



**NORTHERN
MIDLANDS
COUNCIL**

MINUTES

ORDINARY MEETING OF COUNCIL

MONDAY, 21 FEBRUARY 2022



MINUTES of the Ordinary Meeting of the Northern Midlands Council held on 21 February 2022 at 5.00pm in person at the Council Chambers, 13 Smith Street, Longford 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)

1 ATTENDANCE

PRESENT

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

In Attendance

Miss Maree Bricknell - Acting General Manager, Mr Leigh McCullagh - Works Manager, Mr Paul Godier - Senior Planner, Mr Ryan Robinson - Planner (to 8.12pm), Mrs Gail Eacher - Executive Assistant

APOLOGIES

Cr Andrew Calvert, Mr Des Jennings - General Manager



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RESOLVED to note the inclusion of Late Item 4.7 to the Closed Council Agenda.



3 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.

4 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

As per the *Local Government Act 1993, Part 5 - Pecuniary Interests, section 48*:

- (1) *A councillor must not participate at any meeting of a council, council committee, special committee, controlling authority, single authority or joint authority in any discussion, nor vote on any matter, in respect of which the councillor–*
 - (a) *has an interest; or*
 - (b) *is aware or ought to be aware that a close associate has an interest.*
- (2) *A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.*

No declarations of interest were received.



5 PROCEDURAL

5.1 CONFIRMATION OF COUNCIL MEETING MINUTES

5.1.1 Confirmation Of Minutes: Ordinary Council Meeting

RECOMMENDATION

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday 31 January 2022 be confirmed as a true record of proceedings.

MINUTE NO. 22/40

DECISION

Deputy Mayor Goss/Cr Davis

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday 31 January 2022 be confirmed as a true record of proceedings.

Carried Unanimously

5.2 DATE OF NEXT COUNCIL MEETING

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 21 March 2022 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).



6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES

Minutes of meetings of the following Committees are attached:

	Date	Committee	Meeting
i)	01/02/2022	Perth Local District Committee	Ordinary
ii)	02/02/2022	Longford Local District Committee	Ordinary

Matters already considered by Council at previous meetings have been incorporated into **Information Item: Officer's Actions**.

In the attached minutes of Council Committees, recommendations of Committees are listed for Council's consideration in the Agenda Item 7 below.

MINUTE NO. 22/41

DECISION

Cr Lambert/Deputy Mayor Goss

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

Carried Unanimously



7 COUNCIL COMMITTEES - RECOMMENDATIONS

7.1 LONGFORD LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Longford Local District Committee held on 2 February 2022, the following motion/s were recorded for Council's consideration:

8.2 Memorial Hall – Village Green Development: *The LLDC asks NMC if it would agree to show the LLDC the plans after revision and review, prior to their final approval.*

Officer Comment:

The Longford Local District Committee will be included in the public consultation process.

Officer Recommendation:

That Council note the request and include the Longford Local District Committee in the public consultation process in regard to future development of Longford Victoria Square (Village Green) and the Memorial Hall.

MINUTE NO. 22/42

DECISION

Deputy Mayor Goss/Cr Adams

That Council note the request and include the Longford Local District Committee in the public consultation process in regard to future development of Longford Victoria Square (Village Green) and the Memorial Hall.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil

7.2 PERTH LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Perth Local District Committee held on 1 February 2022 following motion/s were recorded for Council's consideration:

Seccombe Street & Talisker Street Amenities: *that Council provide shade in existing and future public spaces and playgrounds. We request shade to be added to Seccombe Street before next summer.*

Officer Comment:

That the Committee be advised to include this request in their items for consideration during the 2022/2023 Municipal Budget deliberations.

Officer Recommendation:

That the Committee be advised to include this request in their items for consideration during the 2022/2023 Municipal Budget deliberations.



MINUTE NO. 22/43

DECISION

Cr Lambert/Deputy Mayor Goss

That the Committee be advised to include this request in their items for consideration during the 2022/2023 Municipal Budget deliberations.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil

4.5 North Perth Density Review – Infrastructure Monitoring: *What process does Council have in place to monitor the infrastructure (sewage, waterways, water quality, etc.) with the rapid development of Perth.*

Officer Comment:

Taswater is responsible for Water and Sewerage provision, monitoring and maintenance.

Council has completed a stormwater management plan for East Perth. The West Perth plan is currently in the process of development.

Planning applications are assessed for the need for stormwater detention.

Officer Recommendation:

That Council note the recommendation and Officer's comments; and the advice be provided to the Perth Local District Committee.

MINUTE NO. 22/44

DECISION

Cr Davis/Cr Lambert

That Council note the recommendation and Officer's comments; and the advice be provided to the Perth Local District Committee.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil

4.5 North Perth Density Review – Planning Applications: *What is the process for appeals regarding planning applications that are approved by the Planning tribunal after being denied by NMC. Is there always NMC presence at the tribunal?*

Officer Comment:

The Northern Midlands Council always instructs its lawyer to represent it in appeals. A council planner, or a consultant planner or other relevant expert, provides evidence to the hearing and is present at the hearing with the Council's lawyer. If it is a consultant planner or other expert, a council planner observes the hearing.

Council may apply for a review of the decision of the Tribunal under the *Judicial Review Act 2000*. Section 17 states:

17. Application for review of decision

(1) A person who is aggrieved by a decision to which this Act applies may apply to the Court for an order of review relating to the decision.



(2) The application may be made on any one or more of the following grounds:

- (a) that a breach of the rules of natural justice happened relating to the making of the decision;*
- (b) that procedures that were required by law to be observed relating to the making of the decision were not observed;*
- (c) that the person who purported to make the decision did not have jurisdiction to make the decision;*
- (d) that the decision was not authorised by the enactment under which it was purported to be made;*
- (e) that the making of the decision was an improper exercise of the power conferred by the enactment under which it was purported to be made;*
- (f) that the decision involved an error of law (whether or not the error appears on the record of the decision);*
- (g) that the decision was induced or affected by fraud;*
- (h) that there was no evidence or other material to justify the making of the decision;*
- (i) that the decision was otherwise contrary to law.*

Officer Recommendation:

That Council note the recommendation and Officer's comments; and the advice be provided to the Perth Local District Committee.

MINUTE NO. 22/45

DECISION

Cr Lambert/Deputy Mayor Goss

That Council note the recommendation and Officer's comments; and the advice be provided to the Perth Local District Committee.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil

6 New Business – Acknowledgement of Country & Reconciliation Plan:

1. That PLDC meetings start with an Acknowledgement that the meeting is being held on Palawa Country and investigate the aboriginal history of Perth.
2. That PLDC ask Council if the NMC has a Reconciliation Plan.

Officer Comment:

1. An Acknowledgement of Country is usually delivered as part of Welcome and Housekeeping at meetings and events. It should be delivered at significant/large internal meetings or meetings with external participants e.g. branch meetings, inter-departmental meetings etc.
Council has a policy in place in this regard, which states: *A Welcome to Country or Acknowledgement of Country is to be given in accordance with guidelines issued by the Office of Aboriginal Affairs for all Council public events...*
2. Council does not have a formal Reconciliation Plan in place, however, it is proposed to develop a plan for Council's future endorsement, with appropriate community consultation to be included in the process.

Officer Recommendation:

That

1.
 - a) an Acknowledgement of Country be included in the Perth Local District Committee Meeting Agenda as a standing item
 - b) Council endorse the establishment of a sub-committee by the Perth Local District Committee to investigate the Aboriginal History of Perth.
2. the advice in relation to the Reconciliation Plan be provided to the Committee.



MINUTE NO. 22/46

DECISION

Cr Davis/Cr Adams

That

1. a) an Acknowledgement of Country be included in the Perth Local District Committee Meeting Agenda as a standing item
 b) Council endorse the establishment of a sub-committee by the Perth Local District Committee to investigate the Aboriginal History of Perth.
2. the advice in relation to the Reconciliation Plan be provided to the Committee.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



8 INFORMATION ITEMS

8.1 COUNCIL WORKSHOPS/MEETINGS HELD SINCE THE LAST ORDINARY MEETING

Responsible Officer: Maree Bricknell, Acting General Manager

The General Manager advised that the following workshops/ meetings had been held:

Date Held	Purpose of Workshop
07/02/2022	Council Workshop Presentations <ul style="list-style-type: none">Review Of Council Kennel Licenses And Dog Management PolicyCaravan Park Proposal: King Street Oval, Campbell TownIllawarra Road, Longford: Roundabout Concept PlanDraft Local Provisions Schedule Representations Discussion included: <ul style="list-style-type: none">Special Councillor WorkshopLiffey BridgeBarton Road Intersection with Midlands HighwayMunden Lane: Flood SignagePrivate Works & Resource SharingClimate Change Action Planning for Tasmania's Local Government: Proposed Statewide ApproachCity of Gastronomy
21/02/2022	Council Workshop Discussion: <ul style="list-style-type: none">Council Meeting Agenda items
21/03/2022	Council Meeting

8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 2 February 2022 to 21 February 2022 are as follows:

Date	Activity
2 February 2022	Attended Our Watch Community of Practice online meeting, Gipps Creek
3 February 2022	Attended online Family + Sexual Violence Community Consultative Group meeting, Gipps Creek
7 February 2022	Attended NMC Workshop, Longford
8 February 2022	Attended Official Opening Longford Sewerage Treatment Plant, Longford
8 February 2022	Attended Hobart Women's Shelter meeting online, Longford
8 February 2022	Attended Palmerston Battery Storage meeting, Longford
9 February 2022	Attended National Primary Prevention Hub Launch, online, Gipps Creek
9 February 2022	Attended Tasmanian 'Changing the Landscape' Launch online, Gipps Creek
10 February 2022	Attended Cressy Pool Nutrien Fund cheque presentation, Cressy
11 February 2022	Attended 'Hearing Lived Experience' Survey launch with Minister Petrusma, SASS, Hobart
11 February 2022	Attended 'Hearing Lived Experience' Survey radio recording, Cor Studios, Hobart
17 February 2022	Attended Tasmania Talks radio interview, Gipps Creek
21 February 2022	Attended Council Meeting and Workshop, Longford

8.3 GENERAL MANAGER'S ACTIVITIES

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

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

- Met with Annette Dean, Regional Emergency Management Planner (North)
- Met with service providers re Strategic Review of General Manager's KPI's
- Attended briefing session with Gary Swain in relation to the TEMT (Tamar Estuary Management Taskforce) final vision for the



estuary

- Attended Northern Midlands Council Australia Day event
- Met with lessee of the Northern Midlands Sport Centre
- Attended election promise briefing by Member for Lyons, Brian Mitchell MP
- Attended Regional General Manager's meeting
- Met with Cr Goninon

8.4 PETITIONS

PURPOSE OF REPORT

In accordance with the Vision, Mission and Values of Council as identified in the *Council's Strategic Plan 2021-2027* and the *Local Government Act 1993, S57-S60*, provision is made for Council to receive petitions tabled at the Council Meeting.

OFFICER'S COMMENT

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

Section 57. Petitions

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

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

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

- (a) a clear and concise statement identifying the subject matter and the action requested; and
- (b) in the case of a paper petition, a heading on each page indicating the subject matter; and
- (c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and
- (d) a statement specifying the number of signatories; and
- (e) at the end of the petition –

- (i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and
- (ii) in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.

(3) In this section –

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

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

petition means a paper petition or electronic petition;

signatory means –

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

58. Tabling petition

(1) A councillor who has been presented with a petition is to –

- (a)
- (b) forward it to the general manager within 7 days after receiving it.

(2) A general manager who has been presented with a petition or receives a petition under subsection (1)(b) is to table the petition at the next ordinary meeting of the council.

(3) A petition is not to be tabled if –

- (a) it does not comply with section 57; or
- (b) it is defamatory; or
- (c) any action it proposes is unlawful.

(4) The general manager is to advise the lodger of a petition that is not tabled the reason for not tabling it within 21 days after lodgement.

PETITIONS

No petitions received.

8.5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

No reports relating to attendance at Conferences and Seminars have been received.



8.6 132 & 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 2021/2022 year												Total 2021/2022 YTD	Total 2020/2021
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
132	95	74	98	111	75	95	58						606	1,004
337	34	54	29	59	63	30	35						304	499

8.7 ANIMAL CONTROL

Prepared by: *Martin Maddox, Accountant and
Maria Ortiz Rodriguez, Animal Control Officer*

Item	Income/Issues 2020/2021		Income/Issues for January 2022		Income/Issues 2021/2022	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,240	100,776	29	1,133	4,157	106,246
Dogs Impounded	27	2,212			18	3,402
Euthanised	-	-			2	
Re-claimed	24	-			16	
Re-homed/Dogs Home	2	-			2	
New Kennel Licences	16	1,152	3	216	9	648
Renewed Kennel Licences	72	3,168			83	3,652
Infringement Notices (paid in full)	36	6,785	5	864	23	4,311
Legal Action	-	-				
Livestock Impounded	1	65				
TOTAL		114,159		2,213		118,259



Analysis of kennel licences issued:

Number of licences issued - Year to date	Number of Dogs							
	3	4	5	6	7	8	9	10 or more
91	25	12	14	8	8	6	2	17

Registration Audit of the Municipality:

Ongoing

Microchips:

0 dogs microchipped.

Infringements:

9 infringements issued in January

Attacks:

Nil attacks in January

8.8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: Patricia Stanwell, Environmental Health Officer

Achieve improved levels of environmental and public health by ongoing monitoring, inspection, education and, where necessary, by applying corrective measures to comply with legislation.

Ensure safe standards of food offered for sale are maintained.

Investigations/ Inspections/ Licences Issued	Prior Years		
	2018/2019	2019/2020	2020/2021
Notifiable Diseases	5	1	0
Inspection of Food Premises	127	111	67
Place of Assembly Approvals			1

Actions	2021/2022											
	YTD	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Routine Fixed Food Inspections	103/ 180	3	32	34	34	27	3					
Routine Mobile/Market stall Food Inspections	0	0	0	0	0	0	0					
Preliminary Site Visits – Licensed Premises	13	4	4	2	3	0	0					
On-site wastewater Assessments	11	3	4	2	2	0	0					
Complaints/Enquiries – All Types	26	8	8	4	6	3	4					
Place of Assembly approvals	3	0	1	0	2	1	0					
Notifiable Diseases	0	0	0	0	0	0	0					

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

Inspections are conducted according to a risk-based assessment and cover all aspects of food storage, handling and preparation.

A total of 35 criteria are assessed for either compliance, non-compliance or serious non-compliance.

The Tasmanian Department of Health has produced a legal framework, the Food Business Risk-Classification System (RCS), to classify food premises for registration and notification purposes under the *Food Act 2003*.

Actions, including follow-up inspections, are taken according to the outcome of inspections, the RCS can be used to prioritise the inspection of food businesses, with inspection frequency being increased for high risk classified food premises. In addition, poorly performing food premises would be inspected more frequently.

For those enquiring about opening a food business i.e. Home based food business, officers inspect the premises and after a risk assessment determine whether a food licence is to be issued.

The following is applicable regarding food business registrations:

- A Food Business Application is to be completed and lodged with Council each year (Financial) Sections 84 or 87 or 89 of the *Food Act*.



- Council conducts a desk top assessment of the application in accordance with the Food Business Risk Classification System issued by Tasmanian Department of Health. The assessment is based on the information provided by the applicant.
- Based on the Risk assessed an invoice is issued to the applicant.
- Upon receipt of payment Council issues a Certificate of Registration.
- Council conducts an inspection of the premises during their operation to ensure compliance with the *Food Act* and Regulations and the Food Standards Code. The business is also assessed in line with their Risk Classification.
- Further inspections may be required to ensure any non-compliance issued have been addressed.

On-site Wastewater Assessments are completed after receiving a system design report from a consultant which basically determines what type of sewage system is required (septic or AWTS) and the method of distributing the sewage effluent on site based on AS1547.

A place of assembly is required for any mass outdoor public event. This means an event with over 1000 people for 2 hours or more. It may be any performance, exhibition, circus, festival, food festival, pageant, regatta, sports event, dance or publicly advertised lecture.

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.

8.9 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Animal Control	7	-	4	3	3	2	1					
Building & Planning	16	17	4	18	2	1	5					
Community Services	4	7	5	5	5	5	2					
Corporate Services	28	4	6	6	3	-	-					
Governance	9	-	-	-	1	1	-					
Waste	-	3	-	4	1	-	-					
Works	38	39	43	41	33	30	11					

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

Date	Recipient	Purpose	Amount \$
21-Jul-21	Reptile Rescue	Donation to service	\$1,000.00
28-Jul-21	Campbell Town District High School	Inspiring Positive Futures Program	\$7,272.73
28-Jul-21	Campbell Town District High School	Chaplaincy	\$1,363.64
28-Jul-21	Evandale Primary School	Chaplaincy	\$800.00
8-Sep-21	Cressy District High School	Inspiring Positive Futures Program	\$8,000.00
12-Oct-21	C'Town, Cressy, Evandale, Longford	End of Year School Presentations 2021	\$450.00
20-Oct-21	Longford & Perth Fire Brigades	Christmas Lolly runs 2021	\$200.00
20-Oct-21	Campbell Town SES Highway Rescue	Wages and Plant hire	\$181.95
21-Oct-21	Celeste Nicholson (returned donation)	U12 Nth Tas Junior Soccer Assoc Oceania Cup NSW	-\$100.00
29-Sep-21	Connor Perri	Bursary Program 2020 - Instalment 2	\$1,000.00
18-Oct-21	Jemma Walters	Bursary Program 2020 - Instalment 2	\$1,000.00
27-Jan-22	Jonty Nicolson	Bursary Program 2021 – Instalment 1	\$1,000.00
11-Feb-22	Perth Little Athletics Club	Donation to trophy presentations	\$50.00
		TOTAL	\$22,218.32

8.11 ACTION ITEMS: COUNCIL MINUTES

Meeting Date	Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
13/12/2021	2021-12-13 Ordinary Meeting of Council - Open Council	9.3	Morven Park Ground Drainage Project: Grant Application	Awaiting external response	That i) Council approve the allocation of \$29,240.10 (GST inclusive) in the 2022-2023 Council budget towards the Morven Park Ground Drainage Project, and ii) if the	Lorraine Green	20/12/2021 Project Officer - Grant application submitted and outcome awaited



Meeting Date	Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
					Improving the Playing Field funding is approved, Council requests a comprehensive review of the project costs before the grant agreement is signed, in order to ensure the project can be achieved within the budgeted \$274,934.		
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	10.2	Municipal Boundary Adjustment: 101 Pateena Road	Awaiting external response	That Council resolve to request the Director of Local Government in accordance with Section 16 (4A) of the Local Government Act 1993 to initiate a minor municipal boundary adjustment for 101 Pateena Road to be entirely in the Municipality of Meander Valley.	Paul Godier	8/02/2022 Senior Planner - Have requested the Spatial Information Specialist at the Department of Natural Resources and Environment to prepare the required maps.
13/12/2021	2021-12-13 Ordinary Meeting of Council - Open Council	9.1	Local Roads and Community Infrastructure Program Phase Three Funding	Awaiting internal response	That i) Council nominates the following projects for funding through Phase Three of the Local Roads and Community Infrastructure Program: Perth Early Learning Centre: \$931,333 Cressy Pool concourse and carpark: \$400,000 Cressy Recreation Ground BBQ and carpark: \$100,000 Pioneer Park, Evandale, playground upgrade: \$100,000 ii) considers alternative projects to nominate for funding through Phase Three of the Local Roads and Community Infrastructure Program.	Lorraine Green	21/12/2021 Project Officer - The four projects approved by Council have been submitted on the Work Schedule to the LRCI Program, requesting their consideration for approval as eligible projects. Further projects will be submitted once Council has selected such.
18/10/2021	2021-10-18 Ordinary Meeting of Council	5.3.1	Naming of the Perth Dog Park	In progress	That the Perth Dog Park be named the Perth Bicentenary Dog Park.	Natalie Horne	8/11/2021 Administration / Records Management Officer - Submitted request to Place names Tasmania, waiting on confirmation 2/12/2021 Administration / Records Management Officer - Request has been advertised, waiting on any objections then approval from nomenclature board
18/10/2021	2021-10-18 Ordinary Meeting of Council	9.1	Proposed Sale of Campbell Town Hall	In progress	That Council: a) Notes the objections received from Mr Peart, Mr McCullagh and Dr Bolton; b) Determines not to take any action regarding the objections and proceed with the sale of the Town Hall in Campbell Town; and c) Directs the General Manager to give notice to the three objectors of this decision, and the right to appeal this decision, within 7 days of the date of this decision.	Amanda Bond	3/12/2021 Executive Officer - Appeal lodged. Awaiting advice and determination. 13/01/2022 Executive Officer - Expected determination February / March 2022.
15/11/2021	2021-11-15 Ordinary Meeting of Council	9.4	Community Action Plan	In progress	That Council accepts the opportunity to receive a \$5,000 grant and develop a Community Action Plan on Suicide Prevention for the Northern Midlands with the focus of the plan to be to offer Mental Health First Aid training to members of Council staff and members of the Northern Midlands municipality.	Amanda Bond	7/12/2021 Executive Officer - Meeting with Relationships Australia representative on 9/12/2021 13/01/2022 Executive Officer - Officers to compile list of relevant community members / groups to work on the plan.
13/12/2021	2021-12-13 Ordinary Meeting of Council - Open Council	9.2	Longford Memorial Hall Community Consultation	In progress	That Council progresses with option 1, reviews the external building materials and makes development application upon redesign.	Lorraine Green, Trent Atkinson	20/12/2021 Project Officer - Council's Project Manager to submit the development application once the design is revised as requested.
13/12/2021	2021-12-13	7.1.3	Marlborough	In progress	7.4 Marlborough Street Traffic	Lorraine	14/02/2022 Executive &



Meeting Date	Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
	Ordinary Meeting of Council - Open Council		Street Traffic Islands		Islands: Traffic islands along Marlborough St need be made more visible for safety reasons, as there is fading of the edges around them. Maybe more visible with a coat of paint. - That Council note the recommendation.	Wyatt	Communications Officer - Request sent to DSG 25/1/22. Response awaited.
13/12/2021	2021-12-13 Ordinary Meeting of Council - Open Council	12.1	Traffic Concerns: Intersection - Wellington and Marlborough Streets, Longford	In progress	That Council i) receive JMG Engineers and Planners report titled Wellington - Marlborough Street Longford Intersection Options dated 29 November 2021; and ii) endorse the 29 November 2021 JMG Engineers and Planners proposal Appendix B, concept design 1, to install Outstands and Concrete Planters to protect pedestrians and building from damage; and iii) continue to seek other measures to remediate the dangers posed by the intersection.	Jonathan Galbraith, Leigh McCullagh	20/01/2022 Engineering Officer - Revised design plan has been sent to DSG for approval. Contractor to be engaged to carry out works once approval is received 14/02/2022 Engineering Officer - Design proposing installation of concrete bollards has been submitted to DSG for approval awaiting response
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	7.1.3	Membership of the Elizabeth Macquarie Irrigation Trust	In progress	That Council advise the Elizabeth Macquarie Irrigation Trust of Mr Danny Saunders election as the Campbell Town District Forum representative.	Lorraine Wyatt	14/1/2022 Executive & Communications Officer - Correspondence drafted.
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	9.7	Mobile Blackspot Project - Funding Request	In progress	That Council agree to provide funding to Telstra for the Northern Midlands Business Association (NMBA) Mobile Black Spot Project to an amount no greater than 5% (to a maximum of \$200,000) for the 3 sites.	Des Jennings, Maree Bricknell	11/02/2022 Corporate Services Manager - Letter sent advising Council's agreed contribution of 5% up to \$200,000 incl GST
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	7.2.3	Review of 60 km speed limit in Cressy	In progress	That Council note the recommendation and formally write to the Department of State Growth requesting a review of the 60km / hour speed limit in Cressy.	Amanda Bond	9/02/2022 Executive Officer - Letter sent to Department of State Growth 8/2/2022
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	7.1.2	Signage	In progress	That i) Councillors note the motion. ii) a status update on these matters be provided to the Committee.	Lorraine Wyatt	14/1/2022 Executive & Communications Officer - Chair to be advised prior to next meeting.
	Cressy Local District Committee - Carried Over Actions (Old Resolutions Register)	1.1	17/02/2020 - 039/20 - Bartholomew Park Sign	In progress	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.	Amanda Bond	8/10/2021 System Support - Committee has chosen sign design. Seeking advice on planning approval requirements. Once advice received will progress. 9/11/2021 Executive Assistant - Planning application submitted. 3/12/2021 Executive Officer - Awaiting planning approval 12/01/2022 Executive Officer - Planning approval received, awaiting production. 8/02/2022 Executive Officer - Signs produced, to be collected and installed.
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	1.3	16/03/2020 - Deferred Item - GOV8 Overhanging Trees/Hedges: Evandale	In progress	Deferred to provide opportunity for the community to attend.	Des Jennings, Gail Eacher	29/09/2021 System Support - No further action to be taken at this time. To be workshopped and report to be relisted. Discussion held with property owner, formal advice requested. Correspondence to be forwarded to property owner. 25/01/2022 Executive Assistant - Correspondence forwarded to property owner, awaiting response. 14/02/2022 Executive Assistant - Letter received from property owner. Draft response to queries raised prepared.



Meeting Date	Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	1.11	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	In progress	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.	Paul Godier	29/09/2021 System Support - Consultant is validating the modelling. 24/01/2022 Senior Planner - Consultant provided updated modelling on 10 January 2022.
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	1.4	17/09/2021 - 289/21 - LGAT Motions	In progress	That Council A) submit two motions to the next LGAT General Meeting on the lack of response provided by the following government agencies: Environment Protection Agency, and Department of State Growth.	Amanda Bond	29/09/2021 System Support - Motions to be prepared and workshopped. 25/01/2022 Executive Assistant - Advice sought.
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	1.15	18/05/2020 - 146/20 - Northern Midlands Youth Voice Forum	In progress	That Council endorse the progression of the Northern Midlands Youth Voice Forum.	Holly Preece	29/09/2021 System Support - To be investigated and progressed.
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	1.14	18/09/2017 - 279/17 - Historical Records and Recognition: Service of Councillors	In progress	That Council, ... ii) progress the following when the glass enclosed area at the front of the Council Chambers is nearing completion: Photograph/photographs of current Councillors - professional printing and framing; Archiving of historic photographs; Production of a photo book of historic photographs for display.	Gail Eacher	29/09/2021 System Support - Historic photos to be catalogued and collated. 5/10/2021 Executive Assistant - Framed photographs installed - action complete. Resources not available to undertake archiving of historic photographs and production of photo book. Additional resource to be sought. 6/12/2021 Executive Assistant - Cataloguing and collation of historical photographs has commenced.
	Ross Local District Committee - Carried Over Actions (Old Resolutions Register)	1.1	21/10/2019 - 313/19 - Macquarie River	In progress	The Ross Local District Committee requests that the Northern Midlands Council progress the dual naming of the Macquarie River to Tinamirakuna which includes community consultation and investigation. - That Council support the proposal and progress the request.	Amanda Bond, Gail Eacher	8/10/2021 System Support - Information provided to DPIPW, awaiting decision. 7/12/2021 Executive Assistant - The proposals went to the Place Names Advisory Panel on 2/12/21, recommendations are being prepared for the Minister.
	Ross Local District Committee - Carried Over Actions (Old Resolutions Register)	1.3	28/06/2021 - 207/21 - Rail Crossing	In progress	The Ross Local District Committee requests that NMC contact TasRail to determine the extent of Tas Rail ownership of the Badajos Street rail crossing, for the purpose of future widening of the road to ensure the safety of road users. - That Council note the information and request Council Officers action the request.	Jonathan Galbraith	8/10/2021 System Support - Email sent to Tas Rail on 9 August 2021. 8/11/2021 Executive & Communications Officer - TasRail provided advice, advised that Jonathan Gailbraith is TasRail's key contact at NMC for matters associated with rail crossings, as per the Safety Interface Agreement between NMC and TasRail. Jonathan to further investigate. 8/11/2021 Engineering Officer - For any major works within the rail corridor (between the two property boundaries) we would need to talk to Tasrail first and get their permission. At this location it is about 9m either side of the rail line. We can do minor works (usually only maintenance) up to 3m from the rail line but once we get past that we need to have Tasrail staff on



Meeting Date	Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
							site while we're working and this can be a fairly difficult and expensive process to coordinate. 6/12/2021 Executive Assistant - Early in 2022 Council Officer to arrange site meeting with TasRail and RLDC representative. 20/01/2022 Engineering Officer - Council Officer met with representative of Ross Local District Committee, agreed that this issue can be addressed with signage. Sign has been ordered and will be installed once received. 14/02/2022 Engineering Officer - Sign has been ordered and delivered to Council to be installed when staff availability permits
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	1.1	17/05/2021 - 180/21 - Restrictions on Keeping Roosters	On hold	That Council consider restricting the keeping of roosters in urban areas, and consider the need for a by-law with penalties for offences and non-compliance.	Maria Ortiz Rodriguez	29/09/2021 System Support - Report to future Council Meeting. 8/11/2021 Executive Assistant - Matter to be referred to future Council workshop for further advice.

COMPLETE

Meeting Date	Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
18/10/2021	2021-10-18 Ordinary Meeting of Council	7.3.2	Perth Bicentenary Sub Committee	Completed	That Council officer's progress the request and seek comment from the Committee. - That Council officer's progress the Committee's request and identify a suitable location to erect/relocate the plaques, with comment to be sought from the Committee on design and location.	Gail Eacher	8/11/2021 Executive Assistant - Request sent to PLDC for details re wording and the placement of the proposed plaque to celebrate the 200 years anniversary of Perth 3/12/2021 Executive Assistant - Brass plaque on order. 14/2/2022 Executive Assistant - Brass plaque installed.
18/10/2021	2021-10-18 Ordinary Meeting of Council	7.1.2	Recreation area - Macquarie Street, Cressy	Completed	That Council officers progress a survey of the land in question and bring a report back to Council.	Amanda Bond, Jonathan Galbraith	9/11/2021 Executive Officer - Council Engineering Officer undertaking survey of area 3/12/2021 Executive Officer - Plan prepared, property owner in agreement. Referred to property committee for review. 13/01/2022 Executive Officer - Plan of area completed and agreed to by property owner. Awaiting survey for report to Council. 8/02/2022 Executive Officer - Report to February 2022 Council meeting.
18/10/2021	2021-10-18 Ordinary Meeting of Council	12.1	Relocation of Waste Dump Point to TRANSlink, Western Junction	Completed	That Council progress plans to relocate the Morven Park dump site to the TRANSlink precinct at Western Junction and undertake consultation with the landowner/s as appropriate. That Council close the Morven Park dump site in 1 months' time due to safety reasons, and for appropriate signage to be installed.	Leigh McCullagh	8/11/2021 Executive Assistant - Morven Park dump site to be decommissioned 15 November. Suitable site for new dump site being sought at TRANSlink. 6/12/2021 Executive Assistant - Report to February 2022 Council Workshop.
13/12/2021	2021-12-13 Annual General Meeting	4.1	Welcome and Introduction	Completed	QUESTIONS WITHOUT NOTICE Mr Neil Tubb, Longford - Longford Recreation Ground Complex Mr Tubb referred to the statement relating to the successful completion of the Longford Recreation Ground Complex. Mr Tubb queried the reason why a report had not been circulated advising the reasons for the overspend on the	Maree Bricknell, Trent Atkinson	25/01/2022 Executive Assistant - Report to Council.



Meeting Date	Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
					project. Mr Tubb referred to the proposal to procure the services of quantity surveyor to undertake an independent assessment and report to Council. Council's General Manager advised that a report would be provided to Council.		
13/12/2021	2021-12-13 Ordinary Meeting of Council - Open Council	7.1.2	Appointment of Secretary	Completed	7.2 Secretary: That Council note the appointment	Lorraine Wyatt	14/1/2022 Executive & Communications Officer - Noted
13/12/2021	2021-12-13 Ordinary Meeting of Council - Open Council	7.2.2	Budget Priorities 2021/2022	Completed	4.3 Budget Priorities 2021/2022: That the committee be advised that when works are programmed the advice will be provided	Gail Eacher	25/01/2022 Executive Assistant - Advice to be provided to Committee at 1 February 2022 meeting.
13/12/2021	2021-12-13 Ordinary Meeting of Council - Open Council	7.2.3	Highway Maintenance	Completed	4.10 Highway Maintenance: That Council note the request and action taken	Gail Eacher	25/01/2022 Executive Assistant - Advice to be provided to Committee at 1 February 2022 meeting.
13/12/2021	2021-12-13 Ordinary Meeting of Council - Open Council	7.1.4	Longford Town Hall Arts Committee	Completed	8.3 Longford Town Hall Arts Committee: That LLDC supports contract between Longford Town Hall Arts Committee and council. That Council note the recommendation	Lorraine Wyatt	14/1/2022 Executive & Communications Officer - Noted
13/12/2021	2021-12-13 Ordinary Meeting of Council - Open Council	7.2.4	Old United Service Station Site	Completed	4.11 Old United Service Station Site: That Council note the request and advice to be provided to the Committee.	Gail Eacher	25/01/2022 Executive Assistant - Advice to be provided to Committee at 1 February 2022 meeting.
13/12/2021	2021-12-13 Ordinary Meeting of Council - Open Council	8.9.2	Resolution for Information Items	Completed	That the matter of councillor conduct be taken to a workshop for discussion.	Des Jennings, Gail Eacher	25/01/2022 Executive Assistant - Listed for discussion at 7 February 2022 Council workshop. 14/01/2022 Executive Assistant - Council Workshop date set.
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	9.1	Adoption of Coat of Arms	Completed	That Council a) adopts the Northern Midlands Council logo as its Council arms in accordance with section 336 (1) of the Local Government Act 1993; and b) endorses the amendments to its Use of Northern Midlands Council Logo Policy.	Amanda Bond	8/02/2022 Executive Officer - Policy updated for uploading to Policy Manual.
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	11.2	Audit Committee	Completed	That the matter be deferred to the next meeting of Council.	Maree Bricknell	14/02/2022 Corporate Services Manager - Report to February 2022 meeting.
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	9.8	Australian Local Government Association (ALGA) - 2022 National General Assembly of Local Government: Call for Motions and Conference Attendance	Completed	That Council ... ii) authorise the physical attendance of: a) Mayor Knowles b) Deputy Mayor Goss (or delegate) at the 2022 National General Assembly of Local Government to be held in Canberra from 19 to 22 June 2022.	Gail Eacher	8/02/2022 Executive Assistant - Mayor Knowles bookings complete. Deputy Mayor Goss to advise. 14/02/2022 Executive Assistant - Deputy Mayor Goss not available to attend.
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	9.6	Domestic and Sexual Violence Framework - Motion to March LGAT Meeting	Completed	That LGAT lobby the State Government to initiate and fund the development and implementation of a family and sexual violence prevention framework for local government across the state.	Lorraine Wyatt	2/02/2022 Executive & Communications Officer - Motion provided to LGAT and was circulated to members 2 February 2022



Meeting Date	Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	12.1	Kerbside Food and Organics Collection	Completed	That Council defer a decision pending further information with a report to the tabled at the next Council meeting; with additional information to include: costs, bin options (for multi-dwellings) and introduction options.	Jonathan Galbraith	14/02/2022 Engineering Officer - Revised report prepared for February Council meeting
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	9.5	Review of Local Government Legislative Framework	Completed	That the listed reform suggestion be approved by Council: 1) Under the proposed reforms Part B (eligibility for the General Manager's Roll), Criteria 1 - A person must be an Australian citizen to be eligible to be enrolled to vote in local government elections. 2) Community Engagement (#17 - All Councils will develop and adopt a community engagement strategy). 3) Simplify Pecuniary and Non-Pecuniary Interest (#34 - Simplify what is a conflict of interest).	Des Jennings, Gail Eacher	8/02/2022 Executive Assistant - Email sent to LGAT advising of Council's decisions.
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	7.1.4	Swimming Pool	Completed	That ... ii) Council officer's respond to the Committee's request;	Lorraine Wyatt	14/1/2022 Executive & Communications Officer - Report to Council. Committee to be advised.
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	7.1.4	Swimming Pool	Completed	... That ... iii) a report relating to pool usage (including recruitment, actual opening hours and visitor numbers) be presented to Council.	Samantha Dhillon	4/02/2022 People & Culture Business Partner - Preparing Council report for the February 2022 Council meeting, to respond to the items raised by Councillors at the January 2022 meeting. 10/02/2022 People & Culture Business Partner - Report prepared for the February Council meeting
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	7.2.2	Town walk map	Completed	That Council note the recommendation and that the pads have been printed.	Amanda Bond	2/02/2022 Executive Officer - Item complete
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	9.4	Use of Jumping Castles on Council Owned Land	Completed	That Council determines to prohibit the use of jumping castles, zorb balls or similar on Council owned or controlled land, effective immediately; and that Council officers continue to scrutinise risk assessments for events .	Amanda Bond, Fiona Dewar, Lorraine Wyatt	2/02/2022 Tourism & Events Officer - will add to event manual 2/02/2022 Tourism & Events Officer - Advice about prohibiting the use of inflatables on council land has been added to the Northern Midlands Council Event Management Guide February 2022.
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	1.7	15/02/2021 - 059/21 - Traffic Concerns: Wellington & Marlborough Streets Intersection at Longford	Completed	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).	Leigh McCullagh	29/09/2021 System Support - Discussed at Workshop. Further options to be investigated. 8/10/2021 Executive Assistant - Further report from Traffic Engineer re alternate solutions awaited. 8/11/2021 Executive Assistant - Traffic Engineer scheduled to attend 29 November Councillor workshop. 6/12/2021 Executive Assistant - Report to December Council meeting.
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	1.5	16/08/2021 - 328/21 - Ross Swimming Pool	Completed	That Council procure a health and safety report (existing or newly commissioned report) to ascertain whether the Ross pool is safe to be used.	Des Jennings, Gail Eacher	29/09/2021 System Support - Report to be presented to October Council Meeting. 8/10/2021 Executive Assistant - Report to 18 October 2021 Council meeting.
	Ordinary Meeting of Council - Carried Over	1.6	17/05/2021 - 190/21 - Bridge Across Liffey River to Former	Completed	That a decision be deferred to the next meeting to establish Council's responsibilities and	Leigh McCullagh	29/09/2021 System Support - Discussed at Workshop. Report to future Council Meeting. 8/10/2021 Executive Assistant - Letter sent to landowner. Comment



Meeting Date	Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
	Actions (Old Resolutions Register)		Baptist Church Grounds		alternative solutions (including timber).		being sought from Emergency/Government Services and Bush Heritage . 8/11/2021 Executive Assistant - Further report to December Council Meeting. 6/12/2021 Executive Assistant - Land owner to be invited to present to future Council Workshop. 14/02/2022 Executive Assistant - report to Council.

8.12 RESOURCE SHARING SUMMARY: 01 JULY 2021 TO 30 JUNE 2022

Resource Sharing Summary 1/7/21 to 30/6/22	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts	163	8,745.87
Street Sweeper - Plant Hire Hours	163	14,778.40
Total Services Provided by NMC to Meander Valley Council		23,524.27
Service Provided by Meander Valley Council to NMC		
Wages and Oncosts		
Plumbing Inspector Services	251.80	19,092.10
Engineering Services	-	-
Total Service Provided by MVC to NMC		19,092.10
Net Income Flow		- 4,432.17
Total Net		- 4,432.17
Private Works and Council Funded Works for External Organisations		
	Hours	
Evandale Anglican Church – Mowing	9.5	
Evandale Uniting Church – Mowing	6	
Evandale Memorial Hall Committee – Cleaning	46.5	
Cressy Church Grounds – Mowing	7	
Elizabeth Macquarie Water Trust – Lake Leake Dam monitoring	3	
Education Department – Mowing Avoca School grounds	36.5	
Campbell Town Police Station – Cleaning	9	
Avoca Ash Centre – Mowing & Maintenance	38.5	
Avoca Town Hall – Cleaning	18.5	
Perth Football Club – Fix broken window	4	
Cricket Club – Place Rubber Cricket Pitch	24	
Coles Supermarkets – Deliver wheelie bins to event at Campbell Town	4.5	
Works Department Private Works Carried Out		
	207	

8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	Estimated Cost of Damages			
		January 2022	Total 2021/22	January 2021	Total 2020/21
Graffiti in trout park toilets	Cressy	\$200			
Smashed panels in bus shelters	Marlborough Street, Longford	\$800			
Smashed windows at recreation ground	Perth	\$600			
TOTAL COST VANDALISM		\$1600	\$5800	\$0	\$10,200



8.14 YOUTH PROGRAM UPDATE

PCYC Program

Council fund PCYC activities in the Northern Midlands. The program is currently being facilitated in Perth on Thursdays during school terms. Sessions were not held during school holidays.

Free2B Girls Program

The Free2B Girls program is funded by Tasmania Community Fund and has commenced in Longford and Campbell Town. Sessions were not held during school holidays.

Northern Midlands Active Youth Program

The program is funded by Healthy Tasmania and has commenced in Campbell Town and Cressy. The program is conducted during school lunch time and is meeting with great success. Sessions were not held during school holidays.

