drone fly over.
18/09/2017	279/17	Historical Records and Recognition: Service of Councillors	That Council, ...and ii) progress the following when the glass enclosed area at the front of the Council Chambers is nearing completion: Photograph/photographs of current Councillors – professional printing and framing; Archiving of historic photographs; Production of a photo book of historic photographs for display.	Exec Assistant	Photographs of Mayors installed. Some Photographs of full NMC Council, for each term since inception, with framers. Some photos still to be sourced.
18/05/2020	146/20	Northern Midlands Youth Voice Forum	That Council endorse the progression of the Northern Midlands Youth Voice Forum	Youth Officer	To be progressed in 2021.

#### COMPLETED ACTION ITEMS FOR DELETION

Date	Min. Ref.	Details	Action Required	Officer	Current Status
19/10/2020	340/20	Northern Midlands Business Association (NMBA): Service Agreement	That Council accept and endorse the signing of the Northern Midlands Business Association Service Agreement 2020.	NMBA Liaison	Complete.
19/10/2020	341/20	Northern Midlands Business Association Pandemic Support Package	That Council continue to fund the Northern Midlands Business Association's Pandemic Support Package.	NMBA Liaison	Complete.
21/09/2020	300/20	Campbell Town Tennis Club funding request	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	General Manager	Meeting arranged. Funding application submitted.
19/10/2020	352/20	PQT: Council Property at 32 Norfolk Street Perth – Feature of Local Significance	Response to be sent to Mr Henley.	General Manager	Response sent.
19/10/2020	352/20	PQT: Nomenclature: Naming of New Park Created in Norfolk Street Perth	Response to be sent to Mr Henley.	General Manager	Response sent.
21/09/2020	307/20	Illawarra Road Safety Issues	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	Engineering Officer	Response received. DSG have undertaken a review and no changes are proposed to be made.
19/10/2020	351/20	Rail Interface Agreement between Northern Midlands Council and TasRail	That Council enter into a Rail Interface agreement with TasRail.	Engineering Officer	Complete.
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	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 ... 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 ... 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.



# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

Date	Min. Ref.	Details	Action Required	Officer	Current Status
19/10/2020	342/20	Proposed Community House At Longford	That Council approve the allocation of \$30,000 across three years for the Northern Midlands Community House project	Project Officer	Application process being progressed. Completed.
19/10/2020	337/20(3)	Confirmation of Minutes - Longford Local District Committee - Various items	7.1 Draft Planning Scheme Amendment 04/2020: Low Density Residential Zone, Southern Longford. 7.4 Flood Levee banking – it was suggested that with appropriate signage the levee could be used 8.1 Capeweed – who is responsible for nature strips is there a Council Policy and is there any State funding for weed eradication 8.3 Policy on fence heights 8.4 Businesses are reporting that they have run out of Longford tear off street maps: That Council Officers investigate and list the matters for Council consideration prior to report back to the Committee	Executive & Comms Officer	Complete.
19/10/2020	348/20	Round 2 Assistance: Major Festivals, Events & Promotions	That Council allocate Round 2 Special Event Funding	Corporate Services Manager	Complete.
19/10/2020	350/20	Application to purchase Road Reserve: Kertch Street, Longford	there is no evidence that Kertch Street has been included with PID 6730709 for rating purposes. Kertch Street has not been valued separately by the Valuer General for rating purposes as it is an unleased 'reserved road' there is no record of Kertch Street being opened, constructed or maintained as a road for continuous public use; and it consents to an application for the removal of the notation Kertch Street on within PID 6730709 on the condition that the land is adhered to an adjoining title.	Corporate Services Manager	Placed on list of future street names.
19/10/2020	346/20	Remaking of the Dog Control Regulations 2010	That council submit feedback supporting all proposed changes except the removal of the infringement notice prescribed for section 19(3).	Animal Control Officer	Complete.
19/10/2020	345/20	Perth Fenced Off Leash Dog Exercise Area	That Council allocate a budget of \$15,700 to the upgrade of the Perth off-leash dog exercise park, including the installation of: a new secure fence along the railway line, 2 x picnic tables, a water tap and bowl, double entrance gates at both the Mulgrave Street and Arthur Street entrances, and a security camera.	Animal Control Officer/ Works Manager	Works to be progressed.

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

Resource Sharing Summary 1/7/20 to 30/6/21 As at 31/10/20	Units Billed	Amount Billed GST Exclusive \$
<b>Meander Valley Council</b>		
<b>Service Provided by NMC to MVC</b>		
Street Sweeping Plant Operator Wages and Oncosts	85.50	4,639.51
Street Sweeper - Plant Hire Hours	83.50	7,350.03
<b>Total Services Provided by NMC to Meander Valley Council</b>		<u>11,989.54</u>
<b>Service Provided by Meander Valley Council to NMC</b>		
<b>Wages and Oncosts</b>		
Plumbing Inspector Services	189.60	14,157.96
Engineering Services	2.00	129.00
<b>Total Service Provided by MVC to NMC</b>		<u>14,157.96</u>
<b>Net Income Flow</b>		<u>- 2,168.42</u>
<b>Total Net</b>		<u>- 2,168.42</u>
<b>Private Works and Council Funded Works for External Organisations</b>	<b>Hours</b>	
<b>Economic &amp; Community Development Department</b>		
<b>Northern Midlands Business Association</b>		
Promotion Centre Expenditure		Not Charged to Association Funded
- Tourism Officer	4.00	from Council Budget A/c 519035
<b>Works Department Private Works Carried Out</b>	<u>77.75</u>	
	<u>81.75</u>	

# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

## 13 VANDALISM

Prepared by: Jonathan Galbraith; Engineering Officer

Incident	Location	Estimated Cost of Damages		
		October 2020	Total 2020/21	October 2019
Tree deliberately felled over Storys Creek Road	Between Avoca and Rossarden	\$ 1,000		
Damage to doors and toilets at Valentines Park	Campbell Town	\$ 1,000		
Damage to hand drier and toilets at train park	Perth	\$ 1,000		
<b>TOTAL COST VANDALISM</b>		<b>\$ 3,000</b>	<b>\$ 4,100</b>	<b>\$ 0</b>

## 14 YOUTH PROGRAM UPDATE

Prepared by: Billie-Jo Lowe, Youth Officer

### PCYC program

PCYC have recommenced their program at Perth each Thursday starting 22 October with a gradual increase in interest and numbers. PCYC have not recommenced the program in Evandale due to low interest and numbers. PCYC will be trialling their program in Campbell Town on Fridays during Term 4 at the school.

Session Venue	Date of Session	Attendance
Perth	22/10	4
	29/10	9

### Free2B girls program

Following suspension of the program during the pandemic the Free2B girls program has commenced in Longford and Campbell Town. Attendance for the month of October as follows:

Session Venue	Date of Session	Attendance
Campbell Town	21/10	4
	28/10	5
Longford	22/10	11
	29/10	5

### Northern Midlands Active Youth Program

Billie-Jo was successful in obtaining funding from Healthy Tasmania – Tasmanian Government for youth fitness and activity programs at Campbell Town and Cressy for young people aged 10-15. The program commenced in Campbell Town on 22 October and has been very well received. Attendance for the month of October as follows:

Session Venue	Date of Session	Attendance
Campbell Town	21/10	11
	28/10	12

*\*Parent quote – “it’s so great to see the Council running youth programs in Campbell Town, the kids will love it!”*

Billie-Jo will commence the Active Youth Program in Cressy in Term 1, 2021.

### Christmas Banners

Billie-Jo is liaising with Campbell Town and Cressy District High Schools to develop Christmas Banners designed by primary students to display in Campbell Town and Cressy.

### Meetings

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



# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

#### 15 STRATEGIC PLANS UPDATE

Prepared by: Lorraine Green, Project Officer

#### CURRENT AS OF 3 NOVEMBER 2020

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
<b>Blessington</b>			
<b>Feasibility Study: Investment in Ben Lomond Skifield Northern Tasmania</b> (TRC Tourism)	Jun-15		<ul style="list-style-type: none"> <li>Ongoing collaboration with Parks and Wildlife Services and other key stakeholders to progress implementation of report recommendations.</li> <li>State Government budget included commitment of \$400,000 to upgrade the shuttle bus carpark below Jacob's Ladder. Project completed June 2019</li> <li>Jan 2019: Nomination submitted for Ben Lomond to be the state's next iconic walk. Nomination unsuccessful.</li> </ul>
<b>Campbell Town</b>			
<b>War Memorial Oval Precinct</b> Tennis/multi-purpose courts			<ul style="list-style-type: none"> <li>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..</li> <li>November 2017: Funding application submitted to Sport &amp; Recreation Tas for \$80,000 to assist with the courts development: application successful. Acquittal report submitted December 2019.</li> <li>October 2020: Tennis Club submitted Improving the Playing Field Grant application for a tennis pavilion</li> </ul>
Oval Irrigation System & Public Toilet			<ul style="list-style-type: none"> <li>October 2020: application submitted to Improving the Playing Field grant program for oval irrigation system and new public toilet facility</li> </ul>
<b>CBD Urban Design and Traffic Management Strategy</b> (GHD) (Lange Design and Rare Innovations)	May-16		<ul style="list-style-type: none"> <li>GHD contracted to prepare the strategy: final report accepted at November 2017 Council Meeting.</li> <li>Council secured \$1 million loan through the Northern Economic Stimulus package towards the implementation of the main street component of the strategy.</li> <li>20 November 2017 ; Lange Design and Rare Innovations Design contracted to prepare the design and construction tenders. Stage 1 concept plan received April 2018.</li> <li>June 2019: Landscape Works Technical Specification received.</li> <li>Request for funding through the Local Government Land Transport Infrastructure Program submitted April 2020.</li> </ul>
<b>Cressy</b>			
<b>Swimming Pool Master Plan</b> (Loop Architecture)	Dec 15		<ul style="list-style-type: none"> <li>Master Plan accepted at October 2017 Council meeting.</li> <li>Liberal election commitment of \$100,000 to upgrade the complex. Acquittal report due November 2020 – extension being requested.</li> <li>Nationals in Government funding commitment of \$400,000 made March 2019. Funding agreement signed January 2020. Design Consultant engaged , tender advertised– late 2021 completion date anticipated.</li> </ul>
<b>Recreation Ground Master Plan</b> (Lange Design & Loop Architecture)	Feb-17		<ul style="list-style-type: none"> <li>17 Jan 2017: confirmation that the state govt has approved \$220,000 for the ground upgrade through the Northern Economic Stimulus Package.</li> <li>Feb 2017: Lange Design and Loop Architecture contracted to develop the master plan. Master Plan accepted at April 2018 Council Meeting.</li> <li>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.</li> <li>October 2019: assisted Cressy Cricket Club with funding application to Stronger Communities Programme for clubrooms upgrade: funding secured.</li> <li>Facility upgrade design brief completed. Design work completed. Tender advertised completion anticipated late 2020/early 2021</li> </ul>
<b>Evandale</b>			
<b>Honeysuckle Banks</b>			<ul style="list-style-type: none"> <li>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.</li> </ul>
<b>Morven Park Master Plan</b> (Lange Design)	Nov-16		<ul style="list-style-type: none"> <li>Nov 2016 Lange Design contracted to develop master plan. Council accepted 2030 Master Plan at April 2018 Council Meeting.</li> </ul>

# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
<b>Clubhouse</b>	April 18		<ul style="list-style-type: none"> <li>State Liberal election commitment of \$158,000 towards facilities' upgrades. Progress reports submitted Dec 2018, March 2019 and Sept 2019.</li> <li>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)</li> <li>AFL Tas funding commitment of \$60,000 secured – to be paid upon project completion.</li> <li>Anticipated completion in December 2020.</li> <li>Application submitted to Improving the Playing Field Grant Program for ground drainage works.</li> </ul>
<b>Longford</b>			
<b>Community Sports Centre Master Plan</b> (RT & NJ Construction Services)	Feb-15		<ul style="list-style-type: none"> <li>17 Jan 2017: Council advised State Govt has approved \$1,000,000 for the centre upgrade through the Northern Economic Stimulus Package</li> <li>Work progressing within available funding.</li> </ul>
<b>CBD Urban Design Strategy</b> (Lange Design and Loop Architecture)	May-16		<ul style="list-style-type: none"> <li>December 2016: Draft Urban Design Strategy received.</li> <li>Strategy and Guidelines manual accepted at the October 2017 Council Meeting.</li> <li>Negotiations underway February 2018 with State Growth towards development of a deed regarding the future maintenance of the Illawarra Road roundabout.</li> <li>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.</li> </ul>
<b>Memorial Hall &amp; Village Green Infrastructure</b>			<ul style="list-style-type: none"> <li>Sept 17: Philp Lighton Architects contracted to undertake the study of the Council Offices, Memorial Hall, Town Hall and Library facilities. Report received.</li> <li>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. Tender being prepared.</li> </ul>
<b>Perth</b>			
<b>Community Centre Development Plan/Perth Early Learning Centre Redevelopment</b> (Loop Architecture)	Oct-15		<ul style="list-style-type: none"> <li>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.</li> </ul>
<b>CBD Precinct Concept Master Plan</b> (Lange Design and Loop Architecture)	Apr-20		<ul style="list-style-type: none"> <li>Consultancy Agreement signed. Draft concept plans prepared.</li> </ul>
<b>Ross</b>			
<b>Swimming Pool Master Plan</b> (Loop Architecture)	Dec-15		<ul style="list-style-type: none"> <li>Draft Master Plan received May 2016: structural assessment approved August 2016</li> <li>Final plan received June 2017</li> <li>Final report to be presented to workshop September 2017</li> <li>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.</li> <li>Council resolved at June 2020 Meeting to develop a Swimming Pool Strategy. Work on strategy underway.</li> </ul>
<b>Village Green Master Plan</b> (Lange Design, Loop Architecture)	Jun-16		<ul style="list-style-type: none"> <li>Master Plan accepted in principle at Council 12 December 2016 Meeting.</li> <li>Jan 2017: cost estimate for design and documentation, tender process and project management received from JMG.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>March 2018: Lange Design submitted full project package for Village Green, ready for planning application to be prepared by Council officers.</li> <li>Work progressing. Stage 2 with Local Road &amp; Community Infrastructure funding.</li> </ul>

# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
<b>Western Junction</b>			
<b>Launceston Gateway Precinct Master Plan</b> Freight Demand Analysis Report (SGS) Master Plan	Oct-15		<ul style="list-style-type: none"> <li>Council approved the preparation of a brief for the precinct master plan at the Sept 2016 Council Meeting.</li> <li>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.</li> </ul>
<b>TRANSLink Stormwater Upgrade Project</b>			<ul style="list-style-type: none"> <li>Applications lodged with National Stronger Regions Fund 2015/ 2016: unsuccessful.</li> <li>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.</li> <li>Application submitted December 2017 for Round Two Building Better Regions Fund: notified July 2018 unsuccessful.</li> <li>Purchase of parcel of land for stormwater detention purpose.</li> </ul>
<b>Municipal wide</b>			
<b>Integrated Priority Projects Plan</b> (Jacobs, Evergreen Lab)	Apr-20		<ul style="list-style-type: none"> <li>Consultancy Agreement signed. Consultants presented at November 2020 Councillor Workshop.</li> </ul>

#### COMPLETED ACTION ITEMS FOR DELETION

Nil this month.

## 16 2020 ANNUAL GENERAL MEETING AND 2019/2020 ANNUAL REPORT

Prepared by: Gail Eacher, Executive Assistant

On 21 September 2020 (min. ref. 296/20) Council received a report in relation to the holding of the Annual General Meeting, at that time, the following was the decision of Council:

*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;*
- 2) *...*

Council has subsequently received the correspondence from the Department of Premier and Cabinet, which reads as follows:

*As you would be aware, the Local Government Act 1993 (the LG Act) requires councils to include a copy of the Tasmanian Audit Office's (TAO) audit opinion in their Annual Reports. This year however, the COVID-19 pandemic has caused delays to the TAO's annual local government audit process. While the LG Act does not provide an explicit timeframe for the finalisation of Annual Reports, councils are required to invite the public to make submissions on the report for discussion at the Annual General Meeting. Under section 72B of the Act, councils must hold their AGMs no later than 15 December each year.*

*In recognition of the impacts of COVID-19 pandemic, I can advise that the Premier has issued a Notice pursuant to section 13 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (the COVID-19 Act), to extend the statutory timeframe under s72B of the LG Act by three months. Practically, this means that councils will have until 15 March 2021 to hold their 2020 AGMs. General guidance on convening an Annual General Meeting can be found on the Local Government Division's website. Councils that are in a position to hold their AGMs before 15 December may still do so. The Notice simply provides additional time for this to occur.*

*I am advised that the Notice will be published in the Tasmanian Government Gazette on 28 October 2020 and, in accordance with section 8 of the COVID-19 Act, will take effect from this date. Once this occurs I would encourage councils to ensure that any reliance on this Notice is appropriately communicated with their local communities.*

*...*

In accordance with the 21 September 2020 Council decision, the Annual General Meeting (AGM) was to be held at 5.00pm on 14 December 2020, unfortunately the Annual Report for the 2019/2020 year will not be available for presentation at that time.

At this time, Council's Annual Audit is still underway and has not as yet been finalised. Given these circumstances, and in accordance with, the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (the COVID-19 Act), which provides for the extension of the statutory timeframe under s72B of the LG Act by three months, Council will need to postpone the holding of the AGM and presentation of the 2019/2020 Annual Report.



## NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

Once it is possible to determine a date for the finalisation of Council's Annual Report, a further report will be tabled to determine a date to hold the AGM and to advertise the availability of Council's Annual Report. In accordance with the provisions of COVID-19 Act regarding the extension of the statutory timeframe for the holding of the AGM and presentation of the Annual Report, Council will have until 15 March 2021 to hold the 2020 AGM.

### DECISION

Cr Calvert/Cr Davis

That Council write to the organisers of the Longford Blooms event and congratulate them on the success of their event.

Carried unanimously

Cr Davis/Cr Lambert

That the Information items be received.

Carried unanimously

**385/20 ROSS OVAL LEASE: VETERANS CRICKET TASMANIA**

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Des Jennings, General Manager

## **1 PURPOSE OF REPORT**

The purpose of this report is to consider a request from Veterans Cricket Tasmania regarding the upgrade and lease of the Ross Oval.

## **2 INTRODUCTION/BACKGROUND**

It is understood that in recent years veteran cricket has been Australia's fastest growing aspect of cricket.

Subsequently, with Ross' central location and amenities, Veterans Cricket Tasmania wishes to enter into an agreement with Northern Midlands Council regarding the development of the Ross Oval and leasing of same.

It is understood for games to be played in the approaching season they are requesting permission to commence the first stage of the proposed upgrade immediately.

Accordingly, permission has been given to allow Veterans Cricket Tasmania contractor to commence what is essentially a 4-week process of levelling and reseeding immediately, during the best part of the growing season. This permission was given with the understanding that approval is required by Council, with all works at the expense of the group.

Veterans Cricket Tasmania and its members are excited about the project getting underway, with physical and financial support promised by individuals and clubs across the state as well as many offers of assistance from the Ross Community Sports Club and local community.

## **3 STRATEGIC PLAN 2017-2027**

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

- Lead –
  - Leaders with Impact  
Core Strategies:
    - ♦ Communicate – Connect with the community
    - ♦ Lead – Councillors represent honestly with integrity
    - ♦ Manage – Management is efficient and responsive
  - Money Matters  
Core Strategies:
    - ♦ Budgets are responsible yet innovative
    - ♦ Efficiency in resource sharing and Council reform
    - ♦ Improve community assets responsibly and sustainably
  - Best Business Practice & Compliance  
Core Strategies:
    - ♦ Council complies with all Government legislation
    - ♦ Continuous improvement is embedded in staff culture
- Progress –
  - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future  
Core Strategies:
    - ♦ Strategic, sustainable, infrastructure is progressive
    - ♦ Proactive engagement drives new enterprise
    - ♦ Collaborative partnerships attract key industries
    - ♦ Attract healthy, wealth-producing business & industry

- Economic Development – Supporting Growth & Changes
  - ♦ New & expanded small business is valued
  - ♦ Support new businesses to grow capacity & service
  - ♦ Towns are enviable places to visit, live & work
  - ♦ Minimise industrial environment impact on amenity
  - ♦ Developers address climate change challenges
  - ♦ Maximise external funding opportunity
- People –
  - Sense of Place – Sustain, Protect, Progress  
Core Strategies:
    - ♦ Public assets meet future lifestyle challenges
  - Lifestyle – Strong, Vibrant, Safe and Connected Communities  
Core Strategies:
    - ♦ Communicate – Communities speak & leaders listen
    - ♦ Participate – Communities engage in future planning
    - ♦ Connect – Improve sense of community ownership
    - ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
  - Environment – Cherish & Sustain our Landscapes  
Core Strategies:
    - ♦ Cherish & sustain our landscapes
    - ♦ Meet environmental challenges
    - ♦ Eco-tourism strongly showcases our natural beauties

#### 4 POLICY IMPLICATIONS

Policy to be developed subject to the outcome of this report.

#### 5 STATUTORY REQUIREMENTS

N/a

#### 6 FINANCIAL IMPLICATIONS

The support sought from Council includes maintenance of

- a) the oval beyond the pitch area, including: mowing, spraying, repair of damage
- b) the change/clubrooms, parking areas.

The additional cost to Council relates particularly to the maintenance of the oval surface beyond the pitch area.

It is understood that Veterans Cricket Tasmania expect to play up to 8 matches per season, the expected cost to Council to mow:

- Oval only approximately \$1,716 (12 x normal mowing cycles),
- Surrounds estimated at an additional \$1,716.

these costs may increase if extra mowing is required if the ground is placed under irrigation or if it is required to be mowed outside of the normal cycle. These costs could be incorporated in the half yearly financial budget review.

#### 7 RISK ISSUES

The possible risks include:

- Council refuses the request and the negative response from the local Ross community and the loss of a State and Regional sporting event to the Northern Midlands.
- Inadequate maintenance of the oval for the sporting fixture, leading to injury of players.

- No adequate funding for the maintenance of Council's community assets for participants, cricket players, the community and visitors to Ross.

## 8 CONSULTATION WITH STATE GOVERNMENT

N/a.

## 9 COMMUNITY CONSULTATION

Formal advice has been received from the Ross Community Sports Club Inc., supporting the request for approval for Veterans Cricket Tasmania to play cricket on the Ross Oval for a minimum period of 3 years with an option to extend after that time.

The Ross Community Sports Club Inc. further expressed its delight that cricket will again be played on the oval. The players and visitors attracted being of benefit to the club and the wider Ross community.

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council may agree or not agree to lease the Ross Oval to Veterans Cricket Tasmania.

## 11 OFFICER'S COMMENTS/CONCLUSION

Veterans Cricket Tasmania Inc. wishes to enter into an agreement with Northern Midlands Council to redevelop and lease the Ross Oval.

The Ross Community Sports Club has provided advice of its full support for the proposal.

Veterans Cricket Tasmania has provided the following advice to support its request to lease the Ross Oval.

### 1. BACKGROUND AND PROPOSAL

*Over recent years veterans cricket has been Australia's fastest growing aspect of cricket. The original Over 60 age group has extended to Over 70s, then, at Cricket Australia's request, to Over 50, and women veterans have commenced in the last year.*

*Currently there are 8 veterans cricket clubs around the state which play regularly and another 5 or 6 which play less often. These clubs are scattered from Circular Head to south of Hobart. Veterans Cricket Tasmania (Inc) is the umbrella association and is recognized by and formally affiliated with Cricket Tasmania.*

*Despite being among the pioneers of the veterans cricket movement in Australia, Tasmania has lagged in its development due in large part to its population base, but also because of a lack of facilities compared to mainland states. One of our main handicaps is the scarcity of turf pitches across the state which places our representative teams at a disadvantage when competing at National Championships, all of which are played on turf.*

*Our proposal is therefore to develop the Ross Oval and its turf pitch as the centre for veterans cricket in the state to enable us to play*

- roster games between clubs based in different parts of the state*
- representative inter-regional games*
- games involving teams visiting the state against either club or representative teams*

### 2. INTENDED USAGE

*We would like to roster games on the Ross oval this coming season, ideally starting before Christmas, to get the project underway. Depending on when it could be first used, we anticipate the likelihood of there being up to 8 games this season with that number possibly growing to at least 15 in future seasons.*

*The clubs have indicated support but obviously much depends on the playing experience, which in turn depends on the quality of the pitch and the fielding surface.*

# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

VCTas is covered for insurance purposes under Cricket Australia's National Club Risk Protection Programme. This requires Risk Assessment inspections of the ground to be carried out prior to all games, and insures all clubs and their members.

VCTas games are currently played under Covid-safe guidelines as set out by the Tasmanian Government and Cricket Australia.

### **3. PLANNED UPGRADE**

Veterans do not require "A Grade" quality turf pitches but for the ground to be used to its potential, at least 3 pitches of reasonable quality will be needed. We therefore plan to upgrade the ground in two stages.

- a. October to December 2020 - preparation of the pitch and ground for club matches in the 2020/21 season.
  - i. Re-establishment of existing turf wicket area involving spraying existing turf surface, scarifying &/or potential removal of a small layer of the turf surface, sowing, laser levelling.  
This will be carried out by VCTas and at their expense.
  - ii. Mowing and basic refurbishment tasks on the oval beyond the immediate pitch area.  
This will be carried out by Northern Midlands Council

In order for games to be played as soon as possible in the news season we request permission to commence this first stage of the Planned Upgrade immediately.

- b. Autumn 2021 - further develop the ground for more frequent use by veteran clubs and by regional and state representative teams and clubs visiting the state in 2021 and beyond.  
This would require further improvement of

- i. the pitch area
- ii. the installation of an irrigation system for the centre square and surrounding area.

To achieve this VCTas will be applying for a state government grant in the order of \$60 -65 000. If successful, we would hope for this upgrading to commence in early autumn 2021 in preparation for the National Over 70s Championships to be hosted by Northern Tasmania in November 2021.

- iii. The outfield surface. This will be dependent on what assistance the Council can provide.

Note: Council will be provided with a copy of any quote for work on the oval accepted by VCTas. All matters relating to work to be carried out, including schedules, risk assessment, etc will be negotiated by VCTas with Northern Midlands Council officers.

### **4. MATTERS TO BE DETERMINED**

We wish to enter into a priority-use lease agreement with the Council with the following conditions to be taken into consideration.

#### **a. Length and terms of lease.**

As we have indicated to the Ross Community Sports Club we would require a minimum of a 3 year lease agreement, with an option to extend beyond that time to be automatically offered.

We would also require some form of guarantee giving us priority over other users for the length of each cricket season -ie from early October to the end of March. We do not wish this to be completely exclusive and would be happy for other groups to have access to the ground on the following conditions:

- i. That all VCTas rostered games take precedence.
- ii. That VCTas be advised of and consulted concerning any other requests to use the ground in the cricket season.
- iii. Other groups granted access to the ground
  - 1. be made fully aware of VCTas's needs re maintaining the quality of the pitch area and playing surface.
  - 2. tailor their use of the ground in order to allow for those needs and expectations.
  - 3. be held responsible for any damage to the oval and pitch surface,
    - a. and that any such damage be repaired at the user's expense and as soon as possible so that VCTas games can proceed as scheduled.

#### **b. Ground hire fees** are to be negotiated between VCTas and the Ross Community Sports Club.



# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

c. Care-taking responsibilities be shared along the following lines:

- i. VCTas
  - 1. Preparation of the pitch area for matches.  
VCTas will engage a local curator or group of curators who will liaise with both VCTas and the Council regarding necessary work.  
This person/ people will be registered with the Council for purposes of insurance and OH&S.
  - 2. After-match clean-up of ground, change/ club rooms etc.
  - 3. Occasional working bees on specific tasks
    - a. when and as required,
    - b. and in consultation with the Council.
- ii. Northern Midlands Council:
  - 1. all of the oval beyond the pitch area, including mowing, spraying, repair of damage, etc
  - 2. the change/ club rooms, parking areas, etc  
in accordance with their normal maintenance of Council properties.

Officers recommendations are provided below and support the request from VCTas.

## 12 ATTACHMENTS

Nil.

## RECOMMENDATION

That Council agrees to:

- A) a priority-use lease agreement with Veterans Cricket Tasmania Inc., for a 3 (three) year period with right of renewal.
- B) ground hire fee be negotiated between Veterans Cricket Tasmania Inc. and the Ross Community Sports Club Inc. in liaison with Northern Midlands Council officers.
- C) Care-taking responsibilities be shared as follows:
  - i) VCTas
    - 1. Preparation of the pitch area for matches.  
VCTas will engage a local curator or group of curators who will liaise with both VCTas and the Council regarding necessary work.  
This person/ people will be registered with the Council for purposes of insurance and WH&S.
    - 2. After-match clean-up of ground, change/ club rooms etc.
    - 3. Occasional working bees on specific tasks
      - a. when and as required,
      - b. and in consultation with the Council.
  - ii) Northern Midlands Council:
    - 1. all of the oval beyond the pitch area, including mowing, spraying, repair of damage, etc
    - 2. the change/ club rooms, parking areas, etc.  
in accordance with normal maintenance of Council properties.

## DECISION

Cr Calvert/Cr Goninon

That Council agrees to:

- A) a priority-use lease agreement with Veterans Cricket Tasmania Inc., for a 3 (three) year period with right of renewal.
- B) ground hire fee be negotiated between Veterans Cricket Tasmania Inc. and the Ross Community Sports Club Inc. in liaison with Northern Midlands Council officers.
- C) Care-taking responsibilities be shared as follows:
  - i) VCTas

1. Preparation of the pitch area for matches.  
VCTas will engage a local curator or group of curators who will liaise with both VCTas and the Council regarding necessary work.  
This person/ people will be registered with the Council for purposes of insurance and WH&S.
  2. After-match clean-up of ground, change/ club rooms etc.
  3. Occasional working bees on specific tasks
    - a. when and as required,
    - b. and in consultation with the Council.
- ii) Northern Midlands Council:
1. all of the oval beyond the pitch area, including mowing, spraying, repair of damage, etc.
  2. the change/ club rooms, parking areas, etc.
- in accordance with normal maintenance of Council properties.

Carried unanimously

**386/20 COUNCIL CALENDAR: SCHEDULE OF COUNCIL MEETING & WORKSHOP DATES**

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

## 1 PURPOSE OF REPORT

The purpose of this report is to set up a calendar of dates for the holding of Ordinary Council Meetings and workshops for the 2021 year and other scheduled meetings/ functions.

## 2 INTRODUCTION/BACKGROUND

In accordance with the provisions of the *Local Government (Meeting Procedures) Regulations*, an Ordinary Meeting of a Council is to be held at least once in each month and the schedule as shown hereunder fulfils this requirement.

In accordance with Section 6 of the *Local Government (Meeting Procedures) Regulations*:

### 6. Times of meetings

- (1) A meeting is not to start before 5:00 p.m. unless otherwise determined by the council by absolute majority or by the council committee by simple majority.
- (2) After each ordinary election, a council and a council committee are to review the times of commencement of their meetings.

## 3 STRATEGIC PLAN 2017-2027

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

- Lead –
  - Leaders with Impact  
Core Strategies:
    - ♦ Communicate – Connect with the community
    - ♦ Lead – Councillors represent honestly with integrity
    - ♦ Manage – Management is efficient and responsive
  - Money Matters  
Core Strategies:
    - ♦ Budgets are responsible yet innovative
    - ♦ Efficiency in resource sharing and Council reform
    - ♦ Improve community assets responsibly and sustainably
  - Best Business Practice & Compliance  
Core Strategies:
    - ♦ Council complies with all Government legislation
    - ♦ Continuous improvement is embedded in staff culture
    - ♦ Effective and efficient marketing, communications & IT
    - ♦ Excellent standards of customer service
  - Workforce Standards  
Core Strategies:
    - ♦ People & Culture Framework generates professionalism
    - ♦ Workplace Health & Safety is fully compliant
    - ♦ Emergency Management & Safety Plans work well
- Progress –
  - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future  
Core Strategies:
    - ♦ Strategic, sustainable, infrastructure is progressive
    - ♦ Proactive engagement drives new enterprise
    - ♦ Collaborative partnerships attract key industries
    - ♦ Attract healthy, wealth-producing business & industry

- Economic Development – Supporting Growth & Changes
  - ♦ New & expanded small business is valued
  - ♦ Support new businesses to grow capacity & service
  - ♦ Towns are enviable places to visit, live & work
  - ♦ Minimise industrial environment impact on amenity
  - ♦ Developers address climate change challenges
  - ♦ Maximise external funding opportunity
- Tourism Marketing & Communication
  - ♦ Tourism thrives under a recognised regional brand
  - ♦ Tourism partnerships build sense of place identity
- People –
  - Sense of Place – Sustain, Protect, Progress  
Core Strategies:
    - ♦ Planning benchmarks achieve desirable development
    - ♦ Council nurtures and respects historical culture
    - ♦ Developments enhance existing cultural amenity
    - ♦ Public assets meet future lifestyle challenges
  - Lifestyle – Strong, Vibrant, Safe and Connected Communities  
Core Strategies:
    - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
    - ♦ Communicate – Communities speak & leaders listen
    - ♦ Participate – Communities engage in future planning
    - ♦ Connect – Improve sense of community ownership
    - ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
  - Environment – Cherish & Sustain our Landscapes  
Core Strategies:
    - ♦ Cherish & sustain our landscapes
    - ♦ Meet environmental challenges
    - ♦ Eco-tourism strongly showcases our natural beauties
  - History – Preserve & Protect our Built Heritage for Tomorrow  
Core Strategies:
    - ♦ Our heritage villages and towns are high value assets

## 4 STATUTORY REQUIREMENTS

*Local Government (Meeting Procedures) Regulations 2015.*

## 5 OFFICER'S COMMENTS/CONCLUSION

Generally, with the exception of December, Council meetings are held on the third Monday of each month thereby providing Council staff adequate time to finalise data from the previous month and enabling the inclusion of accurate and complete information in the agenda.

