



**NORTHERN
MIDLANDS
COUNCIL**

MINUTES

ORDINARY MEETING OF COUNCIL

MONDAY, 26 APRIL 2021



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 26 APRIL 2021

MINUTES OF THE ORDINARY MEETING OF THE NORTHERN MIDLANDS COUNCIL HELD ON MONDAY 26 APRIL 2021 AT 5.04PM IN PERSON AND 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)

129/21 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 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 7.18pm), Mr Paul Godier – Senior Planner (to 7.18pm), Mrs Gail Eacher – Executive Assistant

2 APOLOGIES

Cr Janet Lambert

3 REQUEST FOR LEAVE OF ABSENCE: CR JANET LAMBERT

1 PURPOSE OF REPORT

Councillor Janet Lambert has submitted a request for leave of absence for consideration at the 26 April 2021 Council meeting.

2 INTRODUCTION/BACKGROUND

Councillor Lambert has sought a leave of absence from Council duties from the date that the State election was called until after polling day and the election results have been declared.

Cr Janet Lambert is standing as a Labor candidate for the state electorate of Lyons.

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

4 POLICY IMPLICATIONS

N/a

5 STATUTORY REQUIREMENTS

5.1 Local Government (Meeting Procedures) Regulations, 2015

Section 39 of the *Local Government (Meeting Procedures) Regulations, 2015* is applicable:

39. Leave of absence

- (1) *If a councillor wishes to take a leave of absence in respect of one or more meetings, the councillor, or the chairperson on behalf of the councillor, may request that leave of absence.*
- (2) *At a meeting –*
 - (a) *the council may grant a request for a leave of absence from one or more of its meetings or one or more council committee meetings, or both; and*
 - (b) *a council committee may grant a request for a leave of absence from one or more of its meetings.*
- (3) *A leave of absence may not be granted retrospectively.*
- (4) *The purpose of the leave of absence and the period involved are to be recorded in the minutes.*

6 FINANCIAL IMPLICATIONS

N/a

7 RISK ISSUES

N/a

8 CONSULTATION WITH STATE GOVERNMENT

N/a

9 COMMUNITY CONSULTATION

N/a

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can agree or not agree to grant a leave of absence to Councillor Lambert as requested.

RECOMMENDATION

That Councillor Lambert be granted a leave of absence from Council duties from the date that the State election was called until after polling day and the election results have been declared, as requested.

DECISION

Cr Goninon/Cr Polley

That Councillor Lambert be granted a leave of absence from Council duties from the date that the State election was called until after polling day and the election results have been declared, as requested.

Carried unanimously



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131/21 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.

132/21 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.

No declarations of interest were forthcoming.

133/21 CONFIRMATION OF MINUTES: OPEN COUNCIL ORDINARY COUNCIL MEETING MINUTES

DECISION

Cr Goss/Cr Polley

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 15 March 2021, be confirmed as a true record of proceedings.

Carried unanimously



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134/21 MOTIONS ON NOTICE

1 NOTICE OF MOTION

No notices of motion were received.

135/21 COMMITTEE MINUTES

1 CONFIRMATION OF MINUTES OF COMMITTEES

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

	Date	Committee	Meeting
i)	09/02/2021	Liffey Hall Management Committee	Ordinary
ii)	09/03/2021	Evandale Community Centre and Memorial Hall Management Committee	Ordinary
iii)	30/03/2021	Ross Community Sports Club Inc	AGM
iv)	30/03/2021	Ross Community Sports Club Inc	Ordinary
v)	07/04/2021	Longford Local District Committee	Ordinary
vi)	13/04/2021	Campbell Town District Forum	Ordinary
vii)	13/04/2021	Ross Local District Committee	Ordinary

DECISION

Cr Goss/Cr Adams

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

Carried unanimously

2 RECOMMENDATIONS OF SUB COMMITTEES

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

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

Longford Local District Committee

At the ordinary meeting of the Longford Local District Committee held on 7 April 2021 the following motion/s were recorded for Council's consideration:

Planter Boxes: That the Committee seeks permission to replant some of the planters in Longford with herbs and that they seek volunteers in the garden community to tend them."

Officer Comment:

Council Officers will liaise with the committee to identify the exact locations of the planter boxes. Committee to provide details of volunteers.

Officer Recommendation:

That Council note the recommendation.

The ‘New One Size Fits All Planning Scheme’ is not working. The Planning Scheme is causing huge headaches for both the staff and the community. There needs to be revisions and it can only be done through the LGAT. There is an election in a month. Councillors should explain to LGAT how difficult it is to hear from the community and make changes to the scheme that takes into account, the development and heritage principles of the Northern Midlands Council.”

Officer Comment:

That Council officers meet with the LDC to discuss the particular areas of concern. The LDC should prepare by providing examples of where they feel the Planning Scheme has not fulfilled community expectations.

Officer Recommendation:

That Council note the recommendation and Councils Planners meet with the Local District Committee.

Letter of thanks - Gary Catchlove-Owen: That a letter of thanks be sent to Gary acknowledging his time with the LLDC.

Officer Comment:

Comment: A letter of thanks has been sent to Mr Cathchlove-Owen thanking him for his contribution and time on the committee.

Officer Recommendation:

That Council note the information.

DECISION

Cr Adams/Cr Goninon

- A) **Planter Boxes:** That Council note the recommendation.
- B) **The ‘New One Size Fits All Planning Scheme’ is not working:** That Council note the recommendation and Councils Planners meet with the Local District Committee.
- C) **Letter of thanks - Gary Catchlove-Owen:** That Council note the information.

Carried unanimously

Campbell Town District Forum

At the ordinary meeting of the Campbell Town District Forum held on 13 April 2021 the following motion/s were recorded for Council’s consideration:

School representation: Resolved Jo Taylor to contact the school to how best can the school be represented or how it can interact with Forum on a regular basis.

Officer Comment

The Committee has previously considered how the school can be involved on a regular basis and has resolved that a Committee member will make contact directly.

Officer Recommendation:

That Council note the information.

Smoke Free Zone: That Council investigate the possibility of declaring the footpath between 80 High Street and Queen Street to be a ‘SMOKE FREE’ zone and notify owners of all premises in the area to make sure the outside eating areas are kept CLEAN & free from garbage at all times.

Officer Comment

The Committee has requested Council Officers investigate the request.

Officer Recommendation:

That Council Officers investigate and provide a response.

Rubbish Bins in High Street: That council consider larger & maybe a better style of garbage bin be placed in High Street in the area of Zepps & Banjo’s.

Officer Comment

New bins are to be considered within the Campbell Town Main Street Upgrades. The current bins are emptied by Council staff twice daily, 7 days a week.

Officer Recommendation:

That Council Officers investigate and provide a response.



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DECISION

Cr Davis/Cr Goss

- A) **School representation:** That Council note the information.
- B) **Smoke Free Zone:** That Council Officers investigate and provide a report to Council prior to response.
- C) **Rubbish Bins in High Street:** That Council Officers investigate and provide a response.

Carried unanimously

Ross Local District Committee

At the ordinary meeting of the Ross Local District Committee held on 13 April 2021 the following motion/s were recorded for Council's consideration:

6.8 Rabbits: The RLDC requests NMC approach DPIPWE regarding the release of the Calicivirus virus in Ross to ameliorate the increasing rabbit population in Ross Township and districts.

Officer Comment

Mrs Copas Fowler contacted DPIPWE to pass on the committees concerns. No response has been received yet.

Officer Recommendation:

That Council note the information.

7.1 Speeding Vehicles on Roseneath Road Southern Bridge Approaches: The RLDC requests that NMC consider relocating the 50 kph speed sign a further 150 metres (approx) south towards Roseneath gates, in an effort to slow vehicles approaching the Ross Bridge and to protect the safety of the many pedestrians that use the Ross Bridge.

Officer Comment:

The request has been passed onto Councils Engineering Officer for comment and investigation.

Officer Recommendation:

That Council note the information.

DECISION

Cr Calvert/Cr Goninon

- A) **Rabbits:** That Council note the information.
- B) **Speeding Vehicles on Roseneath Road Southern Bridge Approaches:** That Council note the information.

Carried unanimously

136/21 DATE OF NEXT COUNCIL MEETING: MONDAY, 17 MAY 2021

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 17 May 2021 in person and 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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137/21 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
12/04/2021	Council Workshop Presentations received: <ul style="list-style-type: none"> The Forager Food Co Northern Midlands Towns Promotion: Ideasbanq Swimming Pool Strategy
19/04/2021	Council Workshop Discussion included: <ul style="list-style-type: none"> Longford Expansion Strategy Review of Memorandum of Understanding for Local District Committees Facility leases Policy review Road reconstruction Compliance matters and complaints Review of the Northern Midlands Strategic Plan 2017-2027 LGAT motions Governance matters
26/04/2021	Council Workshop Discussion: <ul style="list-style-type: none"> Council Meeting Agenda items

2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 15 March 2021 to 26 April 2021 are as follows:

Date	Activity
16 March 2021	Attended Interview with ABC Radio, Gipps Creek
16 March 2021	Attended Longford Show AGM, Longford
17 March 2021	Attended Tasmanian Audit Office Review meeting, Longford
17 March 2021	Attended Meeting with Mat Healey, Local Government Division, Longford
18 March 2021	Attended Interview with LAFM, Gipps Creek
19 March 2021	Attended International Women's Day Event, St Helens
23 March 2021	Attended Avoca Museum and Information Centre Meeting, Avoca
23 March 2021	Attended meeting with Council Officer, Longford
25 February 2021	Attended meeting regarding the safety of women via ZOOM, Gipps Creek
25 March 2021	Attended meeting with White Ribbon via ZOOM, Gipps Creek
29 March 2021	Attended ASPIRE Business workshop, Riverside
29 March 2021	Attended meeting with Campbell Town Health & Community Centre, Campbell Town
30 March 2021	Attended Northern Midlands Business Association breakfast, Longford
30 March 2021	Attended Rossarden & Friends Kid Christmas Party meeting, Avoca
30 March 2021	Attended Local Recycling Committee meeting, Longford
31 March 2021	Attending Council Bus Tour, Northern Midlands
1 April 2021	Attended ABC radio interview with Belinda King, Gipps Creek
1 April 2021	Attended ABC TV interview re Neighbourhood Houses, Gipps Creek
1 April 2021	Attended Northern Tasmanian Development Corporation TasWater meeting, Launceston
6 April 2021	Attended Longford RSL meeting, Longford
7 April 2021	Attended meeting with Youth Officer, Longford

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8 April 2021	Attended meeting with Health North, Launceston
9 April 2021	Attended funeral of Local District Committee member, Campbell Town
12 April 2021	Attended Council Workshop, Longford
13 April 2021	Attended Campbell Town, Ross and Perth Local District Meetings
14 April 2021	Attended ABC TV interview re development via Zoom, Gipps Creek
15 April 2021	Attended LAFM Mayoral Moments interview, Gipps Creek
15 April 2021	Attended Fingal Neighbourhood House Official Opening, Fingal
16 April 2021	Attended meeting with Liberal Candidate, Longford
16 April 2021	Attended and officiated Citizenship Ceremony, Longford
19 April 2021	Attended two meetings with Liberal Candidates, Longford
19 April 2021	Attended Red Cross meeting, Longford
19 April 2021	Attended Council Workshop, Longford
22 April 2021	Attended meeting with Engender Equality and Hobart Women's Shelter, Hobart
23 April 2021	Attended Tasmanian Leaders, Governance in Tasmania event, Launceston
25 April 2021	Attended Ross Dawn Service, Ross and Avoca Anzac Day Service, Avoca
26 April 2021	Attended Council Workshop and 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)

- TRANSLink site visit to Eden Foods
- Met with business proprietor re complaint
- Met with proponent representatives re Longford Motor Racing Museum
- Attended Northern Tasmania Development Corporation Board meeting
- Met with Denise McIntyre, Department of State Growth
- Met with Alison Andrews, Northern Midlands Courier
- Attended LGAT General Meeting
- Met with Department of State Growth re Heritage Corner
- Met with Mat Healey, Department of Premier and Cabinet
- Met with Brett Goldsworthy re Evandale Memorial Hall maintenance
- Attended meeting with Campbell Town SES
- Attended Northern Tasmania Development Corporation PPU & Regional Planners meeting
- Attended Natural Resource Management TEER meeting
- Met with Damian Gill, AFL Tasmania
- Met with Councillor Goninon
- Attended Annual Councillor Bus Tour

4 PETITIONS

1 PURPOSE OF REPORT

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

2 OFFICER'S COMMENT

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

Section 57. Petitions

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

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

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

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

(b) in the case of a paper petition, a heading on each page indicating the subject matter; and

(c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and

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- (d) a statement specifying the number of signatories; and
 - (e) at the end of the petition –
 - (i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and
 - (ii) in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.
- (3) In this section –
- electronic petition** means a petition where the petition is created and circulated electronically and the signatories have added their details by electronic means;
- paper petition** means a petition where the petition is created on paper which is then circulated and to which the signatories have added their details directly onto the paper;
- petition** means a paper petition or electronic petition;
- signatory** means –
- (a) in the case of a paper petition, a person who has added his or her details to the paper petition and signed the petition; and
 - (b) in the case of an electronic petition, a person who has added his or her details to the electronic petition.

3 PETITIONS RECEIVED

Nil.

5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

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

6 132 & 337 CERTIFICATES ISSUED

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

S132. Certificate of liabilities

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

S337. Council land information certificate

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

land includes –

 - (a) any buildings and other structures permanently fixed to land; and
 - (b) land covered with water; and
 - (c) water covering land; and
 - (d) any estate, interest, easement, privilege or right in or over land.

No. of Certificates Issued 2020/2021 year													Total 2020/2021 YTD	Total 2019/2020
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
132	136	71	95	98	105	69	52	51	102				779	915
337	34	41	36	44	59	66	29	26	42				377	515

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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 March		Income/Issues 2020/2021	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,278	101,937	34	915	4,116	98,081
Dogs Impounded	44	4,089	2	170	15	1,368
Euthanized	1	-	-	-	-	-
Re-claimed	39	-	2	-	14	-
Re-homed/Dogs Home *	4	-	-	-	1	-
New Kennel Licences	15	1,080	4	288	14	1,008
Renewed Kennel Licences	70	3,080	-	-	72	3,168
Infringement Notices (paid in full)	42	12,149	2	344	23	4,651
Legal Action	-	-	-	-	-	-
Livestock Impounded	-	-	-	-	1	65
TOTAL		122,335		1,717		108,342

* 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:

Ongoing

Kennel Licences

4 kennel licences applied for

Microchips:

0 dogs microchipped

Infringements:

2 infringement issued.

Attacks:

1 attack on dog causing non- serious injury – infringement issued

Impounded Dogs:

2 dogs impounded – 2 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/ Licences Issued	2017/2018	2018/2019	2019/2020	2020/2021	Number - this month	Current No. of Premises Registered
Notifiable Diseases	4	5	1	0		
Inspection of Food Premises	77	127	111	67	1	136
Place of Assembly Licences					-	

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

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out since 1 July in each financial year.

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

9 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Animal Control	4	5	6	2	1	1	1	4	4			
Building & Planning	-	-	-	1	1	1	1	4	4			
Community Services	-	-	-	-	1	11	6	3	4			
Corporate Services	-	3	1	-	1	2	-	1	3			
Governance	-	-	-	-	-	1	-	-	-			
Waste	1	-	-	-	-	-	-	-	-			
Works	31	27	28	34	13	35	41	28	31			

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
18-Nov-20	Longford Care-a-car Committee	Donation	1,000.00
25-Nov-20	Helping Hand Association	Donation	1,500.00
22-Dec-20	Cressy District High School	Inspiring Positive Futures Program	8,000.00
Planning/Building Applications Remitted			
20-Jan-21	Relay for Life Fundraiser Longford Goat Show	Temporary Food Permit	33.00
20-Jan-21	Nth Tas Light Horse Troop War Animals Remembrance Day	Temporary Food Permit	33.00
20-Jan-21	Campbell Town Auxiliary Market Stall	Temporary Food Permit	186.00
20-Jan-21	Longford Rotary Club	Temporary Food Permit	186.00
School & Bursary Programs			
11-Nov-20	Chanelle Woods	Bursary Program 2019 - instalment 2	1,000.00
18-Jan-21	Jonty Webb	Bursary Program 2020 - instalment 1	1,000.00
18-Jan-21	Charlotte Layton	Bursary Program 2019 - instalment 2	1,000.00
19-Jan-21	Connor Perri	Bursary Program 2020 - instalment 1	1,000.00
3-Feb-21	Samantha Airey	Bursary Program 2019 - instalment 2	1,000.00
10-Feb-21	Ellie-Mae Evans	Bursary Program 2019 - instalment 2	1,000.00
17-Mar-21	Jemma Walters	Bursary Program 2019 - instalment 1	1,000.00
17-Mar-21	Piper Bunton	Bursary Program 2019 - instalment 2	1,000.00
24-Mar-21	Hayden Smith	Bursary Program 2019 - instalment 2	1,000.00
Sporting Achievements			
3-Feb-21	Katie Campbell	NTJSA U/13 Girls Representation Team	100.00
31-Mar-21	Henry Tennant	Northern Tasmanian Soccer Rep Team	100.00
14-Apr-21	Jock Johnston	Tasmanian Polocross Covid Cup 2021	100.00
14-Apr-21	Alex Miller	Tasmanian Polocross Covid Cup 2021	100.00
		TOTAL	\$29,691.61

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11 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status
15/03/2021	091/21	Aboriginal and Dual Naming Policy: Inclusion Of Palawa Kani Name On Campbell Town Entrance Signs	writes to the Tasmanian Aboriginal Centre seeking comment on amending the entrance signs to Campbell Town to display the palawa kani name pantukina	Exec. Officer	Letter sent to Tasmanian Aboriginal Centre 18/3/2021 Campbell Town Bicentenary Committee updated 18/3/2021 Response received from Tasmanian Aboriginal Centre supporting inclusion of palawa kani name on Campbell Town entrance statement Awaiting revised to design to be sent to Tasmanian Aboriginal Centre for approval
15/03/2021	098/21	Public Interest Disclosure Procedures	That Council adopt the Public Interest Disclosure Procedures as drafted and submit to the Ombudsman for approval.	Exec. Officer	Procedures submitted 18/3/2021. Awaiting response from Ombudsman.
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.
27/01/2021	021/21	Just Cats Proposal: User Pay Basis	That the matter be referred to the neighbouring Council's by the General Manager to consider a consolidated approach, which may include meeting with Just Cats as well as other service providers to consider all aspects of cat management, including: education programmes, State government funding/ support that may be available. Discussions to not only relate to the rehoming of cats.	General Manager	Report to future Council meeting.
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. Report to Council workshop.
15/02/2021	046/21	ALGA 2021 NGA - Attendance	That Council authorise the attendance in person of the Mayor, Deputy Mayor and General Manager at the 2021 National General Assembly of Local Government to be held in Canberra from 20 to 23 June 2021.	Exec. Assistant	Bookings to be progressed.
15/02/2021	040/21	Recommendations of Sub Committees - Longford Local District Committee - Racecourse Signage	LLDC request the Council to add a sign for the racecourse on the existing sign on Cressy Road at the corner of Cracroft Street. - consideration be given to the corner of Brickendon and Marlborough streets as a suitable location for the Racecourse signage	Engineering Officer	To be investigated further. New signs need to match existing signage.
15/03/2021	088/21	Recommendations of Sub Committees - Longford Local District Committee - Safety Issues Woolmers Lane/Panshangar Road intersection	6.2 Safety Issues Woolmers Lane/Panshangar Road intersection (Committee ask Council to recommend to State Growth a speed limit of 80 km between Point Road and Longford) That Council Officer's investigate the recommendation and provide a response to the Committee	Engineering Officer	Report to be prepared for next Council meeting.
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. Follow up with Committee.
15/02/2021	040/21	Recommendations of Sub Committees - Perth Local District Committee - Train Park play equipment	request Council to consider urgent maintenance to the timber sculptures; play equipment and facilities as part of the 'Special COVID-19 Funding' to ensure appropriate and safe condition for the 2021 sesquicentenary of trains. - report back to Council and consider in the budget process	Works Manager	Site inspection, maintenance to be undertaken as necessary and matters to be listed for inclusion in the 2021-22 budget deliberations.
15/02/2021	059/21	Traffic Concerns: Wellington & Marlborough Streets Intersection At Longford	That Council vigorously pursue Option 4 and the possibility of raised intersection treatment or roundabout with the Department of State Growth; and that barrier protection be installed as required to protect pedestrians and the adjacent heritage properties (on both sides of the road).	Works Manager	Ongoing
15/03/2021	091/21	Aboriginal and Dual Naming Policy: Inclusion of Palawa Kani Name on Campbell Town Entrance Signs	adopt the Aboriginal and Dual Naming Policy	Executive & Comms Officer	Further information sought by Placenames Tasmania, information requested being collated.
21/10/2019	313/19	Confirmation of Minutes - Ross Local District	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	Executive & Comms Officer	Contacted DPIPW and Tasmanian Aboriginal Centre, awaiting response.

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Date	Min. Ref.	Details	Action Required	Officer	Current Status
		Committee - 7.1 Macquarie River	Investigation. - That Council support the proposal and progress the request		Application to be lodged in March for consideration in April.
14/12/2020	415/20(3)	Recommendation of sub committees - Ross LDC - Road Markings	As an urgent matter of Public Safety, the Ross Local District Committee requests the Northern Midlands Council repaint the white traffic dividing lines on the Northern (Chiswick Rd), and Southern (Roseneath Road), entrances to Ross. The bend on Roseneath Road approaching the Ross Bridge is of particular concern where the white dividing line is heavily worn and is barely visible. - That Council note the information, investigate the matter and action accordingly.	Executive & Comms Officer	Works Manager to meet with Committee to discuss.
15/02/2021	040/21	Recommendations of Sub Committees - Longford Local District Committee - Local Heritage Code & Heritage Precincts	LLDC requests Council to accept the recommendations presented at the Council workshop on Monday February 1, 2021 by putting in place an addendum to the current Local Historic Heritage Code (E13) and the Heritage Precincts Area Plan (F2) which will be specific to all new buildings that are erected. This area includes from the Country Club Hotel (Union Street) to where Malcombe Street crosses Marlborough Street. - Committee meet with Council's Planners to discuss further, including the outcomes to be achieved from the suggested amendment prior to further report/discussion at a Council workshop	Executive & Comms Officer	Committee to meet with Planners. Suitable time to be arranged.
15/02/2021	040/21	Recommendations of Sub Committees - Longford Local District Committee - Tear Off Street Maps	Ask Council to use their resources to revise and reprint maps. & Council garner support from business sponsors to use their resources to place their business names on the back of maps. - Council Officers to seek quotes and survey Longford businesses through the Northern Midlands Courier to ascertain business support for the production of tear-off maps, prior to a report to Council.	Executive & Comms Officer	Matter being progressed through the LLDC.
16/11/2020	382/20	Recommendations of Sub Committees -Campbell Town District Forum - Tourist Signage	Tourist symbol information to be placed at road entries to Campbell Town. - That Council Officers investigate the matter.	Executive & Comms Officer	Matter being investigated by Tourism and Executive & Comms Officers.
15/03/2021	112/21	2021/22 Municipal Budget	as per recommendation	Corporate Services Manager	In progress
15/03/2021	115/21	Corporate Information Technology (Enterprise Suite) Solution Upgrade	That Council i) make provision in the 2021/22 Budget to update the Open Office Enterprise Suite in the immediate future; and ii) continue to participate in discussion relating to the Northern Tasmanian Councils IT Shared Business Application Platform project.	Corporate Services Manager	In progress
15/03/2021	114/21	Policy Review: Code Of Tendering & Procurement	That Council further consider and review the Policy amendments at a future workshop, the policy to include a provision that where possible quotes to be obtained from Northern Midlands businesses.	Corporate Services Manager	Report to Council
15/03/2021	088/21	Recommendations of Sub Committees - Longford Local District Committee - Herb Boxes	7.2 Herb Boxes (similar to the ones outside the Cressy Bakery, be considered by Council to plant pots in the town -That Council be asked to place flower boxes outside JJ's and/or Sticky Beaks with their permission.) That the matter be referred to the 2021/2022 Budget process.	Corporate Services Manager	Refer budget for consideration
17/09/2018	258/18	Initiation of Draft Planning Scheme Amendment 04/2018 include Flood Risk Mapping in the Planning Scheme for land along Sheepwash Creek from Arthur Street to Cemetery Road, Perth	That Council, acting as the Planning Authority, pursuant to section 34 of the former provisions of the Land Use Planning and Approvals Act 1993 resolve to initiate draft Planning Scheme Amendment 04/2018 to the Northern Midlands Interim Planning Scheme 2013 to include the flood risk mapping for land zoned General Residential and Future Residential, based on the mapping shown in the attachment, in the planning scheme maps.	Senior Planner	A flood map is to be incorporated by an amendment to the Planning Scheme. Aerial survey to be undertaken prior to seeking quotes for amendment. Aerial Survey complete, Land Survey Modelling can now commence, due mid-March. Consultant advised on 18 March 2021 Council modelling now due end of April.
15/02/2021	044/21	Footpath Trading by law	That Council, i) in accordance with s.156 of the Local Government Act 1993 intends to make the proposed Footpath Trading By-Law No. 1 of 2021 to regulate Footpath Trading within the Northern Midlands municipality. ii) upon gazettal of the Footpath Trading By-Law No. 1 of 2021, revokes the Footpath Trading Policy.	Compliance Officer	Process commenced. Letters sent to stakeholders.

LONG TERM ACTIONS

Date	Min. Ref.	Details	Action Required	Officer	Current Status
18/09/2017	279/17	Historical Records and	That Council, ...and ii) progress the following when the glass	Exec Assistant	Photographs of full NMC Council, for

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Date	Min. Ref.	Details	Action Required	Officer	Current Status
		Recognition: Service of Councillors	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.		each term since inception, received. 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	Postponed to 2021.
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. To be finalised in 2021.

COMPLETED ACTION ITEMS FOR DELETION

Date	Min. Ref.	Details	Action Required	Officer	Current Status
15/03/2021	092/21	Australian Local Government Association (ALGA): 2021 National General Assembly Of Local Government Call For Motions	That Council submit the following notices of motion to the Australian Local Government Association National General Assembly 2021: i) This National General Assembly calls on the Australian Government to consider the implementation of additional Regional Deals throughout the country. And ii) This National General Assembly calls on the Australian Government to restrict entry points into Australia from overseas to two locations to help stop the spread of COVID-19.	Exec. Officer	Motion submitted 18/3/2021
15/03/2021	093/21	Local Government Association Of Tasmania (LGAT) – Motions For The General Meeting: 5 August 2021	list the following matter for consideration at the LGAT General Meeting to be held on 5 August 2021: i) That LGAT reject the continual cost shifting exercise by State Government including matters such as cat management and control of weeds.	Exec. Officer	Motion submitted 20/4/2021
15/03/2021	094/21	Avoca Primary School	That Council advise the Education Department that they do not wish to pursue the transfer of the former Avoca Primary School property to Council's ownership.	General Manager	Letter sent.
27/01/2021	010/21	Campbell Town Swimming Pool	That: ... 9) the matter be reviewed after the season closes.	General Manager	Report included in April Agenda
15/03/2021	090/21	Information Items - INFO 4 Petitions - Rescinding The Rezoning Of The Land Around Longford Race Course	That Council receive the petition and advise the petitioner of the action already taken in regard to the master plan commissioned	General Manager	Letter acknowledging petition and action by Council sent.
15/03/2021	096/21	Northern Tasmania Development Corporation Ltd (NTDC): Regional Collaboration Framework Endorsement	That Council endorse the proposed Regional Collaboration Framework and participates in any formation of a regional position.	General Manager	Letter sent.
15/02/2021	040/21	Recommendations of Sub Committees - Perth Local District Committee - Train Park play equipment	Request Council to include upgrades to the Train Park in the Perth Main Street Masterplan - report back to Council and consider in the budget process	General Manager	Matters to be listed for inclusion in the 2021-22 budget deliberations.
15/03/2021	111/21	Wildlife signage on Deddington road	That Council install four "slow down dusk to dawn" signs on Deddington Road as a trial.	Engineering Officer	Installed
15/02/2021	048/21	Assisting Tourism in the Northern Midlands to recover from COVID-19	That Council accept the report on the proposed way forward to assisting tourism in the Northern Midlands to recover from COVID-19 and request a report be tabled at the March 2021 Council Meeting on the outcome of the request for quotes for the production of the promotional videos and accompanying marketing plan.	Tourism Officer	Report to April Council meeting
15/03/2021	088/21	Recommendations of Sub Committees - Longford Local District Committee - Water trough at Heritage Corner	10.4 Water Trough at Heritage Corner – (The Committee are concerned about the state of the water trough outside the Queens Arms Hotel – there is rust in the bottom of the trough that needs urgent attention. The Committee requests Council have the Water Trough assessed and attended to.) That Council Officer's investigate the recommendation.	Works Manager	Complete.



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Date	Min. Ref.	Details	Action Required	Officer	Current Status
15/03/2021	113/21	Policy Review	That Council endorse the amendments to the following policies: - Councillors Allowances, Travelling and Other Expenses; Privacy; Fencing Reserves: Contribution.	Executive & Comms Officer	Complete.
15/03/2021	095/21	Policy Review - WH&S	That Council endorse the amendments to the Work Health and Safety Policy	Executive & Comms Officer	Complete.
15/03/2021	097/21	Councillor Attendance at Anzac Day Services	Councillors attend ceremonies as indicated	Executive & Comms Officer	Wreaths ordered.

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

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

Resource Sharing Summary 1/7/20 to 30/6/21 As at 31/03/21	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts	219.50	11,719.90
Street Sweeper - Plant Hire Hours	222.75	19,607.41
Total Services Provided by NMC to Meander Valley Council		31,327.31
Service Provided by Meander Valley Council to NMC		
Wages and Oncosts		
Plumbing Inspector Services	489.80	36,574.71
Engineering Services	2.00	129.00
Total Service Provided by MVC to NMC		36,574.71
Net Income Flow		- 5,247.40
Total Net		- 5,247.40
Private Works and Council Funded Works for External Organisations	Hours	
Economic & Community Development Department		
Northern Midlands Business Association		
Promotion Centre Expenditure		Not Charged to Association Funded
- Tourism Officer	4	from Council Budget A/c 519035
Works Department Private Works Carried Out	211	
	214.83	

13 VANDALISM

Prepared by: Jonathan Galbraith; Engineering Officer

Incident	Location	Estimated Cost of Damages		
		March 2021	Total 2020/21	March 2020
Graffiti and Victoria Square toilets	Longford	\$ 200		
TOTAL COST VANDALISM		\$ 200	\$ 5,700	\$ 350

14 YOUTH PROGRAM UPDATE

Prepared by: Billie-Jo Lowe, Youth Officer

PCYC program

Council fund PCYC activities in the Northern Midlands. Due to low attendance numbers the Campbell Town program has been suspended. Attendance numbers for the Perth programs in March not available.

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Free2B girls program

The Free2B girls program is funded by Tasmania Community Fund and has commenced in Longford and Campbell Town. Attendance for the month of February as follows:

Session Venue	Date of Session	Attendance
Campbell Town	3/3	9
	10/3	10
	17/3	12
	24/3	Cancelled due to extreme weather
	31/3	14
Longford	4/3	9
	11/3	12
	18/3	11
	25/3	10

Northern Midlands Active Youth Program

The program is funded by Healthy Tasmania and has commenced in Campbell Town and Cressy. The program was initially trialled after school, however, the attendance numbers were very low. The program is now conducted during school lunch time and is meeting with great success. Attendance for the month of March as follows:

Session Venue	Date of Session	Attendance
Campbell Town	2/3	15
	9/3	18
	16/3	17
	23/3	15
	30/3	21
Cressy	4/3	19
	11/3	20
	18/3	16
	25/3	19

Meetings

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

15 STRATEGIC PLANS UPDATE

Prepared by: Lorraine Green, Project Officer

CURRENT AS OF 14 APRIL 2021

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
Blessington			
Feasibility Study: Investment in Ben Lomond Ski field Northern Tasmania (TRC Tourism)	Jun-15		<ul style="list-style-type: none"> Ongoing collaboration with Parks and Wildlife Services and other key stakeholders to progress implementation of report recommendations. State Government budget included commitment of \$400,000 to upgrade the shuttle bus carpark below Jacob's Ladder. Project completed June 2019 January 2019: Nomination submitted for Ben Lomond to be the state's next iconic walk. Nomination unsuccessful.
Campbell Town			
War Memorial Oval Precinct Tennis/Multi-purpose courts			<ul style="list-style-type: none"> September 2017: Funding application submitted to TCF for \$55,000 towards the courts development: application successful. Grant deed executed and funds received. Request submitted March 2020 for extension to deadline to enable completion of court surrounds work – anticipated September/October 2020. November 2017: Funding application submitted to Sport & Recreation Tas for \$80,000 towards the project: application successful. Acquittal report submitted December 2019. October 2020: Tennis Club submitted Improving the Playing Field Grant application for a tennis pavilion. Outcome unsuccessful. November 2020: Tennis Club secured funds for a practice 'hit-up' wall.

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Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
Oval Irrigation System and Public Toilets			<ul style="list-style-type: none"> October 2020: application submitted to Improving the Playing Field grant program for oval irrigation system and new public toilet facility. Advised Jan 2021 application unsuccessful. Feb 2021: quotes being reviewed for the work. March 2021: Local Roads and Community Infrastructure grant of \$160,000 secured for installation of stage one of the oval irrigation system.
CBD Urban Design and Traffic Management Strategy (GHD) (Lange Design and Rare Innovation)	May-16		<ul style="list-style-type: none"> GHD contracted to prepare the strategy: final report accepted at Nov 2017 Council Meeting. Council secured \$1 million loan through the Northern Economic Stimulus package towards the implementation of the main street component of the strategy. November 2017: Lange Design and Rare Innovations Design contracted to prepare the design and construction tenders. Stage 1 concept plan received April 2018. June 2019: Landscape Works Technical Specification received. Request for funding through the Local Government Land Transport Infrastructure Program submitted April 2020.
Cressy			
Swimming Pool Master Plan (Loop Architecture)	Dec 15		<ul style="list-style-type: none"> Master Plan accepted at October 2017 Council meeting. Liberal election commitment of \$100,000 to upgrade the complex. Acquittal report due November 2020 – extension requested. Nationals in Government funding commitment of \$400,000 made March 2019. Funding agreement signed January 2020. Design Consultant engaged, tender with reviewed scope and cost accepted Feb 2021. March 2021: Local Roads and Community Infrastructure grant of \$200,000 secured towards the upgrade. April 2021: work commencing. Late 2021 completion anticipated.
Recreation Ground Master Plan (Lange Design & Loop Architecture)	Feb-17		<ul style="list-style-type: none"> January 2017: confirmation that the state govt has approved \$220,000 for the ground upgrade through the Northern Economic Stimulus Package. February 2017: Lange Design and Loop Architecture contracted to develop the master plan. Master Plan accepted at April 2018 Council Meeting. Levelling the Playing Field grant for inclusive changerooms (\$354,076) secured October 2019 (to be matched by Council funding). First report due 30.6.20. October 2019: assisted Cressy Cricket Club with funding application to Stronger Communities Program for clubrooms upgrade: funding secured. Facility upgrade design brief completed. Design work completed. Tender with reviewed scope and cost accepted Feb 2021. March 2021: Local Roads and Community Infrastructure grant of \$107,571 secured towards the redevelopment of the changerooms. Work commencing – late 2021 completion anticipated.
Evandale			
Honeysuckle Banks			<ul style="list-style-type: none"> At May 2017 Council meeting, Council i) accepted in principle the Honeysuckle Banks Plan; ii) consider funding the minor works components of the plan in future Council budgets, and iii) request Council Officers to seek to secure external grants to assist with the implementation of the full plan.
Morven Park Master Plan (Lange Design)	Nov-16 April 18		<ul style="list-style-type: none"> November 2016 Lange Design contracted to develop master plan. Council accepted 2030 Master Plan at April 2018 Council Meeting. State Liberal election commitment of \$158,000 towards facilities' upgrades. Progress reports submitted Dec 2018, March 2019 and Sept 2019. February 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 October 2019. Final report due 30 June 2020. Extension of completion date requested (to end December 2020) AFL Tas funding commitment of \$60,000 secured – to be paid upon project completion. Changeroom upgrade and expansion completed Feb 2021. October 2020: Application submitted to Improving the Playing Field Grant Program for ground drainage works. Outcome unsuccessful.
Longford			
Community Sports Centre Master Plan (RT & NJ Construction Services)	Feb-15		<ul style="list-style-type: none"> January 2017: Council advised State Govt has approved \$1,000,000 for the upgrade through the Northern Economic Stimulus Package March 2021: Local Roads and Community Infrastructure grant of \$50,000 secured for the refurbishment of the squash courts.