8.15 STRATEGIC PLANS UPDATE

Prepared by: Lorraine Green, Project Officer

CURRENT AS OF 8 FEBRUARY 2022

Progress Report:

Not Started (obstacles)

On Hold

On Track

Completed

Strategic Plans	Dept.	Status	Current Status
Lead:			
<i>Serve with honesty, integrity, innovation and pride</i>			
Annual Budget and Quarterly Reviews	Corp		Long Term Financial Plan updated and annual budget adopted at 28 June 2021 meeting.
Asset Management Plan Annual Review	Corp		Road and Building revaluation adopted 2019/2020. Asset Management Plan review complete for Roads and Buildings adopted by Council, September 2021. Land and Stormwater revaluations adopted 2020/2021.
Best Business Practice, Governance & Compliance	Gov		Legislative Audit, Delegations Review and Policy Manual update ongoing.
Customer Service Standards	Corp		Risk Management Policy reviewed July 2021 and Risk Register review scheduled December 2021.
Elected Members Development & Annual Plans	Gov		Policy and Annual Plan to be prepared.
Emergency Management)	Corp		Municipal emergency meetings held and regularly attended regional meetings during COVID-19 via zoom. Updated Emergency Recovery Plan adopted May 2017 by Council. Revision of Emergency Management Plan adopted by Council 16 November 2020.
Information Technology Upgrade Program	Corp		Council decided to upgrade Open Office Enterprise Suite during 2021/2022 and keep a watching brief on northern shared services project.
Local Government Reform	Gov		Completed – Legal Services project. In progress – Joint IT platform review. Future of Local Government in Tasmania – in preparation for the review (commencing January 2022) the Government will work with LGAT and relevant experts to: develop detailed Terms of Reference for review; identify and appoint the Local Government Board in accordance with the Act; and develop an engagement and communications plan to ensure that key stakeholders and the community are kept informed about and participate in the review. Position paper to be developed for public consultancy process.
People & Culture Plan	Gov		Framework utilised for recruitment is best practice. Wage subsidy for apprentice wages claimed quarterly. Employee Satisfaction Survey completed in 2021. Department summaries to be distributed in Feb 2022 to employees. COVID-19 Vaccination Mandate – in progress, staff consultation process to commence in February 2022.
Workplace Health & Safety Action Plan	Corp		WHS audit assessment reviewed ongoing basis.



Strategic Plans	Dept.	Status	Current Status
Annual Review			
Progress:			
<i>Economic health and wealth – grow and prosper</i>			
Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania	Gov		Study being driven by external stakeholders, Council support provided when requested. Included in NMC Priority Projects document. Government has committed to infrastructure expenditure and development of a master plan.
Campbell Town CBD Urban Design & Traffic Management Strategy	Gov		Construction of midland highway underpass at Campbell Town commenced. Building Better Regions Fund application being prepared for implementation of Stage 1 of the Urban Design Strategy.
Campbell Town (King Street) Short Term Accommodation Master Plan & Business Case	Gov		Project underway.
Campbell Town – Town Hall Sale/Lease	Gov		Sale/lease to be advertised.
Economic Development Master Plan Strategy Delivery	Gov		Economic development framework adopted by Council at May 2020 meeting. Implementation underway.
Tourism Strategy Implementation	Corp		Augmented Reality Project – Ross experience being trialled. Northern Midlands Business and Volunteer Expo – postponed due to pandemic. REASSIGN project – site work plans being finalised. Second progress report submitted to funding body.
Lake Leake Amenities Upgrade Project	Gov		Recreational Fishing and Camping Facilities Program grant secured towards the upgrading of the toilet and shower facilities. Onsite assessment completed. Work being scoped.
Tooms Lake Camping Area Infrastructure Upgrade Project	Gov		Funding secured through the Recreational Fishing and Camping Facilities Program for the upgrade of camping area infrastructure.
Longford Motor Sport Museum	Gov		Alternative sites for museum being sought.
Longford Racecourse Master Plan & Area Review	Gov		April 2021: Consultancy Agreement signed. Draft master plan being progressed. Community and industry consultation phase completed.
Longford CBD Urban Design Strategy	Gov		Commitment of \$4m from National Party prior to federal election. Consultation completed for memorial hall upgrade.
Stormwater Management Plans	Works		Model build for all Towns in progress, nearing completion.
Municipal Subdivisions Infrastructure Upgrade Program (including Ridgeside Lane)	C&D		Council to identify opportunities to provide infrastructure and secure funding.
Nile Road Upgrade	Works		Included in NMC Priority Projects document.
Perth Early Learning Centre	Gov		Works commencing 14 Feb 2022.
Perth Sports Precinct Concept Master Plan	Gov		Concept master plan developed October 2020. Included in NMC Priority Projects document.
Perth Town Structure Plan	C&D		Council has endorsed the plan and draft amendments to planning scheme to be prepared.
TRANSLink Precinct Renewal - Stormwater	Gov		Seeking grant assistance to fund planned works. Included in NMC Priority Projects document.
Underground Power – Evandale, Longford & Perth	Works		Identified as an election opportunity and awaiting funding streams to come available.
People:			
<i>Cultural and society – a vibrant future that respects the past</i>			
Cohesive Communities & Communities at Risk Plan	Gov		Not yet commenced.
Discrimination Strategy	Gov		Officers investigating development of strategy.
Family Violence Strategy	Gov		Council continues to support <i>End Men's Violence Against Women</i> campaign. Officers investigating development of strategy.
Longford Road Safety Park	Works		Funding agreement finalised and design completed.
Municipal Shared Pathways Program (including pathways within & between towns)	Gov		Committee established and program to be prepared.
Northern Midlands Community House	Gov		Possible site identified. Seeking State and Federal Election funding support.
Ross Recreation Ground Master Plan	Gov		Development of Master Plan underway. October 2021: application submitted for Improving the Playing Field Grant to assist with the cost of constructing inclusive changerooms.
Supporting Employment Programs	Gov		Participating in LGAT special interest groups on a quarterly basis. Support Inspiring Futures program. Host work experience and UTAS placements.
Supporting Health & Education	Gov		Participating in the Northern Health Providers Networks meetings. Further



Strategic Plans	Dept.	Status	Current Status
Programs			Education Bursary Program finalised for 2021.
Supporting Sport & Recreation Programs	Gov		Participation in quarterly northern Sport & Recreation meetings. Planning and implementation of upgrade to Council owned sporting facilities underway. Support provided to participants in sporting activities on a state and national level. Development of Northern Tasmania Sports Facility Plan underway.
<i>Covering of Campbell Town & Cressy Swimming Pools</i>	Gov		Included in NMC Priority Projects document.
<i>Ross Swimming Pool</i>	Gov		Pool operation continued (as per the current funding model) whilst structurally/operationally safe to do so.
Youth and Ageing Strategy	Gov		Youth programs and services being pursued. Grant funding received for 2020 programs. Programs recommenced October 2020. Appointment of new Youth Officer imminent.
Implementation of Final Stages			
• <i>Campbell Town War Memorial Oval Precinct Development Plan</i>	Gov		New public toilet facility, irrigation system and tennis hit-up walls nearing completion. November 2021: AFL Tas funding (\$20,000) secured towards the oval irrigation upgrade.
• <i>Cressy Recreation Ground Master Plan</i>	Gov		Council accepted Cressy Recreation Ground 2030 Master Plan at April 2018 Council meeting. Levelling the Playing Field funding received – building work completed – final report and acquittal being prepared. BBQ facility & landscaping to be completed as a future stage.
• <i>Cressy Swimming Pool Master Plan</i>	Gov		State election funding grant of \$100,000 received. \$400,000 commitment from National Party prior to federal election. Grant acquittals submitted Works substantially completed, concourse and carpark to be completed in with future funding allocations 2022/2023.
• <i>Evandale Morven Park Master Plan</i>	Gov		Works substantially completed: grant acquittal report submitted. Relocation of cricket nets to be undertaken 2021/2022.
• <i>Northern Midlands Community Sports Centre</i>	Gov		First floor fit-out to be progressed in 2021/2022. Internal and external stairs nearing completion.
Place:			
<i>Nurture our heritage environment</i>			
<i>Conara Park Upgrade</i>	Gov		Concept prepared: awaiting funding opportunities.
<i>Cressy Park Redevelopment</i>	Gov		Liaising with Local District Committee to establish/prepare plans for upgrade.
Honeysuckle Banks, Evandale, Master Plan	Works		Included in NMC Priority Projects document. To be progressed as RV site all year round.
Land Use & Development Strategy (includes Rural Processing Centre)	C&D		Endorsed 21 October 2019.
Launceston Gateway Precinct Master Planning	Gov		Listed as a component of the Municipal Land Use and Development Strategy.
Longford Expansion Strategy	C&D		Underway: consultation currently being undertaken.
<i>Municipal Tree Planting Program</i>			Annual program being implemented.
Natural Resource Management Program Collaboration	Gov		Collaborating with NRM North on the WSUD Master Plan for Sheepwash Creek and Climate Change Strategy/Action Plan.
North Perth Low Density Land Strategy	C&D		Superseded by Local Provisions Schedule. Representation in support of LPS provided by consultant.
Sense of Place Planning – All Villages & Towns	Gov		Master planning for townships underway.
<i>Sheepwash Creek WSUD Open Space Corridor & Associated Open Space Plan</i>	Gov		Grants to be sought for major new/improved infrastructure.
<i>South Esk River Parklands Master Plan</i>	Gov		March 2021: Application submitted to Building Better Regions Fund for grant to extend the walkway and installation of footbridge. Funding secured October 2021: Grant deed awaited.
Tasmanian Planning Scheme Integration	C&D		Local Provisions Schedule to TPS exhibited to December 2021. Report on representations to February 2022 Council meeting before being provided to TPC.
Waste Management	Works		Member of the Northern Waste Management Committee. WTS improvements to be programmed for 2021/2022.
Weed Managements Strategy & Action Plan – Council Assets	Works		2021/22 Budget allocation provided for weed officer/strategy.

**Items included in Integrated Priority Projects Plan*



Completed:

Strategic Plans	Dept	Implementation Date	Status	Current Status
Lead:	<i>Serve with honesty, integrity, innovation and pride</i>			
<i>Integrated Priority Projects Plan</i>		June 2021		Consultancy Agreement signed June 2020. Plan accepted at June 2021 Council Meeting.
Media & Marketing	Gov			Communications Strategy and Framework developed. Expanding Council's communications through social media and other publications. Marketing Plan prepared.
Progress:	<i>Economic health and wealth – grow and prosper</i>			
People:	<i>Cultural and society – a vibrant future that respects the past</i>			
Disability Action Plan	Gov			Review complete
Place:	<i>Nurture our heritage environment</i>			

8.16 TOURISM & EVENTS AND HERITAGE HIGHWAY TOURISM REGION ASSOCIATION (HHTRA) UPDATE

Prepared by: Fiona Dewar, Tourism Officer

Tourism update:

- Events:
 - Assist local event organisers to fulfil Council compliance requirements.
 - Coordinate event equipment for event organisers.
 - Keep event list updated and distribute. Update NMC website calendar and ATDW when applicable.
 - Liaise with event organisers re planning and funding.
- Source brochures for the local Northern Midlands visitor centres.
- Liaise with representatives of signage projects: Avoca, Bishopsbourne, Ross Highway.
- Town Videos: review budget options.

HHTRA update:

- Current marketing activities continue and include website blog posts and social media.
- Progress teething issues with new HHTRA landing page on the DST website.

8.17 BICENTENARY PLANNING UPDATES

Prepared by: Fiona Dewar, Tourism Officer

Ross

- Completed: 21 Feb: Bike Ride with Picnic Lunch
- Completed: 13 March: If These Halls Could Talk – Ten Days on the Island.
- Completed: 18 April: Bicentenary Ramble
- Completed: 8 May: Bush Feast
- Completed: 27 May – 10 June: Dressing the Trees Installation
- Completed: 2 June: formal ceremony at the Town Hall. Quilt unveiling. Visitors Book.
- Completed: 3 June: Ross Bridge presentation by Dr Jennie Jackson.
- Completed: 4 June: Bicentenary Quilt exhibition open to public.
- Completed: 17 July: Bicentenary Dinner at the Ross Sports Club
- Completed: 3 – 26 Sept: Ross Tin Can Sculpture Show at the Thistle Inn.
- Completed: 26 Sept: Ross Running Festival.
- Completed: 10 Oct: Bicentenary Concert Camerata Obscura, at the Ross Town Hall.



- Completed: 17 Oct: Ross Remembered at the Ross Community Sports Club.
- Completed: 6 Nov – 5 Dec: Set In Stone | The Daniel Herbert Sculpture Prize.
- Completed: 13 Nov: Remembrance Day Dance. 50s Swing Band and Period Dress.
- Completed: 27 Nov: Open Houses and Gardens
- Completed: 5 Dec: Bicentenary Gala Day of Cricket.
- Cancelled: 31 Dec: New Year's Eve on the Green Village Fair.
- Current: Education exhibition at the Tasmanian Wool Centre Museum called: It Takes a Village.

Campbell Town

- Completed: January. Picnic in the Park, with food, music, entertainment, vintage car display.
- Completed: February. Senior Citizens lunch at bowling Club.
- Completed: March. Lake Leake trout fishing competition.
- Completed: April. Historical guided walking tours.
- Completed: 31 May. Official naming day at Town Hall.
- Completed: 13 June. Bicentenary golf day.
- Completed: July. St Luke's organ recital.
- Completed: August. Historical house/farm tour weekend.
- Completed: September. School sports day (colonial games and costumes).
- Completed: October. Campbell Town garden tours.
- Completed November. Bush dance at Wool Pavilion at Showgrounds.
- Completed December. School children costumed Christmas caroling.

Perth

- Completed: 25 Feb: Primary School Bicentenary Picnic
- Completed: 18 April: History Scavenger Hunt (postponed)
- Completed: 29 May: Bonfire and music celebration.
- Completed: 30 May: Perth Bicentenary history presentation and official commemoration.
- Completed: 21 Sept: Seniors High Tea

Completed: 23 Oct: Perth Bicentenary Memorial Celebration

8.18 NORTHERN MIDLANDS BUSINESS ASSOCIATION: UPDATE

Prepared by: Gail Eacher, Executive Assistant

The attached minutes of the Northern Midlands Business Association (NMBA) held in January 2022 is provided for information.

ATTACHMENT

1. NMBA Board Minutes January 2022 Meeting [8.18.1 - 4 pages]

8.19 NORTHERN TASMANIA DEVELOPMENT CORPORATION: QUARTERLY PROGRESS REPORT (OCTOBER TO DECEMBER 2021)

Prepared by: Gail Eacher, Executive Assistant

Attached is a copy of NTDC's Quarterly Report and associated appendix for the October to December 2021 period.

In her editorial, Interim CEO Karina Damberg points out that it is time to communicate what innovative and inclusive regional development means. It is not a choice between the economy or the community; it is about sustainable improvements for our economy, environment, and society.



The report includes updates on the work that contributes to this vision, including the Population Program, the Northern Regional Land Use Strategy, a Demand and Supply Study, the Sports Facility Plan and the Greater Launceston Plan. As well as information on the Regional Priority Projects that NTDC will be advocating for in the upcoming federal election.

Attachments

1. October- December Quarterly Report [8.19.1 - 10 pages]
2. Appendix A [8.19.2 - 10 pages]

8.20 TASWATER: QUARTERLY REPORT TO OWNERS' REPRESENTATIVES - PROGRESS UPDATE TO DECEMBER 2021

Prepared by: Gail Eachar, Executive Assistant

Attached the Quarterly Report to Owners' Representatives – Progress Update to 31 December 2021.

The Report was the subject of discussion at Quarterly Briefings in each region. The Northern briefing was held on Thursday 3 February 2022.

Outlined within the report are key aspects of TasWater's performance for the quarter ended 31 December 2021, including performance against key performance indicators outlined in the FY2022-26 Corporate Plan as well as financial performance compared to the FY2021/22 Budget.

The report also includes a dedicated section outlining TasWater's performance against a range of operational key performance indicators.

ATTACHMENTS

1. Quarterly Report to Owners Representatives - Progress Update to 31 December 2021 [8.20.1 - 20 pages]

MINUTE NO. 22/47

DECISION

Deputy Mayor Goss/Cr Brooks

That the Information Items be received.

Carried Unanimously



9 GOVERNANCE REPORTS

9.1 PROPOSED ACQUISITION OF LAND: MACQUARIE STREET, CRESSY

Responsible Officer: Maree Bricknell, Acting General Manager

Report prepared by: Amanda Bond, Executive Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider an offer from the Morrison family to gift Council a portion of their land at Macquarie Street, Cressy to improve the existing recreation area by expanding parking and installing some seating.

2 INTRODUCTION/BACKGROUND

The Chairperson of the Cressy Local District Committee approached the owners of the property in 2021 asking if they would be agreeable to gifting a portion of their land at Macquarie Street, Cressy for the purpose of expanding the current parking area and installing seating to create a more user friendly day use area.

The property owners are agreeable to the request, on the basis that Council fences the gifted land.

A motion from the Cressy Local District Committee was presented to Council on 18 October 2021 requesting Council consider the offer at which time Council decided:

That Council officers progress a survey of the land in question and bring a report back to Council.

A survey of the site has been completed and is attached to this report.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.4 Improve community assets responsibly and sustainably

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

3.3 Public assets meet future lifestyle challenges

3.4 Towns are enviable places to visit, live and work

4 POLICY IMPLICATIONS

Not applicable.

5 STATUTORY REQUIREMENTS

The land would need to be subdivided in accordance with the planning scheme.

6 FINANCIAL IMPLICATIONS

Council has incurred the cost to have the site surveyed which has totalled \$1,375 (including GST).



There will be legal fees associated with the acquisition, estimated at \$1,500 plus GST.

The application fees associated with the subdivision are estimated at \$1,100. Consultants fees to prepare the subdivision application may also apply.

Council will be required to take on the maintenance of the site which is estimated at:

- Removal of existing fence: \$300
- Building new fence: \$1,844
- 6 parking spaces, gravelled: \$6,840
- Installation of 2 x tables and chairs which are flood resistant: \$7,000
- Levelling of grassed area for mowing: \$1,100
- Ongoing mowing and maintenance: 12 times / year @ 1 hour

7 RISK ISSUES

There is a risk that improvements to the site will result in an increased use of caravans using the site for overnight stays, when there are no facilities there to accommodate this. There is presently free overnight camping for self contained vehicles at the Cressy Recreation Ground which is also on Macquarie Street, Cressy.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

No community consultation has occurred regarding this proposal. The proposal is an initiative of the Cressy Local District Committee.

10 OPTIONS FOR COUNCIL TO CONSIDER

To accept the offer, or not.

11 OFFICER'S COMMENTS/CONCLUSION

This is an opportunity to expand the existing recreation area at Macquarie Street, Cressy adjacent to the river.

12 ATTACHMENTS

1. Cressy Gifted Land Top View [9.1.1 - 1 page]
2. Survey [9.1.2 - 1 page]

RECOMMENDATION

That Council **accept / does not accept** the offer and progress the acquisition of the land in question.



In regard to this matter, Mayor Knowles noted that Mr Bassett had made a submission which had been provided to Councillors.

MINUTE NO. 22/48

DECISION

Deputy Mayor Goss/Cr Lambert

That Council accepts the offer and progress the acquisition of the land in question.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



9.2 PROPOSAL TO ESTABLISH LONGFORD TOWN HALL MANAGEMENT COMMITTEE: SPECIAL COMMITTEE OF COUNCIL

Responsible Officer: Maree Bricknell, Acting General Manager

Report prepared by: Amanda Bond, Executive Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider a proposal by a group of Longford residents to become a Special Committee of Council and manage the Longford Town Hall for a trial period of 12 months.

2 INTRODUCTION/BACKGROUND

In December 2021 the General Manager received a request from a group of Longford residents, requesting Council hand over management of the Longford Town Hall to the group who have a variety of events planned at the facility for 2022. A copy of the request is attached to this report.

The General Manager has met with the group and it is proposed the group become a Special Committee of Council in accordance with section 24 of the *Local Government Act 1993* and become a management committee for the Longford Town Hall.

Council has in place a number of management committees which have been established as special committees of Council to manage and maintain the majority of the Council halls and recreation grounds in the municipality.

The Committee would be responsible for:

- the maintenance and upkeep of the facility;
- all bookings of the facility, including the collection of hire fees to be invested back into the facility;
- ensuring all public events adhere to the NMC Event Management Guidelines;
- payment of all outgoings such as power and water for the facility;
- Submitting the financial records of the group to Council in January each year for auditing.

Council would be responsible for:

- Paying the committee an annual maintenance fee toward the upkeep of the facility;
- Keeping the facility insured;
- Auditing the committees financial records in January each year.

The committee have requested that Council cancel any existing bookings of the Longford Town Hall to ensure their proposed schedule of bookings can be accommodated. There are a number of regular users of the Longford Town Hall, therefore, it is recommended that it be a condition of the agreement that the existing regular users do not have any current bookings cancelled. There are presently 16 future bookings to the end of December 2022.

Similarly, when Council commences renovations on the Longford Memorial Hall it is recommended that any existing bookings of that facility be transferred to the Longford Town Hall. To date, there is one recurring booking at the Longford Memorial Hall from 1 July 2022 until December 2022, and three events booked over a weekend.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.4 Improve community assets responsibly and sustainably



Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

- 2.2 Proactive engagement drives new enterprise
- 2.3 Collaborative partnerships attract key industries

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.4 Towns are enviable places to visit, live and work

4 POLICY IMPLICATIONS

The Longford Town Hall is public land, therefore it must be maintained for public use. As such, the Hall must be made available for hire by any person or group, provided it does not clash with an existing booking and all other bookings requirements are met.

5 STATUTORY REQUIREMENTS

Section 24 of the Local Government Act 1993 applies:

24. Special committees

- (1) A council may establish, on such terms and for such purposes as it thinks fit, special committees.
- (2) A special committee consists of such persons appointed by the council as the council thinks appropriate.
- (3) The council is to determine the procedures relating to meetings of a special committee.

6 FINANCIAL IMPLICATIONS

Council would pay to the committee an annual management fee to run and maintain the Longford Town Hall, in the sum of \$3,000.

Council would no longer incur the cost of managing bookings for the facility. The management committee would be responsible to pay the power and other outgoing costs at the site, which the management fee would contribute toward.

The management committee would be responsible for retaining all the booking fees and investing those funds back into the running and maintenance of the Town Hall.

The management committee would be required to submit their financial records to Council in January of each year for auditing.

The fees and charges for hiring the Longford Town Hall have been set by Council in the 2021/2022 budget. These charges would continue to apply for the facility.

7 RISK ISSUES

There are presently a number of regular users of the Longford Town Hall including:

- Toosey exercise group
- NMBA
- Free2b Girls Group
- Northern Midlands Interagency
- Lake Lodge
- Longford Garden Club (including storage of equipment year-round at the hall under stage)



There is a risk that these users will be impacted by the busy schedule of events the Longford Town Hall Management Committee have proposed for 2022. It is proposed that it be a condition of the agreement that these bookings are retained without change.

Upgrades are scheduled to commence on the Longford Memorial Hall from mid 2022, from which time the Memorial Hall will be unavailable for public use. It is proposed that it be a condition of the agreement that bookings for the Longford Memorial Hall be transferred to the Longford Town Hall during this time.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

The Longford Town Hall will still be available for public hire under the proposed arrangement, bookings will occur through the management committee, rather than Council staff as is presently the case.

10 OPTIONS FOR COUNCIL TO CONSIDER

To agree to create the Longford Town Hall Management Committee as a Special Committee of Council in accordance with Section 24 of the *Local Government Act 1993*, or not.

11 OFFICER'S COMMENTS/CONCLUSION

This is an opportunity for community members to manage the Longford Town Hall under the same structure which is in place for a number of other facilities in the municipality, and bring a range of arts events to the town of Longford.

12 ATTACHMENTS

1. Longford Town Hall request [9.2.1 - 1 page]
2. Draft Management Agreement Longford Town Hall [9.2.2 - 11 pages]

RECOMMENDATION

That Council establishes the Longford Town Hall Management Committee as a special committee of Council in accordance with section 24 of the *Local Government Act 1993*, in accordance with the attached Management Agreement.

MINUTE NO. 22/49

DECISION

Deputy Mayor Goss/Cr Polley

That Council establishes the Longford Town Hall Management Committee as a special committee of Council in accordance with section 24 of the *Local Government Act 1993*, in accordance with the attached Management Agreement; and appoints Cr Goss as Council's Representative to the Committee.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



9.3 APPLICATION FOR KENNEL LICENSE: 14 CHURCH STREET, ROSS

Responsible Officer: Maree Bricknell, Acting General Manager

Report prepared by: Maria Ortiz Rodriguez, Animal Control and Compliance Officer

1 PURPOSE OF REPORT

The purpose of this report is to assess and consider a kennel license to house 4 female Cavoodle at 14 Church Street, Ross.

2 INTRODUCTION/BACKGROUND

Sasha Fidra has applied for a Kennel License following Section 51 of the *Dog Control Act 2000*, Sasha Fidra applied for 4 Cavoodles. The application was advertised in The Examiner on 5th January 2022.

Letters were sent to neighbouring property owners within 200 metres of the property, advising of the proposed kennel licence and inviting objections. 1 objection was received from neighbours within 200 metres.

Council has not received complaints about the dogs barking or any other issues relating to the dogs.

Sasha Fidra at 14 Church Street is located in a Local Business planning zone, in which commercial breeding is not permitted. Sasha Fidra wishes to breed from the Cavoodle females.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.3 Management is efficient, proactive and responsible

4 POLICY IMPLICATIONS

Council has in place its Dog Management Policy, which is a legislative requirement following section 7 of the *Dog Control Act 2000*.

5 STATUTORY REQUIREMENTS

The ***Dog Control Act 2000*** is the legislation relevant to this application, the following sections should be noted:

50. 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.

55. Granting application

(1) A general manager may grant an application for a licence if satisfied that –



(a) adequate provisions for the health, welfare and adequate control of all dogs on the premises are provided or are likely to be provided; and

(b) nuisance to any other persons is unlikely to occur; and

(c) requirements under laws relating to public health and environmental protection are likely to be satisfied.

(2) A general manager is to issue a licence specifying –

(a) the maximum number of dogs that may be kept on the premises; and

(b)

(c) any conditions as the general manager may determine; and

(d) the expiry date of the licence.

(3) If a condition of the licence relates to the breed or kind of dog to be kept under the licence, a person must not keep or permit to be kept any dog over the age of 6 months of a breed or kind to which a licence applies otherwise than in accordance with the licence.

Penalty: Fine not exceeding 5 penalty units.

(4) A person must not keep more than the maximum number of dogs specified in the licence.

Penalty: Fine not exceeding 5 penalty units.

57. Renewal of licence

(1) A licence is renewable on payment of the appropriate fee.

(2) A general manager may refuse to renew a licence if of the opinion that –

(a) the provisions of this Act or any other relevant Act are not being complied with; or

(b) the situation or condition of the premises is creating a nuisance; or

(c) it is in the public interest that the licence not be renewed.

58. Cancellation of licence

(1) A general manager may cancel a licence if satisfied that –

(a) the provisions of this Act or any other relevant Act are not being complied with; or

(b) any condition of the licence is not being complied with; or

(c) the situation or condition of the premises is creating a nuisance; or

(d) it is in the public interest that the licence be cancelled.

(2) Before cancelling a licence, the general manager is to –

(a) give to the holder of the licence one month's notice in writing to show cause why the licence should not be cancelled; and

(b) give consideration to any representations which the holder may make in that respect.

(3) The cancellation of a licence is to be effected by the service of a notice on the holder of the licence notifying that the licence expires at the end of a period, not less than one month, specified in the notice, unless the normal

6 FINANCIAL IMPLICATIONS

Nothing identified.

7 RISK ISSUES

The following risk issues have been identified:

- if the licence is rejected that Council will be seen as being unfair in their decisions, as there are currently approved kennel licenses within the Northern Midlands Municipal area; for people who breed occasionally, not on a commercial scale who are in planning zones that do not allow for the commercial breeding of dogs.
- if the kennel licence is approved objectors are going to feel that the council have not considered their concerns raised in the objections.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

The application was advertised in The Examiner on 5th December 2022 and letters were sent to neighbouring property owners within 200 metres of the property.



10 OPTIONS FOR COUNCIL TO CONSIDER

There are four options for Council to consider:

- Approve a kennel licence to house 4 dogs at the property with conditions of no breeding; or
- Approve a kennel licence to house 4 dogs at the property with specific conditions of litters a year attached to the kennel licence, or
- Approve a kennel licence for a smaller number of dogs stated on the application with specific conditions of litters a year attached to the kennel licence, or
- Do not approve a new kennel licence.

11 OFFICER'S COMMENTS/CONCLUSION

Council Officers have conducted an inspection of the property, completed a report, photographed the property, assessed the condition of the dogs and the conditions in which they are housed.

A holistic approach needs to be adopted when considering the granting or refusal of a kennel licence. There seems to be no official definition in Tasmania for commercial breeders. Applications, therefore, need to be assessed independently rather than being based on the number of dogs that are kept.

If the kennel licence is issued for the number of dogs and the conditions of the Dog Control Act are not upheld by the licensee, Council has considerable recourse, including the ability to cancel the licence following Section 58 of the Act.

It is the Council Officer's recommendation following the proposals given for the Dog Management Policies, to approve the license with a limitation of two litters per 18 months for the following reasons:

- The applicant Sasha Fidra has experience breeding dogs.
- The premises have the appropriate set-up for the size of the dogs.
- The limitation of the number of litters will decrease the probability of dogs becoming a nuisance.
- The limitation of litters will allow the applicant to breed for non-commercial purposes, which is in line with the planning zone restrictions.
- The applicant does not have a male on-site, the breeding is done through artificial insemination, which will make it more feasible for the applicant to meet the council's condition of two litters per 18 months.

Lastly, breeders (commercial and non-commercial) will be inspected twice a year and the renewal of their license will be pending on inspection results.

12 ATTACHMENTS

Additional information provided which is of a confidential nature (separate closed council attachment)

RECOMMENDATION

That Council

- issue a kennel licence for housing 4 Cavoodles at 14 Church Street, Ross.
- and
- place an expiry date of 30 June 2022 upon the licence with the following specific conditions:
 - Every kennel & associated exercise area must be maintained in a clean and sanitary condition at all times to the satisfaction of the Animal Control Officer
 - Animal waste must be disposed of to the satisfaction of the Animal Control Officer and no faecal matter or other offensive or putrescible matter must enter any watercourse
 - Wash-down water, wastewater or water which has been in contact with faecal or putrescible matter must not directly or indirectly enter any watercourse and must receive treatment to the satisfaction of the Animal Control Officer/Environmental Health Officer adequate for the method of effluent disposal used. Where treatment is by land absorption or transpiration bed, sufficient land must be set aside and kept available for



that purpose. The standard of wastewater treatment must be maintained to the satisfaction of the Animal Control Officer/Environmental Health Officer.

- All available means must be used to prevent the barking of dogs to avoid the keeping of dogs becoming a nuisance to nearby residents because of the emission of noise.

And

iii) place the following additional conditions on the kennel licence:

- No more than 2 litters of puppies are to be kept at the property at any one time.
- No more than 2 litters per 18 months.

MINUTE NO. 22/50

DECISION

Cr Davis/Cr Polley

That Council

i) issue a kennel licence for housing 4 Cavoodles at 14 Church Street, Ross for pet dogs not for commercial breeding dogs.

and

ii) place an expiry date of 30 June 2022 upon the licence with the following specific conditions:

- Every kennel & associated exercise area must be maintained in a clean and sanitary condition at all times to the satisfaction of the Animal Control Officer
- Animal waste must be disposed of to the satisfaction of the Animal Control Officer and no faecal matter or other offensive or putrescible matter must enter any watercourse or neighbouring properties
- Wash-down water, wastewater or water which has been in contact with faecal or putrescible matter must not directly or indirectly enter any watercourse or neighbouring properties and must receive treatment to the satisfaction of the Animal Control Officer/Environmental Health Officer adequate for the method of effluent disposal used. Where treatment is by land absorption or transpiration bed, sufficient land must be set aside and kept available for that purpose. The standard of wastewater treatment must be maintained to the satisfaction of the Animal Control Officer/Environmental Health Officer.
- All available means must be used to prevent the barking of dogs to avoid the keeping of dogs becoming a nuisance to nearby residents because of the emission of noise.

Carried

Voting for the Motion:

Cr Adams, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Mayor Knowles, Deputy Mayor Goss and Cr Brooks



9.4 APPLICATION FOR KENNEL LICENSE: 18 CHURCH STREET, ROSS

Responsible Officer: Maree Bricknell, Acting General Manager

Report prepared by: Maria Ortiz Rodriguez, Animal Control and Compliance Officer

1 PURPOSE OF REPORT

The purpose of this report is to assess and consider a kennel license to house 3 female Dachshunds and 1 male Dachshund at 18 Church Street, Ross.

2 INTRODUCTION/BACKGROUND

Beverley Rodrigues has applied for a Kennel License following Section 51 of the *Dog Control Act 2000*, Beverley Rodrigues applied for 4 Dachshunds. The application was advertised in The Examiner on 15th December 2021.

Letters were sent to neighbouring property owners within 200 metres of the property, advising of the proposed kennel licence and inviting objections. No objections were received from neighbours within 200 metres.

Council has not received complaints about the dogs barking or any other issues relating to the dogs.

Beverley Rodrigues at 18 Church Street is located in a Local Business Planning Zone, in which commercial breeding is not permitted. Beverley Rodrigues wishes to breed from the Dachshund females.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.3 Management is efficient, proactive and responsible

4 POLICY IMPLICATIONS

Council has in place its Dog Management Policy, which is a legislative requirement following section 7 of the *Dog Control Act 2000*.

5 STATUTORY REQUIREMENTS

The *Dog Control Act 2000* is the legislation relevant to this application, the following sections should be noted:

50. 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.

55. Granting application



- (1) A general manager may grant an application for a licence if satisfied that –
- (a) adequate provisions for the health, welfare and adequate control of all dogs on the premises are provided or are likely to be provided; and
 - (b) nuisance to any other persons is unlikely to occur; and
 - (c) requirements under laws relating to public health and environmental protection are likely to be satisfied.
- (2) A general manager is to issue a licence specifying –
- (a) the maximum number of dogs that may be kept on the premises; and
 - (b)
 - (c) any conditions as the general manager may determine; and
 - (d) the expiry date of the licence.
- (3) If a condition of the licence relates to the breed or kind of dog to be kept under the licence, a person must not keep or permit to be kept any dog over the age of 6 months of a breed or kind to which a licence applies otherwise than in accordance with the licence.
- Penalty: Fine not exceeding 5 penalty units.
- (4) A person must not keep more than the maximum number of dogs specified in the licence.
- Penalty: Fine not exceeding 5 penalty units.

57. Renewal of licence

- (1) A licence is renewable on payment of the appropriate fee.
- (2) A general manager may refuse to renew a licence if of the opinion that –
- (a) the provisions of this Act or any other relevant Act are not being complied with; or
 - (b) the situation or condition of the premises is creating a nuisance; or
 - (c) it is in the public interest that the licence not be renewed.

58. Cancellation of licence

- (1) A general manager may cancel a licence if satisfied that –
- (a) the provisions of this Act or any other relevant Act are not being complied with; or
 - (b) any condition of the licence is not being complied with; or
 - (c) the situation or condition of the premises is creating a nuisance; or
 - (d) it is in the public interest that the licence be cancelled.
- (2) Before cancelling a licence, the general manager is to –
- (a) give to the holder of the licence one month's notice in writing to show cause why the licence should not be cancelled; and
 - (b) give consideration to any representations which the holder may make in that respect.
- (3) The cancellation of a licence is to be effected by the service of a notice on the holder of the licence notifying that the licence expires at the end of a period, not less than one month, specified in the notice, unless the normal

6 FINANCIAL IMPLICATIONS

Nothing identified.

7 RISK ISSUES

The following risk issues have been identified:

- if the licence is rejected that Council will be seen as being unfair in their decisions, as there are currently approved kennel licenses within the Northern Midlands Municipal area; for people who breed occasionally, not on a commercial scale who are in planning zones that do not allow for the commercial breeding of dogs.
- if the kennel licence is approved objectors are going to feel that the council have not considered their concerns raised in the objections.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.



9 COMMUNITY CONSULTATION

The application was advertised in The Examiner on 15th December 2021 and letters were sent to neighbouring property owners within 200 metres of the property.

10 OPTIONS FOR COUNCIL TO CONSIDER

There are four options for Council to consider:

- Approve a kennel licence to house 4 dogs at the property with conditions of no breeding; or
- Approve a kennel licence to house 4 dogs at the property with specific conditions of litters a year attached to the kennel licence, or
- Approve a kennel licence for a smaller number of dogs stated on the application with specific conditions of litters a year attached to the kennel licence, or
- Do not approve a new kennel licence.

11 OFFICER'S COMMENTS/CONCLUSION

Council Officers have conducted an inspection of the property, completed a report, photographed the property, assessed the condition of the dogs and the conditions in which they are housed.

A holistic approach needs to be adopted when considering the granting or refusal of a kennel licence. There seems to be no official definition in Tasmania for commercial breeders. Applications, therefore, need to be assessed independently rather than being based on the number of dogs that are kept.

If the kennel licence is issued for the number of dogs and the conditions of the Dog Control Act are not upheld by the licensee, Council has considerable recourse, including the ability to cancel the licence following Section 58 of the Act.

It is the Council Officer's recommendation following the proposals given for the Dog Management Policies, to approve the license with a limitation of two litters per 18 months for the following reasons:

- The applicant Beverley Rodrigues has no previous experience breeding dogs.
- The premises have the appropriate set-up for the size of the dogs.
- The limitation of the number of litters will decrease the probability of animal welfare issues and the dogs becoming a nuisance
- The limitation of litters will allow the applicant to breed for non-commercial purposes, which is in line with the planning zone restrictions.
- It is suggested also to approve the license for 3 dogs only (2 Females – One male) since the male is on-site might make it more difficult for the applicant to have entire control of the breeding. Nonetheless, it is the limitation of litters per 18 months the primary limitation suggested for this license since the applicant can house the number of dogs in the application.

Lastly, breeders (commercial and non-commercial) will be inspected twice a year and the renewal of their license will depend on inspection results.

12 ATTACHMENTS

Additional information provided which is of a confidential nature (separate closed council attachment)

RECOMMENDATION

That Council

- issue a kennel licence for housing 4 Dachshunds at 18 Church Street, Ross;
- and
- place an expiry date of 30 June 2022 upon the licence with the following specific conditions:



- Every kennel & associated exercise area must be maintained in a clean and sanitary condition at all times to the satisfaction of the Animal Control Officer
- Animal waste must be disposed of to the satisfaction of the Animal Control Officer and no faecal matter or other offensive or putrescible matter must enter any watercourse
- Wash-down water, wastewater or water which has been in contact with faecal or putrescible matter must not directly or indirectly enter any watercourse and must receive treatment to the satisfaction of the Animal Control Officer/Environmental Health Officer adequate for the method of effluent disposal used. Where treatment is by land absorption or transpiration bed, sufficient land must be set aside and kept available for that purpose. The standard of wastewater treatment must be maintained to the satisfaction of the Animal Control Officer/Environmental Health Officer.
- All available means must be used to prevent the barking of dogs to avoid the keeping of dogs becoming a nuisance to nearby residents because of the emission of noise.

and

iii) place the following additional conditions on the kennel licence:

- No more than 2 litters of puppies are to be kept at the property at any one time.
- No more than 2 litters per 18 months.

MINUTE NO. 22/51

DECISION

Cr Davis/Cr Polley

That Council

i) issue a kennel licence for housing 4 Dachshunds at 18 Church Street, Ross for pet dogs not for commercial breeding dogs;

and

ii) place an expiry date of 30 June 2022 upon the licence with the following specific conditions:

- Every kennel & associated exercise area must be maintained in a clean and sanitary condition at all times to the satisfaction of the Animal Control Officer
- Animal waste must be disposed of to the satisfaction of the Animal Control Officer and no faecal matter or other offensive or putrescible matter must enter any watercourse or neighbouring properties
- Wash-down water, wastewater or water which has been in contact with faecal or putrescible matter must not directly or indirectly enter any watercourse or neighbouring properties and must receive treatment to the satisfaction of the Animal Control Officer/Environmental Health Officer adequate for the method of effluent disposal used. Where treatment is by land absorption or transpiration bed, sufficient land must be set aside and kept available for that purpose. The standard of wastewater treatment must be maintained to the satisfaction of the Animal Control Officer/Environmental Health Officer.
- All available means must be used to prevent the barking of dogs to avoid the keeping of dogs becoming a nuisance to nearby residents because of the emission of noise.