The following key dates should be noted:

- LGAT Elected Members' Professional Development Weekend – 27 and 28 February
- ALGA National General Assembly (NGA) of Local Government – 20 to 23 June
- LGAT AGM – 30 June
- LGAT Local Government Conference – 5 and 6 August.

The dates for the Annual National Local Roads and Transport Congress 2021 have not as yet been set, however, the conference is usually held in November.

It is common practice each year for Council to undertake a Municipal Bus Tour to inspect projects that have been identified for inclusion in the forthcoming budget and also to meet with Local District Committee representatives to

# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

discuss their issues of priority. It is suggested that a date for the Bus Tour be identified and included in the 2021 Council Meeting Schedule. An itinerary for the proposed Council Bus Tour is prepared and circulated prior to the tour. It is proposed to take photographs of capital works items listed which could be provided to Councillors who are unable to attend. Consideration should be given to the following dates for the bus tour:

- Tuesday, 23 March
- Wednesday, 24 March
- Thursday, 25 March
- Tuesday, 30 March
- Wednesday, 31 March
- Tuesday, 13 April \*
- Wednesday, 14 April \*
- Thursday, 15 April \*
- Tuesday, 20 April \*
- Wednesday, 21 April \*
- Thursday, 22 April \*

\* Falls within school holiday period

The following key dates should be taken into consideration in determining the date for the bus tour:

- Easter weekend                      2 to 6 April 2021
- School holidays                      10 to 25 April 2021

In considering the Calendar for 2021 it may also be prudent to identify the date that the Councillor Christmas function be held, the following dates are suggested:

- Thursday, 25 November or
- Thursday, 2 December 2021.

## 6 ATTACHMENTS

- 6.1 2021 Statutory Holidays for Tasmania
- 6.2 2021 Tasmanian School Term Schedule
- 6.3 2021 LGAT Calendar Events

## RECOMMENDATION

That

- i) Ordinary Council Meetings and Workshops for the period January to December 2021 be held in accordance with the following schedule:

COUNCIL MEETING SCHEDULE 2021			
Council Meetings commencing at 5.00pm		Council Workshops commencing at 5.15pm	
Monday	18 January		
or Wednesday	<sup>1</sup> 27 January		
Monday	15 February	Monday	1 February
Monday	15 March	Monday	1 March
Monday	<sup>1</sup> 26 April	Monday	<sup>3</sup> 12 April
Monday	17 May	Monday	3 May
Monday	<sup>1 &amp; 2</sup> 28 June	Monday	7 June
Monday	19 July	Monday	5 July
Monday	16 August	Monday	2 August
Monday	20 September	Monday	6 September
Monday	18 October	Monday	4 October
Monday	15 November	Tuesday	<sup>3</sup> 2 November
Monday	13 December	Monday	<sup>3</sup> 29 November

<sup>1</sup> Not third Monday in the month

<sup>2</sup> ALGA NGA scheduled 20-23 June

<sup>3</sup> Not first Monday in the month

# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

- ii) a Council Workshop be scheduled for 4pm, prior to each Ordinary Council Meeting for the period January to December.
- iii) the Council bus tour be conducted on .....2021.
- iv) the Councillors Christmas function be held on **25 November or 2 December 2021**.
- v) Council consider other dates for inclusion in the Annual Council Calendar.

#### DECISION

Cr Goninon/Cr Polley

That

- i) Ordinary Council Meetings and Workshops for the period January to December 2021 be held in accordance with the following schedule:

COUNCIL MEETING SCHEDULE 2021				
Council Meetings commencing at 5.00pm			Council Workshops commencing at 5.15pm	
<sup>1</sup> Wednesday	<sup>1</sup> 27 January			
Monday	15 February		Monday	1 February
Monday	15 March		Monday	1 March
Monday	<sup>1</sup> 26 April		Monday	<sup>3</sup> 12 April
Monday	17 May		Monday	3 May
Monday	<sup>1 &amp; 2</sup> 28 June		Monday	7 June
Monday	19 July		Monday	5 July
Monday	16 August		Monday	2 August
Monday	20 September		Monday	6 September
Monday	18 October		Monday	4 October
Monday	15 November		Tuesday	<sup>3</sup> 2 November
Monday	13 December		Monday	<sup>3</sup> 29 November

<sup>1</sup> Not third Monday in the month      <sup>2</sup> ALGA NGA scheduled 20-23 June      <sup>3</sup> Not first Monday in the month

- ii) a Council Workshop be scheduled for 4pm, prior to each Ordinary Council Meeting for the period January to December.
- iii) the Council bus tour be conducted on **31 March 2021**.
- iv) the Councillors Christmas function be held on **25 November 2021**.
- v) Council consider other dates for inclusion in the Annual Council Calendar.

Carried unanimously



# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

## **387/20 RECRUITMENT: BUILDING & MAINTENANCE OFFICER**

*File:* 15/013; 2/03/01/01  
*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 demonstrate the need for Northern Midlands Council to employ an additional Building & Maintenance Officer to join the Works Department, and work closely with the Building & Maintenance Supervisor on the many and varied new building projects as well as the maintenance of Council owned facilities. This report will also outline the approximate cost to Council to appoint somebody into this position.

### **2 INTRODUCTION/BACKGROUND**

Council's Building and Maintenance team consist of 1 x Building and Maintenance Supervisor, 1 x Building & Maintenance Officer and 1 x Building Apprentice. Prior to June 2020, the team also included 1 x Building & Maintenance 2IC. The latter position resigned from Council and finished on 2 June 2020.

Given the timing of the resignation, and with all focus on the COVID pandemic and keeping Council's expenditure to a minimum, the Building & Maintenance position was not replaced at that time.

As time has progressed, it has become apparent that this position should have been replaced back in June. Not at 2IC level, but instead the recruitment of a Building & Maintenance Officer level candidate.

Following are some examples to be considered in support of this appointment now:

- When the Building & Maintenance Supervisor is working on larger construction projects, there is nobody at present who can supervise the site if he is sick, in training or on a rostered day off. Similarly, there is nobody to supervise or work with the Building Apprentice, who should not work unsupervised if the Building & Maintenance Supervisor is dealing with other trades, ordering materials, or carrying out site specific inductions. Subsequently, tasks are reprioritised which impacts on the efficiency of the department. An additional resource would be able to help across each of these areas.
- On occasions, the Project Manager has been called upon to supervise the site and deal with contractors, if he is available to do so – thus resulting in added responsibility for him and his position, which is already extremely busy.
- The current Building & Maintenance Officer will be focussed on preparing the pools on his own this year, which is a huge task. Whilst doing this, he is also expected to be carrying out customer requests, smaller budget items, fitting banner poles, fitting banners etc. A lot of these duties require two people to complete the work, so a member of the Works team is often seconded to assist with these responsibilities and staff are shuffled around to be able to carry out some of these tasks.
- The Building & Maintenance team are required to do quarterly inspections of Council's public buildings as this is a legislative requirement. Due to operating with such lean resources, other jobs and employees are having to be shuffled around to ensure this requirement is being met. This may mean some other jobs take longer to complete than first expected or anticipated.
- Due to operating with such lean resources, preventative maintenance works is not being attended to in an efficient manner, which results in a lot of reactive work which is neither time nor cost effective for Council.
- Work requests and smaller projects are currently falling to the Works Supervisor to delegate amongst the Works Department, as there are simply not enough resources in the Building & Maintenance team to attend to these.

- A further consideration is the stakeholder relationships that the Building & Maintenance Supervisor has with various groups throughout the municipality. He receives regular phone calls and emails from clubs, cleaners, hall committees, pools, office staff, various trades, and caravan parks – some of whom have three or four different user groups. Whilst working on the larger construction projects, the Building & Maintenance Supervisor has found some of these relationships are being lost, as he is unable to assist them in a timely manner.
- In summary, Building & Maintenance also have larger budget items that require completing, of which most jobs require two people. There are only three in the team currently. One Officer is required to carry out day to day maintenance works, and three may be required on major construction jobs – this leaves the team one Officer short. Even in this scenario, the Building & Maintenance Supervisor, is not freed up to allow him to deal with the municipality's day to day dealings, customer requests, programming of work, inspections, and minor budget items. An additional Building & Maintenance Officer would certainly be able to help the current team in these areas.
- Whilst external contractors are often engaged to assist with some of the workload, this proves expensive for Council in the long term and is not sustainable. This is because this can result in having to wait on contractor availability, which at times can hold up work/projects, which is not ideal for Council.

### 3 STRATEGIC PLAN 2017-2027

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

- Workforce Standards
- Core Strategies:
  - ♦ People & Culture Framework generates professionalism
    - The People and Culture Framework is best practice

### 4 POLICY IMPLICATIONS

N/A

### 5 STATUTORY REQUIREMENTS

The following legislation is applicable when undertaking recruitment:

- *Age Discrimination Act 2004 (Cth)*
- *Anti-Discrimination Act 1998 (TAS)*
- *Australian Human Rights Commission Act 1986 (Cth)*
- *Disability Discrimination Act 1992 (Cth)*
- *Fair Work Act 2009 (Cth)*
- *Racial Discrimination Act 1975 (Cth)*
- *Sex Discrimination Act 1984 (Cth)*

The following legislation is applicable to the work undertaken by a Building & Maintenance Officer:

- *Building Act 2016 (TAS)*
- *Building Regulations 2016 (TAS)*

The following legislation is applicable when Council is operating with such lean resources:

- *Work Health & Safety Act 2012 (TAS)*
- *Workers Rehabilitation & Compensation Act 1988 (TAS)*



## **6 FINANCIAL IMPLICATIONS**

There will be a financial cost to Council to employ a Building & Maintenance Officer, if this report is accepted by Council. The approximate salary for a position such as this will be \$77,041 per annum. In addition to this, Council would bear 45% of the annual salary costs, which are payroll oncosts.

The new position was not included in the 2020/21 budget and will need to be funded from capital works for the current year, and possibly an increase of rates for future years.

## **7 RISK ISSUES**

If Council chooses not to engage an additional resource in the Building & Maintenance team, there is a very high chance that some of the building works and a lot of the maintenance work will not be completed in a timely manner.

## **8 CONSULTATION WITH STATE GOVERNMENT**

N/A

## **9 COMMUNITY CONSULTATION**

N/A

## **10 OPTIONS FOR COUNCIL TO CONSIDER**

That Council considers and accepts this report seeking the appointment of an additional resource in the Building & Maintenance team.

## **11 OFFICER'S COMMENTS/CONCLUSION**

Based on the information presented in this report, the Officer recommends that Council accepts and approves the appointment of a Building & Maintenance Officer.

## **12 ATTACHMENTS**

N/A

## **RECOMMENDATION**

That Council

- A) considers and accepts this report;
- B) endorses the appointment an additional resource in the Building & Maintenance team.

## DECISION

Cr Davis/Cr Calvert

That the matter be discussed.

Carried unanimously

Cr Davis/Cr Polley

That Council

- A) accepts this report;
- B) endorses the appointment an additional resource in the Building & Maintenance team.

Carried unanimously

**388/20 RECRUITMENT: APPRENTICESHIP/TRAINEE WAGE SUBSIDY**

*File:* 15/013; 2/03/01/01  
*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 inform Councillors the Federal Government has announced that it will subsidise half of the wages of new apprentices and trainees, who are appointed between 5 October 2020 and 30 September 2021.

This measure is part of a COVID-19 economic recovery plan and is designed to support employers to engage more apprentices and trainees.

**2 INTRODUCTION/BACKGROUND**

The apprentice/trainee must undertake a Certificate II or higher qualification and the formal training contract must be approved by the State Training Authority (i.e. MEGT).

The wage subsidy is equivalent to fifty percent of the apprentice gross wages paid, up to a maximum of \$7,000 per quarter, per eligible apprentice, for the period mentioned above.

Payments will be made quarterly in arrears, with first claims for the subsidy available from 1 January 2021. Final claims for payment must be lodged by 31 December 2021.

Council could really benefit from engaging a further apprentice in the Works Department and a trainee in the Community and Development Department.

The Works apprentice would undertake a Horticulture Apprenticeship, which would provide an additional resource to undertake general mowing and maintain the many municipal parks and reserves.

The Works Department has a number of projects on or coming up that will have a large impact on works employee workloads. These include:

- DSG road hand overs (roundabouts, entrances, shared paths)
- Tree planting program, (maintenance, watering)
- Ross Village Green/Square
- Norfolk Street Reserve/WSUD
- Main Street programs (e.g. Longford, Perth) garden beds
- Avoca school (there is a possibility this may become a Council asset)
- Maintenance of WMO when placed under irrigation
- Perth Recreation ground surrounds has been handed back to Council to maintain
- Longford Sports Centre

The Community and Development trainee would complete a Certificate III in Business and be trained across the functions in Development Services. This would provide a much-needed resource in this area. Similarly, the Community & Development Department has a number of projects underway or upcoming that have and will impact significantly on workload. These include:

- Preparation, review and ongoing consultation related to the State Planning Scheme and Council's Local Provisions Schedules, in addition to advertising the scheme and associated detailed customer enquiries relating to land use
- Replacement of all reporting templates associated with State Planning Provisions

- Multiple strategic projects and associated regional consultation regarding the Northern Regional Land Use Strategy
- Closing off or extending building files (from year 2000-2016)
- Compliance with changes associated with “Red Tape Reduction” measures, including a reduction/creation of some statutory timeframes.

To further support this appointment, as at the start of November 2020, Council is in receipt of 262 planning applications lodged for the year, compared to 219 at the same time last year. Council is also in receipt of 85 planning reviews (for compliant development) for the year to date, compared to 49 at the same time as last year. Officers have also noticed an increase in complex applications, such as planning scheme amendments and subdivisions.

The value of building works is also up - \$19,925,141 for financial year to date (Jul to Oct 2020), compared to \$13,548.415 financial year to date last year (July to Oct 2019). The Government stimulus provided to the building industry as a result of the COVID-19 pandemic is likely to see strong application numbers continue, particularly where combined with further strategic work to open up new areas for residential growth.

Development Services currently utilises the services of consultants to meet demand and satisfy statutory timeframes; however, this could be reduced through additional resources provided in-house. Further, the department has a significant bank of leave accrued and requires additional resources for leave coverage.

### **3 STRATEGIC PLAN 2017-2027**

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

- Workforce Standards  
Core Strategies:
  - ♦ People & Culture Framework generates professionalism
    - The People and Culture Framework is best practice

### **4 POLICY IMPLICATIONS**

N/A

### **5 STATUTORY REQUIREMENTS**

The following legislation is applicable when undertaking recruitment:

- *Age Discrimination Act 2004 (Cth)*
- *Anti-Discrimination Act 1998 (TAS)*
- *Australian Human Rights Commission Act 1986 (Cth)*
- *Disability Discrimination Act 1992 (Cth)*
- *Fair Work Act 2009 (Cth)*
- *Racial Discrimination Act 1975 (Cth)*
- *Sex Discrimination Act 1984 (Cth)*

The following legislation is applicable when Council is operating with such lean resources:

- *Work Health & Safety Act 2012 (TAS)*
- *Workers Rehabilitation & Compensation Act 1988 (TAS)*

### **6 FINANCIAL IMPLICATIONS**

There will be a financial cost to Council and the exact amount will depend on the age of the successful applicants. As there are different pay rates for sixteen, seventeen, eighteen, nineteen and twenty-year old's and then a separate rate for adults (twenty-one years) when on an apprenticeship.

For example, if the successful applicants were sixteen years of age the starting annual salary would be approximately \$23,000, compared to if the successful candidates are adults (twenty-one years and over), this would result in approximately \$43,000 per annum.

Council would be eligible for a subsidy of up to fifty percent of the gross wages paid to the apprentice/trainee for the first year of their employment, up until the end of December 2021.

In addition to this, there would be a cost to Council of 45% of the annual salary costs which accounts for payroll oncosts.

To combat some of the mentioned cost to Council, we have recently applied for separate funding (Support Apprentices and Trainees Wage Subsidy), which applies to apprentices that were employed by Council as of 1 July 2020. This subsidy covers fifty percent of the gross wages paid to apprentices, up to \$7000 per quarter, per apprentice for the period July 2020 to March 2021. As an estimate and based on the applications that have been lodged this quarter, Council may be able to claim up to \$15,000 for the quarter to September 2020.

It is suggested that the balance funding required to fund the Apprentice positions be funded from a reduction in consultancy allocation in the Community and Development Department, and for Works Department from any maintenance allocation from State Growth for the road reserves adjacent to the Perth Bypass.

## **7 RISK ISSUES**

N/A

## **8 CONSULTATION WITH STATE GOVERNMENT**

N/A

## **9 COMMUNITY CONSULTATION**

N/A

## **10 OPTIONS FOR COUNCIL TO CONSIDER**

That Council considers and accepts this report seeking the appointment 1 x Horticulture Apprentice and 1 x Certificate III in Business Trainee, taking advantage of the wage subsidy available to the first one hundred thousand new apprentices registered.

That Council considers this report, not accepts the recruitment at this stage but defers their decision till a later date.

## **11 OFFICER'S COMMENTS/CONCLUSION**

Based on the information presented in this report, the Officer recommends that Council accepts and approves the appointment of the new apprentice and trainee, who can undertake their formally recognised qualification whilst also learning and progressing in the practical side of both employment opportunities.

## **12 ATTACHMENTS**

N/A

## **RECOMMENDATION**

That Council



# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

- A) considers and accepts this report;
- B) i) endorses the appointment of two new apprentices/trainees.  
OR  
ii) does not endorse the recruitment of two new apprentices/trainees and defers a decision to a later date.

## DECISION

Cr Davis/Cr Goss

That Council

- A) accepts this report;
- B) endorses the appointment of two new apprentices/trainees.

Carried unanimously

**389/20 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT):  
MOTIONS FOR THE ANNUAL GENERAL MEETING AND GENERAL  
MEETING TO BE HELD ON 3 DECEMBER 2020**

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Gail Eacher, Executive Assistant

## **1 PURPOSE OF REPORT**

This report considers the Local Government Association of Tasmania (LGAT) agenda for the General Meeting to be held on 3 December 2020.

## **2 INTRODUCTION/BACKGROUND**

The Local Government Association of Tasmania (LGAT) will hold a One-Day Conference and General Meeting on 3 December 2020, commencing at 9.30am.

The decisions of Council regarding this report will determine how the Northern Midlands Council voting delegate should vote on each of the items listed in the Local Government Association of Tasmania (LGAT) Agenda for the General Meeting.

## **3 STRATEGIC PLAN**

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:
    - ♦ 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
    - ♦ Proactive engagement drives new enterprise
    - ♦ Collaborative partnerships attract key industries
    - ♦ Attract healthy, wealth-producing business & industry
  - Economic Development – Supporting Growth & Changes
    - ♦ Towns are enviable places to visit, live & work
    - ♦ Maximise external funding opportunity
- People –
  - Sense of Place – Sustain, Protect, Progress  
Core Strategies:
    - ♦ Planning benchmarks achieve desirable development
    - ♦ Council nurtures and respects historical culture
    - ♦ Developments enhance existing cultural amenity
    - ♦ Public assets meet future lifestyle challenges
- Place –

- Environment – Cherish & Sustain our Landscapes  
Core Strategies:
- History – Preserve & Protect our Built Heritage for Tomorrow  
Core Strategies:
  - ♦ Our heritage villages and towns are high value assets

#### 4 FINANCIAL IMPLICATIONS

N/a.

#### 5 OPTIONS FOR COUNCIL TO CONSIDER

Consideration needs to be given to each agenda item listed, Council is then to determine how the voting delegate is to vote on each item at the and General Meeting to be held on 3 December 2020.

The following are the motions on which decisions are sought:

##### GOVERNANCE

##### **1 MINUTES \***

###### ***Decision Sought***

That the Minutes of the General Meeting held on 11 September 2020, as circulated, be confirmed.

##### **2 CONFIRMATION OF AGENDA & ORDER OF BUSINESS**

###### ***Decision Sought***

That the agenda and order of business be confirmed.

##### **3 PRESIDENTS REPORT**

###### ***Decision Sought***

That the Meeting note the report on the President's activity from 22 August to 30 October 2020.

##### **4 CEO'S REPORT**

###### ***Decision Sought***

That the Meeting note the report on the CEO's activity from 22 August to 30 October 2020.

##### **5 BUSINESS ARISING \***

###### ***Decision Sought***

That Members note the following information on business arising.

##### **6 FOLLOW UP OF MOTIONS \***

*Contact Officer: Dion Lester*

###### ***Decision Sought***

That the meeting note the report detailing progress of motions passed at previous meetings and not covered in Business Arising.

##### **7 ITEMS FOR DECISION**

###### **7.1 LGAT Future Role in Emergency Management**

*Contact Officer – Georgia Palmer Decision Sought*

###### ***Decision Sought***

That member councils agree to LGAT having an emergency response role when there is a significant state-wide impact as a result of an emergency event and the State Control Centre (SCC) is activated by the State Emergency Management Controller.

In these circumstances, LGAT's principal function will be as a Local Government Liaison Officer embedded in the SCC.

##### **8 ITEMS FOR NOTING**

###### **8.1 PESRAC Update**

*Contact Officer – Dion Lester*

**Decision Sought**

That Members note the update on the Premiers Economic and Social Recovery Advisory Council (PESRAC) Activities.

**8.2 Charitable Rates**

Contact Officer – Katrena Stephenson

**Decision Sought**

That the Meeting note a verbal update will be provided to the Meeting.

**8.3 Parliamentary Inquiries – TasWater \***

Contact Officer – Katrena Stephenson

**Decision Sought**

That Members note the report on activity related to TasWater.

**8.4 21st Century Councils**

Contact Officer – Dion Lester

**Decision Sought**

That Members note the progress on the 21st Century Councils Project.

**8.5 Planning**

Contact Officer – Dion Lester

**Decision Sought**

That Members note the report on planning reform and the red tape reduction agenda and proposed advocacy priorities for the next two years.

**8.6 Waste and Resource Recovery**

Contact Officer – Dion Lester

**Decision Sought**

That Members note the report on waste and resource recovery.

**8.7 Infrastructure Contributions Survey**

Contact Officer – Michael Edrich

**Decision Sought**

That Members note the investigations underway on infrastructure contributions and the current survey seeking council feedback to inform the development of a sector position.

**8.8 Energy**

Contact Officer – Georgia Palmer

**Decision Sought**

That Members note the report in relation to Energy and the potential for savings through LGAT services.

**8.9 Emergency Management**

Contact Officer – Georgia Palmer

**Decision Sought**

That Members note the report on Emergency Management.

**8.10 Road Safety \***

Contact Officer – Katrena Stephenson

**Decision Sought**

That Members note the draft Safe System Guiding Principles for Local Government and provide any feedback by the end of January 2021.

**8.11 LGAT Procurement**

Contact Officer – Deborah Leisser

**Decision Sought**

That Members note the following update on procurement support for councils.

**8.12 Strategic Asset Management Plan Training**

Contact Officer – Michael Edrich

**Decision Sought**

That Members note the success of the recent Strategic Asset Management Plan (SAMP) training.



**8.13 Policy Updates**

Contact Officer – Dion Lester

**Decision Sought**

That Members note the following updates on various matters.

**8.14 Environmental Health Officer Workforce Development Project**

Contact Officer – Lynden Leppard

**Decision Sought**

That Members note the progress of the Environmental Health Officer (EHO) Workforce Development Project.

**8.15 Community Health and Well Being Project**

Contact Officer – Lynden Leppard

**Decision Sought**

That Members note the progress on the LGAT Health and Wellbeing Project 2020-2022.

**8.16 Events Update**

Contact Officer – Miriam Rule

**Decision Sought**

That Members note the report and update on LGAT events.

Members are encouraged to attend LGAT Events and training as appropriate.

**8.17 Communications Update**

Contact Officer – Kate Hiscock

**Decision Sought**

That Members note the following report, particularly the 2019-2020 LGAT Year in Review that strategically links to the new LGAT advocacy pages on the LGAT Website.

**8.18 Operations Update \***

Contact Officer – Katrena Stephenson

**Decision Sought**

That Members note the report on LGAT operational matters.

**8.19 LGAT Annual Plan \***

Contact Officer – Katrena Stephenson

**Decision Sought**

That Members note the report against the Annual Plan.

**MOTIONS FOR WHICH NOTICE HAS BEEN RECEIVED**

**9 ROADS AND INFRASTRUCTURE**

There are no Motions in this category

**10 SECTOR PROFILE AND REFORM**

**10.1 Elected Member Election Nomination Requirements**

Council – Devonport City

**Decision Sought**

That LGAT determine as a policy position and lobby the State Government to require all future candidates nominating for Local Government elections in Tasmania undertake a National Police check in current name and any previous names. The requirements to be a mandatory part of the nomination form which must be completed by all candidates and be available for public scrutiny.

**10.2 Code of Conduct and Arbitration Requirements**

Council – George Town

**Decision Sought**

That LGAT call on the State Government to include mandatory arbitration in the first instance of the Code of Conduct Process.

**10.3 Code of Conduct Panel**

Council – Kingborough

**Decision Sought**

That the Local Government Association Tasmania declares it has no confidence in the Local Government Code of Conduct Panel and calls on the Minister for Local Government to take a more active role in resolving the issues.

**11 SECTOR CAPACITY**

There are no Motions in this category

**12 FINANCIAL SUSTAINABILITY**

**12.1 Grant Timing and Harmonisation**

*Council – George Town*

**Decision Sought**

LGAT calls on the State Government to harmonise the timing requirements of its Local Government grant schemes with other grant funding agencies (such as the Federal Government) in order to reduce contradictory and conflicting expenditure and benchmark requirements.

**13 LAND USE PLANNING & ENVIRONMENT**

**13.1 Dog Control & Wildlife Conservation**

*Council – Break O'Day*

**Decision Sought**

That LGAT ask the Tasmanian Government to improve and increase its education and enforcement programs for the conservation of shorebirds and other coastal wildlife values, in particular to underpin the efforts Councils make, through their Dog Management Policies, to support the Government's responsibilities for wildlife conservation and Reserve management

**13.2 Dog Control and Wildlife Management \***

*Council – Burnie City Council*

**Decision Sought**

That LGAT coordinate arrangements for a more collaborative arrangement between Local Government and State compliance agencies with responsibilities that include dog control and wildlife management and protection.

**13.3 EPA Resourcing and Delegation**

*Council – George Town*

**Decision Sought**

That LGAT calls on the State Government to increase or share resourcing to Local Governments to meet the increasing EPA regulatory and compliance functions required to be provided by Local Governments.

This should include the resourcing and authorisation of Council Officers to facilitate illegal dumping enforcement on crown land.

**13.4 Shipping Containers**

*Council – Northern Midlands Council*

**Decision Sought**

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.

**14 COMMUNITY AND HEALTH**

**14.1 Family and Sexual Violence Strategies**

*Council – George Town*

**Decision Sought**

That LGAT Members support in principal the development of Family and Sexual Violence Strategies by Local Governments across the state.

**15 PUBLIC POLICY GENERAL**

**15.1 Date of Australia Day \***

*Council – Burnie City*

**Decision Sought**

That LGAT approach the State Government to lobby the Federal Government for a change of date for Australia Day.

#### **15.2 Indigenous Sites of Significance Signage**

*Council – George Town*

##### **Decision Sought**

That LGAT call on the State Government to, where appropriate, support the identification, preservation and celebration of Indigenous places of importance across the municipalities of Tasmania.

#### **16 ITEMS FOR DISCUSSION**

##### **16.1 Elected Member Professional Development**

##### **Decision Sought**

That Members discuss, if time allows, what constitutes best practice for Elected Member Professional Development

*\* Denotes attachments.*

## **6 ATTACHMENTS**

6.1 General Meeting Agenda & Attachments – 3 December 2020

### **RECOMMENDATION**

That Council

- A) note/receive the following reports listed in the LGAT Agenda for the meeting to be held on Thursday, 3 December 2020:

#### **GOVERNANCE**

##### **2 CONFIRMATION OF AGENDA & ORDER OF BUSINESS**

That the agenda and order of business be confirmed.

##### **3 PRESIDENTS REPORT**

That the Meeting note the report on the President's activity from 22 August to 30 October 2020.

##### **4 CEO'S REPORT**

That the Meeting note the report on the CEO's activity from 22 August to 30 October 2020.

##### **5 BUSINESS ARISING \***

That Members note the following information on business arising.

##### **6 FOLLOW UP OF MOTIONS \***

That the meeting note the report detailing progress of motions passed at previous meetings and not covered in Business Arising.

##### **8 ITEMS FOR NOTING**

##### **8.1 PESRAC Update**

That Members note the update on the Premiers Economic and Social Recovery Advisory Council (PESRAC) Activities.

##### **8.2 Charitable Rates**

That the Meeting note a verbal update will be provided to the Meeting.

##### **8.3 Parliamentary Inquiries – TasWater \***

That Members note the report on activity related to TasWater.

##### **8.4 21st Century Councils**

That Members note the progress on the 21st Century Councils Project.

##### **8.5 Planning**

That Members note the report on planning reform and the red tape reduction agenda and proposed advocacy priorities for the next two years.

##### **8.6 Waste and Resource Recovery**

That Members note the report on waste and resource recovery.

**8.7 Infrastructure Contributions Survey**

That Members note the investigations underway on infrastructure contributions and the current survey seeking council feedback to inform the development of a sector position.

**8.8 Energy**

That Members note the report in relation to Energy and the potential for savings through LGAT services.

**8.9 Emergency Management**

That Members note the report on Emergency Management.

**8.10 Road Safety \***

That Members note the draft Safe System Guiding Principles for Local Government and provide any feedback by the end of January 2021.

**8.11 LGAT Procurement**

That Members note the following update on procurement support for councils.

**8.12 Strategic Asset Management Plan Training**

That Members note the success of the recent Strategic Asset Management Plan (SAMP) training.

**8.13 Policy Updates**

That Members note the following updates on various matters.

**8.14 Environmental Health Officer Workforce Development Project**

That Members note the progress of the Environmental Health Officer (EHO) Workforce Development Project.

**8.15 Community Health and Well Being Project**

That Members note the progress on the LGAT Health and Wellbeing Project 2020-2022.

**8.16 Events Update**

That Members note the report and update on LGAT events.

Members are encouraged to attend LGAT Events and training as appropriate.

**8.17 Communications Update**

That Members note the following report, particularly the 2019-2020 LGAT Year in Review that strategically links to the new LGAT advocacy pages on the LGAT Website.

**8.18 Operations Update \***

That Members note the report on LGAT operational matters.

**8.19 LGAT Annual Plan \***

That Members note the report against the Annual Plan.

B) vote as follows in relation to the following items listed in the LGAT Agenda for the meeting to be held on Thursday, 3 December 2020:

**GOVERNANCE**

**1 MINUTES \***

***Decision Sought***

That the Minutes of the General Meeting held on 11 September 2020, as circulated, be confirmed.

***Vote for / against the Motion***

**7 ITEMS FOR DECISION**

**7.1 LGAT Future Role in Emergency Management**

***Decision Sought***

That member councils agree to LGAT having an emergency response role when there is a significant state-wide impact as a result of an emergency event and the State Control Centre (SCC) is activated by the State Emergency Management Controller.

In these circumstances, LGAT's principal function will be as a Local Government Liaison Officer embedded in the SCC.

***Vote for / against the Motion***

#### **MOTIONS FOR WHICH NOTICE HAS BEEN RECEIVED**

#### **10 SECTOR PROFILE AND REFORM**

##### **10.1 Elected Member Election Nomination Requirements**

*Council – Devonport City*

##### **Decision Sought**

That LGAT determine as a policy position and lobby the State Government to require all future candidates nominating for Local Government elections in Tasmania undertake a National Police check in current name and any previous names. The requirements to be a mandatory part of the nomination form which must be completed by all candidates and be available for public scrutiny.

*Vote for / against the Motion*

##### **10.2 Code of Conduct and Arbitration Requirements**

*Council – George Town*

##### **Decision Sought**

That LGAT call on the State Government to include mandatory arbitration in the first instance of the Code of Conduct Process.