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Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
			<ul style="list-style-type: none"> Work due for completion mid-2021
CBD Urban Design Strategy (Lange Design and Loop Architecture)	May-16		<ul style="list-style-type: none"> December 2016: Draft Urban Design Strategy received. Strategy and Guidelines manual accepted at the October 2017 Council Meeting. Negotiations underway February 2018 with State Growth towards development of a deed regarding the future maintenance of the Illawarra Road roundabout. Nationals in Government funding commitment of \$4 million made in March 2019. Documentation to secure funds submitted October 2019. Deed of Agreement signed June 2020.
Memorial Hall & Village Green Infrastructure			<ul style="list-style-type: none"> September 2017: Philp Lighton Architects contracted to undertake the study of the Council Offices, Memorial Hall, Town Hall and Library facilities. Report received. March 2019: 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.
Racecourse Master Plan (Lange Design and Loop Architecture)	April-21		<ul style="list-style-type: none"> April 2021: Consultancy Agreement signed.
Perth			
Perth Early Learning Centre Redevelopment (Loop Architecture)	Oct-15		<ul style="list-style-type: none"> March 2019: Nationals in Government funding commitment of \$2.6million for the redevelopment of the Early Learning Centre. Documentation to secure funds submitted 4 October 2019. Deed of Agreement signed November 2020: Project in schematic design phase. DA advertised: representations closed 30 March 2021.
CBD Precinct Concept Master Plan (Lange Design and Loop Architecture)	Apr-20		<ul style="list-style-type: none"> Consultancy Agreement signed. Community consultation re draft concept plans close to commencement.
South Esk River Parklands Concept Plan (Lange Design)	Nov-18		<ul style="list-style-type: none"> March 2021: Application submitted to Building better Regions Fund for grant to extend the walkway and installation of footbridge.
Ross			
Swimming Pool Master Plan (Loop Architecture)	Dec-15		<ul style="list-style-type: none"> Draft Master Plan received May 2016: structural assessment approved August 2016 Final plan received June 2017 Council resolved at October 2017 Meeting to undertake a survey of the use of the pool across the 2017-2018 swimming season. Pool usage data received May 2018. Council resolved at June 2020 Meeting to develop a Swimming Pool Strategy. Strategy development underway.
Village Green Master Plan (Lange Design, Loop Architecture)	Jun-16		<ul style="list-style-type: none"> Master Plan accepted in principle at Council December 2016 Meeting. January 2017: cost estimate for design and documentation, tender process and project management received from JMG. January 2017: Council advised State Government has approved \$300,000 loan through the Northern Economic Stimulus Package for the implementation of the Master Plan. February 2017: Application lodged with Building Better Regions Fund for \$237,660 to enable the Master Plan to be implemented in its entirety. Application unsuccessful. February 2017: Lange Design and Loop Architecture contracted to manage the implementation of the master plan. Concept design presented to Council workshop on 8 May. Planning approval with conditions to be met passed at January 2018 Council Meeting. March 2018: Lange Design submitted full project package for Village Green, ready for planning application to be prepared by Council Officers. Current: Stage 2 work progressing with Local Road and Community Infrastructure Program funding. Completion anticipated mid-2021.
Western Junction			
Launceston Gateway Precinct Master Plan Freight Demand Analysis Report (SGS) Master Plan	Oct-15		<ul style="list-style-type: none"> Council approved the preparation of a brief for the precinct master plan at the Sept 2016 Council Meeting. Liberal election commitment of \$5.5million upgrade of Evandale Main Road between the Breadalbane roundabout and the airport, and \$1million for edge-widening and other works to improve safety along Evandale Main Road from the airport to Evandale.
TRANSlink Stormwater Upgrade Project			<ul style="list-style-type: none"> Applications lodged with National Stronger Regions Fund 2015/ 2016: unsuccessful. Application submitted February 2017 to the Building Better Regions Fund for \$2,741,402 (total

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Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
			<p>project cost is \$5,482,805: council's contribution is \$1,525,623 and private investors \$1,215,780). Application unsuccessful.</p> <ul style="list-style-type: none"> • Application submitted December 2017 for Round Two Building Better Regions Fund: notified July 2018 unsuccessful. • March 2021: Local Roads and Community Infrastructure grant of \$126,270 secured towards Gatty Street stormwater detention basin.
Municipal wide			
Integrated Priority Projects Plan (Jacobs, Evergreen Lab)	Apr-20		<ul style="list-style-type: none"> • Consultancy Agreement signed June 2020. Draft report on agenda for Council Workshop in first quarter 2021.

COMPLETED ACTION ITEMS FOR DELETION

Nil this month.

16 HERITAGE HIGHWAY TOURISM REGION ASSOCIATION (HHTRA) & TOURISM UPDATE

Prepared by: *Fiona Dewar, Tourism Officer*

The Heritage Highway Tourism Region Association meet physically every three months and utilise zoom and email for discussions if required in between.

Current marketing activities continue and include website blog posts and social media.

An advertisement featuring the location of the five visitor centres in the Northern Midlands will be in the October 2021 reprint of the "You Love Tasmania" map, a popular, free map distributed through visitor centres and operators around the state.

A major project this year is to replace the HHTRA website. The current website is over five years old (considered ancient in the digital world) and does not function effectively at all due to the Wordpress theme being no longer supported by Google and is vulnerable to hacking due to its age. The HHTRA has been contracting Destination Southern Tasmania for several years to write content for their social media platforms and blogs as their major marketing activity, and this has been very successful (results of reach are measurable). The service package from DST will now be expanded to create a new HHTRA landing page within the Hobart and Beyond website. This arrangement will have many benefits, including:

- HHTRA maintains their domain (www.heritagehighway.com.au), which will point to the new landing page.
- The new landing page will work much better for the consumer, which is ultimately the reason for having a web presence at all.
- The landing page will retain the look and feel of the Heritage Highway region, whilst also aligning with Tourism Tasmania's brand/message. DST's current website is suffering the same fate as the HHTRA website, and they are in the process of rebuilding. DST have a larger budget, access to a more extensive image library, and skilled personnel who specialise in content writing, so the HHTRA landing page will be housed within a high quality digital space.
- Reduce website running costs for the HHTRA (i.e. site hosting, site developer/maintenance/repairs/help, ATDW distributor licence), which will allow more in the budget to fund further content creation and other marketing activities and projects.
- Streamline the HHTRA entire website process, and reduce the burden on the board members and Council officer advisors.
- Leveraging off the huge reach the H&B website already has. Their very large audience is growing (280,000 last year – up 18% on the year before, and 48% in the last quarter). The traffic is already there for the HHTRA to hook into.
- Research shows the biggest audience for the current HHTRA site is Hobart, and this is the same for DST, whose reach is even bigger, this will place the HHTRA in front of an even larger audience.
- The HHTRA landing page will feature blogs relevant to the Heritage Highway region, yet these blogs will also be featured on the main site (which has the bigger audience). This provides multiple pathways to the Heritage Highway blogs.
- The HHTRA landing page will have search features and visitor highlights relevant to the region.
- HHTRA retains the current input into the blogs and continues to feed content to the writers.

In summary, the new HHTRA landing page on DST's site will be even easier to find, get more traffic, reach more people, which is the purpose of the site.

It continues to be important to remind tourism operators to list their business on the ATDW.

Ross Revealed, augmented reality experience: currently working with the developer to iron out some teething issues and this is in progress.

The HHTRA recently donated '200 Voices From The Graves' Heritage Stories products to members of a CMCA rally held at Campbell Town in February, to share in participants event showbags. This type of marketing initiative encourages visitors to disperse throughout the region and to stay longer in our towns.

17 BICENTENARY PLANNING UPDATES

Prepared by: *Fiona Dewar, Tourism Officer*

Ross

The Ross Bicentenary Committee are planning a series of events throughout the year.

- Feb – June: Education exhibition at the Tasmanian Wool Centre Museum called: It Takes a Village.
- 21 Feb: Bike Ride with Picnic Lunch
- 12-14 March: If These Halls Could Talk – Ten Days on the Island.
- 18 April: Bicentenary Ramble
- 8 May: Bush Feast
- 27 May – 10 June: Dressing the Trees Installation
- 2 June: formal ceremony at the Town Hall. Quilt unveiling. Visitors Book.
- June – Dec: Exhibition at the Tasmanian Wool Centre Museum, called: 20 Objects
- 14 August: A Night at the Pub. Pub talk with previous publicans
- 12 Sept: Ross Running Festival.
- Sept. Ross Village Green Official Opening.
- 29 – 31 Oct: Set In Stone | David Bleakley Art Exhibition and Auction
- 13 Nov: Remembrance Day Dance.
- 27 Nov: Open Gardens
- 4 – 5 Dec: Bicentenary Cricket Invitational.
- 31 Dec: New Year's Eve on the Green Village Fair

Campbell Town

The Campbell Town Bicentenary Committee are planning a series of events throughout the year:

- Completed: January. Picnic in the Park, with food, music, entertainment, vintage car display.
- February. Senior Citizens lunch at bowling Club.
- March. Lake Leake trout fishing competition.
- April. Historical guided walking tours.
- May. Official naming day at Town hall with TSO choir.
- June. Bicentenary golf day.
- July. St Luke's organ recital.
- August. Historical house/farm tour weekend.
- September. School sports day (colonial games and costumes).
- October. Campbell Town garden tours.
- November. Bush dance at Wool Pavilion at Showgrounds, with old skills, hand shearing, wood chopping displays.
- December. School children costumed Christmas caroling.

Perth

The Perth Bicentenary Committee are planning a series of events throughout the year:

- 25 Feb: Primary School Bicentenary Picnic
- 18 April: History Scavenger Hunt
- 29 May: Bonfire and Barbecue
- 21 Sept: Seniors High Tea
- 23 Oct: Perth Bicentenary Memorial Celebration.

18 MIDLAND HIGHWAY UPDATE

Prepared by: Paul Godier, Senior Planner

The Department of State Growth advises that updated information about the Midland Highway Final Stage design is expected to be ready by the end of the month. This will include Campbell Town North (between Campbell Town and Epping Forest) and Ross (between Mona Vale Road and Campbell Town). More information is available at <https://www.midlandhighway.tas.gov.au>.

19 HERITAGE PROVISIONS OF THE NORTHERN MIDLANDS INTERIM PLANNING SCHEME 2013 AND THE TASMANIAN PLANNING SCHEME

Prepared by: Paul Godier, Senior Planner

The Northern Midlands Council is in the process of replacing its current Northern Midlands Interim Planning Scheme 2013 with the Tasmanian Planning Scheme.

As requested by Councillors, attached to this report is:

- A comparison between the provisions of the current Heritage Precincts Specific Area Plan and the provisions of the Tasmanian Planning Scheme Local Historic Heritage Code.

The draft Ministerial declarations regarding the current Local Historic Heritage Code and the Heritage Precincts Specific Area Plan.

20 KEEPING OF DOGS IN URBAN AREAS

Prepared by: Tammi Axton, Animal Control Officer

Council currently has no restrictions on the number of dogs that are allowed to be kept in an urban area, as long as the dog owner has applied for a kennel licence in accordance with the *Dog Control Act 2000*, and providing the General Manager approves that licence.

Dog Control Act 2000

Section 50. Keeping of Several dogs

Division 7 - Licences Keeping several dogs

(1) A person, without a licence, must not keep or allow to be kept, for any period of time, on any premises –

(a) more than 2 dogs, other than working dogs, over the age of 6 months; or

(b) more than 4 working dogs over the age of 6 months.

Penalty: Fine not exceeding 5 penalty units.

(2) Subsection (1) does not apply to any dog in excess of the number of dogs specified in subsection (1) if –

(a) the dog is owned by a person who does not usually reside at the premises; and

(b) the dog is being kept at the premises for a limited, or temporary, period that is agreed upon, by both the owner of the dog and the person with responsibility for the premises, before the dog is left at the premises; and

(c) no consideration has been or is to be paid, in respect of the dog staying at the premises, to the person keeping dogs on the premises.

(3) In this section –

consideration includes monetary or non-monetary consideration;

owner in relation to a dog, means the person who apparently has control of the dog at the relevant time.

There is an impact on neighbouring properties with housing large numbers of dogs in an urban area. For example, noise and smell issues.

Consideration should be given on the need to regulate the number of dogs that can be kept in an urban area, and this can be done by amending Councils Dog Management Policy to allow a kennel licences for only 3 pet dogs or 4 working dogs, unless in a rural or semi-rural area.

DECISION

Cr Polley/Cr Calvert

That the information items be received.

Carried unanimously

**138/21 LAUNCESTON GASTRONOMY – CREATIVE CITIES OF GASTRONOMY
PROPOSAL**

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

To consider the presentation to Council by Greater Launceston Creative Cities Steering Group to support the application for Greater Launceston to be designated a UNESCO Creative City of Gastronomy.

2 INTRODUCTION/BACKGROUND

Council has received a proposal from the Greater Launceston Creative Cities Steering Group to Northern Midlands Council requesting the Council's formal involvement with, and contribution to, an application for Greater Launceston's designation as a City of Gastronomy under UNESCO's Creative Cities Program.

UNESCO take a broad definition of gastronomy to include all stages of the food supply chain but with a focus on using our unique cultural and creative identity in the area of gastronomy to address issues of economic, social and environmental sustainability within the broader Launceston region through the United Nations Sustainable Development Goals.

Whilst there are expected to be significant commercial spinoffs from Greater Launceston's successful involvement in this program – the primary focus is on increasing the quality of life for all residents of the region. To that end, Launceston Gastronomy has been created to form an umbrella organization for the Creative Cities bid and other collaborative food systems-related activities in the region.

UNESCO open the Creative Cities network to aspiring cities every second year. The next application round closes in June 2021, which is the deadline the Steering Group are currently working to.

This proposal is a request to Northern Midlands Council for formal endorsement of Greater Launceston's Creative Cities bid, a financial contribution to bid submission, and recognition that bid success will necessitate an allocation for the next three years as the project moves to sustainability.

A copy of the proposal is attached.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Leaders with Impact
 - Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity
 - ♦ Manage – Management is efficient and responsive
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
 - Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
 - ♦ Proactive engagement drives new enterprise
 - ♦ Collaborative partnerships attract key industries
 - ♦ Attract healthy, wealth-producing business & industry

- Economic Development – Supporting Growth & Changes
 - ♦ 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

4 POLICY IMPLICATIONS

N/a

5 STATUTORY REQUIREMENTS

N/a

6 FINANCIAL IMPLICATIONS

Council has been asked to contribute:

- a) 2021 – 2022: \$6,963.73
- b) 2022 – 2023: \$13,927.46
- c) 2023 – 2024: \$11,794.77
- d) 2024 – 2025: \$8,570.75

7 RISK ISSUES

A risk may be that no direct benefit from the project is realised in the Northern Midlands Council area. The Risk Management Plan prepared by the Steering Committee is provided with the attached, Appendix 5.

8 CONSULTATION WITH STATE GOVERNMENT

N/a

9 COMMUNITY CONSULTATION

N/a

10 OPTIONS FOR COUNCIL TO CONSIDER

To support, or not support the application for Greater Launceston to be designated a UNESCO Creative City of Gastronomy.

11 OFFICER'S COMMENTS/CONCLUSION

The proposed document is attached and self-explanatory, Council also received a presentation at its workshop on Monday, 1 March 2021.

The Greater Launceston Creative Cities Steering Group have sought a letter supporting the bid pending funding through a budget approved process, the letter has been provided as it was due by 15 April 2021.

Council at the Workshop presentation also sought advice on the number of projects submitted through the expression of interest process that are already active in the Northern Midlands Council area or that will reach it to the Northern Midlands.

- FermenTasmania is doing work in the Northern Midlands area
- AgriCULTURED reference group has good representation from the Northern Midlands area
 - This is an agritourism-based cool season event that aims to showcase local food producers around the region and is being led by Visit Northern Tasmania
- Kids To Farms works in the Northern Midlands areas
 - TFGA-led and improving food literacy in school students through virtual and actual farm visits
- Circular Economy Northern Tasmania (NTDC-led ASPIRE project) is active in the Northern Midlands area
- Making Cents is another circular economy-base project which could reach the Northern Midlands
- Tasmania Produce Collective is active in the Northern Midlands area and will be setting up retail hubs for locally produced food

The approach that the Steering Group is taking now with the bid is, rather than select 4-6 individual projects, to group project themes which allow them to include and support individual initiatives through a systems-based and collaborative approach that reaches across the region for maximum impact.

This means that there is capacity for Councils to:

- Suggest projects and initiatives for inclusion in the Creative Cities program of activity that are of interest or that are happening in their area
- Attract projects into their area that have regional reach and/ or network/ hub modes of operation

It is recommended that Council participate in the Creative Cities Project.

12 ATTACHMENTS

N/a.

RECOMMENDATION

That Council:

- A Formally endorse the bid by Launceston Gastronomy for Greater Launceston to be designated as a UNESCO Creative City of Gastronomy in 2021.
- B Provide an ongoing budgetary allocation for the operational budget of Launceston Gastronomy:
 - a) 2021 – 2022: \$6,963.73
 - b) 2022 – 2023; \$13,927.46
 - c) 2023 – 2024: \$11,794.77
 - d) 2024 – 2025: \$8,570.75

DECISION

Cr Goninon/Cr Brooks

That Council does not support the bid by Launceston Gastronomy for Greater Launceston to be designated as a UNESCO Creative City of Gastronomy in 2021.

Carried

Voting for the motion:

Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Goss

Voting against the motion:

Mayor Knowles, Cr Adams, Cr Polley

139/21 AVOCA PRIMARY SCHOOL

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

The purpose of the report is for Council to consider whether it is interested in accepting ownership of the vacant Avoca Primary School property for ongoing community purposes.

2 INTRODUCTION/BACKGROUND

The Avoca Primary School closed in late 2019. The Education Department has approached Council advising of two options available regarding its disposal. These options include:

- Sale on the open market; or
- Transfer to Council for ongoing community purposes.

Initially, the YMCA Launceston informally approached Council's Mayor and the Education Department seeking access to the site for community purposes. A formal submission in this regard has been received by Council.

On 27 April 2020 (min. ref. 109/20) a report was tabled in open Council to consider the formal submission received. The following was the decision of Council at that time:

That Council defer a decision on this matter subject to further information being available, with a further report to Council.

A report was tabled in Closed Council on 29 June 2020, which provided details relating to the condition and ongoing maintenance requirements of the property. At which time the following was the decision of Council:

That Council

- A) request a Business Plan from the YMCA;*
- B) Officers hold further discussions with the YMCA Launceston to confirm their intent for the property and request a presentation be made to a Council workshop;*
- C) Officers report back to Council; and*
- D) 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.*

Following further discussion with the YMCA, Council received a copy of a letter dated 20 August 2020 from Jodie Johnson, CEO (addressed to the Department of Education). The content of the letter is as follows:

The YMCA of Launceston remains interested in engaging with the Northern Midlands community with the proposal for Avoca Primary School. I have also been considering activities in Campbell Town after we have received numerous positive feedback from the surveys recently mailed out.

However, in light of COVID and the factors arising from this we will not be able to provide the Northern Midlands Council with the business case for our proposal by the end of August 2020 as requested.

During our recent Board meeting Avoca was discussed at length and it was resolved that we need to postpone this project for a minimum of six months. We understand that this may cause the Education Department and Northern Midlands Council to reconsider your options, but please know we are still very keen and enthused to continue with our intended proposal and hope you can see fit for us to do so and allow us the extended time we need.

Council officers consequently contacted Ms Johnson re the proposed attendance of the YMCA and presentation at a Council workshop. Ms Johnson advised that a business case would not be able to be completed in the short term, and the earliest possible date likely to present would be at the workshop in February 2021.

In early 2021 the YMCA advised Council that the matter had been included on the Agenda for their Board Meeting to be held on 15 February 2021, and that advice would be provided following that meeting.

On 16 February 2021, the YMCA sent the following letter to Todd Williams (Director, Facility Services Department of Education), Council's Mayor and Council:

Firstly I would like to thank you all for your continue support and patience regarding our proposal for Avoca Primary School.

At the Board of Directors meeting held last night it was resolved that we are not in a good position at this time to continue. With COVID and other matters arising the need to rebuild our current operations and growth is requiring our full attention at this time. Therefore, it is with much regret we decline the offer to commence further with the Avoca Primary School project.

It is the YMCA's intention to provide programming for the Northern Midlands residents later this year, especially in Campbell Town; Longford, Cressy & Avoca which a need has been identified. In December 2020 we wrote to the many residents indicating this who took part in our initial survey.

I believe the Avoca Primary School holds many opportunities for the right group to develop and I wish all well with this. If a sale does not go ahead and further down the track the opportunity arise, please consider the Y as a continued interested party.

Once again on behalf of the Y, I thank you for the opportunity.

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
 - Money Matters
Core Strategies:
 - ♦ Budgets are responsible yet innovative
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Effective and efficient marketing, communications & IT
 - 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:
 - ♦ 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
 - ♦ Minimise industrial environment impact on amenity
- Place –
 - Environment – Cherish & Sustain our Landscapes
Core Strategies:
 - ♦ Meet environmental challenges

4 POLICY IMPLICATIONS

Creating a precedent where Council accepts significant State-owned assets that present a cost burden on the community.

5 STATUTORY REQUIREMENTS

N/a.

6 FINANCIAL IMPLICATIONS

Annual cost estimates:

- Building maintenance estimate say \$10,000 - \$15,000
(with additional capital works undertaken every 5 years, i.e. painting, etc.)
- Grounds maintenance estimate say \$20,000

In addition, scheduled periodic maintenance of the weather board cladding would be required.

7 RISK ISSUES

A number of risks have been identified and include:

- Council accepting the cost of maintaining and renewal costs relating to a significant asset.
- The loss of services to the community that would be provided by YMCA Launceston if Council were not to accept ownership of the property.
- The risk that the Business Plan of the YMCA Launceston fails; and Council has no other identified opportunities for the utilisation of the site.

8 CONSULTATION WITH STATE GOVERNMENT

N/a.

9 COMMUNITY CONSULTATION

N/a.

10 OPTIONS FOR COUNCIL TO CONSIDER

Options include:

- agree or not agree to accept ownership of the property
- investigate the location of a Council owned /operated site for the Avoca Waste Transfer Station on a portion of this site.

11 OFFICER'S COMMENTS/CONCLUSION

As confirmed earlier in the report Launceston YMCA have advised that they have withdrawn their interest in the site.

Due to the ongoing maintenance costs associated with the site and no known use at this time, it is recommended that Council advise the education Department that Council does not wish to pursue the transfer of the former Avoca Primary School property.

12 ATTACHMENTS

- 12.1 29 June 2020 Closed Council Meeting minute, report and attachments – minute reference 218/20 (separate closed council attachment)



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 26 APRIL 2021

RECOMMENDATION

The matter is referred to Council for discussion and direction.

DECISION

Cr Davis/Cr Goss

That the report be noted.

Carried unanimously

140/21 GARAGE SALE TRAIL PARTICIPATION

Responsible Officer: Des Jennings, General Manager

Report prepared by: Amanda Bond, Executive Officer

1 PURPOSE OF REPORT

To determine if Council wishes to participate in the upcoming Garage Sale Trail program.

2 INTRODUCTION/BACKGROUND

The Northern Midlands Council has been invited to participate in the 2021 Garage Sale Trail. Attached to this report is the 2021 Garage Sale Trail Program Overview.

Council can elect to participate for two, three or four years. Participation includes:

- Access to a series of online workshops
- A three month waste education campaign
- A two week festival of garage sales

Participating councils receive a ready-made waste education campaign which is proven to reduce waste to landfill, connect the community and support the local economy. Garage Sale Trail provide all the materials Council needs, supports Council to generate local media, manage enquiries from the community, survey residents and provide a localised impact report to help Council measure the impact of the program.

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

Councils can elect to participate for two to four years. The following annual membership fees apply:

	TOTAL
2 Year Fee Per Annum - \$3,000	\$6,000
3 Year Fee Per Annum - \$2,750	\$8,250
4 Year Fee Per Annum - \$2,500	\$10,000

Previously Council has participated in the program through its membership of the Northern Tasmania Waste Management Group.

7 RISK ISSUES

No risks have been identified.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

To participate in the program, or not.

11 OFFICER'S COMMENTS/CONCLUSION

Council has previously participated in the Garage Sale Trail program through its membership of the Northern Waste Management Group however, it has been determined through that group to discontinue involvement.

12 ATTACHMENTS

12.1 Program overview

RECOMMENDATION

That Council does not purchase an annual membership fee to participate in the Garage Sale Trail.

DECISION

Cr Goninon/Cr Davis

That Council does not purchase an annual membership fee to participate in the Garage Sale Trail.

Carried unanimously

141/21 TOWN PROMOTION VIDEOS

Responsible Officer: Des Jennings, General Manager

Report prepared by: Fiona Dewar, Tourism & Events Officer & Lucie Copas Fowler, Executive & Communications Officer

1 PURPOSE OF REPORT

To provide information about the cost and resources required to create promotional videos for towns in the Northern Midlands, to promote on various platforms including Facebook, Council's website, Council facilities and television advertising.

2 INTRODUCTION/BACKGROUND

Council Officers are investigating the ability for professionally produced videos to be obtained to promote towns in our region, for two purposes – to promote the Northern Midlands as:

- A tourism destination
- A place to live

While content for both themes will be very similar, they will likely need to have a different voice and feel from each other.

3 STRATEGIC PLAN 2017-2027

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

- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:
 - ♦ 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
 - Tourism Marketing & Communication
 - ♦ Tourism thrives under a recognised regional brand
 - ♦ Tourism partnerships build sense of place identity
- People –
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
 - ♦ Connect – Improve sense of community ownership
- Place –
 - History – Preserve & Protect our Built Heritage for Tomorrow
Core Strategies:
 - ♦ Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

N/a.

5 STATUTORY REQUIREMENTS

N/a.

6 FINANCIAL IMPLICATIONS

Budget for the towns video project:

- Full production of videos: \$48,000.00 excl GST (IdeasBanq)
- Talent: cost TBC
- Advertising: depending on the mix of 15 and 30 second ad spots. i.e. 47 x 30 second ads across the whole state over 3 months on Channel 7 only: \$7,140.00 excl GST

Total project cost: \$55,140.00 excl GST

7 RISK ISSUES

From a tourism perspective: In the current tourism climate, after the Covid year of 2020 where visitation to the state ceased and for much of it, Tasmanian's were unable to travel. As Tasmanian's slowly started travelling again and our borders reopened, there has been an increase in visitation to Tasmania. The Northern Midlands needs to encourage visitor dispersal to encourage visitors to our towns. Tourism Tasmania and the Regional Tourism Organisations have ramped up their marketing, and if we do not step up to our marketing efforts, there is a risk the Northern Midlands towns will not benefit from the wider state marketing initiatives.

From a lifestyle perspective: With all the development happening in our region, the Northern Midlands can become a hub for young growing families to build their lives. People are seeking to move away from the hustle and bustle of the city and suburb life to enjoy a rural lifestyle while still being able to commute to the city for work.

8 CONSULTATION WITH STATE GOVERNMENT

N/a.

9 COMMUNITY CONSULTATION

N/a.

10 OPTIONS FOR COUNCIL TO CONSIDER

To agree/ not agree to fund the Northern Midlands Advertising and Promotions Project.

11 OFFICER'S COMMENTS/CONCLUSION

Northern Midlands is within the footprint of 'Heartlands', one of the five Tourism Tasmania Drive Journeys. We can leverage off Heartlands, create on-trend style videos in the in keeping with look and feel of Tourism Tasmania and Visit Northern Tasmania, aligning with their brands (which are similar), and promote the Northern Midlands towns as the place to come for visitors and a sought-after place to live. With the comprehensive marketing plan including TV ads, social media, website, newspaper, billboards and other signage, visitor centres etc., we can showcase the Northern Midlands towns.

12 ATTACHMENTS

- 12.1 ideasbanq Project Proposal
- 12.2 7 Tasmania Advertising Proposal
- 12.3 7 Tasmania Example Summary



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 26 APRIL 2021

RECOMMENDATION

That Council agree/ do not agree to fund and facilitate a series of promotional ads to be used for tourism promotion and liveability promotion.

DECISION

Cr Goninon/Cr Polley

That Council defer the funding of promotional advertisements for consideration in the 2021/2022 budget process.

Carried unanimously

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

26 APRIL 2021

142/21 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: Des Jennings, General Manager

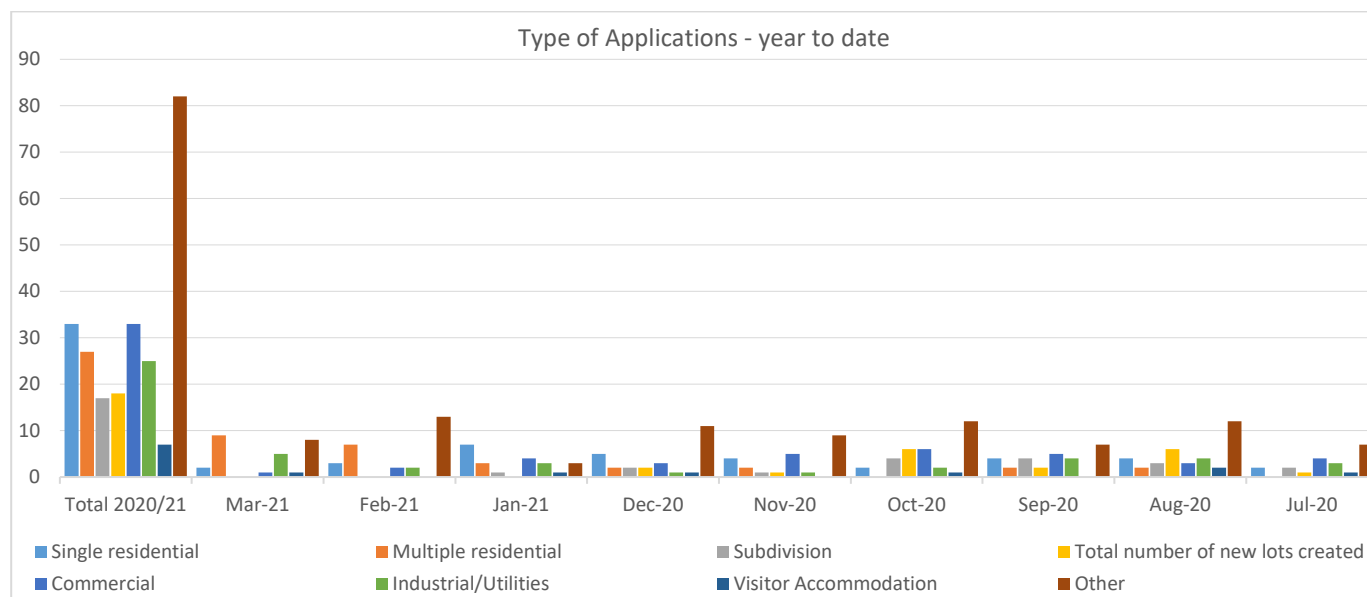
1 PURPOSE OF REPORT

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

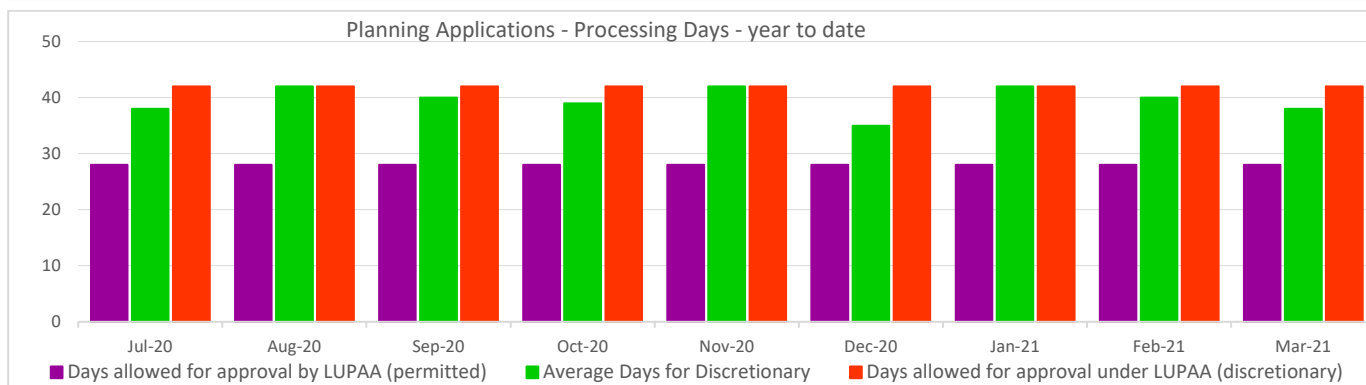
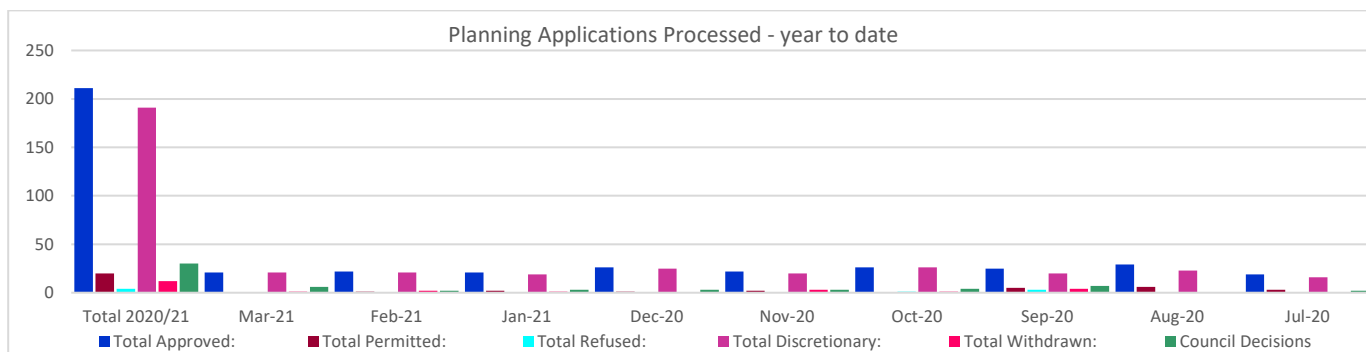
	Total YTD	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
Number of valid applications	166	21	11	19	18	7	18	27	26	19			
Single residential	33	2	4	4	2	4	5	7	3	2			
Multiple residential	27	0	2	2	0	2	2	3	7	9			
Subdivision	17	2	3	4	4	1	2	1	0	0			
Total number of new lots created	18	1	6	2	6	1	2	0	0	0			
Commercial	33	4	3	5	6	5	3	4	2	1			
Industrial/Utilities	25	3	4	4	2	1	1	3	2	5			
Visitor Accommodation	7	1	2	0	1	0	1	1	0	1			
Total permitted	0	0	0	0	0	0	0	0	0	0			
Total discretionary	7	1	2	0	1	0	1	1	0	1			
Other	82	7	12	7	12	9	11	3	13	8			
Total number of applications approved	211	19	29	25	26	22	26	21	22	21			
Total Permitted	20	3	6	5	0	2	1	2	1	0			
Average Days for Permitted		25	26	29	-	24	17	29	29	-			
Days allowed for approval by LUPAA		28	28	28	28	28	28	28	28	28	28	28	28
Total Exempt under IPS	71	8	5	4	8	17	13	4	3	9			
Total Refused	4	0	0	3	1	0	0	0	0	0			
Total Discretionary	191	16	23	20	26	20	25	19	21	21			
Average Days for Discretionary		38	42	40	39	42	35	42	40	38			
Days allowed for approval under LUPAA		42	42	42	42	42	42	42	42	42	42	42	42
Total Withdrawn	12	0	0	4	1	3	0	1	2	1			
Council Decisions	30	2	0	7	4	3	3	3	2	6			
Appeals lodged by the Applicant	5	0	0	0	1	1	1	1	0	1			
Appeals lodged by third party	0	0	0	0	0	0	0	0	26	0			



NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

26 APRIL 2021



March 2021

Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-20-0302	Mural facing Fairtlough Street (Heritage Listed Property)	180 Fairtlough Street, Perth TAS 7300	Ms Paige Forrester	42	D
PLN-20-0318	Twin Cubicle Composting Toilet (vary setbacks, Scenic Management Area; Heritage Listed Place)	159 Gulf Road, Liffey TAS 7301	Bush Heritage Australia	42	D
PLN-20-0319	Dwelling, shed & fence (heritage precinct; works within 50m of railway)	39 High Street, Evandale TAS 7212	Leigh Adams	43	D
PLN-21-0007	Shed (24.5m x 15m) to house WWTP equipment (access over CT127128/1)	Tannery Road, Longford TAS 7301	Henry Zacher	42	D
PLN-21-0009	Shed (Vary Internal Front Setback)	21 King Street, Perth TAS 7300	Cyclad Buildings & Fencing	43	D
PLN-21-0016	Multiple Dwellings x 3 (vary impervious surface coverage, private open space, window separation to shared access & fencing)	3 Youl Road, Perth TAS 7300	Simco (Tas) Pty Ltd	42	D
PLN-21-0017	Multiple Dwellings x 2 (Vary Rear Setback)	17 Youl Road (to be known as 17 Youl Rd), Perth TAS 7300	Simco (Tas) Pty Ltd	45	D
PLN-21-0021	Awning	U 4/40 Burghley Street, Longford TAS 7301	Optimo Awnings	43	D
PLN-21-0026	Vegetation removal (Scenic Corridor)	242 Leighlands Road, Evandale TAS 7212	Ms Deborah Latham	42	D
PLN-21-0027	Outbuilding 9M x 12M (vary rear building envelope) & demolition of (3) outbuildings	8 Church Street, Cressy TAS 7302	Andrew Herbert	42	D
PLN-21-0031	Change of Use to Food Services (unsealed parking) (Heritage Precinct)	17-17A Marlborough Street, Longford TAS 7301	Rohan Peterson	42	D
PLN-21-0036	Removal of 4 trees (Biodiversity Code)	61 Devon Hills Road, Devon Hills TAS 7300	Michael Montauban	24	D
PLN-21-0045	40FT Container for Storage	Frankston, 1187 Auburn Road, Ross TAS 7209	Mr Baden Helm obo Macquarie Pistol Club	30	D
PLN-21-0011	Dwelling addition (verandah) & shed (vary side setback)	61 Arthur Street, Perth TAS 7300	Steve Jordan	35	D

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

26 APRIL 2021

March 2021

Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-21-0012	Retrospective Solar Panel Installation (Heritage Precinct)	51 Wellington Street, Longford TAS 7301	Mr William McEwan	38	D
PLN-21-0013	Amenity Block (vary side setback)	57 Seccombe Street, Perth TAS 7300	Apogee Design	35	D
PLN-21-0014	Removal of native vegetation (2 trees) (Biodiversity Code)	18 Range Road, Western Junction TAS 7212	Jade Martin	27	D
PLN-21-0015	Shed (vary [E] side and rear building envelope)	55 Seccombe Street, Perth TAS 7300	Nathan & Melanie Cullen	31	D
PLN-21-0030	Shed (vary setbacks)	23 William Street, Longford TAS 7301	Design To Live	22	D
PLN-21-0032	Dwelling, shed & access (vary setbacks in Rural Resource Zone)	7 Clare Street, Campbell Town TAS 7210	Engineering Plus	22	D