Carried

Voting for the Motion:

Deputy Mayor Goss, Cr Adams, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Mayor Knowles and Cr Brooks



9.5 SWIMMING POOL OPERATIONS: 2021-2022 SEASON

Responsible Officer: Maree Bricknell, Acting General Manager

Report prepared by: Samantha Dhillon, People & Culture Business Partner

1 PURPOSE OF REPORT

Council requested a report detailing various operational matters relating to the three municipal swimming pools.

2 INTRODUCTION/BACKGROUND

At the January 2022 Council Meeting, Council requested a report which detailed each of the items below and for all three municipal swimming pools:

Items	Cressy Pool	Campbell Town Pool	Ross Pool
Season open date	27 Nov 2021	4 Dec 2021	11 Dec 2021
Income since opening	Committee receives income. Financials not provided to Council at time of preparing report	\$3,797 (up to 9 Feb 2022)	Committee receives income. Financials not provided to Council at time of preparing report
Attendance numbers since opening and up until 1 Feb 2022	1,376	966 **Not all numbers have been recorded on all days	1,994 **Not all numbers have been recorded on all days
Days open this season up until 1 Feb 2022	56	46 days	53 days
Days closed this season	10 days (Committee responsible for closing the Cressy pool, unless there are insufficient lifeguards – this is the only time Council closes Cressy Pool)	14 days (Council has made the call to close the Campbell Town pool due to a combination of bad weather and lifeguards getting COVID or being close contacts and having to isolate)	8 days (Committee responsible for closing the Ross pool, as there hasn't been any days where Ross has not had lifeguards to work)
Days closed due to having insufficient lifeguards	3 days (out of the total 10 days, due to impacts of COVID-19)	9 days (out of the total 14 days, due to impacts of COVID-19)	0 days
Process to engage lifeguards	Recruitment commences Aug/Sep each year to recruit lifeguards. Advertisement is posted in The Examiner, on Seek, on the NMC Website and NMC Facebook page. Council also advertises on community noticeboards and in the Country Courier. Officer also reaches out to lifeguards from previous seasons to see if they wish to return. Applicants must have a current Pool Lifeguard qualification, a Senior First Aid Certificate and a Working with Vulnerable People (WWVP) Registration to work – all of which are the applicant's responsibility to gain prior to the pool season commencing. Council will reimburse the cost of the WWVP if the applicant does not already have this, but the Pool Lifeguard and First Aid expenses are at the applicants own cost.		
Number of lifeguards engaged this season	This year the season began with a team of eight adult lifeguards and one junior lifeguard. The junior can only work with a more experienced adult lifeguard, not solo by themselves. At the end of January, we lost two of the adult lifeguards as they have moved to the mainland for study and work purposes. Thus, six adult lifeguards remaining and one junior. All their availability is limited now due to returning to university and permanent employment.		
What Ross actioned to ensure they stayed open			One of the volunteers at Ross has completed the prerequisite lifeguard qualifications and is assisting the lifeguards as needed and on occasions running a water aerobics class for community members. This volunteer is not working by herself,



Items	Cressy Pool	Campbell Town Pool	Ross Pool
			instead as support for the lifeguards rostered at Ross
Agreed number of lifeguards at Campbell Town		Campbell Town is operating without a committee and without volunteers to assist. Council agreed early in 2020 there would be two lifeguards at all times at Campbell Town pool which allows them to supervise the pool and patrons, receive gate takings, do patrols of the complex and have a second lifeguard on hand when the numbers are above the 1:25 ratio	
Possible ways to promote to local communities that they need to consider becoming lifeguards	Council will continue to advertise in the local Country Courier and on community noticeboards, as they have done in the past. Council also liaise with the Ross and Cressy Pool Management Committees about spreading the word in their communities that more lifeguards are needed, as has been done previously.		

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.3 Public assets meet future lifestyle challenges
- 3.4 Towns are enviable places to visit, live and work

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

The only statutory requirement is the lifeguard to patron ratio, which for all three of our low patronage pools is one lifeguard to twenty-five patrons.

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 to receive this report.

11 OFFICER'S COMMENTS/CONCLUSION

The casual hourly rate paid to lifeguards is \$30.27 for junior lifeguards (under the age of 18 years) and \$33.58 for those over 18 years of age. As this is an attractive hourly rate, one would think more people would show interest and want to work as a lifeguard at their local community pool.

Unfortunately, this is not the case. Each year it is extremely difficult to recruit lifeguards. The current season, Council has one local from Longford who works across Cressy and Campbell Town Pools; one local who works at the Ross Pool, one lifeguard who travels from Oatlands to work at Ross and Campbell Town pools, and the balance of the lifeguard team live in Launceston and travel to work at Cressy and Campbell Town Pools.

The issues faced this season, is the limited number of resources that Council are working with to try and resource three pools every day. With impacts such as COVID (either being a positive case or being a close contact and having to isolate), personal illnesses or other work commitments, there is always going to be a day that one pool cannot open. This is before the weather impacts and one or more pools close due to poor weather or a bad weather forecast.

Communities need to look within their towns, as there must be local people who are willing and able to complete the required qualifications (Pool Lifeguard, Senior First Aid and a Working with Vulnerable People Registration), plus pass the pre-employment medical to be able to then work as lifeguards. Without this happening, Council will continue to struggle to resource pool supervision each year.

12 ATTACHMENTS

Nil

RECOMMENDATION

That Council receive this report.

MINUTE NO. 22/52

DECISION

Deputy Mayor Goss/Cr Davis

That Council receive this report and that at the conclusion of the season a report be presented to Council, inclusive of the full data from the season, as well as information relating to finances, visitation and volunteer hours; feasibility of Council provision of and paying for training, multi-skilling/diversification of Council staff roles to take on lifeguarding duties during the season.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



9.6 POLICY REVIEW

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Lorraine Wyatt, Executive & Communications Officer

1 PURPOSE OF REPORT

The purpose of this report is to seek Council approval of the updates to the following policies

- Australia Day and volunteer Recognition
- Communications
- Use of Longford Logo

2 INTRODUCTION/BACKGROUND

A review of the three policies has resulted in the following amendments:

a) Australia Day and Volunteer Recognition

This policy was reviewed and found to require only minor amendments such as the date of the next review and formatting updates.

b) Communications

This policy required updating to reflect changes in the *Local Government Act 1993* and the associated regulations.

The role of the Deputy Mayor, was also added to the policy to reflect the responsibilities of the Deputy Mayor in the absence of the Mayor. Further, the resource documents as listed were amended to reflect current and relevant resources which are state based.

Formatting changes were also updated.

c) Use of Longford Logo

The policy referred to, "Any approved use of the logo will be in accordance with Council's Application / Guidelines for the Use of the Longford Logo", however the guidelines and application were not attached.

The policy has now been updated to reflect consistency and a copy of the, Guidelines and Application (inclusive of terms and conditions), now form part of the policy.

Formatting changes were also updated.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.1 Council is connected to the community
- 1.2 Councillors serve with integrity and honesty
- 1.3 Management is efficient, proactive and responsible

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.4 Towns are enviable places to visit, live and work

Place: Nurture our heritage environment



Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow

Strategic outcomes:

4.4 Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

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

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

As per policy provisions.

7 RISK ISSUES

It is important for Council to set out its guidelines for the provision of services within the municipality.

8 CONSULTATION WITH STATE GOVERNMENT

The Tasmanian Government has commissioned a Local Government Board Review into the Future of Local Government in Tasmania which will include the functions and design of local government and structural, legislative and financial reforms.

Policy changes which flow from this will need to be implemented as required.

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can accept or reject the amended policies.

11 OFFICER'S COMMENTS/CONCLUSION

That Council consider the policy amendments as highlighted in the attachments.

12 ATTACHMENTS

1. Policy Review - Communications [9.6.1 - 6 pages]
2. Policy Review - Use of Longford Logo [9.6.2 - 5 pages]
3. Policy Review - Australia Day and Volunteer Recognition [9.6.3 - 3 pages]

RECOMMENDATION

That Council endorse the update of the following policies:

- a) Australia Day and volunteer Recognition
- b) Communications
- c) Use of Longford Logo



MINUTE NO. 22/53

DECISION

Cr Adams/Cr Polley

That Council endorse the update of the following policies:

- a) Australia Day and volunteer Recognition
- b) Communications
- c) Use of Longford Logo

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



10 COMMUNITY & DEVELOPMENT REPORTS

10.1 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: Maree Bricknell, Acting General Manager

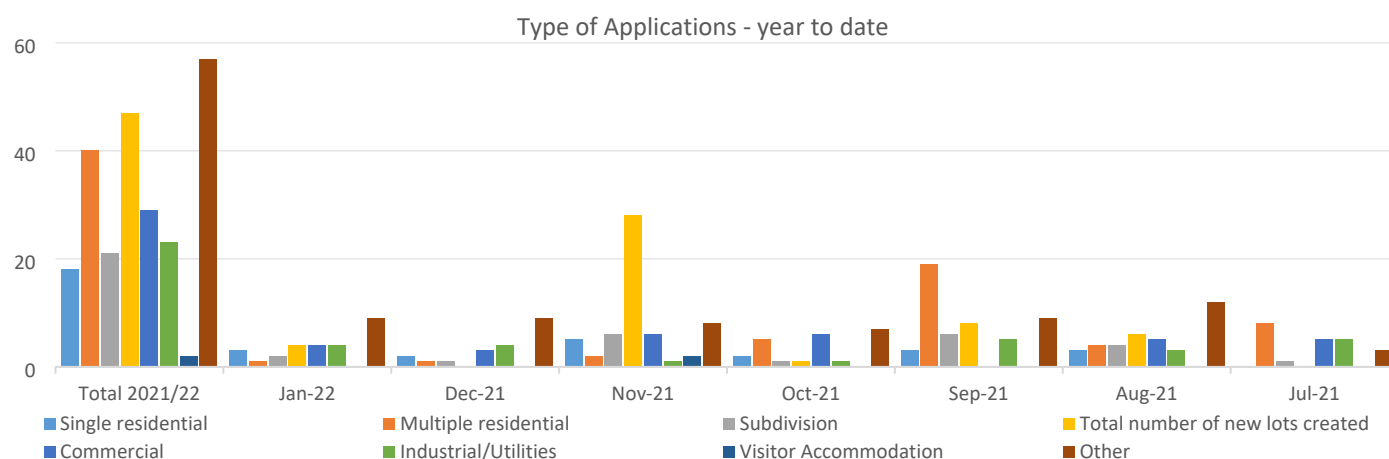
1 PURPOSE OF REPORT

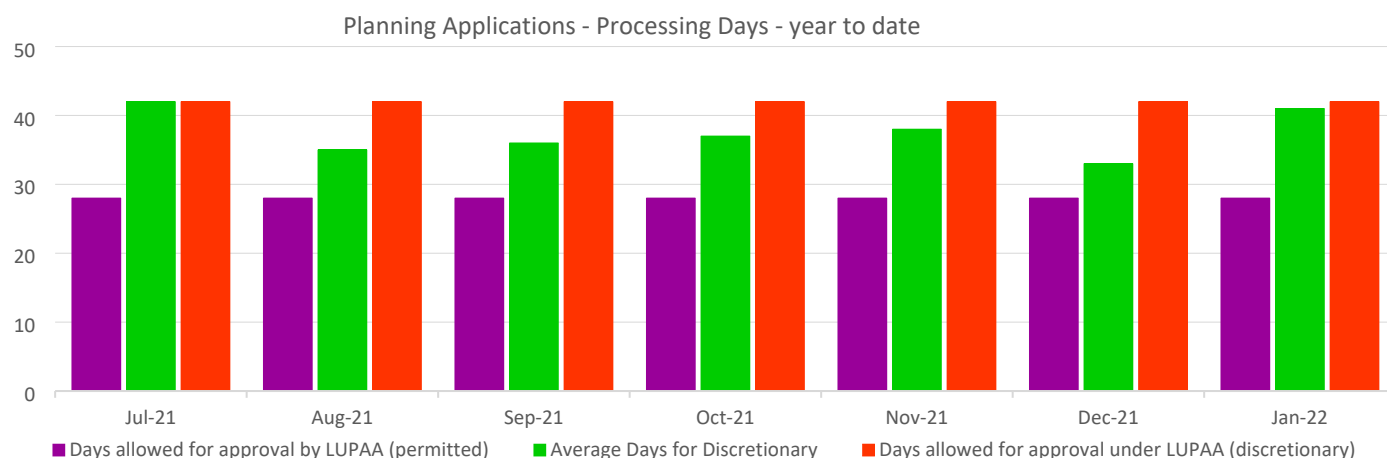
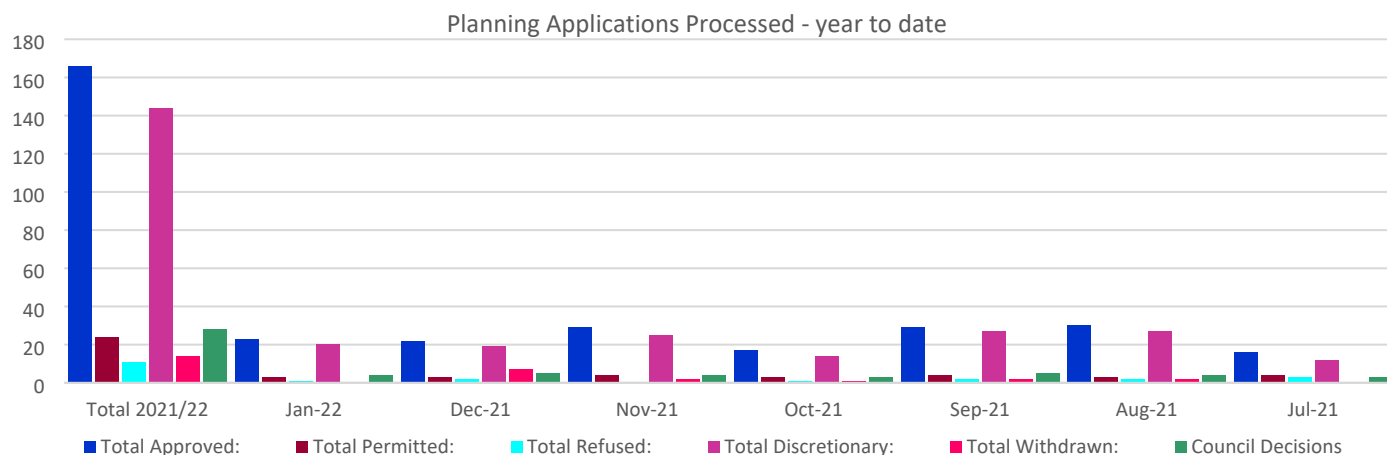
The purpose of this report is to present the Development Services activities as at the month end.

2 DEVELOPMENT SERVICES REPORTING

2.1 Planning Decisions

	Total YTD	July	Aug1	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	176	14	34	35	21	37	20	15					
Applications on STOP for further information							50	43					
Single residential	18	0	3	3	2	5	2	3					
Multiple residential	40	8	4	19	5	2	1	1					
Subdivision	21	1	4	6	1	6	1	2					
Total number of new lots created	47	0	6	8	1	28	0	4					
Commercial	29	5	5	0	6	6	3	4					
Industrial/Utilities	23	5	3	5	1	1	4	4					
Visitor Accommodation	2	0	0	0	0	2	0	0					
Total permitted	0	0	0	0	0	0	0	0					
Total discretionary	2	0	0	0	0	2	0	0					
Other (includes all residential development on existing dwellings [alterations/additions, sheds, solar, fences, pools etc])	57	3	12	9	7	8	9	9					
Total No. Applications Approved:	166	16	30	29	17	29	22	23					
Total Permitted:	24	4	3	4	3	4	3	3					
Average Days for Permitted	16.86	23	14	18	13	16	16	18					
Days allowed for approval by LUPAA	28	28	28	28	28	28	28	28					
Total Exempt under IPS:	52	8	9	5	4	14	10	2					
Total Refused:	11	3	2	2	1	0	2	1					
Total Discretionary:	144	12	27	27	14	25	19	20					
Average Days for Discretionary:	37.43	42	35	36	37	38	33	41					
Days allowed for approval under LUPAA:	42	42	42	42	42	42	42	42					
Total Withdrawn:	14	0	2	2	1	2	7	0					
Council Decisions	28	3	4	5	3	4	5	4					
Appeals lodged by the Applicant	7	1	1	3	0	0	2	0					
Appeals lodged by third party	1	1	0	0	0	0	0	0					





Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-21-0345	Alterations and additions to dwelling	15 Christine Avenue, Devon Hills TAS 7300	Engineering Plus	26	P
PLN-22-0005	New Garage including Demolition of Existing Garage	21 Cressy Road, Longford TAS 7301	Jonathan Heathcote	11	P
PLN-21-0241	Demolition of existing dwelling & construction of dwelling	1903 Cressy Road, Cressy TAS 7302	Woodbury & Co Building Design	16	P
PLN-21-0169	Construction of Steel Silhouette Sculpture	16267 Midland Hwy (CT19724/2), PERTH TAS 7300	Graeme Eberhardt obo Lions Club of Perth	41	D
PLN-21-0231	Extraction & processing of rock and gravel (Level 2 Activity)	Macquarie Road Quarry (Formerly Campbell Town Quarry) – 150 West Street, Campbell Town, Campbell Town TAS 7210	Boral Construction Materials Group Ltd	42	D
PLN-21-0233	Front fence (vary height) & Second Crossover	45A Pakenham Street, Longford TAS 7301	Simon Senior	37	D
PLN-21-0268	Renovations & Extension to Existing Dwelling (Heritage Listed, Scenic Corridor)	156 Woolmers Lane, PERTH TAS 7300	S. Group	42	D
PLN-21-0280	New garage and driveway (Heritage Listed Place)	26 Main Road, Perth TAS 7300	Bruce Cleland	38	D
PLN-21-0291	Pole sign	12 Boral Road, Western Junction TAS 7212	Albert Smith Signs P/L	42	D
PLN-21-0296	Outbuilding (15m x 10m) and Tree Removal (Vary Side Setback, gross floor area of outbuildings greater than 80m2) Readvertised due to change of location of shed.	37 Devon Hills Road, Devon Hills TAS 7300	Plans to Build	42	D
PLN-21-0303	Extension to Existing Dwelling & New Garage (Vary Rear Setback)(Heritage Precinct)	22 High St, EVANDALE TAS 7212	Amelia Diprose	43	D
PLN-21-0306	Single Dwelling (Heritage Precinct)	3/74c Marlborough St, LONGFORD TAS 7301	Abode Designer Homes	40	D
PLN-21-0308	Upgrade Roof (Heritage Precinct)	Evandale Memorial Hall, 8 High Street, Evandale TAS 7212	Apogee	43	D



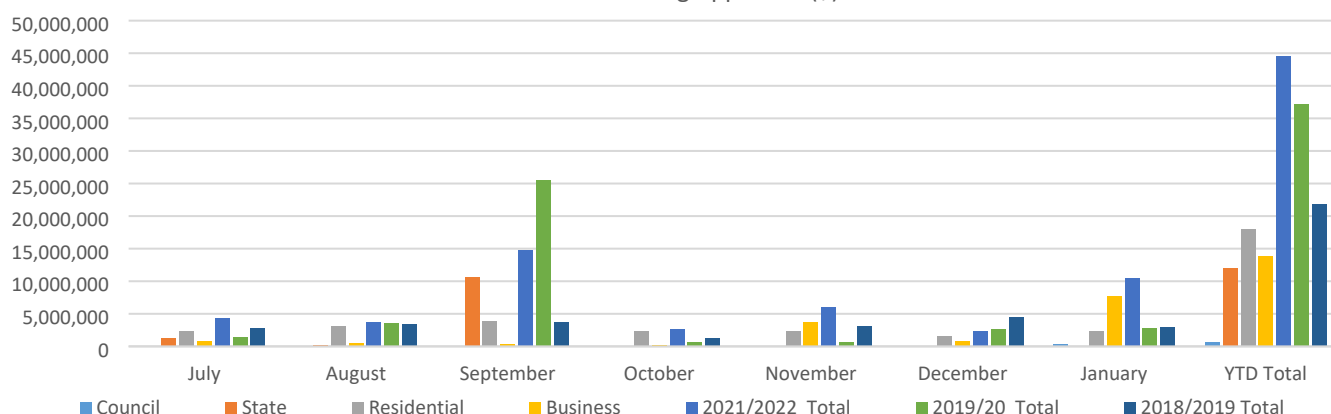
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
PLN-21-0313	Path and footbridge (Water Quality Code, Flood Prone Area)	Reserved Road between William Street & George Street and adjacent Crown Land, PERTH TAS 7300	Northern Midlands Council	42	D
PLN-21-0316	Shed (9m x 7m x 5.414m high) (outside building envelope)	14A Gatenby Street, Cressy TAS 7302	Marc Farmer	44	D
PLN-21-0321	2 Lot Subdivision (Attenuation, Vary Solar Orientation)	4 Goderich Street, Longford TAS 7301	D J McCulloch Surveying	42	D
PLN-21-0324	Sign (Other sign)	92a Main Street, Cressy TAS 7302	Northern Midlands Council	36	D
PLN-21-0328	Single dwelling (Heritage Listed Place, Heritage Precinct, vary front setback)	17 High Street, Ross TAS 7209	Plans to Build	42	D
PLN-21-0332	Shed 20m x 9m (Vary Side Setback)	199 Maitland Road, Toiberry TAS 7301	Prime Design	42	D
PLN-21-0341	Multiple Dwellings (1 Existing, 1 New) (outbuildings larger than 45m2)	50 Montagu Street, Campbell Town TAS 7210	Paul Miltenburg	35	D
COUNCIL DECISIONS					
PLN-21-0088	Salmon Hatchery & associated works including parking and signage (vary setbacks)	155 Burlington Road Access over 177693/1 and 150960/1, Cressy TAS 7302	CBM Sustainable Design	42	C
PLN-21-0342	4 lot subdivision (vary lot sizes, no reticulated services, access to Haggerston Road from Gibbet Hill Rise)	2 Gibbet Hill Rise (CT182118/100) incl. access over Gibbet Hill Rise & 3 Gibbet Hill Rise, Perth TAS 7300	Jaffa International	42	C
PLN-21-0326	Agricultural Supply Building (Scenic Corridor, Road & Railway Assets Code, Car Parking & Sustainable Transport)	Lot 3, Midland Hwy (CT152742/3), Campbell Town TAS 7210	6ty* Pty Ltd	42	C
COUNCIL DECISIONS - REFUSAL					
PLN-21-0292	Change of Use to Residential - Communal Residence, Demolition of Existing Amenities Block (Vary Amenity, Vary Privacy for all dwellings, Vary Frontage fences for all dwellings, Vary Streetscape integration and appearance, Vary Location of car parking, Vary Overlooking, Vary Design and layout of car parking, Vary Bicycle parking and access safety and security, Vary Demolition)	74 Marlborough Street, Longford TAS 7301	Commercial Project Delivery	42	CR
DELEGATED DECISIONS - REFUSAL					

2.2 Value of Planning Approvals

	2021/2022					2020/21	2019/20	2018/2019
	Council	State	Residential	Business	Total	Total	Total	Total
July	0	1,327,500	2,310,000	743,247	4,380,747	3,377,500	1,429,000	2,863,500
August	106,000	120,000	3,070,274	485,000	3,781,274	3,709,500	3,503,000	3,369,300
September	27,000	10,605,000	3,910,000	275,000	14,817,000	6,189,000	25,457,550	3,704,400
October	86,000	0	2,322,500	230,295	2,638,795	9,987,000	717,900	1,282,500
November	1,800	0	2,365,619	3,684,800	6,052,219	3,281,226	648,500	3,079,000
December	30,000	0	1,534,458	755,000	2,319,458	2,617,240	2,636,000	4,499,500
January	403,871	0	2,419,000	7,725,575	10,548,446	4,413,100	2,830,700	2,965,400
YTD Total	654,671	12,052,500	17,931,851	13,898,917	44,537,939	33,574,566	37,222,650	21,763,600
Annual Total						59,101,247	55,891,900	36,482,950



Value of Planning Approvals (\$)



2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT		TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
PLN21-0183	Appeal 118/21P. Illawarra Road upgrades. Appeal against conditions of the permit approved by Council. Preliminary conference held 08/10/2021. Mediation undertaken. Hearing held 2 December 2021. Preliminary determination received from the Tribunal on 25 January 2022 that the imposition of the condition requiring the provision of the shared bike path and the removal of the truck parking area constituted a "significant difference" and that the truck parking area was exempt per clause E7.6.1 of the planning scheme. The Tribunal has The preliminary view of the Tribunal is that it should proceed to make an order under s59(4)(b) granting a permit. Before proceeding to a determination the Tribunal has invited the parties to make submissions in respect to the terms of any final orders.	
PLN21-0062	Appeal 150/21P. Marlborough Street 44 lot subdivision. Preliminary conference held 14 January 2022. Hearing set for 2 March 2022.	
PLN-21-0260	Appeal 151/21S. 7 Laycock Street, Longford. Preliminary conference held 20 December 2021. Mediation undertaken. Consent memorandum filed with the Tribunal.	
PLN-21-0223	Appeal 152/21S. 102 & 104 Marlborough Street, Longford. Preliminary conference held 17 January 2022. Mediation being undertaken. Hearing set for 17 March 2022.	
PLN21-0271	Appeal 156/21P. 42-48 Fairtlough Street, Perth. Preliminary conference held 17 January 2022. Mediation being undertaken. Hearing set for 23 March 2022.	
Decisions received		
PLN21-0199	Appeal 126/21P. 7 Bedford Street, Campbell Town. Appeal against conditions of the permit approved by Council. Preliminary conference held 13/10/2021. Mediation undertaken. Hearing held 13 December 2021. Tribunal decision received 2 February 2022. The Council was successful in that the Tribunal has dismissed the appeal and ordered that a permit issue. The Tribunal in essence confirmed that the Council as a planning authority may impose "standard setting conditions" in respect of the requirements for the management of stormwater in circumstances where the requirements of that standard are justified. This is so even where there is no direct standard applicable and made relevant under the Scheme that specifically deals with stormwater.	
PLN21-0194	Appeal 128/21S. 2A Elizabeth Street, Perth. Consent agreement sent to TASCAT. Tribunal decision received 24 January 2022. Permit issued.	
TPC		TASMANIAN PLANNING COMMISSION
LPS-NOR-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. Section 32(4) responses to final TPC queries provided 6/5/2021. Minister's declarations issued 31 May 2021 were included in 28 June Council agenda. GIS consultant made map changes required by the Minister. Provided to TPC 19/7/2021. TPC advised 13/8/2021 of final mapping changes needed for exhibition. GIS consultant made map changes required by the Minister. Provided to TPC 19/7/2021. 6/10/2021, received direction to publicly exhibit draft Local Provisions Schedule. Draft Local Provisions Schedule on public exhibition from 22 October to 21 December 2021. Section 35F report on representations to be presented to Council meeting of 21 February 2022.	
PLN21-0301	Draft Amendment 04-2021 for new collocated Emergency Services Facility for the Tasmania Fire Service and State Emergency Service at 17 Church Street, Campbell Town. Report to initiate the draft amendment and decide on permit to be presented to a council meeting once stormwater disposal is satisfactorily designed.	
Decisions received		
-	-	

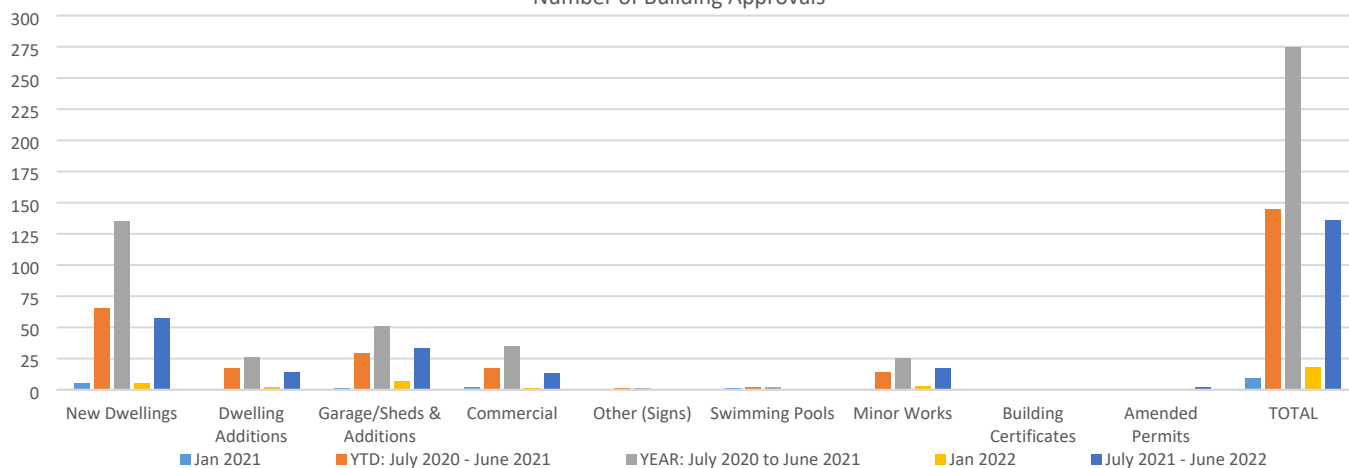


2.4 Building Approvals

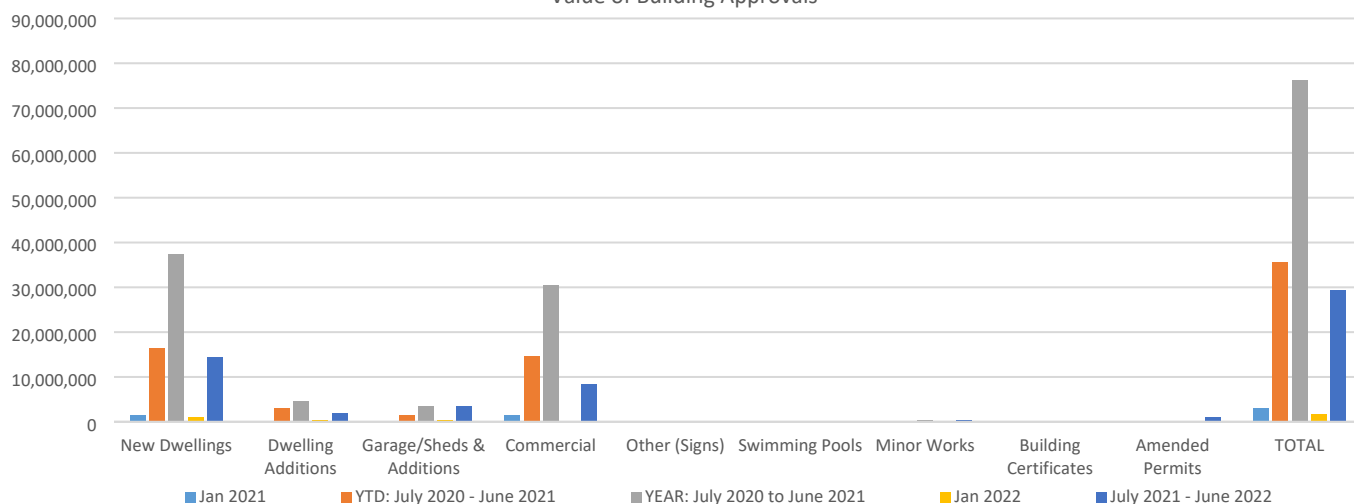
The following table provides a comparison of the number and total value of building works for 2020/2021 – 2021/2022 (figures do not include Building Approvals processed under Resource Sharing Agreements).

	YEAR: 2020-2021				YEAR: 2021-2022					
	Jan 2021		YTD 2020-2021		July 2020 - June 2021		Jan-2022		YTD 2021-2022	
	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value
		\$		\$		\$		\$		\$
New Dwellings	5	1,429,275	65	16,432,443	135	37,308,797	5	1,025,000	57	14,374,913
Dwelling Additions	0	0	17	2,928,970	26	4,678,970	2	268,000	14	1,883,000
Garage/Sheds & Additions	1	18,000	29	1,349,700	51	3,494,830	7	250,520	33	3,544,670
Commercial	2	1,550,000	17	14,715,650	35	30,391,057	1	95,000	13	8,430,930
Other (Signs)	0	0	1	12,000	1	12,000	0	0	0	0
Swimming Pools	1	55,000	2	104,000	2	104,000	0	0	0	0
Minor Works	0	0	14	156,058	25	266,844	3	67,000	17	258,896
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	0	0	0	0	2	1,035,000
TOTAL	9	3,052,275	145	35,698,821	275	76,256,498	18	1,705,520	136	29,268,513
Inspections										
Building	0		27		30		0		27	
Plumbing	5		161		299		5		166	

Number of Building Approvals



Value of Building Approvals





2.5 Planning and Building Compliance – Permit Review

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

	This Month	2021/2022	Total 2020/2021
Number of Inspections		12	31
Property owner not home or only recently started			
Complying with all conditions / signed off		2	11
Not complying with all conditions			1
Re-inspection required		10	9
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			
No Further Action Required			10
	This Month	2021/2022	Total 2020/2021
Number of Inspections			14
Property owner not home or only recently started			
Complying with all conditions / signed off			2
Not complying with all conditions			
Re-inspection required			2
Building Notices issued			
Building Orders issued			
No Further Action Required			10
	This Month	2021/2022	Total 2020/2021
Number of Inspections		10	35
Commitment provided to submit required documentation			11
Re-inspection required		8	11
Building Notices issued			5
Building Orders issued			5
Emergency Order			3
No Further Action Required		2	13
	This Month	2021/2022	Total 2020/2021
Number of Inspections		29	81
Commitment provided to submit required documentation		3	9
Re-inspection required		21	48
Enforcement Notices issued			1
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued			6

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 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

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

3.1 Sympathetic design respects historical architecture

3.2 Developments enhance existing cultural amenity

3.4 Towns are enviable places to visit, live and work

Place: Nurture our heritage environment

Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow

Strategic outcomes:

4.1 Cherish and sustain our landscape

4.2 Meet environmental challenges



4.4 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 13 commercial building approvals valued at \$8,430,930 for 2021/22 (year to date), compared to 17 commercial building approval valued at \$14,715,650 (year to date) for 2020/2021.

In total, there were 136 building approvals valued at \$29,268,513 (year to date) for 2021/2022, compared to 145 building approvals valued at \$35,698,821 (year to date) for 2020/21.

RECOMMENDATION

That the report be noted.

MINUTE NO. 22/54

DECISION

Cr Polley/Deputy Mayor Goss

That the report be noted.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil

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



10.2 APPLICATION TO ESTABLISH THE NORTHERN MIDLANDS IRRIGATION DISTRICT

File: 02/043
Responsible Officer: Maree Bricknell, Acting General Manager
Report prepared by: Paul Godier, Senior Planner

1 PURPOSE OF REPORT

This report advises Council of a referral of an application for the establishment of the Northern Midlands Irrigation District.

2 INTRODUCTION/BACKGROUND

On 31 January 2022, Council received the attached referral of an application for the establishment of the Northern Midlands Irrigation District which invites comment on the application by Friday 4 March 2022.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 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

Strategic outcomes:

- 2.1 Strategic, sustainable, infrastructure is progressive
- 2.2 Proactive engagement drives new enterprise
- 2.3 Collaborative partnerships attract key industries
- 2.4 Support and attract wealth-producing business and industry

4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

5.1 Water Management Act 1999

The Department of Natural Resources & Environment received the application pursuant to Section 168(b) of the Act.

Section 174(4) of the Act states that the Department of Natural Resources & Environment must give notice of the application in writing to councils owning land within the proposed district.

6 FINANCIAL IMPLICATIONS

There are no financial implications.

7 RISK ISSUES

No risk issues are identified.

8 CONSULTATION WITH STATE GOVERNMENT

The Department of Natural Resources & Environment is undertaking consultation.



9 COMMUNITY CONSULTATION

The Department of Natural Resources & Environment is undertaking consultation.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can comment, or not comment, on the application.

11 OFFICER'S COMMENTS/CONCLUSION

The Northern Midlands Council owns the following land within the proposed district:

- 13517 Midland Highway Epping Forest (Epping Hall).
- CT 152764/2 LGA Subdivision Road (a section of Mount Joy Road).
- CT 138283/1 Acquired Road (a section of Lake River Road).

No negative impacts of including these properties in the irrigation district are identified.

12 ATTACHMENTS

1. Referral of application to Northern Midlands Council - NMID [**10.2.1** - 1 page]
2. Tasmanian Irrigation Pty Ltd Northern Midlands Irrigation District Application [**10.2.2** - 9 pages]
3. Tasmanian Irrigation Pty Ltd Northern Midlands Irrigation District Central Plan Register [**10.2.3** - 1 page]
4. Tasmanian Irrigation Pty Ltd Northern Midlands Irrigation District Map of Proposed District [**10.2.4** - 1 page]

RECOMMENDATION

That Council resolve not to comment on the application for the establishment of the Northern Midlands Irrigation District.

MINUTE NO. 22/63

DECISION

Cr Davis/Cr Adams

That Council resolve not to comment on the application for the establishment of the Northern Midlands Irrigation District.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



10.3 INADEQUATE PROVISIONS IN THE PLANNING SCHEME TO PREVENT THE CREATION OF LOTS LESS THAN 450 SQUARE METRES

File: 13/026/003/003
Responsible Officer: Maree Bricknell, Acting General Manager
Report prepared by: Paul Godier, Senior Planner

1 PURPOSE OF REPORT

This report provides Council with recommendations to investigate the impact of the State Planning Provisions and the draft Northern Midlands Local Provisions Schedule on the creation of lots less than 450m² and 600m².

2 INTRODUCTION/BACKGROUND

Council has requested discussion on:

- the planning scheme and its impact on applications for subdivisions of 450m² and 600m²;
- what difference the Local Provisions Schedule will have regarding stopping the reduction of block size;
- Council's options to seek improvements.

Table 1: Performance criteria for reducing lot size in the current planning scheme, the incoming Tasmanian Planning Scheme, and the draft Northern Midlands Local Provisions Schedule to the Tasmanian Planning Scheme.

Current Northern Midlands Interim Planning Scheme 2013	Tasmanian Planning Scheme	Draft Northern Midlands Local Provisions schedule
Performance Criteria for lots less than 450m²:	Performance Criteria for lots less than 450m²:	Performance Criteria for lots less than 600m²:
Each lot for residential use must provide sufficient useable area and dimensions to allow for:	Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:	Each lot, or a lot proposed in a plan of subdivision must have sufficient useable area and dimensions suitable for its intended use, having regard to:
a) a dwelling to be erected in a convenient and hazard-free location; and	(a) the relevant requirements for development of buildings on the lots;	(a) the relevant requirements for development of buildings on the lots;
b) on-site parking and manoeuvrability; and	(b) the intended location of buildings on the lots;	(b) the intended location of buildings on the lots;
c) adequate private open space.	(c) the topography of the site;	(c) the topography of the site;
-	(d) the presence of any natural hazards;	(d) the presence of any natural hazards;
-	(e) adequate provision of private open space; and	(e) adequate provision of private open space; and
-	(f) the pattern of development existing on established properties in the area.	(f) the pattern of development existing on established properties within the area.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- Council is connected to the community
- Councillors serve with integrity and honesty
- Management is efficient, proactive and responsible

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- Developments enhance existing cultural amenity
- Towns are enviable places to visit, live and work



4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

5.1 Land Use Planning and Approvals Act 1993

30C. Terms of reference in relation to draft amendment of the State Planning Provisions

(1) The Minister may prepare terms of reference in relation to the preparation of a draft amendment of the SPPs.

(2) The Minister must give notice, in a newspaper that is published, and circulates generally, in Tasmania, that he or she has prepared terms of reference in relation to the preparation of a draft amendment of the SPPs.

(3) The Minister must not prepare terms of reference in relation to a draft amendment of the SPPs unless he or she is satisfied that a draft amendment of the SPPs prepared in accordance with the terms of reference is likely to meet the SPPs criteria.

(4) A planning authority or another person may request the Minister to consider preparing terms of reference in relation to a draft amendment of the SPPs.

(5) The Minister must consider a request made to him or her under subsection (4).

(6) The Minister may consult with the Commission in relation to a request made to him or her under subsection (4).

6 FINANCIAL IMPLICATIONS

There are no financial implications to Council.

7 RISK ISSUES

There is a risk that the performance criteria, if tested at appeal, will not prevent creation of lots less than the acceptable solution of 450m² or 600m².

8 CONSULTATION WITH STATE GOVERNMENT

Consultation with the State Government will occur if an amendment to the State Planning Provisions proceeds.

9 COMMUNITY CONSULTATION

The draft Local Provisions Schedule was written with the input of public consultation.

Council has received representations against development applications to create lots less than 450m².

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can seek the legal advice as recommended or request an amendment to the State Planning Provisions without the benefit of legal advice.

11 OFFICER'S COMMENTS/CONCLUSION

Given the likely replacement of the *Northern Midlands Interim Planning Scheme 2013* with the *Tasmanian Planning Scheme – Northern Midlands* in 2022, this matter is considered against the State Planning Provisions and the draft Northern Midlands Local Provisions Schedule.

Regarding the performance criteria for lots less than 450m² under the State Planning Provisions, it is recommended that Council get legal advice as to the strength of these provisions, based on assessment against a previous application for lots less than 450m².