*Vote for / against the Motion*

##### **10.3 Code of Conduct Panel**

*Council – Kingborough*

##### **Decision Sought**

That the Local Government Association Tasmania declares it has no confidence in the Local Government Code of Conduct Panel and calls on the Minister for Local Government to take a more active role in resolving the issues.

*Vote for / against the Motion*

#### **12 FINANCIAL SUSTAINABILITY**

##### **12.1 Grant Timing and Harmonisation**

*Council – George Town*

##### **Decision Sought**

LGAT calls on the State Government to harmonise the timing requirements of its Local Government grant schemes with other grant funding agencies (such as the Federal Government) in order to reduce contradictory and conflicting expenditure and benchmark requirements.

*Vote for / against the Motion*

#### **13 LAND USE PLANNING & ENVIRONMENT**

##### **13.1 Dog Control & Wildlife Conservation**

*Council – Break O'Day*

##### **Decision Sought**

That LGAT ask the Tasmanian Government to improve and increase its education and enforcement programs for the conservation of shorebirds and other coastal wildlife values, in particular to underpin the efforts Councils make, through their Dog Management Policies, to support the Government's responsibilities for wildlife conservation and Reserve management

*Vote for / against the Motion*

##### **13.2 Dog Control and Wildlife Management \***

*Council – Burnie City Council*

##### **Decision Sought**

That LGAT coordinate arrangements for a more collaborative arrangement between Local Government and State compliance agencies with responsibilities that include dog control and wildlife management and protection.

*Vote for / against the Motion*

##### **13.3 EPA Resourcing and Delegation**

*Council – George Town*

##### **Decision Sought**

That LGAT calls on the State Government to increase or share resourcing to Local Governments to meet the increasing EPA regulatory and compliance functions required to be provided by Local Governments.

This should include the resourcing and authorisation of Council Officers to facilitate illegal dumping enforcement on

crown land.

*Vote for / against the Motion*

#### 13.4 **Shipping Containers**

*Council – Northern Midlands Council*

##### **Decision Sought**

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.

*Vote for / against the Motion*

#### 14 **COMMUNITY AND HEALTH**

##### 14.1 **Family and Sexual Violence Strategies**

*Council – George Town*

##### **Decision Sought**

That LGAT Members support in principal the development of Family and Sexual Violence Strategies by Local Governments across the state.

*Vote for / against the Motion*

#### 15 **PUBLIC POLICY GENERAL**

##### 15.1 **Date of Australia Day \***

*Council – Burnie City*

##### **Decision Sought**

That LGAT approach the State Government to lobby the Federal Government for a change of date for Australia Day.

*Vote for / against the Motion*

##### 15.2 **Indigenous Sites of Significance Signage**

*Council – George Town*

##### **Decision Sought**

That LGAT call on the State Government to, where appropriate, support the identification, preservation and celebration of Indigenous places of importance across the municipalities of Tasmania.

*Vote for / against the Motion*

#### DECISION

Cr Davis/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Davis/Cr Brooks

That Council

A) note/receive the following reports listed in the LGAT Agenda for the meeting to be held on Thursday, 3 December 2020:

##### **GOVERNANCE**

2 **CONFIRMATION OF AGENDA & ORDER OF BUSINESS**

3 **PRESIDENTS REPORT**

4 **CEO'S REPORT**

5 **BUSINESS ARISING \***

6 **FOLLOW UP OF MOTIONS \***

8.1 **PESRAC Update**

8.2 **Charitable Rates**

8.3 **Parliamentary Inquiries – TasWater \***

8.4 **21st Century Councils**

8.5 **Planning**

8.6 **Waste and Resource Recovery**

8.7 **Infrastructure Contributions Survey**

8.8 **Energy**

8.9 **Emergency Management**

8.10 **Road Safety \***

# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

- 8.11 LGAT Procurement
- 8.12 Strategic Asset Management Plan Training
- 8.13 Policy Updates
- 8.14 Environmental Health Officer Workforce Development Project
- 8.15 Community Health and Well Being Project
- 8.16 Events Update
- 8.17 Communications Update
- 8.18 Operations Update \*
- 8.19 LGAT Annual Plan \*

Carried unanimously

That Council

B) vote as follows in relation to the following items listed in the LGAT Agenda for the meeting to be held on Thursday, 3 December 2020:

Cr Davis/Cr Brooks

**1 MINUTES \***

That the Minutes of the General Meeting held on 11 September 2020, as circulated, be confirmed.

*Vote for the Motion*

Carried unanimously

Cr Davis/Cr Calvert

**7.1 LGAT Future Role in Emergency Management**

That member councils agree to LGAT having an emergency response role when there is a significant state-wide impact as a result of an emergency event and the State Control Centre (SCC) is activated by the State Emergency Management Controller.

In these circumstances, LGAT's principal function will be as a Local Government Liaison Officer embedded in the SCC.

*Vote for the Motion*

Carried unanimously

Cr Davis/Cr Goninon

**10.1 Elected Member Election Nomination Requirements (Council – Devonport City)**

That LGAT determine as a policy position and lobby the State Government to require all future candidates nominating for Local Government elections in Tasmania undertake a National Police check in current name and any previous names.

The requirements to be a mandatory part of the nomination form which must be completed by all candidates and be available for public scrutiny.

*Vote for the Motion*

Carried

Voting for the motion:

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

Voting against for the motion:

Cr Adams, Cr Brooks, Cr Calvert, Cr Polley

Cr Davis/Cr Goninon

**10.2 Code of Conduct and Arbitration Requirements (Council – George Town)**

That LGAT call on the State Government to include mandatory arbitration in the first instance of the Code of Conduct Process.

*Vote for the Motion*

Carried unanimously

Cr Davis/Cr Adams

**10.3 Code of Conduct Panel (Council – Kingborough)**

That the Local Government Association Tasmania declares it has no confidence in the Local Government Code of Conduct Panel and calls on the Minister for Local Government to take a more active role in resolving the issues.

*Vote for the Motion*

Carried unanimously

# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

Mayor Knowles adjourned the meeting for the meal break at 6.00pm, at which time Mrs Miles and Mr Godier left the meeting.

Mayor Knowles reconvened the meeting after the meal break at 6.21pm.

Cr Goninon/Cr Brooks

**12.1 Grant Timing and Harmonisation (Council – George Town)**

LGAT calls on the State Government to harmonise the timing requirements of its Local Government grant schemes with other grant funding agencies (such as the Federal Government) in order to reduce contradictory and conflicting expenditure and benchmark requirements.

*Vote for the Motion*

Carried unanimously

Cr Davis/Cr Goninon

**13.1 Dog Control & Wildlife Conservation (Council – Break O’Day)**

That LGAT ask the Tasmanian Government to improve and increase its education and enforcement programs for the conservation of shorebirds and other coastal wildlife values, in particular to underpin the efforts Councils make, through their Dog Management Policies, to support the Government’s responsibilities for wildlife conservation and Reserve management

*Vote for the Motion*

Carried unanimously

Cr Davis/Cr Goninon

That Council propose the following amendment and vote for the amended motion:

**13.2 Dog Control and Wildlife Management \* (Council – Burnie City Council)**

That LGAT coordinate arrangements for a more collaborative arrangement between Local Government and State and all compliance agencies with responsibilities that include dog control and wildlife management and protection.

Carried unanimously

Cr Goninon/Cr Davis

**13.3 EPA Resourcing and Delegation (Council – George Town)**

That LGAT calls on the State Government to increase or share resourcing to Local Governments to meet the increasing EPA regulatory and compliance functions required to be provided by Local Governments. This should include the resourcing and authorisation of Council Officers to facilitate illegal dumping enforcement on crown land.

*Vote for the Motion*

Carried unanimously

Cr Calvert/Cr Goss

**13.4 Shipping Containers (Council – Northern Midlands 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.

*Vote for the Motion*

Carried unanimously

Cr Davis/Cr Lambert

**14.1 Family and Sexual Violence Strategies (Council – George Town)**

That LGAT Members support in principal the development of Family and Sexual Violence Strategies by Local Governments across the state.

*Vote for the Motion*

Carried unanimously

Cr Goninon/Cr Calvert

**15.1 Date of Australia Day \* (Council – Burnie City)**

That LGAT approach the State Government to lobby the Federal Government for a change of date for Australia Day.

*Vote against the Motion*

Lost

Voting for the motion:

Cr Adams, Cr Brooks, Cr Calvert, Cr Goninon



# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

Voting against for the motion:

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

Cr Davis/Cr Adams

**15.1 *Date of Australia Day* \* (Council – Burnie City)**

That LGAT approach the State Government to lobby the Federal Government for a change of date for Australia Day.

*Abstain from Voting*

Carried

Voting for the motion:

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

Voting against for the motion:

Cr Brooks, Cr Calvert, Cr Goninon, Cr Goss

Cr Calvert/Cr Davis

**15.2 *Indigenous Sites of Significance Signage* (Council – George Town)**

That LGAT call on the State Government to, where appropriate, support the identification, preservation and celebration of Indigenous places of importance across the municipalities of Tasmania.

*Abstain from voting*

Carried

Voting for the motion:

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

Voting against for the motion:

Cr Brooks, Cr Goss

*Mrs Miles and Mr Godier attended the meeting at 6.35pm.*

# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

## 390/20 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: Des Jennings, General Manager

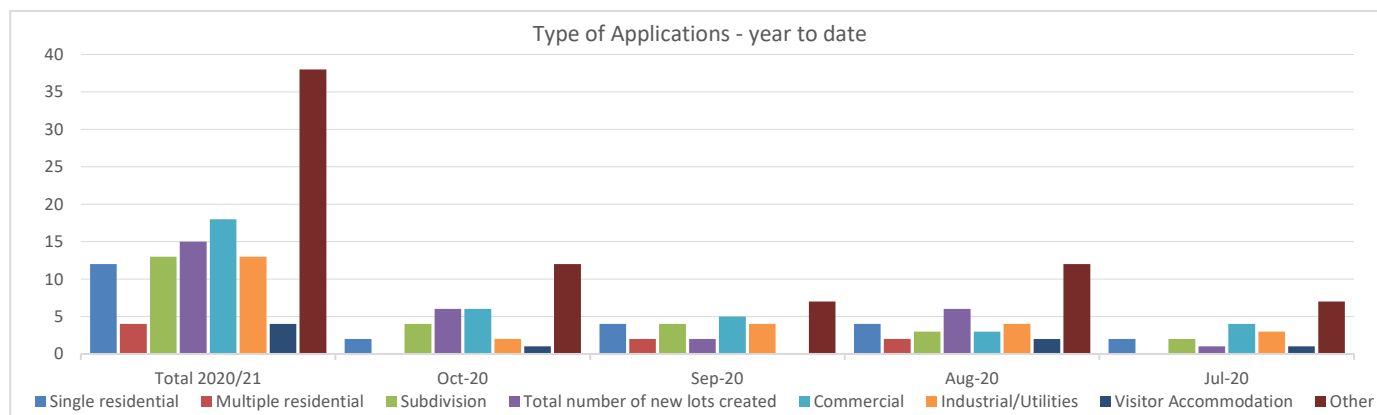
### 1 PURPOSE OF REPORT

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

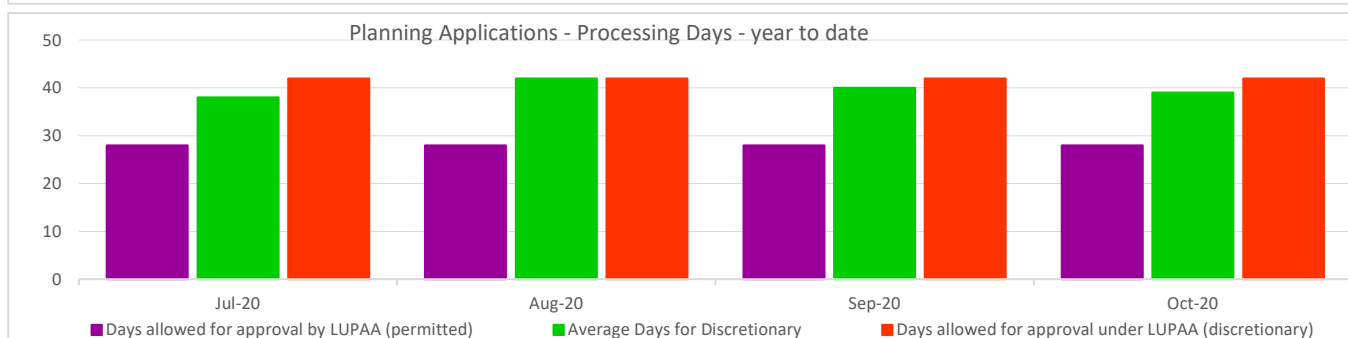
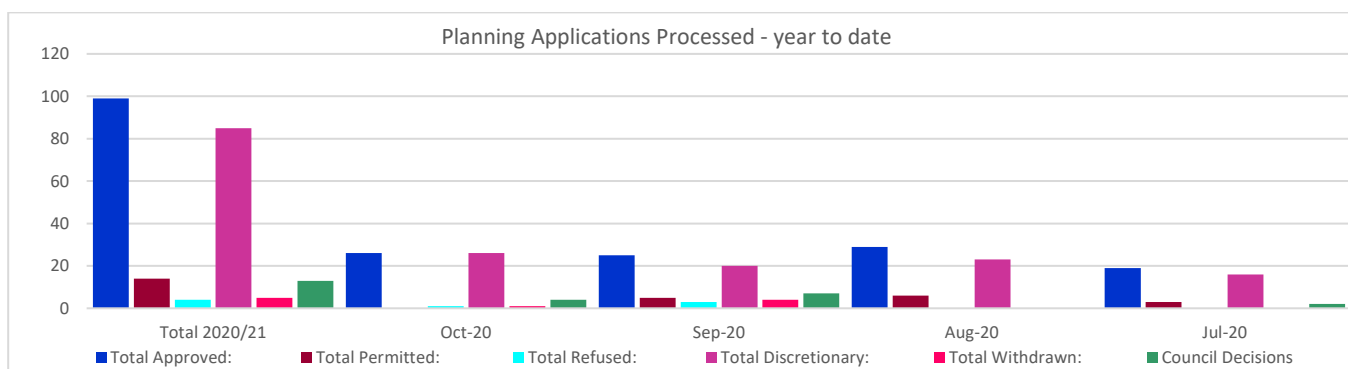
	Total YTD	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
Number of valid applications	69	21	11	19	18								
Single residential	12	2	4	4	2								
Multiple residential	4	0	2	2	0								
Subdivision	13	2	3	4	4								
Total number of new lots created	15	1	6	2	6								
Commercial	18	4	3	5	6								
Industrial/Utilities	13	3	4	4	2								
Visitor Accommodation	4	1	2	0	1								
Total permitted	0	0	0	0	0								
Total discretionary	4	1	2	0	1								
Other	38	7	12	7	12								
Total number of applications approved	99	19	29	25	26								
Total Permitted	14	3	6	5	0								
Average Days for Permitted		25	26	29	-								
Days allowed for approval by LUPAA		28	28	28	28	28	28	28	28	28	28	28	28
Total Exempt under IPS	25	8	5	4	8								
Total Refused	4	0	0	3	1								
Total Discretionary	85	16	23	20	26								
Average Days for Discretionary		38	42	40	39								
Days allowed for approval under LUPAA		42	42	42	42	42	42	42	42	42	42	42	42
Total Withdrawn	5	0	0	4	1								
Council Decisions	13	2	0	7	4								
Appeals lodged by the Applicant	1	0	0	0	1								
Appeals lodged by third party	0	0	0	0	0								



# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020



#### October 2020

Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
PLN-20-0133	Precast panel making shed, signage and access (Road and Railway Assets Code)	2 Hughes Court, Western Junction TAS 7212	Wilkin Design & Drafting	42	D
PLN-20-0162	New dwelling & access (vary setbacks)	CT178212/2 and Crown Land, Nile Road, Nile TAS 7212	Mr Peter Liddington	42	D
PLN-20-0194	2 Lot Subdivision	19-21 Mary Street, Perth TAS 7300	Michell Hodgetts Surveyors	42	D
PLN-20-0212	Fence featuring art installation (vary height/transparency)	176 High Street, Campbell Town TAS 7210	Benton Van Dorsselaer	42	D
PLN-20-0217	Shed & carport	5 Macquarie Street, Cressy TAS 7302	Ian Alexander Ferrier	42	D
PLN-20-0223	Demolish 2 sheds	4 George Street, Longford TAS 7301	Nick & Melissa Mr & Mrs Ainslie	42	D
PLN-20-0214	Fence, shed, new door and replace windows (Heritage Listed Property)	21 Goderich Street, Longford TAS 7301	Mr Justin Young	42	D
PLN-20-0191	WiFi Antenna (heritage listed property within heritage precinct)	1-3 Barclay Street, Evandale TAS 7212	Launceston City Mission	42	D
PLN-20-0192	Change of use to business and professional services, 1.2m high panels on veranda roof, signage, removal of vegetation (heritage precinct)	10 Marlborough Street, Longford TAS 7301	Mr Simon Froude	42	D
PLN-20-0200	Alterations & additions to dwelling, new shed (Flood Prone Areas Code)	2176 Bishopsbourne Road, Longford TAS 7301	Adams Building Design	41	D
PLN-20-0202	Removal of 2 trees (Native Vegetation)	12 Summit Drive, Devon Hills TAS 7300	Kim & Christine White	42	D
PLN-20-0219	Change of use to General Retail & Hire	10a Marlborough Street, Longford TAS 7301	Rotary Club of Longford	5	D
PLN-20-0220	removal of trees and shrubs (heritage precinct)	15 Collins Street, Evandale TAS 7212	Mr Dane Samuel	38	D
PLN-20-0193	3-lot subdivision (vary lot size, Bushfire Prone Area, Attenuation Area, Road & Railway Assets Code)	359 Cressy Road, Longford TAS 7301	Mr Carlton Dixon	42	D
PLN-20-0221	Partial change of use to Visitor Accommodation & signage (Heritage Precinct, pervious access & parking)	89 Wellington Street, Longford TAS 7301	Julie & Gary Iles	28	D



# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

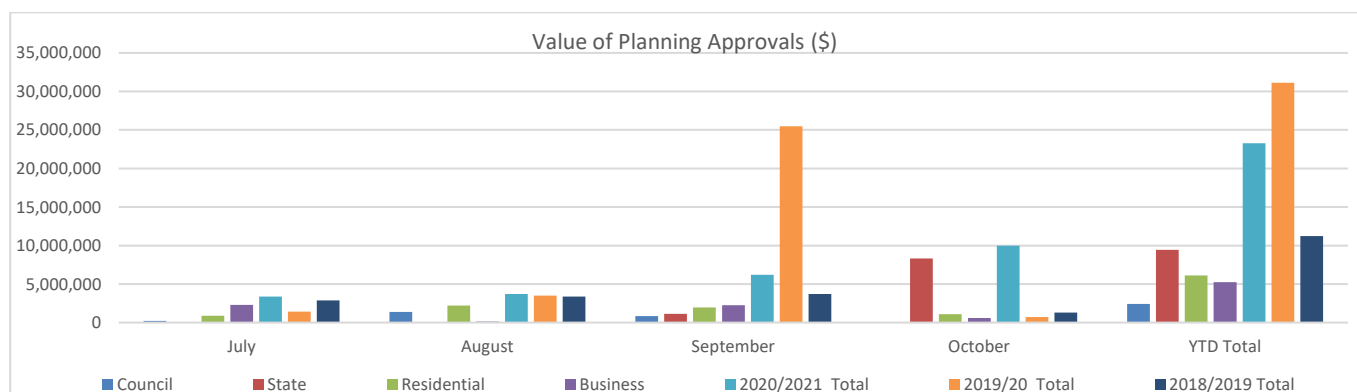
October 2020

Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
PLN-20-0150	2 Lot subdivision to replace existing strata (vehicle fuel sales and service, supermarket parking and unloading, single dwelling) (vary zone provisions)	5 and, 7 Wellington Street, Longford TAS 7301	All Urban Planning Pty Ltd	42	D
PLN-20-0184	Shed (vary rear setback)	6 Sapphire Court, Perth TAS 7300	Dale & Sharon Fraser	42	D
PLN-20-0196	Food Services - Café/food van, farm gate kiosk & signage (vary setbacks, parking forward of building line, Road and Railway Assets Code, within Airport ANEF contours)	790 Hobart Road, Breadalbane TAS 7258	6ty° Pty Ltd	43	D
PLN-20-0197	Additional Crossover	62 Main Road, Perth TAS 7300	Ms Jacqueline Cox	42	D
PLN-20-0198	Dwelling, ground based solar panels & native vegetation removal	5A Collins Street, Perth TAS 7300	Theresa L Hatton	43	D
PLN-20-0201	Shed (18m x 15m x 6.42m high) (Vary front setback and height provisions)	1096 Bishopsbourne Road, Bishopsbourne TAS 7301	Andrew Bowerman & Kayleen Lowe	42	D
PLN-20-0213	Awning (vary side setback to 200mm)	84 Hobhouse St, Longford TAS 7301	Optimo Awnings	30	D
PLN-20-0215	Shed & Carport (total floor area of outbuildings greater than 80m2)	7 Collins Street, Perth TAS 7300	Daniel Hellinga	29	D
<b>COUNCIL DECISIONS</b>					
PLN-20-0189	Utilities - Evandale Road duplication (Road and Railway Assets Code, Flood Prone Areas Code, Water Quality Code, Airports Impact Management Code, Translink SAP)	Evandale Road from Hobart Road to Hudson Fysh Drive, Western Junction TAS 7212	Doug Fotheringham	42	C
PLN-20-0101	Poultry abattoir and composting of poultry waste (Irrigation District)	59 Raeburn Road, Breadalbane TAS 7258	Strelleyfield Tasmania	42	C
PLN-20-0211	3 lot subdivision, fill dam, new road (vary lot size, no reticulated services, Scenic Management area)	40 Fairtlough Street and Sinclair Street reserved road, Perth TAS 7300	Mr Carlton Dixon	42	C
<b>COUNCIL DECISIONS - REFUSAL</b>					
PLN-20-0180	Storage Facility (vary all setbacks; within 50m of Railway; parking forward of building line)	11 Gay Street, Longford TAS 7301	Wilkin Design & Drafting	42	CR

## 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	1,370,000	10,000	2,208,500	121,000	3,709,500	3,503,000	3,369,300
September	850,000	1,120,000	1,971,000	2,248,000	6,189,000	25,457,550	3,704,400
October	0	8,302,500	1,083,000	601,500	9,987,000	717,900	1,282,500
<b>YTD Total</b>	<b>2,437,500</b>	<b>9,432,500</b>	<b>6,139,500</b>	<b>5,253,500</b>	<b>23,263,000</b>	<b>31,107,450</b>	<b>11,219,700</b>
<b>Annual Total</b>						<b>55,891,900</b>	<b>36,482,950</b>

# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020



## 2.3 Matters Awaiting Decision by TPC & RMPAT

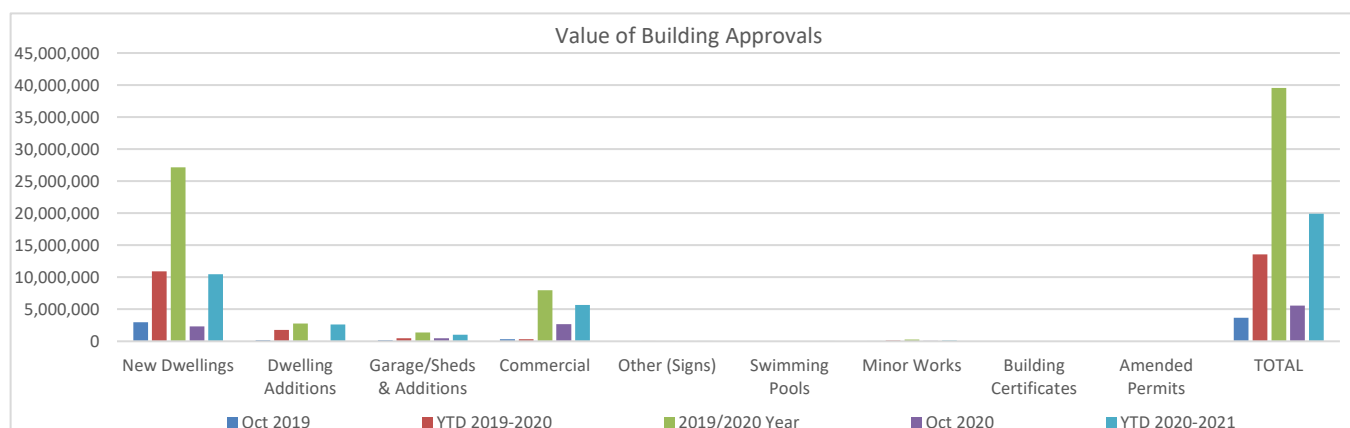
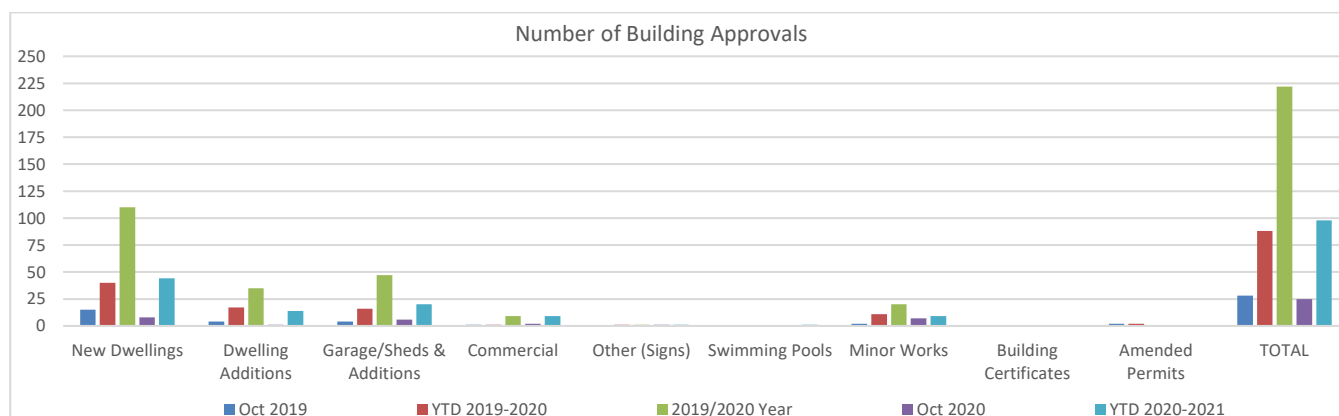
TPC	TASMANIAN PLANNING COMMISSION
TPS	Tasmanian Planning Scheme. The State Planning Provisions (SPPs) came into effect on 2/3/2017. They will have no practical effect until the Local Provisions Schedule (LPS) is in effect in a municipal area. Northern Midlands Council's Draft Local Provisions Schedule 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. Remaining responses to post lodgement enquiries provided 28/08/2020.
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 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 gave Woolcott Surveys a further extension, until 16 October 2020, to submit further flood modelling work.
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. Hearing held 14/10/2020. Awaiting decision.
03/2020	PLN20-0071, 2A Saundridge Rd Cressy Site specific amendment to allow for subdivision, in conjunction with s43A for 2 lot subdivision. Council's report on representation sent to Commission 24/9/2020.
RMPAT	RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL
92/20P	11 Gay Street Longford, appeal against Council's refusal of an application for storage units. Preliminary conference held 13 November 2020.
Decisions received	
TPC	
-	-
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 (figures do not include Building Approvals processed under Resource Sharing Agreements).

	YEAR: 2019-2020				YEAR				YEAR: 2020-2021			
	Sept 2019		YTD 2019-2020		July 2019 - June 2020		Sept 2020		YTD 2020-2021			
	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$
New Dwellings	15	2,957,110	40	10,909,159	110	27,131,594	8	2,321,145	44	10,464,433		
Dwelling Additions	4	175,000	17	1,751,251	35	2,757,001	1	50,000	14	2,608,970		
Garage/Sheds & Additions	4	188,000	16	461,000	47	1,394,142	6	481,000	20	1,023,700		
Commercial	1	320,000	1	320,000	9	7,952,000	2	2,650,000	9	5,661,150		
Other (Signs)	0	0	1	5,000	1	5,000	1	12,000	1	12,000		
Swimming Pools	0	0	0	0	0	0	0	0	1	49,000		
Minor Works	2	21,725	11	102,005	20	287,983	7	70,888	9	105,888		
Building Certificates	0	0	0	0	0	0	0	0	0	0		
Amended Permits	2	0	2	0	0	0	0	0	0	0		
<b>TOTAL</b>	<b>28</b>	<b>3,661,835</b>	<b>88</b>	<b>13,548,415</b>	<b>222</b>	<b>39,527,720</b>	<b>25</b>	<b>5,585,033</b>	<b>98</b>	<b>19,925,141</b>		
<b>Inspections</b>												
Building	0		0		58		15		15			
Plumbing	36		120		282		37		110			

# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 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	2020/2021	Total 2019/2020
Number of Inspections	5	14	43
Property owner not home or only recently started			1
Complying with all conditions / signed off	3	9	21
Not complying with all conditions			
Re-inspection required	1	1	17
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			
No Further Action Required	1	4	4

Building Permit Reviews	This Month	2020/2021	Total 2019/2020
Number of Inspections	1	6	25
Property owner not home or only recently started			
Complying with all conditions / signed off	1	1	5
Not complying with all conditions			1
Re-inspection required		1	6
Building Notices issued			
Building Orders issued			
No Further Action Required		4	12

# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

Illegal Works - Building	This Month	2020/21	Total 2019/2020
Number of Inspections	2	7	26
Commitment provided to submit required documentation	1	2	1
Re-inspection required	1	2	6
Building Notices issued		1	4
Building Orders issued		1	4
Emergency Order			
No Further Action Required		3	12

Illegal Works - Planning	This Month	2020/21	Total 2019/2020
Number of Inspections	5	37	77
Commitment provided to submit required documentation		2	7
Re-inspection required	4	26	42
Enforcement Notices issued		1	
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued			5
No Further Action Required	1	8	20

### 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 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 9 commercial building approvals valued at \$5,661,150 for 2020/21 (year to date), compared to 1 commercial building approval valued at \$320,00 (year to date) for 2019/2020.

In total, there were 98 building approvals valued at \$19,925,141 (year to date) for 2020/2021, compared to 88 building approvals valued at \$13,548,415 (year to date) for 2019/20.

## **RECOMMENDATION**

That the report be noted.

### DECISION

Cr Adams/Cr Polley

That the report be noted.