COUNCIL DECISIONS					
PLN-20-0310	Multiple Dwellings (2, 1 existing) - vary impervious access	46 Anstey Street, Longford TAS 7301	Marlborough St Holdings Pty Ltd	42	C
PLN-21-0002	Campbell Town Entrance Sign - northern (other sign)	Cnr West St & High Street, CAMPBELL TOWN TAS 7210	Northern Midlands Council	42	C
PLN-21-0003	Campbell Town Entrance Sign - southern (other sign)	Cnr Torlesse St & High St, CAMPBELL TOWN TAS 7210	Northern Midlands Council	42	C
PLN-21-0006	Multiple dwellings x 3 (vary rear setback), demolish existing buildings	7 Church Street, Cressy TAS 7302	Wilkin Design & Drafting Pty Ltd	42	C
PLN-21-0028	Change of use to Visitor Accommodation (non-impervious access and parking)	17 Summit Drive, Devon Hills TAS 7300	Mrs Dianne Hamilton	41	C
PLN-20-0286	Take away coffee shop, amenities, landscaping, carpark and access (irrigation district)	Fairfield, 13790 Midland Highway, Epping Forest TAS 7211	Lindell Percival	42	C

COUNCIL DECISIONS - REFUSAL					

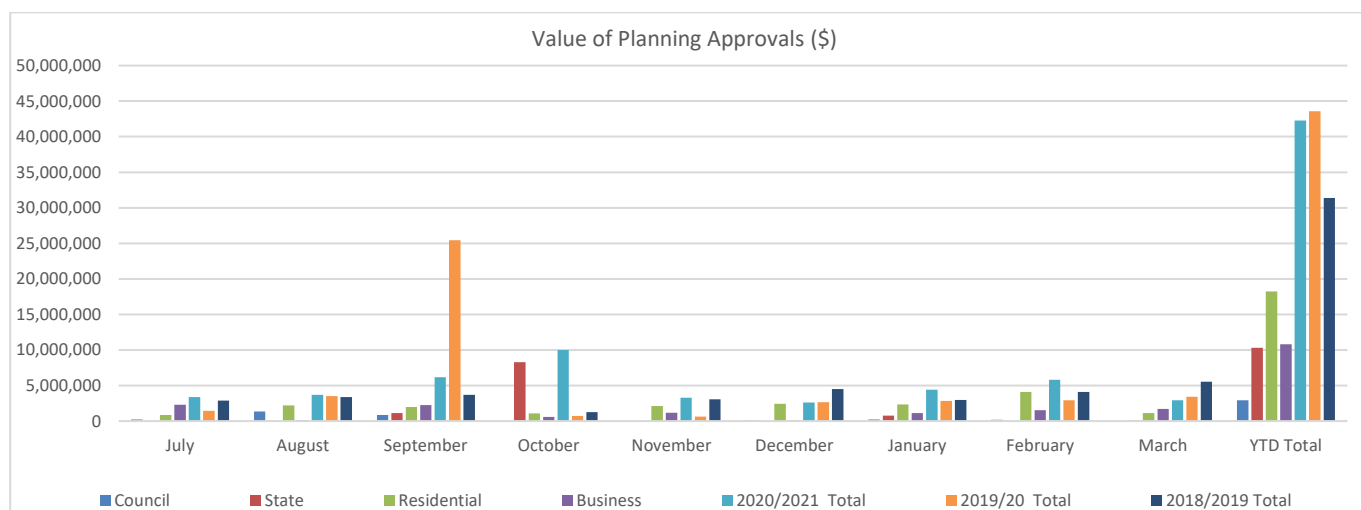
RMPAT DECISIONS					

TPC DECISIONS					

2.2 Value of Planning Approvals

	Council	State	2020/2021			2019/20	2018/2019
			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
November	0	15,000	2,113,000	1,153,226	3,281,226	648,500	3,079,000
December	95,000	0	2,450,240	72,000	2,617,240	2,636,000	4,499,500
January	220,000	766,000	2,322,100	1,105,000	4,413,100	2,830,700	2,965,400
February	160,000	0	4,083,780	1,545,000	5,788,780	2,916,000	4,090,500
March	15,000	92,442	1,117,154	1,690,000	2,914,596	3,425,000	5,537,000
YTD Total	2,927,500	10,305,942	18,225,774	10,818,726	42,277,942	43,563,650	31,391,100
Annual Total						55,891,900	36,482,950

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 26 APRIL 2021



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. 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. Submission of response to post lodgement enquiries made by TPC due 5/2/2021. Meeting held between Council and Commission staff to discuss these matters held 20/1/2021. Response provided to TPC 12/2/2021. TPC requested further clarifications 16/3/2021. Response provided 8/4/2021.
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 an extension to submit further flood modelling work which they did on 29/10/2020. The Commission provided a peer review of Woolcott Surveys submission on 9/12/2020. Reconvened hearing held 9/2/2021. Legal advice regarding flooding provided to TPC 19/2/2021 as requested.
04/2020	PLN-20-0230 - Low Density Residential Land at the south of Longford. Report on representation considered at Council meeting of 27/1/2021. Section 39 report on representation sent to TPC 12/2/2021.
01/2021	PLN-21-0029 - site specific amendment to allow Resource Processing as a permitted use on at 13 Richard Street, in conjunction with a s43 development application for a food freeze drying enterprise. Public notification until 26/4/2021.
RMPAT RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL	
42/21P	PLN-21-0006 - 7 Church Street, Cressy, 3 Multiple Dwellings. Appeal against permit condition.
Decisions received	
TPC	
-	
RMPAT	
23/21P	<p>PLN-20-0287 - Sheepwash Creek realignment between Phillip and Edward Street. Appeal against Council's permit. Preliminary conference held 23/2/2021.</p> <p>7/4/2021 the Tribunal ordered:</p> <p><i>That the decision of the Northern Midlands Council approving development application PLN-20-0287 is set aside and it is directed that a permit is not to be granted.</i></p> <p><i>It is noted that:</i></p> <p><i>(a) the order made reflects the Respondents notification to the Tribunal that it no longer seeks to rely upon the permit to undertake the works proposed by development application PLN-20-0287;</i></p> <p><i>and</i></p> <p><i>(b) the order made by the Tribunal is as a consequence of that fact and not as a result of any merit-based assessment of development application PLN-20-0287 by the Tribunal by reference to the Appellant's Revised Grounds of Appeal or at all.</i></p>

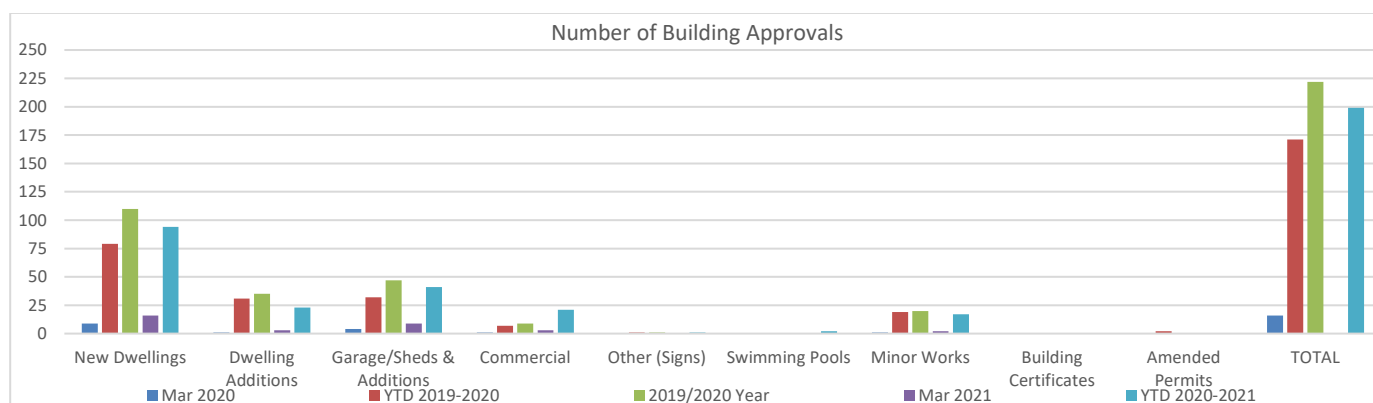
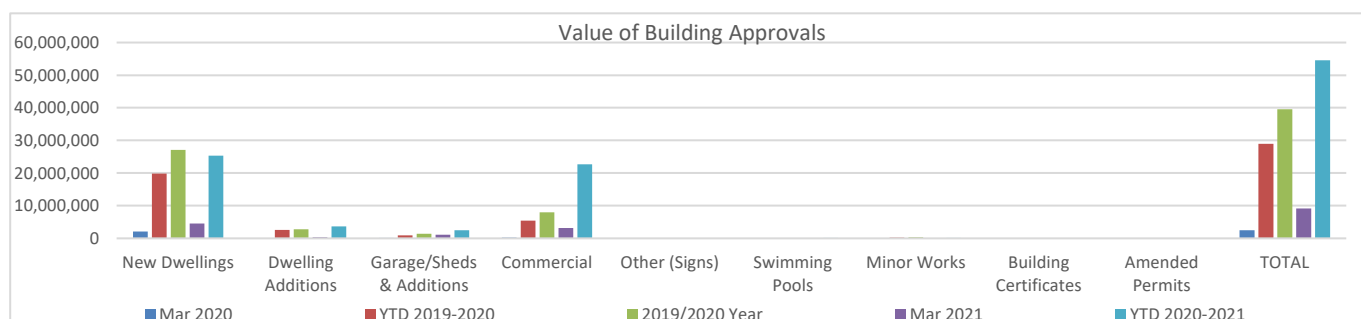
2.4 Building Approvals

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
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NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 26 APRIL 2021

	Mar 2020		YTD 2019-2020		July 2019 - June 2020		Mar 2021		YTD 2020-2021	
	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value
		\$		\$		\$		\$		\$
New Dwellings	9	2,104,236	79	19,879,287	110	27,131,594	16	4,567,332	94	25,369,166
Dwelling Additions	1	38,000	31	2,547,001	35	2,757,001	3	340,000	23	3,658,970
Garage/Sheds & Additions	4	116,000	32	941,142	47	1,394,142	9	1,106,630	41	2,537,830
Commercial	1	200,000	7	5,420,000	9	7,952,000	3	3,169,000	21	22,684,650
Other (Signs)	0	0	1	5,000	1	5,000	0	0	1	12,000
Swimming Pools	0	0	0	0	0	0	0	0	2	104,000
Minor Works	1	5,000	19	219,657	20	287,983	2	15,768	17	173,026
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	0	0	2	0	0	0	0	0	0	0
TOTAL	16	2,463,236	171	29,012,087	222	39,527,720		9,198,730	199	54,539,642
Inspections										
Building	0		1		58		3		30	
Plumbing	26		269		282		18		220	



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	2	19	43
Property owner not home or only recently started			1
Complying with all conditions / signed off		9	21
Not complying with all conditions			
Re-inspection required	1	4	17
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			
No Further Action Required	1	6	4

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

26 APRIL 2021

Building Permit Reviews	This Month	2020/2021	Total 2019/2020
Number of Inspections	2	12	25
Property owner not home or only recently started			
Complying with all conditions / signed off		2	5
Not complying with all conditions			1
Re-inspection required	1	2	6
Building Notices issued			
Building Orders issued			
No Further Action Required	1	8	12

Illegal Works - Building	This Month	2020/21	Total 2019/2020
Number of Inspections	7	20	26
Commitment provided to submit required documentation	3	7	1
Re-inspection required	4	10	6
Building Notices issued	2	5	4
Building Orders issued	1	4	4
Emergency Order		2	
No Further Action Required		3	12

Illegal Works - Planning	This Month	2020/21	Total 2019/2020
Number of Inspections	10	61	77
Commitment provided to submit required documentation	2	7	7
Re-inspection required	7	43	42
Enforcement Notices issued		1	
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued	2	5	5
No Further Action Required	1	11	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
 - 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

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 21 commercial building approvals valued at \$22,684,650 for 2020/21 (year to date), compared to 7 commercial building approval valued at \$5,420,000 (year to date) for 2019/2020.

In total, there were 199 building approvals valued at \$54,539,642 (year to date) for 2020/2021, compared to 171 building approvals valued at \$29,012,087 (year to date) for 2019/20.

RECOMMENDATION

That the report be noted.

DECISION

Cr Goninon/Cr Polley

That the report be noted.

Carried unanimously

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

26 APRIL 2021

143/21 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 March 2021.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 31 March 2021 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-Mar-21 9

A. Operating Income and Expenditure

	Budget	Year to Date Budget	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$11,636,820	-\$11,636,820	-\$11,661,897	\$25	100.2%	
Recurrent Grant Revenue	-\$4,420,090	-\$3,315,068	-\$2,250,852	-\$1,064	67.9%	* Advanced Grants
Fees and Charges Revenue	-\$2,082,551	-\$1,561,913	-\$1,788,326	\$226	114.5%	
Interest Revenue	-\$685,507	-\$514,131	-\$387,763	-\$126	75.4%	
Reimbursements Revenue	-\$88,945	-\$66,709	-\$95,990	\$29	143.9%	
Other Revenue	-\$1,023,018	-\$767,264	-\$750,094	-\$17	97.8%	
	-\$19,936,931	-\$17,861,904	-\$16,934,922	-\$927	94.8%	
Employee costs	\$5,602,482	\$4,201,862	\$4,016,708	\$185	95.6%	
Material & Services Expenditure	\$5,412,895	\$4,059,671	\$3,417,505	\$642	84.2%	
Depreciation Expenditure	\$6,283,369	\$4,712,527	\$4,299,179	\$413	91.2%	
Government Levies & Charges	\$861,522	\$646,142	\$732,978	-\$87	113.4%	
Councillors Expenditure	\$199,210	\$149,408	\$143,140	\$6	95.8%	
Interest on Borrowings	\$272,007	\$204,005	\$254,000	-\$50	124.5%	
Other Expenditure	\$1,730,801	\$1,298,101	\$828,594	\$470	63.8%	Pension rebates for full year
Plant Expenditure Paid	\$524,700	\$393,525	\$394,575	-\$1	100.3%	
	\$20,886,986	\$15,665,240	\$14,086,679	\$1,579	89.9%	
	\$950,055	-\$2,196,665	-\$2,848,243			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$602,390	\$451,793	\$0	\$452	0.0%	
Underlying (Surplus) / Deficit	\$1,552,445	-\$1,744,872	-\$2,848,243			1*
Capital Grant Revenue	-\$11,742,987	-\$8,807,240	-\$1,305,782	-\$7,501	14.8%	
Subdivider Contributions	-\$524,114	-\$393,086	0	-\$393	0.0%	
Capital Revenue	-\$12,267,101	-\$9,200,326	-\$1,305,782			

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

26 APRIL 2021

Budget Alteration Requests

- For Council authorisation by absolute majority

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

Mar

Grant Income Recycling Trailer NTWMG 451071 -\$9,250

Fleet F135 Recycling Trailer Exp NTWMG 700135 \$9,250

Feb

Jan

Dec

See Mid Year Budget Review

Nov

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

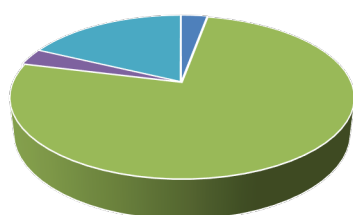
B. Balance Sheet Items

	Year to Date Actual	Monthly Change	Same time last year	Comments
Cash & Cash Equivalents Balance				
- Opening Cash balance	\$16,912,089	\$18,958,065		
- Cash Inflow	\$17,147,117	\$1,481,325		
- Cash Payments	-\$15,673,420	-\$2,053,604		
- Closing Cash balance	\$18,385,786	\$18,385,786		
Account Breakdown				
- Trading Accounts	\$92,943			
- Investments	\$18,292,844			
	\$18,385,786			

Summary of Investments

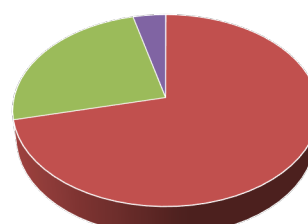
	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value
Tasmanian Public Finance Corporation Call Account	1/03/2021	31/03/2021	0.10	\$5,394	\$5,394
CBA Call Account	1/03/2021	31/03/2021	0.01	\$1,574	\$1,574
CBA Business Online Saver	31/03/2021	31/03/2021	0.20	\$251,152	\$251,152
Westpac Corporate Regulated Interest Account	31/03/2021	31/03/2021	0.35	\$5,650,332	\$5,650,332
My State Financial	25/05/2020	25/05/2021	1.20	\$3,303,434	\$3,343,076
Bank of Us	29/01/2021	29/08/2021	0.45	\$530,957	\$532,345
Westpac - Green Deposit	25/11/2020	28/09/2021	0.45	\$2,000,000	\$2,007,570
Westpac	4/01/2021	4/07/2022	3.37	\$5,500,000	\$5,777,263
Westpac	29/12/2020	29/06/2023	3.30	\$1,050,000	\$1,136,578
Total Investments	0/01/1900	0/01/1900	0.00	\$18,292,844	\$18,705,284

Investments by Institution



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

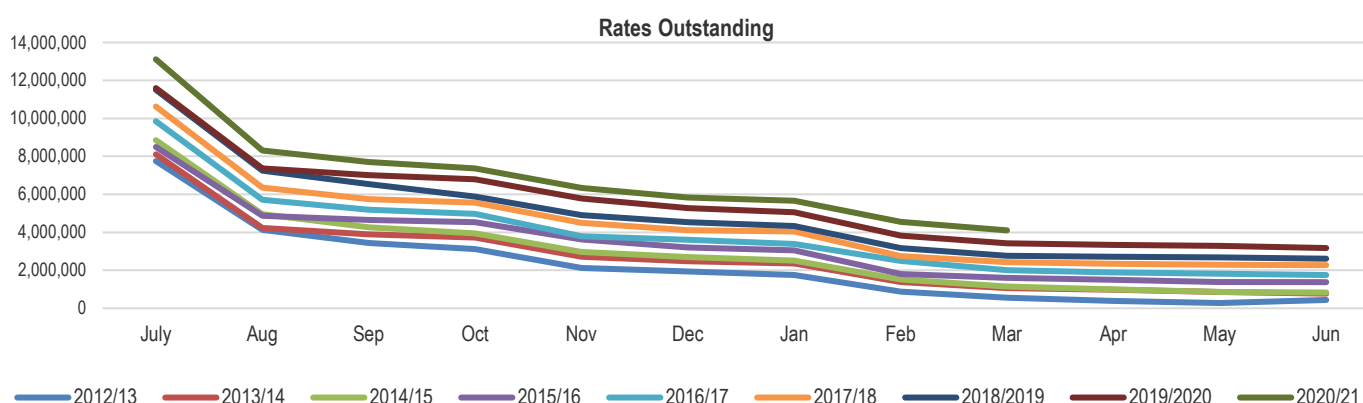
Total Investments by Rating (Standard & Poor's)



■ AA+ ■ AA- ■ AAA ■ Unrated

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 26 APRIL 2021

Rate Debtors	2020/21	% to Raised	Same Time Last Year	% to Raised	
Balance b/fwd	\$2,808,852		\$2,275,315		
Rates Raised	\$11,842,844		\$11,550,467		
	\$14,651,696		\$13,825,783		
Rates collected	\$10,312,096	87.1%	\$10,162,069	88.0%	
Pension Rebates	\$486,428	4.1%	\$457,503	4.0%	
Discount & Remissions	\$58,689	0.5%	\$41,067	0.4%	
	\$10,857,214		\$10,660,640		
Rates Outstanding	\$4,104,808	34.7%	\$3,424,133	29.6%	
Advance Payments received	-\$310,326	2.6%	-\$258,878	2.2%	



Trade Debtors				
Current balance	\$211,177			
- 30 Days	\$157,426			
- 60 Days	\$4,235			
- 90 Days	\$1,176			
- More than 90 days	\$48,340			
Summary of Accounts more than 90 days:				
- Norfolk Plains Book sales	171			Paid by outlet as sold
- Hire/lease of facilities	4,130			
- Removal of fire hazards	7,499			
- Dog Registrations & Fines	17,586			Send to Fines Enforcement
- Private Works	10,849			
- Regulatory Fees	506			
- Govt Reimbursements	7,600			
	-			

C. Capital Program				
	Budget	Actual (\$,000)	Target 75%	Comments
Renewal	\$12,769,060	\$4,867,649	38%	
New assets	\$11,536,909	\$4,048,574	35%	
Total	\$24,305,968	\$8,916,223	37%	
Major projects:				
- Longford Sports Centre stage 2 & carpark	\$940,000	\$691,336	74%	In progress
- Campbell Town Rec Ground Site Works	\$166,500	\$46,513	28%	
- Evandale Rec Ground Amenities	\$929,473	\$891,264	96%	Substantially complete
- Cressy Rec Ground Amenities	\$945,426	\$97,162	10%	Commenced
- Cressy Pool Improvements	\$700,000	\$64,895	9%	Commenced
- Ross Caravan Park units	\$220,000	\$218,603	99%	Complete
- Ross Village Green	\$400,000	\$242,684	61%	In progress
- Sheepwash Creek development	\$1,040,044	\$910,603	88%	In progress
- Green Rises Road reconstruction	\$535,000	\$308,953	58%	In progress
- Macquarie Road reconstruction	\$310,000	\$329,313	106%	Complete
- Bridge 1469 Storys Creek Road	208,000	\$203,683	98%	Complete
- Bridge 1813 Hop Valley Road	192,000	\$192,406	100%	Complete

NORTHERN MIDLANDS COUNCIL












MINUTES – ORDINARY MEETING

26 APRIL 2021















- Bridge 1940 Cressy Road	200,000	\$20,701	10%	Commenced
- Bridge 4519 Verwood Road	112,035	\$121,300	108%	Complete

* Full year to date capital expenditure for 2020/21 provided as an attachment.



D. Financial Health Indicators

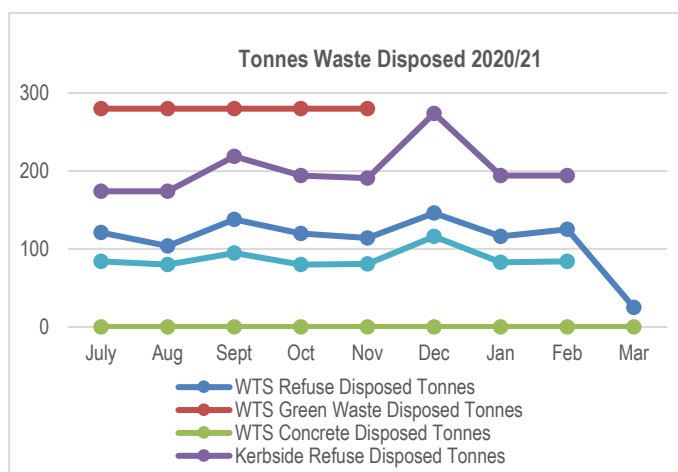
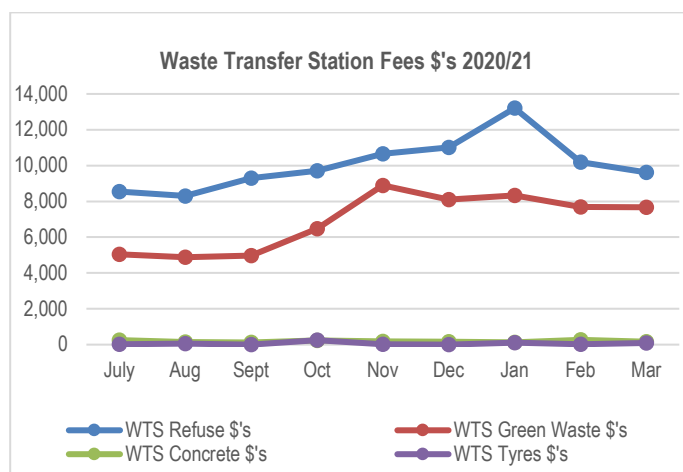
	Target	Actual	Variance	Trend	
Financial Ratios					
- Rate Revenue / Total Revenue	58.4%	68.9%	-10.5%	↘	
- Own Source Revenue / Total Revenue	78%	87%	-8.9%	↘	
Sustainability Ratio					
- Operating Surplus / Operating Revenue	-7.8%	16.8%	-24.6%	↘	
- Debt / Own Source Revenue	47.8%	50.5%	-2.7%	↔	
Efficiency Ratios					
- Receivables / Own Source Revenue	27.8%	23.3%	4.5%	↘	
- Employee costs / Revenue	28.1%	23.7%	4.4%	↗	
- Renewal / Depreciation	203.2%	113.2%	90.0%	↗	
Unit Costs					
- Waste Collection per bin	\$10.53	\$11.97		↔	
- Employee costs per hour	\$46.69	\$39.12		↗	
- Rate Revenue per property	\$1,638.07	\$1,641.60		↔	
- IT per employee hour	\$3.30	\$3.28		↘	

E. Employee & WHS scorecard

	YTD	This Month	
Number of Employees	98	98	
New Employees	23	1	
Resignations	16	6	
Total hours worked	102,665	10,893	
Lost Time Injuries	2	0	
Lost Time Days	2	0	
Safety Incidents Reported	15	0	
Hazards Reported	82	9	
Risk Incidents Reported	7	1	
Insurance claims - Public Liability	1	0	
Insurance claims - Industrial	1	0	
Insurance claims - Motor Vehicle	3	0	
IT - Unplanned lost time	2	0	
Open W/Comp claims	8	0	

F. Waste Management

Waste Transfer Station	2018/19	2019/20	2020/21 Budget Year to Date	2020/21	
Takings					
- Refuse	\$93,411	\$92,611	\$68,836	\$90,565	
- Green Waste	\$52,960	\$50,996	\$36,207	\$62,087	
- Concrete	\$2,376	\$1,551	\$1,133	\$1,666	
			\$0	\$558	
Total Takings	\$152,877	\$142,782	\$106,176	\$154,876	
Tonnes Disposed					
WTS Refuse Disposed Tonnes	\$1,325	1388	1954	1009	
WTS Green Waste Disposed Tonnes	5200	5400	6015	1400	
WTS Concrete Disposed Tonnes	0	0	0	0	
Kerbside Refuse Disposed Tonnes	2217	2326	1806	1614	
Kerbside Recycling Disposed Tonnes	1051	1036	869	703	
Total Waste Tonnes Disposed	\$9,793	10150	10644	4726	



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 March 2021.
- 5.2 Capital Works Report to end March 2021.

RECOMMENDATION

That Council

- i) receive and note the Monthly Financial Report for the period ending 31 March 2021, and
- ii) authorise Budget 2020/21 alterations as listed in item 3.

DECISION

Cr Polley/Cr Goninon

That Council

- i) receive and note the Monthly Financial Report for the period ending 31 March 2021, and
- ii) authorise Budget 2020/21 alterations as listed in item 3.

Carried unanimously

144/21 POLICY REVIEW: CODE OF TENDERING & PROCUREMENT

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 seek Council approval of the amended Code of Tendering & Procurement Policy.

2 INTRODUCTION/BACKGROUND

The Northern Midlands Council Code of Tendering & Procurement has recently been reviewed and amended in relation to 'buy local' principle ensuring that where possible expenditure by Council on goods and services benefit the Tasmanian community.

Attached to this report is a copy of the amended Code of Tendering & Procurement.

Amendments have been made to the schedule below, red typeface and highlighted yellow:

3 PROCUREMENT METHODS

While open and fair competition may often best achieved by undertaking a tender process where all interested parties have an opportunity to bid, there are times when this practice will not deliver the most advantageous outcome for the Council. In such instances, other market approaches may be more appropriate.

The Council will, having regard to the procurement principles and any other factors considered relevant by the Council, in its absolute discretion, determine the appropriate method that will be employed to procure goods and services at any particular time.

An annual purchasing order may be issued for ongoing monthly services (such as electricity, insurance, telecommunications, water & sewer, government levies etc).

Each Council employee has an authorised limit as to procurement expenditure. These limits are reviewed from time to time.

The following table summarises the purchasing method utilised by Council based on the total dollar value of the purchase:

Procurement Value	Minimum Requirement
Under \$5,000	Council purchasing order to be used wherever possible. At least a Northern Midlands business is considered where capability exists. Payment to be made by petty cash, credit card or electronic funds transfer.
\$5,001 to \$10,000	Documented quotation required – of which at least a Northern Midlands business is considered where capability exists. Council purchasing order required. Payment to be made by credit card, or electronic funds transfer.
\$10,001 to \$30,000	2 written quotations required – of which at least one will be sought from a local Northern Midlands business where capability exists. Council Purchase order is required. Payment to be made by credit card, cheque or electronic funds transfer.
Between \$30,001 and \$249,999	3 written quotations required. Where possible, at least three written quotations will be obtained, of which at least two will be sought from a local business where firstly Northern Midlands and secondly Tasmanian capability exists. Council Purchasing order is required. Payment to be made by electronic funds transfer.
\$250,000 and greater	Public Tender

Procurement Value	Minimum Requirement
	<p>Council will advertise each tender at a minimum in the Examiner newspaper. Other advertising may be utilised as required.</p> <p>Each tender will be advertised on Council website.</p> <p>Council will seek at least two tenders from a local business, where firstly Northern Midlands and secondly Tasmanian capability exists.</p> <p>Payment to be made by electronic funds transfer</p>

Note:

All amounts are exclusive of GST.

The prescribed amount pursuant to the Local Government (General) Regulations 2015 is \$250,000.

4.1 NON TENDER – PROCESSES FOR ACQUISITION OF GOODS AND OR SERVICES

4.1.1 DIRECT PURCHASING

This is where Council purchases from a single source, without first obtaining competitive bids.

This method will be used only for low value, low risk goods and services where the Service Provider already has a successful history with the Council.

4 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
 - Money Matters
Core Strategies:
 - ♦ Budgets are responsible yet innovative
 - ♦ Improve community assets responsibly and sustainably
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation

5 POLICY IMPLICATIONS

It is a statutory requirement that Council have a Code of Tendering & Procurement.

6 STATUTORY REQUIREMENTS

6.1 Local Government (General) Regulations 2015

Regulation 28 of the Local Government (General) Regulations 2015 stipulates:

28. Code for tenders and contracts

The code adopted under section 333B of the Act is to –

- (a) promote the following principles:
 - (i) open and effective competition;
 - (ii) value for money;
 - (iii) enhancement of the capabilities of local business and industry;
 - (iv) ethical behaviour and fair dealing; and
- (b) establish and maintain procedures to ensure that all potential suppliers are provided with the same information relating to the requirements of a tender or contract and are given equal opportunity to meet the requirements; and

- (c) *establish and maintain procedures to ensure that fair and equal consideration is given to all tenders or quotations received; and*
- (d) *establish and maintain procedures to deal honestly with, and be equitable in the treatment of, all potential or existing suppliers; and*
- (e) *establish and maintain procedures to ensure a prompt and courteous response to all reasonable requests for advice and information from potential or existing suppliers; and*
- (f) *seek to minimise the cost to suppliers of participating in the tendering process; and*
- (g) *protect commercial-in-confidence information; and*
- (h) *for contracts valued at under \$250 000 (excluding GST), specify when 3 written quotations are required; and*
- (i) *establish and maintain procedures for the use of multiple-use registers for contracts valued at under \$250 000 (excluding GST); and*
- (j) *establish and maintain procedures for reporting by the general manager to the council in relation to the purchase of goods or services in circumstances where a public tender or quotation process is not used; and*
- (k) *establish and maintain procedures for the review of each tender process to ensure that it is in accordance with these regulations and the code; and*
- (l) *establish and maintain procedures for the following:*
 - (i) *amending or extending a tender once it has been released;*
 - (ii) *opening tenders;*
 - (iii) *the consideration of tenders that do not fully conform with the tender requirements;*
 - (iv) *the debriefing of unsuccessful tenderers;*
 - (v) *handling complaints regarding processes related to the supply of goods or services.*

7 FINANCIAL IMPLICATIONS

It is imperative that Council has in place procedures for purchasing goods and services, of any value.

8 RISK ISSUES

Without a Code of Tendering & Procurement, Council will be in breach of its statutory obligations and is also at risk of not being able to control purchases made with Council funds.

9 CONSULTATION WITH STATE GOVERNMENT

Not required at this stage.

10 COMMUNITY CONSULTATION

Not needed for this review.

11 OPTIONS FOR COUNCIL TO CONSIDER

There are two options for Council to consider:

- 1) Adopt the amended Code of Tendering & Procurement; or
- 2) Refuse the amended Code of Tendering & Procurement.

12 OFFICER'S COMMENTS/CONCLUSION

The Code of Tendering & Procurement is based on the model template provided to Council by the Local Government Association of Tasmania. The changes to the Code of Conduct are minimal.



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 26 APRIL 2021

13 ATTACHMENTS

- 13.1 Marked up version of amended Code of Tendering & Procurement
- 13.2 Department of Treasury and Finance – Buy Local Policy

RECOMMENDATION

That Council adopt the amended Code of Tendering & Procurement Policy.

DECISION

Cr Davis/Cr Goss

That Council adopt the amended Code of Tendering & Procurement Policy (include paper trail in purchases under \$5,000).

Carried unanimously

Mr Godier left the meeting at 5.45pm.



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 26 APRIL 2021

145/21 ITEMS FOR THE CLOSED MEETING

DECISION

Cr Goninon/Cr Goss

That Council move into the “Closed Meeting” with the General Manager, Corporate Services Manager, Works Manager, Development Supervisor and Executive Assistant.

Carried unanimously

146/21 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

147/21 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*.

148/21 APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE

As per provisions of Section 15(2)(h) of the *Local Government (Meeting Procedures) Regulations 2015*.

149/21(1) PERSONNEL MATTERS

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015*.

149/21(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

149/21(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

149/21(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



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 26 APRIL 2021

149/21(5) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION
PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

Property Matter

150/21 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*.

Lease Agreement

DECISION

Cr Goninon/Cr Davis

That Council move out of the closed meeting and return to open council meeting following the meal break.

Carried unanimously

Mayor Knowles adjourned the meeting for the meal break at 6.01pm

Mayor Knowles reconvened the meeting after the meal break at 6.45pm at which time Mr Godier returned to the meeting.

151/21 PUBLIC QUESTIONS & STATEMENTS

PUBLIC ATTENDANCE DURING THE COVID-19 DISEASE EMERGENCY DECLARATION

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

The conduct of Council Meetings is currently being undertaken in accordance with the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*. This has necessarily meant that public attendance at meetings has been restricted. Under these arrangements Council meetings have been undertaken remotely via online platforms.

While COVID-19 restrictions remain in place, Council is mindful of the need to ensure community safety and compliance with regard to social distancing and limitations on the number of persons who may gather. This obligation is balanced with the need to minimise disruption to the business of Council.

Council determined that limited public access to Council meetings would be permitted from the Council Meeting scheduled for 14 December 2020.

Attendance of the public will be restricted to those who wish to make representation or present a statement in person at the meeting, preference is to be given to individuals

1. making representations to planning applications which are subject to statutory timeframes (limit of 4 persons per item),
- and
2. those making statements or representations on items listed in the Agenda for discussion (limited to 2 persons).

To ensure compliance with Council's COVID-19 Safety Plan, any person wishing to attend will be required to register their interest to attend, which is to be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the meeting by emailing council@nmc.tas.gov.au or phoning Council on 6397 7303.

On arrival attendees will:

- be required to complete the health declaration section of their registration form to support COVID-19 tracing (in the event that it is necessary); and
- receive direction from council officers (or Council's delegate) in relation to their access to the meeting room.

Access to the Municipal Building will only be permitted until 6.45pm, at which time Public Question Time will commence.

Members of the public who would prefer not to attend the meeting, but would like to ask a question or make a representation to the Council that would normally be heard during Public Question Time, may forward their question/representation to council@nmc.tas.gov.au which is to be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the meeting.

Any questions/representations received will be circulated to Councillors prior to the meeting, tabled at the meeting and recorded in the minutes of the meeting.

These arrangements are subject to review based on any change in circumstance relating to the COVID-19 Disease Emergency.

Council will continue to ensure minutes and audio recordings of Council meetings are available on Council's website.

PUBLIC QUESTIONS AND STATEMENTS

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* makes provision for Public Question Time during a Council meeting.

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

- At each Council Meeting up to 20 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.

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

1 PUBLIC QUESTIONS

No questions were forthcoming from the gallery.

152/21 COUNCIL ACTING AS A PLANNING AUTHORITY

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

DECISION

Cr Goninon/Cr Calvert

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 5.

Carried unanimously

2 STATEMENTS

REPRESENTATIONS ON PLANNING ITEMS

A maximum of 4 persons per item (2 for and 2 against) will be permitted to address Council on a planning item. After the representation has been made, Councillors are permitted to ask questions of the party who made the representation.

Each speaker is limited to a maximum of 3 minutes.

PLAN 1 PLN-21-0060: 6 Zircon Place, Perth

Kelzie Parker, Perth

Ms Parker provided the following statement from which she read

...

We are contesting a building application that is to be on the Council Meeting agenda tonight affecting our new home build.

...the build of an oversized shed to be built right on our front northern shared boundary of 6 Zircon place that will totally block our winter morning sun in our Kitchen, dining, lounge and alfresco areas.

As shown in our plans previously submitted and approved by council all of our main living areas are north facing with the intention to capture all day sun all year round and our plans were originally changed also to capture this.

Our issues if the development is to be approved, currently situated on the block at 6 Zircon Place will cast shadows straight onto our main habitable living areas and block the morning sun in the winter months which the already provided shadow castings diagrams will confirm.