Regarding the proposed performance criteria for lots less than 600m² proposed in the draft Northern Midlands Local Provisions Schedule, it is recommended that Council get legal advice on the strength of these provisions



Depending on the legal advice Council can apply to amend the State Planning Provisions for a minimum lot size greater than 450m² (say 600m² consistent with the draft Local Provisions Schedule) and stronger performance criteria.

12 ATTACHMENTS

Nil

RECOMMENDATION

That Council seek legal advice regarding:

- a) The strength of the performance criteria under the State Planning Provisions for preventing the approval of lots less than 450m².
- b) The strength of the proposed performance criteria in the draft Northern Midlands Local Provisions Schedule for preventing approval of lots less than 600m².

MINUTE NO. 22/64

DECISION

Cr Davis/Cr Adams

That Council seek legal advice regarding:

- a) The strength of the performance criteria under the State Planning Provisions for preventing the approval of lots less than 450m².
- b) The strength of the proposed performance criteria in the draft Northern Midlands Local Provisions Schedule for preventing approval of lots less than 600m².

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



10.4 INADEQUATE PROVISION IN THE PLANNING SCHEME TO CATER FOR ITINERANT WORKER ACCOMMODATION WITH APPROPRIATE AMENITIES AND IN ACCORDANCE WITH FEDERAL GOVERNMENT REQUIREMENTS

File: 13/026/003/003

Responsible Officer: Maree Bricknell, Acting General Manager

Report prepared by: Paul Godier, Senior Planner

1 PURPOSE OF REPORT

This report provides Council with recommendations to improve the planning scheme and National Construction Code regarding seasonal worker accommodation.

2 INTRODUCTION/BACKGROUND

At its meeting of 31 January 2022 Council requested discussion on how the planning scheme does not adequately cater for itinerant worker accommodation with appropriate amenities and the requirements set down by the Federal Government and what Council's options are to seek improvements.

The Seasonal Worker Programme Approved Employer Guidelines Version 1.1, May 2020 (Department of Education, Skills and Employment) is attached. The Guidelines are written for Approved Employers participating in the Seasonal Worker Programme. They are intended to help Approved Employers understand and meet their obligations and responsibilities as an Approved Employer.

Seasonal Worker accommodation is to be provided by Approved Employers in accordance with the following principles and requirements.

	Requirement of the Seasonal Worker Programme Approved Employer Guidelines	Currently addressed in National Construction Code or planning scheme or could be addressed by amendments to the National Construction Code or planning scheme?
	<i>Fit for Purpose and in good condition</i>	
1	<i>Accommodation must be fit for immediate occupation and use. This means no building or appliance defects, outstanding maintenance work or health and safety issues.</i>	Currently addressed in the National Construction Code.
2	<i>Accommodation must comply with relevant state, territory and local government rules (such as fire safety).</i>	Currently addressed in the National Construction Code.
3	<i>Although minor repairs will not preclude use, there must be an effective system in place to ensure faults are identified and repaired in a timely manner.</i>	Residential Tenancy Act 1997.
4	<i>Accommodation must be clean, sanitary and tidy at the time of arrival of Seasonal Workers.</i>	Residential Tenancy Act 1997.
5	<i>Water supply, including hot water, must be available continuously, and be adequate and safe for drinking, cooking, bathing and washing.</i>	Currently addressed in the National Construction Code.
6	<i>Seasonal Workers must be provided with adequate facilities to store food safely, cook and eat while in their accommodation. Kitchen and dining facilities must be adequate for the number of Seasonal Workers. Makeshift kitchens are not acceptable. They must always be either inside or under cover.</i>	Currently addressed in the National Construction Code.
7	<i>Unless cleaning is provided as part of the accommodation charge, it is the responsibility of each Seasonal Worker to keep facilities in a clean and sanitary condition. It is the responsibility of the Approved Employer or the accommodation facility, where relevant, to make sure the standards are respected and to provide adequate cleaning, disinfection and pest control when necessary.</i>	Operational matter.
8	<i>Where Seasonal Workers fail to comply with cleaning instructions and, as a result, cleaning, disinfection and / or pest control is necessary for safe habitation, the Approved Employer may pass these costs on to the Seasonal Workers through deductions, subject to requirements to amending deductions (see making changes to an Approved Recruitment section).</i>	Operational matter.



	Requirement of the Seasonal Worker Programme Approved Employer Guidelines	Currently addressed in National Construction Code or planning scheme or could be addressed by amendments to the National Construction Code or planning scheme?
	<i>Alternatively, it may be appropriate to retain part or all of any bond paid to cover these costs, subject to relevant laws.</i>	
9	<i>Accommodation must provide Seasonal Workers with adequate heating, cooling and ventilation, as required and as determined by the local climate.</i>	Currently addressed in the National Construction Code.
10	<i>Seasonal Workers must have adequate laundry facilities for washing and drying their clothes. These facilities must be onsite or within reasonable walking distance of the accommodation.</i>	Currently addressed in the National Construction Code.
11	<i>Accommodation must be maintained in a good condition.</i>	Residential Tenancy Act 1997.
	Accessible, safe and secure	
12	<i>The property must be lockable and Seasonal Workers must have 24 hour access to their accommodation.</i>	Operational matter.
13	<i>Seasonal Workers' privacy must be respected in their living quarters.</i>	Operational matter.
14	<i>House rules should be reasonable and non-discriminatory. Expectations about the responsibility of Seasonal Workers in using the accommodation provided should be clearly communicated in the house rules.</i>	Operational matter.
15	<i>Decisions should be made on whether to prohibit alcohol, tobacco, etc. and relevant rules should be clearly communicated to all Seasonal Workers.</i>	Operational matter.
16	<i>Procedural fairness should be afforded to Seasonal Workers if the house rules are broken.</i>	Operational matter.
17	<i>Separate sleeping and bathroom facilities must be provided for single men and women. This includes lockable doors to bathroom facilities to ensure Seasonal Workers' privacy and safety. A couple may use the same quarters where they are married or in a de-facto relationship.</i>	Operational matter.
18	<i>Storage must be provided for each Seasonal Worker's belongings.</i>	Currently addressed in the National Construction Code - space for intended use – but could be improved.
19	<i>Separate lockable storage must be provided for each Seasonal Worker's valuables such as their passport. Where the Seasonal Worker is accommodated in a single room on their own (or with their spouse or de-facto partner), a lockable bedroom door is acceptable.</i>	Operational matter.
	Bed arrangements:	
20	<i>A separate bed with a base or bedframe, comfortable and clean mattress, pillow and linen for each Seasonal Worker.</i>	Operational matter.
21	<i>Sleeping areas must not be crowded; there should be a reasonable walking space between beds, the exits, and storage.</i>	Operational matter.
22	<i>The use of bunk beds should be minimised. If used, there must be enough clear space between the upper and lower bunks, and the upper bunk and the ceiling.</i>	Operational matter.
23	<i>Triple bunks are prohibited.</i>	Operational matter.
24	<i>Window coverings must be installed, and in working order, in all sleeping areas to provide privacy and block-out sunlight.</i>	Operational matter.
	Bathrooms	
25	<i>There must be adequate bathroom facilities (toilets, baths/showers, hand basins) for the number of Seasonal Workers. When in use they must provide Seasonal Workers with adequate privacy</i>	Currently addressed in the National Construction Code.
26	<i>Facilities must be conveniently located, and wherever possible, attached to the living quarters.</i>	No known current legislative requirement.
27	<i>As a minimum, one toilet, hand basin, and shower (or bathtub) must be provided for every 10 Seasonal Workers (or part thereof).</i>	Currently addressed in the National Construction Code.
28	<i>Portable toilets must not be used, such as port-a-loos. Transportable toilet blocks may be acceptable, such as dongas.</i>	No known current legislative requirement.
	Leisure, social and telecommunication facilities	
29	<i>Collective social and rest spaces must be provided.</i>	Recommend amendment to planning provisions.
30	<i>You must provide Seasonal Workers with a means to communicate with their families and the outside world.</i>	Operational matter.



	Requirement of the Seasonal Worker Programme Approved Employer Guidelines	Currently addressed in National Construction Code or planning scheme or could be addressed by amendments to the National Construction Code or planning scheme?
31	<i>A common area must provide sufficient comfortable seating for the number of Seasonal Workers being accommodated (i.e. one seat for each Seasonal Worker). Furniture must be clean and in good condition.</i>	Recommend amendment to planning provisions.

Changes to the Planning Scheme (Tasmanian State Planning Provisions)

Given the likely replacement of the *Northern Midlands Interim Planning Scheme 2013* with the *Tasmanian Planning Scheme – Northern Midlands* in 2022, this matter is considered against the State Planning Provisions.

Off farm seasonal worker accommodation is within the definition of ‘Communal Residence’ or ‘Visitor Accommodation’ under the Tasmanian Planning Scheme.

‘Residential’ means use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.

‘communal residence’ means use of land for a building to accommodate persons who are unrelated to one another and who share some parts of the building such as a boarding house, residential college and residential care facility.

‘boarding house’ means use of land for a dwelling in which lodgers rent one or more rooms, generally for extended periods, and some parts of the dwelling are shared by all lodgers.

‘Dwelling’ means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.

‘Visitor Accommodation’ means use of land for providing short or medium-term accommodation for persons away from their normal place of residence on a commercial basis or otherwise available to the general public at no cost. Examples include a backpackers hostel, camping and caravan park, holiday cabin, motel, overnight camping area, residential hotel and serviced apartment complex.

A review of the State Planning Provisions indicates that none of the zones contain provisions to allow for the consideration of applications for ‘communal residence’ or ‘boarding house’.

It is also found that the car parking code does not address the situation of seasonal worker accommodation where there may be a large number of beds in one room:

Changes to the National Construction Code

A change so that there is a specified amount of space per bed is suggested such as a space equal to the size of the bed is to be provided adjacent to each bed for the exclusive use of that bed’s occupant. It is also suggested that adequate storage – hanging space, drawers and shelves be required.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:



- 1.1 Council is connected to the community
- 1.2 Councillors serve with integrity and honesty
- 1.3 Management is efficient, proactive and responsible

4 POLICY IMPLICATIONS

Council does not have a policy relevant to this matter.

5 STATUTORY REQUIREMENTS

5.1 Land Use Planning and Approvals Act 1993

30T. Review of the State Planning Provisions

(1) The Minister must, at the end of every 5-year period after the State Planning Provisions are made and as soon as practicable after the Tasmanian Planning Policies, or an amendment of the Tasmanian Planning Policies, is or are made –

(a) conduct a review of the State Planning Provisions; or

(b) by notice to the Commission, direct the Commission to conduct a review of the State Planning Provisions and provide to the Minister a report in relation to the review within the period specified in the notice.

The State Planning Provisions (SPPs) are due for their 5-yearly statutory review in 2022. This process will commence with the release of a scoping paper for public comment to identify the issues to be addressed. As the SPPs also need to be reviewed following the making of the Tasmanian Planning Policies (TPPs), the 5 yearly review will not be completed until the after the TPPs are finalised (<https://planningreform.tas.gov.au>).

5.2 Australian Building Codes Board

The Australian Building Codes Board (<https://www.abcb.gov.au/propose-change>) advises:

While the National Construction Code is updated in 3-year cycles through a public consultation process, amendments to any volume of the code can be suggested at any stage through the Proposal for Change process.

If you would like to propose a change, you will need to provide justification to support your proposal. This justification should be proportionate to the size of the proposed change or its potential impacts.

Justification should include:

- *a description of the proposal*
- *an explanation of the problem it is designed to resolve*
- *evidence of the existence of the problem*
- *how the proposal is expected to solve the problem*
- *what alternatives to regulation have been considered, and why they are not preferred*
- *who will be affected and how they will be affected, and*
- *any consultation that has taken place.*

Submitted proposals are reviewed and considered for tabling at a meeting of the relevant building or plumbing technical committee. If the proposal is considered to have merit, the committees may recommend that changes be included in the public comment draft of the relevant volume.

In order to make the most effective use of resources, reduce unnecessary churn and focus on priorities, proposals that address matters of public policy, repeat previous submissions, involve matters outside the purview of the NCC or the purpose of which would make no material change to a provision, are discouraged.

PFC submissions are welcome from anyone at any time.

Please note that submissions for the NCC 2022 public comment draft are no longer accepted.

Submissions for the NCC 2025 public comment draft will need to be made by August 2023. Submissions made by August 2023 are not guaranteed consideration for possible inclusion in NCC 2025 public comment draft. However, to give the best opportunity for your PFC for possible inclusion in NCC 2025 public comment draft, please provide submissions as early as possible to give the committees sufficient time for consideration.

6 FINANCIAL IMPLICATIONS

There are no financial implications to Council.



7 RISK ISSUES

No risk issues to Council are identified.

8 CONSULTATION WITH STATE GOVERNMENT

Consultation with the State Government will occur through the review of the State Planning Provisions.

9 COMMUNITY CONSULTATION

Community consultation will occur through the review of the State Planning Provisions if this matter is added to the scope.

Community consultation will occur if the Proposal for Change to the National Construction Code is accepted.

10 OPTIONS FOR COUNCIL TO CONSIDER

- Take no action;
- Identify seasonal worker accommodation as an issue in the review of the State Planning Provisions;
- Request amendments to the National Construction Code/advice re number of toilets.

11 OFFICER'S COMMENTS/CONCLUSION

Councillors have concerns about planning applications for seasonal worker accommodation that are not up to the standards required by the Federal Government.

An initial review of the State Planning Provisions finds that there are amendments necessary to address these concerns. The State Planning Provisions (SPPs) are due for their 5-yearly statutory review in 2022. This process will commence with the release of a scoping paper for public comment to identify the issues to be addressed (<https://planningreform.tas.gov.au>). It is recommended that the matter of seasonal worker accommodation be put up for inclusion in the scoping paper.

A review of the National Construction Code finds that a Proposal for Change can be made so that there is a specified amount of space per bed for the exclusive use of each occupant, as well as adequate storage space.

12 ATTACHMENTS

1. SW P- Approved- Employer- Guidelines 1 [**10.4.1** - 66 pages]

RECOMMENDATION

That Council

1. identify seasonal worker accommodation as an issue for the review of the State Planning Provisions; and
2. submit a Proposal for Change to the National Construction Code to require a specified amount of space per resident adjacent to each bed, as well as clothes storage adjacent to each bed.



MINUTE NO. 22/65

DECISION

Cr Davis/Deputy Mayor Goss

That Council

1. identify seasonal worker accommodation as an issue for the review of the State Planning Provisions; and
2. submit a Proposal for Change to the National Construction Code to require appropriate living conditions in accordance with modern expectations.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



10.5 REVIEW OF FIBRE-READY FACILITIES EXEMPTIONS

File: 08/005

Responsible Officer: Maree Bricknell, Acting General Manager

Report prepared by: Paul Godier, Senior Planner

1 PURPOSE OF REPORT

This report advises Council of consultation undertaken by the Department of Infrastructure, Transport, Regional Development and Communications as part of a review of fibre-ready facilities exemptions under Part 20A of the *Telecommunications Act 1997* (the Act).

2 INTRODUCTION/BACKGROUND

Part 20A of the *Telecommunications Act 1997* and associated rules requires all developers to arrange for fibre-ready pit and pipe infrastructure to be installed in proximity to building lots or building units before those developers sell or lease the building lots or units.

When the laws were first passed in 2011 they only applied to constitutional corporations (foreign corporations, and trading or financial corporations formed within the limits of the Commonwealth). The Parliament amended the laws in 2021 so that the pit and pipe arrangements apply to all developers, incorporated or unincorporated.

Developers may be able to access an exemption from these arrangements in some circumstances. For example, where pre-existing facilities can be re-used or for developments in rural, bushland and remote locations that meet strict criteria.

The Department of Infrastructure, Transport, Regional Development and Communications sent an email to Council on 31 January with a reminder that it is seeking comments from interested parties as part of a review of the fibre-ready exemptions under Part 20A of the *Telecommunications Act 1997* with submissions sought by 18 February 2022. A review of Council's records could find no previous correspondence from the Department on this matter.

The 2011 Instrument exempts real estate development projects from the requirement to install fibre-ready facilities in three circumstances, some of which reflect transitional requirements required in the early days of the rollout of the National Broadband Network:

- where facilities are installed for use with copper-based or hybrid-fibre-coaxial (HFC) networks and fibre-ready facilities have been installed or are also being installed (or, for small developments of no more than 10 building lots or building units, will be installed);
- where it is necessary to install supplementary facilities in a project area serviced by copper-based or HFC networks that existed prior to 27 September 2011, to facilitate minor works such as relocating facilities, carrying out minor network extensions, or replacing or modifying facilities; and
- where existing facilities were formerly used in connection with a copper or HFC line (prior to 27 September 2011) and can effectively be re-used for those networks.

The 2011 Instrument provides that, in the above three circumstances, projects are also exempt from requirements not to sell or lease building lots or units unless fibre-ready facilities have been installed in proximity.

The 2021 Instrument provides a class exemption for real estate development projects that are located in areas where it is unlikely fixed-line network infrastructure will be installed in the foreseeable future and fibre-ready facilities are not warranted. To qualify for this exemption, projects must meet all of the following criteria:

- no network utilities or only above-ground electricity lines will be installed in proximity to building lots (i.e. they are relatively remote and do not have mains water, sewerage, gas or underground electricity), and
- there is no kerb and channelling constructed, or planned to be constructed, and
- the average length of the street frontages of the building lots within the development is 60 metres or more (i.e. the lots are larger rural type blocks), and
- the development is not in a current or announced NBN fixed-line network rollout area.



The criteria seek to identify properties that are rural and remote in character and where it is unlikely fixed line telecommunications will be provided at present or in the foreseeable future. Noting that if an area is further developed the statutory requirements would reapply and the exemption criteria would need to be reapplied afresh.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.1 Council is connected to the community
- 1.3 Management is efficient, proactive and responsible
- 1.4 Improve community assets responsibly and sustainably

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

- 2.1 Strategic, sustainable, infrastructure is progressive

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.3 Public assets meet future lifestyle challenges

4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

- 5.1 *Telecommunications Act 1997*

6 FINANCIAL IMPLICATIONS

There are no financial implications to Council.

7 RISK ISSUES

No risk issues are identified.

8 CONSULTATION WITH STATE GOVERNMENT

Not required for this matter.

9 COMMUNITY CONSULTATION

Not required for this matter.

10 OPTIONS FOR COUNCIL TO CONSIDER

N/a



11 OFFICER'S COMMENTS/CONCLUSION

A review of the exemptions finds no issue with them, or with the exemptions continuing.

The Department of Infrastructure, Transport, Regional Development and Communications maintains a register of developments exempted from the requirements to install fibre-ready facilities that can be viewed on-line. However, there is no register of developments that have installed fibre-ready facilities, so it not clear whether a development that is not exempted from the requirements to install fibre-ready facilities has in fact installed those facilities.

Council officers have therefore responded to the consultation with a recommendation that the Department of Infrastructure, Transport, Regional Development and Communications maintain a register of developments that have installed fibre-ready facilities.

It is also recommended that Council place a condition on planning permits for multiple dwellings and subdivisions that are required to install fibre-ready facilities, that they must provide evidence of having installed such facilities before the final plan or strata plan is sealed, unless they provide an exemption.

12 ATTACHMENTS

1. Review of fibre-ready facilities exemptions [10.5.1 - 2 pages]

RECOMMENDATION

That the report be noted.

Cr Goss left the meeting at 7.36pm

MINUTE NO. 22/66

DECISION

Cr Goninon/Cr Adams

That the report be noted.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



11 CORPORATE SERVICES REPORTS

11.1 MONTHLY REPORT: FINANCIAL STATEMENT

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 January 2022.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 31 January 2022 is circulated for information.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 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

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

4 ALTERATIONS TO 2021-22 BUDGET

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

SUMMARY FINANCIAL REPORT

For Month Ending: 31-Jan-22 7

A. Operating Income and Expenditure						
	Budget	Year to Date Budget 42%	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$12,271,834	-\$12,271,834	-\$12,283,404	\$12	100.1%	
Recurrent Grant Revenue	-\$4,723,956	-\$2,755,641	-\$1,825,395	-\$930	66.2%	* Advanced grants paid 30/6
Fees and Charges Revenue	-\$2,387,167	-\$1,392,514	-\$1,655,791	\$263	118.9%	* Fee income above budget
Interest Revenue	-\$741,548	-\$432,571	-\$338,437	-\$94	78.2%	* Interest penalty on rates raised Feb'22
Reimbursements Revenue	-\$53,978	-\$31,487	-\$55,229	\$24	175.4%	
Other Revenue	-\$1,786,968	-\$1,042,398	-\$612,120	-\$430	58.7%	
	-\$21,965,451	-\$17,926,445	-\$16,770,376	-\$1,156	93.6%	
Employee costs	\$6,028,712	\$3,516,749	\$3,387,365	\$129	96.3%	
Material & Services Expenditure	\$5,612,165	\$3,273,763	\$3,307,227	-\$33	101.0%	* Reassign Project budget required
Depreciation Expenditure	\$6,519,158	\$3,802,842	\$3,802,808	\$0	100.0%	
Government Levies & Charges	\$961,484	\$560,866	\$467,164	\$94	83.3%	
Councillors Expenditure	\$205,180	\$119,688	\$98,295	\$21	82.1%	
Interest on Borrowings	\$272,007	\$158,671	\$223,220	-\$65	140.7%	*Timing full years interest paid on 1 loan
Other Expenditure	\$1,315,204	\$767,202	\$773,413	-\$6	100.8%	*Pension rebates received for full year
Plant Expenditure Paid	\$538,650	\$314,213	\$407,573	-\$93	129.7%	
	\$21,452,560	\$12,513,993	\$12,467,065	\$47	99.6%	
	-\$512,891	-\$5,412,452	-\$4,303,311			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$505,860	\$295,085	\$292	\$295	0.1%	*Asset recognition not yet
Underlying (Surplus) / Deficit	-\$7,031	-\$5,117,367	-\$4,303,019		1*	
	\$0		-			
Capital Grant Revenue	-\$8,697,948	-\$5,073,803	-\$520,610	-\$4,553	10.3%	* Not paid until milestones met
Subdivider Contributions	-\$330,765	-\$192,946	0	-\$193	0.0%	* Not recognised until EOY
Capital Revenue	-\$9,028,713	-\$5,266,749	-\$520,610			
	-		-			



Budget Alteration Requests		Budget	Budget	Actuals
- For Council authorisation by absolute majority		Operating	Capital	
Capital works budget variances above 10% or \$10,000 are highlighted				
January				
Note - December budget changes not yet reflected in accounts		No changes identified in January		
December				Note
Original Budget Operating Surplus			-\$7,031	1*
- Interest on Investments	100300	-\$10,000		1 Additional revenue
- Governance General Expenditure	101000 / 101010	\$60,000		2 Increased consultancy
- Receptions/Presentations	102300	\$1,201		3 Additional expenditure
- NTD - Nth Tas Residential Demand & Supply				
Study				
- Other Council Expenditure	102604	\$5,549		4 Additional funding requirement
- Corporate General Consultancy	102950	\$20,000		5 Increased consultancy
- Computer Operations	202300	\$3,000		6 Increased consultancy
- Tourism - Re-assign Project Grant	205300	\$27,000		7 E-cloud hosting
- Tourism - Re-assign Project Expenditure	507439	-\$353,050		8 Grant funding
- Health Food Licences	507260	\$353,050		9 Grant expenditure
- Grants Employee Training P&D	323950	-\$5,000		10 Additional revenue
- Planning Fees	300555	-\$5,000		11 Additional revenue
- Planning Consultancy	323150	-\$203,928		12 One off Fee additional revenue
- Building Permit Authority	323350	\$70,000		13 Additional budget
- Asset Management	323590	\$30,000		14 Reduce budget revenue
- Works Traineeship grants	324470	\$33,000		15 Increased consultancy
- Works Road Revenue Other	404075	-\$11,500		16 Additional revenue
- Works Stormwater maintenance C'Town	325200	-\$12,800		17 Increased revenue
- Water Trust income	420066	\$8,000		18 Increased expenditure budget
- Water Trust Expenditure	438950	\$2,060		19 Delete budget
- Works Public Amenities cleaning	439200	-\$2,060		20 Delete budget
- Pool Ctown Committee closure	503650	\$30,000		21 Increase budget expenditure
- Special Community Projects	517530	-\$24,646		22 Additional revenue
- FAGS Grant adjustmentv 21/22	517210	-\$23,357		23 Reduce budget expenditure
New Operating Surplus			-\$22,229	Additional revenue
Change = Surplus Increase			-\$15,198	
Capital				
- Office Furniture	780006		\$6,000	C1 New budget allocation
- Cry - Childcare Centre Painting	791105	-\$10,000		C2 Budget not required maint only
- Avoca Boucher Park	708025	\$7,400		C3 Additional Budget
- Ctown Topdress ground after irrigation	708035	\$25,815		C4 Additional Budget
- Ross Topdress Rec Ground	708037	-\$14,000		C5 Tfr to Ross Pool Fibre Glassing
- Ross Pool Fibre Glass lining	708052	\$15,000		C6 Reallocation
- Perth Roundabouts signage	752015.1	\$5,603		C7 Reallocation from 752017
- Perth Roundabouts Landscaping	752017	-\$5,603		C8 Reallocation
- Perth Cromwell Street section reconstruction	750329	\$5,587		C9 New budget allocation
- Midlands Silhouettes	New	\$10,000		C10 New budget allocation
- Tooms Lake Improvements	New	\$20,000		C11 Commitment with \$80,000 grant
- Stormwater Projects	New			C12 New additional budget
- Oakmount Street extension	New	\$30,000		New budget allocation
- Translink Avenue detention basin extension	New	\$50,000		New budget allocation
- Lfd Flood Levee Penstock Valve	New	\$45,570		Matching grant of \$45,750
- Pth Little Mulgrave Street	New	\$10,000		New budget allocation
- Pth Sheepwash Creek widening for detention	New	\$40,000		New budget allocation
- Avoca St Pauls Place	New	\$20,000		New budget allocation
- Other stormwater projects	New	\$30,000		New budget allocation
			\$291,372**	
**Additional Capital budget allocation to be funded from projects deferred in 2021/22 or infrastructure reserves and funded in 2022/23				
November				
Ctown - Tennis Court Shade Shelter	707805.51	\$16,000		Additional allocation
Ctown - Rec Entrance Improvements	707805.97	-\$16,000		
Pth - Edward Street Footpath & Driveways	750395.6	\$18,664		Required after subdivision
Lfd - Paton Street Footpath south side	750999.6	\$2,817		Additional allocation
Cry - Main Street Saundridge south	750795	\$11,315		Unbudgeted project
Footpath Replacements unallocated	750000	-\$32,796		
Ctown - Stormwater High St (Edgar to Mason)	788637	\$10,000		Unbudgeted project
Cry - Stormwater Church Street	788638	\$30,000		Unbudgeted project
Stormwater - Unallocated Projects	788575	-\$40,000		
October				
Fees & Charges - Impounding Fee Initial	From \$ 72 Increased to \$75			Increased in line with fees from pound operator increases
Fees & Charges - Impounding Fee Subsequent	From \$ 95 Increased to \$98			Increased in line with fees from pound operator increases
Fees & Charges - Pound Fee after 1st day	From \$ 22 Increased to \$25			Increased in line with fees from pound operator increases



September			
D2018010 R Preece	101.10		Bad Debt - Deemed uncollectable by EMPRS
D201908 P Groves	326.00		Bad Debt - Deemed uncollectable by EMPRS
D2019019 P Groves	163.00		Bad Debt - Deemed uncollectable by EMPRS
D2019021 P Groves	168.00		Bad Debt - Deemed uncollectable by EMPRS
D2019023 P Groves	168.00		Bad Debt - Deemed uncollectable by EMPRS
D2019024 P Groves	168.00		Bad Debt - Deemed uncollectable by EMPRS
D2019025 P Groves	168.00		Bad Debt - Deemed uncollectable by EMPRS
D2019027 P Groves	168.00		Bad Debt - Deemed uncollectable by EMPRS
D2020036 P Groves	168.00		Bad Debt - Deemed uncollectable by EMPRS
August			
Footpath - Main Street Cressy	750796.6	-\$67,000	Tfr allocation to different
Footpath - Church Street (Main to Charles) at Cressy		\$67,000	location in Cressy
Footpath - Park St (High to Bridge) Ross	750986.6	-\$30,000	Completed 2020/21 reallocate
Footpath & ramp - to old Lfd Gym access	707752.96	\$30,000	
July			
No adjustments for July.			

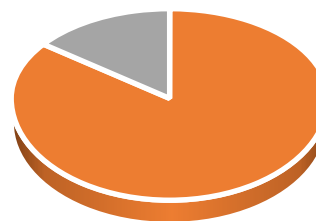
B. Balance Sheet Items						
	Year to Date Actual		Monthly Change		Same time last year	Comments
Cash & Cash Equivalents Balance						
- Opening Cash balance	\$19,432,295		\$25,939,253			
- Cash Inflow	\$18,811,425		\$581,759			
- Cash Payments	-\$13,263,052		-\$1,540,344			
- Closing Cash balance	\$24,980,669		\$24,980,669			
Account Breakdown						
- Trading Accounts	\$288,124					
- Investments	\$24,692,544					
	\$24,980,669					
Summary of Investments	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value	
Tasmanian Public Finance Corporation Call Account	1/01/2022	31/01/2022	0.10	\$5,398	\$5,399	
CBA Call Account	1/01/2022	31/01/2022	0.01	\$1,574	\$1,574	
CBA Business Online Saver	1/01/2022	27/01/2022	0.20	\$7,600,589	\$7,601,672	
Westpac Corporate Regulated Interest Account	31/01/2022	31/01/2022	0.35	\$4,191,972	\$4,191,972	
My State Financial	25/05/2021	25/05/2022	0.85	\$3,343,010	\$3,371,425	
Westpac	4/01/2022	4/07/2022	3.37	\$5,500,000	\$5,591,913	
Westpac	29/12/2021	29/06/2023	3.30	\$1,050,000	\$1,101,928	
Westpac	16/12/2021	16/12/2024	1.60	\$3,000,000	\$3,144,132	
Total Investments				\$24,692,544	\$25,010,015	

Investments by Institution



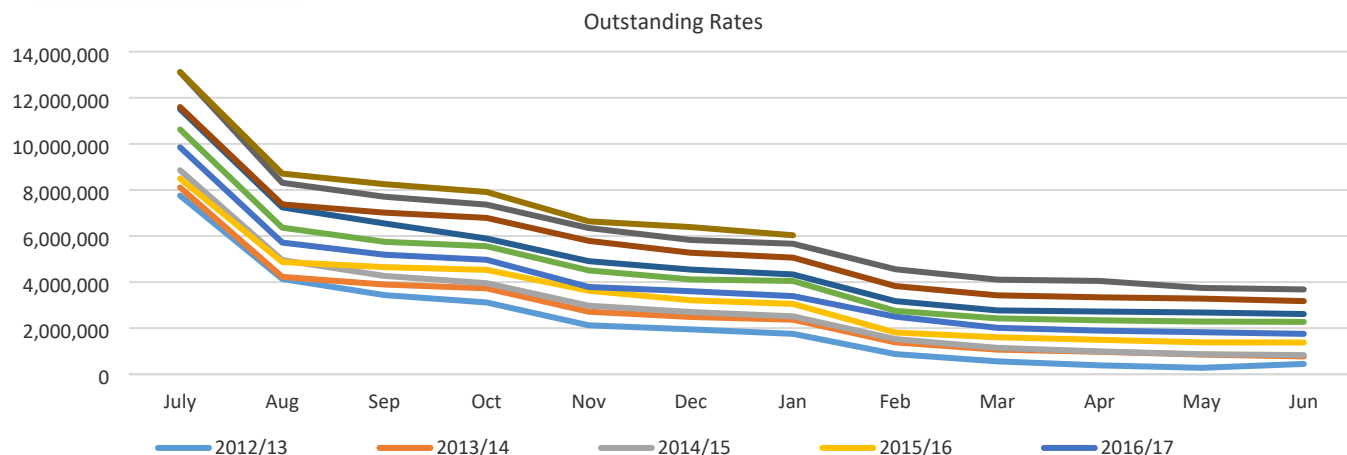
■ Bank of Us (B&E) ■ Tascorp ■ Westpac ■ CBA ■ MyState

Total Investments by Rating (Standard & Poor's)



■ AA+ ■ AA- ■ BBB ■ Unrated

Rate Debtors	2020/21	% to Raised	Last Year	
Balance b/fwd	\$3,205,341		\$2,808,852	
Rates Raised	\$12,424,401		\$11,742,609	
	\$15,629,742		\$14,551,461	
Rates collected	\$9,076,144	73.1%	\$8,551,170	72.8%
Pension Rebates	\$496,157	4.0%	\$483,187	4.1%
Discount & Remissions	\$25,026	0.2%	\$57,804	0.5%
	\$9,597,328		\$9,092,160	
Rates Outstanding	\$6,032,415	48.6%	\$5,663,629	48.2%
Advance Payments received	-\$292,989	2.4%	-\$204,329	1.7%



Trade Debtors				
Current balance	\$862,210			
- 30 Days		\$459,418		
- 60 Days		\$18,938		
- 90 Days		\$3,162		
- More than 90 days		\$380,692		
Summary of Accounts more than 90 days:				
- Norfolk Plains Book sales			171	Paid by outlet as sold
- Hire/lease of facilities			10,569	
- Removal of fire hazards			5,984	
- Dog Registrations & Fines			16,001	Send to Fines Enforcement
- Private Works			2,533	
- Regulatory Fees			3,777	
- Govt Reimbursements			341,658	

C. Capital Program				
	Budget	Actual (\$,000)	Target 58%	Comments
Renewal	\$11,952,384	\$3,561,539	30%	
New assets	\$11,502,857	\$2,876,577	25%	
Total	\$23,455,241	\$6,438,116	27%	
Major projects:				
- Longford Sports Centre lift & level 1	\$270,000	\$176,863	66%	In progress
- Cressy Rec Ground Amenities	\$1,028,566	\$1,028,502	100%	Substantially complete
- Cressy Pool Improvements	\$800,000	\$693,633	87%	Substantially complete
- Ross Village Green	\$558,000	\$596,490	107%	Substantially complete
- Longford Victoria Square Hall	\$1,518,272	\$22,498	1%	Consultation stage
- Longford Victoria Square Amenities	\$334,415	\$1,179	0%	Hold
- Perth Childcare Centre	\$3,550,607	\$173,699	5%	Commence Feb 2022
- Lake Leake Amenities	\$145,256	\$268	0%	Preliminaries
- Translink Detention Basin	\$252,540	\$25,410	10%	Ready to construct
- Footpath Program	\$816,685	\$192,902	24%	In progress
- Bryants Lane Bridge	201,777	\$167	0%	Tender accepted
- William Street Footbridge	270,000	\$12,433	5%	Tender accepted
- Glen Esk Road Reconstruction	411,400	\$376,817	92%	Substantially complete

* Full year to date capital expenditure for 2021/22 provided as an attachment.

D. Financial Health Indicators				
	Target	Actual	Variance	Trend
Financial Ratios				
- Rate Revenue / Total Revenue	55.9%	73.2%	-17.4%	⬇
- Own Source Revenue / Total Revenue	78%	89%	-10.6%	⬇
Sustainability Ratio				
- Operating Surplus / Operating Revenue	0.0%	25.7%	-25.6%	⬇
- Debt / Own Source Revenue	43.0%	49.6%	-6.6%	↔
Efficiency Ratios				
- Receivables / Own Source Revenue	40.0%	37.9%	2.1%	⬇
- Employee costs / Revenue	27.4%	20.2%	7.2%	⬆
- Renewal / Depreciation	183.3%	93.7%	89.7%	⬆
Unit Costs				
- Waste Collection per bin	\$10.12	\$12.75		↔
- Employee costs per hour	\$50.24	\$40.52		⬆
- Rate Revenue per property	\$1,727.45	\$1,729.08		↔
- IT per employee hour	\$3.30	\$5.43		⬇



E. Employee & WHS scorecard					
	YTD	This Month			
Number of Employees	94	94			
New Employees	21	1			
Resignations	15	3			
Total hours worked	83,594	11,003			
Lost Time Injuries	0	0			
Lost Time Days	1	0			
Safety Incidents Reported	13	1			
Hazards Reported	17	0			
Risk Incidents Reported	5	0			
Insurance claims - Public Liability	0	0			
Insurance claims - Industrial	0	0			
Insurance claims - Motor Vehicle	9	5			
IT - Unplanned lost time	0	0			
Open W/Comp claims	11	2			
F. Waste Management					
Waste Transfer Station	2019/20	2020/21	2021/22 Budget	2021/22	
	Year to Date				
Takings					
- Refuse	\$92,611	\$119,842	\$64,022	\$64,776	
- Green Waste	\$50,996	\$80,904	\$41,922	\$38,372	
- Concrete	\$1,551	\$2,293	\$1,070	\$1,196	
- Tyres		727	\$350	\$439	
Total Takings	\$142,782	\$203,767	\$107,364	\$104,783	
Tonnes Disposed					
WTS Refuse Disposed Tonnes	1388	1432	766	695	
WTS Green Waste Disposed Tonnes	5400	4670	2447	1000	
WTS Concrete Disposed Tonnes	0	3056	0	0	
Kerbside Refuse Disposed Tonnes	2326	2435	1120	1206	
Kerbside Recycling Disposed Tonnes	1036	1051	597	495	
Total Waste Tonnes Disposed	10150	12644	4930	3396	

Waste Transfer Station Fees 2021-22

July

Aug

Sept

Oct

Nov

Dec

WTS Refuse \$'s

WTS Green Waste \$'s

WTS Concrete \$'s

WTS Tyres \$'s

Waste Disposal Tonnes 2021-22

July

Aug

Sept

Oct

Nov

Dec

WTS Refuse Disposed Tonnes

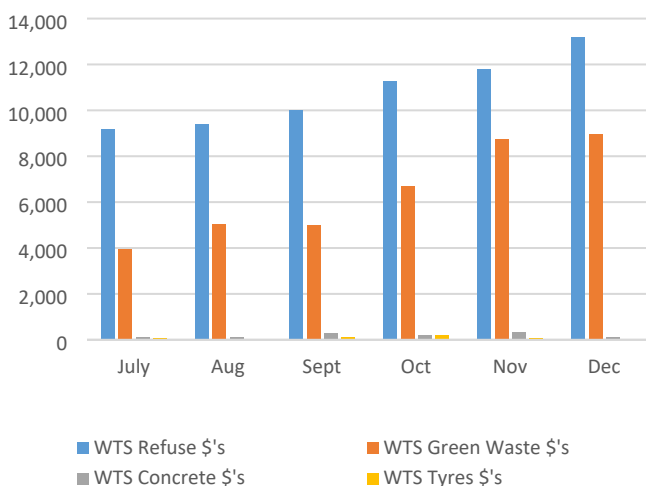
Kerbside Refuse Disposed Tonnes

WTS Concrete Disposed Tonnes

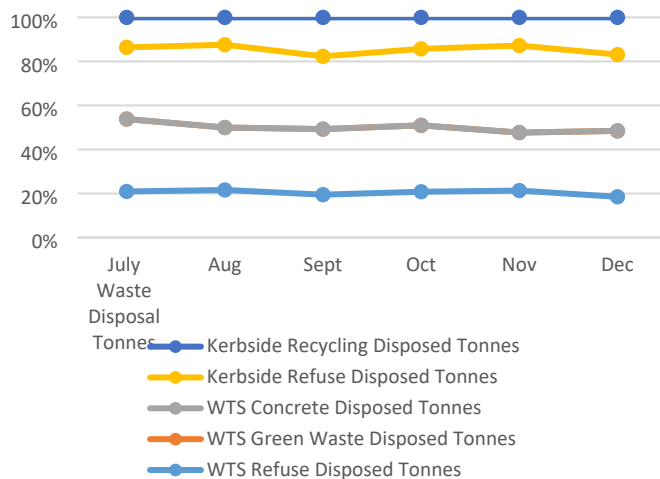
WTS Green Waste Disposed Tonnes

Kerbside Recycling Disposed Tonnes

Waste Transfer Station Fees 2021-22



Waste Disposal Tonnes 2021-22



5 OFFICER COMMENTS

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

6 ATTACHMENTS

1. NMC Account Management Report to 31 January 2022 [11.1.1 - 1 page]
2. NMC Infrastructure Capital Report 31 January 2022 [11.1.2 - 6 pages]



RECOMMENDATION

That Council:

- i) receive and note the Monthly Financial Report for the period ending 31 January 2022, and
- ii) authorise Budget 2021/22 alterations as listed in Item 4.

MINUTE NO. 22/67

DECISION

Cr Goninon/Cr Adams

That Council:

- i) receive and note the Monthly Financial Report for the period ending 31 January 2022, and
- ii) authorise Budget 2021/22 alterations as listed in Item 4.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



11.2 2022/2023 MUNICIPAL BUDGET

File: 24/029

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

1 PURPOSE OF REPORT

The purpose of this report is for Council to set the parameters for the 2022/2023 Municipal Budget.