Carried unanimously





# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

## 391/20 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 October 2020.

### 2 INTRODUCTION/BACKGROUND

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

### 3 ALTERATIONS TO 2020-21 BUDGET

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

#### SUMMARY FINANCIAL REPORT

For Month Ending: 31-Oct-20 4

A. Operating Income and Expenditure						
	Budget	Year to Date Budget	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$11,236,820	-\$11,236,820	-\$11,633,408	\$397	103.5%	
Recurrent Grant Revenue	-\$4,293,307	-\$1,431,102	-\$921,184	-\$510	64.4%	
Fees and Charges Revenue	-\$1,848,426	-\$616,142	-\$877,850	\$262	142.5%	
Interest Revenue	-\$675,507	-\$225,170	-\$111,738	-\$113	49.6%	
Reimbursements Revenue	-\$63,880	-\$21,293	-\$85,017	\$64	399.3%	
Other Revenue	-\$968,444	-\$322,815	-\$343,019	\$20	106.3%	
	-\$19,086,384	-\$13,853,342	-\$13,972,216	\$119	100.9%	
Employee costs	\$5,536,773	\$1,845,591	\$1,642,553	\$203	89.0%	
Material & Services Expenditure	\$5,248,743	\$1,749,581	\$1,488,323	\$261	85.1%	
Depreciation Expenditure	\$5,732,369	\$1,910,790	\$1,910,529	\$0	100.0%	
Government Levies & Charges	\$861,522	\$287,174	\$201,838	\$85	70.3%	
Councillors Expenditure	\$199,210	\$66,403	\$46,029	\$20	69.3%	
Interest on Borrowings	\$272,007	\$90,669	\$117,996	-\$27	130.1%	
Other Expenditure	\$1,712,984	\$570,995	\$703,305	-\$132	123.2%	Pension rebates for full year
Plant Expenditure Paid	\$524,700	\$174,900	\$217,056	-\$42	124.1%	
	\$20,088,308	\$6,696,103	\$6,327,629	\$368	94.5%	
	\$1,001,924	-\$7,157,240	-\$7,644,587			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$602,390	\$200,797	\$0	\$201	0.0%	
Underlying (Surplus) / Deficit	\$1,604,314	-\$6,956,443	-\$7,644,587			
	-		-			
Capital Grant Revenue	-\$10,749,146	-\$3,583,049	-\$350,000	-\$3,233	9.8%	
Subdivider Contributions	-\$524,114	-\$174,705	0	-\$175	0.0%	
Capital Revenue	-\$11,273,260	-\$3,757,753	-\$350,000			
	-		-			

# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

#### Budget Alteration Requests

- For Council authorisation by absolute majority

		<i>Budget Operating</i>	<i>Budget Capital</i>	<i>Actuals</i>
--	--	-----------------------------	---------------------------	----------------

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

Oct

Barton Road Reconstruction - deferred	751586	-\$535,000	Awaiting removal of trees and land acquisition
Green Rises Road - Supplementary	Asset 524	\$535,000	2.29 km - chainage 8.3 to 10.59

Sept

Aug

July

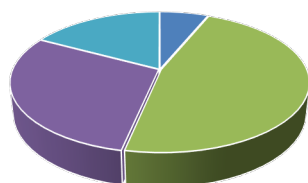
#### B. Balance Sheet Items

	<i>Year to Date Actual</i>	<i>Monthly Change</i>	<i>Same time last year</i>	<i>Comments</i>
<b>Cash &amp; Cash Equivalents Balance</b>				
- Opening Cash balance	\$16,905,670	\$21,113,683		
- Cash Inflow	\$9,645,504	\$606,120		
- Cash Payments	-\$6,339,447	-\$1,508,074		
- Closing Cash balance	\$20,211,728	\$20,211,728		
	-	-		
<b>Account Breakdown</b>				
- Trading Accounts	\$2,066,186			
- Investments	\$18,145,542			
	\$20,211,728			
	-			

#### Summary of Investments

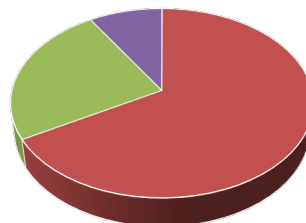
	<i>Investment Date</i>	<i>Maturity Date</i>	<i>Interest Rate%</i>	<i>Purchase Price</i>	<i>Maturity Value</i>	
Tasmanian Public Finance Corporation Call Account	1/10/2020	31/10/2020	0.25	\$5,391	\$5,392	
CBA Call Account	1/10/2020	31/10/2020	0.15	\$1,574	\$1,574	
CBA Business Online Saver	28/10/2020	31/10/2020	0.50	\$4,578,331	\$4,578,519	
Bank of Us	25/05/2020	25/11/2020	1.00	\$680,802	\$684,234	
Westpac	9/09/2020	9/12/2020	0.47	\$2,503,781	\$2,506,715	
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	6/10/2020	4/07/2022	3.37	\$5,500,000	\$5,822,966	
Westpac	29/09/2020	29/06/2023	3.30	\$1,050,000	\$1,145,216	
Total Investments				\$18,145,542	\$18,618,649	
					-	

Investments by Institution



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

Total Investments by Rating (Standard & Poor's)

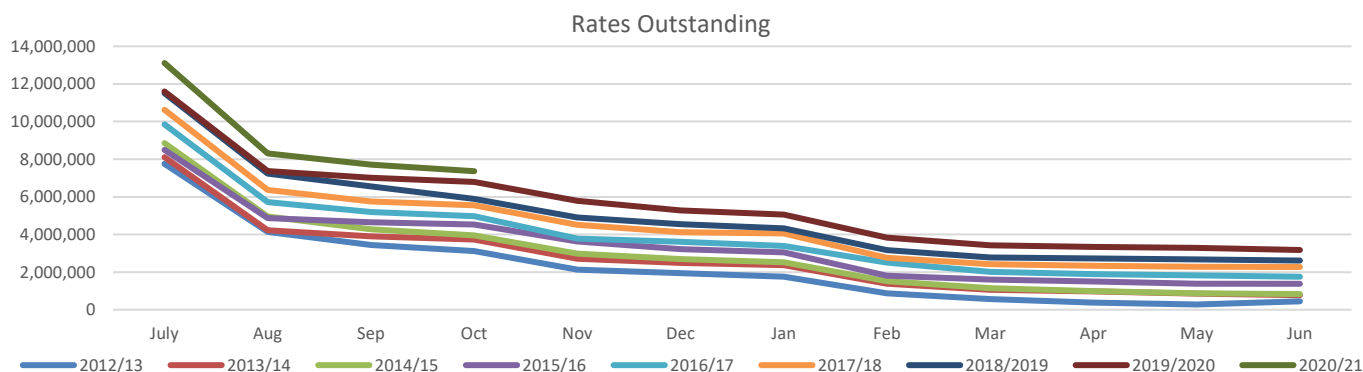


■ AA+ ■ AA- ■ BBB ■ Unrated

<i>Rate Debtors</i>	<i>2020/21</i>	<i>% to Raised</i>	<i>Same Time Last Year</i>	<i>% to Raised</i>	
Balance b/fwd	\$2,808,852		\$2,275,315		
Rates Raised	\$11,655,576		\$11,348,089		
	\$14,464,428		\$13,623,405		
Rates collected	\$6,685,732	57.4%	\$7,539,892	66.4%	
Pension Rebates	\$480,337	4.1%	\$447,577	3.9%	
Discount & Remissions	\$54,921	0.5%	\$101,816	0.9%	

# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

	\$7,220,990		\$8,089,284	
Rates Outstanding	\$7,362,349	63.2%	\$6,786,805	59.8%
Advance Payments received	-\$118,912	1.0%	-\$144,530	1.3%



## Trade Debtors

Current balance	\$124,999		
- 30 Days		\$31,938	
- 60 Days		\$4,169	
- 90 Days		\$26,618	
- More than 90 days		\$62,275	
Summary of Accounts more than 90 days:		-	
- Norfolk Plains Book sales		171	Paid by outlet as sold
- Hire/lease of facilities		29,935	
- Removal of fire hazards		6,867	
- Dog Registrations & Fines		15,688	Send to Fines Enforcement
- Private Works		8,943	
- Regulatory Fees		671	
- Govt Reimbursements		-	

## C. Capital Program

	Budget	Actual (\$,000)	Target 33%	Comments
Renewal	\$11,293,402	\$2,543,518	23%	
New assets	\$9,542,194	\$2,180,629	23%	
Total	\$20,835,595	\$4,724,146	23%	

## Major projects:

- Longford Sports Centre stage 2 & carpark	\$890,000	\$256,150	29%	In progress
- Campbell Town Rec Ground Site Works	\$166,500	\$39,792	24%	
- Evandale Rec Ground Amenities	\$866,205	\$64,022	7%	In progress
- Cressy Rec Ground Amenities	\$837,855	\$84,110	10%	
- Cressy Pool Improvements	\$516,000	\$51,569	10%	
- Ross Caravan Park units	\$220,000	\$143,089	65%	In progress
- Ross Village Green	\$400,000	\$149,340	37%	In progress
- Sheepwash Creek development	\$715,000	\$462,094	65%	In progress
- Green Rises Road reconstruction	\$535,000	\$0	0%	
- Macquarie Road reconstruction	\$370,000	\$0	0%	
- Bridge 1469 Storrs Creek Road	208,000	\$78,319	38%	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	\$121,300	108%	Complete












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

# NORTHERN MIDLANDS COUNCIL















## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020








#### D. Financial Health Indicators

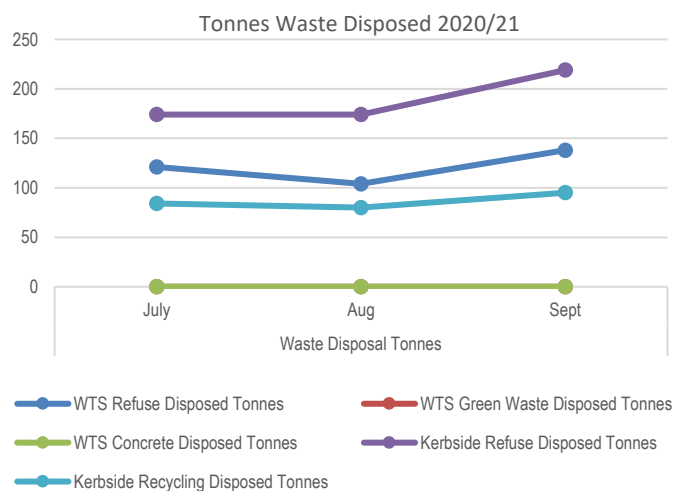
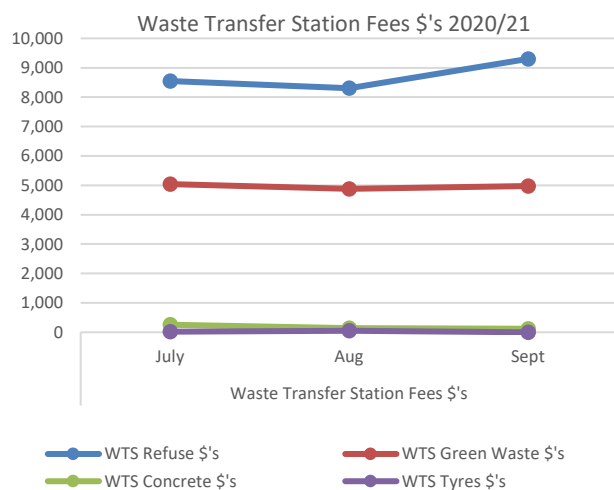
	Target	Actual	Variance	Trend	
<b>Financial Ratios</b>					
- Rate Revenue / Total Revenue	58.9%	83.3%	-24.4%	↘	
- Own Source Revenue / Total Revenue	78%	93%	-15.9%	↘	
<b>Sustainability Ratio</b>					
- Operating Surplus / Operating Revenue	-8.4%	54.7%	-63.1%	↘	
- Debt / Own Source Revenue	50.2%	56.9%	-6.7%	↔	
<b>Efficiency Ratios</b>					
- Receivables / Own Source Revenue	50.6%	52.0%	-1.4%	↘	
- Employee costs / Revenue	29.0%	11.8%	17.3%	↗	
- Renewal / Depreciation	197.0%	133.1%	63.9%	↗	
<b>Unit Costs</b>					
- Waste Collection per bin	\$10.53	\$8.43		↔	
- Employee costs per hour	\$46.14	\$32.85		↗	
- Rate Revenue per property	\$1,581.76	\$1,637.59		↔	
- IT per employee hour	\$3.30	\$3.41		↘	

#### E. Employee & WHS scorecard

	YTD	This Month	
Number of Employees	90	90	
New Employees	5	2	
Resignations	6	3	
Total hours worked	49,997	10,091	
Lost Time Injuries	1	1	
Lost Time Days	0	0	
Safety Incidents Reported	3	0	
Hazards Reported	37	7	
Risk Incidents Reported	4	1	
Insurance claims - Public Liability	1	1	
Insurance claims - Industrial	1	0	
Insurance claims - Motor Vehicle	3	0	
IT - Unplanned lost time	1	1	
Open W/Comp claims	4	1	

#### F. Waste Management

Waste Transfer Station	2018/19	2019/20	2020/21 Budget Year to Date	2020/21	
<b>Takings</b>					
- Refuse	\$93,411	\$92,611	\$30,594	\$26,157	
- Green Waste	\$52,960	\$50,996	\$16,092	\$14,900	
- Concrete	\$2,376	\$1,551	\$504	\$518	
			\$0	\$76	
Total Takings	\$152,877	\$142,782	\$47,189	\$41,651	
<b>Tonnes Disposed</b>					
WTS Refuse Disposed Tonnes	\$1,325	1388	1954	363	
WTS Green Waste Disposed Tonnes	5200	5400	6015	0	
WTS Concrete Disposed Tonnes	0	0	0	0	
Kerbside Refuse Disposed Tonnes	2217	2326	1806	567	
Kerbside Recycling Disposed Tonnes	1051	1036	869	259	
Total Waste Tonnes Disposed	\$9,793	10150	10644	1189	



## 4 OFFICER COMMENTS

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

## 5 ATTACHMENTS

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

## RECOMMENDATION

That Council

- i) receive and note the Monthly Financial Report for the period ending 31 October 2020, and
- ii) authorise Budget 2020/21 alterations as listed in item 3.

## DECISION

Cr Davis/Cr Adams

That Council

- i) receive and note the Monthly Financial Report for the period ending 31 October 2020, and
- ii) authorise Budget 2020/21 alterations as listed in item 3.

Carried unanimously

**392/20 TASMANIAN MUNICIPAL EMERGENCY MANAGEMENT PLAN (MEMP):  
NORTHERN MIDLANDS COUNCIL**

*Responsible Officer:* Maree Bricknell, Corporate Services Manager

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

## **1 PURPOSE OF REPORT**

The purpose of the report is to table the Tasmanian Municipal Emergency Management Plan for Northern Midlands Council.

## **2 INTRODUCTION/BACKGROUND**

Under the *Emergency Management Act 2006* every Council must prepare and have up to date an Emergency Management Plan approved by the State Emergency Management Controller.

Recently the Northern Midlands Council - Emergency Management Committee representatives have been revising the Emergency Management Plan for the Northern Midlands municipal area and now table the draft revised plan for Council endorsement prior to being provided for approval by the State Emergency Management Controller.

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

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
  - Workforce Standards  
Core Strategies:
    - ♦ Workplace Health & Safety is fully compliant
    - ♦ Emergency Management & Safety Plans work well

## **4 STATUTORY REQUIREMENTS**

*Emergency Management Act 2006*

*Land Use Planning and Approvals Act 1993*

*Local Government Act 1993*

## **5 RISK ISSUES**

The preparation and operation of an Emergency Management Plan is to provide for contingencies and to identify issues based on a risk management model of probable natural and man-made events which effect the health and wellbeing of the community within the Northern Midlands. The Emergency Management Plan is a tool to assist mitigate risk, and a mechanism to resolve emergencies.

**6 CONSULTATION WITH STATE GOVERNMENT**

The preparation of the Emergency Management Plan was overseen by the State Emergency Service.

**7 OFFICER'S COMMENTS/CONCLUSION**

Council's Emergency Management Committee will also undertake a review of the Northern Midlands Emergency Management Plan at its meeting in early December 2020.

Under Section 34 of the *Emergency Management Act 2006* the Tasmanian Municipal Emergency Management Plan for Northern Midlands Council will require reviewing by the Northern Midlands Council's Emergency Management Committee in 2022.

**8 ATTACHMENTS**

8.1 The draft Municipal Emergency Management Plan for Northern Midlands Council dated October 2020.

**RECOMMENDATION**

That Council endorse the Northern Midlands Municipal Emergency Management Plan 2020 prepared in accordance with the *Emergency Management Act 2006*, and provide to the State Emergency Controller for final approval.

DECISION

Cr Davis/Cr Adams

That the matter be discussed.

Carried unanimously

Cr Davis/Cr Polley

That Council endorse the Northern Midlands Municipal Emergency Management Plan 2020 prepared in accordance with the *Emergency Management Act 2006*, and provide to the State Emergency Controller for final approval.

Carried unanimously

**393/20 PROPOSAL TO SPLIT COLLECTION OF WASTE AND RECYCLING IN  
PERTH OVER TWO DAYS**

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 request from the Waste and Recycling Companies for their kerbside collection services in Perth to be split over two days.

**2 INTRODUCTION/BACKGROUND**

Kerbside Waste is currently collected by JJs Waste Services and recycling is collected and processed by Veolia Enviro Services.

JJs Waste Services have recently made contact with Council and requested that due to the ongoing population growth in Perth that the collection in Perth be split over two days with the area **east of Perth Main Road to be collected fortnightly on a Friday (usual day)** and the area to the **west of the main road to be collected on a Monday on the alternate week**.

Veolia have been contacted and indicate that they are prepared to work in with this proposed change.

The proposed collection dates are set out in the table below, with the new collection day for west Perth to commence on Monday December 14.

Perth Proposed Change		
Day	Date	Service
Friday	27/11/2020	Normal Service
Friday	11/12/2020	Normal Service
<b>Monday</b>	<b>14/12/2020</b>	<b>New Perth West service</b>
Friday	18/12/2020	Perth East <b>Christmas Extra</b>
Monday	21/12/2020	Perth West <b>Christmas Extra</b>
Friday	25/12/2020	Perth East
Monday	28/12/2020	Perth West
Friday	8/01/2021	Perth East
Monday	11/01/2021	Perth West

The contractors are also proposing moving approximately 50 bins along the Midlands Highway between Perth and Campbell Town on to the same collection day as Avoca.

**3 STRATEGIC PLAN 2017-2027**

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

- Place –
  - Environment – Cherish & Sustain our Landscapes
 Core Strategies:
  - ♦ Cherish & sustain our landscapes
  - ♦ Meet environmental challenges
  - ♦ Eco-tourism strongly showcases our natural beauties

**4 POLICY IMPLICATIONS**

N/A



**5 STATUTORY REQUIREMENTS**

N/A

**6 FINANCIAL IMPLICATIONS**

The proposed change would involve one additional collection on the western side of Perth in the first three week period. It is difficult to estimate the exact cost but as the two collections are only three days apart it is unlikely that all residents will put their bins out for both collections. The additional cost would not exceed \$3000 but is likely to be less.

This is a one-off cost and will result in a saving when tenders are next called in approximately seven years time because it will allow the contractors to continue servicing Perth with one truck.

**7 RISK ISSUES**

There is a risk that changing the collection day may initially create some confusion and bins will be missed. Council will provide residents with a new calendar and the contractors will do a check of the other western part of Perth for the first collection after the change and pick up any bins that have been put out at the wrong time.

The recent changes in Longford and Conara have gone smoothly and if the same procedure is followed for these changes it is anticipated that there should not be any significant problems.

**8 CONSULTATION WITH STATE GOVERNMENT**

N/A

**9 COMMUNITY CONSULTATION**

N/A.

**10 OPTIONS FOR COUNCIL TO CONSIDER**

- 1) Continue to collect bins on the same days
- 2) Accept the suggestion of the waste and recycling contractors for the days to be changed.

**11 OFFICER'S COMMENTS/CONCLUSION**

The population of Perth has grown significantly over recent years and is forecast to continue to grow. The contractor now finds it difficult to service the town with one truck and if a change is not made to the collection schedule it is likely that contractor will price for a second truck to be put on the Perth collection run when tenders are called. Making the change recommended by the contractors will result in a long-term cost saving for Council.

**12 ATTACHMENTS**

N/A

**RECOMMENDATION**

That Council endorse the changes to the kerbside waste and recycling collection services in Perth; and the collection services be split over two days in each cycle.



# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

## DECISION

Cr Davis/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Goninon/Cr Goss

That Council

- i) endorse the changes to the kerbside waste and recycling collection services in Perth and the collection services be split over two days in each cycle; and
- ii) request the service provider absorb the cost of the changeover.

Carried unanimously

**394/20 POLICY: NO SPRAY REGISTER**

*Responsible Officer:* Leigh McCullagh, Works Manager

*Report prepared by:* Leigh McCullagh, Works Manager

**1 PURPOSE OF REPORT**

The purpose of this report is to seek Council's endorsement of a new Council Policy.

**2 INTRODUCTION/BACKGROUND**

This policy provides the framework of Council's 'No Spray Register' in accordance with the Code of Practice for Spraying in Public Places.

Council is responsible for vegetation and weed management within its road reserves.

Management methods for the control of vegetation include mowing, slashing and the use of chemical herbicides to eradicate vegetation growing in the road reserve.

Council undertakes a minimum of 2 spray cycles per year, covering all urban areas across the municipal area.

In the use of chemical herbicides, Council abides by the Code of Practice for Spraying in Public Places, issued by the Department of Primary Industries, Parks, Water and Environment in support of the *Agricultural and Veterinary Chemicals (Control of Use) Act 1995*, that outlines the minimum acceptable standards in the spraying of weeds and vegetation in public places.

In respect to spraying within road reserves abutting non-council owned land, Section 26 of the Code of Practice provides property owners the opportunity to request Council to not apply chemical products for weed or insect pest control in front of their property, subject to the owner undertaking weed and vegetation control to the satisfaction of the Council.

26. *Property owners who request the Council to desist from spraying in front of their properties on public land must prepare a proposed pest control plan detailing how they intend to control the problem themselves.*

*The plan must be approved by the Council and carried out in a timely manner.*

*If the issue is not dealt with satisfactorily, the Council may resume responsibility for the maintenance of the land using chemical products if necessary.*

It is necessary for Council to adopt a policy in order to provide the framework for the management of the No Spray Register and its relationship to Council's Weed Spraying Program.

**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:
    - ♦ Continuous improvement is embedded in staff culture
    - ♦ Excellent standards of customer service
- Place –
  - Environment – Cherish & Sustain our Landscapes

Core Strategies:

- ♦ Meet environmental challenges

#### **4 POLICY IMPLICATIONS**

This policy provides the framework for the management of the No Spray Register and its relationship to Council's Weed Spraying Program.

#### **5 STATUTORY REQUIREMENTS**

*Agricultural and Veterinary Chemicals (Control of Use) Act 1995*

Section 26 of the Code of Practice for Spraying in Public Places

#### **6 FINANCIAL IMPLICATIONS**

The cost implications only apply to administration of the policy.

#### **7 RISK ISSUES**

There is a risk that without the introduction of a policy

- there will be no framework for the management of the No Spray Register;
- applicants may become complacent in regard to the responsibilities associated with the request for their property to be included on the No Spray Register and push back if the property is removed from the register.

#### **8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable.

#### **9 COMMUNITY CONSULTATION**

On 31 October 2020 Council placed an advertisement in the Examiner newspaper, and notices on Council's Website and Facebook page advising that:

*Herbicide weed spraying on public open space areas, rural roads and urban streets, within the Northern Midlands Council is to be conducted between November 2020 and April 2021.*

*Should you prefer not to have spraying conducted outside your property frontage from side boundary to side boundary, please complete a 'No Spray Register Request Form' and email to [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au) Forms are available from Council's website [www.northernmidlands.tas.gov.au](http://www.northernmidlands.tas.gov.au)*

*Council will regularly inspect properties to make sure that you are controlling weeds to a satisfactory standard. If not, Council will resume responsibility including the use of chemical products.*

It is proposed that Council advertise on an annual basis the intent to undertake spraying operations.

The policy provides a framework for the operation of Council's No Spray Register and will provide clarity to the community in regard to the management of the register.

#### **10 OPTIONS FOR COUNCIL TO CONSIDER**

Council can endorse or reject the proposed No Spray Register Policy.

## 11 OFFICER'S COMMENTS/CONCLUSION

This policy provides the framework for the management of the No Spray Register and its relationship to Council's Weed Spraying Program.

The following framework for the management of the No Spray Register is articulated within the proposed policy:

- 2.1 *In accordance with **Section 26** of the **Code of Practice for Spraying in Public Places**, Council consider requests by property owners to desist in the chemical spraying of vegetation and weeds in road reserves abutting their property.*
- 2.2 *The property owner's vegetation/weed (pest) control plan to ensure the following:*
  - *Control of all weed species;*
  - *Keeping the road frontage clear and/or tidy;*
  - *Keeping drainage and or paths free of obstruction and fully operational at all times;*
  - *Ensuring kerbs, footpaths and gutters are free of vegetation growth;*
  - *Be applicable to the entire frontage, including the side and rear of the property if abutting a Council road reserve;*
  - *Removal of existing trees and vegetation must not occur without permission from the Council.*
- 2.3 *Council's consideration of an application under Section 26 of the Code is to consider the following:*
  - *Whether the adjoining land is used for certified organic vegetable/fruit production;*
  - *Existence of a medical condition in the household which may be exacerbated by exposure to herbicides or associated additives;*
  - *The applicant holding other mitigating circumstances that may warrant an area not being exposed to the use of herbicide chemicals;*
  - *Whether the proposed alternative method for the control of weeds is deemed an achievable method;*
  - *Whether the applicant may have previously been on the no spray register and has undertaken the required obligations to the Council's satisfaction.*
- 2.4 *Successful applications be included on the Council's 'No Spray Register', as detailed below:*
  - *The register be for a period of up to 12 months starting from 1 July.*
  - *Applications are non-transferrable;*
  - *Tenants of a property or residents part of a unit complex or strata property to provide written confirmation from the landlord or body corporate in support of the request.*
  - *Applications for inclusion on the Register be advertised annually and promoted on the Council's website, and by other means as deemed suitable.*
- 2.5 *Should the applicant not manage the control of weeds and vegetation to the satisfaction of the Council, the following occur:*
  - *Council advise the applicant in writing that maintenance must occur within fourteen (14) days of the date of the correspondence.*
  - *Failure by the applicant to conduct maintenance of the area within fourteen (14) days to result in Council undertaking, without further notice, any necessary work to control the vegetation.*
  - *Council resume responsibility for the maintenance of the land, using chemical products if necessary.*
  - *The applicant be removed from the Register at the end of the fourteen (14) day period, without further notice, if the required maintenance has not been completed.*
  - *The applicant may reapply to be placed on the register at the next application period, June 30.*
- 2.6 *Tenders and contracts for the spraying of council road reservations are to acknowledge no spray zones and properties as listed on the Register.*
  - *Council Officers and contractors are to abide by the No Spray Register.*
- 2.7 *Procedures to implement the above policy be developed to the satisfaction of the Works Manager.*

## 12 ATTACHMENTS

- 12.1 No Spray Register Policy and Request Form.



# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

## RECOMMENDATION

That Council endorse the new No Spray Register Policy.

## DECISION

Cr Davis/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Goss/Cr Davis

That Council endorse the new No Spray Register Policy.

Carried unanimously



# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

## 395/20 PUBLIC QUESTIONS & STATEMENTS

Due to COVID-19 the Council Meeting scheduled for **Monday 16 November 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 16 November 2020.**

Questions can be emailed to [council@nmc.tas.gov.au](mailto: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 Councils website as soon as practicable after the meeting.

## 1 PUBLIC QUESTIONS

### Ross Swimming Pool

#### Candyce Hurren, Ross

Ms Hurren submitted the following statement which was read by Mayor Knowles at the meeting:

*... I have lived in Ross for 6 years and I use and volunteer at the pool every year. It would be so sad to lose it as it's a wonderful asset to Ross. It brings the community together and visitors and tourists. One thing I find is so helpful with having the pool is for physio as I have a bad back so it is much easier to do strengthening exercises in water.*

*We as a community are trying to come up with ideas of fundraising every year so we are able to keep the pool. We are trying to plan at least 2 big events every year to bring people into our town for fundraising. I've put my hand up to be the events organiser which I will need help in what laws and restrictions there are. For example we are wanting to have a kite flying day, music festival, pie eating competition, wheelbarrow Christmas float parade with bbq and chocolate wheel. There will be big events which will bring in money and then smaller ones that may only bring in \$100 but all helps. Like at the moment I'm running a Christmas wreath making comp which is \$5 to enter for adults and children there will be prizes and they can be sold after with money going towards the pool. Not much but all helps. We are still brainstorming, we as a community are passionate about not losing the pool. We need it for mental healthiness, socialising and fitness. ...*

### 32 Norfolk Street, Perth

#### Barbara Rees, Dalrymple descendant Sherwood Hall Committee, Director MTWAC Aboriginal Corporation (Mannalargenna) Dolly's grandfather

Ms Rees submitted the following statement which was tabled at the meeting and circulated to Councillors prior to the meeting:

*32 Norfolk St, the Convict Well, the Jolly Farmer Inn and the Proposed Public Space Opposite Heritage Code E13*

*I am writing on behalf of the Descendants of Dolly and Thomas Johnson far and wide having been on the Sherwood Hall Committee many years. I am sorry we, the Descendants, haven't been aware of this sooner not realizing this subdivision at 32 Norfolk Street and its newly discovered Convict Well (as per the Council's Heritage report from David Denman and Associates) is opposite Dolly's 20 acre land grant that includes the Jolly Farmer Inn. While the Well itself is not part of Dolly's Title it certainly is a part of the story of Norfolk St with Thomas also being a convict sent here when he was 17. We feel this is a Historic Precinct as a bustling street in its day of community and travel with wonderful heritage stories to research and discover.*

*My colleague, Paul Docking, has also been diligently seeking an acceptable name to put forward.*

# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

*We would like this opportunity to provide the following information at today's meeting as it is closed to the Public and I would have attended.*

1. *We have confirmed with Heritage Tasmania this day that the Inn at 21 Norfolk St was part of the land grant to Dolly (described as a Half Caste at the time) of 20 acres in 1831 and therefore belonging to them on the original grant. The listing on this property will be reviewed to improve the history of the land grant according to Heritage Tasmania today.*
2. *The Jolly Farmer Inn will most likely have its heritage listing adjusted to show this--much to Kerry Donahue's delight. I have discussed this with her.*
3. *We (Paul Docking) have provided a name that is acceptable with the Nomenclature Board, Dolly Briggs Johnson, that we hope the Council will consider for future generations that may include descendants of Abye Douglas also—another significant historical Tasmanian of Douglas and Collins and Premier of Tasmania who had land opposite.*
4. *With the Council proposing a public space here, all of a sudden this small precinct could really come to life with descendants coming from all over Australia back to Perth because of their link and its history which is still being discovered today (i.e. convict well) not to mention a beautiful piece of heritage for Perth locals.*
5. *We respectfully request that the Council reconsider this inappropriate subdivision of No 32 Norfolk St and allow this Convict well to be resurrected and available to the public becoming part of the story for future generations both local and Australia wide—and they will come. This piece of Perth Heritage can go that far and we will all be behind it as Dolly and Thomas's descendants. We also believe that the Well can be made safe as shown in the attached. We understand this is just another Well but this Well happens to be in a space that it could be made a feature as part of the whole picture in this precinct. We would like more time to research the history of 32 Norfolk Cottage also.*
6. *Precinct Listing :-Norfolk St (the original main road to Norfolk Plains/Longford), 32 Norfolk Cottage, its Convict Well, The Jolly Farmer Inn at 21 and the proposed public space opposite. I request that the NMC list this area as a Heritage Precinct as it should for the Perth Community, Dolly's descendants, the mtwAC.org (Mannalargenna) and all Tasmanians according to the Northern Midlands Council Planning Scheme Heritage Code E13 because of its local heritage significance, protecting and showcasing the history of Perth dating back 1821, the connections to Aboriginal people and convict past through Dolly and Thomas Johnson's story. I would like to advise that our Elder Patsy Cameron AO is an historian and Aboriginal archaeologist and would be able to provide more history regarding the Tasmanian Aboriginal people of the Northern Midlands area.*
7. *Could it be made clear by the Planning staff what exactly can be built on the private block with a restriction covenant regarding the Convict Well (as per the extant report David Denman and Associates)? Will it continue to be on a private block of land covered an unavailable to the public? Has there been enough community discussion around this and how this will blend into the park space?*

*I would like this email read out as a public statement at today's meeting.*

**Barbara Rees, Dolly Dalrymple Johnson Descendant & Board member – MTWAC.org**

Ms Rees submitted the following questions to Council:

*32 Norfolk St, the Convict Well, the Jolly Farmer Inn and the Proposed Public Space Opposite Heritage Code E13*

- 1) *According The Local Government Act 1993 has the NMC 'consulted, involved and been accountable to their residents and ratepayers?' and was this subdivision an example of good governance?*
- 2) *Has the NMC been transparent and was it in the best interests of their residents and ratepayers purchasing land at Sheepwash Creek for development when it paid way above the value of the land which then required more of the rate-payers funds to then subdivide —according to The Local Government Act 1993?*
- 3) *Has the Community been properly consulted regarding this development and how it goes against the NMC's Heritage Code E13?*
- 4) *Does the Council believe it has social license to cover the Convict Well indefinitely making it no longer available to the Community?*



NORTHERN MIDLANDS COUNCIL  
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16 NOVEMBER 2020

Mr Jennings read the questions and provided the following responses to the queries raised:

- 1) *The Council's Planning Authority formally considered a Development Application that required public notice direct to adjoining property owners and advertisement in the Examiner newspaper.*
- 2) *Council sought an independent valuation.*
- 3) *Both applications were discretionary and went through public exhibition. The Heritage Code at E13 does not apply to the site.*
- 4) *The site was in private ownership prior to Council purchase and will continue to be if sold. The well has been covered for safety reasons. There will be a caveat on the title.*

Lyndon O'Neil, Director MTWAC

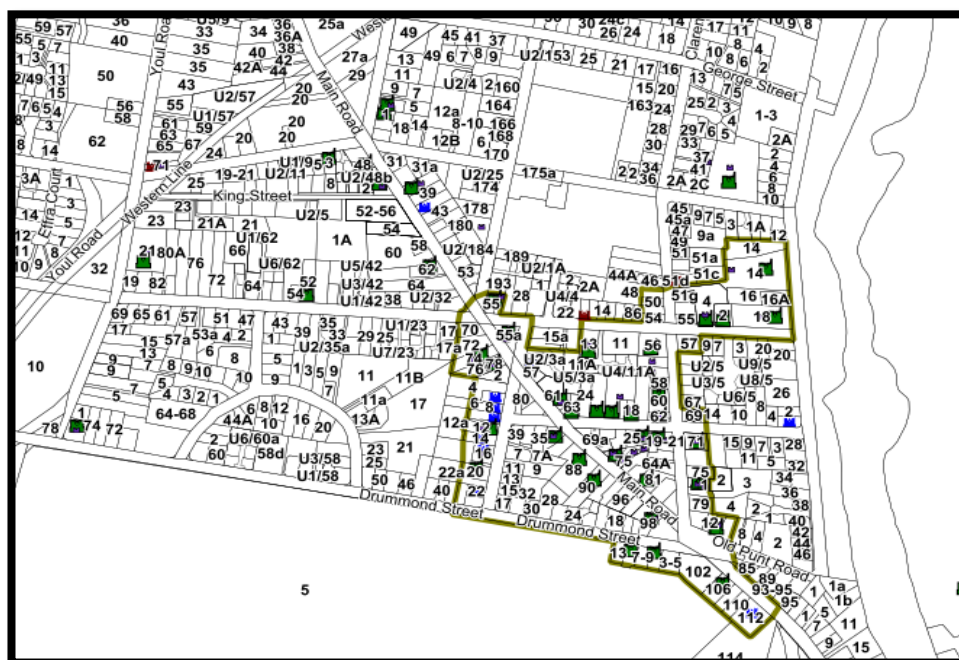
Mr O'Neil submitted the following questions to Council:

- 1) *Why hasn't the NMC already zoned this Norfolk St area a Heritage Precinct according to an early plan of the Perth township dating back to the 1820's and your Heritage Code E13?*
- 2) *Why do I need to apply for its listing when it is the responsibility of the NMC to protect the precinct according to its Heritage Code?*  
*(for example please note 'At the ordinary meeting of the Longford Local District Committee held on 4 November 2020 the following motion/s were recorded for Council's consideration:*  
*7.2 Streetscape: Wellington and Marlborough Streets with the Heritage Precincts ... to outline a Longford Streetscape Plan for the main thoroughfares through Longford within the Heritage Precinct').*
- 3) *When will there be a Public Consultation process to examine further the Heritage Value of Norfolk St as a Precinct?*
- 4) *When are you going to abide by your own Heritage Code E13?*

Mr Jennings read the questions and provided the following responses to the queries raised:

- 1) *Council's Heritage Precincts have been located to capture the majority of Heritage Listed places, which contribute to creating a heritage streetscape within each town. The F2 Heritage Precinct Specific Area Plan and E13 Heritage Code applies to all properties within the precinct. The Heritage Code also applies to listed places outside of the precinct. Figure 1 shows the location of listed places in relation to the precinct.*

*Figure 1*



- 2) *The only way for a property to be locally listed is via an amendment to the planning scheme provisions. The Tasmanian Heritage Council has previously advised the property does not meet the criteria for entry as a place of State significance*

*(namely 32 Norfolk Street). The well has been managed as a feature of local significance by placing a Part Five Agreement on the title, to ensure it remains in situ and is not damaged by any future building works.*

- 3) *Public consultation would occur if an amendment to locally list the site under the Planning Scheme were initiated.*
- 4) *The heritage code does not apply to the site.*

## 2 WHITE RIBBON OATH

[www.ourwatch.org.au](http://www.ourwatch.org.au)

White Ribbon Australia is a community owned and driven social movement that understands social change is necessary to prevent men's violence against women. White Ribbon values and depends on the participation of the community in getting the word out and helping drive much needed changes.