Not getting sunlight at all in the winter morning months in our main living areas will impact on our living conditions for numerous ways, such as;

Our home will not get the sun in the winter mornings where it needs it most to help warm up the house.

The added cost to our electricity bill to heat up our home to compensate for this.

The possibility that mold and condensation could form due to inadequate sunlight.

Our outlook from our habitable living areas would be impacted by only seeing the shed.

And the fact that is well known that everyone wants to have sunlight in their most habitable areas, kitchen, dining, lounge and alfresco which will be the areas affected if the shed was to go ahead being proposed at the moment.

We have already started our build and is well underway our plans obviously cannot be changed to allow us to relocate our house to have enough sunlight isn't obviously a possibility for us anymore.

We are not opposed to the shed being built but asking it be situated in a more practical place in line with most residential areas at the back of the property and downsized not affecting any habitable neighbors living conditions and environment after all this is a shed not a living space.

I hope consideration can be taken into account that this is our home and a place where the rooms that are affected we will be spending the majority of time with our friends and family and as much as a shed is important it shouldn't be a factor to disrupt our quality of living.

Being a young couple and first home builders and buyers with the intention of this being our forever family home I hope our concerns can be appreciated.

...

Ashley Brook, 6ty° (for the applicant)

Mr Brook, on behalf of the applicant, advised/noted as follows:

- that a planning permit was required for the shed due to the variation required to the side setback
- the shed was 1m longer than the requirement of the acceptable solution, the shed being 10m in length
- the representors property is located directly south of the proposed shed site, so some overshadowing is inevitable
- shadow diagrams were provided in response to concerns raised in the representation, and include the shadow of the 1.8m high fence constructed along the shared boundary
- on 21 June the shadow would only impact on the northern wall of the representors dwelling
- the scale and setback of the proposed shed is consistent with others in the area
- in relation to noise concerns, the shed is to be used for residential purposes

Council's Development Services Supervisor confirmed that the length of the shed was 1m longer than that required to meet the acceptable solution

PLAN 3 PLN-20-0322: 40 Fairtlough Street, Perth

Phil Berwick, Perth

Mr Berwick referred to the objections already submitted, the reasons for the objections and advised/noted further that

- the property which he owns is a lifestyle property
- the property is situated amongst similar properties occupied by likeminded people
- the value of the property is due to its size and that of neighbouring properties
- the impacts of the subdivision on existing properties will be noise, stormwater and traffic.

Damian Smith, Perth

Mr Smith advised/noted that

- his principle concern relates to stormwater
- there is considerable surface stormwater run-off during rain events
- the applicants property is situate behind other properties and it is proposed that the trenching of stormwater will alleviate the stormwater run-off
- the varied soil and rock compositions in the area result in water subsiding and re-emerging elsewhere, raising concerns that the stormwater may re-emerge some distance away in other properties and under building slabs
- the blasting of rock at the time of construction of the new highway had caused considerable damage to his home
- he is concerned that further subdivision of the existing large blocks will occur, which would not be supported by the existing infrastructure.

Carlton Dixon (applicant)

Mr Dixon spoke in support of his application, he advised/noted that

- in 2020 Council supported his DA to subdivide the land adjacent to this property into two 5,000m² blocks
- approval is sought to subdivide this property into two 8,000m² blocks
- consultants were engaged to provide reports to confirm compliance with the Planning Scheme
- the Council officer's report recommends approval
- some of the objections raised in submissions are not related to planning matters and other matters have been addressed by consultants' reports
- the site is zoned low density
- there is currently a high demand for properties of 5,000m² and larger

153/21 PLANNING APPLICATION PLN-21-0060: 6 ZIRCON PLACE, PERTH

File Number: 117000.06; CT 179919/7
Responsible Officer: Des Jennings, General Manager
Report prepared by: Erin Miles, Development Supervisor

1 INTRODUCTION

This report assesses an application for 6 Zircon Place, Perth to construct a Shed (ancillary to residential use at 61 Mulgrave St, Perth; vary side [S] setback).

2 BACKGROUND

Applicant:

Aaron Barnett (6ty)

Owner:

Geoffrey Lawrence & Melinda Elise McGregor

Zone:

General Residential Zone

Codes:

Car Parking and Sustainable Transport Code

Classification under the Scheme:

Discretionary

Existing Use:

Residential

Deemed Approval Date:

30.04.2021

Recommendation:

Approve

Discretionary Aspects of the Application

- Reliance on the performance criteria of the development standards of the General Residential Zone – Southern side setback.

Planning Instrument: Northern Midlands Interim Planning Scheme 2013, Version 34, Effective from 19th March 2021.

Preliminary Discussion

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

Subject site



3 STATUTORY REQUIREMENTS

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

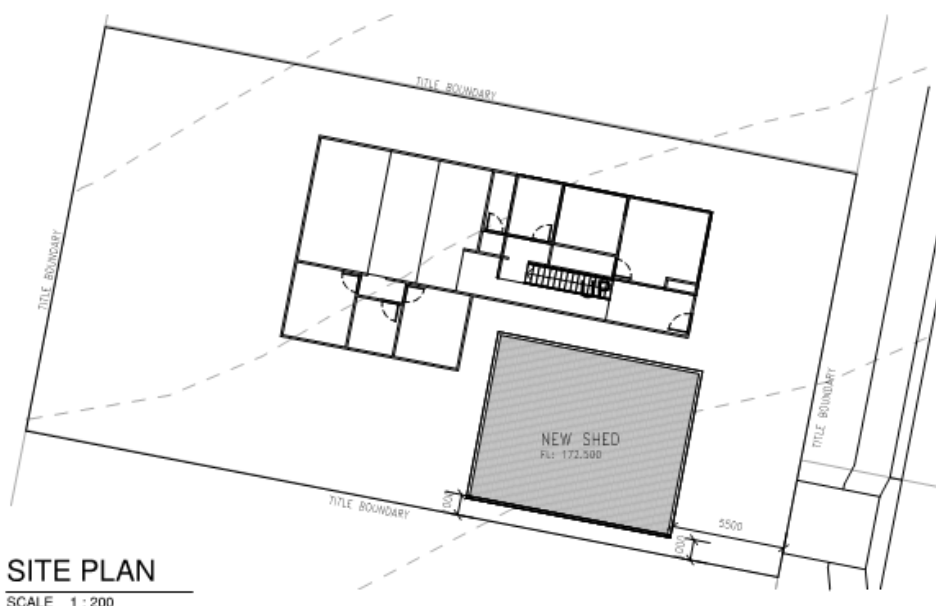
4 ASSESSMENT

4.1 Proposal

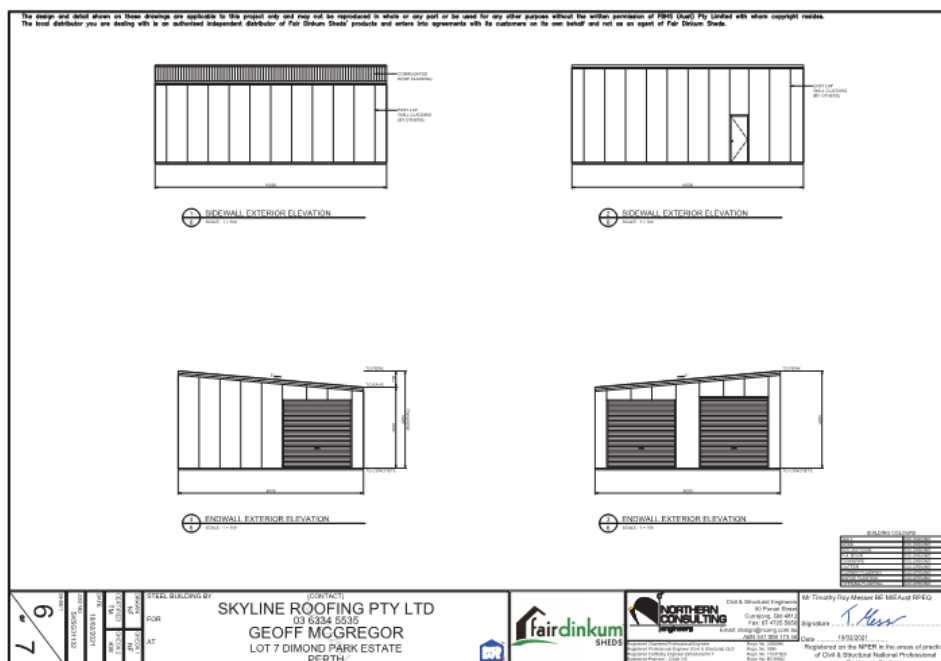
It is proposed to:

- Construct a Shed (ancillary to residential use at 61 Mulgrave St, Perth; vary side [S] setback).

Site Plan

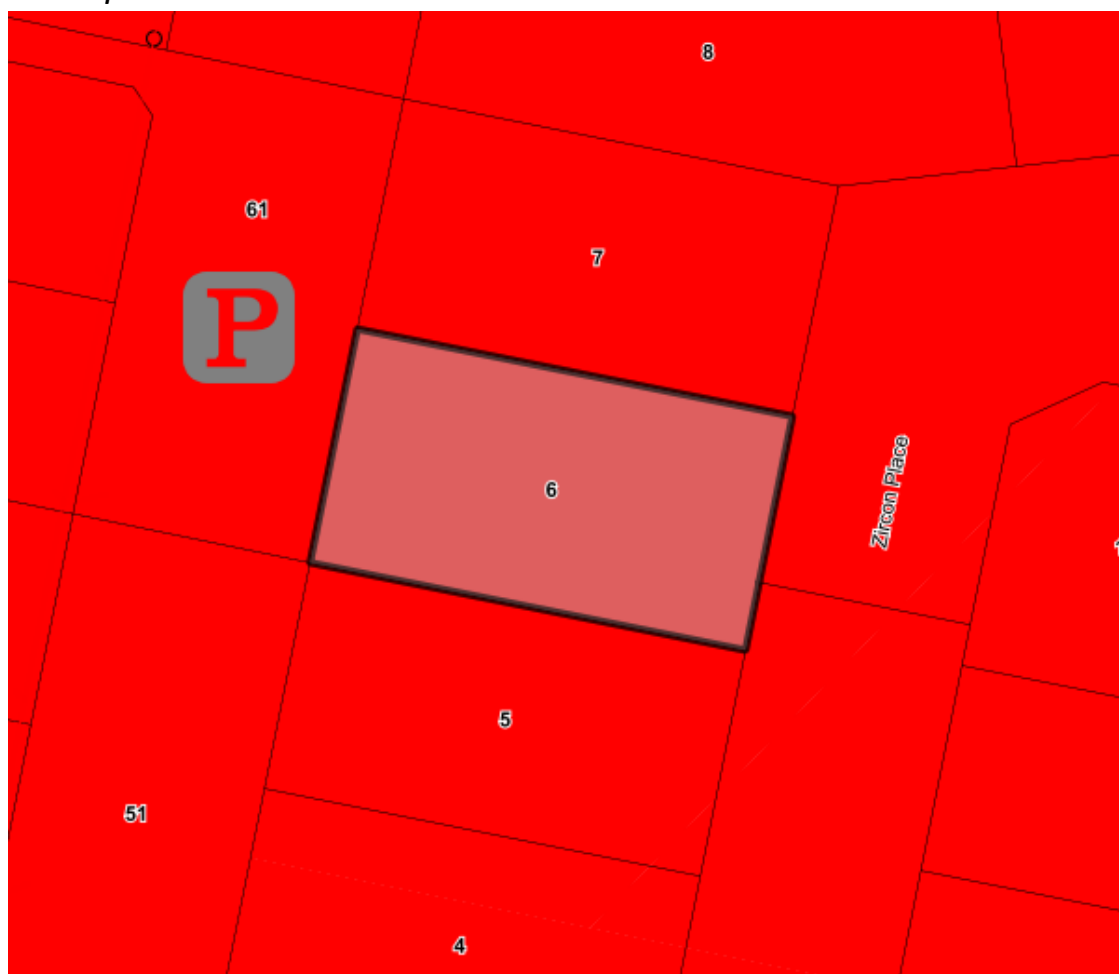


Elevations



4.2 Zone and land use

Zone Map – General Residential Zone



The land is zoned General Residential and is not within any special areas.

The relevant Planning Scheme definitions are:

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

Residential (single dwelling) is a 'no permit required' use in the zone; however, due to a variation to the southern side setback, the application became discretionary.

4.3 Subject site and locality

The author of this report carried out a site visit on the 23rd March 2021. The subject site is a 743m² rectangular lot, that is currently vacant, but rated contiguously with the single dwelling at 61 Mulgrave Street, Perth, which borders the lot to the rear. Adjacent lots contain mainly single dwellings or are soon to be under construction for residential uses.

Aerial photograph of area



Photographs of subject site





4.4 Permit/site history

Relevant permit history includes:

- Nil (vacant site)

4.5 Representations

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

- Kelzie Parker & Joseph Lowe, 5 Zircon Place, Perth.

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



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

Issue 1

- Loss of solar access and amenity to living areas of future dwelling.

Planner's comment:

Shadow Diagrams were provided by the applicant, in response to the representor's concerns, which show the amount of shadow cast by the proposed shed. The proposed dwelling at number 5 Zircon Place is to be located 5.7m from the common (northern) boundary, with the dwellings kitchen, living, dining and alfresco areas on the north western side. The remaining windows on the northern wall are to utility rooms. The shadow diagrams show that overshadowing of the northern wall would be experienced at 9am on the 21st June, but by midday, the shadowing will be almost at ground level.

Issue 2

- Loss of outlook to the north

Planner's comment:

The proximity of the shed to the southern side boundary is 0.5m closer than the acceptable solution allows for under the General Residential Zone provisions. A 1m setback does not easily allow for the establishment of screening vegetation between the dwelling and the shed; however, this could be established on the northern boundary of #5 to screen the proposed shed. The wall height on the southern boundary is proposed to be 3.5m, which is not untypical in a residential environment. The shed is proposed to be adjacent to 26.9% of the southern boundary of the subject site (common boundary with representor).

Issue 3

- Potential usage of shed and noise levels

Planner's comment:

The future use of the shed may be conditioned, if a permit is issued, to be associated with a residential use. It is proposed that the shed will be used ancillary to the established residential use at 61 Mulgrave Street, Perth.

4.6 Referrals

The application did not require any referrals.

4.7 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE		
ZONE PURPOSE		
<i>To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</i>		
<i>To provide for compatible non-residential uses that primarily serve the local community.</i>		
<i>Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off-site impacts.</i>		
<i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i>		
Assessment: The proposal meets the zone purpose.		
LOCAL AREA OBJECTIVES		
<i>To consolidate growth within the existing urban land use framework of the towns and villages.</i>		
<i>To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.</i>		
<i>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</i>		
Assessment: The proposal meets the local area objectives.		
PRECIS OF DEVELOPMENT STANDARDS FOR SINGLE DWELLINGS		
10.4.2 Setback and building envelopes for dwellings		
	A1	Unless within a building area, then
N/a	(a)	4.5m from primary frontage; or not less than existing dwelling on site; OR
N/a	(b)	3m to secondary frontage; or not less than existing dwelling on site; OR
N/a	(b)	if vacant lot, setback which is not more or less than dwellings on immediately adjoining lots; OR
N/a	(c)	not less than the existing dwelling setback if less than 4.5m; OR
N/a	(d)	as per road setback specified in Planning Scheme
	A2	Garage or carport to be set back:
✓	(a)	5.5m from primary frontage or 1m behind the façade, OR
N/a	(b)	The same as the dwelling façade if under dwelling
N/a	(c)	1m if gradient > 1:5 for 10m from frontage
	A3	Dwellings (excluding minor protrusions extending to 1.5m)
✓	(a)	to be within building envelope
	(i)	frontage setback (as above), or 4.5m from rear boundary of adjoining frontage lot for internal lot

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

26 APRIL 2021

		(ii) 45 degrees from the horizontal at a height of 3m above natural ground level, and max height 8.5m AND
	✓	(b) 1.5m side and rear setback or built to the boundary (existing boundary wall within .2m of boundary or; 9m or ½ of the side boundary, whichever is lesser)
10.4.3 Site coverage and private open space for dwellings		
	✓	A1 (a) max. site coverage of 50% (excluding eaves)
	✓	A2 (a) POS of 24m² in one location
	✓	(b) horizontal dimension of 4m; AND
	✓	(c) between dwelling and frontage only if frontage is orientated between 30 degrees west of north and 30 degrees east of north; AND
	✓	(d) not steeper than 1:10, AND
10.4.4 Sunlight and overshadowing		
10.4.5 Width of openings for garages and carports		
	✓	A1 Garage or carport within 12m of a primary frontage (whether free-standing or not), total width of openings facing frontage of < 6m or half the width of the frontage (whichever is lesser).
10.4.6 Privacy		
	N/a	A1 Balconies, decks, carports etc. OR windows/glazed doors to a habitable room, more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary – 3m (b) rear boundary – 4m A2 Window or glazed door to be offset 1.5m from neighbour's window, OR sill height 1.7m above floor level, OR obscure glazing to 1.7m OR external screen to 1.7m
10.4.7 Frontage fences for single dwellings		
	N/a	A1 Applies to maximum building height of fences on and within 4.5m of a frontage
	N/a	(a) 1.2m if solid; OR
	N/a	(b) 1.8m if above 1.2m has openings which provide a minimum 50% transparency
Easements		
	✓	No construction over an easement

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

P3	
The siting and scale of a dwelling must:	
(a)	not cause an unreasonable loss of amenity to adjoining properties, having regard to:
(i)	reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;
(ii)	overshadowing the private open space of a dwelling on an adjoining property;
(iii)	overshadowing of an adjoining vacant property; or
(iv)	visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;
(b)	provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and
(c)	not cause an unreasonable reduction in sunlight to an existing solar energy installation on:
(i)	an adjoining property; or
(ii)	another dwelling on the same site.

Comment

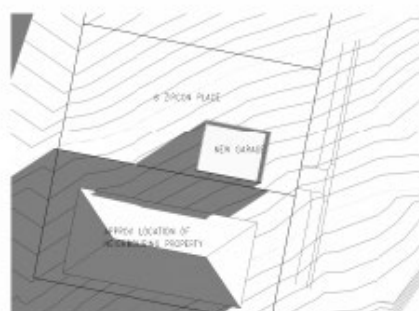
It is considered that the variation to the side setback meets the performance criteria (a) as it will not cause an unreasonable loss of amenity to adjoining properties, due to reduction in sunlight to a habitable room, overshadowing of private open space or visual impacts. Shadow Diagrams were provided by the applicant, in response to the representor's concerns, which show the amount of shadow cast by the proposed shed. The proposed dwelling at number 5 Zircon Place is to be located 5.7m from the common (northern) boundary, with the dwellings kitchen, living, dining and alfresco areas on the north western side. The remaining windows on the northern wall are to utility rooms. The shadow diagrams show that overshadowing of the northern wall would be experienced at 9am on the 21st June, but by midday, the shadowing will be almost at ground level.

The wall height on the southern boundary is proposed to be 3.5m (the lower side of the skillion roof line) which is not untypical in a residential environment. The shed is proposed to be adjacent to 26.9% of the southern boundary of the subject site (common boundary with representor).

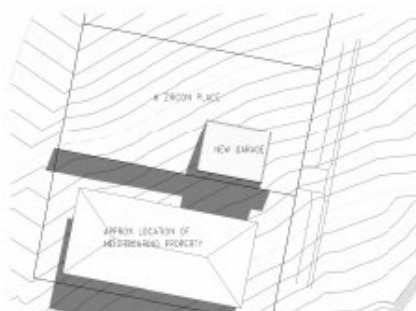
b) Given the site is located within a new subdivision that has only been partially developed, the separation between dwellings is difficult to establish for properties within Zircon Place. The separation between dwellings/outbuildings is consistent with that existing on established properties in Mulgrave Street, to the west of the subject site.

c) The proposed shed will not cause unreasonable reduction in sunlight to an existing solar energy installation on an adjoining property or another dwelling on the same site, as the shadow will not cast across a roof area or ground mounted solar installation. There are no other dwellings on the site.

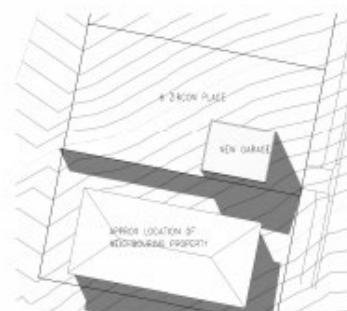
Shadow Diagrams for proposed shed (21st June)



JUNE 21 - 9AM
SCALE 1:500



JUNE 21 - 12PM
SCALE 1:500



JUNE 21 - 3PM
SCALE 1:500



JUNE 21 - 9AM
SCALE



JUNE 21 - 12PM
SCALE



JUNE 21 - 3PM
SCALE

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	N/a
E5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – No change to existing parking arrangements associated with dwelling at 61 Mulgrave St, Peth, or intensification of parking requirements. Compliant parking is also available on the subject site, within the proposed garage and associated driveway.
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

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



NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

26 APRIL 2021

SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	N/a
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	N/a
STATE POLICIES	
The proposal is consistent with all State Policies.	
OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993	
The proposal is consistent with the objectives of the <i>Land Use Planning & Approvals Act 1993</i> .	
STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES	
Strategic Plan 2017-2027 <ul style="list-style-type: none">Statutory Planning	

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on the performance criteria of the development standards of the General Residential Zone – southern side setback.

The proposal is considered compliant with the performance criteria at clause 10.4.2 (P3), which looks at the impact of overshadowing, visual impacts and character of separation between buildings.

A representation was received, raising concern about overshadowing and their outlook to the proposed shed. The applicant has provided shadow diagrams to assist in determining the level of impact on the representors property.

Conditions that relate to any aspect of the application can be placed on a permit. The proposal will be conditioned to be used and developed in accordance with the proposal plans, and the existing residential use it is associated with.

8 ATTACHMENTS

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

RECOMMENDATION

That land at 6 Zircon Place, Perth be approved to be developed and used for a Shed (ancillary to residential use at 61 Mulgrave St, Perth; vary side [S] setback) in accordance with application PLN-21-0060, and subject to the following condition:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P6** (*Architectural Drawings* -

Drawing No: M201023, Sheet No's: Cover Page – 24.02.2021, Ap01 – 24.02.2021, Ap03 – 24.02.2021, Ap04 (note: house layout for example purposes only) – 05-05-2021, & Ap05 19.04.2021 & Shed Elevations – Job No. SKSG31132, sheet 6, dated: 19.02.2021) & D1 (Letter from GL & ME McGregor, dated 9.3.2021 regarding use of shed).

2 Use of building

The use of the outbuilding is not permitted for human habitation and is limited to domestic storage and related domestic activities only.

DECISION

Cr Davis/Cr Goninon

That the application to develop land at 6 Zircon Place, Perth be rejected, due to the following:

- No house is currently constructed on the property that would prevent the shed complying with the setback requirement of clause 10.4.2.
- The shed can be relocated to comply with the planning scheme requirement of clause 10.4.2 to reduce impact of overshadowing on the property to the south.

Carried

Voting for the motion:

Mayor Knowles, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Goss

Voting against the motion:

Cr Polley

**154/21 PLANNING APPLICATION PLN-21-0053: 2A FORE STREET AND
48 CLARENCE STREET PERTH – PERTH EARLY LEARNING CENTRE**

File Number: 105000.015; CT 176433/1&2
Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Danielle Gray, Planning Consultant

1 INTRODUCTION

This report assesses an application for 2A Fore St & 48 Clarence St, Perth to construct the Perth Early Learning Centre.

2 BACKGROUND

Applicant:
N2SH Design Studio – Hobart

Owner:
Northern Midlands Council

Zone:
General Residential Zone

Codes:
Road and Railway Assets Code
Car Parking and Sustainable Transport Code

Classification under the Scheme:
Discretionary

Existing Use:
Vacant

Deemed Approval Date:
01 May 2021

Recommendation:
Approve

Discretionary Aspects of the Application

- Table 10.2 Use Table for the General Residential zone states that Educational and Occasional Care is a Discretionary use
- Clause 10.3.1.A1 and A3 Amenity for Discretionary uses
- Clause E4.6.1 A2 for more than a total of 40 vehicle entry and exit movements per day

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 34, Effective from 19 March 2021.*

Preliminary Discussion

Council staff have held preliminary discussions with the representor regarding the concerns outlined in their letter of representation.

Subject site (view looking east of the subject site from the Fore Street entrance)



3 STATUTORY REQUIREMENTS

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

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

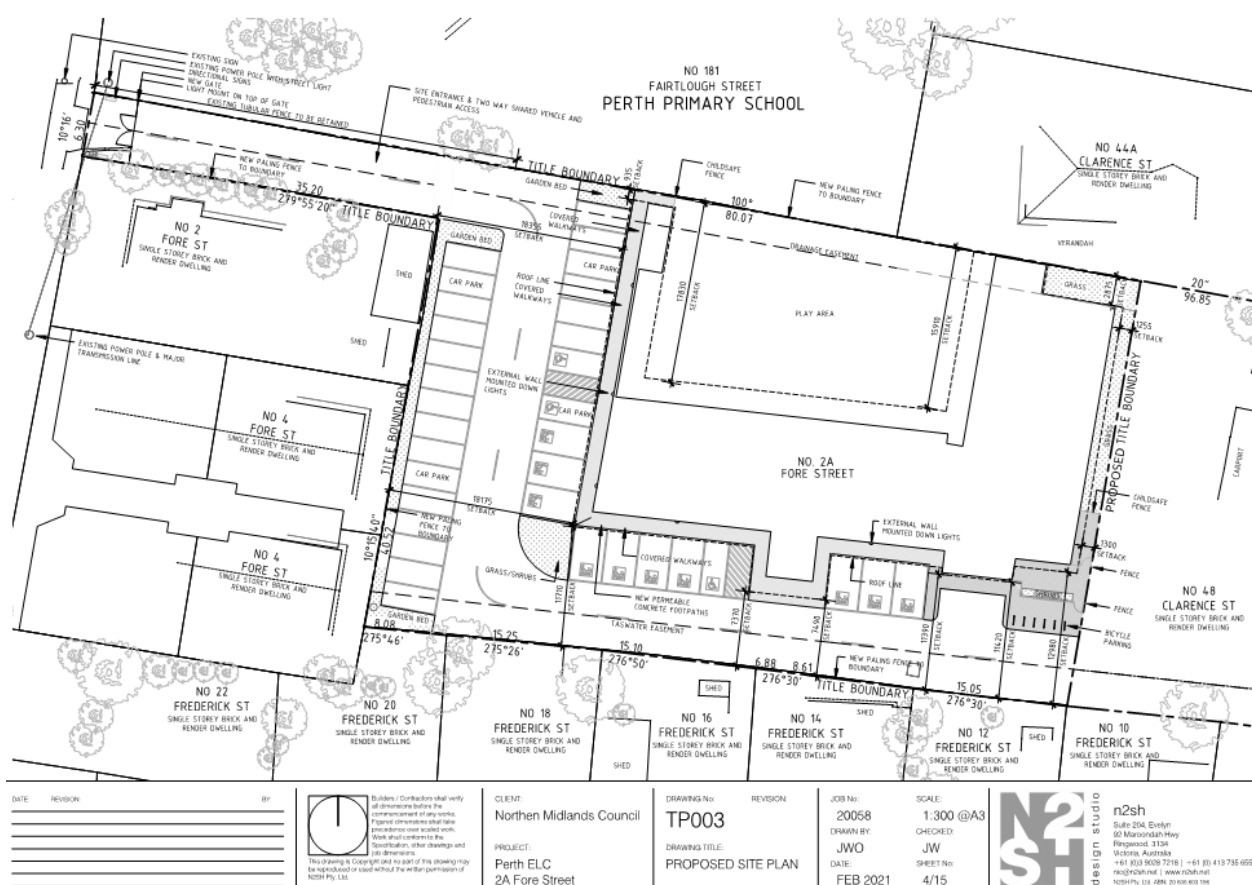
4 ASSESSMENT

4.1 Proposal

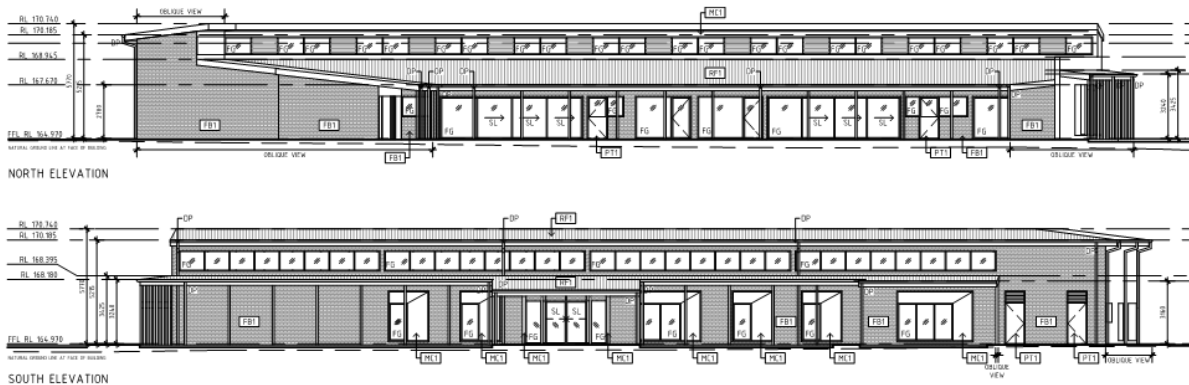
It is proposed to:

- Construct an Early Learning Centre (child care centre) and associated car parking.

Site Plan



Elevations – North/South



LEGEND

- | | |
|--|---|
| [BFT] CORRUGATED METAL ROOF
PROFILE: LYSAGHT SPANDEK
FINISH: DULUX COLORBOND MONUMENT | FENCES NOT SHOWN FOR CLARITY
REFER PROPOSED SITE PLAN FOR EXTENT |
| [CFL] COLORBOND FLAT SHEET METAL CLADDING
TO WINDOW FEATURE SURROUNDS
FINISH: DULUX COLORBOND MONUMENT | POWDERCOATED ALUMINIUM WINDOW
FRAMES TO FACE BRICK
FINISH: DULUX COLORBOND MONUMENT |
| [FBI] AUSTRAL BRICKS
INDUSTRIAL RANGE
COLOUR: ALLOY | POWDERCOATED ALUMINIUM FASCIA'S, GUTTERS,
DOWNPIPES, CAPPING AND FLASHINGS
FINISH: DULUX COLORBOND MONUMENT |
| [FSL] TIMBER PALING FENCE | ALL EXPOSED STEELWORK TO VERANDAH
AND COVERED WALKWAY TO BE PAINTED
FINISH: DULUX COLORBOND MONUMENT |
| [FST] POWDERCOATED STEEL FENCE TO
ASTM A 1025-1 2007 CHILD-SAFE DESIGN
FINISH: DULUX COLORBOND MONUMENT | SL SLIDING DOOR, GLAZED |
| [PFI] PAINT FINISH TO EXTERNAL DOORS
COLOUR: DULUX CHESSEA | FG FIXED GLAZING |
| | DP DOWN PIPE |

DATE	REVISION	BY



CLIENT:
NORTHERN MIDLANDS COUNCIL

PROJECT:
PERTH ELC
2A FORE STREET

DRAWING No:
TP 601

REVISION:
DRAWING TITLE:
PROPOSED EXTERNAL ELEVATIONS

JOB No:
20058

SCALE:
1:150 @A3

DRAWN BY:
SG

CHECKED:
JW

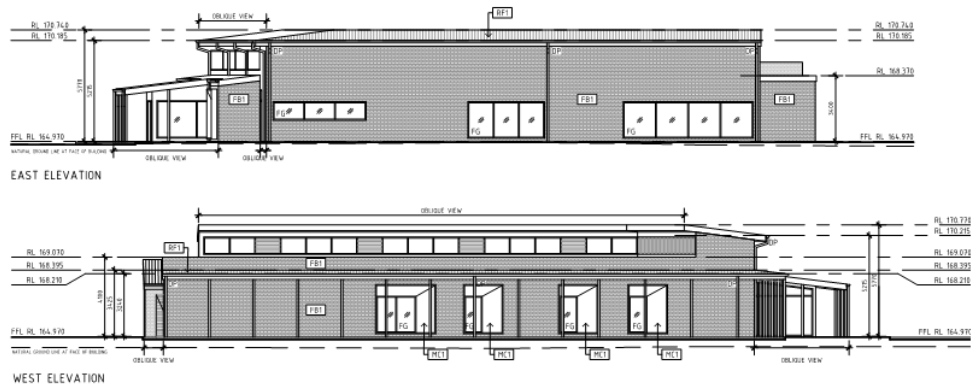
DATE:
FEB 2021

SHEET No:
7/15

N2SH design studio

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Victoria, Australia
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info@n2sh.net | www.n2sh.net
N2SH Pty Ltd ABN 20 169 655 198

Elevations – East/West



LEGEND

- | | |
|--|---|
| [BFT] CORRUGATED METAL ROOF
PROFILE: LYSAGHT SPANDEK
FINISH: DULUX COLORBOND MONUMENT | FENCES NOT SHOWN FOR CLARITY
REFER PROPOSED SITE PLAN FOR EXTENT |
| [CFL] COLORBOND FLAT SHEET METAL CLADDING
TO WINDOW FEATURE SURROUNDS
FINISH: DULUX COLORBOND MONUMENT | POWDERCOATED ALUMINIUM WINDOW
FRAMES TO FACE BRICK
FINISH: DULUX COLORBOND MONUMENT |
| [FBI] AUSTRAL BRICKS
INDUSTRIAL RANGE
COLOUR: ALLOY | POWDERCOATED ALUMINIUM FASCIA'S, GUTTERS,
DOWNPIPES, CAPPING AND FLASHINGS
FINISH: DULUX COLORBOND MONUMENT |
| [FSL] TIMBER PALING FENCE | ALL EXPOSED STEELWORK TO VERANDAH
AND COVERED WALKWAY TO BE PAINTED
FINISH: DULUX COLORBOND MONUMENT |
| [FST] POWDERCOATED STEEL FENCE TO
ASTM A 1025-1 2007 CHILD-SAFE DESIGN
FINISH: DULUX COLORBOND MONUMENT | SL SLIDING DOOR, GLAZED |
| [PFI] PAINT FINISH TO EXTERNAL DOORS
COLOUR: DULUX CHESSEA | FG FIXED GLAZING |
| | DP DOWN PIPE |

DATE	REVISION	BY



CLIENT:
NORTHERN MIDLANDS COUNCIL

PROJECT:
PERTH ELC
2A FORE STREET

DRAWING No:
TP602

REVISION:
DRAWING TITLE:
PROPOSED EXTERNAL ELEVATIONS - EAST & WEST

JOB No:
20058

SCALE:
1:150 @A3

DRAWN BY:
SG

CHECKED:
JW

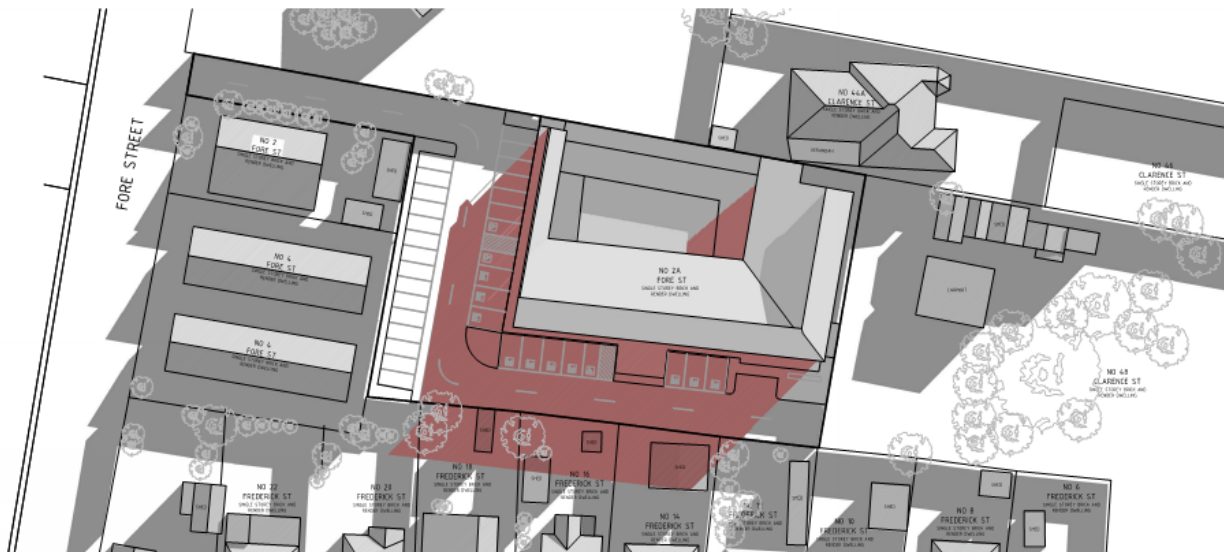
DATE:
FEB 2021

SHEET No:
8/15

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Shadow Diagrams



9AM JUNE 21 SHADOW

NEW SHADOW

DATE	REVISION	BY



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CLIENT:
Northern Midlands Council