2 INTRODUCTION/BACKGROUND

The 2022/2023 Budget process is conducted mostly in accordance with Council's previously adopted procedure in an endeavour to finalise the process during June 2022:

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

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

It is common practice each year for Council to undertake a Municipal Bus Tour to inspect projects that have been identified for inclusion in the forthcoming budget and also to meet with Local District Committee representatives to discuss their issues of priority. It was resolved that the Bus Tour be held on Thursday 21st April 2022, and for Councillors that cannot attend photos of capital works items listed be provided. An itinerary for the proposed Council Bus Tour will be prepared and circulated prior to the tour.

Proposed budget timetable is as follows:

21 February 2022	Council Meeting	Set budget parameters
04 April 2022	Workshop	Capital Works Budget
21 April 2022	Bus Tour	
2 May 2022	Workshop	Draft Budget 1
6 June 2022	Workshop	Draft Budget 2
13 June 2022	Workshop (Optional)	Draft Budget 3



27 June 2022	Council Meeting	Adopt Budget
Mid-July 2022		Issue Annual Plan
Mid-July 2022		Issue Rates

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.1 Council is connected to the community
- 1.3 Management is efficient, proactive and responsible
- 1.4 Improve community assets responsibly and sustainably

4 POLICY IMPLICATIONS

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

5 STATUTORY REQUIREMENTS

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

6 FINANCIAL IMPLICATIONS

Careful consideration must be taken to enable Council to have sufficient funds to maintain assets and meet commitments for the 2022-2023 financial period.

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

- Federal government election and external grant funding for projects under consideration
- Continuation of Roads to Recovery grant funding program
- New EBA to be negotiated
- Low Bank Interest rates continuing
- Development trends in area especially planned subdivisions in Evandale, Longford & Perth
- Capital Projects in progress and their associated commitments
- Rise in prices for goods and services since the last budget due to Covid pressures
- Labour shortages and wage growth
- New waste management arrangements, and
- Ratepayers ability to pay.

7 RISK ISSUES

Council must adopt its budget to enable annual planning to commence and rates and charges to be levied for the 2022/2023 financial period.

8 CONSULTATION WITH STATE GOVERNMENT

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



9 COMMUNITY CONSULTATION

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

10 OPTIONS FOR COUNCIL TO CONSIDER

The following budget parameters are suggested for the 2022/2023 Budget for Council consideration, review and endorsement - note Hobart's December 2021 annual movement of CPI was 4.5 percent (National 3.5 percent).

- a) Ongoing operational expenditure to be funded by annual rate income where possible.
- b) Government grants to be expended in the specific areas for which the grants are received (i.e. untied road grants spent on roads) for capital or special projects. Untied Financial Assistance grants to be expended on capital or special projects if possible.
- c) New services to be funded from new rates raised.
- d) User pays principle to be used where possible.
- e) Cash reserves to be quarantined or committed to specific planned projects. Stimulus loan repayments to be allocated on an annual basis.
- f) State stimulus loan funding, at nil interest rate, being only borrowings from external sources for capital or operating expenditure, unless funded from new rates raised for new assets..
- g) Contract payments increased as per agreement provisions.
- h) Minimise any Annual Asset Renewal shortfall.
- i) 3.5% percent increase in financial assistance grant funding.
- j) Interest on investments calculated at 0.5 percent.
- k) Wages (due to the lapse of the current Enterprise Bargaining Agreement at 30 June 2022) and other General Operating expenses be indexed by the expected Consumer Price Indexation
- l) Emergency Management allocation equal to 10 year average actual expenditure (excluding grant reimbursements).
- m) General rate increases be modelled on a relationship to the expected Consumer Price Indexation for Tasmania for the Budget period, plus
 - any percentage determined in the LTFP for long term sustainability, and
 - for Asset Management renewal funding if required.
- n) Budget operating surplus aim of at least 5% of rate revenue.

11 OFFICER'S COMMENTS/CONCLUSION

The cost of many goods and services have risen sharply since the last budget period especially fuel, building materials, and contractor payments. This is expected to continue to increase due to the Covid transport crisis.

12 ATTACHMENTS

Nil



RECOMMENDATION

That Council adhere to its previously adopted Budget process as detailed above, and endorse the following 2022/2023 Draft Budget parameters.

The following budget parameters are suggested for the 2022/2023 Budget for Council consideration, review and endorsement - note Hobart's December 2021 annual movement of CPI was 4.5 percent (National 3.5 percent).

- a) Ongoing operational expenditure to be funded by annual rate income where possible.
- b) Government grants to be expended in the specific areas for which the grants are received (i.e. untied road grants spent on roads) for capital or special projects. Untied Financial Assistance grants to be expended on capital or special projects if possible.
- c) New services to be funded from new rates raised.
- d) User pays principle to be used where possible.
- e) Cash reserves to be quarantined or committed to specific planned projects. Stimulus loan repayments to be allocated on an annual basis.
- f) State stimulus loan funding, at nil interest rate, being only borrowings from external sources for capital or operating expenditure, unless funded from new rates raised for new assets..
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- l) Emergency Management allocation equal to 10 year average actual expenditure (excluding grant reimbursements).
- m) General rate increases be modelled on a relationship to the expected Consumer Price Indexation for Tasmania for the Budget period, plus
 - any percentage determined in the LTFP for long term sustainability, and
 - for Asset Management renewal funding if required.
- n) Budget operating surplus aim of at least 5% of rate revenue.

MINUTE NO. 22/68

DECISION

Cr Adams/Cr Polley

That Council adhere to its previously adopted Budget process as detailed above, and endorse the following 2022/2023 Draft Budget parameters.

The following budget parameters are suggested for the 2022/2023 Budget for Council consideration, review and endorsement - note Hobart's December 2021 annual movement of CPI was 4.5 percent (National 3.5 percent).

- a) Ongoing operational expenditure to be funded by annual rate income where possible.
- b) Government grants to be expended in the specific areas for which the grants are received (i.e. untied road grants spent on roads) for capital or special projects. Untied Financial Assistance grants to be expended on capital or special projects if possible.
- c) New services to be funded from new rates raised.
- d) User pays principle to be used where possible.
- e) Cash reserves to be quarantined or committed to specific planned projects. Stimulus loan repayments to be allocated on an annual basis.
- f) State stimulus loan funding, at nil interest rate, being only borrowings from external sources for capital or operating expenditure, unless funded from new rates raised for new assets..
- g) Contract payments increased as per agreement provisions.
- h) Minimise any Annual Asset Renewal shortfall.



- i) 3.5% percent increase in financial assistance grant funding.
- j) Interest on investments calculated at 0.5 percent.
- k) Wages (due to the lapse of the current Enterprise Bargaining Agreement at 30 June 2022) and other General Operating expenses be indexed by the expected Consumer Price Indexation
- l) Emergency Management allocation equal to 10 year average actual expenditure (excluding grant reimbursements).
- m) General rate increases be modelled on a relationship to the expected Consumer Price Indexation for Tasmania for the Budget period, plus
 - any percentage determined in the LTFP for long term sustainability, and
 - for Asset Management renewal funding if required.
- n) Budget operating surplus aim of at least 5% of rate revenue.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



11.3 TOWN PROMOTION VIDEOS

Responsible Officer: Maree Bricknell, Acting General Manager

Report prepared by: Fiona Dewar, Tourism & Events Officer

1 PURPOSE OF REPORT

To request Council review the budget proposed for The Town Promotion Video project, and to assist with the decision by providing an update on the project status and costs.

2 INTRODUCTION/BACKGROUND

Council has an integral role to play in the Northern Midlands' economic and social recovery from the Covid 19 pandemic and sees the value of attracting intrastate visitors to its towns to stay, play, and spend, to help local businesses not suffer further hardship.

In 2021 Council officers investigated the professional production of a bank of visual content (stills and video) to create a suite of edited assets with which to embark on a campaign to support economic growth in the Northern Midlands by creating awareness of visitor and liveability opportunities in the region.

The two objectives for the productions are to:

- Showcase the towns as visitor destinations; create awareness of the range of visitor experiences across the seasons; drive visitation and encourage longer stays to increase visitor yield; and communicate reasons for people to revisit to attend events and festivals.
- Showcase the towns as a great place to live; communicate employment opportunities across the business sectors active in the area, including seasonal opportunities; communicate an open welcoming community and the benefits of life in regions opposed to busy and crowded cities; communicate the benefits of living in the region whilst working in town, short easy commutes.

Creative company, Ideasbanq, was recommended to officers and a quote was requested. Ideasbanq presented to councillors at a workshop on 12 April 2021. Quotation received \$48,000.00 excl GST.

Quotes were also received from Channel 7 to air advertisements across the state. Minimum cost to allow 47 x 30 second advertisements over a 3 month campaign is \$7,140.00 excl GST.

The cost of talent has yet to be received, however some verbal estimates advise to allow approximately \$7,000 – \$8,000.

The project cost therefore was expected to be \$62,140.00 excl GST.

Councillors requested further quotes for this project, and at the 2021/22 budget agreed to fund the project for \$50,000.

Note that in a recent discussion with Ideasbanq, they have advised that the budgeted TV campaign of \$7,140.00 is very thin and would have minimum impact. They recommend a strategy of budgeting up to \$25,000.00 over a 6 month advertising campaign, as this would allow for ongoing and consistent promotion, creating a recognised brand, creating an impression over the long term.

This would bring the project cost up to \$80,000.

Council officers worked closely with Brand Tasmania to redevelop a comprehensive project brief/Request for Quotation, providing more detailed information to the creative companies, including a town persona document; NMC Corporate Voice; and various documents recommended be included by Brand Tasmania including How to Sell Tasmania; Key Messages AC Research; Tasmanian Brand Book; the Visit Northern Tasmania Partner Playbook. The budget for the



production portion of the project was \$35,000.00. The brief was distributed on 1 December 2021, with closing date for response by 31 January 2022, and an invitation to meet and discuss or make a presentation, to recommended creative companies who have attended Brand Tasmania workshops, and the original company who provided the initial quote. This included:

- Before Creative
- The20
- King Thing
- For The People
- Ideasbanq

Three responses were received:

- 'Before Creative' advised this was not their area of speciality and would not be submitting a quote.
- 'For The People', advising that they are a brand consultancy and not a production house, and therefore not the right people for the project.
- 'Ideasbanq' thanked us for the update and clarity and confirmed the closing date for submission.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.1 Council is connected to the community

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.2 Proactive engagement drives new enterprise

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

3.4 Towns are enviable places to visit, live and work

4 POLICY IMPLICATIONS

No policy implications

5 STATUTORY REQUIREMENTS

Not applicable.

6 FINANCIAL IMPLICATIONS

Project budget total: \$62,140.00, broken down as:

- Creative production: \$48,000.00
- TV advertising: \$7,140.00
- Talent: \$7,000.00
- Additional advertising \$17,860



7 RISK ISSUES

Covid 19 has been impacting the small businesses and tourism operators in the Northern Midlands for almost two years. With borders closed for most of that period operators suffered enormous losses to their businesses. Then with borders recently opening, the covid virus has entered our state and Tasmanians are now learning to live surrounded by the virus as the new normal, and now face even greater loss from locals who have been too nervous to get out and about. Local businesses are hurting. As Tasmanians gradually start emerging once again, we need to encourage visitor dispersal to encourage visitation to our towns. There are initiatives from other regions seeking to gain this market share, and the Northern Midlands needs to step up our marketing activities to be in the mix. By not progressing the project there is a risk that council is perceived as not contributing to the local tourism industry's economic recovery from Covid 19.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

To agree or not agree to revise the Town Video Promotion Project budget to \$62,140 or \$80,000, contract Ideasbanq to produce the videos, and progress the project.

11 OFFICER'S COMMENTS/CONCLUSION

In order to carry out the original objective of showcasing our towns as places to visit and live, Council must consider revising the budget for the project to a total of \$62,140.00, or \$80,000 with additional advertising, and re-engage with the original creative company, Ideasbanq, to move forward on the project.

12 ATTACHMENTS

Nil

RECOMMENDATION

That Council revise the budget of the Town Video Promotion project to \$80,000.00, contract Ideasbanq to produce the videos, and progress the project.

Cr Goss returned to the meeting at 7.38pm.

MINUTE NO. 22/69

DECISION

Cr Goninon/Cr Davis

That Council do not provide the additional funding at this time.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



11.4 AUDIT COMMITTEE

File: 07/104

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 to

- reappoint independent Audit Committee members for a term of four years, and
- review the Audit Committee Policy.

2 INTRODUCTION/BACKGROUND

It is mandatory in Tasmania for appointment of an Audit Committee under section 24 of the Local Government Act 1993 as a Special Committee of the Council.

Historically, audit panels focused on financial reporting, accounting activities, internal controls and the integrity of accounting systems. Audit panel functions have evolved and now have a much broader mandate. They cover risk management (including fraud prevention strategies), financial and non-financial performance, compliance and other assurance activities not directly related to a council's financial report. Audit panels also provide an independent check of key council plans and activities and highlight issues that require strategic attention, including the review of policies, systems and controls relating to a council's administration, culture and personnel.

It is critical that councils provide adequate resource support to their audit panels to ensure they are able to discharge their responsibilities effectively. Resources may include council employees, and training and development of councillors who are panel members.

A successful audit panel will provide assurance that council decisions are made in the interests of the community with particular regard to:

- proper management practices across financial and operational activities;
- compliance with all legislative and policy requirements; and
- the adoption of leading practice in all aspects of governance.

Audit panels provide checks and balances to give elected members another source of scrutiny and a means of highlighting issues that require strategic attention. This can be invaluable to a council, by contributing to the avoidance of reputational damage and helping to ensure rate-payers are receiving the best possible oversight over the management of their assets.

Section 5 of the Audit Panel Orders requires that an audit panel:

- is appointed by the council;
- must have between three and five members (inclusive); and
- if the panel has four or five members, a minimum of two must be independent persons; and
- if the panel has three members, at least one must be an independent person.
- may contain a councillor or councillors, other than the mayor of the council;
- may contain an independent member or members of another council's audit panel; and
- may be appointed for a period of one to four years, and can be reappointed once their term expires.

An audit panel must not contain:

- the general manager, mayor or a council employee of the council; or
- a councillor or employee of another council.



Council reviewed its Audit Committee Policy in August 2018 setting out terms of reference, and there are only minimal changes as highlighted in the attached document.

Councillor Adams and Councillor Goninon are representatives on the Audit Committee.

Council called for nominations for the independent members of the Audit Committee and appointed the following in December 2013, and reappointed these members in 2018:

- 1) Synectic Accounting & Audit – Mr Ben Coull (Chairperson) - \$1,600 per meeting.
- 2) Ms Carol Scholes-Robinson – \$550 per meeting.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.3 Management is efficient, proactive and responsible
- 1.4 Improve community assets responsibly and sustainably

4 POLICY IMPLICATIONS

In accordance with current Audit Committee Policy.

5 STATUTORY REQUIREMENTS

Local Government Act 1993

6 FINANCIAL IMPLICATIONS

Council has allocated \$10,300 in the 2021/22 Municipal Budget for operation of the Audit Committee.

7 RISK ISSUES

There is a risk that members are not operating with authority if the policy and membership is not reviewed.

8 CONSULTATION WITH STATE GOVERNMENT

Not required.

9 COMMUNITY CONSULTATION

Not required.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council has the option to reappoint the two existing Audit Committee Independent members or call for expressions of interest for new members.

Council can appoint two independent Audit Committee members until the next Council election or a term up to 4 years.

Council can choose to approve, change or not approve the alterations to the Audit Committee policy.



11 OFFICER'S COMMENTS/CONCLUSION

The Audit Committee has been operating well consisting of the two external members plus Councillors Adams and Goninon, and it is very worthwhile to continue with the audit Works Program. Council is fortunate to attract two internal members with such independent experience and knowledge. In addition to this, the committee recommend further independent internal audits.

12 ATTACHMENTS

1. Audit Committee Policy (with highlighted changes) [11.4.1 - 3 pages]

RECOMMENDATION

That Council

- 1) endorse the changes to the Audit Committee Policy
- 2) a) re-appoint the following members to the Northern Midlands Council Audit Committee for a further four year term from 1 January 2022
or
b) for a term until the next Council election:
 - Synectic Accounting Ben Coull (Independent Chair),
 - Ms Carol Scholes-Robinson (Independent member), and
 - Councillors Adams and Goninon.

MINUTE NO. 22/70

DECISION

Cr Davis/Cr Lambert

That Council

- 1) endorse the changes to the Audit Committee Policy
- 2) re-appoint the following members to the Northern Midlands Council Audit Committee for a term until the next Council election:
 - Synectic Accounting Ben Coull (Independent Chair),
 - Ms Carol Scholes-Robinson (Independent member), and
 - Councillors Adams and Goninon.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



12 WORKS REPORTS

12.1 BRIDGE ACROSS LIFFEY RIVER TO FORMER BAPTIST CHURCH GROUNDS

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Amanda Bond, Executive Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to decide whether or not to relinquish the maintenance of Bridge 9997 at Liffey.

2 INTRODUCTION/BACKGROUND

In 1993 the responsibility for bridges was transferred to Local Government from the State Government. Prior to this time, bridges were maintained by the Department of Main Roads (DMR). The majority of the bridges which were transferred to Local Government were of timber construction and nearing the end of their expected life.

The list of bridges provided to councils was not exhaustive as the list did not always include bridges not located on Council roads. Councils were however afforded the opportunity to include/exclude such bridges which were constructed, and at that time maintained by the DMR, and which were not located on council roads subject to set criteria.

In approximately 1972 the DMR constructed Bridge No. 9997 (formerly known as Bridge No. 4520) across the Liffey River on the private access to the Baptist Church grounds. Access to the Baptist Church grounds is off the section of Gulf Road which is maintained by the Meander Valley Council and is situated approximately 3.060km's from the Gulf Road/Liffey River Bridge. The continuation of the Gulf Road, on the Northern Midlands Council side of the Liffey River becomes known as Liffey Road.

Bridge 9997 was not listed in the bridge transfers to Local Government in 1993.

The maintenance of this bridge was considered by the Northern Midlands Council on 15 December 2008 (minute reference 302/08), at which time the following was the decision of Council:

That Council provide a contribution of \$10,000, as requested, towards the replacement of Bridge No. 4520 across the Liffey River on the private access to the Baptist Church grounds, subject to the Northern Midlands Council assuming responsibility for the maintenance of the new structure on completion and on the condition that it is added to the list of bridges for which Council receives grants.

Consequently, since that time Council has maintained and received grant monies for the maintenance of the bridge.

Bridge 9997 requires repairs and maintenance. The concrete bridge deck removed from the Pisa Bridge on Macquarie Road has been placed on site at Gulf Road and can be reused to form the 'new' concrete deck of this bridge, the abutments will also require replacement.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.4 Improve community assets responsibly and sustainably

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:



2.1 Strategic, sustainable, infrastructure is progressive

4 POLICY IMPLICATIONS

Not applicable.

5 STATUTORY REQUIREMENTS

Not applicable.

6 FINANCIAL IMPLICATIONS

Council has received maintenance grants from the State Government to maintain the bridge since 2008. If Council relinquishes responsibility of the maintenance of the bridge, Council will need to notify the State Government that the annual maintenance grant is no longer required.

7 RISK ISSUES

Legal advice has been sought and advice received that Council can relinquish responsibility for the bridge by way of Council resolution and by notice to the State Government that the annual maintenance grant is no longer required.

8 CONSULTATION WITH STATE GOVERNMENT

That State Government will need to be notified if Council relinquishes responsibility for the bridge.

9 COMMUNITY CONSULTATION

The impacted property owner will need to be notified if Council relinquishes responsibility for the bridge.

10 OPTIONS FOR COUNCIL TO CONSIDER

To relinquish the responsibility for maintenance of Bridge 9997 and gift the existing concrete bridge deck to the property owner, or not.

11 OFFICER'S COMMENTS/CONCLUSION

The bridge is not located within the Northern Midlands municipality and only services private land. It is recommended responsibility for maintenance of the bridge be relinquished.

12 ATTACHMENTS

Nil

RECOMMENDATION

That Council:

- a) relinquish the maintenance responsibilities for Bridge 9997;
- b) notify the State Government that the maintenance grant for Bridge 9997 is no longer required;
- c) gift the existing concrete bridge deck to the owner of the impacted property which Bridge 9997 services; and
- d) notify the property owner which Bridge 9997 services of this decision.



MINUTE NO. 22/71

DECISION

Cr Goninon/Cr Polley

That Council:

- a) relinquish the maintenance responsibilities for Bridge 9997;
- b) notify the State Government that the maintenance grant for Bridge 9997 is no longer required;
- c) gift the existing concrete bridge deck to the owner of the impacted property which Bridge 9997 services; and
- d) notify the property owner which Bridge 9997 services of this decision.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



12.2 KERBSIDE ORGANICS COLLECTION

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with further information regarding costs, bin options and options in relation to the introduction of a kerbside organics collection.

2 INTRODUCTION/BACKGROUND

A report was submitted to the Council meeting on 31 January 2022 regarding kerbside organics collection. The report outlined the cost increases that Council will incur as a result to Statewide Waste Levy that will be introduced in July 2022 and the opportunities this presents for Council to introduce a kerbside organics collection to reduce the amount of waste that will be sent to landfill and incur the State Government levy.

The following was the decision of Council at this time:

Cr Polley / Cr Goninon

That Council defer a decision pending further information with a report to be tabled at the next Council meeting; with additional information to include: costs, bin options (for multi-dwellings) and introduction options.

Carried Unanimously

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Place: Nurture our heritage environment

Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow

Strategic outcomes:

4.2 Meet environmental challenges

4 POLICY IMPLICATIONS

Not applicable

5 STATUTORY REQUIREMENTS

The Waste and Recovery Resource Bill, Tasmania 2021

6 FINANCIAL IMPLICATIONS

The costs of the kerbside organics collection could be covered by increasing the waste component of the Council rates by \$50 per annum.

The table below sets out the estimated costs and cost offsets for a kerbside greenwaste collection.

COSTS	
Estimated cost per year for an all in collection, based on 5700 bins at \$1.50 per lift, (Note that this price will increase annually by CPI)	\$222,300
Purchase of a 240L wheelie bin at a cost of \$71.40 and depreciation over a 10 year period	\$406, 980 (Initial cost)



COST OFFSETS	
Statewide Waste Levy will not be paid on materials that are diverted from the waste stream for recycling	\$40,740 in 2023 increasing to \$81,480 in 2026.
Reduction in greenwaste management costs at Council Waste Transfer Stations.	\$10,000 per annum.

7 RISK ISSUES

It is important that the community is educated regarding what materials can be processed as organics. If the organics bins are contaminated with general household waste this material cannot be processed and will be taken to landfill by the contractor, Council will then be charged the State Waste Levy on this material. Most other Councils have introduced an 'opt in' service to reduce the risk of contamination as the service is only provided for the properties agreeable to use utilise it.

Should Council choose to call tenders for a kerbside organics service there are likely to be delays before a contractor can start due to availability of staff and equipment as a result of the Covid Pandemic. Several contractors have indicated that waiting times for new trucks are currently around 12 – 18 months.

8 CONSULTATION WITH STATE GOVERNMENT

The Northern Regional Waste Management Group has been involved in consultation with the State Government on behalf of all Councils in the region. Council officers have also attended a number of workshops run by the State Government regarding the state-wide levy and opportunities for organics recycling in the state.

9 COMMUNITY CONSULTATION

Council conducted a survey of residents in December 2017 regarding their views on organics recycling. The survey found a high level of interest in recycling but a reluctance amongst some to pay an additional cost for the service. Since 2017 there have been ongoing requests from community members for a organics recycling service.

10 OPTIONS FOR COUNCIL TO CONSIDER

1. That Council provide a kerbside organics recycling service to all residents in the urban areas who currently have a kerbside waste bin, and waste collection costs be increased to all residents (say \$50 per service per annum);
2. That Council do not offer an organics recycling service at this time but continue to monitor prices and opportunities.

11 OFFICER'S COMMENTS/CONCLUSION

11.1 "Opt in" versus "all in"

Several Councils in the state including Launceston have used an "opt in" model. This model has worked well in areas with larger populations that are close to a processing facility but is likely to be very costly in the Northern Midlands Municipality because of the smaller population and longer distances to the processing facility. The cost of an "opt in" service will vary depending on the amount of residents who take it up but an opt in service will still require the contractor to drive every street possibly for only a small number of bins. Experience in other Council has shown that opt in collections generally start with around 25% of residences opting in to the service and slowly increasing over time. If an "opt in" model the same as that used in Launceston was introduced in Northern Midlands it is estimated that the cost will be in the range of \$3.00 - \$5.00 per lift, or at least double the price per lift of offering a collection to all residents.

A model which provides the service to all residents but allows those in some multi dwellings to opt out of having a physical bin is considered to be the most cost effective for Northern Midlands.



11.2 Bin options for multi dwellings

Multiple dwellings with small garden areas may not have a need for multiple bins or may not have anywhere to store the bins. Residents in multi dwellings could be given the opportunity to “opt out” of having the physical bins or may choose to share a bin with other dwellings, but it is likely that many residents will still choose to have a bin because a large percentage of organic waste is food waste.

The collection would be held on the opposite week to the kerbside waste and recycling collections to ensure that large numbers of bins were not placed on the kerb all at the same time.

The option of one large bin for multi dwellings has been suggested but this may be difficult to implement as the kerbside waste collection trucks are not configured to lift larger bins.

11.3 Costs

The cost per residence will be \$50 per year. The collection costs will be partly offset by savings associated with diverting waste from landfill which will avoid the need to pay the State-wide Waste Levy. All ratepayers in the services area will be expected to pay the minimum charge whether they opt out of having a physical bin or not.

11.4 Introduction options

Several of the waste collection contractors have advised that due to equipment shortages as a result of Covid they are unlikely to be in a position to start a new contract until July 2023. If tenders are called and a contractor has trucks available and is in a position to start sooner at a reasonable price residents could pay an introductory payment based on the number of months remaining until the new financial year but this would be difficult to administer and a more competitive price is likely to be received for a tender which commences in July 2023.

12 ATTACHMENTS

Nil

RECOMMENDATION

1. That Council call tenders for a kerbside organics collection services commencing in 2023
2. That the service be provided to all residences in the urban areas of the municipality with an option for residents of multi-dwellings to “opt out” having or sharing physical bins.

DECISION

Cr Adams/Cr Goninon

1. That Council call tenders for a kerbside organics collection services commencing in 2023
2. That the service be provided to all residences in the urban areas of the municipality with an option for residents of multi-dwellings to “opt out” having or sharing physical bins.

MINUTE NO. 22/72

AMENDMENT

Deputy Mayor Goss/Cr Goninon

That the matter be deferred subject to a further report, provision of a business case and limited town survey.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil

The Amendment became the Motion and was Put and
Carried Unanimously



12.3 REQUEST FROM THE DEPARTMENT OF STATE GROWTH: SPEED LIMIT REDUCTION - HIGH STREET EVANDALE

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider a request from the Department of State Growth for High Street Evandale to be lowered from 60kph to 50 kph.

2 INTRODUCTION/BACKGROUND

In January 2022 Council Officers were contacted by Mr Garry Hills from the Department of State Growth and requested to provide feedback regarding a proposed change in speed limit on High Street, Evandale. The current 60km zone extends from near the Evandale town sign near Leighlands Road on the northern approach to Evandale to the Boyes Creek Bridge on the southern approach to Evandale, a distance of approximately 1,100m. The Department of State Growth are seeking Council's opinion on this proposed change.

High Street is maintained by the Department of State Growth from the northern entrance to the town to Russell Street. The remainder of High Street from Russell Street to Nile Road is Council responsibility.

3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 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

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

Place: Nurture our heritage environment

Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow

Strategic outcomes:

4.4 Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

If the speed limit is lowered other towns such as Cressy are also likely to make requests for their speed limit to be lowered.

5 STATUTORY REQUIREMENTS

- Tasmanian Road Rules 2019
- Roads and Jetties Act 1935

6 FINANCIAL IMPLICATIONS

There are no financial implications to Council because the signage will be provided and installed by the Department of State Growth.



7 RISK ISSUES

Council regularly receive feedback from the community regarding safety risks associated with increased traffic on Sundays due to the Evandale market. While most concern relate to street closer to where the market is held High Street also carries increased traffic volumes when the market is operating and lowering the speed limit from 60kph to 50kph may provide significant improvements in safety for all road users including pedestrians.

8 CONSULTATION WITH STATE GOVERNMENT

The request to lower the speed limit was received from the Department of State Growth.

9 COMMUNITY CONSULTATION

The Department of State Growth has not directly consulted with the community but their request aligns with concerns that have been raised with Council by members of the community.

10 OPTIONS FOR COUNCIL TO CONSIDER

1. Advise the Department of State Growth that Council support their request for the speed limit to be lowered to 50kph; or
2. Advise that Council do not support their request.

11 OFFICER'S COMMENTS/CONCLUSION

The Department of State Growth are responsible for most of High Street through Evandale and as the road owner are responsible for making a decision on this matter. It is recommended that Council indicate their support for this speed limit change because there is strong evidence that lowering speed limits improves road safety and over this distance the increase in travel time is only 13 seconds.

12 ATTACHMENTS

Nil

RECOMMENDATION

That Council advise the Department of State Growth that they give in-principle support for this speed limit change subject to them doing further community consultation including with the Evandale Advisory Committee.

MINUTE NO. 22/73

DECISION

Cr Goninon/Cr Polley

That Council advise the Department of State Growth that they give in-principle support for this speed limit change subject to them doing further community consultation including with the Evandale Advisory Committee.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



Mayor Knowles reconvened the meeting after the meal break at 6.45pm.

13 PUBLIC QUESTIONS AND STATEMENTS

PUBLIC ATTENDANCE DURING THE COVID-19 DISEASE EMERGENCY DECLARATION

The conduct of Council Meetings is currently being undertaken in accordance with the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.

Council is mindful of the need to ensure community safety and compliance with COVID-19 restrictions, along with the need to minimise disruption to the business of Council.

With the reopening of Tasmania's borders and the increasing COVID numbers in the state Council has suspended the attendance of the public at Council Meetings until further notice.

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

Members of the public who 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

Questions and representations must be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the Council Meeting. All questions/representations received within the given timeframe will be circulated to Councillors prior to the meeting, tabled at the meeting and recorded in the minutes of the meeting.

Questions must be received by no later than 12.00pm on Friday, 18 February 2022.

Council will continue to ensure minutes and audio recordings of Council meetings are available on Council's website as soon as is practicable after the meeting.

PUBLIC QUESTIONS RECEIVED

9.1 Proposed Acquisition of Land: Macquarie Street, Cressy

Mr David Bassett, Cressy

Mr Bassett provided the following statement which was circulated to Councillors:

I live within view of the area surveyed for a proposed recreational project. A close watch is kept on the surrounding area due to past dog attacks on sheep. The area is often visited to check sheep and deal with pumps.

The following information and observations is provided to help Councillors make an informed decision.

CURRENT VISITATION

ANGLERS: *Seldom more than five a week. Arrive, walk off and fish, return and leave. The trout population has plummeted due to poor water quality with a subsequent drastic decline in anglers.*

TRADES PEOPLE: *About one vehicle per week. Arrive, check phones, eat lunch mostly in a vehicle but sometimes on the flat boulders. Then leave.*

EXERCISERS: *Walk/jog down, turn and leave.*

CONTEMPLATORS: *Two of these. Drive down, park, sit and watch the river. Leave within ten minutes.*

SWIMMERS: *Usually younger people. Very few due to our excellent pool.*

DOG OWNERS: *Bring dogs for a swim in summer. Few in number.*

CRUISERS: *people who drive down, turn and drive off.*

TOURISTS: *Very few in number.*

HOONERS: *!!! Will like an expanded turning circle. More room for their automotive gyrations.*

NIGHT OWLS: *Drive down after dark. Probably better not to know their activities.*



Occasionally people stop to have a snack. These seem quite happy using the large flat boulders as seats and tables. It is unusual to see more than three parked cars. More often none.

THE AREA

The surveyed area is subject to flooding. At times it may be covered with 2.5 m. of water.

CURRENT USAGE:

The land immediately adjacent to the surveyed area is used for cropping. In recent years it has grown peas, followed by chickory. Currently has a poppy crop. These are irrigated crops subject to regular spraying of liquid fertiliser, herbicides, pesticides and fungicides. Land and infrastructure in the surveyed area would be at risk of spray drift and chemical contamination.

PRIME AGRICULTURAL LAND LEGISLATION

The surveyed land is possibly subject to the above legislation which restricts subdivision. If gifting of land circumvents this legislation I and many others would happily use the precedent to advantage.

Casual observation suggests that Brumbys Creek downstream from Lee's Bridge is far more popular than Macquarie Street with those seeking a river experience.

Hopefully the above information aids Councillors in making an informed decision and avoids another Cressy project of little benefit.



14 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.

MINUTE NO. 22/55

DECISION

Cr Lambert/Cr Goninon

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda Item/s 15.1 to 15.5.

Carried Unanimously

14.1 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.

15.2 Draft Amendment 03/2021: PLN21-0276, 26 Wilmores Lane, 86 Burghley Street and Crown Land, Longford

Mr Greg & Mrs Kathy Johnston, Longford

Mr and Mrs Johnston provided the following statement which was circulated to Councillors:

... We ask the question as to why the report would recommend that the council would initiate and certify a draft amendment to insert the use class of 'Storage' as a discretionary use within the Rural Resource Zone? And why they would recommend to approve a planning permit to allow for a 'Storage' – Contractor's depot on these 2 titles.

This area of land is prime agricultural land within the irrigation zone, we ask why the council would recommend turning this prime agricultural land on the urban rural fringe of Longford which is ear marked for future expansion into a contractor's depot ultimately turning this area into an industrial zone? This will create land use conflict that is far reaching. Does the council and the councillors want to see the area around pristine Longford House sterilised by a Contract Harvesting business? There is also nothing then stopping the business owner selling these two titles separately to different businesses creating the potential for further land use conflict and disruption to prime agricultural land.

We feel that this proposal if approved would lead the way for future changes to allow for businesses like this to disrupt more prime agricultural land in the area. ...

Mr Darren & Mrs Courtney Harback, Longford

Mr and Mrs Harback provided the following statement and correspondence which was circulated to Councillors:

... The basis of our concern is outlined in the letter however a snapshot of these concerns is to follow:

- We have an approved dwelling (under construction, estimated for completion in March 2022) less than 200m from the property and while we are aware the dwelling is on Rural Resource Land, there should be some consideration that our and other dwellings are or will soon be inhabited and will be affected by this amendment.*
- We have been supplied video footage of the business already operating at hours (after 10pm) that will negatively affect a residence. Particularly, as is our case, a family with a young child.*



- *Our primary concern is regarding the dust from the Harvesters during the blow-out process and the lack of restraints in place to ensure this waste doesn't encroach on our land, which has already happened previously. I have grave concerns for my child's health should she be breathing this.*
- *Another concern is the thought for the growth of this business and impacts from further growth.*
- *The landowners do not wish to store harvesters on this site for agricultural use of **this** land, but for required maintenance of these harvesters. We refute this as appropriate use of a Rural Resource land. This is an industrial activity and as such requires a depot in an appropriately zoned location. ...*

... We write with grave concerns regarding DRAFT AMENDMENT 03/2021: PLN21-0276, 26 WILMORES LANE, 86 BURGHLEY STREET AND CROWN LAND, LONGFORD File: 114000.0551, PLN21-0276 as prepared by Chloe Lyne planning consultant. As the owners and soon to be residents of 130 Brickendon Street we will be directly impacted by the proposed amendments and wish to voice several concerns which we believe have not been addressed. We note that the use of storage and depot on this site requires discretionary approval. Whilst some of the discretionary provisions have been addressed by the landowner, there are further discretions which must be considered.

Firstly, we draw your attention to 4.2 of the proposal Subject Site and Locality. Whilst we acknowledge that the report correctly identifies the closest General Residential Zoned land situated approximately 320 metres to the east of the 86 Burghley Street title. This fails to consider our approved residential dwelling which despite being constructed on our Rural Resource Title, will be our primary dwelling. As you will be well aware this has already been approved via the vigorous processes required under the relevant planning and building schemes. What the aforementioned planning report fails to acknowledge is the proposed extension to the existing shed is extending the building closer to our dwelling and is already situated less than 200m from our dwelling. I would estimate closer to 100m.

I draw your attention to the following statement:

Whilst not an industrial use per se, it is noted that use of the site as a contractors depot will have minimal impact on residential amenity, noting the dwellings on the adjoining properties are located on Rural Resource Zoned land so cannot expect the same residential amenity afforded to dwellings situated within residential zones.

Whilst we would not expect the same amenities as a residential zoned dwelling, our land use has been approved as a primary dwelling for a rural lifestyle and therefore some factors, such as noise and air pollution must be considered. The location of our dwelling within our boundary is pertinent to the 200m attenuation zone in place for Austral Brick as a noise pollution buffer.

One of our primary concerns is that the described "maintenance" and "cleaning" of the harvesting equipment central to this proposal involves a process of "blowing out" dust and debris from these harvesters. We have previous video footage which shows the impact of this "blow out" process and it creates an excessive amount of dust. The components of this dust are also concerning, as they are noted to contain not only general harvest product but also other organic matter which is a very distinct health hazard. Also noteworthy is the fact that the most common wind flow is that of a north westerly direction and being directly to the east of the property, our dwelling is excessively impacted by this "blow out" process.

Furthermore, we question the necessity of this storage and depot being situated on this small section of the property. The title of the property in question totals well over 40 acres. We therefore argue that it is nonsensical to situate the depot in the most eastern section of land closest to the existing residential dwellings.

We now draw attention to the following statement;

In relation to the specific use proposed, it is noted that the proponents have had both a Noise Assessment and Dust and Silica Exposure assessment to examine potential impacts of machinery travelling along the entrance driveway to the site on the adjoining dwellings to the west. Both reports found that there is an acceptable risk to receptors both on and off the site.



We question if the Dust and Silica and Noise risk assessments were undertaken while the “blow out” or other types of maintenance were being performed?

It is our understanding that this risk assessment was undertaken in June (during the winter period). We request a subsequent risk assessment be conducted during the summer months for two reasons. Firstly, as the report notes, summer months see a peak in the use of the harvesters impacted in this proposal (the key harvest period of November to April). Secondly dust and silica exposure will be higher during these months. Undertaking a risk assessment during the high rainfall time does not result in accurate year-round findings.

It is interesting that this risk assessment also finds there is an acceptable risk relating to noise. It does not specify if this risk assessment includes noise generated during this “blow out” process. This generates a significantly greater amount of noise than simply accessing the property with the harvesters.

We would also like to mention the contradictory elements of the following section of the report;

The proposed site specific amendment is sought to allow use and development of the site for the purposes of ‘Storage’ being a harvesting contractors depot as a discretionary use. McConnon Agricultural Contracting is a business providing harvesting services to local farmers over the key harvest period of November to April. The McConnons own the subject land and run it for intensive sheep grazing and hay production, hence the reason a permit needs to be sought to store what is essentially typical farm machinery.

We are very supportive of the original use of this property as a sheep stud and as stated in the report this is in fact “prime agricultural land”. We are very supportive of the intent to preserve agricultural resources however we argue that the maintenance of harvesters is not direct agricultural use. The landowners do not wish to store harvesters on this site for agricultural use of this land, but for required maintenance of these harvesters. We refute this as appropriate use of a Rural Resource land. This is an industrial activity and as such requires a depot in an appropriately zoned location.

Further to our concerns is the capacity for growth of this business. The report states 7 harvesters plus supporting light vehicles and trucks are currently in operation. Are there provisions for the impact of growth of this business?

Finally, should this amendment be granted, strict conditions should be applied to limit the impact to existing dwellings surrounding the business including set hour of work to limit noise pollution, capped vehicle movements and heavy vehicle movements restricted to business hours and natural screening such as trees to limit dust pollution on neighbouring properties. The video footage we have previously mentioned is noteworthy as this depicts general maintenance and movement of these heavy vehicles already being undertaken after 10pm at night. If these conditions cannot be met, it is our opinion the business is not in the correct zone. ...

Mr Leigh & Mrs Aleisha Barrett, Longford

Mr and Mrs Barrett provided the following statement which was circulated to Councillors:

Due to the length and complexity of the afore mentioned application, with close to 200 pages to read and comprehend, we ask that the council defer this Draft Amendment application for consideration from February’s council meeting for one month until the March council meeting. This will allow all parties who will be fully impacted by this business time to comprehend the nature of the proposal. This proposal is a significant proposal with many and varied complexities which will substantially impact adjoining properties.

The council have had many months to consider this application and ask for additional information from the applicant before deeming it suitable to go to a council meeting. We now request the same with additional time to greater understand the application, 4 days is not enough time to fully interpret the application or even give time to engage a planner to assist with our interpretation of the application. We have only had 24 hours to even be able to submit questions to council for Monday nights meeting, this is not a suitable amount of time to consider what questions need be asked.