At the request of Councillor Knowles, Council in 2017 developed a Northern Midlands Ending Men's Violence against Women campaign which was unanimously approved at the 15 May 2017 Council Meeting.

That Council make the oath this evening.

As part of the campaign, it is proposed that Councillors annually renew their White Ribbon Oath in the leadup to White Ribbon Day.

Councillors and staff proceeded to take the White Ribbon oath, as follows:

***"I will stand up, speak out and act to prevent men's violence against women".***

**396/20 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 Goss/Cr Adams

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda item/s PLAN 1 – PLAN 3.

Carried unanimously

**3 STATEMENTS**

PLAN 2: PLN-20-0176: 96-102 Fairtlough Street, Perth; and  
PLAN 3: PLN-20-0177: 84 & 94 Fairtlough Street, Perth

Mr Ron Sanderson, Director, Supported Affordable Accommodation Trust

Ms Sanderson submitted the following statement in relation to PLAN 2 and PLAN 3, which was read by Mrs Miles, Council's Development Supervisor:

*Recommendations for both applications are for refusal based on the following grounds:*

- *The Bushfire Report and Hazard Management Plan provided does not address the code requirement for a vulnerable use.*
- *The proposed Communal Residence does not comply with the Car Parking and Sustainable Transport Code requirements.*

*The Recommendation for PLN-20-0176 also includes grounds for refusal of noncompliance with setback requirements.*

*The requirement to have 7 parking spaces for each residence is considered to be onerous and unreasonable for a development for disabled people who do not drive.*

- *The parking space requirement for a dwelling with more than two bedrooms is for 2 spaces*
  - *The parking requirement for other residential use is 1 space per bedroom or 2 spaces per three bedrooms.*
- The recommendation used the more severe option to require 7 spaces.*

*The requirement for these developments in the southern region schemes is 1 space for staff member and 1 space for every 3 licenced residents. These requirements were used for similar residences approved in the south of the state.*

*The applicant proposes the following:*

- *Each residence will provide 3 car parking spaces*
- *A Hazard Management Plan will be provided for each site that complies with the Bushfire Prone Area code requirements for vulnerable uses.*
- *Setbacks for Lot 30 will be altered to meet scheme requirements.*

*The applicant respectfully requests that Council accept the provision of 3 car parking spaces and approves the two applications subject to the conditions that the Hazard Management Plan and setbacks are addressed to the satisfaction and approval of Council's Development Supervisor.*



# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

## 397/20 PLANNING APPLICATION PLN-19-0071 81 EVANDALE ROAD, WESTERN JUNCTION

*File Number:* 201800.16  
*Responsible Officer:* Erin Miles, Development Supervisor  
*Report prepared by:* Paul Godier, Senior Planner

### 1 INTRODUCTION

This report assesses an application for an expansion of existing quarry (level 2 activity under the *Environmental Management and Pollution Control Act 1994*).

Bis Quarries Pty Ltd operate the Western Junction Quarry on private land owned by Mr Hughes at 81 Evandale Road, Western Junction. Due to declining reserves of basalt rock in the existing quarry, Mr Hughes has applied for a level 2 permit for an extension of the existing quarry.

### 2 BACKGROUND

<b>Applicant:</b> D. N. Hughes	<b>Owner:</b> David Nicholas Hughes
<b>Zone:</b> Rural Resource	<b>Codes:</b> Road & Railway Assets Code, Carparking & Sustainable Transport Code
<b>Classification under the Scheme:</b> Extractive industry	<b>Existing Use:</b> Extractive industry and Resource Development
<b>Deemed Approval Date:</b> 18 November 2020	<b>Recommendation:</b> Approve with conditions

#### Discretionary Aspects of the Application

- Extractive Industry (level 2 activity) in Rural Resource Zone

**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.

### 3 STATUTORY REQUIREMENTS

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

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

### 4 ASSESSMENT

#### 4.1 Proposal

The application proposes to intensify the existing level 2 hard rock (basalt) quarry. The activity is currently permitted to extract 315,000 tonnes per annum and process 350,000 tonnes per annum.

It is proposed to increase extraction to 500,000 tonnes per annum and processing to 500,000 tonnes per annum. The proposal also includes extraction of a new area to the south-west of the existing quarry. Rock will be gained by drilling and blasting and then transported to the existing crushing and screening plant on site for processing and stockpiling. It is expected that expansion will allow the quarry to continue for well over 20 years

#### 4.2 Zone and land use

The land is zoned Rural Resource. The relevant Planning Scheme definition is:

a) Extractive industry	b) use of land for extracting or removing material from the ground, other than resource development, and includes the treatment or processing of those materials by crushing, grinding, milling or screening on, or adjoining the land from which it is extracted. Examples include mining, quarrying, and sand mining.
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Extractive industry (for a level 2 activity) is Discretionary in the zone.

#### 4.3 Subject site and locality

The author of this report carried out a site visit with staff from the Environment Protection Authority (EPA) and the proponent's consultant before the application was lodged.

**Image 1 – Location (Source: DPEMP March 2019)**



**FIGURE 1: LOCATION – Western Junction Tasmania**

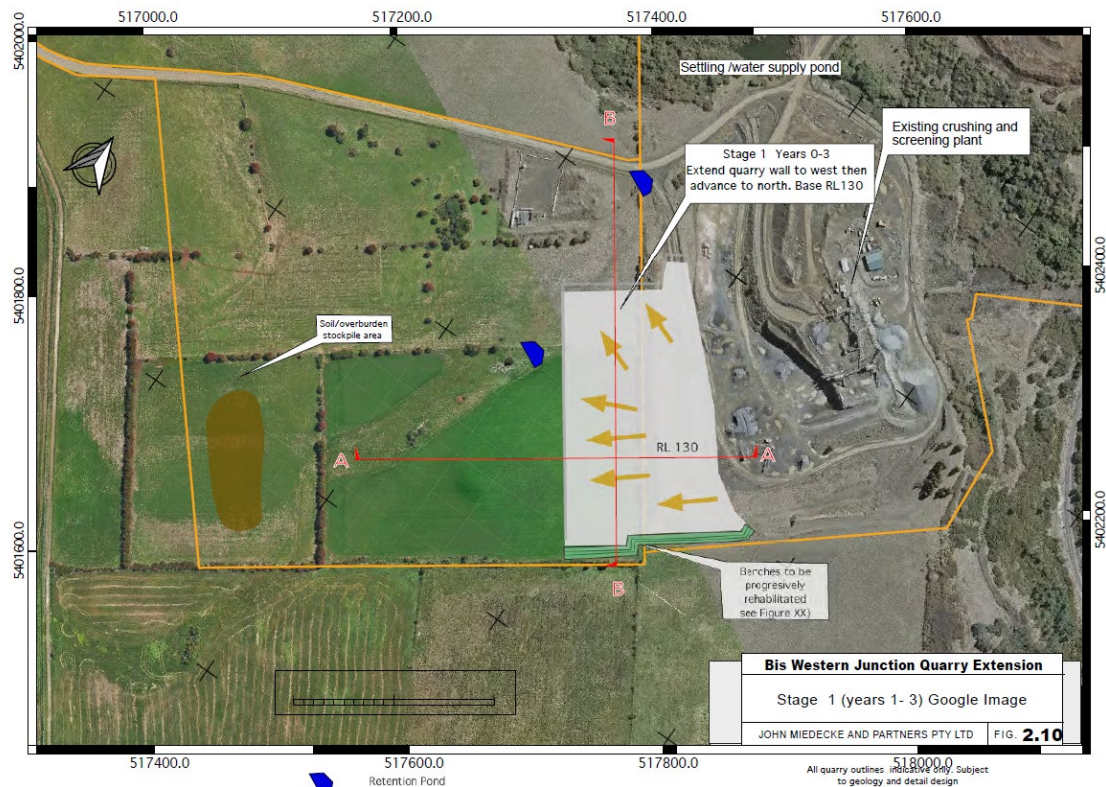


Image 2 – Quarry Operations and Extension (Source: DPEMP March 2019)



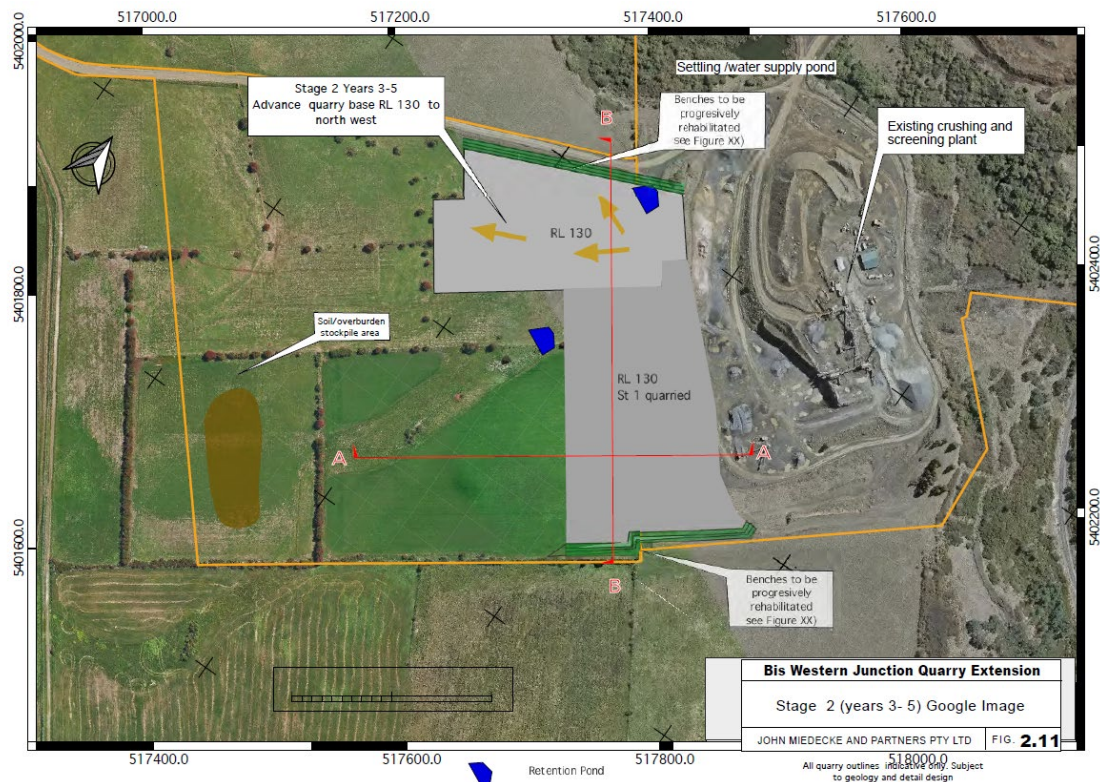
FIGURE 2.: QUARRY OPERATIONS AND EXTENSION. Source ; Google Earth

Image 3 – Stage 1 – Years 1-3 (Source: DPEMP March 2019)

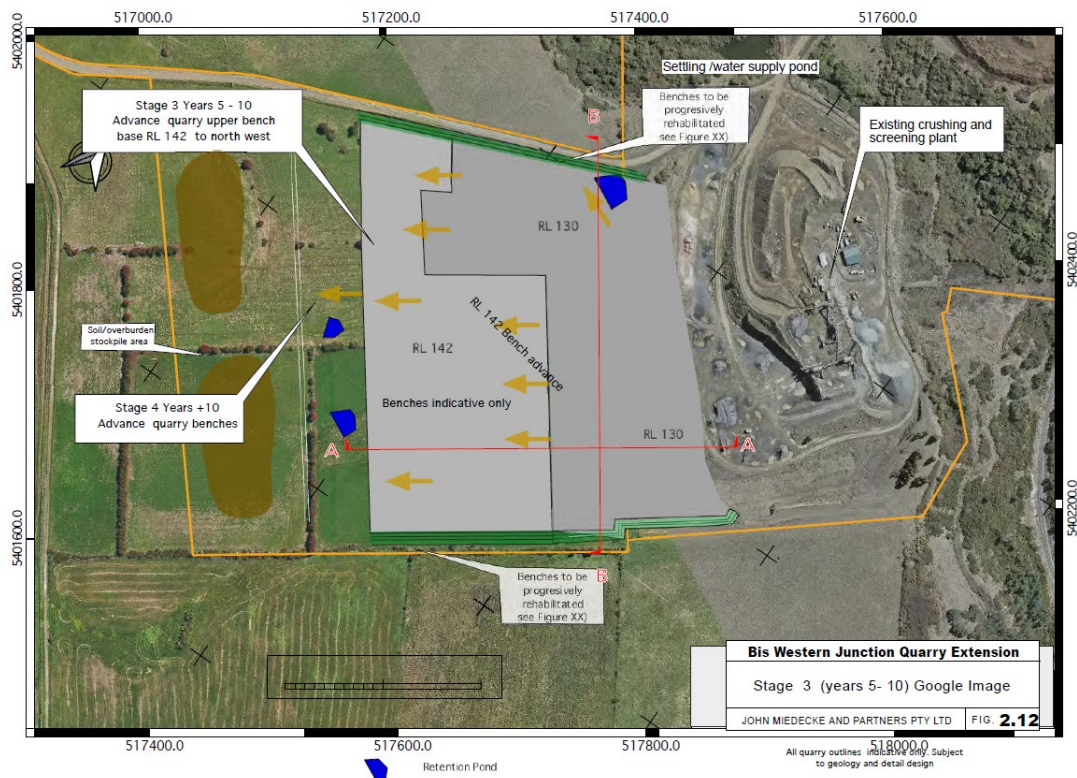




**Image 4 – Stage 2 – Years 3-5 (Source: DPEMP March 2019)**



**Image 5 – Stage 3 – Years 5-10 (Source: DPEMP March 2019)**



#### 4.4 Permit/site history

Relevant permit history includes:

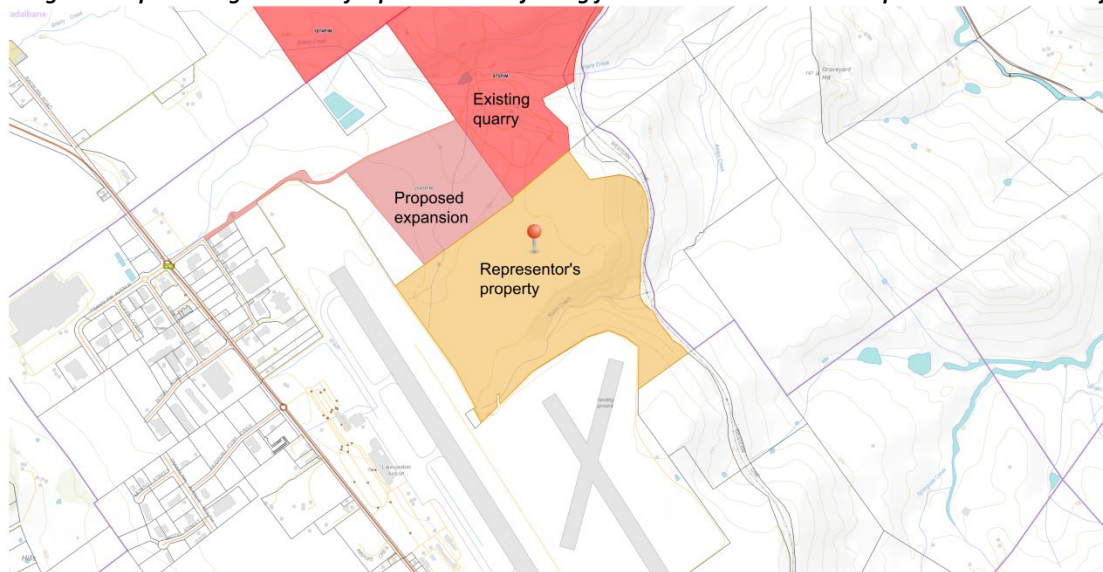
- Licence to Operate Scheduled Premises 3374

#### 4.5 Representations

A review of Council's records management system after completion of the public notification period revealed that representations (attached) were received from:

- Rod Summers, 'Marananga' Evandale
- Ilya Brusch, Manager Planning and Development, Australia Pacific Airports (Launceston) Pty Ltd
- Sharyn Owen, Director, Airport Safeguarding, Department of Infrastructure, Transport, Cities and Regional Development

**Image 6 - Map showing location of representor's adjoining farmland and Launceston Airport in relation to subject site**



Council forwarded copies of the representations to the EPA in accordance with section 27G (4) of the *Environmental Management and Pollution Control Act 1994*. The representations are considered in section 6 and appendix 1 of the EPA's Environmental Assessment Report (attached).

#### **Rod Summers, 'Marananga' Evandale**

As the landowner of the adjoining land on the southern side of the existing quarry, is concerned that current activity deposits dust on his property, preventing successful growing of cereal and specialised crops and grazing of stud sheep. A suitable solution to the dust emissions needs to be thoroughly addressed before the expansion application is granted.

#### **Planner's comment:**

The applicant, in the Supplement dated June 2020 (attached) advises that Mr Hughes (owner of the land on which the quarry is located), has signed a sale agreement subject to condition precedents, to purchase the land affected by dust from Mr Summers, thus addressing his concerns about dust emissions. However, the applicant states that should this sale not be completed, a dust monitor will be installed close to the boundary with a live feed back to the plant operator to alert them if there is potentially dust leaving the land.

Commitment 13 of the Supplement is:

<b>13</b>	<b>Dust Monitor</b>	Install at property boundary, with live feed to plant crew	If adjoining property not purchased.
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As per the recommended conditions of approval, the use and development will have to be carried out in accordance with the Supplement.

#### **Australia Pacific Airports (Launceston) Pty Ltd, Department of Infrastructure, Transport, Cities and Regional Development**

Concern in relation to potential for impact on aviation safety at Launceston Airport



#### Planner's Comment:

The EPA's Environmental Assessment Report advises:

The Supplement notes that a suitable consultant was engaged to prepare an Aviation Safety Impact Assessment (the confidential report is entitled *Safety Review for Proposed Quarry Extension – Launceston Airport*, dated 2 March 2020 and prepared by Mott McDonald).

The Department of Infrastructure, Transport, Cities and Regional Development provided a letter (attached) to the Northern Midlands Council on 11 May 2020 in relation to the issues it had raised and the provision of the Safety Review Report. The letter states that the Safety Review Report assesses and considers all the risks to aircraft safety and operations in accordance with the *National Airports Safeguarding Framework guidelines and the Airports (Protection of Airspace) Regulations 1996*. The letter notes the conclusion of the Safety Review Report that none of the issues raised require a controlled activity application as they have been modified to remain below prescribed airspace.

The Safety Review Report recommends that blasts be undertaken in the Launceston Airport's off-peak hours. The average busy hours were identified as being between 0900 hours and 1100 hours and between 1600 hours and 1800 hours.

Condition B1 of the Permit Part B restricts blasting times to between 1000 hours and 1600 hours Monday to Friday.

Condition B3 of Permit Part B requires the Launceston Airport Air Traffic Control Line Manager to be contacted at least 24 hours prior to any blasting operations, including drilling operations, being undertaken on the Land.

## 4.6 Referrals

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

Summary: Advised on no comment to make.

### **TasWater**

Summary: TasWater provided a Submission to Planning Authority Notice including the following condition:

*Prior to submitting the Development Proposal and Environmental Management Plan (DP&EMP) to the regulating authority for approval, the developer must develop a site management/operational plan for inclusion in the DP&EMP to TasWater's satisfaction to protect TasWater assets and staff from damage, dilapidation, injury and harm as the case may be for the life of the quarry.*

The Supplement provides an email from TasWater stating that TasWater do not expect the Proponent to submit anything, nor do they want to review any proposed management measures until planning approval is provided. The Supplement states that Terrock have investigated the potential impact from blasting on TasWater's staff and determined that there is no risk to the staff.

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

Summary: Council received notification of the Board of the Environment Protection Authority's Environmental Assessment Report and Permit Part B No. 9667 (attached) on 7 October 2020.

In accordance with section 25(5)(a) of the *Environmental Management & Pollution Control Act 1994*, the conditions and restrictions in the Permit Part B must be contained in any permit granted by the Northern Midlands Council under the *Land Use Planning & Approvals Act 1993*.

To satisfy the requirements of the *Environmental Management & Pollution Control Act 1994*, the Council must not include any other condition or restriction which is inconsistent with, or which extends the operation of, any conditions or restrictions which the Board requires to be contained in the permit.

## 4.7 Planning Scheme Assessment

26 Rural Resource Zone

26.1 Zone Purpose

26.1.1 Zone Purpose Statements

26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.

26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.

26.1.1.3 To provide for economic development that is compatible with primary industry, environmental and landscape values.

26.1.1.4 *To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.*

Comment: The proposal supports the zone purpose at 26.1.1.1 to provide for the sustainable use or development of resources for mining.

26.1.2 *Local Area Objectives*

a)	<p><i>Primary Industries:</i></p> <p><i>Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.</i></p> <p><i>The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.</i></p> <p><i>Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.</i></p>
b)	<p><i>Tourism</i></p> <p><i>Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.</i></p> <p><i>The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.</i></p>
c)	<p><i>Rural Communities</i></p> <p><i>Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities.</i></p> <p><i>Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.</i></p>

Comment: The proposal does not conflict with 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.*

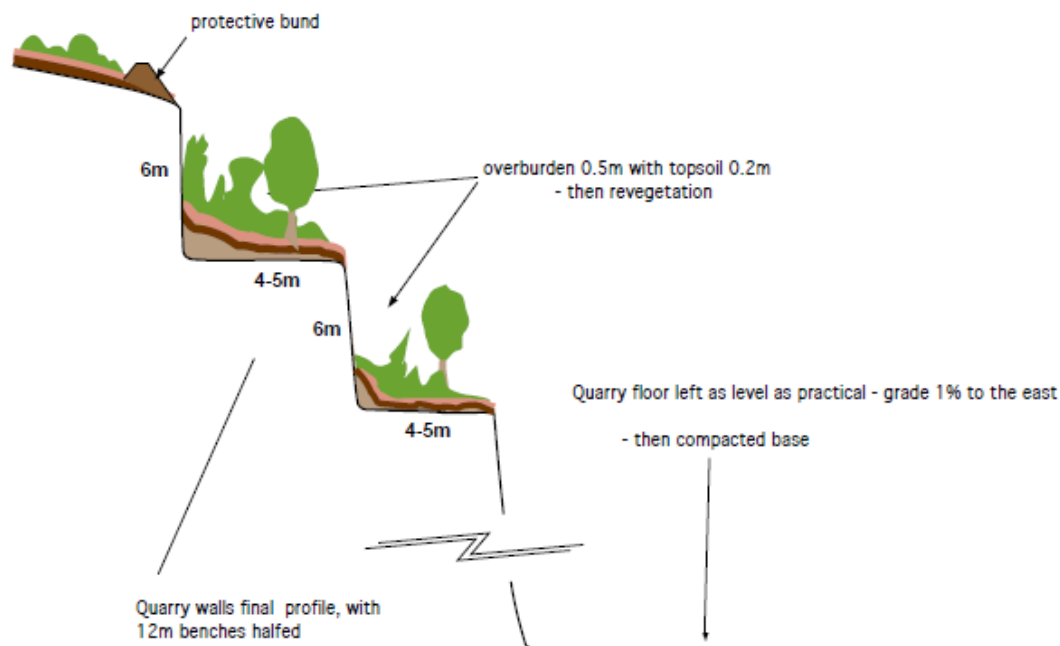
Comment: The Development Proposal and Environmental Management Plan discusses visual effects at part 4.7 noting that the visibility of the proposed quarry extension will be very limited, as it will progress in a north-westerly direction as a “pit”. The only open views will be from the east, where the topography shields the workings, which in addition are located behind the crusher and screening plant. The location for the quarry extension and the quarry designs, were selected to avoid environmental impacts, including minimising discernible visual change. The topography has presented opportunities for effectively screening the quarry operations, except for short durations when stockpiles near the airport are undergoing revegetation. The quarry location and design will screen views to active working areas and rehabilitation of bunds and stockpiles will maintain a natural-like appearance in the viewed landscape.

The EPA’s Environmental Assessment Report considers decommissioning and rehabilitation as Issue 5. Condition DC4 of Permit Part B will require progressive rehabilitation to reduce the risk of large areas of the site being left unrehabilitated should the activity cease.

Image 7 – Concept Closure Plan



**Image 8 – Typical Rehabilitation Profile**



Diagramatic Only

**Bis Western Junction Quarry Extension**

Typical Rehabilitation Profile - Quarry Walls

JOHN MIEDECKE AND PARTNERS PTY LTD

FIG 2.15

26.2 Use Table (extract)

<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Extractive industries	If for a Level 2 Activity

26.3 Use Standards

26.3.1 Discretionary Uses if not a single dwelling

<b>Objective</b>	
a)	To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.
b)	To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.

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c)	<i>To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.</i>
d)	<i>Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.</i>
e)	<i>Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.</i>
f)	<i>The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.</i>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 <i>If for permitted or no permit required uses.</i>	<p>P1.1 <i>It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</i></p> <p>P1.2 <i>Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m<sup>2</sup> over the site.</i></p>
Not applicable – a discretionary use.	<p>P1.1 The local area objectives are for Primary Industries, Tourism and Rural Communities. These are not relevant to this application for an Extractive Industry.</p> <p>P1.2 N/a</p>
A2 <i>If for permitted or no permit required uses.</i>	<p>P2.1 <i>Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</i></p> <p>i) <i>amount of land alienated/converted is minimised; and</i></p> <p>ii) <i>location is reasonably required for operational efficiency; and</i></p> <p>P2.2 <i>Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</i></p>
Not applicable – a discretionary use.	Complies – not on prime agricultural land.
A3 <i>If for permitted or no permit required uses.</i>	<p>P3 <i>The conversion of non-prime agricultural to non-agricultural use must demonstrate that:</i></p> <p>a) <i>the amount of land converted is minimised having regard to:</i></p> <p>i) <i>existing use and development on the land; and</i></p> <p>ii) <i>surrounding use and development; and</i></p> <p>iii) <i>topographical constraints; or</i></p> <p>b) <i>the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:</i></p> <p>i) <i>limitations created by any existing use and/or development surrounding the site; and</i></p> <p>ii) <i>topographical features; and</i></p> <p>iii) <i>poor capability of the land for primary industry; or</i></p> <p>c) <i>the location of the use on the site is reasonably required for operational efficiency.</i></p>
Not applicable – a discretionary use.	The amount of land to be converted is restricted to the extent of the quarry. The nature of extractive industries limits the location of these developments to where specific resources are available.
A4 <i>If for permitted or no permit required uses.</i>	<p>P4 <i>It must be demonstrated that:</i></p> <p>a) <i>emissions are not likely to cause an environmental nuisance; and</i></p> <p>b) <i>primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and</i></p> <p>c) <i>the capacity of the local road network can accommodate the traffic generated by the use.</i></p>
Not applicable – a discretionary use.	<p>The proposal has been assessed by the Environment Protection Authority as a level 2 activity under the <i>Environmental Management and Pollution Control Act 1994</i> which specifically deals with environmental nuisance.</p> <p>The proposed quarry will have limited impact on primary industry uses.</p> <p>The quarry is accessed via Richard Street which the Traffic Impact Assessment finds is adequate for the expected traffic volumes.</p>
A5 <i>The use must:</i> a) <i>be permitted or no permit required; or</i>	<p>P5 <i>It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:</i></p> <p>a) <i>the impacts on skylines and ridgelines; and</i></p>

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b) be located in an existing building.	b) visibility from public roads; and c) the visual impacts of storage of materials or equipment; and d) the visual impacts of vegetation clearance or retention; and e) the desired future character statements.
Not applicable – a discretionary use.	<p>The Development Proposal and Environmental Management Plan discusses visual effects at part 4.7 noting that the visibility of the proposed quarry extension will be very limited, as it will progress in a north-westerly direction as a “pit”. The only open views will be from the east, where the topography shields the workings, which in addition are located behind the crusher and screening plant. The location for the quarry extension and the quarry designs, were selected to avoid environmental impacts, including minimising discernible visual change. The topography has presented opportunities for effectively screening the quarry operations, except for short durations when stockpiles near the airport are undergoing revegetation. The quarry location and design will screen views to active working areas and prompt rehabilitation of bunds and stockpiles before they become visible will maintain a natural-like appearance in the viewed landscape.</p> <p>The EPA’s Environmental Assessment Report considers decommissioning and rehabilitation as Issue 5. Condition DC4 of Permit Part B will require progressive rehabilitation to reduce the risk of large areas of the site being left unrehabilitated should the activity cease.</p> <p>The proposal satisfies the performance criteria.</p>

#### 26.3.2 Dwellings

N/a

#### 26.3.3 Irrigation Districts

<b>Objective</b> <i>To ensure that land within irrigation districts proclaimed under Part 9 of the Water Management Act 1999 is not converted to uses that will compromise the utilisation of water resources.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.	<p>P1 Non-agricultural uses within an irrigation district proclaimed under Part 9 of the Water Management Act 1999 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  B) THE OPERATIONAL PRACTICALITIES OF IRRIGATION SYSTEMS AS THEY RELATE TO THE LAND; AND  C) ANY MANAGEMENT OR CONSERVATION PLANS FOR THE LAND.</p>
Does not comply – is in the North Esk Irrigation District.	The proposal satisfies the performance criteria.

#### 26.4 Development Standards

##### 26.4.1 Building Location and Appearance

N/a – no buildings proposed

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	Traffic Impact Assessment demonstrates compliance with the code.
E.5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Provides required car parking on site
E7.0 SCENIC MANAGEMENT CODE	N/a
E8.0 BIODIVERSITY CODE	N/a
E9.0 WATER QUALITY CODE	N/a – a level 2 activity is exempt from this code
E10.0 RECREATION AND OPEN SPACE CODE	N/a



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E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a – a level 2 activity is exempt from this code
E12.0 AIRPORTS IMPACT MANAGEMENT CODE	Complies with the acceptable solutions - not a sensitive use and does not encroach into the prescribed airspace
E13.0 LOCAL HISTORIC HERITAGE CODE	N/a
E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a
<b>SPECIFIC AREA PLANS</b>	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a
<b>SPECIAL PROVISIONS</b>	
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
<b>STATE POLICIES</b>	
The proposal is consistent with all State Policies.	
<b>OBJECTIVES OF LAND USE PLANNING &amp; APPROVALS ACT 1993</b>	
The proposal is consistent with the objectives of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	
<b>STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES</b>	
<b>Strategic Plan 2017-2027</b> <ul style="list-style-type: none"> <li>Statutory Planning</li> </ul>	

## 5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

## 6 OPTIONS

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

## 7 DISCUSSION

Discretion to refuse the application is limited to development and use of an Extractive Industry (level 2 activity) in the Rural Resource Zone.