PROJECT:
Perth ELC
2A Fore Street

DRAWING No: TP800

DRAWING TITLE:
SHADOW DIAGRAM
9am 21st June

JOB No: 20058

DRAWN BY: JWO

DATE: JAN 2021

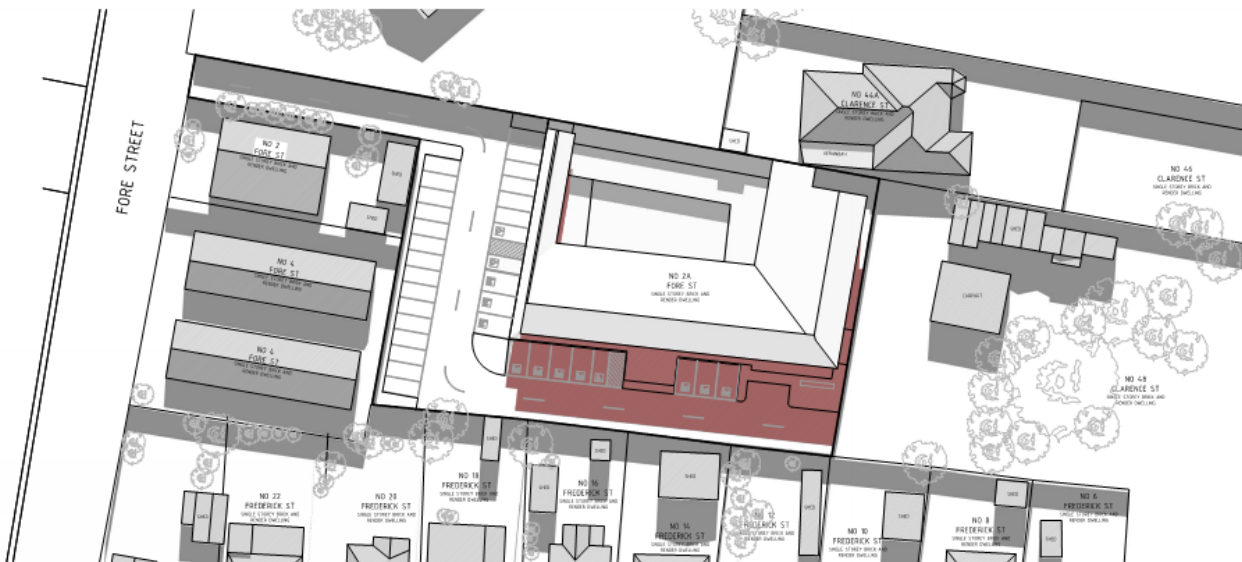
SCALE: 1:500 @A3

CHECKED: JW

SHEET No: 10/15



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N2SH Pty. Ltd. ABN 20 606 803 106



12NOON JUNE 21 SHADOW

NEW SHADOW

DATE	REVISION	BY



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CLIENT:
Northern Midlands Council

PROJECT:
Perth ELC
2A Fore Street

DRAWING No: TP801

DRAWING TITLE:
SHADOW DIAGRAM
12noon 21st June

JOB No: 20058

DRAWN BY: JWO

DATE: JAN 2021

SCALE: 1:500 @A3

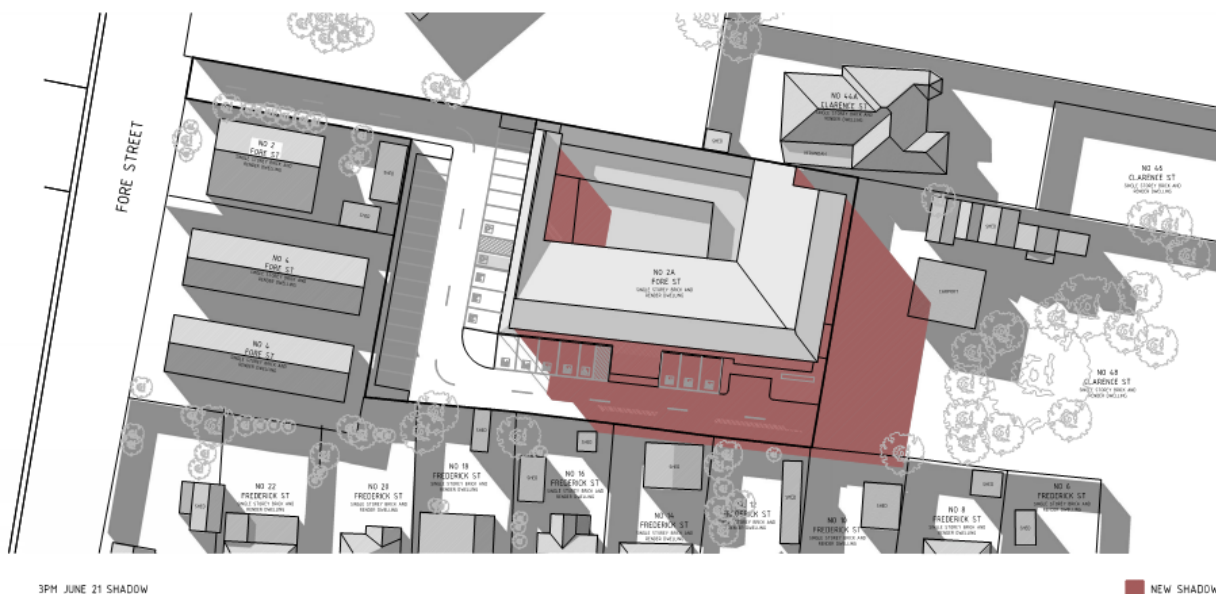
CHECKED: JW

SHEET No: 11/15




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N2SH Pty. Ltd. ABN 20 606 803 106

NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 26 APRIL 2021



DATE: _____	REVISION: _____	BY: _____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



Buildings / Contractors shall verify all dimensions before the commencement of any works. If ground dimensions shall have precedence over scaled work. Work shall conform to the Specifications, other drawings and all dimensions.
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CLIENT: Northern Midlands Council

PROJECT: Perth ELC
2A Fore Street

DRAWING No: TP802

DRAWING TITLE: SHADOW DIAGRAM
3pm 21st June

JOB No: 20058


DRAWN BY: JWO

DATE: JAN 2021

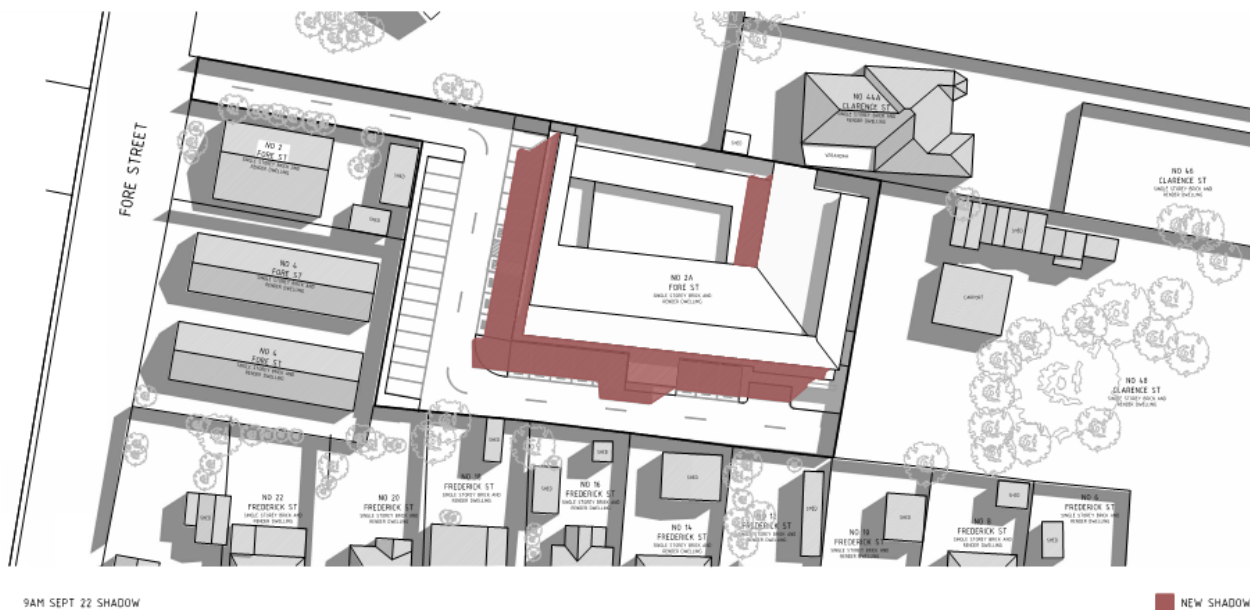
SCALE: 1:500 @A3

CHECKED: JW

SHEET No: 12/15



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N2SH Pty. Ltd. ABN 201606103198



DATE: _____	REVISION: _____	BY: _____
_____	_____	_____
_____	_____	_____
_____	_____	_____
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Buildings / Contractors shall verify all dimensions before the commencement of any works. If ground dimensions shall have precedence over scaled work. Work shall conform to the Specifications, other drawings and all dimensions.
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CLIENT: Northern Midlands Council

PROJECT: Perth ELC
2A Fore Street

DRAWING No: TP803

DRAWING TITLE: SHADOW DIAGRAM
9am 22nd September

JOB No: 20058

DRAWN BY: JWO

DATE: JAN 2021

SCALE: 1:500 @A3

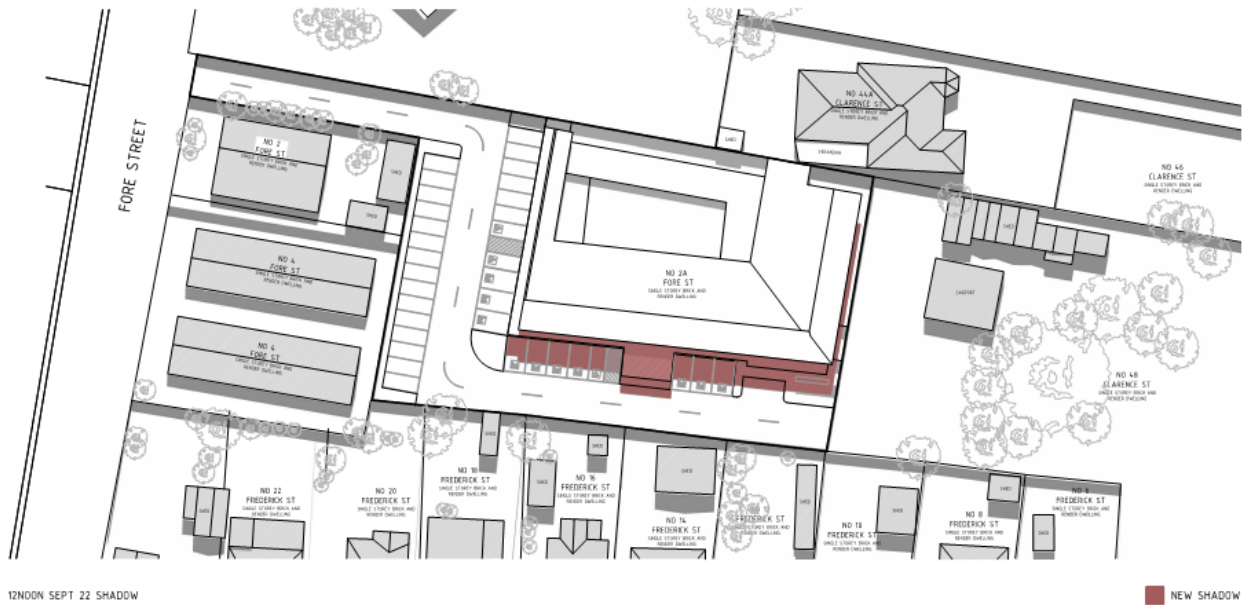
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SHEET No: 13/15

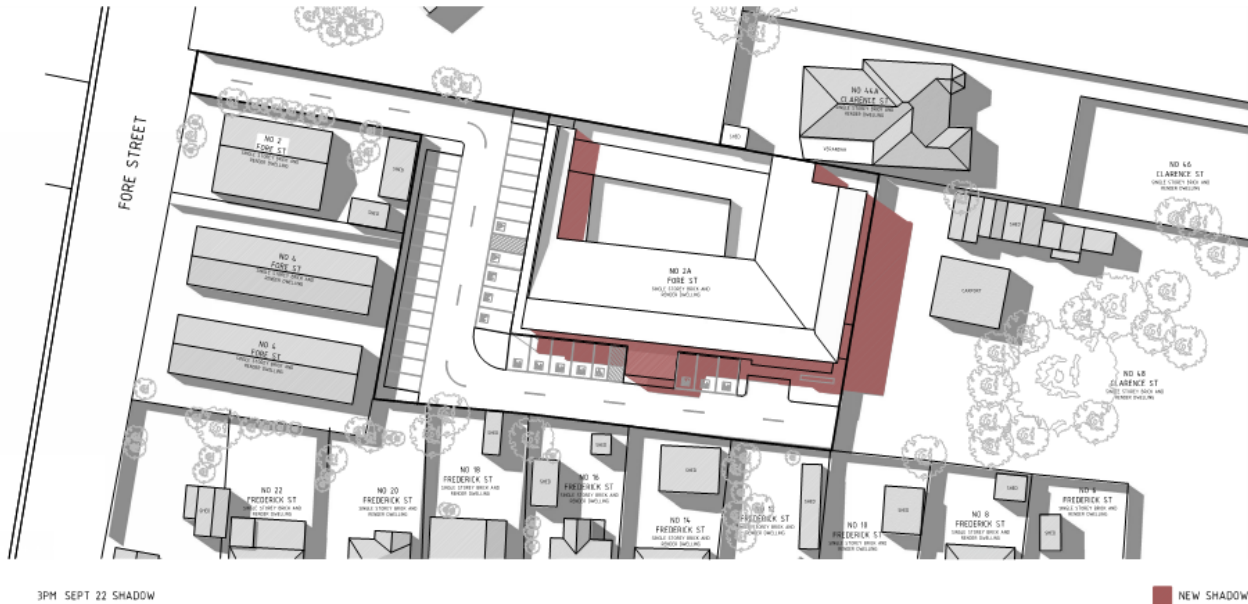


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NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 26 APRIL 2021

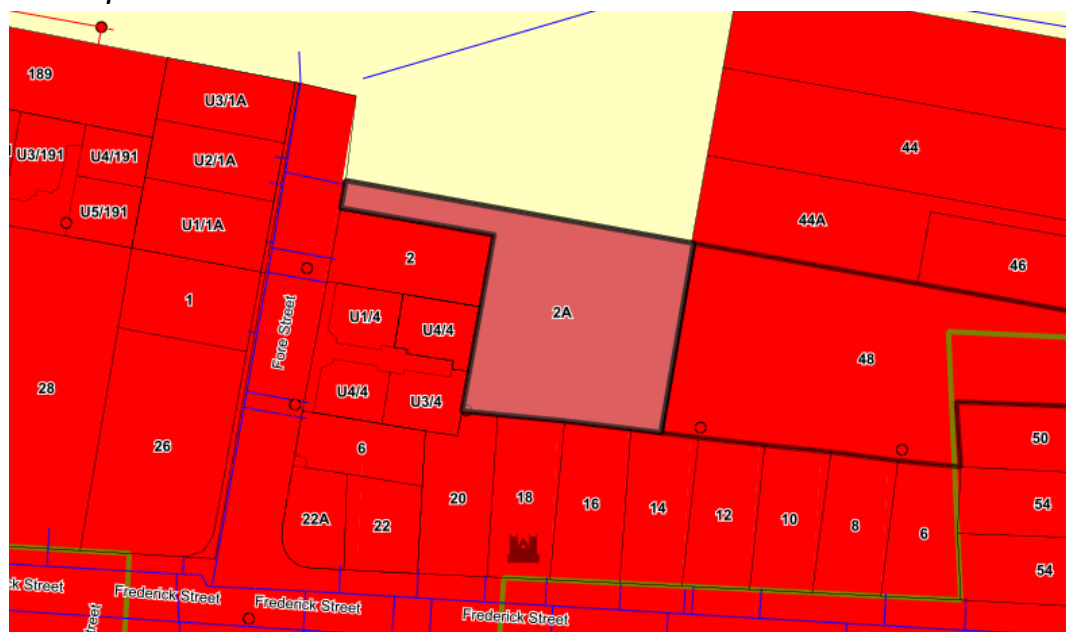


DATE: _____	REVISION: _____	BY: _____	CLIENT: Northern Midlands Council	DRAWING No: TP804	REVISION: _____	JOB No: 20058	SCALE: 1:500 @A3	 <p>n2sh Suite 204 Evelyn 90 Marion Road Perth, 6150 Australia +61 (0) 800 7218 +61 (0) 413 n2shdesign.net www.n2sh.net N2SH Pty Ltd ABN 20 606 803 196</p>
_____	_____	_____	PROJECT: Perth ELC	DRAWING TITLE: SHADOW DIAGRAM	_____	DRAWN BY: JWO	CHECKED: JW	
_____	_____	_____	2A Fore Street	12:00 PM 22nd September	_____	DATE: JAN 2021	SHEET No: 14/15	
_____	_____	_____			_____			



DATE: _____	REVISION: _____	BY: _____	CLIENT: Northern Midlands Council	DRAWING No: TP805	REVISION: _____	JOB No: 20058	SCALE: 1:500 @A3	 <p>n2sh Suite 204 Evelyn 90 Marion Road Perth, 6150 Australia +61 (0) 800 7218 +61 (0) 413 n2shdesign.net www.n2sh.net N2SH Pty Ltd ABN 20 606 803 196</p>
_____	_____	_____	PROJECT: Perth ELC	DRAWING TITLE: SHADOW DIAGRAM	_____	DRAWN BY: JWO	CHECKED: JW	
_____	_____	_____	2A Fore Street	3pm 22nd September	_____	DATE: JAN 2021	SHEET No: 15/15	
_____	_____	_____			_____			

Zone Map – General Residential Zone



Educational and occasional care	use of land for educational or short-term care purposes. Examples include a childcare centre, day respite facility, employment training centre, kindergarten, primary school, secondary school and tertiary institution.
---------------------------------	--

Aerial photograph of area showing the proposed development site being highlighted with the property 2A Fore Street being highlighted in red. The development will also be partially constructed within the rear of 48 Clarence Street and the portion of this site where the development will occur has been highlighted in yellow below.

Aerial image of Subject Site



Photographs of subject site



Above: view of the subject site looking east from the Fore Street entrance.



Above: view from within the subject site looking south toward dwellings located in Frederick Street.



Above: view from within the subject site looking south toward dwellings located in Frederick Street.



Above: view of the subject site looking north west from the Fore Street entrance.



Above: view from within the subject site looking north west toward neighbouring development at Perth Primary School.

4.4 Permit/site history

Relevant permit history includes:

105000.015 - 2A FORE ST - PERTH - NTH MIDLANDS COUNCIL



PLN20-0195 - R Green & Associates - 2 Lot Re-Subdivision
105000.015 - 2A FORE ST - PERTH - NTH MIDLANDS COUNCIL



The application for a re-subdivision (essentially a boundary adjustment between 2A Fore Street and 48 Clarence Street) will create a title for the proposed development comprising an early learning centre to ensure the proposed development is wholly contained on a single title lot and does not encroach any title boundaries.

A check of the title plan for both subject titles confirms that the sealing of titles approved as part of PLN20-0195 is well advanced with a notice for a Priority Sealed Plan lodged with the Titles Office on 4 March 2021. On this basis, a title for the proposed development is imminent and no advice or conditions on any planning permit of approval is warranted.

4.5 Representations

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

- Steve Carter, 6 Gourlay St, West Hobart (property owner of Unit 2 and 3, #4 Fore St, Perth)

Map showing location of representor properties in relation to subject site



Representor owns Unit 2 and 3, #4 Fore St, Perth, outlined in red (the two units adjacent to the subject site)

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

Issue 1

- Concern about noise related to construction of the proposed development and how this will be managed.

Planner's comment:

A condition of approval is recommended to be placed on the permit of approval that addresses this concern and how this will be managed.

Issue 2

- Concern about vibration related to construction of the proposed development and how this will be managed.

Planner's comment:

A condition of approval is recommended to be placed on the permit of approval that addresses this concern.

4.6 Referrals

The only referrals required were as follows:

Council's Works Department

Summary: Council's Works & Infrastructure Department (Jonathan Galbraith) reported that no further W&I comment was required.

TasWater

Summary: A Taswater Submission to Planning Authority Notice was issued on 22 March 2021 (Taswater Ref: TWDA 2021/00404-NMC).

General Manager

Precis: Application signed by the General Manager.

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4.7 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE	
ZONE PURPOSE	
<p><i>To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</i></p> <p><i>To provide for compatible non-residential uses that primarily serve the local community.</i></p> <p><i>Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off-site impacts.</i></p> <p><i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i></p>	
<p>Assessment: The proposed development will provide for various forms of care to minors and is located directly adjacent to the local primary school. It is considered that many children being cared for at the proposed development will either be students at the local school or the children of residents in the surrounding area. On this basis, it is considered the proposed development will be one that primarily serves the local community. The proposed development in terms of its location, design, scale and layout has been carefully designed to provide a substantial buffer between the proposed building and outdoor play areas and adjoining residential properties. The building is low scale and considered to be compatible with the scale of residential development in the surrounding area.</p> <p>It is considered the proposal meets the zone purpose.</p>	

LOCAL AREA OBJECTIVES	
<p><i>To consolidate growth within the existing urban land use framework of the towns and villages.</i></p> <p><i>To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.</i></p> <p><i>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</i></p>	
<p>Assessment: The subject site does not have any applicable Heritage Precinct or Heritage Place overlays. The proposed development is centrally located within the existing urban framework of Perth.</p> <p>The proposal therefore meets the local area objectives.</p>	

PRECIS OF USE STANDARDS FOR NON-RESIDENTIAL USES	
10.3.1 Amenity	
	A1 If for permitted or no permit required uses, then
	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
<p><u>Comment:</u></p> <p>The proposed development will not generate any emissions in terms of its proposed use such as noise or odour. The proposed development has been carefully designed to locate outdoor play areas enclosed by the proposed building which in turn buffers these outdoor play areas from adjacent residential properties. The Traffic Impact Assessment lodged for the proposed development indicates relatively low levels of traffic movement with many users of the centre also likely to be dropping children at the directly adjacent school or walking from within the township.</p> <p>The proposed development will not generate any dust or illumination nuisance. Proposed hours of operation are general business hours of operation.</p> <p>Any concerns about construction related noise or emission activity can be managed by of a standard condition on a permit of approval through the lodgement, approval and adherence to an appropriate Management Plan.</p>	
	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
<p><u>Comment:</u></p> <p>The proposed development seeks approval for hours of operation within the above A1 Acceptable Solution and therefore compliance is achieved.</p>	
	A3 If for permitted or no permit required uses
<p><u>Comment:</u></p> <p>The proposed development is a Discretionary use in the applicable zone and therefore must comply with the P3 Performance Criteria.</p>	
	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
<p><u>Comment:</u></p>	

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The proposed development outlines lighting in the development submission by the project architects. This lighting is to be used during hours of operation and afterwards will be motion sensor run. Given the proximity of the proposed development to residential development, a condition of approval is recommended to be placed on any permit of approval with respect to external lighting to ensure to impact to the amenity of residential properties adjoining the development site.

10.3.2 Residential Character – Discretionary Uses

	A1	Commercial vehicles for discretionary uses must be parked within the boundary of the property
<u>Comment:</u> The proposed development includes off street parking for all vehicles associated with the proposed development and therefore complies with the A1 Acceptable Solution.		
	A2	Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land
<u>Comment:</u> The proposed development does not propose, and does not require goods or material storage in outside locations. This clause is therefore not relevant to the proposed development.		
	✓	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
<u>Comment:</u> The proposed development includes details of proposed waste storage in the development submission compiled by the project architect. This includes lockable receptacles that will not be visible to Fore Street or Clarence Street. The proposed development therefore complies with the A3 Acceptable Solution.		

Easements		
	✓	The proposed development does not propose any construction over any of the easements noted on the subject title plans for both lot 1 and 2 of sealed plan 176433.

Title		
	✓	The subject title documentation for CT-176433 lot 1 and 2 was examined as part of the planning assessment. There are no title impediments that affect the proposed development such as covenants, building areas, building envelopes or Part 5 Agreements.

Shadow drawings for the proposed development

Comment

Shadow diagrams for the proposed development have been included on pages 4 to 7 inclusive of this report. These diagrams show overshadowing from the proposed development onto adjacent residential properties to be extremely minimal and will not result in any loss of residential amenity.

PRECIS OF DEVELOPMENT STANDARDS FOR NON RESIDENTIAL DEVELOPMENT		
10.4.14 Non-Residential development		
	A1	If for permitted or no permit required uses
<u>Comment:</u> The proposed development is for a non residential development within the Educational and Occasional Care use class that is a Discretionary use class within the General Residential zone. On this basis, the proposal must meet the following P1 Performance Criteria which: Development must be designed to protect the amenity of surrounding residential uses and must have regard to:		
		P1 (a) the setback of the building to the boundaries to prevent unreasonable impacts on the amenity, solar access and privacy of habitable room windows and private open space of adjoining dwellings; and
<u>Comment:</u> The proposed development complies with the Acceptable Solution for all development standards for dwellings applicable in the General Residential with the exception of rear boundary setbacks for internal lots. The rear boundary setback proposed will not result in any loss of residential amenity to the adjoining property at 48 Clarence Street by way of overlooking, loss of privacy or overshadowing. The portion of building located adjacent to the eastern boundary shared with 48 Clarence Street is a single storey building of a comparable height and extent to residential development in the surrounding area. It is considered the proposed development has been very well designed and is of a scale and form appropriate for a residential setting. The proposed building is single storey, low lying and setback a considerable distance to residential properties to the south and east.		

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It is considered the proposed development complies with P1(a).		
		P1 (b) the setback of the building to a road frontage and if the distance is appropriate to the location and the character of the area, the efficient use of the site, the safe and efficient use of the road and the amenity of residents; and
<p><u>Comment:</u></p> <p>The proposed development is located on an internal lot and is located more than 50m to its sole road frontage which is the Fore Street frontage.</p> <p>The proposed development will have no impact on the character of the surrounding area owing to its low scale design and discrete location on an internal lot.</p> <p>The Traffic Impact Assessment submitted with the proposed development states that the proposed development will not have any adverse impact on the use of the surrounding road network for either pedestrians or vehicle users.</p> <p>The proposed development has been designed to minimize any impact on adjoining residential areas with outdoor play areas enclosed by the form of the building and located north on the subject site, well away from neighbouring residential properties. The proposed development will cast very minimal overshadowing into the rear gardens of residential properties to the south for a small period of time prior to midday.</p> <p>It is considered the proposed development complies with P1(b).</p>		
		P1 (c) the height of development having regard to: <ul style="list-style-type: none"> i) the effect of the slope of the site on the height of the building; and ii) the relationship between the proposed building height and the height of existing adjacent and buildings; and iii) the visual impact of the building when viewed from the road and from adjoining properties; and iv) the degree of overshadowing and overlooking of adjoining properties;
<p><u>Comment:</u></p> <p>The proposed development will measure 5.7m above natural ground level at its highest point and is a one storey building comparable in height to adjoining buildings which are predominantly single storey. The maximum height of the proposed building is well under the maximum height limit for residential development in the General Residential zone. The location of the proposed building will minimize any visual impact and also overshadowing.</p> <p>It is considered the proposed development complies with P1 (c).</p>		
		P1 (d) the level and effectiveness of physical screening by fences or vegetation; and
<p><u>Comment:</u></p> <p>The subject site is level and is bordered by standard timber paling fences as well as vegetation located in the rear gardens of neighbouring residential properties. The proposal plans also indicate that new paling fences will be constructed as part of the proposal development. It is considered that the proposed development complies with P1 (d).</p>		
		P1 (e) the location and impacts of traffic circulation and parking and the need to locate parking away from residential boundaries; and
<p><u>Comment:</u></p> <p>All traffic associated with the proposed development will access to and from the Fore Street access which is the sole access and frontage to the subject site. The Traffic Impact Assessment submitted with the proposed development application documentation confirms that the proposal will not result in any adverse traffic conditions. Parking has been located adjacent to residential boundaries to create a buffer between the proposed development and residential properties. In this case, it has been identified that there is no need to locate parking away from residential boundaries as such parking serves as an appropriate buffer between the proposed use and neighbouring residential development.</p>		
		P1 (f) the location and impacts of illumination of the site; and
<p><u>Comment:</u></p> <p>Illumination is proposed as part of the application details provided by the architect. These details are considered acceptable in terms in avoiding any impact on the amenity of neighbouring properties. A condition is also recommended to be placed on any permit of approval with respect to illumination of the proposed development.</p>		
		P1 (g) passive surveillance of the site; and

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Comment:

It is considered the adjacent residential properties will enable passive surveillance of the subject site while the proposed development will also ensure passive surveillance to adjoining residential properties without any undesirable impact on residential amenity.

P1 (h) landscaping to integrate development with the streetscape.

Comment:

The subject development site is an internal lot and the proposed development will have no impact on streetscape, given its location within an internal lot that is surrounded on all title boundaries by other development. On this basis it is considered that landscaping is not warranted.

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	Complies – See code assessment below
E5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0 SCENIC MANAGEMENT CODE	N/a
E8.0 BIODIVERSITY CODE	N/a
E9.0 WATER QUALITY CODE	N/a
E10.0 RECREATION AND OPEN SPACE CODE	N/a
E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0 AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0 LOCAL HISTORIC HERITAGE CODE	N/a
E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a - Signage proposed is directional signage which is exempt under this Code

ASSESSMENT AGAINST E4.0 ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
N/a	N/a
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Relies on P2.	All traffic associated with the proposed development will access to and from the Fore Street access which is the sole access and frontage to the subject site. The Traffic Impact Assessment submitted with the proposed development application documentation confirms that the proposal will not result in any adverse traffic conditions and that while the proposal will involve more than 40 vehicle movements per day (the submitted Traffic Impact Assessment states a total of 129 movements per day are estimated), the traffic volumes anticipated with the proposed use and development are minor when compared against the existing

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	traffic movements associated with the immediately adjacent school. It is also considered that many predicted movements will be associated with existing school pick ups and drop offs and therefore in some cases, will not result in additional traffic movements per se.
A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	<p>P3 For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
N/a	N/a

E4.7 Development Standards

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

<p>Objective</p> <p>To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:</p> <p>a) ensure the safe and efficient operation of roads and railways; and</p> <p>b) allow for future road and rail widening, realignment and upgrading; and</p> <p>c) avoid undesirable interaction between roads and railways and other use or development.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</p> <p>a) new road works, buildings, additions and extensions, earthworks and landscaping works; and</p> <p>b) building areas on new lots; and</p> <p>c) outdoor sitting, entertainment and children's play areas</p>	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <p>a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</p> <p>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</p> <p>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</p> <p>d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.</p>
Complies with A1 – all works greater than 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h.	N/a

E4.7.2 Management of Road Accesses and Junctions

<p>Objective</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>	<p>P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>

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Complies with A1. No new access proposed.	N/a
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
N/a	N/a

E4.7.3 Management of Rail Level Crossings

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

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

<p>Objective To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p>
Complies with A1(a) as the Fore Street access comprising the sole access and exit into the development site complies with the Safe Intersection Sight Distances shown in Table E4.7.4 of the Planning Scheme.	N/a

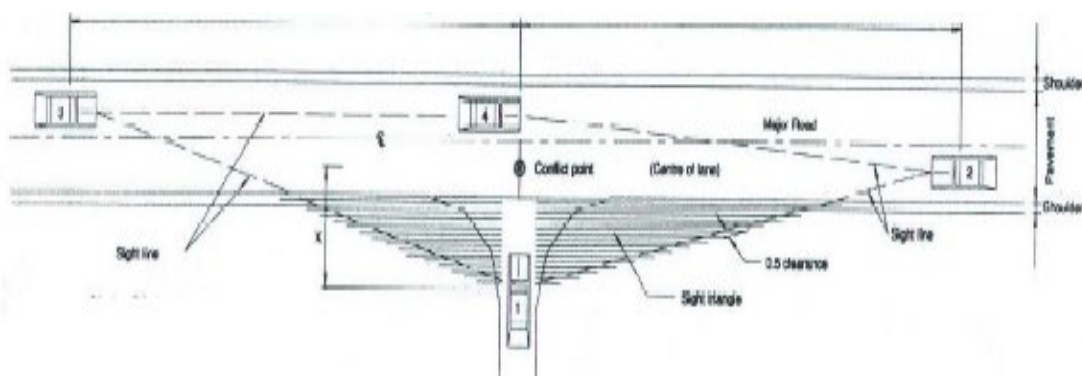


Figure E4.7.4 Sight Lines for Accesses and Junctions

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

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

Table E4.7.4 Safe Intersection Sight Distance (SISD)

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

Notes:

- Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.
- For safe intersection sight distance (SISD):
 - All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;
 - These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;
 - A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.7.4;
 - A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
 - A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

**ASSESSMENT AGAINST E6.0
CAR PARKING & SUSTAINABLE TRANSPORT CODE**

E6.6 Use Standards

E6.6.1 Car Parking Numbers

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

	<p>d) the availability and frequency of public transport within reasonable walking distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>
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Comment:

The proposed development is defined as being within the Educational and Occasional Care use class. The following parking requirements are required under Table E6.1:

Number of vehicle spaces: 1 space per employee + 1 space per 6 tertiary or training students;

Number of Bicycle spaces: 1 space per 5 staff and students

The proposed development includes a total of 34 car parking spaces and 6 bicycle spaces (racks).

The details provided by the project architect includes a total of 86 children with 13 staff.

It is considered that the number of car and bicycle parking spaces proposed as part of the development are compliant.

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:

As noted above, the proposal complies with parking requirements under Table E6.1.

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:

It is considered that because there are approximately 10 more parking spaces provided than the minimum required under the Planning Scheme, that there is adequate room for taxi parking within the development.

E6.6.4 Motorbike Parking Provisions

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

Acceptable Solutions		Performance Criteria	
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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: It is considered that because there are approximately 10 more parking spaces provided than the minimum required under the Planning Scheme, that there is adequate room for motorcycle parking within the development.			

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: The proposed development complies with the A1 Acceptable Solution.			

E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	P1	The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	a)	the layout of the site and the location of existing buildings; and
		b)	views into the site from the road and adjoining public spaces; and
		c)	the ability to access the site and the rear of buildings; and
		d)	the layout of car parking in the vicinity; and
		e)	the level of landscaping proposed for the car parking.
Comment: The proposed development complies with the A1 Acceptable Solution.			
A2.1	Car parking and manoeuvring space must:	P2	Car parking and manoeuvring space must:
a)	have a gradient of 10% or less; and	a)	be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
b)	where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	b)	provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
c)	have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and		
A2.2	The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .		
Comment: The proposed development complies with the A1 Acceptable Solution.			

Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

Objective: To ensure adequate access, safety and security for car parking and for deliveries.	
Acceptable Solutions	Performance Criteria

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<p>A1 Car parking areas with greater than 20 parking spaces must be:</p> <p>a) secured and lit so that unauthorised persons cannot enter or;</p> <p>b) visible from buildings on or adjacent to the site during the times when parking occurs.</p>	<p>P1 Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:</p> <p>a) levels of activity within the vicinity; and</p> <p>b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.</p>
<p>Comment:</p> <p>The proposed development complies with the A1 Acceptable Solution as the Fore Street access is proposed to include lockable fencing and gate access that will secure the site.</p>	

E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p>P1 The location and design of parking spaces considers the needs of disabled persons, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the location and type of relevant facilities on the site or in the vicinity;</p> <p>(c) the suitability of access pathways from parking spaces, and applicable Australian Standards.</p>
<p>A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.</p>	<p>P2. No performance criteria.</p>
<p>Comment:</p> <p>The proposed development complies with the A1 Acceptable Solution as the proposal plan (site plan showing car parking) shows a compliant number of disabled parking spaces.</p>	

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

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

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective:	
To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Bicycle parking spaces for customers and visitors must:</p> <p>a) be accessible from a road, footpath or cycle track; and</p> <p>b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and</p> <p>c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and</p>	<p>P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</p>

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d)	be available and adequately lit in accordance with Australian Standard AS/NZS 1158 2005 Lighting Category C2 during the times they will be used; and	
A1.2	Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	
A2	Bicycle parking spaces must have:	P2
a)	minimum dimensions of:	Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
i)	1.7m in length; and	
ii)	1.2m in height; and	
iii)	0.7m in width at the handlebars; and	
b)	unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	
Comment: The proposed development complies with the A1 and A2 Acceptable Solutions as the proposed development proposes a compliant number, design and location of bicycle parking spaces as part of the development.		

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: The proposed development complies with the A1 Acceptable Solution as pedestrian access is proposed from the Fore Street access and frontage.		

Table E6.5: Pedestrian Access

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

Notes

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

SPECIFIC AREA PLANS		
F1.0	TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0	HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a -The subject site is not located within a Heritage Precinct

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	Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a
9.6	Change of Use	N/a
9.7	Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8	Buildings Projecting onto Land in a Different Zone	N/a
9.9	Port and Shipping in Proclaimed Wharf Areas	N/a

STATE POLICIES		
The proposal is consistent with all State Policies.		



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OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993

The proposal is consistent with the objectives of the *Land Use Planning & Approvals Act 1993*.

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan 2017-2027

- The proposal is consistent with the objectives and strategies outlined in Council's Strategic Plan.

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: Clause 10.3.1.A1 and A3 Amenity for Discretionary uses in a General Residential zone. The proposal however, comfortably complies with these use standards.

Conditions that relate to any aspect of the application can be placed on a permit. The proposal will be conditioned to be used and developed in accordance with the proposal plans.

8 ATTACHMENTS

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

RECOMMENDATION

That land at 2A Fore St & 48 Clarence St, Perth be approved to be developed and used for a Perth Early Learning Centre in accordance with application PLN-21-0053, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1-P15** (*Drawing No. 20058, Sheet No's: 1 to 15 inclusive, Dated: February 2021*) & **D1** (*Proposal Summary – Proposed Perth Early Learning Centre, prepared by n2sh design studio, dated February 2021, pages 1-5*) & **D2** (*Traffic Impact Assessment, prepared by ML Traffic Engineers Pty Ltd, ref: A2116159T 2a Fore Street Perth Car Parking and Traffic Impact Assessment 1.1, dated 26th February 2021*).

2 Hours of Operation

Hours of operation for the proposed use is restricted from 7am until 7pm Monday to Fridays. Any extension of these hours of operation will require prior consent of Council.

3 Lighting

Any external lighting associated with the proposed development must operate in accordance with Australian Standard AS4282 *Control of the obtrusive effects of outdoor lighting*.