I’m sure as concerned councillors you would want clarification and a total understanding of what is being asked and what this business involves before making a decision that will severely impact local residents and promote land use conflict.



Mr Andrew & Mrs Meredith Meeves, Longford

Mr and Mrs Meeves provided the following statement which was circulated to Councillors:

Qu: How can a Scheme Amendment be initiated to regularise an activity that is causing environmental harm and nuisance?

Qu: Would Councillors please defer making a decision on this Draft Amendment until the next Council meeting?

Reasons for Deferment:

As adjoining neighbours and directly affected by this Draft Amendment, we have had only 24 hours to consider a voluminous 200 page submission. During this period of time we have identified numerous errors, inconsistencies and omissions which should be considered by Councillors prior to making a decision on this Draft Amendment.

The Town Planner's report (on which Councillors will rely) has not been peer reviewed referring to the Economic, Dust and Silica Assessment and Noise Assessment, does not adequately address social and environmental impacts. Also the economic impacts have not been adequately addressed.

The Dust and Silica Assessment and Noise Assessment Reports are completely inadequate as they assessed the road only and at a time when the business was not operating. These reports have not assessed the business operations which would have produced a completely different outcome.

The Draft Amendment will result in Land Use Conflict and impact the future urban expansion corridor (under the Longford Development Plan (2012)).

The owners / residents at 120 Catherine Street Longford (Longford House) have suffered severe health impacts from the illegal operation of a Contractor's Depot on this site. Regularising the activity will cause further harm.

Chloe Lyne, Consultant Planner (report author)

Ms Chloe Lyne provided the following response which was circulated to Councillors:

I have been contacted by the Barrett's on two separate occasions regarding their issue with their neighbours. The first occasion was early (ish) in 2021 and I declined due to workload. The second occasion was either late 2021 or early 2022 and I explained that as I was now assessing the amendment for Council that I could not take them on as a client as if I did so I would have a conflict of interest. At no stage was I ever formerly engaged by the Barrett's in any capacity. I am very careful to never undertake work for clients until such time as a Consultancy Agreement is signed and in the case of the Barrett's I didn't even move to the step of preparing a Consultancy Agreement as I told them I couldn't act for them.

I note that in early 2022 I was approached by Meredith Meeves owner of Longford House to undertake some work for them looking at the implications of the proposed provisions of the SPP - Northern Midlands LPS on their property. This was a small job that I turned around for them in less than a couple of days and at the time I was not aware of their issues with the McConnors. Regardless, the advice I provided them was simply a comparison of relevant Scheme standards.

Subsequent to providing that advice I was provided with an email that they had written to Council in mid 2021 regarding their issues with the McConnors. The email was provided to me by Paul Godier and he asked that I ensure their concerns were addressed in the s33 assessment report.

Sometimes there can be some grey in planning but in this case I am very comfortable that at no stage have I had a conflict of interest. I have assessed the amendment application on its strategic merits and note that once the new planning scheme is in place that the need for the amendment would be redundant.



15.5 Report on Representations to Draft Local Provisions Schedule

Mr John West, Chair - Poatina Village Body Corporate

Mr West provided the following statement which was circulated to Councillors:

Thank you for the invitation to reply to the Planning Department's Report to the Council outlining its response to our representation to the Draft LPS submitted to The Council on 21 December 2021.

We write on behalf of the Poatina Community embodied in the Poatina Village Body Corporate (PVBC) - Strata Title 120167 and Fusion Property Pty Ltd, the owner of Title 53397/3.

At the outset we want to acknowledge the importance of the symbiotic relationship we have had over the past 25 years with the Northern Midlands Council and the shared investment in the region's success.

We were hoping to see an 'in-principle' statement of support and some initiative from Council to consult with us given the significant difference between the Draft LPS and the substance of our Representation, noting that there will inevitably be some way to go in resolving the technical detail. However, the final resolution of detail does not prevent the Council from acknowledging support for the substance of the representation at this stage.

In our representation, we proposed that the whole area known as Poatina Village be zoned as a Particular Purpose Zone (PPZ) with a range of precincts that reflect both the lived experience of the Poatina community, its established purposes and aspirations for economic, social, environmental sustainability and enhancement to provide for future opportunities.

We consider that the Report to Council is fundamentally flawed – It contradicts its own claim to not support any major change to planning provisions (as if under instruction from the Minister in 2017) but then recommends the maintenance of a major change to the zoning (from Rural Resources use to Landscape Conservation).

The Draft LPS, as proposed, diminishes Poatina's use rights by substantially changing the current regulatory framework. This significantly threatens Poatina Village's future viability. Our representation illustrates the limitations created by the Draft LPS and the inherent and regional benefits of Poatina being zoned as a Particular Purpose Zone.

It is important to note that Poatina has the benefit of professional advice for our Representation. Jo Oliver, Director of Terra Firma Town Planning and immediate past Senior Strategic Planner at Meander Valley Council, has been advising the Poatina community and leaders throughout the process. Jo brings to the partnership and process a very strong legal and technical expertise and has a clear understanding of what is allowable and feasible through the LPS process. Jo is widely recognised as having achieved significant and strategic

outcomes in the Meander Valley LPS through working with the Tasmanian Planning Commission in the Tasmanian Planning Scheme and LPS processes. Jo will be continuing to represent the Poatina community throughout the process.

In response to the Report's rejection of our substantive and reasonable representation, we register our strong disappointment with the recommendation of "No modification to the draft LPS was required."

The Report to Council shows no consideration of the strategic merits of the Poatina Representation as required by the legislation.

Contrary to the implication in the recommendation that there should be no strategic change in the Draft LPS and that the interim scheme be translated in to the new, the legislative criteria and TPS guidelines make it absolutely clear that the LPS creates an opportunity, and more directly an obligation, that zoning and land use controls must be fit for purpose. The Draft LPS as proposed is not fit for purpose for Poatina.

The Council has also for some reason chosen not to consult with the Poatina community, both in the formation of the Draft LPS and after the Representation was made on 21 December 2021, before the recommendation to Council. It is of great concern that some communities / townships were openly consulted but others like Poatina



were not, especially given that it is a requirement of the legislation 'to encourage public involvement in resource management and planning' and 'to provide for the fair, orderly and sustainable use and development'.

We believe, and have been advised, that the basis of the recommendation to Council for 'no change to the draft LPS' is a clear denial of natural justice and procedural fairness under the Act.

Our desire is for a continued strong partnership between Northern Midlands Council and Poatina Village in building a better and stronger Northern Midlands. We believe that the Draft LPS as recommended will weaken the Poatina community's ability to thrive to the advantage of the region.

If you wish to discuss further, ...



15 PLANNING REPORTS

15.1 PLN-21-0336: LONGFORD RACECOURSE, CRACROFT STREET, LONGFORD

File: 100400.06, PLN21-0336
Responsible Officer: Maree Bricknell, Acting General Manager
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application to construct and use a mini straight at the Longford Racecourse and an extension to the horse path in Cracroft Street, Longford.

2 BACKGROUND

Applicant:

Woolcott Surveys

Zone:

Recreation Zone

Classification under the Scheme:

Sports and recreation

Deemed Approval Date:

9 March 2022

Owner:

Racecourse - DPIPWE (Crown Land Services)
Cracroft Street – Northern Midlands Council

Codes:

Carparking and Sustainable Transport Code

Existing Use:

Racecourse

Recommendation:

Approve

Discretionary Aspects of the Application:

- Variation to side setback

Planning Instrument:

Northern Midlands Interim Planning Scheme 2013, Version 37, Effective from 5 January 2022.

Preliminary Discussion

The applicant held preliminary discussions with Council officers.

Council officers advised:

- The application will be decided by Council at a Council meeting.
- Council will undertake a risk assessment of the horse path in Cracroft Street.
- A lease and public liability insurance will be required over the existing and extended horse path in Cracroft Street from TasRacing, Crown Land Services, or the trainer/s benefitting from the path.
- The applicant or another person will be responsible for construction and maintenance of the horse path.



^Image 1: Subject Site – Cracroft Street.

3 STATUTORY REQUIREMENTS

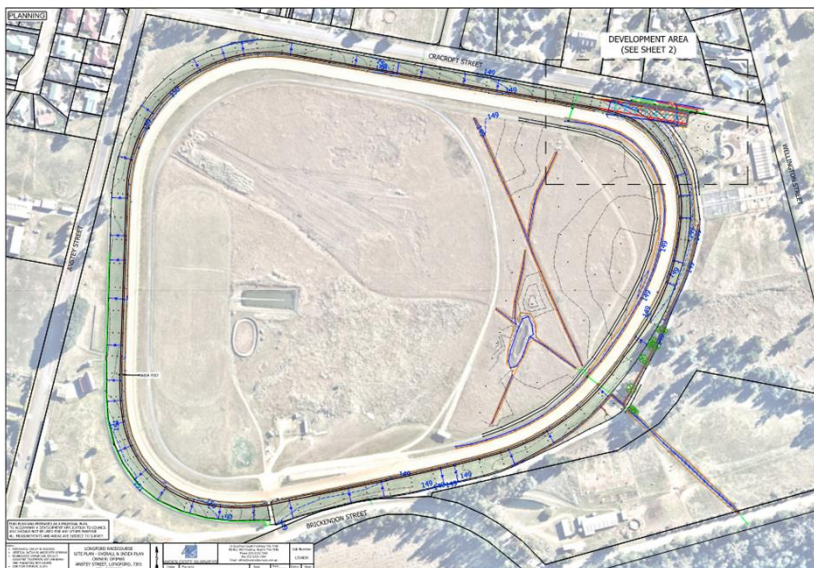
The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application). Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 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:

- construct a chute (extension of straight); and
- Extend the horse walking path in Cracroft Street.



^Image 2: Site Plan overall

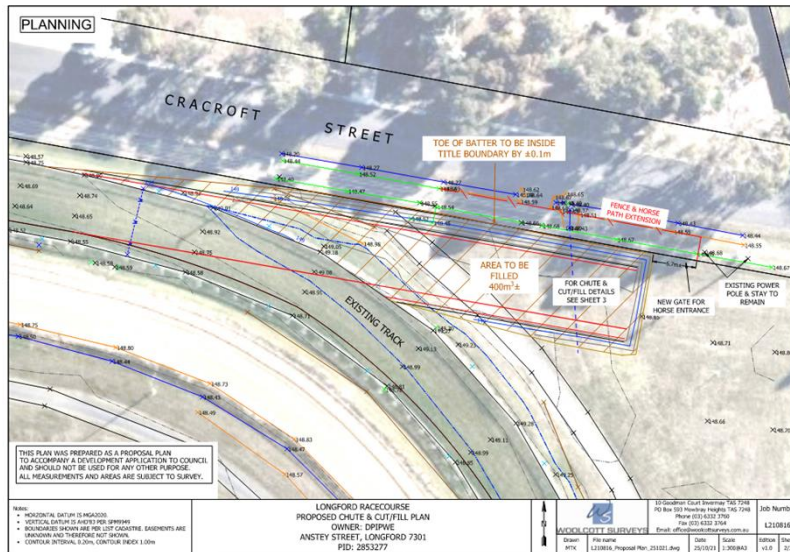


Image 3: Proposed chute and cut/fill plan

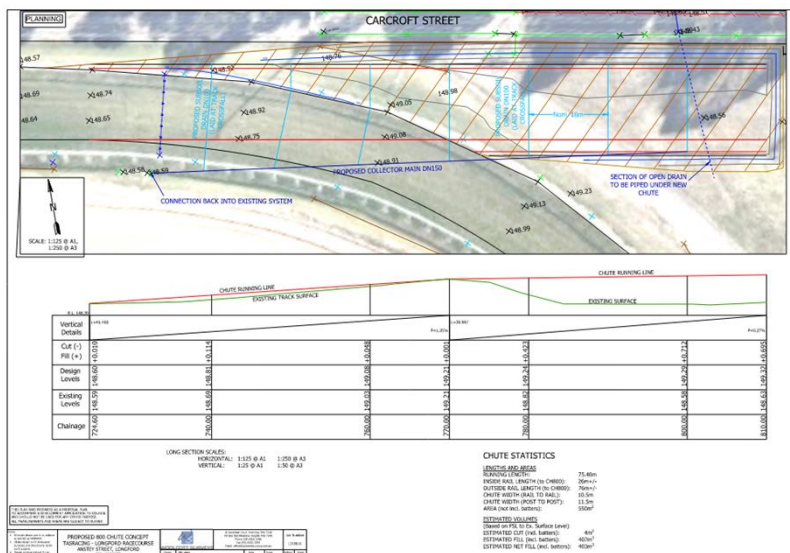


Image 4: Proposed 800 chute concept

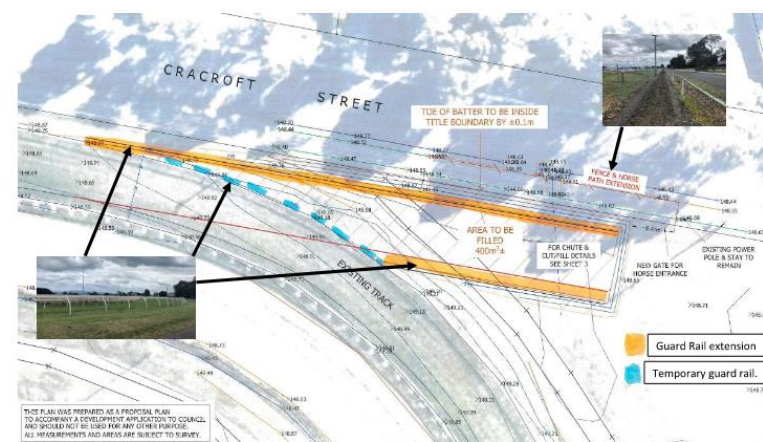


Image 5: Proposed chute, guard rail and horse path extension.

4.2 Zone and Land Use

The land is in the Recreation Zone. It is on the Tasmanian Heritage Register and is Heritage Listed in the planning scheme.

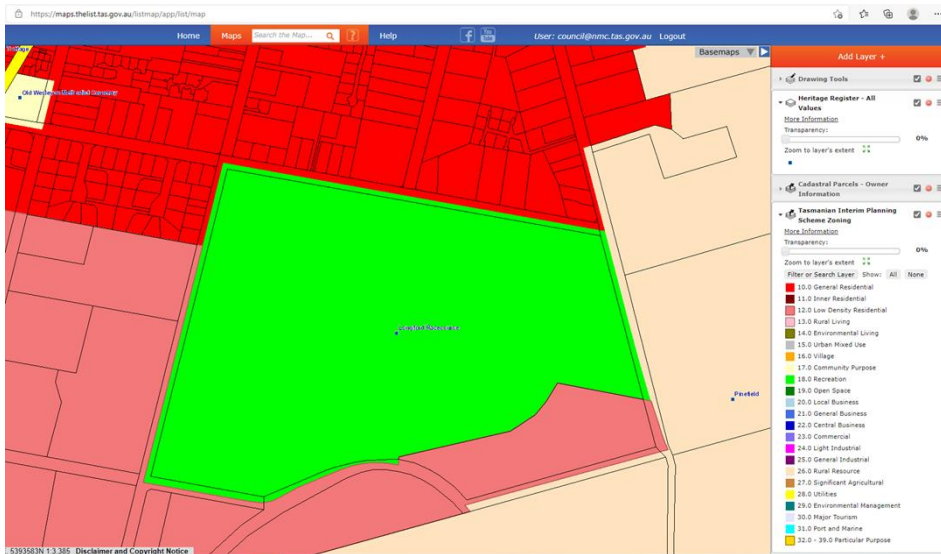


Image 6: Zone Map (Source: The LIST)

The relevant planning scheme definition is:

Sports and recreation	<i>use of land for organised or competitive recreation or sporting purposes including associated clubrooms. Examples include a bowling alley, fitness centre, firing range, golf course or driving range, gymnasium, outdoor recreation facility, public swimming pool, race course and sports ground.</i>
------------------------------	--

Sports and recreation is a permitted (with permit) use in the Recreation zone.

4.3 Subject Site and Locality

The author of this report carried out a site visit on the 10th February 2022. The site contains the Longford racecourse and is opposite residential dwellings in Cracroft Street with horse training stables on the corner of Cracroft Street and Horne Street.

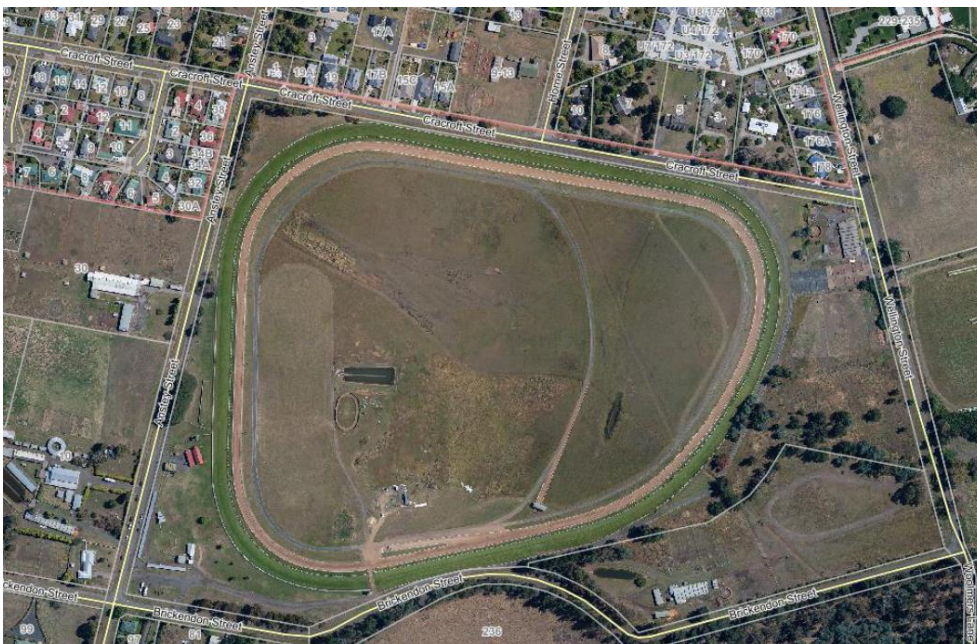


Image 7: Aerial photograph of area



4.4 Permit/Site History

None relevant to this application.

4.5 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after the public exhibition closed on 11 February revealed that no representations were received.

4.6 Referrals

Council's Heritage Advisor

Council's Heritage Advisor, David Denman, advised that this proposal will have no impact on historic heritage values and he has no objection to the proposal.

Tasmanian Heritage Council

The Tasmanian Heritage Council provided a Certificate of Exemption and commented that:

The works involve the fill and batter of a new starting chute to the Cracroft side of the Longford Racecourse. The works include alterations to, and extension of existing barrier fencing. The works are predominantly outside of the Registered CPR9861 and support the sustainable use of the place.

The proposed works are generally consistent with that which Section 9.5 of the Tasmanian Heritage Council's Works Guidelines describes as being eligible for a Certificate of Exemption.

4.7 Planning Scheme Assessment

18 Recreation Zone

18.1 Zone Purpose

18.1.1 Zone Purpose Statements

18.1.1.1 To provide for a range of active and organised recreational use or development and complementary uses that do not impact adversely on the recreational use of the land.

18.1.2 Local Area Objectives

There are no desired local area objectives

18.1.3 Desired Future Character Statements

There are no desired future character statements

18.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Crematoria and cemeteries	If for existing crematoria or cemeteries
Sports and recreation	
Discretionary	
Use Class	Qualification
Community meeting and entertainment	
Crematoria and cemeteries	If not for existing crematoria or cemeteries
Emergency services	
Motor Racing Facility	
Tourist operation	
Pleasure boat facility	If for a marina
Utilities	



Visitor accommodation	
Prohibited	
All other uses	

18.3 Use Standards

18.3.1 Amenity

Objective To ensure that uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 Operating hours must be between: a) 8.00 am and 10.00 pm where adjoining residential use; and b) 6.00 am and 12.00 am midnight where not adjoining residential use.	P1 The amenity of residential uses within the surrounding area must not be unduly impacted upon by operating hours and vehicle movements.
Comment: The extension to the horse path in Cracroft Street adjoins the residential uses on the north of Cracroft Street. The horse path might be used outside the hours listed above. Must be considered against the performance criteria.	Comment: It is considered that the use of the horse path outside the hours of 8.00 am and 10.00 pm will not unduly impact the amenity of resident uses in the surrounding area.
A2.1 The proposal must not include flood lighting where it adjoins the General residential, Low density residential, Rural living or Village zone; and A2.2 External security lighting must be contained within the boundaries of the site.	P2 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.
Comment: The application does not propose flood lighting or external security lighting – complies.	Comment: Not applicable.
A3 If for permitted or no permit required uses.	P3 Discretionary uses must not cause or be likely to cause an environmental nuisance through emissions including noise, smoke, odour and dust.
Comment: Complies.	Comment: Not applicable.

18.3.2 Recreation Zone Character

Objective To ensure that discretionary uses are of an appropriate scale and type for the zone, and to support the local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property in locations that are not visible from the road or public land.	P1 No performance criteria.
Comment: Not applicable.	Comment: Not applicable.
A2 Goods or materials storage for discretionary uses must not be outside in locations visible from adjacent properties, the road or public land.	P2 Storage of materials or equipment is consistent with the local area objectives for visual character, if any.
Comment: Not applicable.	Comment: Not applicable.



18.4 Development Standards

18.4.1 Building Design and Siting

Objective To ensure that the design and siting of buildings: a) conserves the recreation character of the area: and b) minimise disturbance to adjoining uses.	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 7m.	P1 Building height must: a) not be a dominant feature in the streetscape or landscape when viewed from a road; and b) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking.
Comment: Complies.	Comment: Not applicable.
A2 Buildings must be set back 10m from all boundaries.	P2 Building setbacks must: a) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking; and b) conserve the recreation values of the area, having regard to existing uses and developments on the site and in the area.
Comment: The chute, guard rail extension and horse path and fence extension will be closer than 10m to boundaries. Does not comply and must be considered against the performance criteria.	Comment: The chute, guard rail extension and horse path and fence extension will not have an unreasonable impact on the amenity of adjoining dwellings and will conserve the recreation values of the area. The proposal complies with the performance criteria.

18.4.2 Landscaping

Objective To ensure that the recreation values of the site are retained in a manner that contributes to the broader landscape of the area.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 Applications must demonstrate how the recreation and landscape values of the site and area will be managed by a landscape and site management plan that sets out: a) any retaining walls; and b) retention of any existing native vegetation where it is feasible to do so or required to be retained by another provision of this scheme; and c) the locations of any proposed buildings, driveways, car parking, storage areas, signage and utility services; and d) any fencing; and e) vegetation plantings to be used and where; and f) any pedestrian movement paths; and g) ongoing treatment of the balance of the lot, if any, including maintenance of plantings, weed management and soil and water management.
Comment: Complies.	Comment: Not applicable.



18.4.3 Subdivision
Not applicable.

5 FINANCIAL IMPLICATIONS TO COUNCIL

There are no financial implications to Council.

6 OPTIONS

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

7 DISCUSSION

As discussed in this report, the proposal complies with the provisions of the planning scheme. The application is recommended for approval.

Assessment of this application has identified a potential risk issue with the existing horse walking path in Cracroft Street and the proposed extension of that path. Council is to undertake a risk assessment of the horse walking path.

8 ATTACHMENTS

1. Application page [15.1.1 - 1 page]
2. Woolcott Surveys application letter 28 October 2021 [15.1.2 - 3 pages]
3. Proposal Plans [15.1.3 - 4 pages]
4. THC Exemption 29 October 2021 [15.1.4 - 1 page]
5. Central Plan Register Longford Racecourse 9861 [15.1.5 - 1 page]
6. THC Notice of (No) Interest [15.1.6 - 1 page]
7. Heritage referral response PLN 21 0336 [15.1.7 - 1 page]
8. WI referral response PLN 21 0336 [15.1.8 - 1 page]

RECOMMENDATION

That application PLN-21-0336 to develop and use land at Longford Racecourse (Property ID 2853277) Anstey Street, and Cracroft Street, Longford for a chute (mini straight), extension to guard rail & extension to horse path and fence within adjoining Cracroft St road reserve (vary side setback) be approved with the conditions below:

1) Layout not altered

The use and development must be in accordance with the endorsed documents P1-P4.

MINUTE NO. 22/56

DECISION

Deputy Mayor Goss/Cr Goninon

That application PLN-21-0336 to develop and use land at Longford Racecourse (Property ID 2853277) Anstey Street, and Cracroft Street, Longford for a chute (mini straight), extension to guard rail & extension to horse path and fence within adjoining Cracroft St road reserve (vary side setback) be approved with the conditions below:

1) Layout not altered

The use and development must be in accordance with the endorsed documents P1-P4.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



15.2 DRAFT AMENDMENT 03/2021: PLN21-0276, 26 WILMORES LANE, 86 BURGHEY STREET AND CROWN LAND, LONGFORD

File: 114000.0551, PLN21-0276
Responsible Officer: Maree Bricknell, Acting General Manager
Report prepared by: Chloe Lyne, Planning Consultant

1 INTRODUCTION

This report recommends that Council:

- Initiate and certify a draft amendment to insert the 'Storage' use class as a discretionary use within the Rural Resource Zone with the qualification:
If:
 - a) For a contractors yard; and
 - b) Only on folios of the Register 54261/7, 54260/6 and 137103/3.
- Approve a planning permit for use of the site for 'Storage' – contractors depot, extension of an existing agricultural outbuilding and construction of container dome storage.

2 BACKGROUND

Applicant:
Rebecca Green and Associates Pty Ltd

Zone:
Rural Resource

Proposal:
Site specific amendment to insert 'Storage' if for a contractors depot, as a discretionary use on folios of the Register 54261/7, 54260/6 and 137103/3 in conjunction with a s43A application for a permit to use for Storage (contractors depot) including extension of an existing outbuilding and construction of container dome storage.

Critical Date:
Decision whether or not to initiate and certify the draft amendment must be made by 16 March 2022.

Owner:
Martin McConnon and Nerinda McConnon and Crown (property services)

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

Existing Use:
Resource Development

Recommendation:
That Council initiate and certify the draft amendment and approve the planning permit

Planning Instrument:

Northern Midlands Interim Planning Scheme 2013, Version 32 Effective from 19 October 2020

Preliminary Discussion

The applicant held preliminary discussions with Council staff on the proposal.

3 STATUTORY REQUIREMENTS

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

Section 33 (1) – A person may request planning authority to initiate an amendment of a planning scheme administered by it.

Section 43A (1) - A person who requests a planning authority to amend a planning scheme may also request the planning authority to consider an application for a permit which would not be allowed if the planning scheme were not amended as requested.



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

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

Comment:

- (a) Part 7 of this report finds that the draft amendment is consistent with section 32 of the Act.
- (ab) There are no representations under section 30I relevant to the draft amendment.
- (b) This report provides advice in relation to section 65 of the Local Government Act 1993 (advice of qualified persons).

4 PROPOSAL

It is proposed to:

- Insert the 'Storage' use class as a discretionary use in the Rural Resource zone with the following qualification:
If:
 - a) For a contractors yard; and
 - b) Only on folios of the Register 54261/7, 54260/6 and 137103/3.
- Partial change of use for the purposes of 'Storage' (contractors depot), construction of extensions to an existing outbuilding and construction of dome storage.

It is noted that the application as originally submitted sought for the Storage use class to be 'permitted' (with permit) on the subject site. Given the site is proposed to be included within the Agriculture Zone in the Local Planning Provisions and 'Storage – contractors depot' is a discretionary use in that zone, it is appropriate that the proposed amendment is consistent with the likely future provisions for the site. As such, it is recommended that Council approve the use as 'discretionary' on the subject site. Further information was sought from the applicant to address the relevant discretionary provisions.

4.1 Zoning

The land is zoned Rural Resource and is subject to the Bushfire Prone Area Overlay.



Figure 1: Zoning Plan

4.2 Subject Site and Locality

The author of this report carried out a site visit on the 13/10/21.

The subject site is located at 26 Wilmores Lane and 86 Burghley Street with access over Crown Land (folio of the Register 137103/3 as shown in Figure 1. The land is located on the rural outskirts of Longford with the closest General Residential Zoned land situated approximately 320 metres to the east of the 86 Burghley Street title. The immediately adjoining land is zoned Rural Resource, however most of the surrounding lots to the north, east and south are effectively rural lifestyle allotments.



Figure 2: Subject land

26 Wilmores Lane has an area of 16.39ha with road frontage to Wilmores Lane and an unmade section of Burghley Street. Access is via an existing crossover from Wilmores Lane to the unmade section of Burghley Street. The site is relatively flat and as per the applicant's submission used for intensive grazing purposes and hay production.

The site contains an existing shed situated in the north-eastern corner and a planning permit has been issued for use and development of a dwelling situated to the south of this shed. Construction of the dwelling (PLN-18-0312) has not commenced.

86 Burghley Street has an area of 5.463ha and is currently used for grazing purposes.

The Crown Land (unmade section of Burghley Street) provides access to both titles and has an existing Licence (DPIPWE Ref 256669, dated 16 August 2019 and expiring on 30 June 2069. The extent of the Licensed land will need to be extended to provide for access to 86 Burghley Street.

The land is adjoined by broader scale agricultural properties to the west, south and north. The four properties to the east comprise:

- 18 Wilmores Lane approved as a single dwelling on 24.11.2016
- 140 Catherine Street approved for use a dwelling, ancillary dwelling and shed on 18.10.2017.
- 130 Brickendon Street approved for use as a dwelling and outbuilding on 24.12.2020.
- 120 Catherine Street, 'Longford House' contains a heritage listed dwelling.

The four landholdings mentioned above are smaller titles contained within the Rural Resource Zone.



Photographs of Subject Site



Image 1: View of site (left hand side) and Crown access road from Wilmores Lane



Image 2: View of existing shed to be extended



Image 3: View of existing shed to be extended

The majority of the site is mapped as Class 3 land with a small section in the south western corner of 26 Wilmores Lane mapped as Class 4 as shown in Figure 3



Figure 3: Land Capability as per Tasmanian Land Capability Survey

The site is not connected to reticulated services.

4.3 Permit/Site History

- BLD20/27 – Farm Shed
- PLN18-0312 Dwelling and Shed
- PLN21-0276 Planning Scheme Amendment (current application)

4.4 Reason for Proposed Amendment

The proposed site specific amendment is sought to allow use and development of the site for the purposes of ‘Storage’ being a harvesting contractors depot as a discretionary use. McConnon Agricultural Contracting is a business providing harvesting services to local farmers over the key harvest period of November to April. The McConnons own the subject land and run it for intensive sheep grazing and hay production, hence the reason a permit needs to be sought to store what is essentially typical farm machinery.

Storage is defined under Clause 8.1 as:

use of land for storage or wholesale of goods and may incorporate distribution. Examples include boat and caravan storage, contractors yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and wood yard.

Storage is a prohibited use in the Rural Resource Zone. The site specific amendment proposed is very narrow in scope to ensure other non-appropriate storage uses cannot establish on the site.

It is noted that the site is proposed to be zoned Agriculture under the Northern Midlands Local Provisions Schedule. ‘Storage’ is a discretionary use class in the Agriculture Zone if for a Contractors Depot as per Clause 21 of the Statewide Planning Provisions. As such, the proposed amendment is entirely consistent with the provisions that will apply to the site at some stage in 2022.

4.5 Public Exhibition

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

- (1) *After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in [section 32](#), the planning authority must –*



- (a) *cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period agreed to by the planning authority and the Commission; and*
- (b) *advertise, as prescribed, the exhibition of the draft amendment.*

5 FINANCIAL IMPLICATIONS TO COUNCIL

Assessment of the application is within budget allocations.

6 OPTIONS

Initiation of draft amendment

Council can:

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

Certification of draft amendment

If Council initiates the draft amendment, Council can:

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

Permit

Council can:

- Issue the permit with the recommended conditions;
- Issue the permit with different conditions; or
- Refuse the permit.

7 DISCUSSION

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

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

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

Comment: The draft amendment proposes to keep the land within the Rural Resource Zone under the Northern Midlands Interim Planning Scheme. The amendment only allows the consideration of the Storage Use Class as Discretionary on the subject site provided it is for the purposes of a contractors depot. The 'Storage' use class is discretionary if for a Contractors Depot under the Agriculture Zone of the Statewide Planning Provisions. As noted, the subject site is proposed to be within the Agriculture Zone.

The proposed use and development associated with the Contractors Depot use is akin to that which is found on many farming operations in the municipality and thus it is considered that no unreasonable conflicts will be created as a result of the site specific amendment.

The use provisions under the Rural Resource Zone, (specifically Clause 26.3.1, P1.1 and P4 a) provide protection to ensure no unreasonable loss of amenity will occur to surrounding uses.

The site is used for agricultural purposes currently and has machinery related to that enterprise stored and used on the site. Whilst the adjoining properties to the east are effectively small rural lifestyle lots, they are also on Rural Resource Zoned land and the dwellings have been approved under the current Planning Scheme and therefore on the basis that they would not constrain or conflict with adjoining rural land uses.

In relation to the specific use proposed, it is noted that the proponents have had both a Noise Assessment and Dust and Silica Exposure assessment to examine potential impacts of machinery travelling along the entrance



driveway to the site on the adjoining dwellings to the west. Both reports found that there is an acceptable risk to receptors both on and off the site.

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

Comment: The Northern Regional Land Use Strategy (NRLUS) provides overall direction on future use and development for the Northern Region. As required through Section 32(1)(ea) the proposed amendment must as far as practicable be consistent with the Regional Land Use Strategy. The Strategy was updated in 2018 to incorporate some of the directions, strategies and principles encompassed in the Greater Launceston Plan.

The Northern Tasmania Regional Land Use Strategy (NRLUS) is a key policy framework that has been established to guide land use, development, and infrastructure investment decisions across the region. A primary objective of the RLUS is to guide land use, development and infrastructure decisions made by State and local government, and key infrastructure providers.

The NRLUS contains 7 parts. Section D identifies land use areas and the subject site is within a Rural area and not identified for future urban growth.

Section E of the NRLUS outlines specific policies and actions in relation to a range of land uses and economic and liveability goals. The NRLUS recognises the importance of agriculture to the region's economy and recognising that productive land is a finite resource.

The relevant policies are replicated below along with an assessment.

Rural Land Natural Productive Resources	
ED-P6 Encourage sustainable and appropriate land use planning practices that seek to manage development and use of the region's natural resources.	ED-A6 Apply a regionally consistent GIS spatial methodology and mapping of productive agricultural land.
ED-P7 Prevent the loss of future rural production (including agriculture, mineral extraction, forestry).	ED-A7 Protect the long-term operation of rural industries and support an expanded agricultural sector.
ED-P8 Manage the region's natural economic resources to sustainably and efficiently meet the needs of existing and future communities.	ED-A8 Recognise the roll-out of irrigation schemes and ensure that these agricultural lands and future irrigation areas are appropriately zoned for primary production and protected from incompatible uses.
	ED-A9 Limit the encroachment of 'Rural Residential' styles of development onto existing and potential agricultural lands. ED-A10 In conjunction with State agencies, identify and protect regionally significant extractive industry resources.
	ED-A11 Identify natural economic resource areas and protect from further fragmentation and inappropriate land use.
	ED-A12 Identify and protect extractive and mineral resources for potential future extraction (including providing appropriate transport corridors and buffers) and protect these, ensuring that planning preserves the opportunity for discovery and development of new resources in appropriate areas.
	ED-A13 Manage, enhance and protect marine, estuarine and freshwater habitats, from development that would adversely impact upon sustainable fish

Comment:

In relation to ED-P7, whilst the site is Class 3 land, development of a contractors depot will support future rural production in the broader area.

The provisions of the Rural Resource Zone, specifically Clause 26.3.1, P2.2 require consideration of the appropriateness of conversion of Prime agricultural land. Thus, there is a safeguard built into the Scheme provisions to ensure that removal of prime agricultural land from production is of a broader benefit to the region.

The proposed amendment supports action ED-A7 by protecting the long-term operation of rural industries by allowing a vital supporting business to establish on a site which is central to the area it services as well as support services such as mechanics in Longford.

The other relevant document to consider is the Council's Strategic Plan (*Northern Midlands Strategic Plan 2017-2027*). The Strategic Plan is a high level document so there is little direct correlation with a site specific amendment as is proposed.



The section titled 'Progress' outlines economic development strategies as replicated from page 4 below.

Economic Development – Supporting Growth and Change

Strategic Outcomes

- New and expanded small business is valued
- Support new businesses to grow capacity and service
- Towns are enviable places to visit, live and work
- Minimised industrial environment impact on amenity
- Developers address climate change challenges
- Maximised external funding opportunities

The proposed site specific amendment will allow for an existing established business to have a permanent base from which to operate and provide vital harvest contracting services to the surrounding rural community.

Whilst not an industrial use per se, it is noted that use of the site as a contractors depot will have minimal impact on residential amenity, noting the dwellings on the adjoining properties are located on Rural Resource Zoned land so cannot expect the same residential amenity afforded to dwellings situated within residential zones.

The use of the site for storage purposes for contracting machinery is akin to most agricultural operations with large agricultural style sheds containing machinery.

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

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

Comment: The proposed amendment to allow one additional use class on the subject site, being Storage – contractors depot as a discretionary use is consistent with the Statewide Planning Provisions for the Agriculture Zone.

The amendment allows an existing harvest contracting business to store their machinery in a location that is centrally located in terms of access to farms in the area and access to support services such as mechanical services.

The additional use of contractors depot will have no environmental impact given the similarity with allowable resource development uses.

The amendment will have a positive economic impact in that it allows an established business to build its base in an appropriate location. The application is accompanied by an economic impact statement prepared by the proponents which details the economic value of the business to the local farming community. The business employs 12 staff for the period of the harvest season and harvests crop with a value of between \$14-\$16 million in value.

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

(2) A planning scheme may–

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

(a) set out policies and specific objectives; and

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

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

(d)

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

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

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

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



- (ha) set out provisions relating to the implementation in stages of uses or developments; and*
- (i) provide for any other matter which this Act refers to as being included in a planning scheme; and*
- (j) provide for an application to be made to a planning authority to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme.*

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

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

- (a) prevent the continuance of the use of any land, upon which buildings or works are not erected, for the purposes for which it was being lawfully used before the coming into operation of the scheme; or*
- (b) prevent the use of any building which was erected before that coming into operation for any purpose for which it was lawfully being used immediately before that coming into operation, or the maintenance or repair of such a building; or*
- (c) prevent the use of any works constructed before that coming into operation for any purpose for which they were being lawfully used immediately before that coming into operation; or*
- (d) prevent the use of any building or works for any purpose for which it was being lawfully erected or carried out immediately before that coming into operation; or*
- (e) require the removal or alteration of any lawfully constructed buildings or works; or*
- (f) prevent a development, which was lawfully commenced but not completed before the coming into operation of the scheme, from being completed within–*
 - (i) 3 years of that coming into operation; or*
 - (ii) any lesser or greater period specified in respect of the completion of that development under the terms of a permit or special permit granted before the coming into operation of the scheme.*

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

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

- (a) which has stopped for a continuous period of 2 years; or*
- (b) which has stopped for 2 or more periods which together total 2 years in any period of 3 years; or*
- (c) in the case of a use which is seasonal in nature, if the use does not take place for 2 years in succession.*

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

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

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

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

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

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

- (a) forestry operations conducted on land declared as a private timber reserve under the Forest Practices Act 1985; or*
- (b) the undertaking of mineral exploration in accordance with a mining lease, an exploration licence, or retention licence, issued under the Mineral Resources Development Act 1995, provided that any mineral exploration carried out is consistent with the standards specified in the Mineral Exploration Code of Practice; or*
- (c) fishing; or*
- (d) marine farming in State waters.*

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

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

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



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

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

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

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

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

Comment: The draft amendment is consistent with this objective. The amendment applies to the subject site (folios of the Register 54261/7, 545260/6, and 137103/3) only and part of the infrastructure required for the use is already developed (the shed on 26 Wilmores Lane). The amendment to allow one additional use class to be considered on the site as discretionary will not impact on any natural or physical resources.

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

Comment: The amendment directly reflects the likely future provisions for the site under the Statewide Planning Scheme given the Storage use class 'contractors depot' is discretionary in the Agriculture zone under the SPP's.

In addition, the nature of the additional use being allowed i.e. a contractors depot, is consistent with the type and nature of use on farming properties in the municipality i.e. large sheds to store machinery.

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

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

- (d) *to facilitate economic development in accordance with the objectives set out in [paragraphs \(a\), \(b\) and \(c\)](#).*

Comment: The draft amendment is consistent with this objective. The draft amendment allows one additional use class to be considered on the site and the application includes a permit application for use of the site for a contractors depot. The opportunity for the existing business to establish a permanent base within a location central to the area it services whilst creating employment opportunities will have a positive economic impact on the region.

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

Comment: The application, if initiated by Council will be placed on public exhibition and then any representations considered. The application will then be finally determined by the Tasmanian Planning Commission.