Concern was raised about safety impacts of the quarry expansion on the Launceston Airport. A suitably qualified consultant prepared an Aviation Safety Impact Assessment. The Department of Infrastructure, Transport, Cities and Regional Development provided a letter to the Northern Midlands Council in relation to the issues it had raised and the provision of the Safety Review Report. The letter states that the Safety Review Report assesses and considers all the risks to aircraft safety and operations in accordance with the *National Airports Safeguarding Framework guidelines and the Airports (Protection of Airspace) Regulations 1996*. The letter notes the conclusion of the Safety Review Report that none of the issues raised require a controlled activity application as they have been modified to remain below prescribed airspace. The Safety Review Report recommends that blasts be undertaken in the Launceston Airport's off-peak hours. The average busy hours were identified as being between 0900 hours and 1100 hours and between 1600 hours and 1800 hours. Condition B1 of the Permit Part B restricts blasting times to between 1000 hours and 1600 hours Monday to Friday. Condition B3 of Permit Part B requires the Launceston Airport Air Traffic Control Line Manager to be contacted at least 24 hours prior to any blasting operations, including drilling operations, being undertaken on the Land.

Regarding visual impact, the Development Proposal and Environmental Management Plan notes that the visibility of the

proposed quarry extension will be very limited, as it will progress in a north-westerly direction as a “pit”. The only open views will be from the east, where the topography shields the workings, which in addition are located behind the crusher and screening plant. The location for the quarry extension and the quarry designs, were selected to avoid environmental impacts, including minimising discernible visual change. The topography has presented opportunities for effectively screening the quarry operations, except for short durations when stockpiles near the airport are undergoing revegetation. The quarry location and design will screen views to active working areas and prompt rehabilitation of bunds and stockpiles before they become visible will maintain a natural-like appearance in the viewed landscape. Condition DC4 of Permit Part B will require progressive rehabilitation to reduce the risk of large areas of the site being left unrehabilitated should the activity cease.

The application is found to satisfy the requirements of the planning scheme. It is recommended for approval with the conditions below.

## 8 ATTACHMENTS

- Development application, Development Proposal and Environmental Management Plan and Appendices
- Referral responses
- Representations
- Development Proposal and Environmental Management Plan – Supplement
- EPA’s Environmental Assessment Report and Permit Conditions Part B

## RECOMMENDATION

That land at 81 Evandale Road, Western Junction be approved to be developed and used for extension of existing quarry (level 2 activity under EMPCA) to increase extraction to 500,000 tonnes per annum and increase processing to 500,000 tonnes per annum in accordance with application PLN-19-0071, and subject to the following conditions:

### 1 Layout not altered

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

- **P1** (*Western Junction Quarry Extension, Development Proposal and Environmental Management Plan and Appendices*, John Miedecke and Partners PL, March 2019); and
- **P2** (*Western Junction Quarry Extension, Development Proposal and Environmental Management Plan Supplement*, John Miedecke and Partners PL, June 2020).

### 2 Environmental Management & Pollution Control Act 1994

The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B, which the Board of Environmental Protection Authority (EPA) has required the planning authority to include in this permit, pursuant to section 25(5) of the *Environmental Management & Pollution Control Act 1994* (**D1**).

### 3 TasWater conditions

The use and development must be in accordance with TasWater’s Submission to Planning Authority Notice (reference number TWDA 2019/00642-NMC).

## DECISION

Cr Calvert/Cr Goninon

That land at 81 Evandale Road, Western Junction be approved to be developed and used for extension of existing quarry (level 2 activity under EMPCA) to increase extraction to 500,000 tonnes per annum and increase processing to 500,000 tonnes per annum in accordance with application PLN-19-0071, and subject to the following conditions:

### 1 Layout not altered

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

- **P1** (*Western Junction Quarry Extension, Development Proposal and Environmental Management Plan*



and *Appendices*, John Miedecke and Partners PL, March 2019); and

- **P2** (*Western Junction Quarry Extension, Development Proposal and Environmental Management Plan Supplement*, John Miedecke and Partners PL, June 2020).

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The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B, which the Board of Environmental Protection Authority (EPA) has required the planning authority to include in this permit, pursuant to section 25(5) of the *Environmental Management & Pollution Control Act 1994 (D1)*.

**3 TasWater conditions**

The use and development must be in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2019/00642-NMC).

Carried unanimously



# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

## 398/20 PLANNING APPLICATION PLN-20-0176: 96-102 FAIRTLOUGH STREET (APPROVED LOT 30, WILL BE 102 FAIRTLOUGH STREET), PERTH

*File Number:* 104900.31; CT 46765/1  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Erin Miles, Development Supervisor

### 1 INTRODUCTION

This report assesses an application for 96-102 Fairtlough Street (approved Lot 30, will be 102 Fairtlough Street), Perth for a Residential use (communal residence). The development proposes to vary front and rear setbacks and reduce parking provisions. The site is also considered a Bushfire Prone Area.

### 2 BACKGROUND

<b>Applicant:</b> Laura Wycherley	<b>Owner:</b> Growth Developments Pty Ltd
<b>Zone:</b> General Residential Zone	<b>Codes:</b> Bushfire Prone Areas Code Car Parking and Sustainable Transport Code
<b>Classification under the Scheme:</b> Residential (communal residence)	<b>Existing Use:</b> Vacant
<b>Deemed Approval Date:</b> 20 <sup>th</sup> November 2020	<b>Recommendation:</b> Refuse

#### Discretionary Aspects of the Application

- Discretionary use
- Reliance on the performance criteria of the General Residential Zone (10.3.1 P1, P2 & P3 – Amenity, 10.4.13.4 P1 – Frontage setback, 10.4.13.5 P1 – Rear and side setbacks, 10.4.13.6 P1 - Location of Car Parking, 10.4.13.7 P1 – Overlooking)
- Reliance on the performance criteria of the Bushfire Prone Areas Code (E1.5.1 P1 – Vulnerable Uses)
- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code (E6.6.1 P1 - Car Parking Numbers, E6.6.2 P1 - Bicycle Parking Numbers, E6.7.2 P1 - Design and Layout of Car Parking).

**Planning Instrument:** *Northern Midlands Interim Planning Scheme 2013, Version 31, Effective from 19<sup>th</sup> October 2020.*

#### Preliminary Discussion

Prior to the application being placed on public exhibition, further information was requested from the applicant – copies of outgoing correspondence attached. Further clarification was also sought regarding the amount of parking required and the building setback and façade.

## A photograph showing a residential area. In the foreground, there is a paved path and a green field. A brick house with a green roof is visible in the middle ground. In the background, there are more houses and trees on a hill. A utility pole with a sign is on the left.

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.

## 4.1 Proposal

- Residential (communal residence) (vary front and rear setbacks, reduce parking provision).

[illegible]

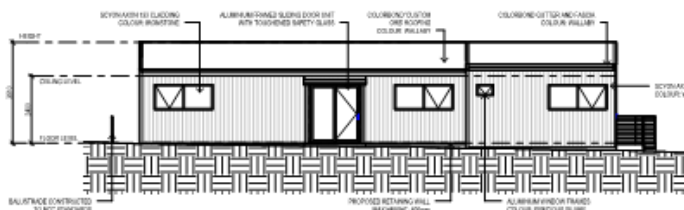
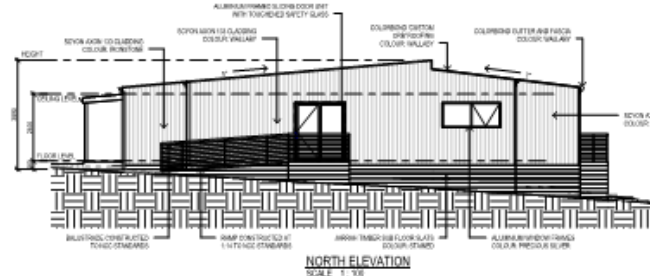
# NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 16 NOVEMBER 2020

## Elevations

BASE & ROOF CONSTRUCTION: BCA VOLUME 2 PART 3.3.3  
BASE WIDTH: 1000

- ROOF: 7.5% SLOPE WITH 'HARDWARE' CEILING LININGS
- ROOFING LOCATED WITHIN 1200 mm OF EXTERNAL CORNERS TO BE SPACED @ 500 mm CENTRE, REMAINDER OF SHEET - 700 mm CENTRE
  - FASTENERS: 7 FIELDS WITHIN 1200 mm OF EXTERNAL CORNERS @ 200 mm CENTRE, REMAINDER OF SHEET - 300 mm CENTRE

**ENGINEERING PLUS**  
STRUCTURAL ENGINEERING  
DESIGN & CONSULTING  
10/11 BENTLEY STREET, PERTH  
6000



SELECTED ALUMINIUM FRAMED WINDOWS - BCA VOLUME 2 PART 3.4  
3.4  
FORCED COLOURED ALUMINIUM WINDOW & DOOR FINISHES: BRUSHED CHROME  
HIDES  
TAPSWITCH ON SIDEWALLS AND TENTS, ALL FINISHES AND FINISHES TO  
MANUFACTURERS SPECIFICATIONS

CLADDING & FRAME CONSTRUCTION TO AS 2647 & AS 1288  
ALL FINISHES AND FINISHES TO MANUFACTURERS SPECIFICATIONS

- WIND CLASSIFICATION: ASCE 7-10 WIND DESIGN
- THERMAL CATEGORY: T2 (INTERNAL DRILLING)
- SERVICEABILITY DESIGN & WIND PRESSURE
- WIND RESISTANCE: 150

ISSUED FOR REVIEW

Client: SAAT  
Project: PROPOSED DWELLING  
Address: LOT 30 OF 84, 94, 96-102  
FAIRLOUGH STREET, PERTH  
6000  
Date Drawn: 26.05.20  
Drawn: Q. Jones  
Checked: C. Pory  
Approved: J. Pfeiffer  
Scale: As Shown @ A3  
Accredited Building Designer  
Designer Name: J. Pfeiffer  
Accreditation No: OC211T

RE-ISSUED FOR REVIEW	21.06.20	Q.J.
ISSUED FOR REVIEW	29.05.20	Q.J.
Drawn: J. Pfeiffer	Checked: J. Pfeiffer	Scale: 1:100

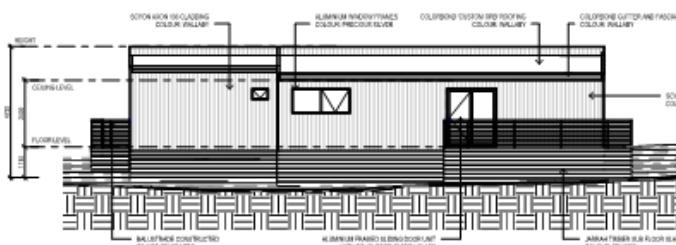
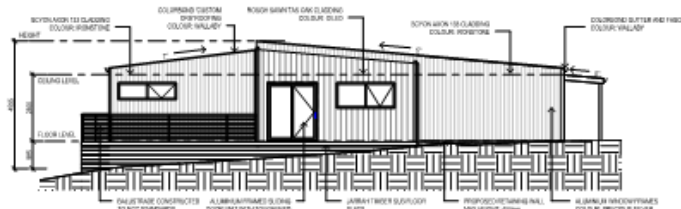
TUB FLOOR VENTILATION: BCA VOLUME 2 PART 3.4.1

- A TYPICAL OF 300 mm OF SUB FLOOR CLEARANCE IS TO BE PROVIDED BETWEEN FINISHED SURFACE LEVEL & THE UNDERPIN OF THE FLOOR MEMBER.
- A TYPICAL OF 300 mm OF SUB FLOOR VENTILATION IS TO BE UNIFORMLY DISTRIBUTED AROUND THE EXTERNAL AND INTERNAL WALLS OF THE BUILDING.
- VENTS TO BE LOCATED NO GREATER THAN 800 mm FROM AN INTERNAL OR EXTERNAL CORNER.

VENT: 250x150 - 152 mm VENT MAXIMUM SPACING 1200 mm ALONG WALL OR  
PERIMETER - 152 mm VENT MAXIMUM SPACING 1200 mm ALONG WALL

ADDITIONAL VENTILATION PROVIDED TO BE INSTALLED WHERE OBSTRUCTIONS SUCH AS  
CONCRETE VENTILATION, DRILL, PAVING AND PAVING ARE INSTALLED IN OBSTRUCT VENTILATION

**ENGINEERING PLUS**  
STRUCTURAL ENGINEERING  
DESIGN & CONSULTING  
10/11 BENTLEY STREET, PERTH  
6000



STEEL CONSTRUCTION: BCA VOLUME 2 PART 3.9

- FINISH: 240 mm
- FINISH: 180 mm
- TRUSSING AND STEEL TRUSS SYSTEMS TO AS 4584
- DETAILING LEVELS FOR ALUMINIUM USE & AS FOR WIND GROUND USE
- ALL FINISHES FITTING BRIGHTLY AND CONFORMING TO BE GALVANIZED
- STRONG: 300x50 mm TRUSSER PIPE
- TRUSSING: 240x50 mm TRUSSER PIPE MAXIMUM TRUSS SPAN 1200

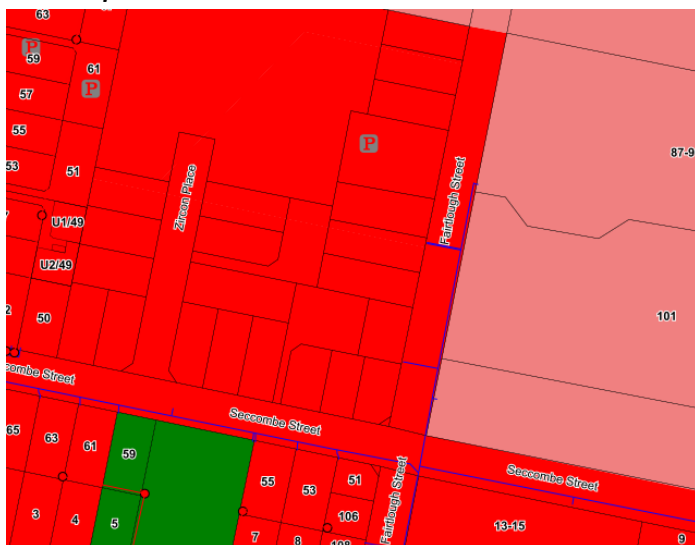
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Drawn: J. Pfeiffer	Checked: J. Pfeiffer	Scale: 1:100

## 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 and Bushfire Prone Area Code.

The relevant Planning Scheme definition is:

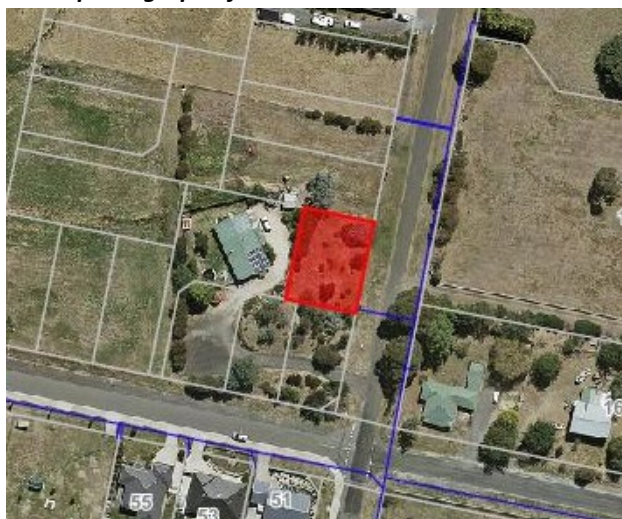
<i>Residential</i>	<i>use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.</i>
<i>communal residence</i>	<i>means use of land for a building to accommodate persons who are unrelated to one another and who share some parts of the building. Examples include a boarding house, residential college and residential care home.</i>

Residential (Communal Residence) is a Discretionary use in the zone.

## 4.3 Subject site and locality

The author of this report carried out a site visit on the 9<sup>th</sup> October 2020. The subject site (now subdivided - effective date 13.10.2020) has a total area of 624m<sup>2</sup> and is rectangular shaped. The lot slopes to the west and is surrounded by recently subdivided lots, one of which contains an existing dwelling.

### Aerial photograph of area





*Photographs of subject site*



**4.4 Permit/site history**

Relevant permit history includes:

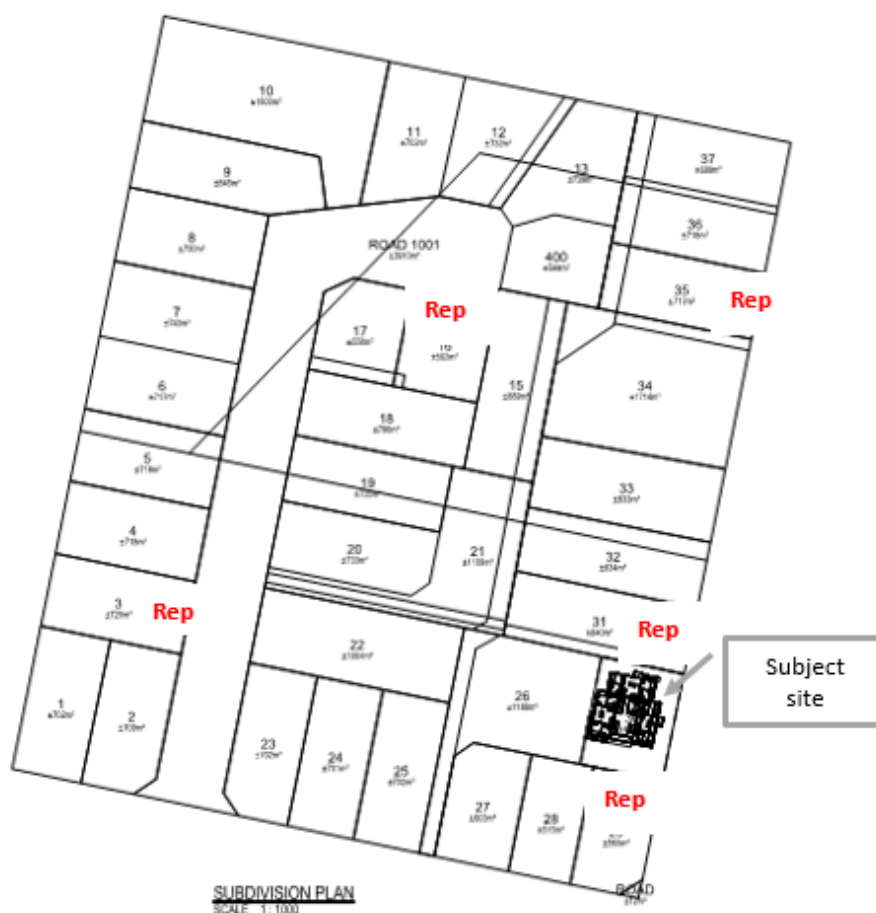
- N/a – vacant lot.

## 4.5 Representations

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

Representor	Address (if nearby)
Sophie Grantham	Lot 29 Diamond Park Estate
Michelle Calder	13-15 Seccombe Street, Perth
Jessica Crowden	Lot 31 Diamond Park Estate
Michael and Sharon Wise	Lot 35 Diamond Park Estate
Lisa Grantham	Associated with Lot 29 Diamond Park Estate
Wim Van Der Pols	Developer – Diamond Park Estate
Ben Ring	Lot 16 Diamond Park Estate
Kaylene Lewis	1 Collins St, Perth
Jared Lewis	Lot 3 Diamond Park Estate
Hannah Marshall	5 Muirton Way, Perth
Stephen Frankcombe	6 Collins St, Perth

**Map showing location of representors properties in relation to subject site**



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

### Issue 1

- Inadequate provision of parking and increased pedestrian movements

Planner's comment:

The development proposes 2 parking spaces. Seven car parking spaces are required by the Planning Scheme. Regular on-street parking, due to inadequate provision of parking on-site has the potential to impact on the residential amenity of neighbouring property owners.

**Issue 2**

- Site coverage/reduced setbacks

Planner's comment:

While the site coverage is consistent with the requirements for a single dwelling, the reduced setbacks have the potential to negatively impact on the streetscape due to being in front of the building line of future adjacent dwellings, and the amenity of adjoining dwellings due to overlooking.

**Issue 3**

- Building façade not compatible with streetscape

Planner's comment:

It is agreed that the building façade is not compatible existing buildings or with the anticipated design of future dwellings within the subdivision. This could be improved by an increased front setback and changes to the façade appearance and window orientation.

**Issue 4**

- Waste management

Planner's comment:

There are no requirements for a particular form of waste management under the Planning Scheme. The lot has sufficient frontage to accommodate wheelie bins, although any requirement for on-street parking may conflict with bin collection.

**Issue 5**

- Safety/security

Planner's comment:

The development proposes a residential use within a residential area. Occupants of the residence will be supported by live-in carers.

#### 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 15.10.2020 and advised no W & I comment was required.

**TasWater**

Summary: A Taswater Submission to Planning Authority Notice was issued on 16.10.2020 (Taswater Ref: TWDA 2020/01632-NMC).

#### 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>



# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

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

**Assessment:** The proposal meets the zone purpose by providing for residential use and development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.

#### 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, as it proposes to consolidate growth within the urban growth area and is not within a Heritage Precinct.

#### USE AND DEVELOPMENT STANDARDS

### 10.3 Use Standards

#### 10.3.1 Amenity

Objective To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.
Relies on P1.	Relies on P1 - the use is residential, and will not result in emissions such as smoke, odour, dust and illumination. The use may cause a nuisance through vehicle movements, due to inadequate parking provided on-site.
A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.
Relies on P2.	Condition required if permit issued, to ensure compliance.
A3 If for permitted or no permit required uses.	P3 External lighting must demonstrate that: a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.
Relies on P3.	Condition required if permit issued, to ensure compliance.

#### 10.3.2 Residential Character – Discretionary Uses

Objective To ensure that discretionary uses support: a) the visual character of the area; and b) the local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	No performance criteria.
Complies – parking is available on site for the two vehicles driven by support staff for clients residing at the home.	
A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	No performance criteria.
N/a – no goods/material storage required.	
A3 Waste material storage for discretionary uses must: a) not be visible from the road to which the lot has frontage; and b) use self-contained receptacles designed to ensure waste does not escape to the environment.	No performance criteria.

Complies with A3 – Condition required if permit issued, to ensure compliance.	
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**10.4.13 Clauses 10.4.13.1 – 10.4.13.9 only apply to development within the Residential Use Class which is not a dwelling.**

**10.4.13.1 Streetscape integration and appearance**

Objective	
a) To integrate the layout of residential development with the streetscape; and	
b) To promote passive surveillance; and	
c) To provide each residential building with its own sense of identity.	
Acceptable Solutions	Performance Criteria
A1 Residential buildings (other than dwellings), must:	P1 Residential buildings (other than dwellings) must provide for the observation of roads, internal driveways and any abutting public open spaces.
a) have a front door and a window to a habitable room in the building wall that faces a road; or	
b) face an internal driveway or communal open space area.	
Complies with A1 (a).	N/a
A2 Fences (other than for dwellings) on and within 4.5m of the frontage must be no higher than:	P2 Fences (other than for dwellings) on and within 4.5m of the frontage must be designed to:
a) 1.2m if solid; or	a) provide for security and privacy of residents while allowing for passive surveillance of the road; or
b) 1.5m provided that the part of the fence above 1.2m has openings which provide at least 30% transparency.	b) be consistent with the height, design and character of neighbouring fences and walls.
N/a – no front fencing proposed.	

**10.4.13.2 Site coverage**

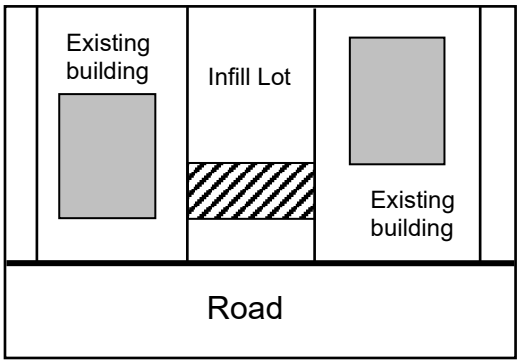
Objective	
a) To ensure that the site coverage of residential development respects the existing neighbourhood character or desired future character statements, if any; and	
b) To reduce the impact of increased stormwater run-off on the drainage system; and	
c) To ensure sufficient area for landscaping and private open space.	
Acceptable Solutions	Performance Criteria
A1.1 Site coverage (other than for dwellings) must not exceed 50% of the total site; and	P1 The proportion of the site covered by buildings or development (other than for dwellings) must have regard to:
A1.2 Development (other than for dwellings) must have a minimum of 25% of the site free from buildings, paving or other impervious surfaces.	a) the existing site coverage and any constraints imposed by existing development or the features of the site; and
	b) the site coverage of adjacent properties; and
	c) the effect of the visual bulk of the building and whether it respects the neighbourhood character; and
	d) the capacity of the site to absorb run-off; and
	e) landscaping.
Complies with A1.1 – the total floor area is 271.07m <sup>2</sup> – which results in a building site coverage of 43.4%.	N/a
Complies with A1.2 – total area free from impervious surface is approximately 188m <sup>2</sup> (30%).	

**10.4.13.3 Building Height**

Objective	
To ensure that the height of development (other than dwellings) respects the existing neighbourhood character or desired future character statements, if any.	
Acceptable Solutions	Performance Criteria
A1 Building height (other than for dwellings) must not exceed 8m.	P1 Building height (other than for dwellings) must be appropriate to the site and the streetscape having regard to the:
	a) effect of the slope of the site on the height of the building; and
	b) relationship between the proposed building height and the height of existing adjacent buildings; and

	c) visual impact of the building when viewed from the road and from adjoining properties; and d) degree of overshadowing and overlooking of adjoining properties.
Complies – max height 4.72m.	N/a

#### 10.4.13.4 Frontage Setbacks

<p><b>Objective</b> To ensure that the setbacks of buildings (other than dwellings) from the frontage respects the existing neighbourhood character or desired future character statements (if any) and makes efficient use of the site.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 The primary frontage setback (other than for dwellings) must be:</p> <p>a) a minimum of 5m; or</p> <p>b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 10.4.13.4 below; and</p>  <p>Figure 10.4.13.4 – Primary Frontage Setback for Infill Lots</p> <p>A1.2 Other frontage setbacks (other than for dwellings) must be a minimum of 3m.</p>	<p>P1 Frontage setbacks (other than for dwellings) must be appropriate to the location and the amenity of residents having regard to:</p> <p>a) the prevailing setbacks of existing buildings on nearby lots; and</p> <p>b) the visual impact of the building when viewed from the road; and</p> <p>c) retention of vegetation within the front setback; and</p> <p>d) the efficient use of the site.</p>
Does not comply with A1.1 (a).	<p>Relies on P1.</p> <p>a) The prevailing setback of adjoining buildings will be 4.5m for a dwelling and 5.5m for a garage or carport (as required for dwellings under clause 10.4.2 A1/A2). The proposed dwelling has a 4.5m front setback, except for the front canopy, which is setback 3.1m from the frontage. A 600mm deep canopy would be considered a 'minor protrusion' for a dwelling and allowable within the front setback. The proposed canopy is 1.4m deep, which would be forward of the building line of all other dwellings within the streetscape. The proposal therefore does not comply.</p>

#### 10.4.13.5 Rear and Side Setbacks

<p><b>Objective</b> To ensure that the height and setback of buildings (other than dwellings) from a boundary respects the existing neighbourhood character and limits unreasonable adverse impacts on the amenity and solar access of adjoining dwellings.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Buildings (other than dwellings) must be set back from the rear boundary not less than:</p> <p>a) 4m if the lot has an area less than 1000m<sup>2</sup>; or</p> <p>b) 5m if the lot has an area equal to or greater than 1000m<sup>2</sup>.</p>	<p>P1 Building setback to the rear boundary (other than for dwellings) must be appropriate to the location, having regard to the:</p> <p>a) ability to provide adequate private open space; and</p> <p>b) character of the area and location of dwellings on lots in the surrounding area; and</p> <p>c) impact on the amenity solar access and privacy of habitable room windows and private open space of existing dwellings; and</p> <p>d) size and proportions of the lot.</p>

Does not comply with A1 (a).	<p>Relies on P1 as a 1m rear setback is proposed for the building, while the rear deck/walkway is built to the boundary.</p> <p>a) The proposal provides an area of private open space to the south of the building for the 6 residents to utilise. The dimensions of this area are consistent with the area required for a single dwelling, but will be subject to some overshadowing throughout the day.</p> <p>b) The subject site forms one lot of a newly established subdivision, with only the lot to the west developed with an existing single dwelling – the remainder are currently vacant. It is anticipated that the adjoining lots will be developed with single dwellings in accordance with the requirements of the General Residential Zone – which would require a 4m rear setback. The land across the road to the east is zoned Low Density Residential and consists of single dwellings on large (8000m<sup>2</sup>+) lots. The proposed rear setback is therefore not consistent with the location of dwellings on surrounding lots.</p> <p>c) Due to the slope of the lot, the floor level of the rooms and timber decking adjacent to the rear boundary will be 1.1m above ground level, making the effective height of a standard 1.8m paling fence, 700mm. The proposed setback will therefore cause a loss of privacy to the private open space of the existing dwelling to the west.</p> <p>d) The subject site has a total lot area of 624m<sup>2</sup> and the total floor area is 271.07m<sup>2</sup> – which results in a building site coverage of 43.4%. Less than 50% site coverage is acceptable to meet the requirements of the Planning Scheme.</p>
<p>A2 Buildings (other than dwellings) must be set back from side boundaries not less than:</p> <p>a) for lots less than 1000m<sup>2</sup>: 1m, plus 0.3m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m; or</p> <p>b) for lots equal to or greater than 1000m<sup>2</sup>: 2m, plus 0.3m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m.</p>	<p>P2 No performance criteria.</p>
Complies with A2 (a), 2m minimum side setback.	N/a

#### 10.4.13.6 Location of Car Parking

<p>Objective</p> <p>a) To provide convenient parking for resident and visitor vehicles; and</p> <p>b) To avoid parking and traffic difficulties in the development and the neighbourhood; and</p> <p>c) To protect residents from vehicular noise within developments.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Driveways or car parks of residential buildings (other than dwellings) must be located at least 1.5m from the windows of habitable rooms.</p>	<p>P1 Driveways or car parking spaces (other than for dwellings) must be designed to protect the amenity of the adjoining habitable rooms having regard to the:</p> <p>a) width of the driveway; and</p> <p>b) location of the existing dwellings; and</p> <p>c) number of car spaces served by the driveway; and</p> <p>d) need for physical screening and/or landscaping.</p>
Does not comply with A1, due to location of turning area adjacent to Bedroom 2.	Complies with P1 – as only the turning bay is adjacent to the bedroom, and only two parking spaces proposed. It is noted that the location of the crossover shown on plan is incorrect, and the driveway would enter approximately 3.5m further north than shown (due to the location of a power pole).