Likewise, any security lighting attached to the proposed building must be suitably baffled to ensure there is no direct light spill into any residential dwelling and must operate in accordance with Australian Standard AS4282 *Control of the obtrusive effects of outdoor lighting*.

Any security or directional lighting to be installed within the car park or vehicle circulation areas must be installed no higher than 1m above natural ground level, be suitably baffled to avoid light spill into any residential dwelling and must operate in accordance with Australian Standard AS4282 *Control of the obtrusive effects of outdoor lighting*.

4 Demolition and Construction Environmental Management Plan

An approved Demolition and Construction Environmental Management Plan, prepared by suitably qualified persons, must be implemented to the satisfaction of Council.

A Demolition and Construction Environmental Management Plan must be submitted and approved prior to the commencement of works and prior to the issue of any approval under the *Building Act 2016*.

The plan must include, but is not limited to, the following:

1. Details of the proposed construction methodology and expected likely timeframes.
2. The proposed days and hours of work and proposed hours of activities likely to generate significant noise emissions (including volume and timing of heavy vehicles entering and leaving the site).
3. Details of potential environmental impacts associated with the development works including noise, vibration, erosion and pollution (air, land and water).
4. Details of proposed measures to avoid or mitigate to acceptable levels all identified potential environmental impacts during development works including, but not limited to:
 - a) A Noise and Vibration Management Plan generally consistent with *AS2436-2010 - Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites* and the *Interim Construction Noise Guidelines* (New South Wales Department of Environment and Climate Change, July 2009) including, but not limited to:
 - i. identification of potentially noisy or vibration causing construction activities;
 - ii. procedures to ensure that all reasonable and feasible noise and vibration mitigation measures are applied during operation of the construction management plan; and
 - iii. details of monitoring measures and triggers for corrective actions.
 - b) A Soil and Water Management Plan including:
 - i. measures to minimise erosion and the discharge of contaminated stormwater offsite;
 - ii. measures to minimise dust emissions from the site;
 - iii. measures to manage the disposal of any surface and groundwater from excavations; and
 - iv. measures to prevent soil and debris being carried onto the street.
 - v. maintenance requirements of these measures, and any staging
5. Details of proposed responsible persons, public communication protocols, compliance, recording and auditing procedures and complaint handling and response procedures.

The approved Demolition and Construction Environmental Management Plan forms part of this permit and must be complied with. The approved Demolition and Construction Environmental Management Plan must be provided by the developer to the owners and occupiers of all neighbouring properties within fourteen (14) days of it being approved by the Council.

5 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2021/00404-NMC).

DECISION

Cr Davis/Cr Goninon

That land at 2A Fore St & 48 Clarence St, Perth be approved to be developed and used for a Perth Early Learning Centre in accordance with application PLN-21-0053, and subject to the following conditions:

1 Layout not altered

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3. Details of potential environmental impacts associated with the development works including noise, vibration, erosion and pollution (air, land and water).
4. Details of proposed measures to avoid or mitigate to acceptable levels all identified potential environmental impacts during development works including, but not limited to:
 - a) A Noise and Vibration Management Plan generally consistent with *AS2436-2010 - Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites* and the *Interim Construction Noise Guidelines* (New South Wales Department of Environment and Climate Change, July 2009) including, but not limited to:
 - i. identification of potentially noisy or vibration causing construction activities;
 - ii. procedures to ensure that all reasonable and feasible noise and vibration mitigation measures are applied during operation of the construction management plan; and
 - iii. details of monitoring measures and triggers for corrective actions.
 - b) A Soil and Water Management Plan including:
 - i. measures to minimise erosion and the discharge of contaminated stormwater offsite;
 - ii. measures to minimise dust emissions from the site;
 - iii. measures to manage the disposal of any surface and groundwater from excavations; and
 - iv. measures to prevent soil and debris being carried onto the street.
 - v. maintenance requirements of these measures, and any staging
5. Details of proposed responsible persons, public communication protocols, compliance, recording and auditing procedures and complaint handling and response procedures.

The approved Demolition and Construction Environmental Management Plan forms part of this permit and must be complied with. The approved Demolition and Construction Environmental Management Plan must be provided by the developer to the owners and occupiers of all neighbouring properties within fourteen (14) days of it being approved by the Council.



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5 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2021/00404-NMC).

Carried unanimously



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155/21 PLANNING APPLICATION PLN-20-0322: 40 FAIRTLOUGH STREET, PERTH

File Number: 104900.341; CT157855/1
Responsible Officer: Des Jennings, General Manager
Report prepared by: Erin Miles, Development Supervisor

1 INTRODUCTION

This report assesses an application for a 2-lot Subdivision (vary lot size, no reticulated services, Scenic Management area) at 40 Fairtlough Street, Perth.

2 BACKGROUND

Applicant: Commercial Project Delivery	Owner: KLN Tasmania Pty Ltd
Zone: Low Density Residential Zone	Codes: Bushfire Prone Areas Code; Car parking and Sustainable Transport Code Scenic Management Code Recreation and Open Space Code
Classification under the Scheme: Discretionary	Existing Use: Residential
Deemed Approval Date: 16 April 2021	Recommendation: Approve

Discretionary Aspects of the Application

- Variation to development standards (lot size, no reticulated services)
- Subdivision within Scenic Management Area

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 32, Effective from 19th October 2020.*

Preliminary Discussion

Prior to the application becoming valid / being placed on public exhibition, further information was requested from the applicant, requiring:

- A copy of the title that accords with the proposed plan of subdivision.
- An on-site wastewater disposal report for proposed lots 1 and 2 only (the submitted report was for four lots).
- A Bushfire Hazard Management Report for proposed lots 1 and 2 only (the submitted report was for 4 lots).

3 STATUTORY REQUIREMENTS

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

4 ASSESSMENT

4.1 Proposal

It is proposed to:

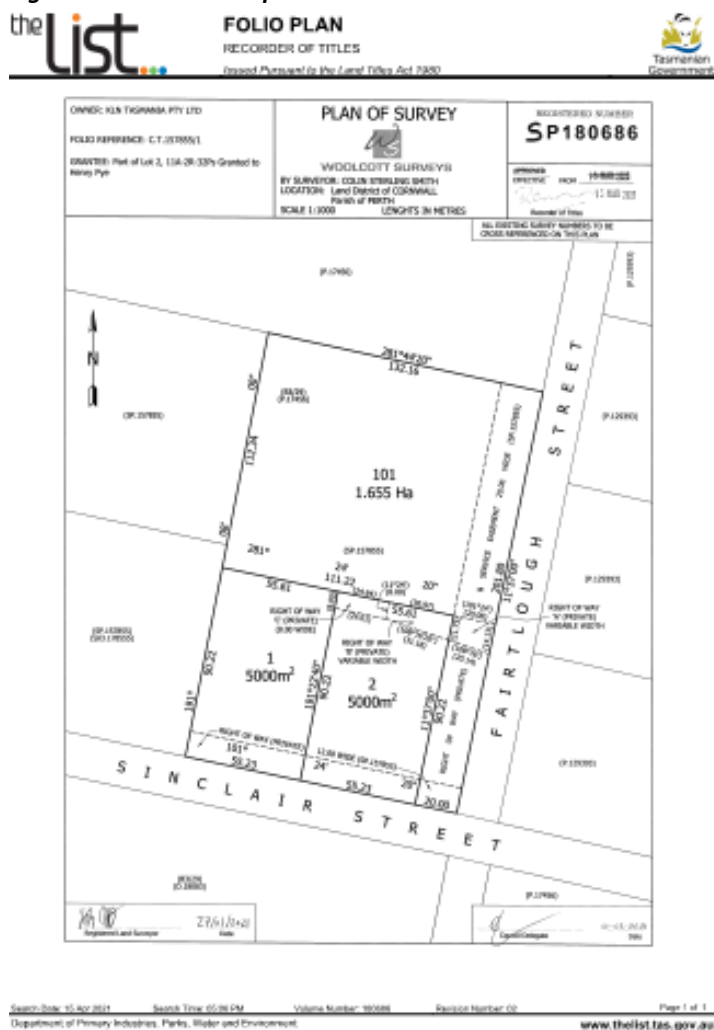
- Undertake subdivision to create 2 lots:
 - Lot 1 (existing house and outbuilding, 8,841m² +/-); and

- Lot 2 (vacant, 7,709m² +/-).

Figure 1 - Proposed subdivision plan

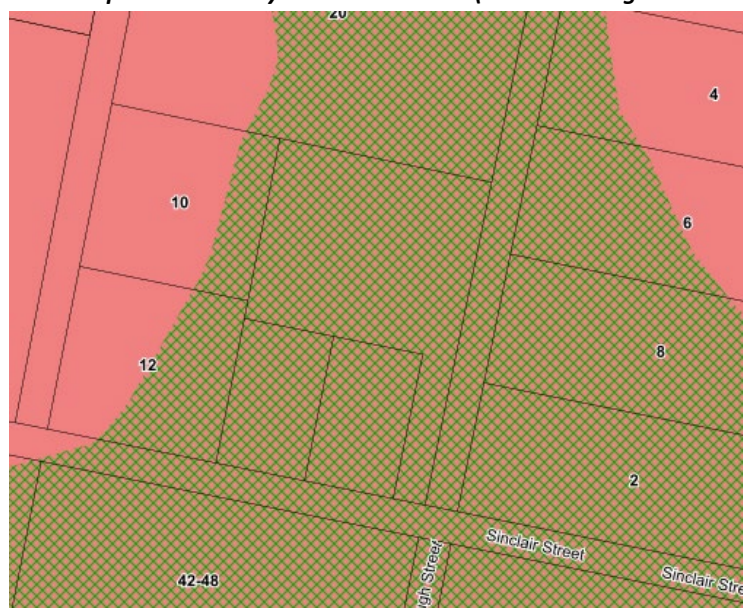


Figure 2 – Current title plan



4.2 Zone and land use

Zone Map – Low Density Residential Zone (Scenic Management Area overlay)



The land is zoned Low Density Residential and is in a Scenic Management Area.

8.2 Categorising Use or Development

8.2.1 Each proposed use or development must be categorised into one of the use classes in Table 8.2.

The relevant Planning Scheme definitions are:

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

Residential (single dwelling) is permitted (with permit) the zone. The application is discretionary due to:

- Creation of lots less than 1 ha.
- Subdivision within scenic management area.

4.3 Subject site and locality

The author of this report carried out a site visit on 9 October 2020, as well as 16 March 2021. The site contains a dwelling, outbuildings and dam on a title of 2.566ha, the site is otherwise vegetated with trees and grass.

The surrounding area is characterized by single dwellings of around 12-15m wide x 30m long on sparsely vegetated lots ranging in size from 1ha to 5ha.

Aerial photograph of area:



Photographs of subject site:





4.4 Permit/site history

Relevant permit history includes:

- P03-473 – dwelling

- P08-094 – 3 lot subdivision
- P16-006 – dam
- PLN-20-0211 – 3 Lot subdivision, fill dam and new road

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 ECM system after completion of the public exhibition period revealed that four representations (attached) were received from:

- Phil Berwick, 4 Collins Street, Perth
- Ola Nicklason, 2 Collins Street, Perth
- Damian Smith, 8 Collins Street, Perth
- Stephen Frankcombe, 6 Collins Street, Perth

Zone Map – Low Density Residential Zone (Scenic Management Area overlay)

Figure 4 - Aerial photograph showing subject site in relation to representors' properties (circled)



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

Issue 1

- Concerns with the stormwater disposal as current run off from the area already comes down Collins Street. Concerned with waste water absorption ability given clay soils and rock.

Planner's comment:

The stormwater report submitted with this application details that there is no intention to discharge stormwater from the site, with all additional stormwater to be retained within the property boundaries. The proposed lots both have sufficient area to dispose of stormwater on-site through sub-surface trenches. A secondary treatment on-site waste water system in accordance with AS/NZS1547-2012 will be required to service any future dwelling on lot 2. The supplied On-Site Waste Water disposal report indicates there is sufficient area on-site to accommodate this.

Issue 2

- Vegetation has been removed prior to application.

Planner's comment:

No vegetation removal is proposed on the two lots subject to this application. Table 5.4 - Vegetation exemptions of the current version of the Planning Scheme, details exemptions for vegetation removal. A further inspection of the site will be undertaken to ensure any vegetation removal meets the exemptions under the Planning Scheme or is pursued as a compliance matter.

Issue 3

- Lot areas on plan include right of way areas.

Planner's comment:

The inclusion of right of ways within a site area is the correct manner to calculate site area for subdivision. No further consideration of this matter is warranted.

Issue 4

- Concerns around substandard road work in Sinclair Street.

Planner's comment:

No extension of the road in Sinclair Street is proposed as part of this subject proposal. The previous 3 lot subdivision approval included road works. The extension of the road in Sinclair Street was a requirement for the Final Plan of Subdivision to be sealed and will include maintenance periods to ensure the adequacy of works.

Issue 5

- Proposed lots sizes of 500m² does not meet 1ha minimum and does not allow for 10,000 litre water tanks for fire fighting or a septic tank.

Planner's comment:

The proposed lot sizes are 7709m² and 8841m², therefore a reference to a 500m² lot is incorrect. The size of the lots proposed as demonstrated within the application have an adequate area to provide for a future dwelling and all associated onsite service infrastructure.

It is considered that the proposal satisfies the relevant performance criteria at clause 12.4.3.1 P1.1 as follows:

P1.1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:

a) a dwelling to be erected in a convenient and hazard free location; and

The bushfire hazard report demonstrates that each lot has sufficient useable area and dimensions to allow for a dwelling to be erected in a convenient location at a Bushfire Attack Level 19 in accordance with the Bushfire-prone areas Code.

b) on-site parking and manoeuvrability; and

The size of the lots and the slope of the land gives sufficient useable area and dimensions to allow for on-site parking and manoeuvrability.

c) adequate private open space; and

The size of the lots and the slope of the land gives sufficient useable area and dimensions to allow for adequate private open space.

d) reasonable vehicular access from the carriageway of the road to a building area on the lot, if any; and

The size of the lots and the slope of the land gives sufficient useable area and dimensions to allow reasonable vehicular access from the carriageway of the road to a building area identified in the Bushfire Hazard Management Report.

- e) *development that would not adversely affect the amenity of, or be out of character with, surrounding development and the streetscape.*

The size of the lots and the slope of the land gives sufficient useable area and dimensions to allow for development that would not adversely affect the amenity of, or be out of character with, surrounding development and the streetscape.

Issue 6

- The site falls within the Gibbet Hill Management Area which states that vegetation is a requirement for the tourism route. Vegetation has already been removed on the site which is visible from the Midlands Highway.

Planner's comment:

No vegetation removal is proposed as part of this application on the subject site. A further inspection of the site will be undertaken to ensure any vegetation removal meets the exemptions under the Planning Scheme or is pursued as a compliance matter.

Issue 7

- The proposal does not meet P1.1 e) in that the subdivision will affect the amenity of the area. Suggests that lots in the area be included in the Devon Hills caveat that prevents further subdivision.

Planner's comment:

Assessment must be undertaken in accordance with the planning scheme in effect at the time of the lodgement of the application.

P1.1 *Each lot for residential use must provide sufficient useable area and dimensions to allow for:*

-
- e) *development that would not adversely affect the amenity of, or be out of character with, surrounding development and the streetscape.*

The size of the lots and the slope of the land gives sufficient useable area and dimensions to allow for development that would not adversely affect the amenity of, or be out of character with, surrounding development and the streetscape.

Issue 8

- There is no drainage provision on the unmade section of Fairtlough Street that services number 48. If the proposed driveway is constructed to Lot 2, how is the stormwater going to be controlled.

Planner's comment:

The stormwater report submitted with this application details that there is no intention to discharge stormwater from the site, with all additional stormwater to be retained within the property boundaries. The proposed lots both have sufficient area to dispose of stormwater on-site through sub-surface trenches.

Issue 9

- Any future dwelling on Lot 2 will be visible from Midlands Highway and Haggerston Road.

Planner's comment:

No future dwelling on Lot 2 forms part of this proposal. However, it is noted that presently there is minimum vegetation on Lot 2. Development of a future dwelling will need to be considered against the relevant provisions of the planning scheme that is in effect at the time of such future application.

Issue 10

- Concern that any future development that requires blasting works will damage representors house.

Planner's comment:

This is not a relevant planning consideration of the *Northern Midlands Interim Planning Scheme 2013*. Worksafe Tasmania regulate blasting on residential premises.

Issue 11

- Concern that the right of way accesses are unsightly and unsafe.

Planner's comment:

The right of way is already established at 20.0m in width (refer to existing certificate of title). The right of way will provide for access for one additional dwelling. Two ten metre right of ways are proposed off a made street, that will provide for property frontage and access.

4.6 Referrals

The only referrals required was:

Council's Works & Infrastructure Department

Precis: Council's Works & Infrastructure Department (Jonathan Galbraith/ Cam Oakley) reported on 1/4/21 and their recommended conditions are included in the conditions of approval.

5 PLANNING SCHEME ASSESSMENT

Clause 8.10.2 states:

8.10.2 *In determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in subclause 8.10.1, have regard to:*

- (a) *the purpose of the applicable zone;*
- (b) *any relevant local area objective or desired future character statement for the applicable zone;*
- (c) *the purpose of any applicable code; and*
- (d) *the purpose of any applicable specific area plan.*

but only insofar as each such purpose is relevant to the particular discretion being exercised.

ASSESSMENT AGAINST 12 LOW DENSITY RESIDENTIAL ZONE

12.1 Zone Purpose

12.1.1 Zone Purpose Statements

12.1.1.1 *To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.*

Not being connected to reticulated sewerage limits the lot size as indicated in the wastewater report.

12.1.1.2 *To provide for non-residential uses that are compatible with residential amenity.*

Not applicable – the subdivision is for residential uses.

12.1.1.3 *To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views.*

One additional lot, allowing for one additional house, in this relatively sparsely vegetated area is considered to satisfy this purpose statement.

12.1.2 Local Area Objectives

To make provision for any additional future needs in low-density residential development at Avoca, Campbell Town, Cressy, Devon Hills and Longford by the incremental expansion of those areas already established for the purpose.

Not applicable – the site is not in any of these areas.

12.1.3 Desired Future Character Statements

There are no desired future character statements

12.2 Use Table

Permitted	
Use Class	Qualification
Residential	If an ancillary dwelling, caretakers dwelling, home-based business, single dwelling

12.3 Use Standards

12.3.1 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

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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.
Complies. The subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable.
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.
Not applicable as the subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable.
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.
Complies. The subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable.

12.3.2 Low Density Residential Character

Objective To ensure that discretionary uses support the: a) visual character of the area; and b) 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.
Not applicable as the subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable to this application for subdivision.
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.
Not applicable as the subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable to this application for subdivision.
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.
Not applicable as the subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable to this application for subdivision.

12.4 Development Standards

12.4.1 Clauses 12.4.1.1 – 12.4.1.6 only apply to development within the Residential Use Class.

12.4.1.1 Site Coverage

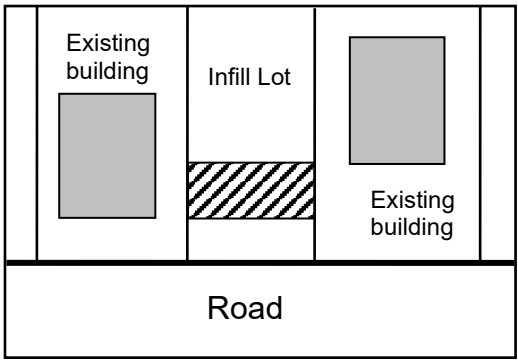
Objective a) To ensure that the site coverage respects the existing or preferred neighbourhood character; and b) To reduce the impact of increased stormwater runoff on the drainage system; and c) To ensure sufficient area for landscaping and private open space.	
Acceptable Solutions	Performance Criteria
A1 The site coverage must not exceed 10% of the site.	P1 The site coverage must have regard to the: a) size and shape of the site; and b) existing buildings and any constraints imposed by existing development or the features of the site; and c) site coverage of adjacent properties; and d) effect of the visual bulk of the building and whether it respects the neighbourhood character; and e) capacity of the site to absorb runoff; and

	f) landscape character of the area and the need to remove vegetation to accommodate development.
It is expected that site coverage on the proposed lots of 7709m ² & 8841m ² +/- will not exceed 10% (min. 770m ²).	Not applicable.

12.4.1.2 Building Height

Objective To ensure that the height of dwellings respects the existing or desired future character statements.	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 8 metres.	P1 Building height 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 a road.
This will be assessed when an application for a building is lodged.	This will be assessed when an application for a building is lodged.

12.4.1.3 Frontage Setbacks

Objective To ensure that the setbacks of dwellings from the road respect the existing or preferred neighbourhood character and make efficient use of the site.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Primary frontage setbacks must be a minimum:</p> <p>a) of 15m; and</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 12.4.1.3 below; and</p>  <p>The diagram shows a cross-section of a road with buildings on both sides. In the center is an 'Infill Lot' between two 'Existing building's. A hatched rectangular area is shown at the front of the infill lot, indicating the required setback from the road. The road is labeled at the bottom.</p>	<p>P1 Buildings are set back from the primary frontage an appropriate distance having regard to:</p> <p>a) the efficient use of the site; and b) the safety of road users; and c) the prevailing setbacks of existing buildings on nearby lots; and d) the visual impact of the building when viewed from the road; and e) retention of vegetation within the front setback.</p>
<p>Figure 12.4.1.3 – Primary Frontage Setback for Infill Lots</p> <p>A1.2 Buildings must be set back a minimum of 15m from any other frontage.</p>	
This will be assessed when an application for a building is lodged. The lot dimensions allow for this to be complied with.	This will be assessed when an application for a building is lodged.

12.4.1.4 Rear and Side Setbacks

Objective To ensure that the:	
a) height and setback of dwellings from a boundary respects the existing neighbourhood character and limits adverse impact on the amenity and solar access of adjoining dwellings; and	
b) separation of buildings is consistent with the preferred low density character and local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 Buildings must be set back 5m from the rear boundary.	P1 Building setback to the rear boundary must be appropriate to the location, having regard to the: a) ability to provide adequate private open space for the dwelling; and b) character of the area and location of dwellings on lots in the surrounding area; and

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	<ul style="list-style-type: none"> c) impact on the amenity and privacy of habitable room windows and private open space of existing and adjoining dwellings; and d) impact on the solar access of habitable room windows and private open space of adjoining dwellings; and e) locations of existing buildings and private open space areas; and f) size and proportions of the lot.
This will be assessed when an application for a building is lodged for any future dwelling on Lot 2. The lot dimensions allow for this to be complied with. The existing dwelling is to be setback 8.5m from the proposed new rear boundary.	This will be assessed when an application for a building is lodged.
A2 Buildings must be set back 7.5m from side boundaries.	<p>P2 Building setback to the side boundary must be appropriate to the location, having regard to the:</p> <ul style="list-style-type: none"> a) ability to provide adequate private open space for the dwelling; and b) character of the area and location of dwellings on lots in the surrounding area; and c) impact on the amenity and privacy of habitable room windows and private open space of existing and adjoining dwellings; and d) impact on the solar access of habitable room windows and private open space of adjoining dwellings; and e) locations of existing buildings and private open space areas; and f) size and proportions of the lot; and g) extent to which the slope and retaining walls or fences reduce or increase the impact of the proposed variation.
This will be assessed when an application for a building is lodged. The lot dimensions allow for this to be complied with.	This will be assessed when an application for a building is lodged.

12.4.1.5 Location of Car Parking

Objective	
<ul style="list-style-type: none"> a) To provide convenient parking for resident and visitor vehicles; and b) To minimise the impacts of garage doors to the neighbourhood. 	
Acceptable Solutions	Performance Criteria
<p>A1 A garage or carport must be located:</p> <ul style="list-style-type: none"> a) within 10 metres of the dwelling it serves; and b) with a setback equal to or greater than the setback of the dwelling from the primary road frontage. 	<p>P1 Car parking facilities must be:</p> <ul style="list-style-type: none"> a) close and convenient to dwellings and residential buildings; and b) located to minimise visual impact to the streetscape; and c) provided in a form that is appropriate to the area and development.
This will be assessed when an application for a building is lodged. The lot dimensions allow for this to be complied with.	This will be assessed when an application for a building is lodged.
<p>A2 The total width of the door or doors on a garage facing a road frontage must:</p> <ul style="list-style-type: none"> 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. 	<p>P2 The width of garage doors should not be a visually dominant element in the streetscape and must be designed having regard to the:</p> <ul style="list-style-type: none"> a) existing streetscape and the design and locations of garages in the area; and b) location of existing buildings on the site.
This will be assessed when an application for a building is lodged.	This will be assessed when an application for a building is lodged.

12.4.1.6 Outbuildings and Ancillary Structures

Objective
To ensure that:
<ul style="list-style-type: none"> a) outbuildings do not detract from the amenity or established neighbourhood character; and b) dwellings remain the dominant built form within an area.

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Acceptable Solutions	Performance Criteria
<p>A1 Outbuildings must not have a:</p> <ul style="list-style-type: none"> a) combined gross floor area of greater than 80m; and b) maximum wall height of greater than 3.5m; and c) maximum building height greater than 4.5m. 	<p>P1 Outbuildings must be designed and located having regard to:</p> <ul style="list-style-type: none"> a) visual impact on the streetscape; and b) any adverse impacts on native vegetation; and c) overshadow adjoining properties; and d) compatibility with the size and location of outbuildings in the neighbourhood.
This will be assessed when an application for a building is lodged.	This will be assessed when an application for a building is lodged.
<p>A2 A swimming pool or tennis court for private use must be located:</p> <ul style="list-style-type: none"> a) behind the primary frontage setback; or b) in the rear yard. 	<p>P2 A swimming pool or tennis court for private use must designed and located to:</p> <ul style="list-style-type: none"> a) minimise any visual impact on the streetscape; and b) not unreasonably overlook or overshadow adjoining properties; and c) be compatible with the size and location of approved outbuildings in the neighbourhood.
This will be assessed when an application for a swimming pool is lodged.	This will be assessed when an application for a swimming pool is lodged.

12.4.2 Clause 12.4.2.1 only applies to development other than the Residential Use Class.

12.4.2.1 Non Residential Buildings

<p>Objective</p> <p>To ensure that all non-residential development undertaken in the Low Density Residential Zone is sympathetic to the form and scale of residential development and does not affect the amenity of nearby residential properties.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 If for permitted or no permit required uses.</p>	<p>P1 Development must be designed to protect the amenity of surrounding residential uses and:</p> <ul style="list-style-type: none"> a) the proportion of the site covered by buildings must have regard to the: <ul style="list-style-type: none"> i) size and shape of the site; and ii) site coverage of existing buildings and any constraints imposed by existing development or the features of the site; and iii) site coverage of adjacent properties; and iv) effect of the visual bulk of the building and whether it respects the neighbourhood character; and v) capacity of the site to absorb runoff; and vi) landscape character of the area and the need to remove vegetation to accommodate development; and b) the building height must have regard to the: <ul style="list-style-type: none"> i) effect of the slope of the site on the height of the building; and ii) relationship between the proposed building height and the height of existing adjacent and buildings; and iii) visual impact of the building when viewed from the road and from adjoining properties; and iv) degree of overshadowing and overlooking of adjoining properties; and c) the setback of the building to a road frontage must be appropriate to the location and the character of the area having regard to: <ul style="list-style-type: none"> i) the prevailing setbacks of existing buildings on nearby lots; and ii) the visual impact of the building when viewed from the road; and iii) treatment of development within front setback; and d) the setback of the building to side and rear boundaries must prevent unreasonable impacts on the solar access and privacy of habitable room windows and private open space of adjoining dwellings; and e) traffic circulation and parking areas must be located away from residential boundaries; and f) landscaping must integrate development having regard to:

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	<ul style="list-style-type: none"> i) the level and effectiveness of physical screening by fences or vegetation; and ii) the location and impacts of illumination of the site; and iii) passive surveillance of the site.
Not applicable as the subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable.

12.4.3 Subdivision

12.4.3.1 Lot Area, Building Envelopes and Frontage

<p>Objective</p> <p>To ensure:</p> <ul style="list-style-type: none"> a) the area and dimensions of lots are appropriate for the zone; and b) the conservation of natural values, vegetation and faunal habitats; and c) the design of subdivision protects adjoining subdivision from adverse impacts; and d) each lot has road, access, and utility services appropriate for the zone. 	
Acceptable Solutions	Performance Criteria
<p>A1.1 Each lot must:</p> <ul style="list-style-type: none"> a) have a minimum area of 1ha; and b) have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or c) be required for public use by the Crown, a an agency, or a corporation all the shares of which are held by Councils or a municipality; or d) be for the provision of public utilities; or e) for the consolidation of a lot with another lot with no additional titles created; or f) to align existing titles with zone boundaries and no additional lots are created. <p>A1.2 Subdivision at Devon Hills will not result in any new lots.</p>	<p>P1.1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:</p> <ul style="list-style-type: none"> a) a dwelling to be erected in a convenient and hazard free location; and b) on-site parking and manoeuvrability; and c) adequate private open space; and d) reasonable vehicular access from the carriageway of the road to a building area on the lot, if any; and e) development that would not adversely affect the amenity of, or be out of character with, surrounding development and the streetscape. <p>P1.2 Land in Devon Hills must not be further subdivided</p>
<p>Lot 1 is proposed to be 8,821m² +/- and Lot 2 is proposed to be 7,709m² +/- . As this is under 1ha it does not comply with A1.1 a) and must address the performance criteria.</p> <p>Complies with A1.1 b).</p> <p>A1.1 c) – f) are not applicable.</p> <p>A1.2 does not apply – the site is not in Devon Hills.</p>	<ul style="list-style-type: none"> a) The only hazard identified for the site is bushfire hazard. The bushfire hazard report demonstrates that each lot has sufficient useable area and dimensions to allow for a dwelling to be erected in a convenient location at a Bushfire Attack Level 19 in accordance with the Bushfire-prone areas Code. b) The size of the lots and the slope of the land gives sufficient useable area and dimensions to allow for on-site parking and manoeuvrability. c) The size of the lots and the slope of the land gives sufficient useable area and dimensions to allow for adequate private open space. d) The size of the lots and the slope of the land gives sufficient useable area and dimensions to allow reasonable vehicular access from the carriageway of the road to a building area identified in the Bushfire Hazard Management Report. e) The size of the lots and the slope of the land gives sufficient useable area and dimensions to allow for development that would not adversely affect the amenity of, or be out of character with, surrounding development and the streetscape. <p>P1.2 does not apply – the site is not in Devon Hills.</p>
<p>A2 Each lot must have a frontage of at least 6m.</p>	<p>P2 No performance criteria.</p>
<p>Complies. Each lot is proposed to have a 10.0m wide frontage to a Council maintained road.</p>	<p>N/a</p>

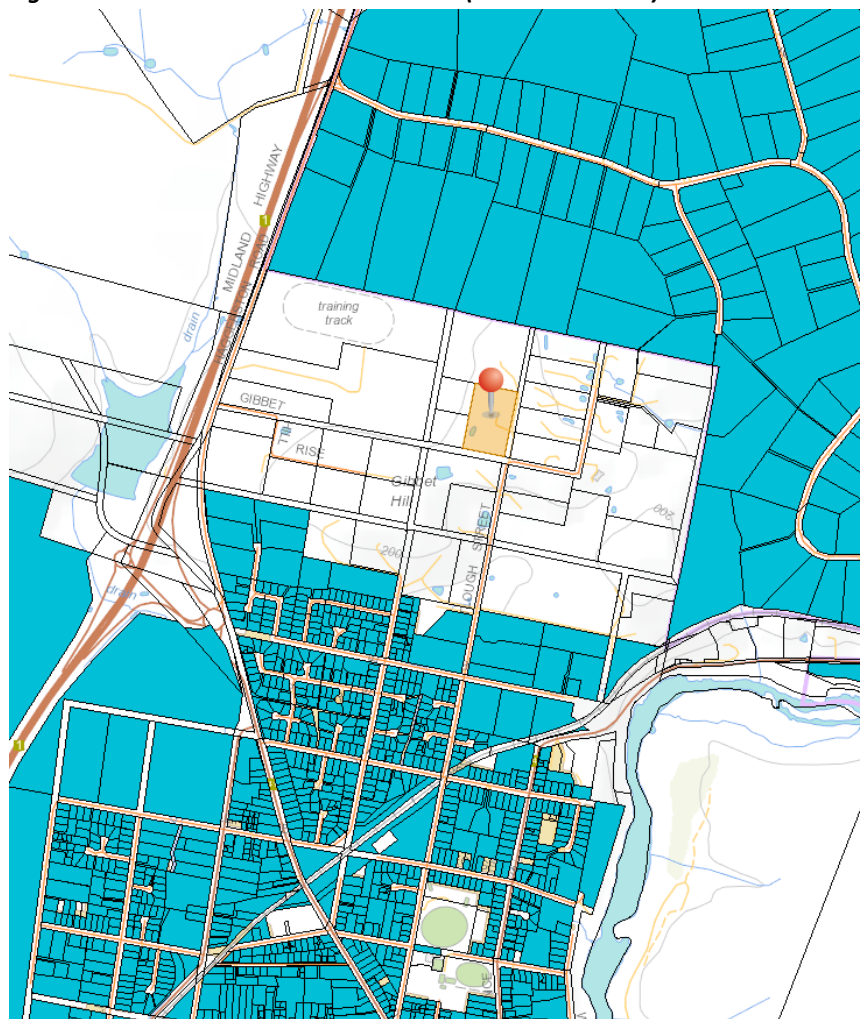
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<p>A3 Each lot must be connected to a reticulated:</p> <ul style="list-style-type: none"> a) water supply; and b) sewerage system. 	<p>P3 Lots that are not provided with reticulated water and sewerage services must be:</p> <ul style="list-style-type: none"> a) in a locality for which reticulated services are not available or capable of being connected; and b) capable of accommodating an on-site wastewater management system.
<p>Does not comply. Must address the performance criteria.</p>	<p><u>Water Services</u> The lots are in a locality for which reticulated water services are available (see Figure 5). The proximity and associated cost of extending the main for two lots means reticulated water is not capable of being connected.</p> <p><u>Sewerage Services</u> The lots are not in a locality for which reticulated sewerage services are available (see Figure 5). An on-site wastewater assessment by Environmental Service and Design Pty Ltd was provided with the application. The assessment finds: The property is not within the sewer serviced area of Perth. It is impractical to connect to the reticulated sewer and on-site disposal will be required. The surface and subsurface rock on Lot 2 requires a secondary treatment on-site wastewater system but does not preclude either lot from accommodating an on-site wastewater system. The system selection and location of the on-site wastewater disposal area will be depended upon the size of any dwelling proposed and its position within the lot and a site-specific on-site wastewater design in accordance with AS/NZS1547-2012. Lot 2 has the capability to accommodate a secondary treatment on-site wastewater management system. There is an existing approved on-site wastewater management system for the existing dwelling on Lot 1. With a proposed area of 8841m² the existing system will remain wholly within the lot. There were no obvious signs of failure such as offensive odour or seepage noted during the site assessment. The proposal has the capability to meet the requirements of clause 12.4.3.1 P3 (b) of the scheme.</p>
<p>A4 Each lot must be connected to a reticulated stormwater system.</p>	<p>P4 Stormwater may only be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:</p> <ul style="list-style-type: none"> a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the pre-development levels of the subdivision; and c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.
<p>Does not comply. Must address the performance criteria.</p>	<p>An on-site wastewater assessment by Environmental Service and Design Pty Ltd was provided with the application. The assessment finds: Lot 1, containing the existing dwelling, will not result in any increase or alteration of the stormwater volumes. Lot 2, with an area of 7709m², has adequate area for on-site disposal of stormwater through raised or sub-surface trenches or beds clear of wastewater areas and accesses. The proposal has the capability to meet the requirements of clause 12.4.3.1 P4 of the scheme.</p>

Figure 5 - TasWater Water Serviced Land (Source: The LIST)



CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	A report has been provided by Scott Livingston BFP-105, Dated 22 nd March 2021, version 2, in relation to the subdivision and demonstrates compliance with the applicable acceptable solutions in relation to subdivision.
E2.0 POTENTIALLY CONTAMINATED LAND	N/A
E3.0 LANDSLIP CODE	N/A
E4.0 ROAD AND RAILWAY ASSETS CODE	N/A
E.5.0 FLOOD PRONE AREAS CODE	N/A
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – each lot has enough area to provide for the required 2 spaces per dwelling and associated access.
E7.0 SCENIC MANAGEMENT CODE	Complies, see Code assessment below.
E8.0 BIODIVERSITY CODE	N/A
E9.0 WATER QUALITY CODE	N/A
E10.0 RECREATION AND OPEN SPACE CODE	Complies – GM provided consent to taking cash in lieu of land for public open space.
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 E7 SCENIC MANAGEMENT CODE

E7.1 Purpose of the Code

E7.1.1 The purpose of this provision is to:

- a) ensure that siting and design of development protects and complements the visual amenity of defined tourist road corridors; and
- b) ensure that siting and design of development in designated scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape.

E7.2 Application of this Code

E7.2.1 This code applies to use or development of land within the scenic management – tourist road corridor and local scenic management areas.

E7.3 Definitions of Terms

scenic management – tourist road corridor means the area of land within 100 metres measured from each frontage to the scenic management tourist road corridor indicated on the planning scheme maps, except as follows:

- a) in urban areas within the general residential, low density residential, village, local business, general business, light industrial, general industrial, community purposes zones; and
- b) 200m from each frontage for Midland Highway, Illawarra Road, Lake Leake Road and Esk Main Road.

local scenic management area means those areas listed in Table E7.1 – local scenic management areas and indicated on the planning scheme maps.

E7.4 Use or Development Exempt from this Code

E7.4.1 The following use or development is exempt from this code:

- a) Use without development, not including plantation forestry; and
- b) Subdivision for a boundary adjustment; and
- c) road widening.

E7.5 Use Standards

Not used in this Scheme.