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

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

Comment: The proposed site specific amendment to allow one additional use class to be considered on the site which will be consistent with the treatment of the site under the Statewide Planning Provisions.

The amendment is consistent with the directions in the Northern Regional Land Use Strategy which seeks to protect primary industry uses and support the agricultural sector more broadly.

The proposed site specific amendment is entirely consistent with the provisions of the Agriculture zone under the Statewide Planning Provisions so there are no proposed changes to consider in respect of the draft amendment.

The proposal is consistent with this objective.



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

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

The proposed amendment is consistent with the Rural Resource Zone objectives and further is consistent with the State Planning Provisions of the Tasmanian Planning Scheme where Storage – Contractors Depot is a discretionary use in the Agricultural Zone which will apply to the site.

The addition of one new use class for the subject site only does not impact on the need for current or future applications to be assessed against relevant Code provisions.

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

Comment: The amendment to allow one additional use class to be considered on the site as discretionary will not impact on any natural or physical resources.

Whilst specific to the proposed use and development, the application is accompanied by both noise and dust and silica assessments which have concluded that impacts to nearby sensitive receptors is within an acceptable range.

The applicant has provided a overview of the social and economic benefits of the business to the area and the central location of the site to a broad farming area is of social and economic benefit.

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

Comment: The draft amendment is consistent with this objective.

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

Comment: The consideration of the amendment and permit application as a combined S43A furthers this objective.

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

Comment: The draft amendment is consistent with this objective.

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

Comment: The subject site is not identified within a heritage precinct or on the Tasmanian Heritage Register. The proposed site specific planning scheme amendment does not impact attainment of this objective. Whilst the adjoining property at 10 Catherine Street 'Longford House' is included on the Tasmanian Heritage Register, the Tasmanian Heritage Council has confirmed that there is no registered boundary plan for this listing and it therefore ends at its property boundaries. There is therefore no requirement for use or development external to those property boundaries to have consideration to its listing values.

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

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

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

Comment: The draft amendment does not impact on agricultural land capability. Whilst the site is Class 3 land, the area on which the contractors depot is to be developed is already constrained given existing infrastructure and proximity to dwellings to the east. The site of the contractors depot allows the balance of the farm to the



west to be used for intensive livestock grazing purpose. The use is directly associated with resource development in the surrounding area.

Must be in accordance with State Policies.

State Policy for the Protection of Agricultural Land –

The *State Policy on the Protection of Agricultural Land 2009* came into operation on 3 September 2009. The purpose of the policy is:

To conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.

The proposed amendment does not seek to rezone the land from Rural Resource. Rather it proposes to include Storage – Contractors depot as a discretionary use class on the subject site which is consistent with the Statewide Planning Provisions for the Agricultural Zone which the site is proposed to be included within. Whilst the site specific amendment will occur on the land that contains Class 3 land, the provisions at Clause 26.3.1, Discretionary use if not a single dwelling, specifically P2.2 requires an assessment of the appropriateness of conversion of prime agricultural land. This clause will apply to any future application for Storage – contractors depot at the site.

As the Planning Scheme provides provisions that consider land capability, it is considered that the proposed amendment will not impact on the attainment of the purpose of the policy.

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

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

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

7.2 ASSESSMENT OF PLANNING APPLICATION

In accordance with section 43A (former provisions) of the *Land Use Planning & Approvals Act 1993*, where a planning authority has decided to initiate an amendment under section 33(3), it may consider the application for a permit concurrently with the preparation of the requested amendment to the planning scheme.

PROPOSAL

Use

The application seeks approval to include 'Storage' as an approved use class on the site in conjunction with Resource Development (no permit required). The Storage use will be for the purposes of a Contractors Depot for the McConnon Agricultural Contracting business which primarily operates combine harvesters during the harvest season of December to April. The operations of the business are described by the business owner as follows:

- *Being seasonal work there is not much traffic on the 26 Wilmores lane outside of the period from mid-December to the end of April and come the second half of April work drops off significantly.*
- *Basically once the 7 Harvesters leave the property anywhere between mid-December to the beginning of January, they will generally not return until April sometime. They may return due to break down repairs or clean up been crop types, or once or twice as they move around the Northern Midlands between jobs.*
- *The trucks operate around the same period as they are used to support the movement of grain away from the Harvesters. Occasionally they will operate outside this period if a client requires a job to be done.*
- *The trucks are housed at our property over night during the season and will generally leave the yard sometime between 6am – 10am and return between varying times in the later part of the day or evening. These times can vary significantly depending on job scheduling or if there is inclement weather they may sit in the yard idle for up to a week.*
- *Throughout the season we also have the fuel truck refuelling at least once a week but generally this will happen sometime between 7am – 5pm Monday to Friday.*



- For the rest of the year (May – November) McConnon Ag Contracting park all the gear go into care & maintenance during May might involve a couple of employees on site for 1-2 weeks helping with clean downs and then a mechanic on site for 2-3 weeks pulling machines apart. From around September onwards we start reassembling machines which couple include a couple of mechanics and a couple of employees onsite reassembling machines.

The on-site storage of the trucks and machinery will be in an existing shed located on 26 Wilmores Lane and a series of three domes which are anchored by shipping containers to be located in the north-eastern corner of the 86 Burghley Street title. Further outdoor machinery parking is proposed along the eastern boundary of 86 Burghley Street, adjacent to the Crown Road Reserve.

Development

It is proposed to extend the existing shed on 26 Wilmore Lane by an additional 4m long bay. The overall height will remain unchanged. The extension will be to the eastern side of the shed.

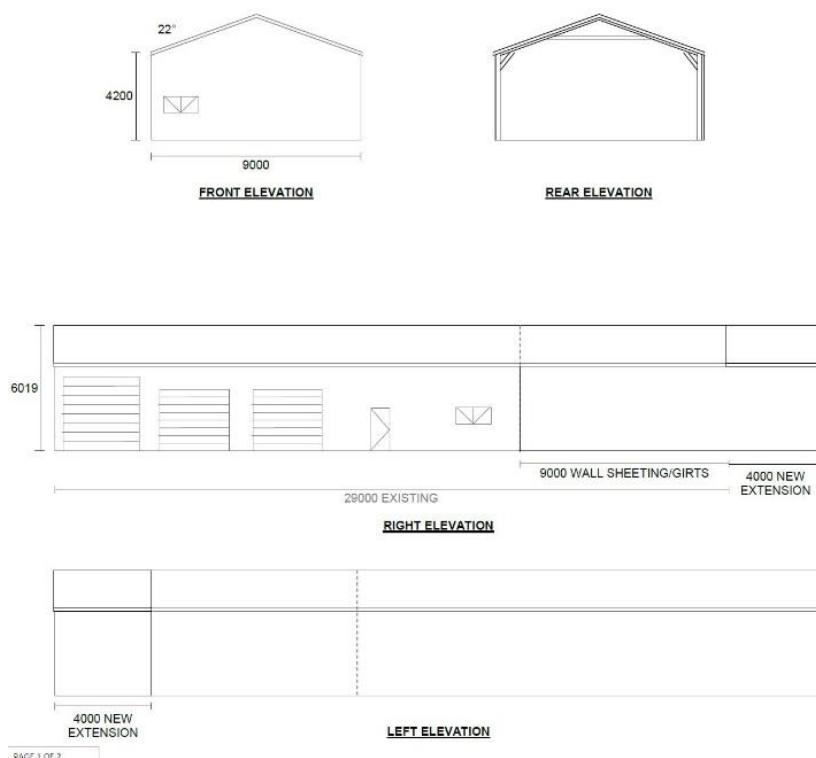


Figure 4 Proposed shed extension

A series of 3 domes for machinery storage will be constructed on 86 Burghley Street to be accessed via a new gravel driveway from 26 Wilmores Lane via the Road Reserve. The construction requires cut and fill to a depth of 700mm to create a level surface. A series of 4 shipping containers will be placed on site and the domes constructed between them. A stormwater trench will be constructed to the rear of the domes.

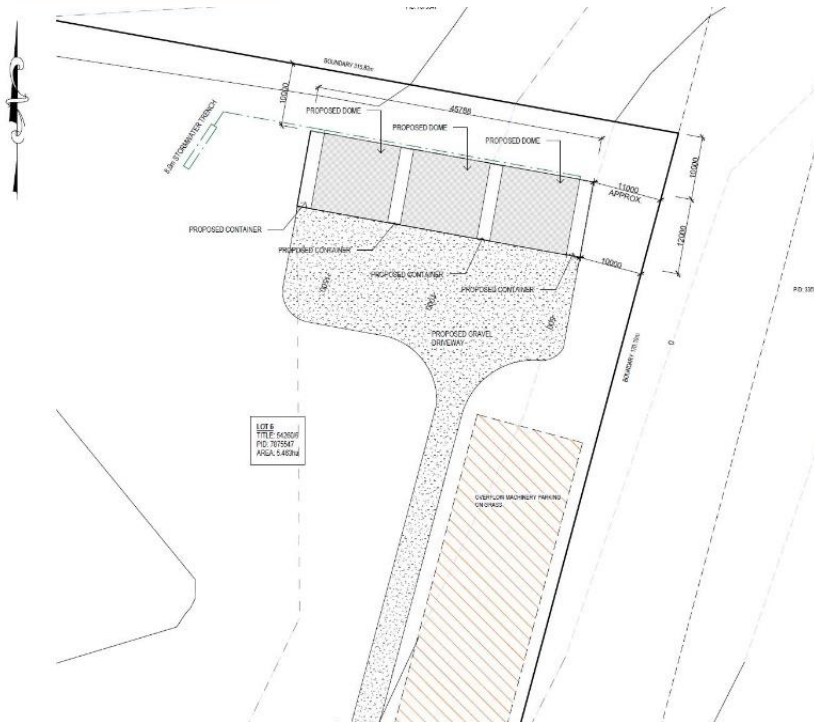


Figure 5 – Dome Storage Layout

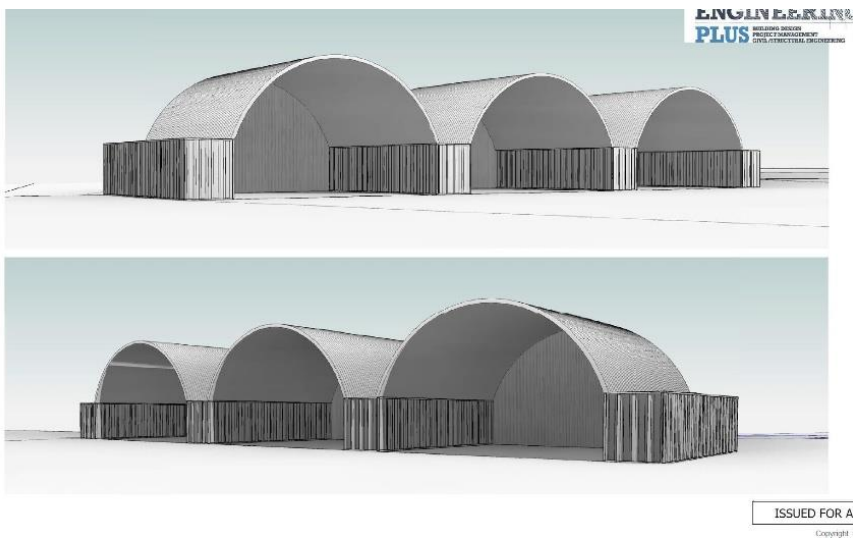


Figure 5 – View of domes

PLANNING SCHEME PROVISIONS

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.
- 8.2.2 A use or development that is directly associated with and a subservient part of another use on the same site must be categorised into the same use class as that other use.
- 8.2.3 If a use or development fits a description of more than one use class, the use class most specifically describing the use applies.
- 8.2.4 If a use or development does not readily fit any use class, it must be categorised into the most similar use class.
- 8.2.5 If more than one use or development is proposed, each use that is not directly associated with and subservient to another use on the same site must be individually categorised into a use class.



Table 8.2 includes the following use classes:

Use Class	Description
Storage	<i>use of land for storage or wholesale of goods, and may incorporate distribution. Examples include boat and caravan storage, contractors yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and wood yard.</i>

ASSESSMENT AGAINST ZONE PROVISIONS

26 Rural Resource Zone

26.1 Zone Purpose

26.1.1 Zone Purpose Statements

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

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

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

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

26.1.2 Local Area Objectives

a) Primary Industries:

Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.

The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.

Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.

b) Tourism

Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.

The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.

c) Rural Communities

Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.

26.1.3 Desired Future Character Statements

The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.



26.3 Use Standards

26.3.1 Discretionary Uses if not a single dwelling

Objective	
a)	To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.
b)	To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.
c)	To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.
d)	Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.
e)	Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.
f)	The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.
Acceptable Solutions	
Performance Criteria	
A1 If for permitted or no permit required uses.	<p>P1.1 It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</p> <p>P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m² over the site.</p>
<p>Complies with P1.1</p> <p>As 'Storage – contractors depot' is a discretionary use on the site it must be assessed against P1.1. It is considered that the use is primary industry in nature as it supports local agricultural operations. Local Area Objective 1.1.2 (a) states:</p> <p>'Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long term sustainability of the resource is not unduly compromised.'</p> <p>The proposal to utilise part of the north-eastern side of the site for a contractors depot which supports primary industry in the locality and given the proximity of the land to existing dwellings, mean it is already partly fettered from agricultural production directly supports the relevant Local Area Objective in relation to Primary Industry.</p>	
A2 If for permitted or no permit required uses.	<p>P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</p> <p>i) amount of land alienated/converted is minimised; and</p> <p>ii) location is reasonably required for operational efficiency; and</p> <p>P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</p>
<p>P2.1 Not applicable</p> <p>Complies with P2.2</p> <p>As the use is discretionary, P2.2 applies. The application is accompanied by a Economic Impact Statement which outlines the economic benefit to the region. The business harvests a range of crops with a total value of \$14-\$16 million employing 12 casual staff during harvest season. Many farmers rely on contract harvesters to harvest their crop as the cost of owning and maintaining their own equipment is cost prohibitive. The site is ideally located in a central area of the Longford/Cressy growing area and the area of land to be converted is largely already fettered due to proximity of existing dwellings to the east.</p>	



<p>A3 If for permitted or no permit required uses.</p>	<p>P3 The conversion of non-prime agricultural to non-agricultural use must demonstrate that:</p> <ul style="list-style-type: none"> a) the amount of land converted is minimised having regard to: <ul style="list-style-type: none"> i) existing use and development on the land; and ii) surrounding use and development; and iii) topographical constraints; or b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as: <ul style="list-style-type: none"> i) limitations created by any existing use and/or development surrounding the site; and ii) topographical features; and iii) poor capability of the land for primary industry; or c) the location of the use on the site is reasonably required for operational efficiency.
Not applicable	
<p>A4 If for permitted or no permit required uses.</p>	<p>P4 It must demonstrated that:</p> <ul style="list-style-type: none"> a) emissions are not likely to cause an environmental nuisance; and b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and c) the capacity of the local road network can accommodate the traffic generated by the use.
<p>Complies with P4</p> <p>The application is accompanied by a Noise Assessment and Dust and Silica Exposure assessment which concludes that there is an acceptable risk to nearby sensitive receptors on and off the site.</p> <p>The Contractor's depot will not impact on the operation of the balance of the land for intensive grazing purposes and is no different to mix use farming operations which have large on-site machinery storage adjacent to grazing and cropping operations.</p> <p>The application is accompanied by a Traffic Impact Assessment which concludes the local road network has the capacity to accommodate the additional traffic generated by the use. The assessment recommends upgrades to the access to meet TSD R05-V3 and the permit will be conditioned accordingly.</p>	
<p>A5 The use must:</p> <ul style="list-style-type: none"> a) be permitted or no permit required; or b) be located in an existing building. 	<p>P5 It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:</p> <ul style="list-style-type: none"> a) the impacts on skylines and ridgelines; and b) visibility from public roads; and c) the visual impacts of storage of materials or equipment; and d) the visual impacts of vegetation clearance or retention; and e) the desired future character statements.
<p>Complies with P5</p> <p>The visual appearance of the use being a large agricultural style shed and domes is consistent with buildings in a rural area. The site is relatively flat so there will be no impacts to skylines and ridgelines and the use is set well back from Wilmores Lane so there is limited visibility from public roads. The development does not require the removal of vegetation and is consistent with the desired future character statement.</p>	

26.3.2 Dwellings

<p>Objective</p> <p>To ensure that dwellings are:</p> <ul style="list-style-type: none"> a) incidental to resource development; or b) located on land with limited rural potential where they do not constrain surrounding agricultural operations. 	
Acceptable Solutions	Performance Criteria



<p>A1.1 Development must be for the alteration, extension or replacement of existing dwellings; or</p> <p>A1.2 Ancillary dwellings must be located within the curtilage of the existing dwelling on the property; or</p> <p>A1.3 New dwellings must be within the resource development use class and on land that has a minimum current capital value of \$1 million as demonstrated by a valuation report or sale price less than two years old.</p>	<p>P1.1 A dwelling may be constructed where it is demonstrated that:</p> <ul style="list-style-type: none"> a) it is integral and subservient to resource development, as demonstrated in a report prepared by a suitably qualified person, having regard to: <ul style="list-style-type: none"> i) scale; and ii) complexity of operation; and iii) requirement for personal attendance by the occupier; and iv) proximity to the activity; and v) any other matters as relevant to the particular activity; or b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, having regard to: <ul style="list-style-type: none"> i) limitations created by any existing use and/or development surrounding the site; and ii) topographical features; and iii) poor capability of the land for primary industry operations (including a lack of capability or other impediments); and <p>P1.2 A dwelling may be constructed where it is demonstrated that wastewater treatment for the proposed dwelling can be achieved within the lot boundaries, having regard to the rural operation of the property and provision of reasonable curtilage to the proposed dwelling; and</p> <p>P1.3 A dwelling may be constructed where it is demonstrated that the lot has frontage to a road or a Right of Carriageway registered over all relevant titles.</p>
Not applicable	

26.3.3 Irrigation Districts

<p>Objective</p> <p>To ensure that land within irrigation districts proclaimed under Part 9 of the <i>Water Management Act 1999</i> is not converted to uses that will compromise the utilisation of water resources.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i>.</p>	<p>P1 Non-agricultural uses within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i> must demonstrate that the current and future irrigation potential of the land is not unreasonably reduced having regard to:</p> <ul style="list-style-type: none"> a) the location and amount of land to be used; and b) the operational practicalities of irrigation systems as they relate to the land; and



	c) any management or conservation plans for the land.
<p>Complies with P1</p> <p>The siting of the proposed Contractors Depot, on the eastern side of each of the titles, adjacent to the road reserve minimises the land removed from agricultural production. The shed is existing and its proximity to the approved dwelling means that the north-eastern corner of 26 Wilmores Lane is unlikely to be viable for irrigation in the future. The balance of the land to the west will remain clear of development and able to be irrigated either via Pivot or Travelling irrigators.</p> <p>The proposed domes are located on the eastern side of 86 Borthley Street and again only remove a small area from irrigation potential with the balance of the western side of the property free from incombances and able to be irrigated. The construction method for the domes anchored via shipping containers also means this structure is readily removed in the future if the direction of the property owners changed and they wished to irrigate the entire lot.</p>	

26.4 Development Standards

26.4.1 Building Location and Appearance

<p>Objective</p> <p>To ensure that the:</p> <p>a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and</p> <p>b) development of buildings is unobtrusive and complements the character of the landscape.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Building height must not exceed:</p> <p>a) 8m for dwellings; or</p> <p>b) 12m for other purposes.</p>	<p>P1 Building height must:</p> <p>a) be unobtrusive and complement the character of the surrounding landscape; and</p> <p>b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal.</p>
<p>Complies with A1</p> <p>The proposed shed extension has a maximum height of 6.019 m to match the existing shed height.</p> <p>The proposed domes have a maximum height of 7.5 metres to the top of the dome.</p>	
<p>A2 Buildings must be set back a minimum of:</p> <p>a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or</p> <p>b) 200m where a sensitive use is proposed; or</p> <p>c) the same as existing for replacement of an existing dwelling.</p>	<p>P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to:</p> <p>a) the topography of the land; and</p> <p>b) buffers created by natural or other features; and</p> <p>c) the location of development on adjoining lots; and</p> <p>d) the nature of existing and potential adjoining uses; and</p> <p>e) the ability to accommodate a lesser setback to the road having regard to:</p> <p>i) the design of the development and landscaping; and</p> <p>ii) the potential for future upgrading of the road; and</p> <p>iii) potential traffic safety hazards; and</p> <p>iv) appropriate noise attenuation.</p>
Complies with P2	



The dome storage is setback 10 metres from the eastern side boundary and 10 metres from the northern side boundary whilst the shed is setback 16 metres from the eastern side boundary (reduced from its current 20m) and 15m from the rear boundary.

The proposed siting of the Storage buildings adjacent to the eastern side boundaries will not constrain adjoining primary industry operations to the east. The lot directly to the east is the Road Reserve and beyond that are small rural lifestyle allotments with dwellings constructed on them which are already removed from broadscale agricultural production.

The 10m setback of the dome storage from the northern and eastern boundaries of folio of the Register 54260/6 ensure that the balance of the lot is maximised for agricultural productivity. The lots directly to the east is the Road Reserve and beyond that are small rural lifestyle allotments with dwellings constructed on them which are already removed from broadscale agricultural production.

ASSESSMENT AGAINST CODE PROVISIONS

E4 Road and Railway Assets Code

E4.1 Purpose of Code

E4.1.1 *The purpose of this provision is to:*

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

E4.2 Application of Code

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

- a) *requires a new access, junction or level crossing; or*
- b) *intensifies the use of an existing access, junction or level crossing; or*
- c) *involves a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as:*
 - i) *a future road or railway; or*
 - ii) *a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour.*

E4.3. Definition of Terms

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

<i>Category 1 – Trunk Road</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>
<i>Category 2 – Regional Freight Route</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>
<i>Category 3 – Regional Access Road</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>
<i>Category 4 – Feeder Road</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>
<i>Category 5 – Other Road</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>

Future road or railway means a future road or railway shown on the plans of this planning scheme.

Junction means an intersection of two or more roads at a common level, including intersections of on and off ramps and grade-separated roads.

Limited access road means a road proclaimed as limited access under Section 52A of the Roads and Jetties Act 1935.

E4.4 Use or development exempt from this Code

E4.4.1 *There are no exemptions from this Code.*

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

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

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



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

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

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

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective

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.
A2	For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	P2	For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
A3	For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	P3	For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.

A1 and A2 Not applicable.

Complies with A3.

The existing access from Wilmores Lane to Burghley Street Road Reserve will be maintained and utilised. No new access or junction is proposed.



E4.7 Development Standards

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

<p>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:</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>
<p>Not applicable . The proposed use is not within 50m of a Category 1 or 2 road.</p>	

E4.7.2 Management of Road Accesses and Junctions

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



	<p><i>junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</i></p> <p>c) <i>an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</i></p>
<p>Complies with P2.</p> <p>The TIA prepared to accompany the application recommends that the access off Wilmores Lane be upgraded to cater for additional heavy vehicle traffic and ensure it meets IPWEA/LGAT standards. The upgrades will be required as a condition of permit and is considered to meet P2 (c) as it will maintain an adequate level of safety and efficiency for all road users. Upgrades required include:</p> <ul style="list-style-type: none"> Existing driveway width at road edge requires extension to meet (space to do so appears available) <p>Gate requires relocation further off road edge to accommodate vehicle parking off the road to open the gate – refer Note 2 and table on TSD R05-v3 for vehicle lengths required, suggest min 20m.</p>	

E4.7.3 Management of Rail Level Crossings

<p>Objective</p> <p><i>To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.</i></p>	
Acceptable Solutions	Performance Criteria
<p>A1 <i>Where land has access across a railway:</i></p> <p>a) <i>development does not include a level crossing; or</i></p> <p>b) <i>development does not result in a material change onto an existing level crossing.</i></p>	<p>P1 <i>Where land has access across a railway:</i></p> <p>a) <i>the number, location, layout and design of level crossings maintain or improve the safety and efficiency of the railway; and</i></p> <p>b) <i>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</i></p> <p>c) <i>it is uneconomic to relocate an existing use to a site that does not require a level crossing; and</i></p> <p>d) <i>an alternative access or junction is not practicable.</i></p>
Not Applicable	

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

<p>Objective</p> <p><i>To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</i></p>	
Acceptable Solutions	Performance Criteria
<p>A1 <i>Sight distances at</i></p> <p>a) <i>an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</i></p> <p>b) <i>rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or</i></p>	<p>P1 <i>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.</i></p>



c) <i>If the access is a temporary access, the written consent of the relevant authority has been obtained.</i>	
<p>Complies with A1.</p> <p>No new intersections or accesses are proposed. As the 85% vehicle speed at the site is 100km/h, a SISD of 250m is required. A sight distance of 750m is available to the west and in excess of 240m to the east where the junction of Wilmores Lane and Cressy Road is located.</p>	

E6 Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

<p>Objective</p> <p>To ensure that an appropriate level of car parking is provided to service use.</p>	
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>Comment: Complies with P1.</p> <p>The area of the two sites (excluding the Crown Road Reserve) is 21.853 ha requiring in excess of 1000 parking spaces. The proposal provides for a minimum of 6 light vehicle parking spaces, large gravelled areas, buildings and grass areas</p>	



for overflow machinery storage. The nature of the use is such that minimal formal car parking spaces are required. The site is primarily utilised for storage of contracting vehicles and is seasonally based. Most of the work occurs off-site on farming properties. The business employs up to 12 casual staff during peak harvesting season plus the two owners. Many of these staff may travel directly to the farms they are harvesting at for the day rather than leave from the depot. In any case, whilst only 6 formal light vehicles spaces are proposed, there is more than sufficient room on-site to cater for an additional 6 vehicles to be parked if required.

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Storage	1 space per 200m ² of the site or 1 space per 2 employees; whichever is the greater	No requirement

E6.6.2 Bicycle Parking Numbers

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

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

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

Acceptable Solutions	Performance Criteria
<p>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).</p>	<p>P1 No performance criteria.</p>
<p>Complies with A1.</p> <p>Whilst taxis are extremely unlikely to visit the site, there is more than sufficient area to provide for taxi drop off and pick up.</p>	

E6.6.4 Motorbike Parking Provisions

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

Acceptable Solutions	Performance Criteria
<p>A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.</p>	<p>P1 No performance criteria.</p>
<p>Complies with A1</p>	



There is sufficient space within the hardstand areas to provide for motorcycle parking.

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.		
Complies with P1.			
The car parking, access and manoeuvring spaces complies with A1 a). As the areas will be gravelled they don't meet A1 (b) and (c). It is considered that provision of a gravelled area for access and car parking for a harvest contractors business is an acceptable outcome. The gravel surface means that it will be useable in all weather conditions and car parking will only be used for employees as the nature of the business is such that visitors do not come to site often.			

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.
Complies with A1.			
The proposed parking area is behind the building line of the approved dwelling.			
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 with P2.			
The site is relatively flat and car parking and access spaces will have a gradient less than 10%.			



The site allows vehicles to enter and exit in a forward direction.
Access widths exceed 4.5m required.
The layout of the parking spaces and access ways accords with the relevant Australian standard.

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)
6 to 20	4.5 for initial 7m from carriageway and 3.0 m thereafter	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.
Not applicable			

E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.

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

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

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

Acceptable Solutions	Performance Criteria
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A1	For retail, commercial, industrial, service industry or warehouse or storage uses: 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.
Not applicable			

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.			
Acceptable Solutions		Performance Criteria	
A1.1	Bicycle parking spaces for customers and visitors must: 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	P1	Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
A2	Bicycle parking spaces must have: a) minimum dimensions of: i) 1.7m in length; and ii) 1.2m in height; and iii) 0.7m in width at the handlebars; and b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	P2	Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
Not applicable			

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development			
Acceptable Solution		Performance Criteria	
A1	Pedestrian access must be provided for in accordance with Table E6.5.	P1	Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Complies with P1. The site is designed to meet the needs of the users in terms of pedestrian access.			

CODES	
E1.0	Bushfire Prone Areas Code
	N/A



CODES		
E2.0	Potentially Contaminated Land	N/A
E3.0	Landslip Code	N/A
E4.0	Road & Railway Assets Code	See assessment
E.5.0	Flood Prone Areas Code	N/A
E6.0	Car Parking & Sustainable Transport Code	see assessment
E7.0	Scenic Management Code	N/A
E8.0	Biodiversity Code	N/A
E9.0	Water Quality Code	N/A
E10.0	Recreation & 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

7.3 Referrals

The following referrals were required:

Councils Works and Infrastructure Department

Summary: Council Engineering Officer Jonathan Galbraith advised he had no objections to the proposal. Conditions from his response have been included in permit conditions.

TasWater

Summary: The application was required to be referred to TasWater who advised they have no comment to make.

8 ATTACHMENTS

1. NMC Application Form [15.2.1 - 4 pages]
2. Additional Information Request 17 November 2021 [15.2.2 - 1 page]
3. Rebecca Green & Associates email response 6 February 2022 to Additional Information Request [15.2.3 - 7 pages]
4. Rebecca Green & Associates Supporting Submission February 2022 with Appendices [15.2.4 - 152 pages]
5. RE Referral to Tas Water NORTH - PL N-21-0276; 26 Wilmores Lane, 86 Burghley Street and Crown Land [15.2.5 - 2 pages]
6. WI referral response [15.2.6 - 1 page]

RECOMMENDATION

- A** That Council, under section 34 (1) (former provisions) of the *Land Use Planning and Approvals Act 1993*, initiate Draft Planning Scheme Amendment 03/2021 to amend the use table at Clause 26.2 of the Northern Midlands Interim Planning Scheme 2013 by inserting the use class 'Storage' after 'Sports and recreation' in the discretionary section of the table, with the following qualification:

If:

- For a contractors yard; and
- Only at 26 Wilmores Lane (folio of the Register 54261/7), 86 Burghley Street (folio of the Register 54260/6) and Crown Land Reserved Roads (folio of the Register 137103/3) (Burghley Street and Brickendon Street Reserved Roads).



- B** That Council, under section 35 (1) (former provisions) of the *Land Use Planning and Approvals Act 1993*, certify Draft Amendment 03/2021 as meeting the requirements of section 32 of the Act, and place it on Public Exhibition for 28 days, in accordance with section 38 of the Act.

And, if B is approved;

- C** That Council, under section 43(F) (former provisions) of the *Land Use Planning & Approvals Act 1993* resolves:

That land at 26 Wilmores Lane (folio of the Register 54261/7) and 86 Burghley Street (folio of the Register 54260/6) with access via Crown Land Reserved Roads (folio of the Register 137103/3) (Burghley Street and Brickendon Street Reserved Roads) be approved to be used and developed for the purpose of 'Storage – Contractors Yard. Subject to the following conditions:

1 Layout not altered

The use and development must be in accordance with the endorsed plans numbered as follows:

- **Drawing 14318 A01 Rev A**
- **Drawing 14318 A02 Rev A**
- **Drawing 14318 A03 Rev A**
- **Drawing 14318 A04 Rev A**
- **Drawing 14318 A05 Rev A**
- **Drawing 14318 A06 Rev A**
- **Shed Corp Extension plans x 2 pages**

2 Upgrade to Access

- 2.1 Prior to the commencement of the use, the proposed access from Woolmers Lane must be upgraded in accordance with Tasmanian Standard Drawing (TSD r05-V3) (IPWEA/LGAT, 28-04-2020).
- 2.2 Access works must not commence until an application for vehicular crossing has been approved by Council.
- 2.3 Prior to the commencement of use, the Burghley Street road reserve and the Brickendon Street road reserve must be constructed in accordance with the endorsed plan 'Locality Plan, Engineering Plus, Drawing No. 14318 A01, Rev A, 09.08.21).

MINUTE NO. 22/57

DECISION

Deputy Mayor Goss/Cr Polley

- A** That Council, refuses to initiate Draft Planning Scheme Amendment 03/2021 on land at 26 Wilmores Lane, 86 Burghley Street and Crown Land, Longford, to insert the 'Storage' use class as a discretionary use within the Rural Resource Zone with the qualification:
- If:
- For a contractors yard; and
 - Only on folios of the Register 54261/7, 54260/6 and 137103/3.
- B** That Council refuses planning permit application PLN21-0276 on land at 26 Wilmores Lane (folio of the Register 54261/7) and 86 Burghley Street (folio of the Register 54260/6) with access via Crown Land Reserved Roads (folio of the Register 137103/3), Longford, for use of the site for storage - contractors depot, extension of an existing agricultural outbuilding and construction of container dome storage.

Carried

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Cr

Davis



15.3 PLN21-0325: 15 MONASTERY COURT, LONGFORD

File: 109740.08; PLN21-0325

Responsible Officer: Maree Bricknell, Acting General Manager

Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application to construct five multiple dwellings at 15 Monastery Court, Longford.

2 BACKGROUND

Applicant:

Design to Live, Lyndon Stubbs

Zone:

General Residential

Classification under the Scheme:

Residential (multiple dwellings)

Deemed Approval Date:

26 February 2022

Owner:

Harley Developments Pty Ltd

Codes:

Carparking and Sustainable Transport Code

Existing Use:

Vacant

Recommendation:

Approve

Discretionary Aspects of the Application:

- Vary front setback from 4.5m to 3.89m.
- No separate pedestrian access.

Planning Instrument:

Northern Midlands Interim Planning Scheme 2013, Version 36, Effective from 30 September 2021.

Preliminary Discussion

Before the application was placed on public exhibition, the applicant was advised:

Council's General Manager advises that Council will not provide a wheelie bin collection service for this development due to the number of bins (5 waste and 5 recycling) compared to the available frontage.

The development will need to have a private waste collection service. Please submit revised plans showing the location of bins on site and vehicle manoeuvring for the type of vehicle that will collect the bins, able to enter and leave the site in a forward direction.

The applicant responded that waste collection is to be via private collection to be contracted with the strata corporation, private truck to be a standard B85 vehicle.



^ Image 1: Subject Site from Monastery Court

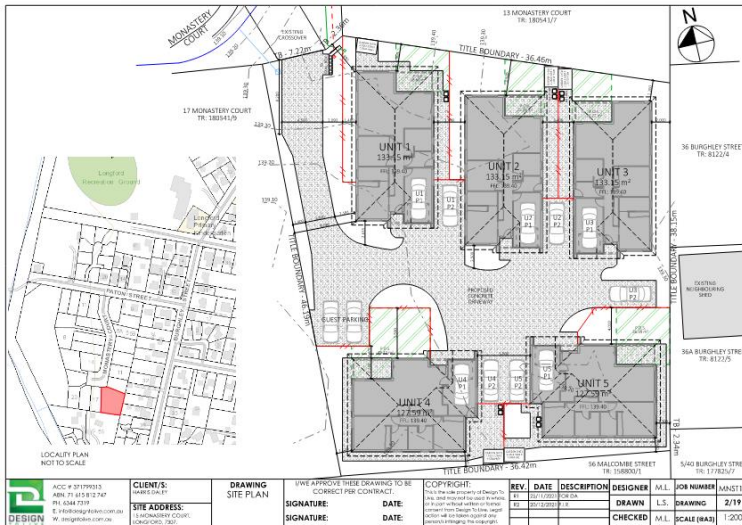
3 STATUTORY REQUIREMENTS

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.

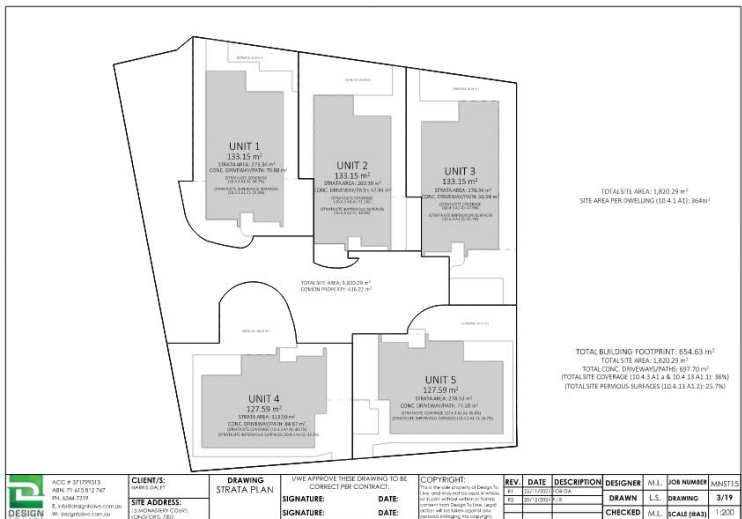
4 ASSESSMENT

4.1 Proposal

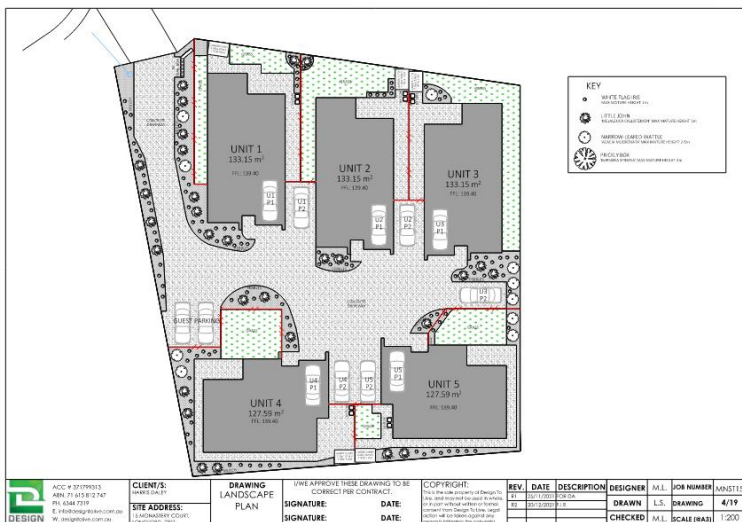
It is proposed to construct 5 multiple dwellings.



^ Image 2: Site Plan



^ Image 3: Strata Plan



^ Image 4: Landscape Plan



4.2 Zone and Land Use

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

Residential	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.
multiple dwellings	means 2 or more dwellings on a site.

4.3 Subject Site and Locality

The author of this report carried out a site visit on 10 February 2022. The site has an area of 1,820m² and is at the end of a cul-de-sac. Surrounding land contains a mix of single and multiple dwellings.



^ Image 5: Aerial photograph (2021) showing subject site highlighted and adjoining representor's property outlined in red.



^Image 6: Fence with 36 and 36A Burghley Street



^Image 7: Hedge along boundary with 56 Malcombe Street

4.4 Permit/Site History

None relevant to this application.

4.5 Referrals

- Council's Works and Infrastructure Department provided the attached response. The recommended conditions will be included in the permit.
- TasWater provided a Submission to Planning Authority Notice dated 15/12/2021.

4.6 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE

10.1 Zone Purpose

10.1.1 Zone Purpose Statements

10.1.1.1 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.

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

10.1.1.3 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.

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

10.1.2 Local Area Objectives

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

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

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

10.1.3 Desired Future Character Statements

There are no desired future character statements

10.2 Use Table

No Permit Required



Use Class	Qualification
Residential	If a single dwelling
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Residential	If a caretakers dwelling or home-based business If for multiple dwellings, except on CT 152543/1 and CT 159522/1
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Business and professional services	If a medical centre
Educational and occasional care	
Food services	If a cafe or takeaway food premises If a Restaurant on the land described in CT 3040/81 (114 Marlborough Street, Longford)
General retail and hire	If for a local shop If a hairdressing salon and the sale of clothing and accessories only on the land described in CT 110036/1 (4 Nile Road, Evandale)
Community meeting & entertainment	If not a cinema or function centre
Emergency Services	If on CT 76398/4 & 5 (176 High Street, Campbell Town)
Recycling and waste disposal	If on CT 135864/3
Residential	If a boarding house, communal residence, hostel, residential aged care facility, retirement village If on CT 152534/1 retirement village only
Resource development	If on CT 135864/3
Vehicle parking	If on CT 135864/3 and directly associated with the Evandale market
Visitor accommodation	
Utilities	If not for minor utilities
Prohibited	
All other uses	

10.3 Use Standards

10.3.1 Amenity

Objective To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.
Comment: N/a – a permitted use.	Comment: N/a
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.