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A2 A garage or carport (other than for dwellings) must be located at least 5.5m from a frontage.	P2 Car parking facilities (other than for dwellings) must be: a) reasonably close and convenient to the use it serves; and b) located to minimise visual impact to the streetscape.
N/a – no garage or carport proposed.	N/a
A3 The total width of the door or doors on a garage facing a road frontage (other than for dwellings) must: a) be not more than 6m; or b) the garage must be located within the rear half of the lot when measured from the front boundary.	P3 The width of garage doors facing a road (other than for dwellings) should not be a visually dominant element in the streetscape and must be designed having regard to the: a) existing streetscape and the design and locations of garages in the area; and b) location of existing buildings on the site.
N/a	N/a

#### 10.4.13.7 Overlooking

<p>Objective</p> <p>To minimise:</p> <p>a) overlooking into private open space and habitable room windows to provide a reasonable degree of privacy to the residents of the adjoining and the subject sites; and</p> <p>b) any adverse impact on the amenity of the adjoining and the subject site.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 A habitable room window, balcony, terrace, deck or patio (other than for dwellings) with a direct view into a habitable room window or private open space of dwellings within a horizontal distance of 9m (measured at finished ground level) of the window, balcony, terrace, deck or patio must be:</p> <p>a) offset a minimum of 1.5m from the edge of one window to the edge of the other; or</p> <p>b) have sill heights of at least 1.7m above floor level; or</p> <p>c) have fixed, obscure glazing in any part of the window below 1.7m above floor level; or</p> <p>d) have permanently fixed external screens to at least 1.8m above floor level; and</p> <p>e) obscure glazing and screens must be no more than 25% transparent.</p> <p>Views must be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above floor level, indicated in Figure 10.4.13.7; or</p> <p>A1.2 New habitable room windows, balconies, terraces, decks or patios (other than for dwellings) that face a property boundary must have a visual barrier at least 1.8 metres high and the floor level of the habitable room, balconies, terraces, decks or patios is less than 0.6m above the ground level at the boundary.</p>	<p>P1 Buildings (other than dwellings) must be designed to minimise the potential for loss of amenity caused by overlooking of adjacent dwellings having regard to the:</p> <p>a) setback of the existing and proposed building; and</p> <p>b) location of windows and private open spaces areas within the development and the adjoining sites; and</p> <p>c) level and effectiveness of physical screening by fences or vegetation; and</p> <p>d) topography of the site; and</p> <p>e) characteristics and design of houses in the immediate area.</p>
Relies on P1 – the rear deck walkway is built to the boundary and 1.1m above natural ground level. Habitable room windows setback 1m from the rear boundary are also over 1m above natural ground level and within 9m of the neighbouring private open space. No screening is proposed.	Does not comply with P1 - Due to the slope of the lot, the floor level of the rooms and timber decking adjacent to the rear boundary will be 1.1m above ground level, making the effective height of a standard 1.8m paling fence, 700mm. The proposed setback will therefore cause a loss of privacy to the private open space of the existing dwelling to the west.
<p>A2 Screens used to obscure a view (other than from dwellings) must be:</p> <p>a) perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels; and</p> <p>b) permanent, fixed and durable.</p>	P2 No performance criteria.
N/a – no screening is proposed.	N/a

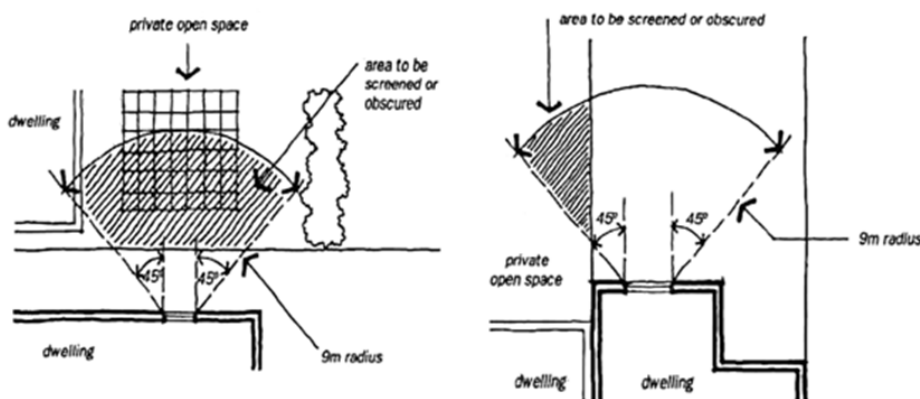


Figure 10.4.13.7

#### 10.4.13.8 Landscaping

Objective	
a)	To provide appropriate landscaping that respects the landscape character of the neighbourhood; and
b)	To encourage the retention of mature vegetation on the site.
Acceptable Solutions	Performance Criteria
A1 Landscaping (other than for dwellings) must be provided to the frontage and within the development including:	P1 Landscaping (other than for dwellings) must:
a) the retention or planting of vegetation; and	a) provide a safe, attractive and functional environment for residents; and
b) the protection of any predominant landscape features of the neighbourhood; and	b) respond to the landscape character of the neighbourhood; and
c) pathways, lawn area or landscape beds.	c) have regard to any mature vegetation.
Complies with A1. Condition required if permit issued, to ensure compliance.	N/a

#### 10.4.13.9 Common Property

Objective	
To ensure that communal open space, car parking, access areas and site facilities are easily identified.	
Acceptable Solutions	Performance Criteria
A1 Development (other than for dwellings) must clearly delineate public, communal and private areas such as:	P1 No performance criteria.
a) driveways; and	
b) landscaped areas; and	
c) site services, bin areas and any waste collection points.	
N/a – no common property.	N/a

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	See code assessment below.
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	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

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E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a

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

### E1.3 Definition of terms in this Code

#### E1.3.1 In this code, unless the contrary intention appears:

Term	Definition
vulnerable use	means a use that is within one of the following Use Classes: (a) Custodial Facility; (b) Educational and Occasional Care; (c) Hospital Services; (d) Residential if for respite centre, residential aged care home, retirement home, and group home.
group home	means use of land for residential accommodation for people with disabilities.

### E1.5 Use Standards

#### E1.5.1 Vulnerable uses

<b>Objective:</b> Vulnerable uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the vulnerable use and the bushfire hazard.	
Acceptable solutions	Performance criteria
<b>A1</b> No Acceptable Solution.	<b>P1</b> A vulnerable use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to: (a) the location, characteristics, nature and scale of the use; (b) whether there is an overriding benefit to the community; (c) whether there is no suitable alternative lower-risk site; (d) the emergency management strategy and bushfire hazard management plan; and (e) other advice, if any, from the TFS.
Relies on P1.	Does not comply with P1 – the Bushfire Report supplied with the application does not address the requirements of a vulnerable use, including the provision of an emergency management strategy.
<b>A2</b> An emergency management strategy, endorsed by the TFS or accredited person, that provides for mitigation measures to achieve and maintain a level of tolerable risk that is specifically developed to address the characteristics, nature and scale of the use considering: (a) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; (b) the ability of occupants of the vulnerable use to: (i) protect themselves and defend property from bushfire attack; (ii) evacuate in an emergency; and (iii) understand and respond to instructions in the event of a bushfire; and (c) any bushfire protection measures available to reduce risk to emergency service personnel.	<b>P2</b> No Performance Criterion.
Does not comply with A2 – the Bushfire Report supplied with the application does not address the requirements of a vulnerable use, including the provision of an emergency management strategy.	N/a



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<b>A3</b> A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.	<b>P3</b> No Performance Criterion.
Does not comply – the supplied bushfire hazard management plan does not specifically address the vulnerable use.	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.
<p>Comment:</p> <p>7 bedrooms are proposed, divided into three living spaces within the residence (ie. 3 kitchen/dining areas). 1 space per bedroom is required (not a dwelling). 7 spaces required, only two spaces are proposed.</p> <p>The proposal is not considered to comply with P1 – no public car parking is available nearby and public transport options in the area are limited. On-street parking in front of the site is near the crest of a hill and kerb and channel has only been established on one side of the road. Given the residence will be occupied by 6 unrelated clients + one staff member overnight, the provision of visitor parking in a location that will not cause disturbance to neighbouring property owners, is vital. The applicant has advised that there will be 2 vehicles on each site that will be driven by support staff for the 6 clients. Presumably, the personal cars of support staff will also need to be accommodated within the site.</p>			

**Table E6.1: Parking Space Requirements**

Use	Parking Requirement	
	Vehicle	Bicycle
<b>Residential:</b>		
Residential use in any other zone or any other residential use in the General Residential Zone	1 space per bedroom or <del>2 spaces per 3 bedrooms</del> + 1 visitor space for every 5 dwellings	1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation



#### E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.			
Acceptable Solutions		Performance Criteria	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Comment:			
Relies on P1 – no bicycle parking is proposed, as clients residing at the home will utilise the transport services provided by staff.			

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

Objective: To ensure that taxis can adequately access developments.			
Acceptable Solutions		Performance Criteria	
A1	One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1	No performance criteria.
Comment:			
N/a			

#### E6.6.4 Motorbike Parking Provisions

Objective: To ensure that motorbikes are adequately provided for in parking considerations.			
Acceptable Solutions		Performance Criteria	
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.
Comment:			
N/a			

#### 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 – condition required if permit issued, to ensure compliance with (c).			

##### 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	a)	the layout of the site and the location of existing buildings; and
		b)	views into the site from the road and adjoining public

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residential buildings or multiple dwellings.		c)	spaces; and 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.
<p>Comment:</p> <p>A1.1 – N/a</p> <p>A1.2 – does not comply – turning bay proposed within front setback.</p> <p>P1 – The turning bay within the site will help to ensure safe egress from the site in a forward direction. Landscaping could assist with screening the turning bay from the street and could be conditioned if a permit is issued.</p>			
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> .		
<p>Comment:</p> <p>Complies with A2.1 and A2.2.</p>			

**Table E6.2: Access Widths for Vehicles**

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

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

Objective: To ensure adequate access, safety and security for car parking and for deliveries.			
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>	
A1	Car parking areas with greater than 20 parking spaces must be:	P1	Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:
a)	secured and lit so that unauthorised persons cannot enter or;	a)	levels of activity within the vicinity; and
b)	visible from buildings on or adjacent to the site during the times when parking occurs.	b)	opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.
<p>Comment:</p> <p>N/a</p>			

#### E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.			
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>	
A1	All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1	The location and design of parking spaces considers the needs of disabled persons, having regard to:
		a)	the topography of the site;
		b)	the location and type of relevant facilities on the site or in the vicinity;
		c)	the suitability of access pathways from parking spaces, and
		d)	applicable Australian Standards.
A2	One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with <i>Australian Standards AS/NZ 2890.6</i>	P2	The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to:
		a)	characteristics of the populations to be served;
		b)	their means of transport to and from the site; and
		c)	applicable Australian Standards.

2009.

Comment:

N/a – no parking designated for use by persons with a disability is proposed. Clients residing at the home will utilise transport services offered by staff.

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

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

Acceptable Solutions		Performance Criteria	
A1	For retail, commercial, industrial, service industry or warehouse or storage uses:	P1	For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.
a)	at least one loading bay must be provided in accordance with Table E6.4; and		
b)	loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.		
Comment:			
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	Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
a)	minimum dimensions of:		
i)	1.7m in length; and		
ii)	1.2m in height; and		
iii)	0.7m in width at the handlebars; and		
b)	unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.		
Comment:			
N/a – no bicycle parking is proposed.			

##### E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development

Acceptable Solution		Performance Criteria	
A1	Pedestrian access must be provided for in accordance with Table E6.5.	P1	Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment:			
Complies with A1 – no separate access required.			

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**Table E6.5: Pedestrian Access**

<b>Number of Parking Spaces Required</b>	<b>Pedestrian Facility</b>
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:
- a horizontal distance of 2.5m between the edge of the driveway and the footpath; or
  - protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
  - signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

<b>SPECIFIC AREA PLANS</b>	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a
<b>SPECIAL PROVISIONS</b>	
9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	N/a
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	N/a
9.5 Access and Provision of Infrastructure Across Land in Another Zone	N/a
<b>STATE POLICIES</b>	
The proposal is consistent with all State Policies.	
<b>OBJECTIVES OF LAND USE PLANNING &amp; APPROVALS ACT 1993</b>	
The proposal is consistent with the objectives of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	
<b>STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES</b>	
<b>Strategic Plan 2017-2027</b> <ul style="list-style-type: none"> <li>Statutory Planning</li> </ul>	

## 5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

## 6 OPTIONS

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

## 7 DISCUSSION

Discretion to refuse the application is limited to:

- Discretionary use
- Reliance on the performance criteria of the General Residential Zone (10.3.1 P1, P2 & P3 – Amenity, 10.4.13.4 P1 – Frontage setback, 10.4.13.5 P1 – Rear and side setbacks, 10.4.13.6 P1 - Location of Car Parking, 10.4.13.7 P1 – Overlooking)
- Reliance on the performance criteria of the Bushfire Prone Areas Code (E1.5.1 P1 – Vulnerable Uses)
- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code (E6.6.1 P1 - Car Parking Numbers, E6.6.2 P1 - Bicycle Parking Numbers, E6.7.2 P1 - Design and Layout of Car Parking).

The application proposes residential accommodation for 6 persons with support staff. Unfortunately, the design of the building is not in keeping with the streetscape due to the proposed setback. The communal residence also has the potential to negatively impact on the privacy of an adjacent dwelling due to overlooking (reduced rear setback and floor height over 1m).

## 8 ATTACHMENTS

- A. Application & plans, correspondence with applicant
- B. Responses from referral agencies
- C. Representations

## RECOMMENDATION

That application PLN-20-0176 to Residential (communal residence) (vary front and rear setbacks, reduce parking provision) at 96-102 Fairtlough Street (approved Lot 30, will be 102 Fairtlough Street), Perth be refused on the following grounds:

- The proposed Communal Residence does not comply with the front setback requirement of clause 10.4.13.4 P1 (a) & (b). The proposed canopy is 1.4m deep, setback 3.1m from the frontage, which would be forward of the building line of future dwellings on adjacent lots and be out of character with the streetscape.
- The proposed Communal Residence does not comply with the rear setback requirement of clause 10.4.13.5 P1 (b) & (c).
- The 1.1m high rear decking is setback 5mm from the rear boundary and habitable rooms with a floor level of 1.1m will be located 1-1.1m from the rear boundary and look out over the private open space of the adjoining dwelling, negatively impacting on the privacy of the dwelling.
- The proposed Communal Residence does not comply with the overlooking requirement of clause 10.4.13.7 P1 (a-d).
- The proposed setback combined with floor height over 1m will cause a loss of privacy to the private open space of the existing dwelling to the west.
- The proposed Communal Residence does not comply with the Bushfire Prone Area requirements of clause E1.5.1 for vulnerable uses.
- The Bushfire Report and Hazard Management Plan provided does not address the code requirements for a vulnerable use.
- The proposed Communal Residence does not comply with the Car Parking and Sustainable Transport Code requirements of clause E6.6.1 - Car Parking Numbers.
- The proposed Communal Residence provides two parking spaces only for cars driven by support staff for their clients. No parking for visitors is provided for, placing the reliance on on-street parking. Frequent visitor/service provider vehicle movements related to on-street parking may negatively impact on the amenity of neighbouring residential uses.

## DECISION

Cr Polley/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Polley/Cr Davis

That land at 96-102 Fairtlough Street (approved Lot 30, will be 102 Fairtlough Street), Perth be approved to be developed and used for Residential (communal residence) (vary front and rear setbacks, reduce parking provision) in accordance with application PLN-20-0176, and subject to the following conditions:

### 1 Layout not altered

The use and development must be in accordance with the endorsed plans numbered **P1 – P7** (*Drawing No:712020, Sheet No's: A02-A05, A07, A08 & A12, Dated: 24/9/2020*), **except as required by condition 2.**

### 2 Amended Plans/Report Required

**Before the issue of a building permit:**

- a) Amended plans showing 3 individually accessible car parking spaces must be provided to the approval of the General Manager.

- b) Amended Bushfire Report and Hazard Management Plan that complies with the Bushfire Prone Area Code requirements for vulnerable uses must be provided to the approval of the General Manager.
- c) Amended plans must be provided to the approval of the General Manager showing:
  - a. The rear deck with a permanently fixed external screen to at least 1.8m above floor level of perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
  - b. A permanently fixed external screen to at least 1.8m above floor level of perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels to obscure the view from the rear living room door within a 45 degree angle from the plane of the door.
  - c. Rear bedroom window with fixed obscure glazing in any part of the window below 1.7m above floor level.
  - d. awning reduced to 600mm deep.

Once approved the plans/report will be endorsed and form part of this permit.

### **3 TasWater conditions**

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2020/01632-NMC, dated 16.10.2020).

### **4 Commercial Vehicles**

Commercial vehicle movements must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.

### **5 External Lighting**

External lighting must demonstrate that:

- a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and
- b) all direct light will be contained within the boundaries of the site.

### **6 Waste material storage**

Waste material storage must:

- a) not be visible from the road to which the lot has frontage; and
- b) use self-contained receptacles designed to ensure waste does not escape to the environment.

### **7 Landscaping**

7.1 Landscaping must be provided to the frontage and within the development including:

- a) the retention or planting of vegetation; and
- b) the protection of any predominant landscape features of the neighbourhood; and
- c) pathways, lawn area or landscape beds.

7.2 Landscaping must be provided to screen the turning bay at the front of the building.

### **8 Car parking**

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

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

### AMENDMENT

Cr Goss/Cr Calvert

That application PLN-20-0176 to Residential (communal residence) (vary front and rear setbacks, reduce parking provision) at 96-102 Fairtlough Street (approved Lot 30, will be 102 Fairtlough Street), Perth be refused on the following grounds:

- The proposed Communal Residence does not comply with the front setback requirement of clause 10.4.13.4 P1 (a) & (b). The proposed canopy is 1.4m deep, setback 3.1m from the frontage, which

would be forward of the building line of future dwellings on adjacent lots and be out of character with the streetscape.

- The proposed Communal Residence does not comply with the rear setback requirement of clause 10.4.13.5 P1 (b) & (c).
- The 1.1m high rear decking is setback 5mm from the rear boundary and habitable rooms with a floor level of 1.1m will be located 1-1.1m from the rear boundary and look out over the private open space of the adjoining dwelling, negatively impacting on the privacy of the dwelling.
- The proposed Communal Residence does not comply with the overlooking requirement of clause 10.4.13.7 P1 (a-d).
- The proposed setback combined with floor height over 1m will cause a loss of privacy to the private open space of the existing dwelling to the west.
- The proposed Communal Residence does not comply with the Bushfire Prone Area requirements of clause E1.5.1 for vulnerable uses.
- The Bushfire Report and Hazard Management Plan provided does not address the code requirements for a vulnerable use.
- The proposed Communal Residence does not comply with the Car Parking and Sustainable Transport Code requirements of clause E6.6.1 - Car Parking Numbers.
- The proposed Communal Residence provides two parking spaces only for cars driven by support staff for their clients. No parking for visitors is provided for, placing the reliance on on-street parking. Frequent visitor/service provider vehicle movements related to on-street parking may negatively impact on the amenity of neighbouring residential uses.

Lost

Voting for the amendment:

Cr Brooks, Cr Calvert, Cr Goninon, Cr Goss

Voting against the amendment:

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

The Motion was then  
Put and  
Carried

Voting for the motion:

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

Voting against the motion:

Cr Brooks, Cr Calvert, Cr Goninon, Cr Goss

Cr Davis/Cr Adams

That Council waive the planning fees in the event that the application is required to be resubmitted.

Carried unanimously



**399/20 PLANNING APPLICATION PLN-20-0177: 84 & 94 FAIRTLOUGH STREET  
(APPROVED LOT 13, WILL BE 12 ZIRCON PLACE), PERTH**

*File Number:* 104900.295; CT 158305/101  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Erin Miles, Development Supervisor

## 1 INTRODUCTION

This report assesses an application for 84 & 94 Fairtlough Street (approved Lot 13, will be 12 Zircon Place), Perth to construct a Residential use (communal residence) (reduce parking provision). The site is also considered a Bushfire Prone Area.

## 2 BACKGROUND

**Applicant:**

Laura Wycherley

**Owner:**

Growth Developments Pty Ltd

**Zone:**

General Residential Zone

**Codes:**

Bushfire Prone Areas Code  
Car Parking and Sustainable Transport Code

**Classification under the Scheme:**

Discretionary

**Existing Use:**

Vacant

**Deemed Approval Date:**

20<sup>th</sup> November 2020

**Recommendation:**

Refuse

### Discretionary Aspects of the Application

- Discretionary use
- Reliance on the performance criteria of the General Residential Zone (10.3.1 P1, P2 & P3 – Amenity)
- Reliance on the performance criteria of the Bushfire Prone Areas Code (E1.5.1 P1 – Vulnerable Uses)
- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code (E6.6.1 P1 - Car Parking Numbers, E6.6.2 P1 - Bicycle Parking Numbers)

**Planning Instrument:** *Northern Midlands Interim Planning Scheme 2013, Version 31, Effective from 19th October 2020.*

### Preliminary Discussion

Prior to the application being placed on public exhibition, further information was requested from the applicant – copies of outgoing correspondence attached. Further clarification was also sought regarding the amount of parking 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.

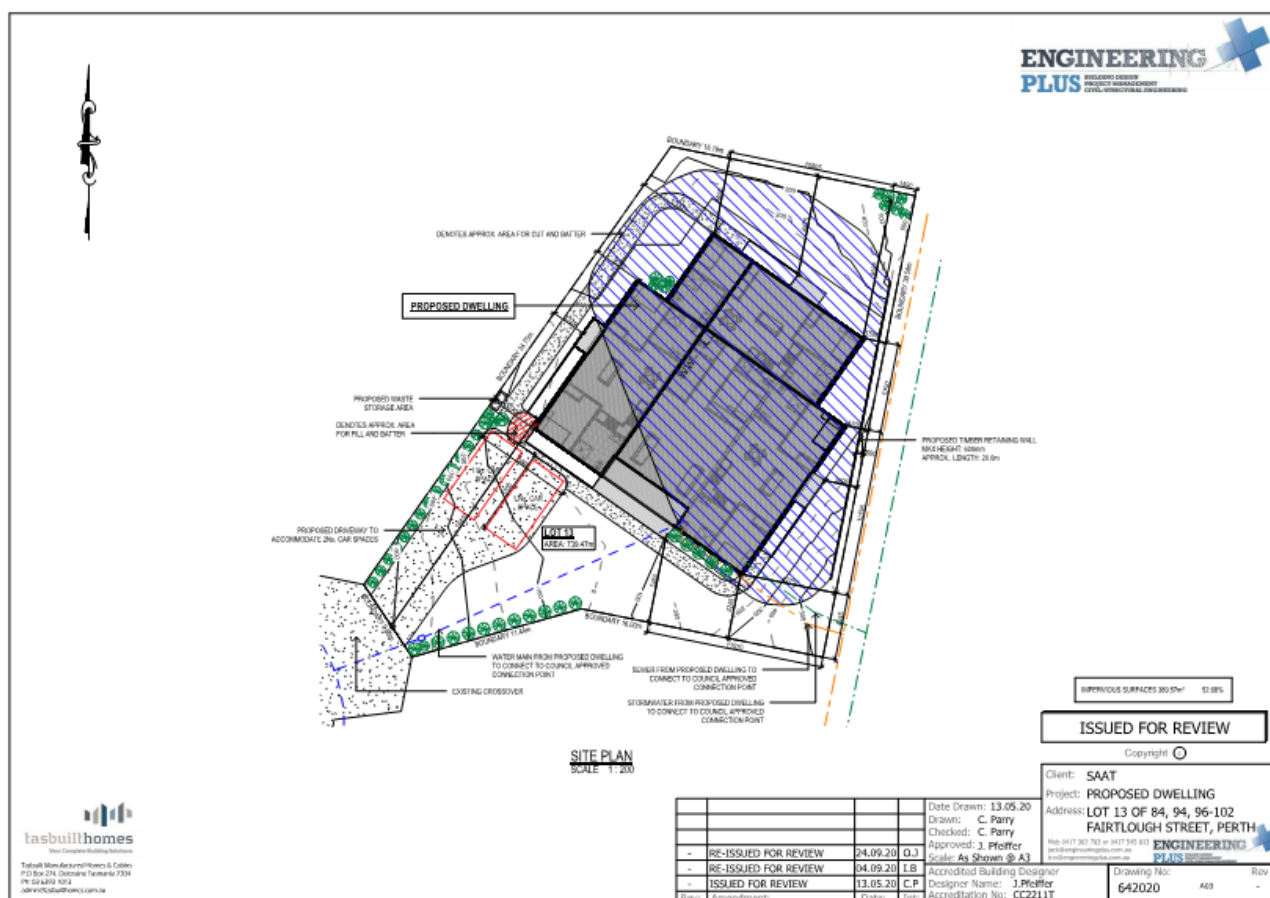
## 4 ASSESSMENT

### 4.1 Proposal

The application proposes:

- Residential (communal residence) (reduce parking provision).

#### Site Plan



## Elevations

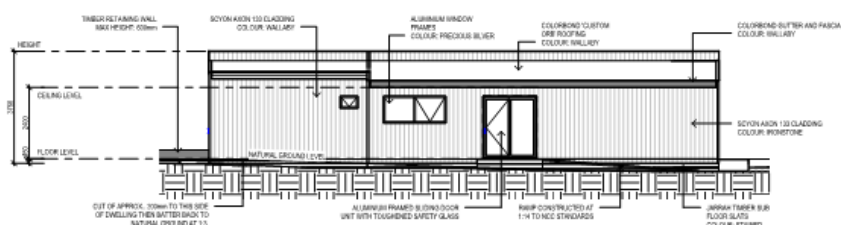
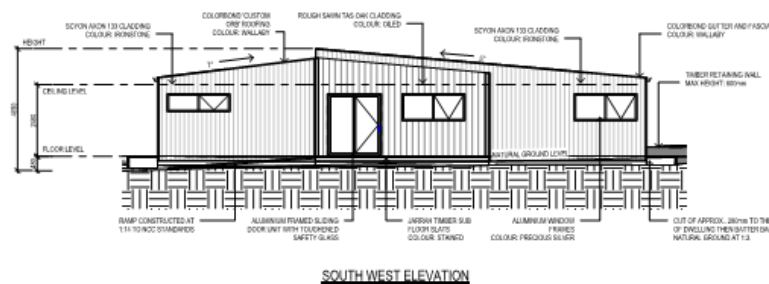
SUB FLOOR VENTILATION, BCA Volume 2 Part 5.5.1

- A PERIMETER OF 150 MM OF SUB FLOOR CLEARANCE IS TO BE PROVIDED BETWEEN FINISHED SURFACE LEVEL & THE UNDERSIDE OF THE FLOOR BEAMER.
- A PERIMETER OF 5000 MM<sup>2</sup> PER METRE OF SUB FLOOR VENTILATION IS TO BE UNIFORMLY DISTRIBUTED AROUND THE EXTERNAL AND INTERNAL WALLS OF THE BUILDING.
- VENTS TO BE LOCATED NO GREATER THAN 600 MM FROM AN INTERNAL OR EXTERNAL CORNER.

RYDA 235475 - 52 HOLE VENT MAXIMUM SPACING 1050 MM ALONG WALL OR  
RYDA 235485 - 67 HOLE VENT MAXIMUM SPACING 2350 MM ALONG WALL

ADDITIONAL VENTILATION PROVISIONS TO BE INSTALLED WHERE OBSTRUCTIONS SUCH AS  
CONCRETE WIRING, SINKS, RATES AND PAVING ARE INSTALLED & OBSTRUCT VENTILATION.

**ENGINEERING PLUS**  
PROFESSIONAL ENGINEERING  
PROJECT MANAGEMENT  
LEVEL 1 REGISTERED ENGINEERING



- STAIR CONSTRUCTION, BCA Volume 2 Part 3.9
- TREADS: 240 MM
  - RISERS: 180 MM
  - TREATED PINE TIMBER STAIR MATERIAL TO AS4684
  - TREATMENT LEVELS M6 FOR HANDRAIL USE & M3 FOR ABOVE GROUND USE.
  - ALL FIXINGS FITTING BRACKETS AND CONNECTORS TO BE GALVANIZED
  - STYPHOLE: 300x50 FS TREATED PINE
  - TREADS: 240x65 FS TREATED PINE MAXIMUM TREAD SPAN 800

ISSUED FOR REVIEW

Copyright ©

Client: SAAT  
Project: PROPOSED DWELLING  
Address: LOT 13 OF 84, 94, 96-102  
FAIRLOUGH STREET, PERTH  
No 1017 301 763 or 1017 545 813  
info@engineeringplus.com.au  
www.engineeringplus.com.au

Drawing No: 642020  
Rev: 1

Date Drawn: 13.05.20	Drawn: C. Parry	Checked: C. Parry	Approved: J. Pfeiffer
Scale: As Shown @ A3	Accredited Building Designer	Designer Name: J. Pfeiffer	Accreditation No: CC21117
RE-ISSUED FOR REVIEW	24.09.20	D.J.	
RE-ISSUED FOR REVIEW	04.09.20	L.B.	
ISSUED FOR REVIEW	13.05.20	C.P.	
Rev: Amendment:	Date:	By:	

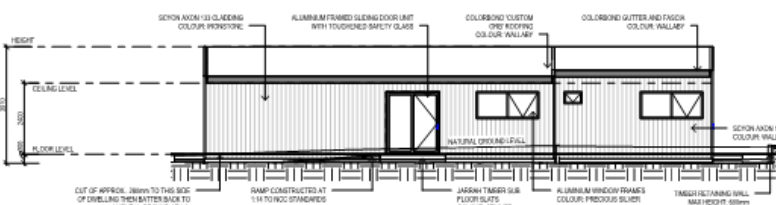
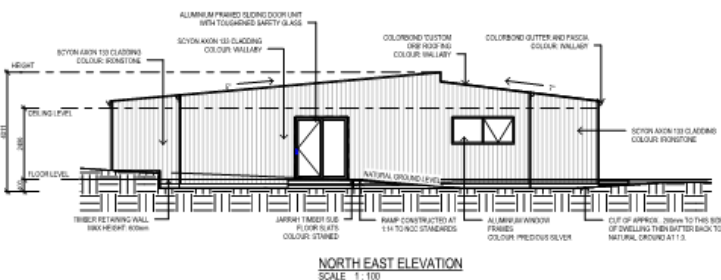
EAVE & SOFFIT CONSTRUCTION, BCA Volume 2 Part 3.5.5.5

EAVE WIDTH: N/A DESIGN WIND SPEED N2

SOFFIT / EAVE LINED WITH 'HARPUX' CEILING SHEETS

- TOWARDS LOCATED WITHIN 1200 MM OF EXTERNAL CORNERS TO BE SPACED @ 500 MM CENTERS, REMAINDER OF SHEET - 700 MM CENTERS
- POSTERIOR / FINISHES WITHIN 1200 MM OF EXTERNAL CORNERS @ 200 MM CENTERS, REMAINDER OF SHEET - 300 MM CENTERS

**ENGINEERING PLUS**  
PROFESSIONAL ENGINEERING  
PROJECT MANAGEMENT  
LEVEL 1 REGISTERED ENGINEERING



SELECTED ALUMINUM FRAMED WINDOWS - BCA Volume 2 Part 3.6  
POWDER COATED ALUMINUM WINDOW & DOOR FRAMES, UNLESS OTHERWISE NOTED.  
TASMANIAN OAK REVEALS AND TRIMS, ALL FLASHING AND FINISHES TO MANUFACTURER'S SPECIFICATIONS

GLAZING & FRAME CONSTRUCTION TO AS 2047 & AS 1288  
ALL FINISHES AND FLASHINGS TO MANUFACTURER'S REQUIREMENTS

- WIND CLASSIFICATION: AS4685 Wind Design
- TERRAIN CATEGORY:
- SERVICEABILITY DESIGN & WIND PRESSURE:
- WATER RESISTANCE:

ISSUED FOR REVIEW

Copyright ©

Client: SAAT  
Project: PROPOSED DWELLING  
Address: LOT 13 OF 84, 94, 96-102  
FAIRLOUGH STREET, PERTH  
No 1017 301 763 or 1017 545 813  
info@engineeringplus.com.au  
www.engineeringplus.com.au

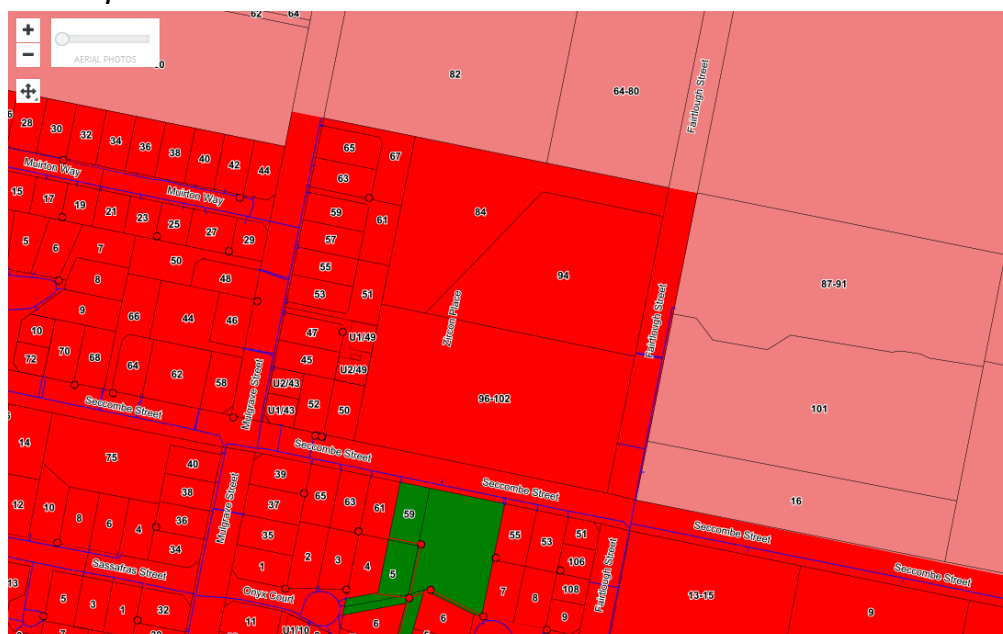
Drawing No: 642020  
Rev: 1

Date Drawn: 13.05.20	Drawn: C. Parry	Checked: C. Parry	Approved: J. Pfeiffer
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ISSUED FOR REVIEW	13.05.20	C.P.	
Rev: Amendment:	Date:	By:	

**tasbuilthomes**  
New Complete Building Solutions  
Tasbuilthomes Australia Pty Ltd  
P.O. Box 214, Oatridge Tasmania 7334  
PH 03 6430 1013  
info@tasbuilthomes.com.au

## 4.2 Zone and land use

### Zone Map – General Residential Zone



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

The relevant Planning Scheme definition is:

<i>Residential</i>	<i>use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.</i>
<i>communal residence</i>	<i>means use of land for a building to accommodate persons who are unrelated to one another and who share some parts of the building. Examples include a boarding house, residential college and residential care home.</i>

Residential (Communal Residence) is a Discretionary use in the zone.