E7.6 Development Standards

E7.6.1 Scenic Management – Tourist Road Corridor

Not applicable. The site is not in a Tourist Road Corridor.

E7.6.2 Local Scenic Management Areas

Objective	
<ol style="list-style-type: none"> a) To site and design buildings, works and associated access strips to be unobtrusive to the skyline and hillsides and complement the character of the local scenic management area; and b) To ensure subdivision and the subsequent development of land does not compromise the scenic management objectives of the local scenic management area. 	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	<p>P1 Development (not including subdivision) must have regard to the:</p> <ol style="list-style-type: none"> a) character statement and scenic management objectives of the particular area set out in Table E7.1 – local scenic management areas; and b) impact on skylines, ridgelines and prominent locations; and c) retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and d) design or treatment of development including: <ol style="list-style-type: none"> i) the bulk and form of buildings including materials and finishes; and ii) earthworks for cut or fill; and iii) complementing the physical (built or natural) characteristics of the site or area.
-	Not applicable – the application is for subdivision.
A2 No acceptable solution.	<p>P2 Subdivision must be consistent with the scenic management objectives of the particular area set out in Table E7.1 – local scenic management areas, having regard to:</p> <ol style="list-style-type: none"> a) the local scenic management area – character statement; and

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	<ul style="list-style-type: none"> b) site size; and c) density of subsequent development; and d) the clearance or retention of vegetation in combination with requirements for hazard management; and e) the extent of works required for roads and to gain access to sites including cut and fill; and f) the physical characteristics of the site and locality; g) any plan over the land through an agreement under S71 of the Act.
-	<p>The subdivision is considered to be consistent with the scenic management objectives the Gibbet Hill area to 'retain remnant tree cover on skylines and limit further development to low density and low impact' and the character statement is 'low density settlement areas with remnant tree cover on skylines visible along important tourism routes' as:</p> <ul style="list-style-type: none"> • The site size is one lot 7709m² and one lot of 8841m². • The density of subsequent development will be one dwelling per 8,270m² (0.827ha). • The Bushfire Hazard Management Report indicates little need for vegetation removal for a future dwelling on Lot 2. • No vegetation removal is proposed as part of this application for 2 lot subdivision.

Table E7.1 – Local Scenic Management Areas

<p>Local Scenic Management Areas are typically found in the northern and western areas of the Municipality –</p> <ul style="list-style-type: none"> ○ On elevated bushland areas in the vicinity of Mount Arnon, Gibbet Hill, the ridges west of the Midland Highway between Devon Hills and Launceston, and Devon Hills west of Translink, ○ In the vicinity of important tourism routes north and south of Evandale village, and on the slopes of the Western Tiers west of Blackwood Creek and extending southward past Poatina to Lake River Road <ol style="list-style-type: none"> 1 Mt Arnon 2 Gibbet Hill 3 Devon Hills 4 Evandale 5 Great Western Tiers 6 O'Connor's Peak 7 O'Connor's Sugarloaf 	
<p>Character Statement –</p> <p>Areas 1,5,6,7 – undeveloped tree covered skylines and bushland cover on elevated slopes with high habitat values, visible along important tourism routes and other through roads</p> <p>Areas 2,3 – low density settlement areas with remnant tree cover on skylines visible along important tourism routes</p> <p>Area 4 – pastoral views across river flood plains and grazing land visible along important tourism routes</p>	
<p>Scenic Management Objectives –</p> <p>Areas 1,5,6,7 – retention of natural tree cover on skylines and existing bushland cover on elevated slopes and of pastoral views across river flood plains</p> <p>Areas 2,3 – retain remnant tree cover on skylines and limit further development to low density and low impact</p> <p>Area 4 – protect pastoral views across grazing land and river flood plains wherever visible along tourism routes or through roads from unsympathetic development</p>	
<p>Scenic Management Criteria – development of land does not:</p> <ul style="list-style-type: none"> ○ intrude onto skylines or river flood plains, or ○ change the landscape character of elevated areas, pastoral scenes or river flood plain views as seen from tourist corridors or through roads 	
Local Criteria:	Measurement or qualifier:
None	Visible from a tourist route or through road

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

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9.2 Development for Existing Discretionary Uses	N/a
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	N/a
9.5 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a
9.6 Change of Use	N/a
9.7 Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8 Buildings Projecting onto Land in a Different Zone	N/a
9.9 Port and Shipping in Proclaimed Wharf Areas	N/a

STATE POLICIES

The proposal is consistent with all State Policies.

OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993

The proposal is consistent with the objectives of the <i>Land Use Planning & Approvals Act 1993</i> .

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan 2017-2027
<ul style="list-style-type: none"> Statutory Planning

6 LOCAL GOVERNMENT (BUILDINGS AND MISCELLANEOUS PROVISIONS) ACT 1993

Section 83	Approval of plan of subdivision	Yes	No
83 (1)(a)	Does the council require the owner to sell to it for a nominal consideration any land shown on the plan as set apart for a public open space or for drainage purposes?		✓
83(1)(b)	Does the council require the owner to mark on the plan in respect of any proposed way, the words "to be acquired by the highway authority"?		✓
83(5)(a)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not provide means of drainage for all or some specified kind of effluent from the block?		✓
83(5)(a)(iii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not permit a septic tank?		✓
83(5)(b)(i)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a septic tank?		✓
83(5)(b)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a specific form of on-site sewerage treatment?		✓
83(7)	Does the council require the final plan of subdivision to note, in respect of a block, that the council has been advised by a regulated entity, within the meaning of the <i>Water and Sewerage Industry Act 2008</i> , that the entity cannot or will not –		
83(7)(a)	provide a supply of water to the block?		✓
83(7) (b)	provide means of sewerage for all or some specified kind of effluent from the block?		✓
Section 84	Council not to approve subdivision	Yes	No
84(1)(c)	Does the subdivision include any road or other works whereby drainage will be concentrated and discharged into any drain or culvert on or under any State highway, and the the Minister administering the <i>Roads and Jetties Act 1935</i> has first not approved so much of the application as affects the drainage?		✓
	If 'yes', refuse the subdivision.		
Section 85	Refusal of application for subdivision		
	Council may refuse the application for subdivision if it is of the opinion:		
85(a)	that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is;		✓
85(b)	that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of;		✓
85(ba)	that the land is not suitable for an on-site effluent disposal system for all or specified kinds of effluent from each block;		✓
85(c)	that the site or layout will make unduly expensive the arrangements for supply of water and electricity, connection to drains and sewers and the construction or maintenance of streets;		✓

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85(d)	that the layout should be altered to include or omit –		
85(d)(i)	blind roads;		✓
85(d)(ii)	alleys or rights of way to give access to the rear of lots;		✓
85(d)(iii)	public open space;		✓
85(d)(iv)	littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake;		✓
85(d)(v)	private roads, ways or open spaces;		✓
85(d)(vi)	where the ground on one side is higher than on the other, wider roads in order to give reasonable access to both sides;		✓
85(d)(vii)	licences to embank highways under the <i>Highways Act 1951</i> ;		✓
85(d)(viii)	provision for widening or deviating ways on or adjoining land comprised in the subdivision;		✓
85(d)(ix)	provision for the preservation of trees and shrubs;		✓
85(e)	that adjacent land of the owner, including land in which the owner has any estate or interest, ought to be included in the subdivision;		✓
85(f)	that one or more of the lots is by reason of its shape in relation to its size or its contours unsuitable for building on;		✓
85(g)	that one or more of the lots ought not to be sold because of –		
85(g)(i)	easements to which it is subject;		✓
85(g)(ii)	party-wall easements;		✓
85(g)(iii)	the state of a party-wall on its boundary.		✓
Section 86	Security for payment	Yes	No
	Does council require security for payments and the execution of works for -		
86(2)(c)	if the land is not located within 30 metres of the existing public storm water system as shown on the map made available under section 12 of the <i>Urban Drainage Act 2013</i> , payment for a public storm water system by, from, or from within, the land as determined by the council so that all lots may have connecting drains and the concentrated natural water may be lawfully disposed of and for the laying of storm water connections from a place on the boundary of each lot to the public storm water system in accordance with the by-laws of the council and to the satisfaction of its engineer;		✓
86(2)(d)	the works required for the discharge of the owner's obligations under <u>section 10 of the <i>Local Government (Highways) Act 1982</i></u> in respect of the highways opened or to be opened on the subdivision;		✓
86(2)(e)	the making and draining of footways that are not part of a road and of private roads and similar footways serving 3 lots or more;		✓
86(2)(f)	the filling in of ponds and gullies;		✓
86(2)(g)	the piping of watercourses.		✓
	If 'yes':		
	council may refuse to approve the application until such security is given.		
	See section 86 (3) for the form of the security.		
	See section 86 (4) for when the works are to be executed.		
Section 107	Access orders	Yes	No
107 (2)	Is work of a substantial nature needed to provide access for vehicles from a highway onto the block?	✓	✓
	If 'yes', council may refuse to seal the final plan under which the block is created until the owner has carried out the work specified in the order within the specified period or given the council security for carrying out that work if called upon by it to do so.		
Section 108	Road widening	Yes	No
108 (1) (a)	Does council, in respect of an existing highway, require to obtain a dedication of land for widening or diverting? (compensation is not payable for the dedication of land which lies within 9 metres of the middle line of the highway of a parcel into which the land is subdivided and on which no building stands)		✓
108 (1) (b)	Does council, in respect of an existing highway, require to obtain a licence to embank?		✓

7 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

8 OPTIONS

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

9 DISCUSSION

Discretion to refuse the application is limited to:

- Creation of lots less than 1 ha.
- Subdivision within Scenic Management Area.

Conditions that relate to any aspect of the application can be placed on a permit. As discussed in this report, the proposal satisfies the requirement of the planning scheme. It is recommended that the application be approved with the conditions below.

10 ATTACHMENTS

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

RECOMMENDATION

That land at 40 Fairtlough Street, Perth be approved to be developed and used for a 2-Lot Subdivision in accordance with application PLN-20-0322 and subject to the following conditions:

1 LAYOUT NOT ALTERED

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

- P1** (Proposed subdivision plan, Woolcott Surveys, Ver: 4.1, dated: 16/12/2020),
- D1** (Planning assessment report, Commercial Project Delivery, dated: 13 December 2020),
- D2** (Onsite wastewater report, Environmental Service and Design Pty Ltd., dated: 6 December 2020),
- D3** (Bushfire hazard management report, Scott Livingston BFP-105, Ver: 2, Dated: 22nd March 2021)

2 COUNCIL'S WORKS DEPARTMENT CONDITIONS

2.1 Stormwater

- Concentrated stormwater must not be discharged on to neighbouring properties
- The applicant must provide plans for the existing house demonstrating that stormwater run-off can be retained within Lot 1.

2.2 Access

- a) A driveway crossover and hotmix sealed apron must be constructed from the edge of Sinclair Street to the property boundary of each lot in accordance with Council standards.
- b) Access works must not commence until an application for vehicular crossing has been approved by Council.

2.3 Municipal standards & certification of works

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

3 PUBLIC OPEN SPACE CONTRIBUTIONS

A contribution must be paid towards the cost of providing public open space infrastructure in accordance with Council policy (currently \$1400 per new lot, or the applicant may obtain a current valuation (less than one month old) less one of the lots. The public open space contribution shall be 5% of that value.

4 SEALING OF FINAL PLAN

The final plan will not be sealed until all conditions have been complied with.

Notes pursuant to the *Local Government (Building and Miscellaneous Provisions) Act*

For Lot 2, the final plan of subdivision must note that Council will not permit a septic tank.

For Lots 1, and 2, the final plan of subdivision must note that the regulated entity cannot or will not provide a supply or water to the block, or provide a means of reticulated sewerage for the block.

General notes

Access to either lot is not permitted over the unmade road 'Fairtlough Street' north of Sinclair St without an approved Crown Access Licence.

DECISION

Cr Polley/Cr Calvert

That land at 40 Fairtlough Street, Perth be approved to be developed and used for a 2-Lot Subdivision in accordance with application PLN-20-0322 and subject to the following conditions:

1 LAYOUT NOT ALTERED

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

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A contribution must be paid towards the cost of providing public open space infrastructure in accordance with Council policy (currently \$1,400 per new lot, or the applicant may obtain a current valuation (less than one month old) less one of the lots. The public open space contribution shall be 5% of that value.

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The final plan will not be sealed until all conditions have been complied with.

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For Lots 1, and 2, the final plan of subdivision must note that the regulated entity cannot or will not provide a supply of water to the block, or provide a means of reticulated sewerage for the block.

General notes

Access to either lot is not permitted over the unmade road 'Fairtlough Street' north of Sinclair St without an approved Crown Access Licence.

Carried unanimously

156/21 PLANNING APPLICATION PLN-21-0020: 77-79 MAIN STREET, CRESSY

File Number: 109000.39
Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 77-79 Main Street, Cressy for visitor accommodation and a boundary adjustment between two lots.

2 BACKGROUND

Applicant:

C Dixon

Owner:

Ringwood Hotels Pty Ltd

Zone:

Local Business zone

Codes:

Carparking and Sustainable Transport Code
Potentially Contaminated Land Code

Classification under the Scheme:

Visitor accommodation

Existing Use:

Residential (house)
Unused (former service station)

Deemed Approval Date:

1 May 2021

Recommendation:

Approve

Discretionary Aspects of the Application

- Development and use of potentially contaminated land.
- Unsealed car parking.

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013*

Preliminary Discussion

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

Figure 1 - Subject site from Main Street



3 STATUTORY REQUIREMENTS

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

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

4 ASSESSMENT

4.1 Proposal

It is proposed to:

- Undertake internal alterations to use the existing motor garage as visitor accommodation.
- Undertake internal alterations to use the existing shed as a rumpus room.
- Undertake a boundary adjustment between the two existing lots to place the existing motor garage and shed on one title and the existing house on another title.

Figure 2 - Site Plan

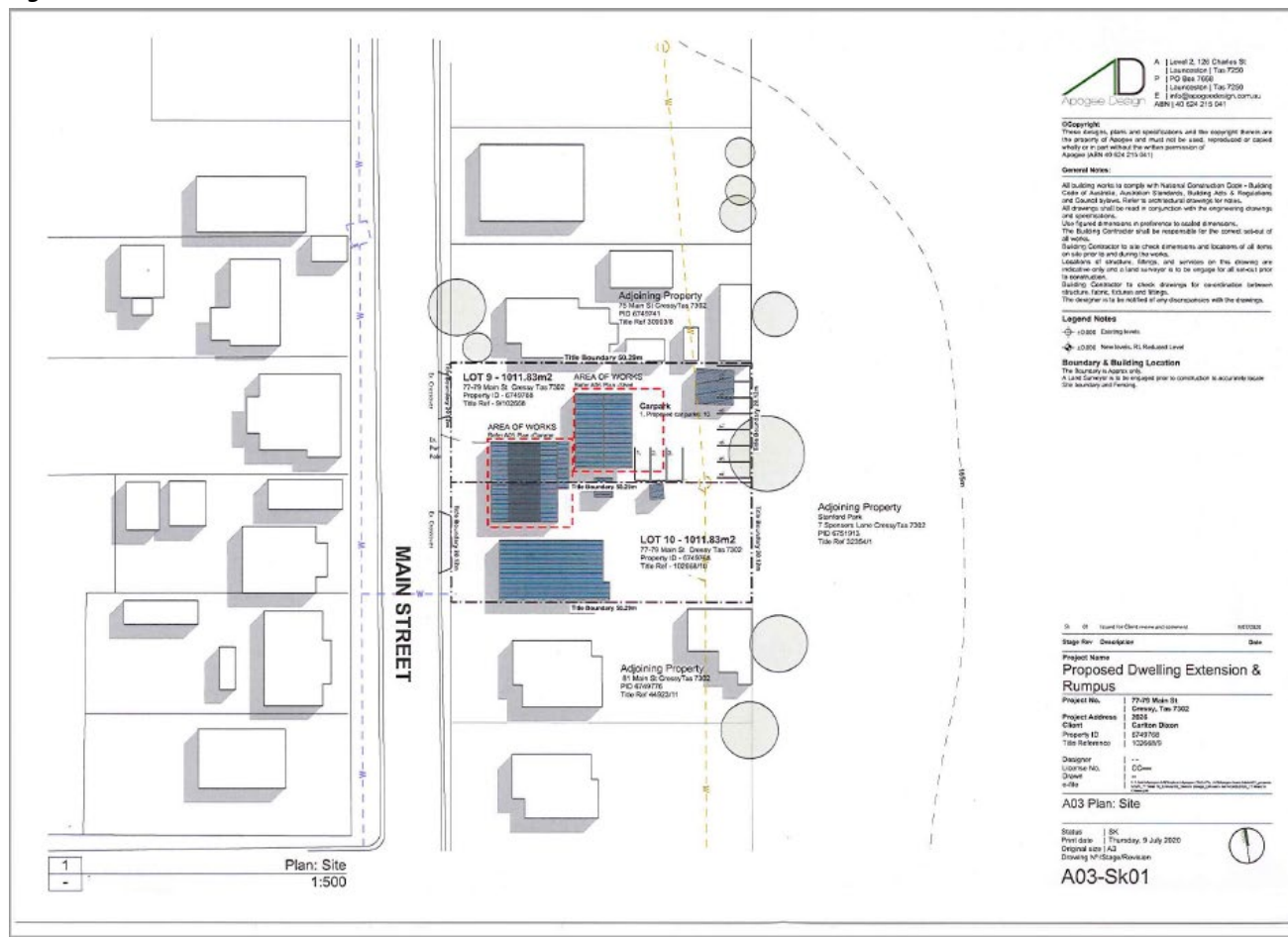


Figure 3 - Floor plan – rumpus room

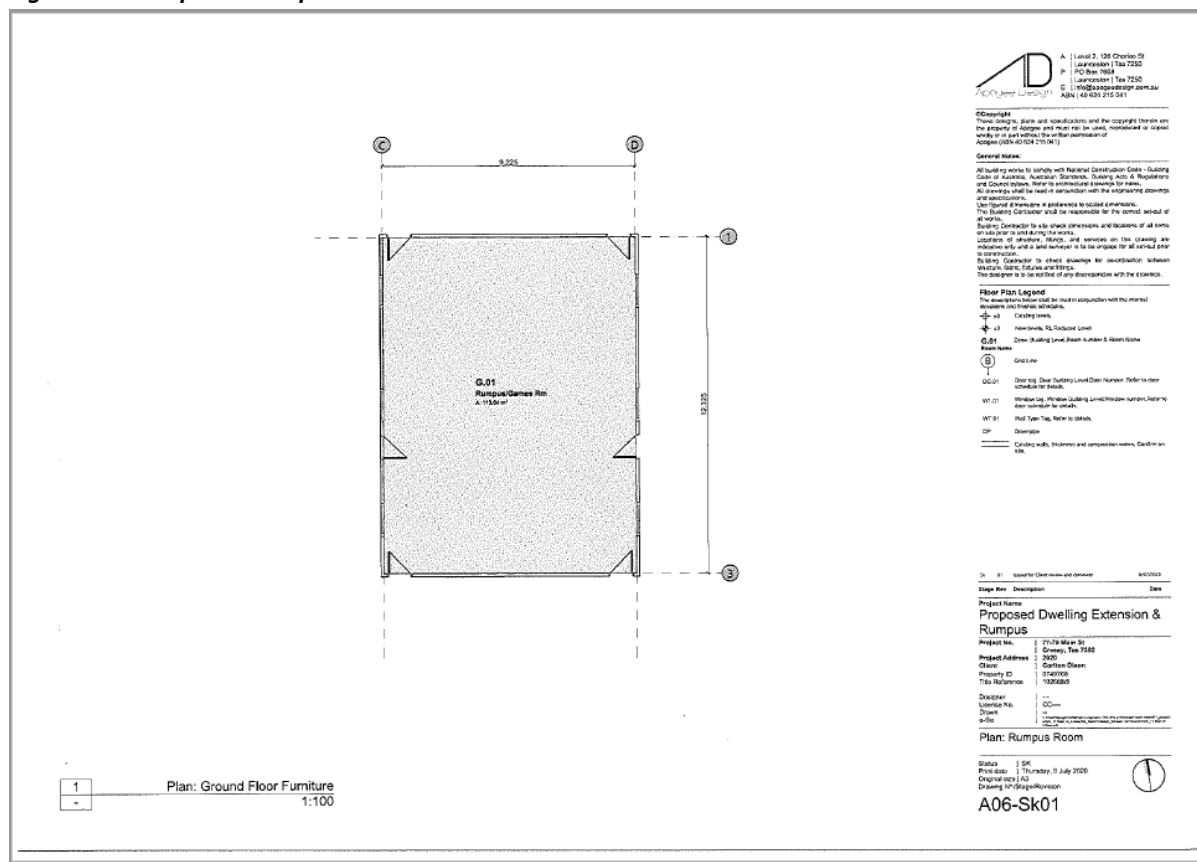


Figure 4 - Floor plan – dwelling (visitor accommodation)

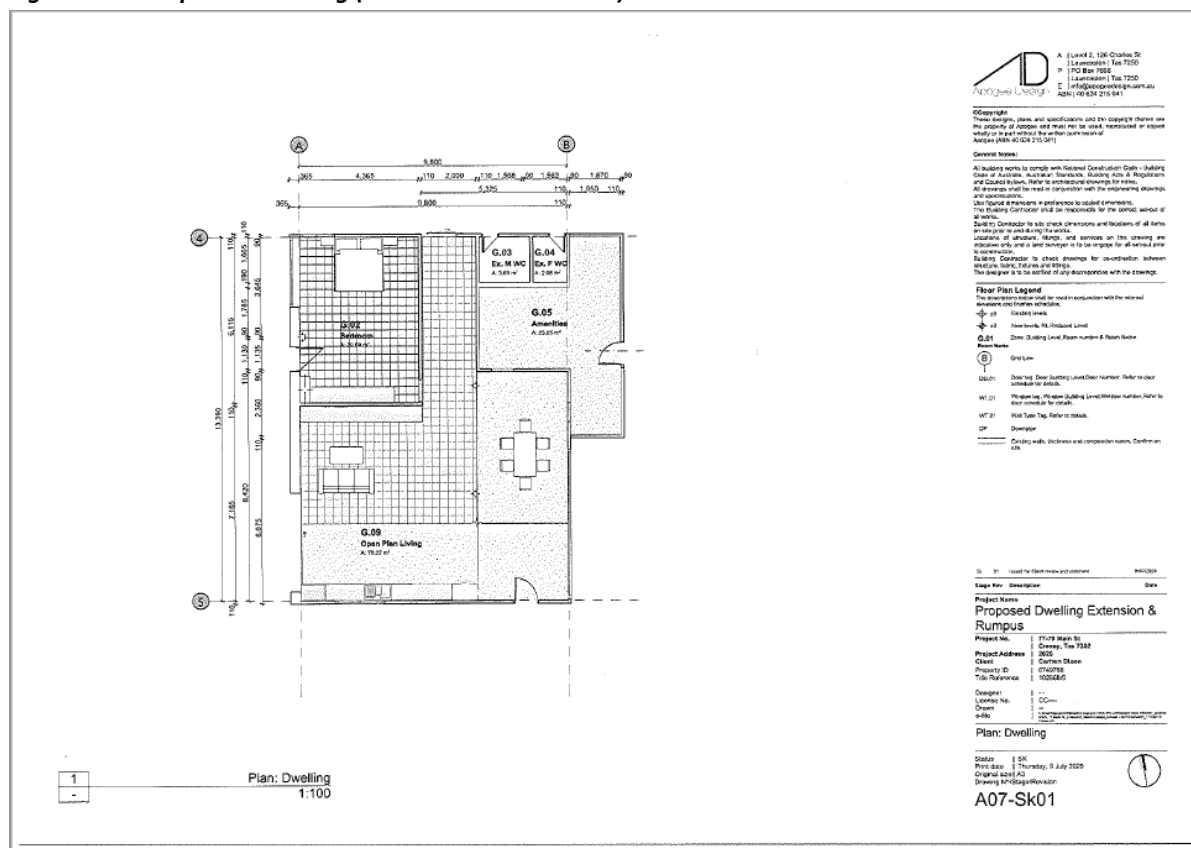
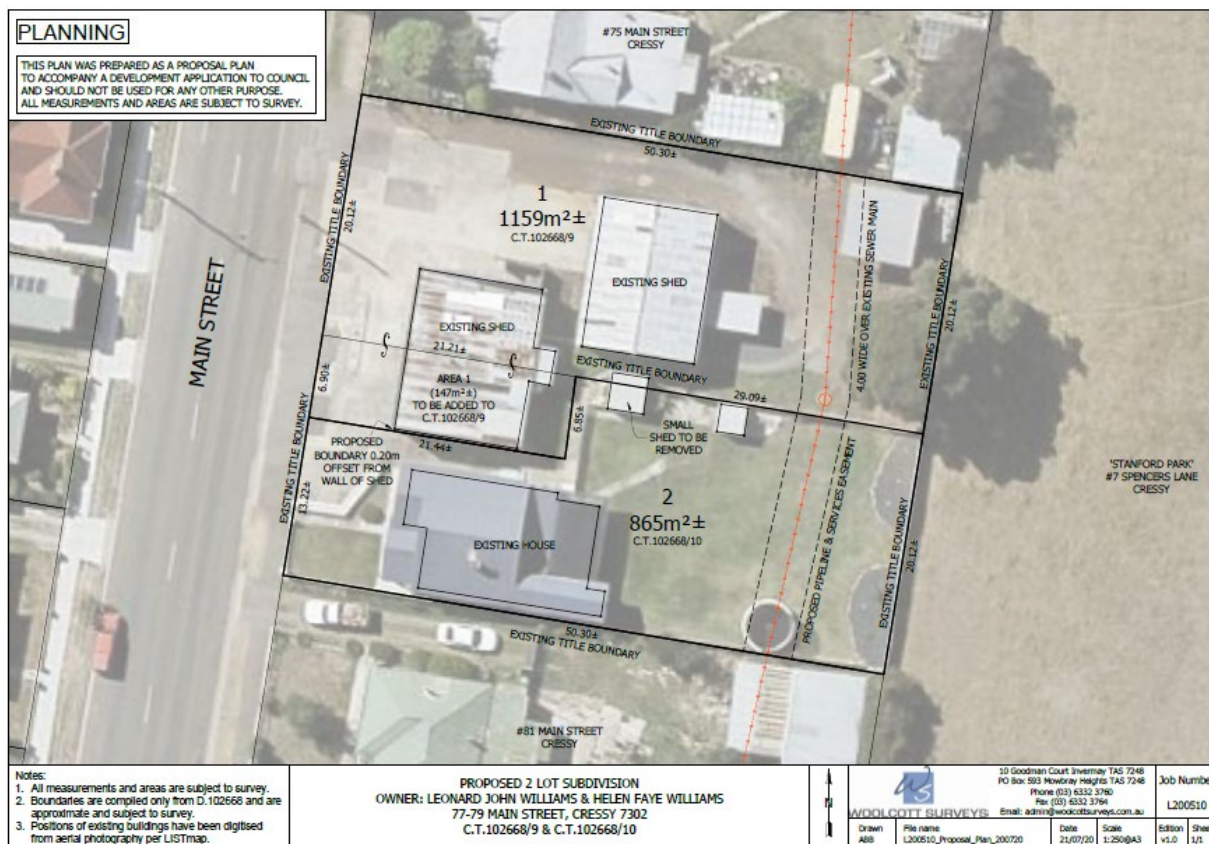


Figure 5 - Proposed subdivision plan



4.2 Zone and land use

Figure 6 - Zone Map – Local Business zone



The land is zoned Local Business and is subject to the Potentially Contaminated Land Code. The relevant Planning Scheme definition is:

Visitor accommodation	a) <i>use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.</i>
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Visitor accommodation is Permitted (with permit) in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on 13 April 2021. The site contains a former service station and a single dwelling. Adjacent land contains single dwellings except the land to the rear which is farmland.

Figure 7 - Aerial photograph of area



Photograph of subject site



Photograph of subject site



Photograph of subject site



4.4 Permit/site history

Relevant history to the service station is contained in the Underground Petroleum Storage Systems (UPSS) Decommissioning Report (attached).

4.5 Representations

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

- S Quinn and M Schouten, 75 Main Street, Cressy.

Map showing location of representor property (highlighted in relation to subject site (outlined in red))



The matter raised in the representation is outlined below followed by the planner's comments.

- No objection to the proposed development, the only stipulation is for the rumpus room to be noise-proofed as their property is close and would not appreciate noise coming from this building late into the night.

Planner's comment:

The planning scheme requires:

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

- 50dB(A) day time; and*
- 40dB(A) night time; and*

Noise levels in habitable rooms of nearby sensitive uses must not exceed 5dB(A) above background.

The following condition is recommended:

If the Northern Midlands Council receives complaints about noise from the use, the permit operator must provide the Council with a noise report from a qualified acoustic engineer within 30 days of being advised of the complaint.

The report must assess noise source and recommend any required attenuation works to ensure that:

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- Noise levels at the boundary of the site with any adjoining land do not exceed 50dB(A) day time and 40dB(A) night time; and
 - Noise levels in habitable rooms of the complainant, if a nearby sensitive use, do not exceed 5dB(A) above background.
- Any works recommended by the report must be implemented within 30 days.

4.6 Referrals

Council's Works Department

Summary: Council's Engineering Officer, Jonathan Galbraith, provided the attached response and advised:

The footpath and driveway are quite functional but probably not constructed quite the way we would do them today. I think the way we look at it now is that if there is already functional infrastructure there, we can't ask the applicant to upgrade it.

TasWater

Summary: A Taswater Submission to Planning Authority Notice was issued on 17/3/2021 (Taswater Ref: TWDA 2021/00386-NMC).

4.7 Planning Scheme Assessment

LOCAL BUSINESS ZONE

Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Business and professional services	
Community meeting & entertainment	
Food services	
General retail and hire	
Hotel industry	
Research and development	
Utilities	If for minor utilities
Visitor accommodation	
Vehicle fuel sales and service	
Discretionary	
Use Class	Qualification
Bulky goods sales	
Educational and occasional care	
Emergency services	
Manufacturing and processing	
Recycling and waste disposal	If not for refuse disposal site, scrap yard, vehicle wrecking yard
Residential	
Service industry	
Sport and Recreation	
Storage	
Tourist operation	
Transport depot and distribution	
Utilities	If not for minor utilities
Vehicle parking	
Prohibited	
All other uses	

Use Standards

Amenity

Objective To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles (except for visitor accommodation and recreation) must only operate between 6.00am and 10.00pm Monday to Sunday.	P1 Commercial vehicles (except for visitor accommodation and recreation) must not unreasonably impact on the amenity of any adjoining General Residential and Urban Mixed Use zones, having regard to: a) traffic, the hours of delivery and despatch of goods and materials; and b) hours of operation; and c) light spill.
Condition required.	N/a
A2.1 Noise levels at the boundary of the site with any adjoining land must not exceed: a) 50dB(A) day time; and b) 40dB(A) night time; and A2.2 Noise levels in habitable rooms of nearby sensitive uses must not exceed 5dB(A) above background.	P2 Noise must not cause unreasonable loss of amenity to nearby sensitive uses.
A neighbour raised concern about noise from the rumpus room. The following condition is recommended: <i>If the Northern Midlands Council receives complaints about noise from the use, the permit operator must provide the Council with a noise report from a qualified acoustic engineer within 30 days of being advised of the complaint.</i> <i>The report must assess noise source and recommend any required attenuation works to ensure that:</i> <ul style="list-style-type: none"> Noise levels at the boundary of the site with any adjoining land do not exceed 50dB(A) day time and 40dB(A) night time; and Noise levels in habitable rooms of the complainant, if a nearby sensitive use, do not exceed 5dB(A) above background. <i>Any works recommended by the report must be implemented within 30 days.</i>	N/a

Development Standards

Siting, Design and Built Form

Objective To ensure that development is visually compatible with surrounding area.	
Acceptable Solutions	Performance Criteria
A1 The entrance of a building must: a) be clearly visible from the road or publically accessible areas on the site; and b) provide a safe access for pedestrians.	P1 No performance criteria.
Complies.	N/a
A2 Building height must not exceed: a) 8m; or b) 1m greater than the average of the heights of buildings on immediately adjoining lots.	P2 Building height must: a) be consistent with the local area objectives if any, and b) have regard to the streetscape and the desirability of a greater setback for upper floors from the frontage; and c) avoid unreasonable levels of overshadowing to public places or adjoining properties.

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N/a – no new buildings.	N/a
A3.1 Buildings must be: the same as or less than the setback of an immediately adjoining building.	P3 Building setbacks must:
A3.2 Extensions or alterations to existing buildings must not reduce the existing setback.	a) provide for enhanced levels of public interaction or public activity; and
	b) ensure the efficient use of the site; and
	c) be consistent with the established setbacks within the immediate area and the same zone; and
	d) be consistent with the local area objectives, if any; and
	e) provide for emergency vehicle access.
N/a – no new buildings.	N/a
CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/a
E2.0 POTENTIALLY CONTAMINATED LAND	See code assessment below.
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	N/a
E.5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	See code assessment below
E7.0 SCENIC MANAGEMENT CODE	N/a
E8.0 BIODIVERSITY CODE	N/a
E9.0 WATER QUALITY CODE	N/a
E10.0 RECREATION AND OPEN SPACE CODE	N/a
E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0 AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0 LOCAL HISTORIC HERITAGE CODE	N/a
E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a

ASSESSMENT AGAINST E2.0 POTENTIALLY CONTAMINATED LAND CODE

Use Standards

E2.5.1 Use of Potentially Contaminated Land

Objective To ensure that the use of contaminated land does not adversely impact on human health.	
Acceptable Solutions	Performance Criteria
A1.1 Use must not be located on potentially contaminated land; or	P1 Use of potentially contaminated land must demonstrate that human health and safety and the environment are not at risk as a result of the use through:
A1.2 Use of potentially contaminated land must be accompanied by sign off of the Environment Protection Authority pursuant to EPA Bulletin 112, that the land:	a) a site investigation report by a person who meets the competencies established under Schedule B (10) of the <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i> ; and
a) is not contaminated; or	b) where the site investigation report indicates the presence of contaminants that require management a:
b) has been remediated appropriate to the use.	i) contaminant management plan; and
	ii) remediation action plan;
	by a person who meets the competencies established under Schedule B (10) of the <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i> ; and
	c) completion of the decontamination process prior to the commencement of the use.
Comment: The site is a former service station which is listed as a potentially contaminating activity in the code. Must address the performance criteria.	Comment: a) A Site Investigation Report by Rod Cooper (site contamination specialist certification number 1131) was provided with the application. The report concludes that: <i>The results of the soil and vapour analysis were compared with National Environment Protection Measures (NEPM) guidelines and found the level of risk to be acceptable for</i>

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	<p><i>Residential Development. The planning requirements have been met and the development can proceed.</i></p> <p>b) The site investigation report does not indicate the presence of contaminants that requires management.</p> <p>c) An Underground Petroleum Storage Systems (UPSS) Decommission report by Rod Cooper (site contamination specialist certification number 1131) was provided with the application. This concludes that:</p> <p><i>All pit validation samples comply with the 'Residential – A' NEPASCM screening levels except for two pit wall samples 'V2-1.2m' and 'V3-1.2m'. These sample points were at 1.2 m and pose no dermal risk, they are isolated historic hotspots of F1 contamination that is within 1 order of the guidelines and so poses acceptable risk considering that vapour assessment of the slabs detected no vapour. Similar hotspots of F1 at Tank 2 were remediated to find no contamination as the F1 is very volatile. No further remediation is considered necessary and no impact on groundwater was detected.</i></p> <p><i>Vapour sampling which was completed by ES&D under the two workshop slabs and beside the remediated pit did not detect any volatile compounds in the samples.</i></p> <p>The proposal complies with the performance criteria.</p>
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E2.6 Development Standards

E2.6.1 Development of Potentially Contaminated Land

<p>Objective</p> <p>To ensure that the development of contaminated land does not adversely impact on human health, safety or the environment.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 Development must not be located on potentially contaminated land; or</p> <p>A1.2 Development of potentially contaminated land must be accompanied by advice of the Environment Protection Authority that the land:</p> <p>a) is not contaminated; or</p> <p>b) has been remediated appropriate to the use.</p>	<p>P1 Development of potentially contaminated land that has not been decontaminated must demonstrate that human health and safety and the environment are not at risk as a result of the development through:</p> <p>a) a site investigation report by a person who meets the competencies established under Schedule B (10) of the <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i>; and</p> <p>b) where the site investigation report indicates the presence of contaminants that require management, a:</p> <p>i) contaminant management plan; and</p> <p>ii) remediation action plan;</p> <p>by a person who meets the competencies established under <i>Schedule B (10) of the National Environment Protection (Assessment of Site Contamination) Measure 1999</i>; and</p> <p>c) completion of the decontamination process prior to the commencement of the development.</p>
<p><u>Comment:</u> The site is a former service station which is listed as a potentially contaminating activity in the code. Must address the performance criteria.</p>	<p><u>Comment:</u> The land has been decontaminated as detailed in the Underground Petroleum Storage Systems (UPSS) Decommission report by Rod Cooper (site contamination specialist certification number 1131) provided with the application. The report concludes that:</p> <p><i>All pit validation samples comply with the 'Residential – A' NEPASCM screening levels except for two pit wall samples 'V2-1.2m' and 'V3-1.2m'. These sample points were at 1.2 m and pose no dermal risk, they are isolated historic hotspots of F1 contamination that is within 1 order of the guidelines and so poses acceptable risk considering that vapour assessment of the slabs detected no vapour. Similar hotspots of F1 at Tank 2 were remediated to find no contamination as the F1 is very volatile. No further remediation is considered necessary and no impact on groundwater was detected.</i></p> <p>The proposal complies with the performance criteria.</p>

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.

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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.
Visitor accommodation – 1 bed proposed – 1 space required – complies. Single Dwelling – floor area of 117m ² (according to property report) indicates around 3 bedrooms. Two spaces in driveway and one in front of house – complies.		N/a	

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Visitor accommodation	1 space per unit or 1 space per 4 beds whichever is greater.	1 space per 10 beds.
Residential use in any zone other than General Residential Zone (including all rooms capable of being used as a bedroom)	1 space per bedroom	1 space per unit or 1 space 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.

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Sufficient space for the 1 space required for each use.	N/a
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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.
Less than 50 spaces – not required.	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.
Less than 20 spaces – not required.	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: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
Does not comply - parking area is unsealed.	Parking, access and manoeuvring areas are gravelled which complies with the performance criteria.

E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.	
Acceptable Solutions	Performance Criteria
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to: a) the layout of the site and the location of existing buildings; and b) views into the site from the road and adjoining public spaces; and c) the ability to access the site and the rear of buildings; and d) the layout of car parking in the vicinity; and e) the level of landscaping proposed for the car parking.
N/a – less than 4 spaces.	N/a
A2.1 Car parking and manoeuvring space must: a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .	P2 Car parking and manoeuvring space must: a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
a) Complies	N/a

b) N/a – less than 4 spaces.	
c) More than 3m – complies.	
A2.2 – complies.	

Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

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

E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria
A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1 The location and design of parking spaces considers the needs of disabled persons, having regard to:
	a) the topography of the site;
	b) the location and type of relevant facilities on the site or in the vicinity;
	c) the suitability of access pathways from parking spaces, and
	d) applicable Australian Standards.
Condition required.	N/a
A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.	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.
Condition required.	N/a

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.	
N/a	N/a

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Bicycle parking spaces for customers and visitors must:</p> <ul style="list-style-type: none"> a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and <p>A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</p>	<p>P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</p>
Application does not demonstrate compliance with this provision.	Secure parking available in the 113m ² rumpus room.
<p>A2 Bicycle parking spaces must have:</p> <ul style="list-style-type: none"> a) minimum dimensions of: <ul style="list-style-type: none"> i) 1.7m in length; and ii) 1.2m in height; and iii) 0.7m in width at the handlebars; and b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed. 	<p>P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.</p>
Application does not demonstrate compliance with this provision.	Secure parking available in the 113m ² rumpus room.

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>
Less than 10 spaces- no separate pedestrian access required.	N/a

Table E6.5: Pedestrian Access

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

Notes

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

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 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a

9.6 Change of Use	N/a
9.7 Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8 Buildings Projecting onto Land in a Different Zone	N/a
9.9 Port and Shipping in Proclaimed Wharf Areas	N/a

Clause 9.3 Adjustment of a Boundary

*An application for a boundary adjustment is permitted and a permit must be granted if:
no additional lots are created.*

Complies. Two lots exist, and there will be two after the boundary adjustment.

there is only minor change to the relative size, shape and orientation of the existing lots.

Complies. Each lot is 1,012m². The resulting lots will be 1,159m² (14.5% larger) and 865m² (14.5% smaller). They will each retain a long axis running east-west.

no setback from an existing building will be reduced below the applicable minimum setback requirement.

Complies. The zone requirement is that setbacks must be the same as or less than the setback of an immediately adjoining building. The setback from the existing house will be reduced to around 2m. This is less than the setback of the immediately adjoining building at 81 Main Street.

no frontage is reduced below the applicable minimum frontage requirement.

Complies. Each frontage is greater than the required 5m frontage.

no lot boundary that aligns with a zone boundary will be changed.

Complies. The boundary that is being changed is between the local business zone.

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

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Development and use of potentially contaminated land.

The proposal complies with the performance criteria as follows:

Use of potentially contaminated land must demonstrate that human health and safety and the environment are not at risk as a result of the use through:

- a site investigation report by a person who meets the competencies established under Schedule B (10) of the National Environment Protection (Assessment of Site Contamination) Measure 1999.

A Detailed Site Investigation Report by Rod Cooper (site contamination specialist certification number 1131) was provided with the application. This concludes that:

The results of the soil and vapour analysis were compared with National Environment Protection Measures (NEPM) guidelines and found the level of risk to be acceptable for Residential Development. The planning requirements have been met and the development can proceed.

- b) where the site investigation report indicates the presence of contaminants that require management a:
- i) contaminant management plan; and
 - ii) remediation action plan;
- by a person who meets the competencies established under Schedule B (10) of the National Environment Protection (Assessment of Site Contamination) Measure 1999.

The site investigation report does not indicate the presence of contaminants that requires management.

- c) completion of the decontamination process prior to the commencement of the use.

An Underground Petroleum Storage Systems (UPSS) Decommission report by Rod Cooper (site contamination specialist certification number 1131) was provided with the application. This concludes that:

All pit validation samples comply with the 'Residential – A' NEPASCMS screening levels except for two pit wall samples 'V2-1.2m' and 'V3-1.2m'. These sample points were at 1.2 m and pose no dermal risk, they are isolated historic hotspots of F1 contamination that is within 1 order of the guidelines and so poses acceptable risk considering that vapour assessment of the slabs detected no vapour. Similar hotspots of F1 at Tank 2 were remediated to find no contamination as the F1 is very volatile. No further remediation is considered necessary and no impact on groundwater was detected.

Vapour sampling which was completed by ES&D under the two workshop slabs and beside the remediated pit did not detect any volatile compounds in the samples.

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

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

8 ATTACHMENTS

- Application & plans
- Referral responses
- Representation

RECOMMENDATION

That land at 77-79 Main Street, Cressy be approved to be developed and used for Visitor Accommodation, boundary adjustment between two lots, and demolition of sheds (Potentially Contaminated Land Code) in accordance with application PLN-21-0020, and subject to the following conditions:

VISITOR ACCOMMODATION

1 Layout not altered

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

- P1 – P9** (Apogee Design drawings A01-Sk01 – A09-Sk01, 8/07/2020);
D1 (UPSS Decommission report, es&d, 15/10/2020); and
D2 (Detailed Site Investigation report, es&d, 31/10/2020).

2 Noise Report

If the Northern Midlands Council receives complaints about noise from the use, the permit operator must provide the Council with a noise report from a qualified acoustic engineer within 30 days of being advised of the complaint.

The report must assess noise source and recommend any required attenuation works to ensure that:

- Noise levels at the boundary of the site with any adjoining land do not exceed 50dB(A) day time and 40dB(A) night time; and

- Noise levels in habitable rooms of the complainant, if a nearby sensitive use, do not exceed 5dB(A) above background.

Any works recommended by the report must be implemented within 30 days.

3 Parking

All spaces designated for use by persons with a disability must be located closest to the main entry point to the building. Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.

TWO LOT SUBDIVISION BOUNDARY ADJUSTMENT

1 Layout not altered

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

S1 (Proposed 2 Lot Subdivision plan, Woolcott Surveys, 21/07/20).

2 Council's Works Department conditions

2.1 Stormwater

Each lot must be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.

All existing buildings must be plumbed into the Council stormwater system to the satisfactions of Council's plumbing inspector.

2.2 Access (Urban)

An access must be provided to each lot in accordance with Council standards.

2.3 Works in State road reserve

- a) The developer must obtain a permit from the Department State Growth for any works to be undertaken within the State Road reservation, including any works necessary in relation to access construction, stormwater drainage and/or traffic management control and devices from the proposal.
- b) Application requirements and forms can be found at transport.tas.gov.au/road/permits, applications must be submitted at least twenty-eight (28) days prior to any scheduled works. In accordance with the Roads and Jetties Act 1935, works must not be commenced within the State Road reservation until a permit has been issued.

2.4 Separation of stormwater services

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

2.5 Pollutants

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

3 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Submission to Planning Authority Notice (TWDA 2021/00386-NMC).

DECISION

Cr Goninon/Cr Davis

That land at 77-79 Main Street, Cressy be approved to be developed and used for Visitor Accommodation, boundary adjustment between two lots, and demolition of sheds (Potentially Contaminated Land Code) in

accordance with application PLN-21-0020, and subject to the following conditions:

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The report must assess noise source and recommend any required attenuation works to ensure that:

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- Noise levels in habitable rooms of the complainant, if a nearby sensitive use, do not exceed 5dB(A) above background.

Any works recommended by the report must be implemented within 30 days.

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

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1 Layout not altered

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

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2.1 Stormwater

Each lot must be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department. All existing buildings must be plumbed into the Council stormwater system to the satisfactions of Council's plumbing inspector.

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- a) The developer must obtain a permit from the Department State Growth for any works to be undertaken within the State Road reservation, including any works necessary in relation to access construction, stormwater drainage and/or traffic management control and devices from the proposal.
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- b) Where required, pipes are to be rerouted to provide an independent system for each lot.
- c) Certification must be provided that stormwater services have been separated between the lots.

2.5 Pollutants

- a) The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not

released from the site.

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

3 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Submission to Planning Authority Notice (TWDA 2021/00386-NMC).

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 26 APRIL 2021

157/21 PLANNING APPLICATION PLN-20-0323: 13-15 RUSSELL STREET, EVANDALE

File Number: 204300.26
Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 13-15 Russell Street, Evandale to replace a front fence, replace and extend the height of the rear fence/wall, install a vehicle gate and access off Rogers Lane, and temporary erection and use of marquee for function centre when events are booked.

2 BACKGROUND

Applicant:

Lydia Nettlefold

Zone:

Local Business Zone

Owner:

Lydia Olga Nettlefold

Codes:

Road and Railway Assets Code
Car Parking and Sustainable Transport Code
Heritage Code
Heritage Precincts Specific Area Plan

Classification under the Scheme:

Discretionary

Existing Use:

Residential

Deemed Approval Date:

1 May 2021

Recommendation:

Refuse

Discretionary Aspects of the Application

- Works to fence on heritage listed place.
- Works to fence in heritage precinct.
- Installation of new vehicle access.
- Reduction in parking spaces.

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013*

Preliminary Discussion

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

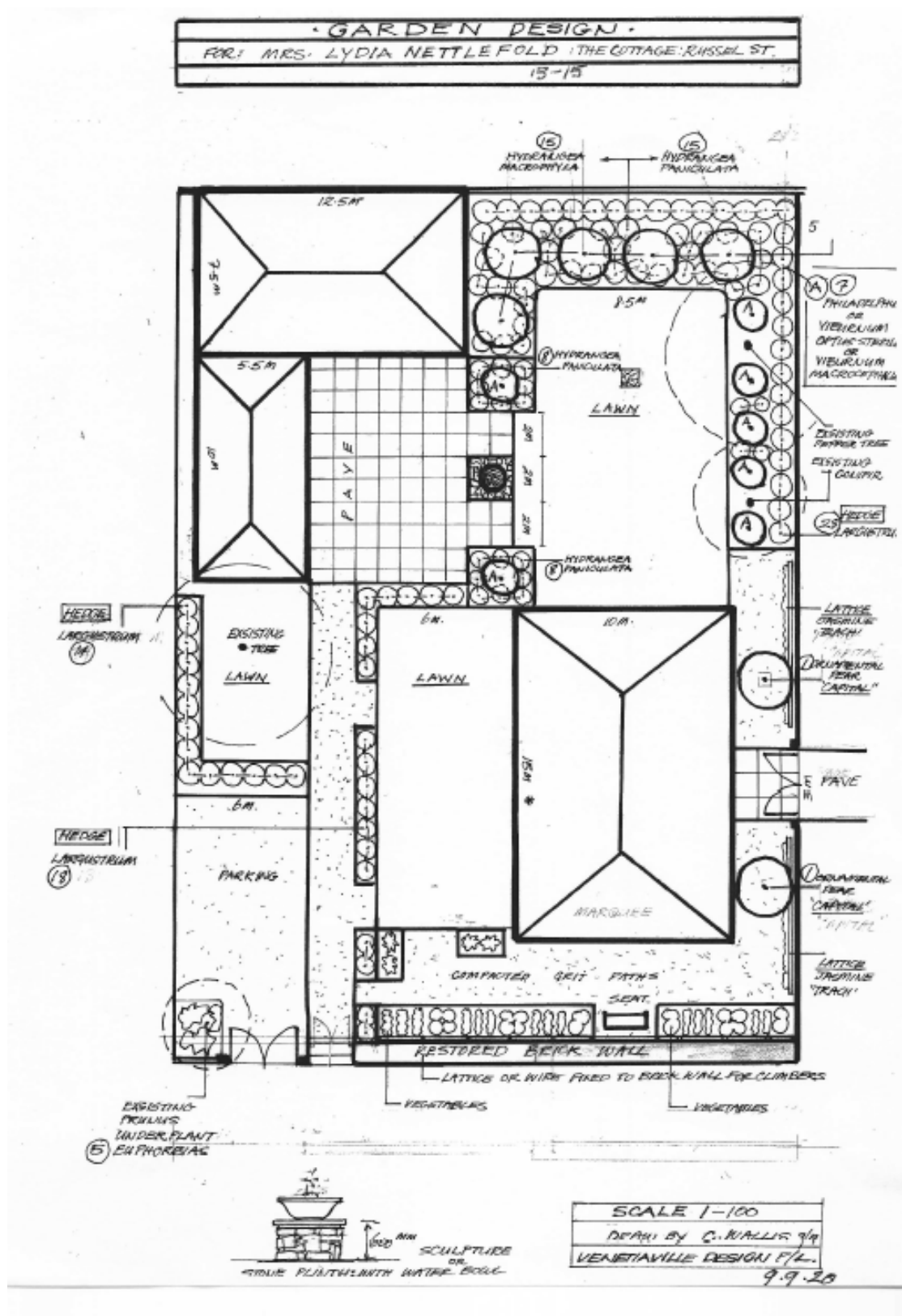
The following is proposed:

- Replace front fence (retrospective);

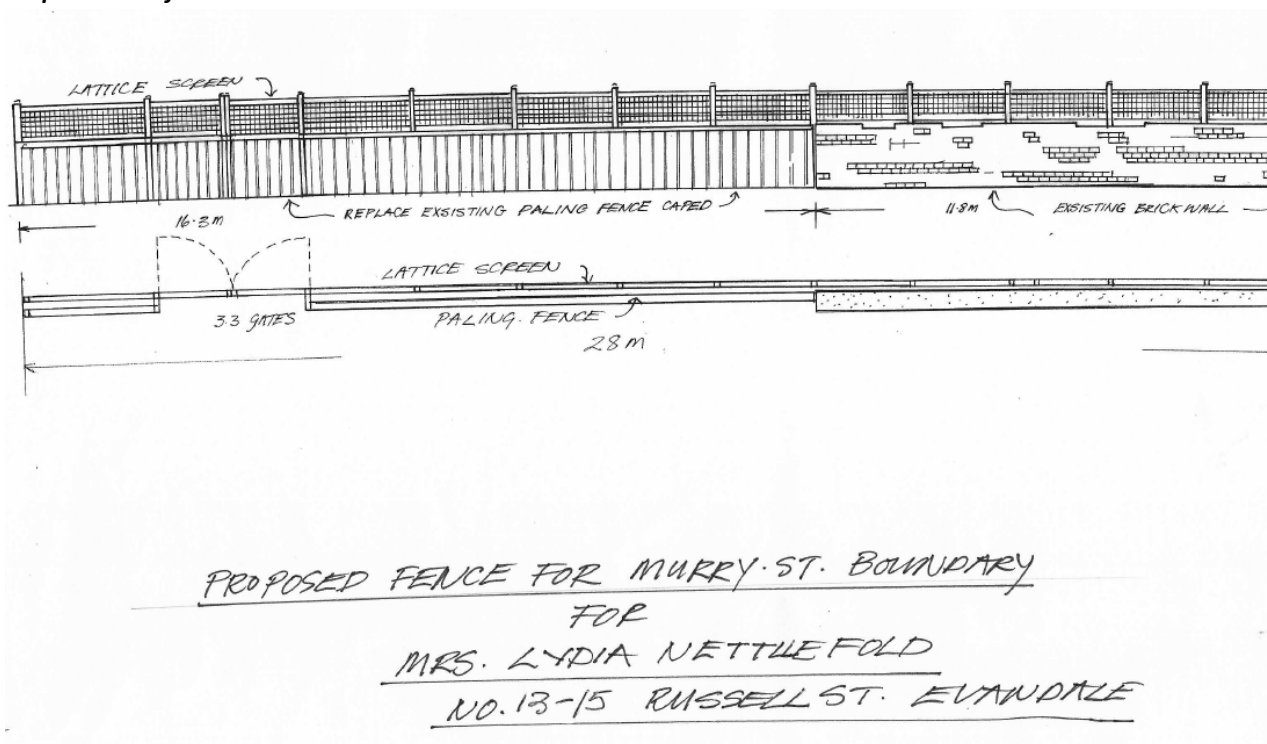
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- Replace and extend height of rear fence/wall;
- Install gate for vehicle access onto Rogers Lane (retrospective)
- Temporary erection of marquee and use for function centre when events are booked.

Site Plan



Proposed rear fence



Front fence as replaced

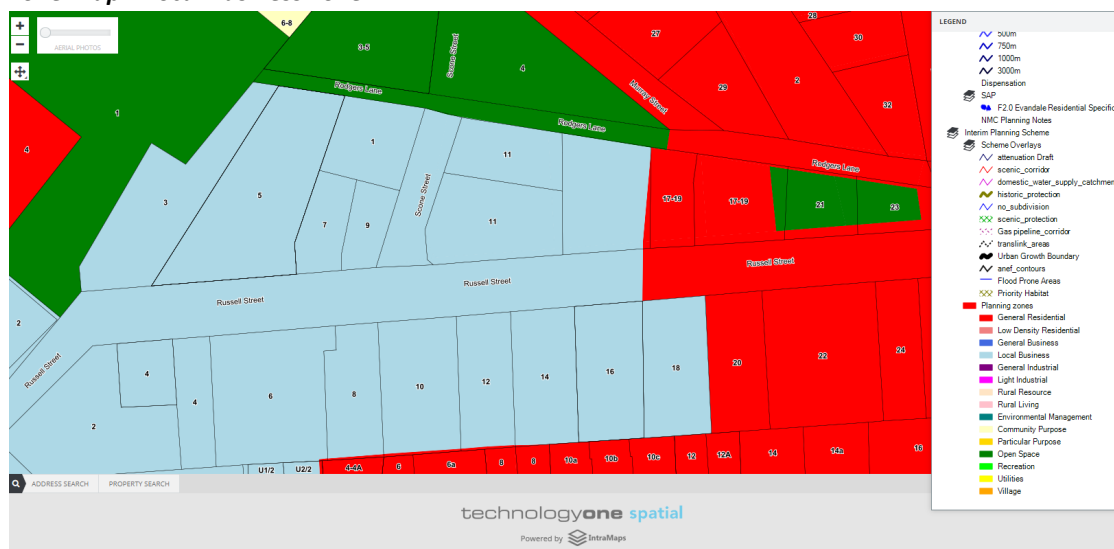


Front fence before replacement



4.2 Zone and land use

Zone Map – Local Business Zone



The land is zoned Local Business. It is within the Heritage Precinct and is a heritage listed place.

The relevant Planning Scheme definitions are:

Community meeting & entertainment	use of land for social, religious and cultural activities, entertainment and meetings. Examples include an art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre.
function centre	means use of land, by arrangement, to cater for private functions, and in which food and drink may be served. It may include entertainment and dancing.

Use Table

No Permit Required

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Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Business and professional services	
Community meeting & entertainment	
Food services	
General retail and hire	
Hotel industry	
Research and development	
Utilities	If for minor utilities
Visitor accommodation	
Vehicle fuel sales and service	
Discretionary	
Use Class	Qualification
Bulky goods sales	
Educational and occasional care	
Emergency services	
Manufacturing and processing	
Recycling and waste disposal	If not for refuse disposal site, scrap yard, vehicle wrecking yard
Residential	
Service industry	
Sport and Recreation	
Storage	
Tourist operation	
Transport depot and distribution	
Utilities	If not for minor utilities
Vehicle parking	
Prohibited	
All other uses	

Community meeting and entertainment (function centre) is Permitted (with permit) in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on 24/11/2020. The site contains a single dwelling and garden. The site adjoins Rodgers Lane and a park to the north, the Clarendon Arms Hotel to the west, a single dwelling to the east with shops and dwellings over Russell Street.

Aerial photograph of area – subject site highlighted, representor properties outlined in red.



Photograph of subject site off Rogers Lane (Google Maps, image capture date January 2010, accessed 16/4/2021)



Photograph of subject site, off Rogers Lane



Photograph of subject site, off Rogers Lane, unapproved access



4.4 Permit/site history

Relevant permit history includes:

- PLN-19-0203 New bedroom and ensuite to heritage cottage.

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:

- Mrs A & Dr AGS Woodberry, 17-19 Russell Street, Evandale
- RJ & W Wittholz, 12 Russell Street, Evandale

Map showing location of representor property outlined in red in relation to subject site



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

- **Noise concerns**

Planner's comment:

The planning scheme requires:

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

- 50dB(A) day time; and*
- 40dB(A) night time; and*

Noise levels in habitable rooms of nearby sensitive uses must not exceed 5dB(A) above background.

The following condition is recommended if a permit is issued:

Noise monitoring by a suitably qualified person is to be undertaken each time the use operates. The noise monitoring is to be undertaken at the boundary between 13-15 Russell Street and 17-19 Russell Street at the point nearest to the residential dwelling at 17-19 Russell Street. A report from the suitably qualified person verifying the noise levels must be submitted to Council within 14 days of undertaking the noise monitoring. Measurements are to be in accordance with the methods in the Noise Measurement Procedures Manual issued by the Director of Environmental Management.

- **Safety concerns over the vehicle access being moved from Russell Street to Rogers Lane.**

Planner's comment:

The planning scheme requires the number of parking spaces to have regard to vehicle, pedestrian and cycle safety and convenience.

It is proposed that cars will reverse from the parking space, which has the potential to have a negative effect on pedestrian safety.

- Will the number be capped for people attending functions?

Applicant's response:

The numbers will be capped for people attending such functions at 100 pax (persons).

- Where will the bathroom provisions be situated for such functions?

Applicant's response:

The bathroom provisions will be situated at the Clarendon Arms.

- Will there be a time limit on the live music at such functions?

Applicant's response:

The time limit at such functions is 12am midnight.

- Where will parking provisions be made for such functions?

Applicant's response:

We require that our patrons use buses for their guests, to make sure that guests after a function depart the village in a timely manner.

4.6 Referrals

Council's Works Department

In discussion, Council's Works Manager and Engineering Officer advised that they do not support the loss of car parking for Buffalo Park, that would result from moving the access from Russell Street to Rogers Lane.

Heritage Adviser

Council's Heritage Adviser, David Denman, advised that he has no objection to the proposal noting that the proposal will enhance the landscape and make a positive contribution to the historic character of the place, the height, style and materials of the proposed fences are acceptable.

Tasmanian Heritage Council

The Tasmanian Heritage Council issued a Notice of Heritage Decision stating:

Attachment of the new lattice or wire trellis to the northern brick boundary wall must be with fixings of non-corrosive materials set into mortar joints; or alternatively, the lattice or wire trellis be supported by a free-standing structure.

4.7 Planning Scheme Assessment

ASSESSMENT AGAINST LOCAL BUSINESS ZONE

Use Standards

Amenity

Objective To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles (except for visitor accommodation and recreation) must only operate between 6.00am and 10.00pm Monday to Sunday.	P1 Commercial vehicles (except for visitor accommodation and recreation) must not unreasonably impact on the amenity of any adjoining General Residential and Urban Mixed Use zones, having regard to: a) traffic, the hours of delivery and despatch of goods and materials; and b) hours of operation; and c) light spill.
Condition required.	N/a
A2.1 Noise levels at the boundary of the site with any adjoining land must not exceed:	P2 Noise must not cause unreasonable loss of amenity to nearby sensitive uses.

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<p>a) 50dB(A) day time; and</p> <p>b) 40dB(A) night time; and</p> <p>A2.2 Noise levels in habitable rooms of nearby sensitive uses must not exceed 5dB(A) above background.</p>	
<p>The planning scheme requires:</p> <p><i>Noise levels at the boundary of the site with any adjoining land must not exceed:</i></p> <p>a) 50dB(A) day time; and</p> <p>b) 40dB(A) night time; and</p> <p><i>Noise levels in habitable rooms of nearby sensitive uses must not exceed 5dB(A) above background.</i></p> <p>The following condition is recommended if a permit is issued:</p> <p><i>Noise monitoring by a suitably qualified person is to be undertaken each time the use operates. The noise monitoring is to be undertaken at the boundary between 13-15 Russell Street and 17-19 Russell Street at the point nearest to the residential dwelling at 17-19 Russell Street. A report from the suitably qualified person verifying the noise levels must be submitted to Council within 14 days of undertaking the noise monitoring. Measurements are to be in accordance with the methods in the Noise Measurement Procedures Manual issued by the Director of Environmental Management.</i></p>	N/a

Development Standards

Siting, Design and Built Form

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

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/a
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	See code assessment below
E.5.0 FLOOD PRONE AREAS CODE	N/a

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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	See code assessment below
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

ASSESSMENT AGAINST E4.0 ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

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

E4.7 Development Standards

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

Objective To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to: a) ensure the safe and efficient operation of roads and railways; and

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b)	allow for future road and rail widening, realignment and upgrading; and
c)	avoid undesirable interaction between roads and railways and other use or development.
Acceptable Solutions	Performance Criteria
<p>A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</p> <p>a) new road works, buildings, additions and extensions, earthworks and landscaping works; and</p> <p>b) building areas on new lots; and</p> <p>c) outdoor sitting, entertainment and children's play areas</p>	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <p>a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</p> <p>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</p> <p>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</p> <p>d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.</p>
Complies.	N/a

E4.7.2 Management of Road Accesses and Junctions

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

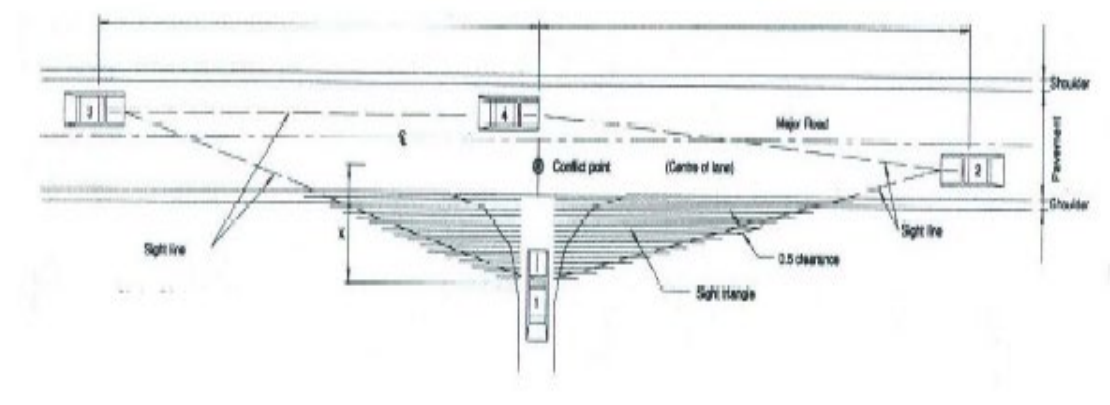
E4.7.3 Management of Rail Level Crossings

Not applicable.

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

<p>Objective</p> <p>To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p>

<p>b) rail level crossings must comply with AS1742.7 <i>Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	
<p>Comment: The sight distance of 80m in each direction is not achieved.</p>	<p>Comment: Council's Works Manager advises of safety concerns with vehicles exiting from the proposed access off Rogers Lane.</p>



1.2 Figure E4.7.4 Sight Lines for Accesses and Junctions

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

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

Table E4.7.4 Safe Intersection Sight Distance (SISD)

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

Notes:

- Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.
- For safe intersection sight distance (SISD):
 - All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;
 - These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;
 - A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.7.4;
 - A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
 - A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

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ASSESSMENT AGAINST E6.0 CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6 Use Standards

E6.6.1 Car Parking Numbers

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

Acceptable Solutions	Performance Criteria
<p>A1 The number of car parking spaces must not be less than the requirements of:</p> <p>a) Table E6.1; or</p> <p>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p> <p>b) the availability of public car parking spaces within reasonable walking distance; and</p> <p>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</p> <p>d) the availability and frequency of public transport within reasonable walking distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>
<p>Existing two-bedroom dwelling – 2 spaces.</p> <p>The marquee has a floor area of 150m². This requires 7.5 car parking spaces.</p> <p>The applicant advises that the function will be capped at 100 persons. This requires 25 parking spaces.</p>	<p><i>The number of car parking spaces provided must have regard to:</i></p> <p>a) <i>the provisions of any relevant location specific car parking plan.</i> <u>Comment:</u> There is no relevant location specific car parking plan.</p> <p>b) <i>the availability of public car parking spaces within reasonable walking distance.</i> <u>Comment:</u> On street public car parking is available within reasonable walking distance.</p> <p>c) <i>any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation.</i> <u>Comment:</u> There is no reduction in demand due to sharing of spaces between the dwelling and the function centre use.</p> <p>d) <i>the availability and frequency of public transport within reasonable walking distance of the site.</i> <u>Comment:</u> The Evandale stop at Scone Street is within reasonable walking distance. Weekdays from Launceston it has 4 services and 3 services to Launceston. Weekends it has 2 services each way.</p> <p>e) <i>site constraints such as existing buildings, slope, drainage, vegetation and landscaping.</i> <u>Comment:</u> There are no site constraints to providing the 2 spaces required for the dwelling. The proposed marquee allows only one space for the dwelling and prevents the 25 spaces required for the function centre use.</p> <p>f) <i>the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity.</i> <u>Comment:</u> Uses in the vicinity include single dwellings, a park, a hotel, and a retail shop.</p> <p>g) <i>an empirical assessment of the car parking demand.</i> <u>Comment:</u> An empirical assessment of the car parking demand has not been undertaken.</p> <p>h) <i>the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience.</i></p>

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	<p><u>Comment:</u> The one car parking space proposed on site is not considered to have a negative impact on the streetscape. It is proposed that cars will reverse from the parking space, which has the potential to have a negative effect on pedestrian safety.</p> <p>i) <i>the recommendations of a traffic impact assessment prepared for the proposal.</i></p> <p><u>Comment:</u> A traffic impact assessment was not required by the planning scheme and was not provided.</p> <p>j) <i>any heritage values of the site.</i></p> <p><u>Comment:</u> Council's Heritage Adviser does not object to the proposal. It is considered that the one car parking space proposed does not impact on the heritage values of the site.</p> <p>k) <i>for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</i></p> <p>i) <i>the size of the dwelling and the number of bedrooms; and</i></p> <p>ii) <i>the pattern of parking in the locality; and</i></p> <p>iii) <i>any existing structure on the land.</i></p> <p><u>Comment:</u> N/a – not a residential building or multiple dwelling.</p>
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Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Residential:		
Community meeting and entertainment (Function Centre)	1 space per 20m ² of public area or 1 space per 4 seats, whichever is greater.	1 space per 50m ² net floor area or 1 space per 40 seats, whichever is greater.
Residential use in any zone other than General Residential	1 space per bedroom.	1 space per unit.

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.
Does not comply.		No bicycle parking is considered necessary for the function centre.	

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.
N/a - less than 50 spaces required		-	

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.
1 space required, not provided, does not comply.		-	

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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.		
Does not comply.		The proposed parking space complies with the performance criteria.	

E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	P1	The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:
		a)	the layout of the site and the location of existing buildings; and
		b)	views into the site from the road and adjoining public spaces; and
		c)	the ability to access the site and the rear of buildings; and
		d)	the layout of car parking in the vicinity; and
		e)	the level of landscaping proposed for the car parking.
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.		
N/a – providing less than 4 spaces.		N/a	
A2.1	Car parking and manoeuvring space must:	P2	Car parking and manoeuvring space must:
a)	have a gradient of 10% or less; and	a)	be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
b)	where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	b)	provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
c)	have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and		
A2.2	The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .		
Complies.		N/a	

Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

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

E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria
A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1 The location and design of parking spaces considers the needs of disabled persons, having regard to: <ul style="list-style-type: none"> 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.
Condition required.	
A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.	P2 The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to: <ul style="list-style-type: none"> a) characteristics of the populations to be served; b) their means of transport to and from the site; and c) applicable Australian Standards.
Condition required.	

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: <ul style="list-style-type: none"> 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. 	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.
N/a – not a retail, commercial, industrial, service industry or warehouse or storage use.	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: <ul style="list-style-type: none"> a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
The application does not propose bicycle parking.	The application does not propose bicycle parking.

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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.		
The application does not propose bicycle parking.		The application does not propose bicycle parking.	

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.
Complies – less than 10 spaces provided – no separate access required for pedestrians.		N/a	

Table E6.5: Pedestrian Access

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

Notes

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

ASSESSMENT AGAINST E13.0 LOCAL HISTORIC HERITAGE CODE

E13.6.5 Fences

Objective To ensure that fences are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.			
Acceptable Solutions		Performance Criteria	
A1	New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1	New fences must: <ul style="list-style-type: none"> a) be designed to be complementary to the architectural style of the dominant buildings on the site or b) be consistent with the dominant fencing style in the heritage precinct; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
There are no acceptable development criteria for fence type and materials – must address the performance criteria.		Council's Heritage Adviser states that the proposal satisfies the performance criteria.	

Management Objectives

To ensure that new buildings, additions to existing buildings, and other developments which are within the Heritage Precincts do not adversely impact on the heritage qualities of the streetscape, but contribute positively to the Precinct.

To ensure developments within street reservations in the towns and villages having Heritage Precincts do not to adversely impact on the character of the streetscape but contribute positively to the Heritage Precincts in each settlement.



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SPECIFIC AREA PLANS

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

ASSESSMENT AGAINST F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN

F2.5.15 Fences and Gates

Objective To ensure that original fences are retained and restored where possible and that the design and materials of any replacement complement the setting and the architectural style of the main building on the site.	
Acceptable Solutions	Performance Criteria
A1.1 Replacement of front fence must be in the same design, materials and scale; or A1.2 a) Front fence must be a timber vertical picket, masonry to match the house, heritage style woven wire, galvanized tubular fencing, other than looped, or iron palisade fence with a maximum height of 1500mm. b) Side and rear fences must be vertical timber palings to a maximum height of 1800mm.	P1 Fences must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the architectural style of the dominant building on the site; c) the dominant fencing style in the setting; and d) the original or previous fences on the site.
Does not comply.	Neither Council's Heritage Adviser nor the Tasmanian Heritage Council have objected to the front or rear fences. It is concluded that the proposal complies with the performance criteria.
A2 Gates must match the fence, both in materials and design.	P2 No performance criteria
Complies.	-
A3 Screen fences used to separate the front garden from the rear of the house must be of timber or lattice.	P3 No performance criteria
Not applied for.	-
A4 Fences must not be: a) horizontal or diagonal timber slat fences; or b) plastic covered wire mesh; or c) flat metal sheet or corrugated sheets; or d) plywood and cement sheet.	P4 No performance criteria
Complies.	-

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 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a
9.6 Change of Use	N/a
9.7 Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8 Buildings Projecting onto Land in a Different Zone	N/a
9.9 Port and Shipping in Proclaimed Wharf Areas	N/a

STATE POLICIES

The proposal is consistent with all State Policies.

OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993

The proposal is consistent with the objectives of the <i>Land Use Planning & Approvals Act 1993</i> .

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan 2017-2027

- Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Works to fence on heritage listed place.
- Works to fence in heritage precinct.
- Installation of new vehicle access.
- Reduction in parking spaces.

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

Works to fence

The works to the front and rear fences are supported by Council's Heritage Adviser and the Tasmanian Heritage Council and are therefore found to comply with the heritage provisions of the planning scheme.

New vehicle access

Council's Works Department has raised safety concerns with the proposed access off Rogers Lane, and the loss of on street parking resulting from the access off Rogers Lane.

Reduction in parking

The planning scheme requires car parking for the function centre use of 1 space per 20m² of public area or 1 space per 4 seats, whichever is greater, and 1 space per bedroom for the dwelling.

- The marquee has a floor area of 150m². This requires 7.5 car parking spaces.
- The applicant advises that the function will be capped at 100 persons. This requires 25 parking spaces.
- The two bedroom dwelling on site requires 2 spaces.
- One space is proposed.

The applicant advises that they require that their patrons use buses for their guests, to make sure that guests after a function depart the village in a timely manner.

Neither car parking nor bus parking for the function centre use is proposed on site.

It is recommended that the application be refused on the grounds below.

8 ATTACHMENTS

- Application & plans
- Referral responses
- Representations & applicant's response

RECOMMENDATION

That application PLN-20-0323 to replace front fence, replace and extend height of rear fence/wall, gate on rear access, temporary erection of marquee and use for function centre when events are booked (Heritage Listed Place, Heritage Precinct) at 13-15 Russell Street, Evandale be refused on the following grounds:

- The proposal does not provide an appropriate level of parking to service the use of the function centre, contrary to the objective of clause E6.6.1.
- The proposed access results in the loss of on street parking, contrary to the objective of clause E6.6.1.
- The proposed access does not provide adequate sight distances to ensure the safe movement of vehicles, contrary to clause E4.7.4 P1.

DECISION

Cr Davis/Cr Goninon

That the General Manager seek an extension of time from the applicant to consider the application in order to investigate a wider solution to parking in Evandale.

Carried unanimously

158/21 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

RECOMMENDATION

That the Council cease to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, for the remainder of the meeting.

DECISION

Cr Goninon/Cr 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

Mrs Miles and Mr Godier left the meeting at 7.18pm.



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 26 APRIL 2021

159/21 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 and Executive Assistant.

Carried unanimously

160/21 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 Committee

161/21 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 Matter

162/21 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.

Lease Agreement

163/21 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.

Lease Agreement

164/21 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 Matter

165/21 PERSONNEL MATTERS

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015*.

DECISION

Cr Adams/Cr Goninon

That Council move out of the closed meeting.

Carried unanimously

Mayor Knowles closed the meeting at 7.51pm.

MAYOR _____

DATE _____