## 4.3 Subject site and locality

The author of this report carried out a site visit on the 9<sup>th</sup> October 2020. Once titles are issued, the subject site will be a 739m<sup>2</sup> lot, located at the head of a cul-de-sac. Surrounding lots are of similar size and will be developed for residential uses.



*Aerial photograph of area*





*Photographs of subject site*



#### 4.4 Permit/site history

Relevant permit history includes:

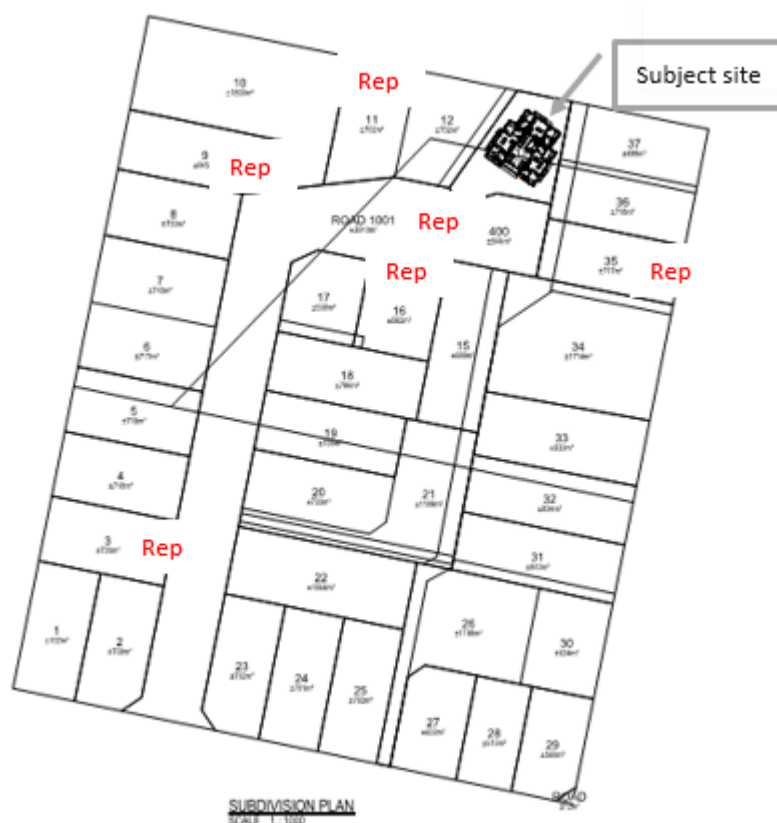
- N/a – vacant lot.

#### 4.5 Representations

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

List of representors and addresses:	Address of adjoining lot (if owner &/or occupier)
Aiden Butler	New lot in Zircon Place
Michael and Sharon Wise	Lot 35 Diamond Park Estate
Wade Lello	Via email
Wim Van Der Pols	Lot 11 Diamond Park Estate
Ben Ring	Lot 16 Diamond Park Estate
Dean Hodgetts	Lot 9 Diamond Park Estate
Kaylene Lewis	1 Collins Street, Perth
Jared Lewis	Lot 3 Diamond Park Estate
Eliza Robertson	Lot 14 Diamond Park Estate
Stephen Frankcombe	6 Collins Street, Perth
Shannon Hodgetts	Lot 9 Diamond Park Estate

**Map showing location of representors properties in relation to subject site**



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

#### Issue 1

- Inadequate provision of parking and increased pedestrian movements



Planner's comment:

The development proposes 2 parking spaces. Seven car parking spaces are required by the Planning Scheme. Regular on-street parking, due to inadequate provision of parking on-site has the potential to impact on the residential amenity of neighbouring property owners, particularly at the head of a cul-de-sac.

**Issue 2**

- Site coverage/density

Planner's comment:

The site coverage provisions of the planning scheme are met for this proposal – refer assessment at part 4.7 of this report.

**Issue 3**

- Building façade not compatible with streetscape

Planner's comment:

It is agreed that the building façade is not compatible existing buildings or with the anticipated design of future dwellings within the subdivision. This could be improved by changes to the façade appearance and window orientation; however, it is not a requirement of the Planning Scheme.

**Issue 4**

- Waste management

Planner's comment:

There are no requirements for a particular form of waste management under the Planning Scheme. Any requirement for on-street parking may conflict with bin collection.

**Issue 5**

- Safety/security

Planner's comment:

The development proposes a residential use within a residential area. Occupants of the residence will be supported by live-in carers.

#### 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 15.10.2020 and provided their recommended conditions, if a permit is issued.

**TasWater**

Summary: A Taswater Submission to Planning Authority Notice was issued on 16.10.2020 (Taswater Ref: TWDA 2020/01635-NMC).

#### 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>
<b>Assessment:</b> The proposal meets the zone purpose by providing for residential use and development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.

# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

#### 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, as it proposes to consolidate growth within the urban growth area and is not within a Heritage Precinct.

#### USE AND DEVELOPMENT STANDARDS

### 10.3 Use Standards

#### 10.3.1 Amenity

Objective To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.
Relies on P1.	Relies on P1 - the use is residential, and will not result in emissions such as smoke, odour, dust and illumination. The use may cause a nuisance through vehicle movements, due to inadequate parking provided on-site.
A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.
Relies on P2.	Condition required if permit issued, to ensure compliance.
A3 If for permitted or no permit required uses.	P3 External lighting must demonstrate that: a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.
Relies on P3.	Condition required if permit issued, to ensure compliance.

#### 10.3.2 Residential Character – Discretionary Uses

Objective To ensure that discretionary uses support: a) the visual character of the area; and b) the local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P1 No performance criteria.
Complies – parking is available on site for the two vehicles driven by support staff for clients residing at the home.	N/a
A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	P2 No performance criteria.
N/a – no goods/material storage required.	N/a
A3 Waste material storage for discretionary uses must: a) not be visible from the road to which the lot has frontage; and b) use self-contained receptacles designed to ensure waste does not escape to the environment.	P3 No performance criteria.
Complies with A3 – Condition required if permit issued, to ensure compliance.	N/a

### 10.4.13 Clauses 10.4.13.1 – 10.4.13.9 only apply to development within the Residential Use Class which is not a dwelling.

#### 10.4.13.1 Streetscape integration and appearance

Objective a) To integrate the layout of residential development with the streetscape; and b) To promote passive surveillance; and	
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# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

c) To provide each residential building with its own sense of identity.	
Acceptable Solutions	Performance Criteria
A1 Residential buildings (other than dwellings), must: a) have a front door and a window to a habitable room in the building wall that faces a road; or b) face an internal driveway or communal open space area.	P1 Residential buildings (other than dwellings) must provide for the observation of roads, internal driveways and any abutting public open spaces.
Complies with A1 (a).	N/a
A2 Fences (other than for dwellings) on and within 4.5m of the frontage must be no higher than: a) 1.2m if solid; or b) 1.5m provided that the part of the fence above 1.2m has openings which provide at least 30% transparency.	P2 Fences (other than for dwellings) on and within 4.5m of the frontage must be designed to: a) provide for security and privacy of residents while allowing for passive surveillance of the road; or b) be consistent with the height, design and character of neighbouring fences and walls.
N/a – no front fencing proposed.	N/a

#### 10.4.13.2 Site coverage

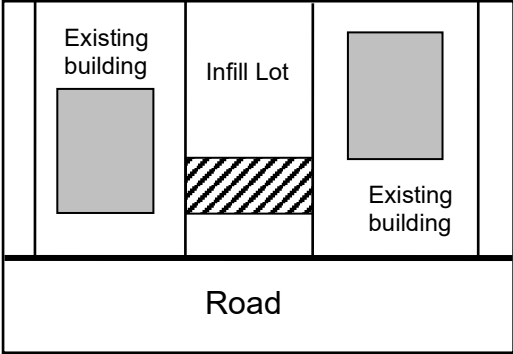
Objective a) To ensure that the site coverage of residential development respects the existing neighbourhood character or desired future character statements, if any; and b) To reduce the impact of increased stormwater run-off on the drainage system; and c) To ensure sufficient area for landscaping and private open space.	
Acceptable Solutions	Performance Criteria
A1.1 Site coverage (other than for dwellings) must not exceed 50% of the total site; and A1.2 Development (other than for dwellings) must have a minimum of 25% of the site free from buildings, paving or other impervious surfaces.	P1 The proportion of the site covered by buildings or development (other than for dwellings) must have regard to: a) the existing site coverage and any constraints imposed by existing development or the features of the site; and b) the site coverage of adjacent properties; and c) the effect of the visual bulk of the building and whether it respects the neighbourhood character; and d) the capacity of the site to absorb run-off; and e) landscaping.
Complies with A1.1 – the total floor area is 268.43m <sup>2</sup> – which results in a building site coverage of 36.3%. Complies with A1.2 – greater than 25% of the site free from buildings, paving or other impervious surfaces.	N/a

#### 10.4.13.3 Building Height

Objective To ensure that the height of development (other than dwellings) respects the existing neighbourhood character or desired future character statements, if any.	
Acceptable Solutions	Performance Criteria
A1 Building height (other than for dwellings) must not exceed 8m.	P1 Building height (other than for dwellings) must be appropriate to the site and the streetscape having regard to the: a) effect of the slope of the site on the height of the building; and b) relationship between the proposed building height and the height of existing adjacent buildings; and c) visual impact of the building when viewed from the road and from adjoining properties; and d) degree of overshadowing and overlooking of adjoining properties.
Complies – max height 4.01m.	N/a

#### 10.4.13.4 Frontage Setbacks

Objective To ensure that the setbacks of buildings (other than dwellings) from the frontage respects the existing neighbourhood character or desired future character statements (if any) and makes efficient use of the site.	
---	--

Acceptable Solutions	Performance Criteria
<p>A1.1 The primary frontage setback (other than for dwellings) must be:</p> <ol style="list-style-type: none"> <li>a minimum of 5m; or</li> <li>for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 10.4.13.4 below; and</li> </ol>  <p><b>Figure 10.4.13.4 – Primary Frontage Setback for Infill Lots</b></p> <p>A1.2 Other frontage setbacks (other than for dwellings) must be a minimum of 3m.</p>	<p>P1 Frontage setbacks (other than for dwellings) must be appropriate to the location and the amenity of residents having regard to:</p> <ol style="list-style-type: none"> <li>the prevailing setbacks of existing buildings on nearby lots; and</li> <li>the visual impact of the building when viewed from the road; and</li> <li>retention of vegetation within the front setback; and</li> <li>the efficient use of the site.</li> </ol>
Complies with A1.1.	N/a

#### 10.4.13.5 Rear and Side Setbacks

<p><b>Objective</b></p> <p>To ensure that the height and setback of buildings (other than dwellings) from a boundary respects the existing neighbourhood character and limits unreasonable adverse impacts on the amenity and solar access of adjoining dwellings.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Buildings (other than dwellings) must be set back from the rear boundary not less than:</p> <ol style="list-style-type: none"> <li>4m if the lot has an area less than 1000m<sup>2</sup>; or</li> <li>5m if the lot has an area equal to or greater than 1000m<sup>2</sup>.</li> </ol>	<p>P1 Building setback to the rear boundary (other than for dwellings) must be appropriate to the location, having regard to the:</p> <ol style="list-style-type: none"> <li>ability to provide adequate private open space; and</li> <li>character of the area and location of dwellings on lots in the surrounding area; and</li> <li>impact on the amenity solar access and privacy of habitable room windows and private open space of existing dwellings; and</li> <li>size and proportions of the lot.</li> </ol>
Complies with A1 (a).	N/a
<p>A2 Buildings (other than dwellings) must be set back from side boundaries not less than:</p> <ol style="list-style-type: none"> <li>for lots less than 1000m<sup>2</sup>: 1m, plus 0.3m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m; or</li> <li>for lots equal to or greater than 1000m<sup>2</sup>: 2m, plus 0.3m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m.</li> </ol>	<p>P2 No performance criteria.</p>
Complies with A2 (a). 1.3m setback required. Minimum 1.5m side setback provided.	N/a

#### 10.4.13.6 Location of Car Parking

<p><b>Objective</b></p> <ol style="list-style-type: none"> <li>To provide convenient parking for resident and visitor vehicles; and</li> <li>To avoid parking and traffic difficulties in the development and the neighbourhood; and</li> <li>To protect residents from vehicular noise within developments.</li> </ol>	
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Acceptable Solutions	Performance Criteria
A1 Driveways or car parks of residential buildings (other than dwellings) must be located at least 1.5m from the windows of habitable rooms.	P1 Driveways or car parking spaces (other than for dwellings) must be designed to protect the amenity of the adjoining habitable rooms having regard to the: <ul style="list-style-type: none"> <li>a) width of the driveway; and</li> <li>b) location of the existing dwellings; and</li> <li>c) number of car spaces served by the driveway; and</li> <li>d) need for physical screening and/or landscaping.</li> </ul>
Complies with A1 – 1.5m separation between parking and habitable room window.	N/a
A2 A garage or carport (other than for dwellings) must be located at least 5.5m from a frontage.	P2 Car parking facilities (other than for dwellings) must be: <ul style="list-style-type: none"> <li>a) reasonably close and convenient to the use it serves; and</li> <li>b) located to minimise visual impact to the streetscape.</li> </ul>
N/a – no garage or carport proposed.	N/a
A3 The total width of the door or doors on a garage facing a road frontage (other than for dwellings) must: <ul style="list-style-type: none"> <li>a) be not more than 6m; or</li> <li>b) the garage must be located within the rear half of the lot when measured from the front boundary.</li> </ul>	P3 The width of garage doors facing a road (other than for dwellings) should not be a visually dominant element in the streetscape and must be designed having regard to the: <ul style="list-style-type: none"> <li>a) existing streetscape and the design and locations of garages in the area; and</li> <li>b) location of existing buildings on the site.</li> </ul>
N/a	N/a

#### 10.4.13.7 Overlooking

<p>Objective</p> <p>To minimise:</p> <ul style="list-style-type: none"> <li>a) overlooking into private open space and habitable room windows to provide a reasonable degree of privacy to the residents of the adjoining and the subject sites; and</li> <li>b) any adverse impact on the amenity of the adjoining and the subject site.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1.1 A habitable room window, balcony, terrace, deck or patio (other than for dwellings) with a direct view into a habitable room window or private open space of dwellings within a horizontal distance of 9m (measured at finished ground level) of the window, balcony, terrace, deck or patio must be:</p> <ul style="list-style-type: none"> <li>a) offset a minimum of 1.5m from the edge of one window to the edge of the other; or</li> <li>b) have sill heights of at least 1.7m above floor level; or</li> <li>c) have fixed, obscure glazing in any part of the window below 1.7m above floor level; or</li> <li>d) have permanently fixed external screens to at least 1.8m above floor level; and</li> <li>e) obscure glazing and screens must be no more than 25% transparent. Views must be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above floor level, indicated in Figure 10.4.13.7; or</li> </ul> <p>A1.2 New habitable room windows, balconies, terraces, decks or patios (other than for dwellings) that face a property boundary must have a visual barrier at least 1.8 metres high and the floor level of the habitable room, balconies, terraces, decks or patios is less than 0.6m above the ground level at the boundary.</p>	<p>P1 Buildings (other than dwellings) must be designed to minimise the potential for loss of amenity caused by overlooking of adjacent dwellings having regard to the:</p> <ul style="list-style-type: none"> <li>a) setback of the existing and proposed building; and</li> <li>b) location of windows and private open spaces areas within the development and the adjoining sites; and</li> <li>c) level and effectiveness of physical screening by fences or vegetation; and</li> <li>d) topography of the site; and</li> <li>e) characteristics and design of houses in the immediate area.</li> </ul>
Complies with A1.2 -provided that the site is fenced with a standard 1.8m high paling fence. A condition would be required to ensure compliance if a permit were issued.	N/a
A2 Screens used to obscure a view (other than from dwellings) must be:	P2 No performance criteria.

a) perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels; and	
b) permanent, fixed and durable.	
N/a – no screens are proposed.	N/a

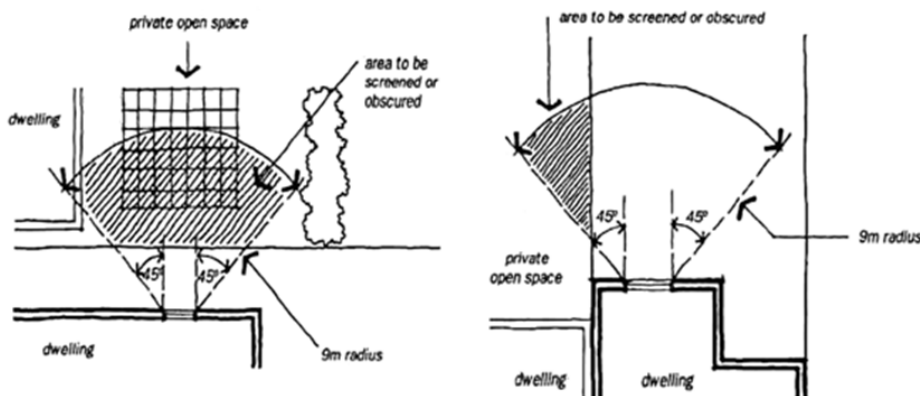


Figure 10.4.13.7

#### 10.4.13.8 Landscaping

Objective	
a) To provide appropriate landscaping that respects the landscape character of the neighbourhood; and	
b) To encourage the retention of mature vegetation on the site.	
Acceptable Solutions	Performance Criteria
A1 Landscaping (other than for dwellings) must be provided to the frontage and within the development including:	P1 Landscaping (other than for dwellings) must:
a) the retention or planting of vegetation; and	a) provide a safe, attractive and functional environment for residents; and
b) the protection of any predominant landscape features of the neighbourhood; and	b) respond to the landscape character of the neighbourhood; and
c) pathways, lawn area or landscape beds.	c) have regard to any mature vegetation.
Complies with A1. Condition required if permit issued, to ensure compliance.	N/a

#### 10.4.13.9 Common Property

Objective	
To ensure that communal open space, car parking, access areas and site facilities are easily identified.	
Acceptable Solutions	Performance Criteria
A1 Development (other than for dwellings) must clearly delineate public, communal and private areas such as:	P1 No performance criteria.
a) driveways; and	
b) landscaped areas; and	
c) site services, bin areas and any waste collection points.	
N/a – no common property.	N/a

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	See code assessment below
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	See code assessment below
E7.0 SCENIC MANAGEMENT CODE	N/a
E8.0 BIODIVERSITY CODE	N/a

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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 E1.0 BUSHFIRE PRONE AREAS CODE

### E1.3 Definition of terms in this Code

E1.3.1 In this code, unless the contrary intention appears:

Term	Definition
vulnerable use	means a use that is within one of the following Use Classes: (e) Custodial Facility; (f) Educational and Occasional Care; (g) Hospital Services; (h) Residential if for respite centre, residential aged care home, retirement home, and group home.
group home	means use of land for residential accommodation for people with disabilities.

### E1.5 Use Standards

E1.5.1 Vulnerable uses

Vulnerable uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the vulnerable use and the bushfire hazard.	
Acceptable solutions	Performance criteria
<b>A1</b> No Acceptable Solution.	<b>P1</b> A vulnerable use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to: (f) the location, characteristics, nature and scale of the use; (g) whether there is an overriding benefit to the community; (h) whether there is no suitable alternative lower-risk site; (i) the emergency management strategy and bushfire hazard management plan; and (j) other advice, if any, from the TFS.
Relies on P1.	Does not comply with P1 – the Bushfire Report supplied with the application does not address the requirements of a vulnerable use, including the provision of an emergency management strategy.
<b>A2</b> An emergency management strategy, endorsed by the TFS or accredited person, that provides for mitigation measures to achieve and maintain a level of tolerable risk that is specifically developed to address the characteristics, nature and scale of the use considering: (d) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; (e) the ability of occupants of the vulnerable use to: (iv) protect themselves and defend property from bushfire attack; (v) evacuate in an emergency; and (vi) understand and respond to instructions in the event of a bushfire; and (f) any bushfire protection measures available to reduce risk to	No Performance Criterion.



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emergency service personnel.	
Does not comply with A2 – the Bushfire Report supplied with the application does not address the requirements of a vulnerable use, including the provision of an emergency management strategy.	N/a
A3 A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.	P3 No Performance Criterion.
Does not comply – the supplied bushfire hazard management plan does not specifically address the vulnerable use.	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.
<p>Comment:</p> <p>7 bedrooms are proposed, divided into three living spaces within the residence (ie. 3 kitchen/dining areas). 1 space per bedroom is required (not a dwelling). 7 spaces required, only two spaces are proposed.</p> <p>The proposal is not considered to comply with P1 – no public car parking is available nearby and public transport options in the area are limited. On-street parking is also limited due to the site's location at the end of a residential cul-de-sac. Given the residence will be occupied by 6 unrelated clients + one staff member overnight, the provision of visitor parking in a location that will not cause disturbance to neighbouring property owners, is vital. The applicant has advised that there will be 2 vehicles on each site that will be driven by support staff for the 6 clients. Presumably, the personal cars of support staff will also need to be accommodated within the site.</p>			

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**Table E6.1: Parking Space Requirements**

Use	Parking Requirement	
	Vehicle	Bicycle
Residential:		
Residential use in any other zone or any other residential use in the General Residential Zone	1 space per bedroom or <del>2 spaces per 3 bedrooms + 1 visitor space for every 5 dwellings</del>	1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation

#### 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
<p>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</p> <p>A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</p>	<p>P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the:</p> <p>a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and</p> <p>b) location of the site and the distance a cyclist would need to travel to reach the site; and</p> <p>c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.</p>
<p>Comment:</p> <p>Relies on P1 – no bicycle parking is proposed, as clients residing at the home will utilise the transport services provided by staff.</p>	

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

Objective: To ensure that taxis can adequately access developments.	
Acceptable Solutions	Performance Criteria
A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1 No performance criteria.
<p>Comment:</p> <p>N/a</p>	

#### E6.6.4 Motorbike Parking Provisions

Objective: To ensure that motorbikes are adequately provided for in parking considerations.	
Acceptable Solutions	Performance Criteria
A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1 No performance criteria.
<p>Comment:</p> <p>N/a</p>	

#### 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
<p>A1 All car parking, access strips manoeuvring and circulation spaces must be:</p> <p>a) formed to an adequate level and drained; and</p> <p>b) except for a single dwelling, provided with an impervious all weather seal; and</p> <p>c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.</p>	<p>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.</p>
<p>Comment:</p> <p>Complies with A1 – condition required if permit issued, to ensure compliance with (c).</p>	

##### 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

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<p>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</p> <p>A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</p>	<p>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:</p> <ul style="list-style-type: none"> <li>a) the layout of the site and the location of existing buildings; and</li> <li>b) views into the site from the road and adjoining public spaces; and</li> <li>c) the ability to access the site and the rear of buildings; and</li> <li>d) the layout of car parking in the vicinity; and</li> <li>e) the level of landscaping proposed for the car parking.</li> </ul>
<p>Comment:</p> <p>A1.1 – N/a</p> <p>A1.2 – Complies.</p>	
<p>A2.1 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> <li>a) have a gradient of 10% or less; and</li> <li>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</li> <li>c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and</li> </ul> <p>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>.</p>	<p>P2 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul>
<p>Comment:</p> <p>Complies with A2.1 and A2.2.</p>	

**Table E6.2: Access Widths for Vehicles**

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

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

Objective: To ensure adequate access, safety and security for car parking and for deliveries.	
Acceptable Solutions	Performance Criteria
<p>A1 Car parking areas with greater than 20 parking spaces must be:</p> <ul style="list-style-type: none"> <li>a) secured and lit so that unauthorised persons cannot enter or;</li> <li>b) visible from buildings on or adjacent to the site during the times when parking occurs.</li> </ul>	<p>P1 Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:</p> <ul style="list-style-type: none"> <li>a) levels of activity within the vicinity; and</li> <li>b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.</li> </ul>
<p>Comment:</p> <p>N/a</p>	

#### E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p>P1 The location and design of parking spaces considers the needs of disabled persons, having regard to:</p> <ul style="list-style-type: none"> <li>e) the topography of the site;</li> <li>f) the location and type of relevant facilities on the site or in the vicinity;</li> <li>g) the suitability of access pathways from parking spaces, and</li> <li>h) applicable Australian Standards.</li> </ul>
<p>A2 One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with <i>Australian Standards AS/NZ 2890.6 2009</i>.</p>	<p>P2 The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to:</p> <ul style="list-style-type: none"> <li>d) characteristics of the populations to be served;</li> <li>e) their means of transport to and from the site; and</li> <li>f) applicable Australian Standards.</li> </ul>
<p>Comment:</p>	

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N/a – no parking designated for use by persons with a disability is proposed. Clients residing at the home will utilise transport services offered by staff.

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

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

Acceptable Solutions	Performance Criteria
<p>A1 For retail, commercial, industrial, service industry or warehouse or storage uses:</p> <p>a) at least one loading bay must be provided in accordance with Table E6.4; and</p> <p>b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.</p>	<p>P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.</p>
<p>Comment:</p> <p>N/a</p>	

#### E6.8 Provisions for Sustainable Transport

##### E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

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

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

Acceptable Solutions	Performance Criteria
<p>A1.1 Bicycle parking spaces for customers and visitors must:</p> <p>a) be accessible from a road, footpath or cycle track; and</p> <p>b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and</p> <p>c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and</p> <p>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> <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> <p>a) minimum dimensions of:</p> <p>i) 1.7m in length; and</p> <p>ii) 1.2m in height; and</p> <p>iii) 0.7m in width at the handlebars; and</p> <p>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>	<p>P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.</p>
<p>Comment:</p> <p>N/a – no bicycle parking is proposed.</p>	

##### E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development

Acceptable Solution	Performance Criteria
<p>A1 Pedestrian access must be provided for in accordance with Table E6.5.</p>	<p>P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.</p>
<p>Comment:</p> <p>Complies with A1 – no separate access required.</p>	

**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].



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11 or more	A 1m wide footpath separated from the driveway and parking aisles except at crossing points. [Notes (a) and (b) apply].
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## 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.

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

SPECIAL PROVISIONS		
9.1	Changes to an Existing Non-conforming Use	N/a
9.2	Development for Existing Discretionary Uses	N/a
9.3	Adjustment of a Boundary	N/a
9.4	Demolition	N/a
9.5	Access and Provision of Infrastructure Across Land in Another Zone	N/a

STATE POLICIES		
The proposal is consistent with all State Policies.		

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES		
<b>Strategic Plan 2017-2027</b> <ul style="list-style-type: none"> <li>Statutory Planning</li> </ul>		

## 5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

## 6 OPTIONS

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

## 7 DISCUSSION

Discretion to refuse the application is limited to:

- Discretionary use
- Reliance on the performance criteria of the General Residential Zone (10.3.1 P1, P2 & P3 – Amenity)
- Reliance on the performance criteria of the Bushfire Prone Areas Code (E1.5.1 P1 – Vulnerable Uses)
- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code (E6.6.1 P1 - Car Parking Numbers, E6.6.2 P1 - Bicycle Parking Numbers)

The application proposes residential accommodation for 6 persons with support staff. The proposal does not provide sufficient parking to satisfy the requirements of the planning scheme, as on-street parking is highly restricted at the end of a residential cul-de-sac and has the potential to negatively impact on the residential amenity of neighbouring properties. Further, the site is located in a Bushfire Prone Area and the report provided does not adequately address a vulnerable use.

## 8 ATTACHMENTS

- A. Application & plans, correspondence with applicant
- B. Responses from referral agencies
- C. Representations

## RECOMMENDATION

That application PLN-20-0177 for Residential (communal residence) (reduce parking provision) at 84 & 94 Fairtlough Street (approved Lot 13, will be 12 Zircon Place), Perth be refused on the following grounds:

- The proposed Communal Residence does not comply with the Bushfire Prone Area requirements of clause E1.5.1 for vulnerable uses.  
The Bushfire Report and Hazard Management Plan provided does not address the code requirements for a vulnerable use.
- The proposed Communal Residence does not comply with the Car Parking and Sustainable Transport Code requirements of clause E6.6.1 - Car Parking Numbers.  
The proposed Communal Residence provides two parking spaces only for cars driven by support staff for their clients. No parking for visitors is provided for, placing the reliance on on-street parking at the end of a cul-de-sac. Frequent visitor/service provider vehicle movements related to on-street parking may negatively impact on the amenity of neighbouring residential uses.

## DECISION

Cr Polley/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Polley/Cr Davis

That land at for 84 & 94 Fairtlough Street (approved Lot 13, will be 12 Zircon Place), Perth be approved to be developed and used for a Residential (communal residence) (reduce parking provision) in accordance with application PLN-20-0177, 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:642020, Sheet No's: A02-A05, A07, A08 & A12, Dated: 24/9/2020*) **except that:**

- a) Revised plans to the satisfaction of the General Manager showing 3 individually accessible car parking spaces are provided. Once approved, the plans shall be endorsed and form part of the permit.
- b) A new Bushfire Report and Hazard Management Plan that complies with the Bushfire Prone Area Code requirements for vulnerable uses be provided to the satisfaction of the General Manager.

All revised plans/reports must be provided prior to the issue of a building permit.

### 2 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2020/01635-NMC, dated 16.10.2020).

### 3 Commercial Vehicles

Commercial vehicle movements must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.

### 4 External Lighting

External lighting must demonstrate that:

- a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and
- b) all direct light will be contained within the boundaries of the site.

### 5 Waste material storage

Waste material storage must:

- a) not be visible from the road to which the lot has frontage; and

- b) use self-contained receptacles designed to ensure waste does not escape to the environment.

**6 Landscaping**

- 6.1 Landscaping must be provided to the frontage and within the development including:
  - a) the retention or planting of vegetation; and
  - b) the protection of any predominant landscape features of the neighbourhood; and
  - c) pathways, lawn area or landscape beds.
- 6.2 Landscaping must be provided to screen the turning bay at the front of the building.

**7 Car parking**

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

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

Carried

Voting for the motion:

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

Voting against the motion:

Cr Brooks, Cr Calvert, Cr Goninon, Cr Goss

Cr Davis/Cr Goss

That Council waive the planning fees in the event that the application is required to be resubmitted.

Carried unanimously

**400/20 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 Davis/Cr Adams

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 16 NOVEMBER 2020

## 401/20 ITEMS FOR THE CLOSED MEETING

### DECISION

Cr Goninon/Cr Davis

That Council move into the “Closed Meeting” with the General Manager, Corporate Services Manager, Works Manager, Development Supervisor, Senior Planner and Executive Assistant.

Carried unanimously

Cr Adams left the meeting at 7.32pm.

### 402/20 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*.

*Table of Contents*

### 403/20 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*.

### 404/20 APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE

As per provisions of Section 15(2)(h) of the *Local Government (Meeting Procedures) Regulations 2015*.

### CON 4(1) PERSONNEL MATTERS

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015*.

### 405/20(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*

### 405/20(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*

### 405/20(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*

### 405/20(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*.

*Legal matter*

### 405/20(6) PROPOSALS FOR THE COUNCIL TO ACQUIRE LAND OR AN INTEREST IN LAND OR FOR THE DISPOSAL OF LAND

As per provisions of Section 15(2)(f) of the *Local Government (Meeting Procedures) Regulations 2015*.

*Property matters*



# NORTHERN MIDLANDS COUNCIL

## MINUTES – ORDINARY MEETING

### 16 NOVEMBER 2020

#### 405/20(7) 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*.  
*Development Proposal*

#### 406/20 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*

#### 407/20 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*.  
*Northern Midlands Further Education Bursary Program 2020*

#### 408/20 PROPOSAL TO ESTABLISH A MOTOR MUSEUM AT LONGFORD

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

#### DECISION

Cr Polley/Cr Lambert

That

- A) i) Council Officer's have a Concept Plan and estimate of cost prepared for the establishment of a Motor Museum within Longford;
- ii) a Business Plan be prepared and paid for by the proponents with input from Council Officer's;
- iii) a further report be presented to Council;
- B) 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

Voting for the motion:

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

Voting against for the motion:

Cr Davis, Cr Goss

#### DECISION

Cr Goninon/Cr Polley

That Council move out of the closed meeting.

Carried unanimously

*Mayor Knowles closed the meeting at 8.21pm.*

MAYOR \_\_\_\_\_

DATE \_\_\_\_\_