Comment: N/a – a permitted use.	Comment: N/a
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.
Comment: N/a – a permitted use.	Comment: N/a

10.3.2 Residential Character – Discretionary Uses

Objective To ensure that discretionary uses support: a) the visual character of the area; and b) the local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P1 No performance criteria.
Comment: N/a – a permitted use.	Comment: N/a
A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	P2 No performance criteria.
Comment: N/a – a permitted use.	Comment: N/a
A3 Waste material storage for discretionary uses must: a) not be visible from the road to which the lot has frontage; and b) use self-contained receptacles designed to ensure waste does not escape to the environment.	P3 No performance criteria.
Comment: N/a – a permitted use.	Comment: N/a

10.4 Development Standards for Dwellings

10.4.1 Residential density for multiple dwellings

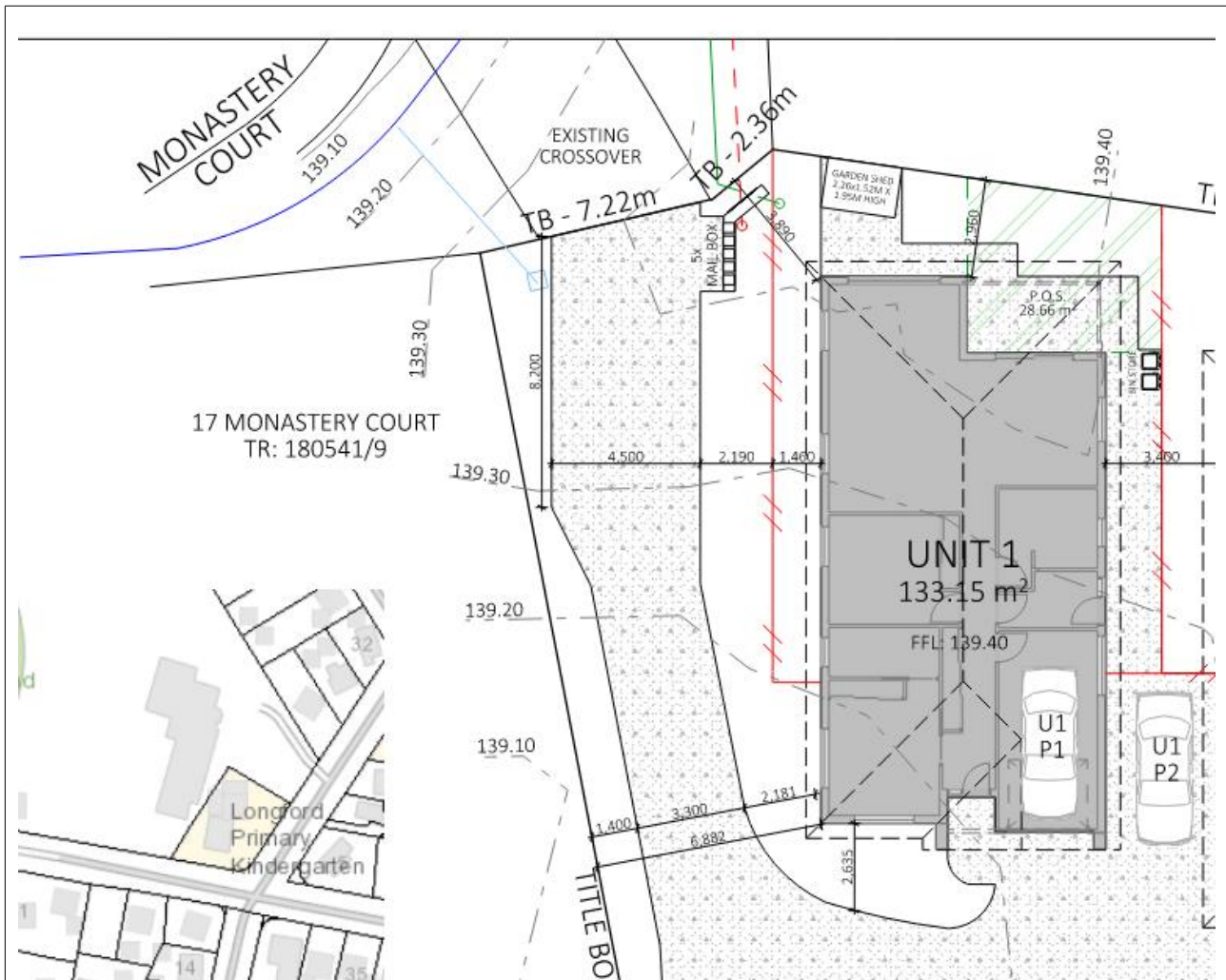
Objective:	That the density of multiple dwellings: (a) makes efficient use of land for housing; and (b) optimises the use of infrastructure and community services.
Acceptable Solutions	Performance Criteria
A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .	P1 Multiple dwellings must only have a site area per dwelling that is less than 325m ² , if the development will not exceed the capacity of infrastructure services and: (a) is compatible with the density of existing development on established properties in the area; or (b) provides for a significant social or community benefit and is: (i) wholly or partly within 400m walking distance of a public transport stop; or (ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone,



	Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.
Comment: The title has an area of 1,820m ² , giving a site area per dwelling of 1,820m ² / 5 dwellings = 364m ² . The proposal complies.	Comment: N/a

10.4.2 Setbacks and building envelope for all dwellings

Objective:	The siting and scale of dwellings: (a) provides reasonably consistent separation between dwellings and their frontage within a street; (b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings; (c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and (d) provides reasonable access to sunlight for existing solar energy installations.
Acceptable Solutions	Performance Criteria
A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level; or (e) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	P1 A dwelling must: (a) have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints; and (b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.
Comment: Front setback 3.89m does not comply.	Comment: The front setback of 3.89m is on an angle so only a triangular section of the dwelling is within the 4.5m setback, and is at the end of the cul-de-sac. For these reasons it is considered that the setback from a frontage that is compatible with the streetscape.



<p>A2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage. 	<p>P2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p>
<p>Comment: The proposal complies.</p>	<p>Comment: N/a</p>
<p>A3</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by: <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and 	<p>P3</p> <p>The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> (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

<p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>	<p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</p> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <p>(i) an adjoining property; or</p> <p>(ii) another dwelling on the same site.</p>
<p>Comment: Side and rear boundary setbacks are 1.5m or more and fit within the building envelope. The proposal complies.</p>	<p>Comment: N/a</p>

Table 10.4.2

Road	Setback (m)

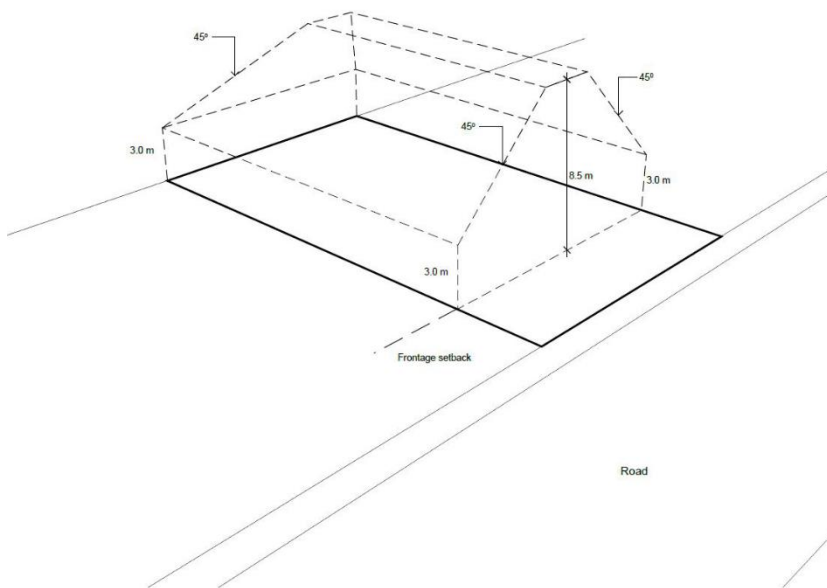


Figure 10.1 Building envelope as required by clause 10.4.2 A3(a)

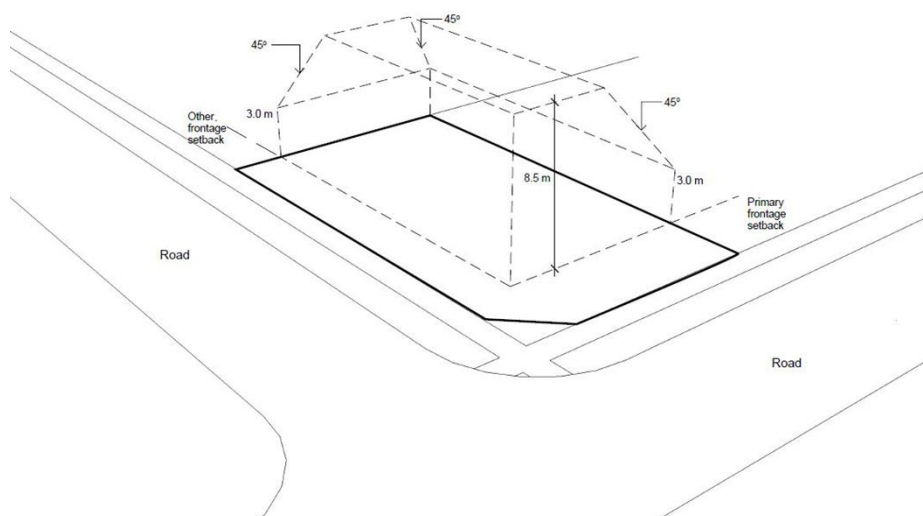


Figure 10.2 Building envelope for corner lots as required by clause 10.4.2 A3(a)

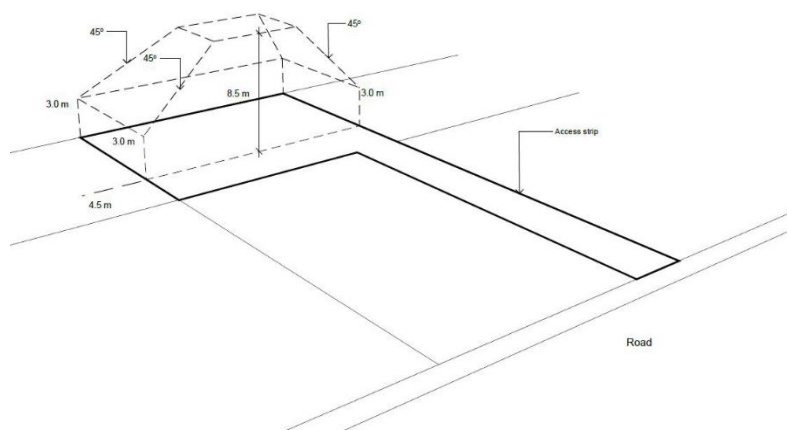


Figure 10.3 Building envelope for internal lots as required by clause 10.4.2 A3(a)

10.4.3 Site coverage and private open space for all dwellings

Objective:	That dwellings are compatible with the amenity and character of the area and provide: <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight.
Acceptable Solutions	Performance Criteria
A1 Dwellings must have: <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the 	P1 Dwellings must have: <ul style="list-style-type: none"> (a) site coverage consistent with that existing on established properties in the area; (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> (i) outdoor recreational space consistent with the projected requirements of the occupants and, for



finished ground level (excluding a garage, carport or entry foyer).	multiple dwellings, take into account any common open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (c) reasonable space for the planting of gardens and landscaping.
Comment: Total building footprint is 654.63m ² . The title has an area 1,820m ² . This gives a site coverage of 36%. The proposal complies with (a). The plans show a total area of private open space for each unit of 83m ² or more. The proposal complies with (b).	Comment: N/a
A2 A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m ² ; or (ii) 12m ² , if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.	P2 A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is: (a) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight.
Comment: For Units 1, 2 and 3 the 6m x 4m area of private open space includes the alfresco area. It is not clear whether the alfresco area is private open space, so the proposal is assessed against the performance criteria.	Comment: For Units 1, 2, and 3, the private open space is adjacent to the alfresco and kitchen which is directly accessible from the living room and dining room. The private open space is to the north. The proposal complies with the performance criteria.

10.4.4 Sunlight to private open space of multiple dwellings

Objective:	That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.
Acceptable Solutions	Performance Criteria
A1 A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 10.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting (see Figure 10.4):	P1 A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 10.4.3 of this planning scheme.

<ul style="list-style-type: none"> (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling. 	
<p>Comment: The plans show that the proposal complies with (a) as the private open space is more than 3m from a dwelling to the north on the same site.</p>	<p>Comment: N/a</p>

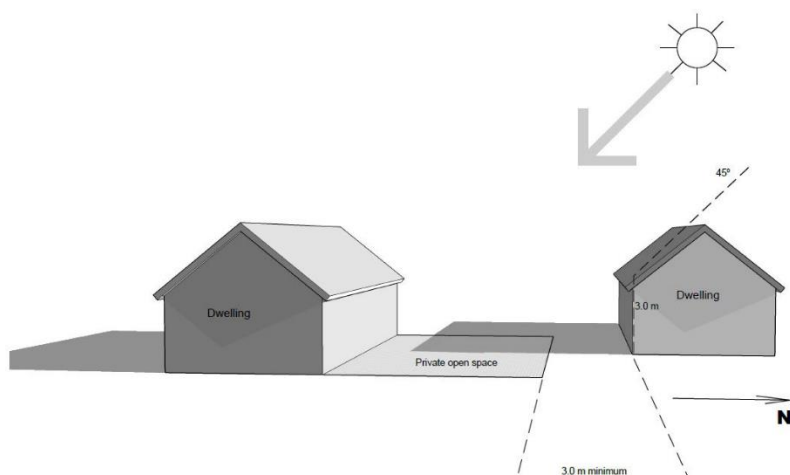


Figure 10.4 Separation from the private open space of another dwelling on the same site as required by clause 10.4.4 A1(a)

10.4.5 Width of openings for garages and carports for all dwellings

Objective:	To reduce the potential for garage or carport openings to dominate the primary frontage.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<p>P1</p> <p>A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.</p>
<p>Comment: There are no garages or carports within 12m of the frontage. The proposal complies.</p>	<p>Comment: N/a</p>

10.4.6 Privacy for all dwellings



Objective:	To provide a reasonable opportunity for privacy for dwellings.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site. 	<p>P1</p> <p>A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <ul style="list-style-type: none"> (a) a dwelling on an adjoining property or its private open space; or (b) another dwelling on the same site or its private open space.
Comment: N/a	Comment: N/a
<p>A2</p> <p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <ul style="list-style-type: none"> (a) the window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. (b) the window or glazed door: <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; 	<p>P2</p> <p>A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> (a) a window or glazed door, to a habitable room of another dwelling; and (b) the private open space of another dwelling.



<p>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	
<p>Comment: N/a</p>	<p>Comment: N/a</p>
<p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p>P3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>
<p>Comment: N/a</p>	<p>Comment: N/a</p>

10.4.7 Frontage fences for all dwellings

<p>Objective:</p>	<p>The height and transparency of frontage fences:</p> <p>(a) provides adequate privacy and security for residents;</p> <p>(b) allows the potential for mutual passive surveillance between the road and the dwelling; and</p> <p>(c) is reasonably consistent with that on adjoining properties.</p>
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>No Acceptable Solution (an exemption applies for fences in this zone – see Clause 5.0 – Exemptions*).</p>	<p>P1</p> <p>A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:</p> <p>(a) provide for security and privacy while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the height and transparency of fences in the street, having regard to:</p> <p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>
<p>Comment: The cover page shows a brick wall at the entrance, 13 bricks high (standard brick height of 76mm and mortar of 10mm x 13 = 1.1m). The front wall would therefore comply with the exemption being no higher than 1.2m:</p>	<p>Comment: N/a</p>



<p><i>*Fences (including free-standing walls) within 4.5m of a frontage, if located in the General Residential Zone or Inner Residential Zone if not more than a height of:</i></p> <p><i>(a) 1.2m above existing ground level if the fence is solid; or</i></p> <p><i>(b) 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights),</i></p> <p><i>unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.</i></p>	
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10.4.8 Waste storage for multiple dwellings

Objective:	To provide for the storage of waste and recycling bins for multiple dwellings.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations:</p> <p>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) a common storage area with an impervious surface that:</p> <p>(i) has a setback of not less than 4.5m from a frontage;</p> <p>(ii) is not less than 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</p>	<p>P1</p> <p>A multiple dwelling must have storage for waste and recycling bins that is:</p> <p>(a) capable of storing the number of bins required for the site;</p> <p>(b) screened from the frontage and dwellings; and</p> <p>(c) if the storage area is a common storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.</p>
Comment: Complies.	Comment: N/a

10.4.9 Storage for multiple dwellings

Objective	To provide adequate storage facilities for each multiple dwelling.
Acceptable Solutions	Performance Criteria
<p>A1 Each multiple dwelling must have access to at least 6 cubic metres of secure storage space.</p>	<p>P1 Each multiple dwelling must provide storage suitable to the reasonable needs of residents.</p>
Comment: Complies.	Comment: N/a

10.4.10 Common Property for multiple dwellings

Objective	To ensure that communal open space, car parking, access areas and site facilities for multiple dwellings are easily identified.
Acceptable Solutions	Performance Criteria
<p>A1 Development for multiple dwellings must clearly delineate public, communal and private areas such as:</p> <p>a) driveways; and</p>	<p>P1 No performance criteria.</p>



b) site services and any waste collection points.	
Comment: Complies.	Comment: N/a

10.4.11 Outbuildings and Ancillary Structures for the Residential Use Class other than a single dwelling

Objective To ensure: <ul style="list-style-type: none"> a) that outbuildings do not detract from the amenity or established neighbourhood character; and b) that dwellings remain the dominant built form within an area; and c) earthworks and the construction or installation of swimming pools are appropriate to the site and respect the amenity of neighbouring properties. 	
Acceptable Solutions	Performance Criteria
A1 Outbuildings for each multiple dwelling must have a combined gross floor area not exceeding 45m ² .	P1 Outbuildings for each multiple dwelling must be designed and located having regard to: <ul style="list-style-type: none"> (a) visual impact on the streetscape; and (b) compatibility with the size and location of outbuildings in the neighbourhood.
Comment: Complies.	Comment: N/a
A2 A swimming pool for private use must be located: <ul style="list-style-type: none"> (a) behind the setback from a primary frontage; or (b) in the rear yard. 	P2 A swimming pool for private use must designed and located to: <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.
Comment: N/a	Comment: N/a

10.4.12 Site services for multiple dwellings

Objective To ensure that: <ul style="list-style-type: none"> a) site services for multiple dwellings can be installed and easily maintained; and b) site facilities for multiple dwellings are accessible, adequate and attractive. 	
Acceptable Solutions	Performance Criteria
A1 Provision for mailboxes must be made at the frontage.	P1 Sufficient space (including easements where required) for mail services must be provided for each multiple dwelling.
Comment: Complies.	Comment: N/a

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

Comment: Not applicable.

10.4.14 Non Residential Development

Comment: Not applicable.

10.4.15 Subdivision

Comment: Not applicable.



CARPARKING AND SUSTAINABLE TRANSPORT CODE

E6 Car Parking and Sustainable Transport Code

E6.1 Purpose of Code

E6.1.1 The purpose of this provision is to:

- (a) ensure that an appropriate level of car parking facilities are provided to service new land use and development having regard to the operations on the land and the nature of the locality; and
- (b) ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas; and
- (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; and
- (d) ensure that parking does not adversely impact on the amenity of a locality and achieves high standards of urban design; and
- (e) ensure that the design of car and bicycle parking space and access meet appropriate design standards; and
- (f) provide for the implementation of parking precinct plans.

E6.2 Application of Code

E6.2.1 This code applies to all use and development of land.

E6.3 Required Application Information

E6.3.1 In addition to the normal requirements of development applications and where car parking or sustainable transport facilities are required to be provided, a plan drawn to scale and dimensioned must be provided as part of the application showing:

- (a) all car spaces to be provided on the site (or being relied on as part of the development); and
- (b) access strips and manoeuvring and circulation spaces; and
- (c) all access strips onto the site from roads; and
- (d) details of the existing and proposed surface treatments for all car parking access strips and manoeuvring and circulation spaces; and
- (e) all facilities proposed for cycling or public transport users.

E6.3.2 Council may also require a Traffic Impact Assessment from a suitably qualified person to accompany a development application where it is assessed as having the potential to adversely impact on the traffic circulation, safety or network efficiency in the surrounding area.

E6.4 Definition of Terms

Category 1 – Trunk Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Category 2 – Regional Freight Route means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Category 3 – Regional Access Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Category 4 – Feeder Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Category 5 – Other Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Parking Precinct Plan means a strategic plan relating to the parking of cars, bicycles and other vehicles within a defined area which is incorporated into the planning scheme and listed as additional component to this Code. A Parking Precinct Plan must include the following information:

- a) the purpose of the plan; and
- b) the area to which the plan applies; and
- c) the parking outcomes to be achieved by the plan; and
- d) an assessment of car parking demand and supply in the precinct area; and
- e) the locational, financial, landscape and other actions or requirements necessary to implement the parking precinct plan.

Parking Precinct Plans are contained in Table E6.6 to this code.

E6.5 Use or Development Exempt from this Code

E6.5.1 There are no exemptions to this 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>
Comment: The proposal complies as it provides the required two spaces per dwelling and two visitor parking spaces.	Comment: N/a

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	P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the:



<p>within 50m of the site in accordance with the requirements of Table E6.1; or</p> <p>A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</p>	<p>a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and</p> <p>b) location of the site and the distance a cyclist would need to travel to reach the site; and</p> <p>c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.</p>
<p>Comment: The scheme requires 1 bicycle space per unit. These are available in the garages for each unit. The proposal complies.</p>	<p>Comment: N/a</p>

E6.6.3 Taxi Drop-off and Pickup

<p>Objective</p> <p>To ensure that taxis can adequately access developments.</p>	
Acceptable Solutions	Performance Criteria
<p>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).</p>	<p>P1 No performance criteria.</p>
<p>Comment: N/a</p>	<p>Comment: N/a</p>

E6.6.4 Motorbike Parking Provisions

<p>Objective</p> <p>To ensure that motorbikes are adequately provided for in parking considerations.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.</p>	<p>P1 No performance criteria.</p>
<p>Comment: When this provision is read in conjunction with the State Planning Provision that for 0-20 carparking spaces, 0 motorbike parking spaces are required, this development does not require motorbike parking.</p>	<p>Comment: N/a</p>

Table E6.1: Parking Space Requirements (extract)

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



visitor parking for multiple dwellings in the General Residential Zone	1 dedicated space per 4 dwellings (rounded up to the nearest whole number); or If on an internal lot or located at the head of a cul-de-sac, 1 dedicated space per 3 dwellings (rounded up to the nearest whole number)	
Residential use in any other zone or any other residential use in the General Residential Zone	1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space for every 5 dwellings	

Notes:

1. The number of parking spaces required is to be calculated on the basis of the area of each new or expanded use on the application site and/or the additional number of people capable of using the site, where indicated.
2. Each space is to be individually accessible (not jockey or tandem), except for single dwellings and multiple dwellings where spaces are tandem for individual units only.
3. Fractions of a space are to be rounded to the nearest whole number, so that a full number of spaces is provided for any fraction of a quota of floor area or number of employees.
4. Where a proposal contains multiple use classes, the car parking requirements must be calculated as the sum of the requirements for each individual use component.

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective To ensure that car parking spaces and access strips are constructed to an appropriate standard.	
Acceptable Solutions	Performance Criteria
A1 All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
Comment: A condition is required.	Comment: N/a

E6.7.2 Design and Layout of Car Parking

Objective To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.	
Acceptable Solutions	Performance Criteria
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to: a) the layout of the site and the location of existing buildings; and b) views into the site from the road and adjoining public spaces; and c) the ability to access the site and the rear of buildings; and d) the layout of car parking in the vicinity; and



	e) the level of landscaping proposed for the car parking.
Comment: Complies with A1.1 and A1.2.	Comment: N/a
<p>A2.1 Car parking and manoeuvring space must:</p> <p>a) have a gradient of 10% or less; and</p> <p>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</p> <p>c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3</p>	<p>P2 Car parking and manoeuvring space must:</p> <p>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</p> <p>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.</p>
<p>Comment:</p> <p>A2.1 a) and b) – complies.</p> <p>A2.1 c) – access is 4.5m for the first 8m from the boundary and then 3.3m thereafter – complies.</p>	Comment: N/a
<p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>P2 Car parking and manoeuvring space must:</p> <p>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</p> <p>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.</p>
<p>Comment: The garages are to be 6m long x 3m wide, however the pedestrian doors swing inwards, reducing the amount of available space. The Australian Standard requires:</p> <ul style="list-style-type: none"> • a width of 2.4m plus 0.3m each side for door opening; • a length of 5.4m. <p>It is recommended the doors be sliding doors or open outwards.</p> <p>Except for U4 P2 and U4 P2, the open car spaces are to be at least 3m wide and 6m long. For the proposed 90 degree parking the Australian Standard requires spaces to be 2.4m wide x 5.4m long with an aisle width of 5.8m. The proposal complies except for U4 P2 and U4 P2 which must be assessed against the Performance Criteria.</p>	<p>Comment: Car spaces U2 P2 and U5 P2 are open, adjacent to each other, and have a total width of 5.8m and length of 6m. Given it is unlikely both doors on both cars will be opened at the same time, and that this can be managed by the occupants, the proposal complies with the Performance Criteria.</p>



Table E6.2: Access Widths for Vehicles

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
1 to 5	3.0m	Every 30m
6 to 20	4.5m* for initial 7m from road carriageway and 3.0m thereafter	Every 30m
21 and over	5.5m	Not applicable

***Note 1**

1. Carriageways must have an internal radius of at least 4.0 metres at changes of direction or intersections or be wider than 4.2 metres.

Note 2

1. Passing bay area is additional to the required carriageway width.
2. For one-way operation the minimum access width is 3 metres and there is no passing bay requirement.

Table E6.3: Width of Access and Manoeuvring Space adjacent to Parking Spaces

Angle of Car Spaces to Access Strip	Access Strips Widths	Car Park Widths	Car parking length
Parallel	3.6m	2.3m	6.7m
45 degrees	3.5m	2.6m	5.4m
60 degrees	4.9m	2.6m	5.4m
90 degrees	6.4m	2.6m	5.4m
	5.8m	2.8m	5.4m
	5.2m	3.0m	5.4m
	4.8m	3.2m	5.4m

Notes:

1. A building may project into a parking space provided it is at least 2.1 metres above the parking surface level.
2. If entry to the car space is from a road then the width of the access strips may include the road

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: a) secured and lit so that unauthorised persons cannot enter or; b) visible from buildings on or adjacent to the site during the times when parking occurs.	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) levels of activity within the vicinity; and b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.
Comment: N/a	Comment: 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.
Comment: Not required for multiple dwellings.	Comment: 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. No performance criteria.
Comment: Not required for multiple dwellings.	Comment: 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: 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.
Comment: N/a	Comment: N/a

Table E6.4: Loading bays

Floor area of the Building	Minimum Loading Bay Dimensions	
2600m ² or less in a single occupation	Required Area	27.4m ²
	Required Length	7.6m
	Required Width	3.6m
	Required Height Clearance	4.0m
For every additional 1,800m ² or part thereof of building floor area	An additional 18m ² of area	

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: a) be accessible from a road, footpath or cycle track; and	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.



<p>b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and</p> <p>c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and</p> <p>d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and</p> <p>A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</p>	
<p>Comment: Available in the garages for each unit. Complies.</p>	<p>Comment: N/a</p>
<p>A2 Bicycle parking spaces must have:</p> <p>a) minimum dimensions of:</p> <p>i) 1.7m in length; and</p> <p>ii) 1.2m in height; and</p> <p>iii) 0.7m in width at the handlebars; and</p> <p>b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.</p>	<p>P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.</p>
<p>Comment: Available in the garages for each unit. Complies.</p>	<p>Comment: N/a</p>

E6.8.5 Pedestrian Walkways

<p>Objective To ensure pedestrian safety is considered in development</p>	
Acceptable Solution	Performance Criteria
<p>A1 Pedestrian access must be provided for in accordance with Table E6.5.</p>	<p>P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.</p>
<p>Comment: 12 parking spaces are required. For 11 or more spaces, Table E6.5 requires a 1m wide footpath. Has not provided a Traffic Impact Assessment to support the Performance Criteria. It is recommended that revised plans be required showing a 1m wide footpath adjacent to Unit 1 with bollards or planters between the footpath and the driveway.</p>	<p>Comment: N/a</p>

Table E6.5: Pedestrian Access

Number of Parking Spaces Required	Pedestrian Facility
1–10	No separate access required (i.e. pedestrians may share the driveway). [Note (a) applies].
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.

Table E6.6 - Parking Precinct Plans

Not used in this Scheme

4.7 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 were received from:

B Simpson, 56 Malcombe Street, Longford

Setbacks on Units 4 and 5 are too close to the boundary. Setback measurements from face brick at 1.590m and do not allow for eave and gutters at 620mm which would have the face of the gutter 970mm from the boundary line.

Comment: The relevant scheme provision is a dwelling, excluding protrusions that extend not more than 0.9m horizontally beyond the envelope must only have a setback of less than 1.5m from the rear boundary if the dwelling does not exceed a total length of 9m or one third the length of the boundary whichever is the lesser. Protrusion is defined as 'awnings, steps, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services'. The setback of 1.59m to the face brick therefore complies.

The hawthorn hedge acts as a privacy screen and wind break. Suggests a reduction of the backyards of units 1, 2 and 3 and moving the development northward.

Comment: The applicant has not agreed to moving the units northward and this cannot be required under the planning scheme. It is recommended that the developer be required to construct a 1.8m high solid fence adjacent to the hedge for privacy.

Cannot see how truck can retrieve bins from areas stated.

Comment: The applicant proposes to use a private B85 vehicle (4.9m long x 1.87m wide) to remove rubbish from the development. In further discussion, the applicant advised that options include the private waste collector parking in the street and wheeling the bins from the site to the truck, or an exchange service where a ute or van parks on site, brings in empty bins and takes away full bins.

M Rhodes, no address provided

10.4.3 *The proposed private open spaces of units 1, 2 and 3 include portions encumbered by a roof over the portion marked 'alfresco' and in some instances landscaping.*

In B Overton, A Knight, P Rose, J Tchappat and P Woolston t/a KTW Property Group v Launceston City Council [2013] TASRMPAT 104 (26 September 2013) where the RMPAT (now TASCAT) clarified the definition of private open space as follows:

Private open space is defined as meaning "outdoor space" and does not include covered areas of the sort marked as "alfresco".

Whilst landscaping can be positioned elsewhere, excluding the portion marked 'alfresco' would likely result in the inability of the broader private open spaces of units 1 and 3 being capable of accommodating a 24m² space with a minimum 4m horizontal dimension.

Comment: The Tribunal decision states, '...in respect of Townhouses 5-8, reliance upon an area of building comprising three walls, one open side and with a floor area above, does not in the Tribunal's view constitute private open space.'



Private open space is defined as meaning “outdoor space” and does not include covered areas of the sort marked as “alfresco”. The areas marked “alfresco” on Townhouse 5-8 on ground level should therefore be excluded because they are not outdoor areas and do not meet the definition of open space.’

If the alfresco areas are excluded from private open spaces, units 1, 2 and 3 don’t achieve a 6m x 4m area of open space and must be considered against the performance criteria:

A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children’s play and is:

- *conveniently located in relation to a living area of the dwelling; and*
- *orientated to take advantage of sunlight.*

For units 1, 2, and 3, the private open space is adjacent to the alfresco and kitchen which is directly accessible from the living room and dining room. The private open space is to the north. The proposal complies with the performance criteria.

10.4.4 The Scheme appears to not adequately address overshadowing potentially caused by neighbouring buildings, which is in effect a double standard given a building on a neighbouring site can overshadow a private open space on an adjacent site in the same way a multiple dwelling on the same site could overshadow another multiple dwelling’s private open space.

With construction of a two-storey dwelling on the site immediately north of the subject site, it would be remiss not to consider any potential overshadowing impact this may create for the private open spaces of units 1, 2 and 3.

Comment: Agree that the scheme does not adequately address overshadowing potentially caused by neighbouring buildings. However, the application must be assessed against the scheme provisions.

E6.7.2 The drawings do not provide swept path diagrams demonstrating the turning requirements to enter and exit all parking spaces and it is subsequently unclear whether there is adequate turning space within the site to achieve this. Scaling the drawings using the figured dimensions also suggests the ‘B85’ vehicle shown is some 240mm shorter and 30mm narrower than the dimensions given in AS2890.1:2004.

The proposal also notes rubbish and recycling will be collected by a private contractor using a B85 vehicle. However, the B85 vehicle is unlikely to be commensurate with the size of such a vehicle and the Applicant should subsequently identify the likely vehicle(s) to be used and further demonstrate such a vehicle could safely, efficiently and conveniently turn within the site to permit entry and exit in a forward direction.

Comment: The applicant acknowledges that there is a slight scaling issue with the car on the parking and turning plan, however the ‘sweep paths’ and ‘turning circles’ shown are within AS2890.

The applicant advises that rubbish collection will be by private collection using a B85 vehicle. Although not specified it is thought this would be by using a ute to take rubbish and recycling off site.

E6.6.2 A1.2; E6.8.2 A1.2 + A2

No bicycle parking spaces have been shown on the drawings in accordance with Table E6.1, so it is unclear where secure bicycle storage is available.

To comply with AS2890.1:2004, the garages are of insufficient size to house the bicycle parking space of dimensions given in the Scheme. Similarly, the width would be insufficient to provide for safe, convenient and efficient access. On this basis, it is assumed storage would be provided in the storage sheds for each unit with access via the areas indicated to be paved given the drawings do not show gate locations.

The 3400mm wide parking spaces between units 1 and 2 and 2 and 3 are such that a B85 vehicle parked centrally in the space would leave 765mm either side.

The 5800mm wide parking space for two vehicles between units 4 and 5 is such that with two B85 vehicles parked, three equal gaps of 687mm would remain (or less if the vehicles were parked centrally to the strata boundary).



These dimensions fall well short of the 2000mm required under E6.8.2 A1.2 (and may similarly present issues for wheeling waste bins past vehicles). On this basis, reliance on the performance criteria is required.

To wheel a bicycle past a parked vehicle requires adequate clearances to avoid any potential for damage to the vehicle. With some mountain bike handlebars having widths in excess of 800mm, a minimum 1200mm should be allowed.

The simplest solution for units 1, 3, 4 and 5 would be to provide a gate which provides access to the shared driveway without needing to pass through a dedicated parking space (unit 3 may require this regardless given U2 P2 is technically associated with another strata property).

For unit 2, moving the entire unit west to increase the width of U2 P2 would be the most viable option.

Comment: Moving unit 2 west would encroach on the space available for a pedestrian path. Rather, it is recommended that unit 3 and its fence be moved 0.5m east so that it is the permitted 1.5m off the boundary to increase the width of U2 P2. It is also recommended that the location of gates be specified so that bicycles and wheelie bins are not taken through car spaces with insufficient width.

E6.6.4 A1 A dedicated motorcycle parking space is required for compliance.

Comment: The scheme requires 'One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof'. When this provision is read in conjunction with the State Planning Provision that for 0-20 carparking spaces, 0 motorbike parking spaces are required, this development does not require motorbike parking.

4.8 Objectives of the Land Use Planning and Approvals Act 1993

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

4.9 State Policies

The proposal is consistent with all State Policies.

5 FINANCIAL IMPLICATIONS TO COUNCIL

There are no financial implications to Council.

6 OPTIONS

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

7 DISCUSSION

The variations to the Acceptable Solutions are discussed in this report and found to comply with the Performance Criteria. One additional matter for discussion is fencing. The application does not propose to replace or construct boundary fencing.

Boundary with 13 Monastery Court: No fence exists. A single dwelling is nearing completion on 13 Monastery Court. It is expected that this boundary would be fenced, and the cost shared between each owner regardless of whether 15 Monastery Court is developed with multiple dwellings or a single dwelling.

Boundary with 17 Monastery Court: No fence exists. A single dwelling is nearing completion on 17 Monastery Court. It is expected that this boundary would be fenced, and the cost shared between each owner regardless of whether 15 Monastery Court is developed with multiple dwellings or a single dwelling.

Boundary with 36 Burghley Street: Image 6 shows that the fence is in reasonable repair. Also, this fence is between a narrow, and therefore relatively unused, strip of land for unit 3 and the backyard of 36 Burghley Street. No upgrade to the fence for privacy or amenity is required.



Boundary with 36A Burghley Street: Image 6 shows that this is adjacent to a shed on 36A Burghley Street. No upgrade to the fence for privacy or amenity is required.

Boundary with 56 Malcombe Street: Image 7 shows the Hawthorn hedge on this boundary. It is expected that the hedge will be trimmed back to provide for units 4 and 5. A representation from the owner of 56 Malcombe Street is concerned with loss of the hawthorn hedge as it acts as a privacy screen and wind break. It is recommended that that developer be required to construct a 1.8m high solid fence to retain privacy for 56 Malcombe Street.



Image 8: Aerial photograph (2021) showing subject site highlighted in red and adjacent properties outlined in red

8 ATTACHMENTS

1. Application Form [15.3.1 - 1 page]
2. Folio Plan-180541-8 [15.3.2 - 1 page]
3. Additional Information Request [15.3.3 - 1 page]
4. Applicant's response to request for information [15.3.4 - 1 page]
5. Proposal Plans DTL MNS T 15 R 2.0 [15.3.5 - 19 pages]
6. Tas Water SPAN TWDA 2021 02171- NMC [15.3.6 - 2 pages]
7. WI referral response PLN 21 0325 15 Monastery Court Longford [15.3.7 - 3 pages]
8. Representation B Simpson [15.3.8 - 1 page]
9. Representation M Rhodes [15.3.9 - 2 pages]

RECOMMENDATION

That application PLN-21-0325 to develop and use the land at 15 Monastery Court for 5 Multiple Dwellings be approved with the conditions below:

1 Layout not altered

Except as required by Condition 2, the use and development must be in accordance with the endorsed documents:

- P1 – P19 Design to Live drawings 1/19 – 19/19, Rev. R2, 20/12/2021, Job Number MNST15.

2 Revised plans required

Before the Building Permit is issued, revised plans must be submitted. When approved, the plans will be endorsed and will form part of this permit. The plans must be substantially in accordance with the endorsed plans but revised to show:

- Clothes lines for each unit.



- Pedestrian access doors to garages sliding or opening outwards (to provide the space in the garages required by the scheme).
- Unit 3 moved 0.5m eastward.
- A 1m wide footpath 1m between the driveway and Unit 1, with bollards or planters between the footpath and the driveway.
- The location and height of all proposed fencing.
- The fence between unit 2 and unit 3 moved 0.5m eastward.
- The location of all gates.
 - Gate for unit 1 **not** adjacent to U1 P1 car parking space (to allow for adequate space to move wheelie bins and bicycles).
 - Gate for unit 2 **adjacent to** U2 P2 car parking space. (to allow for adequate space to move wheelie bins and bicycles).
 - Gate for unit 3 **not** adjacent to U2 P2 car parking space (to allow for adequate space to move wheelie bins and bicycles).
- A 1.8m high solid fence between the development and 56 Malcombe Street.

Council's Works and Infrastructure Department Conditions

3.1 Stormwater

- a) Each dwelling 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.
- b) Concentrated stormwater must not be discharged into neighbouring properties
- c) Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- d) All driveways and hardstand areas must be designed to allow stormwater run-off to be adequately drained to the Council stormwater system.
- e) **Prior to the issue of a building permit, or the commencement of development authorised by this permit,** the applicant must design and provide plans for underground stormwater drainage to collect stormwater from the driveways and roofed area of buildings. The system must connect through properly-jointed pipes to the stormwater main, inter-allotment drainage or other lawful point of discharge to the satisfaction of the Plumbing Inspector.
- f) A plumbing permit is required prior to commencing any plumbing or civil works within the property.

3.2 Municipal standards & approvals

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. All works must be constructed to the satisfaction of Council. Where works are required to be designed prior to construction, such designs and specifications must be approved by Council prior to commencement of any *in situ* works.

3.3 Works in Council road reserve

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

3.4 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 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.



3.5 Works damage bond

- a) Prior to the issue of a building permit, or the commencement of development authorised by this permit, a \$1000 bond must be provided to Council, which will be refunded if Council's infrastructure is not damaged.
- b) This bond is not taken in place of the Building Department's construction compliance bond.
- c) The nature strip, crossover, apron and kerb and gutter and stormwater infrastructure must be reinstated to Council's standards if damaged.
- d) The bond will be returned after building completion if no damage has been done to Council's infrastructure and all engineering works are done to the satisfaction of the Works & Infrastructure Department.

3.6 Nature strips

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

4 TasWater conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2021/02171-NMC) – *Appendix A*.

5 Landscaping

- a) Landscaping works must be in accordance with the endorsed plans, and landscaping works for each unit must be completed prior to the commencement of use of that unit and then maintained for the duration of the use.
- b) A bond of \$500 per unit must be provided prior to the commencement of development of that unit authorised by this permit – the bond will be refunded if the landscape works are completed within the timeframe mentioned in this permit.

6 Driveways and Parking Areas

- a) Driveways and parking areas around each unit must be sealed in accordance with the endorsed plans prior to the commencement of use of the unit.
- b) All outdoor parking spaces must be clearly and permanently labelled with the relevant unit number or as visitor parking.

7 Required prior to the application for a building permit

Prior to the issue of a building permit, the applicant must:

- a) Provide stormwater drainage plans (as per condition 3.1);
- b) Pay works damage bond of \$1000 (as per condition 3.5);
- c) Pay a \$500 per unit landscape bond (as per condition 5).

8 Prior to commencement of use

Prior to the commencement of the use of each unit, the following must be completed:

- a) Landscaping works for each unit - mail and newspaper receptacles, clothes-drying facilities, private open space fencing and surface treatment (as per condition 5 – landscaping);
- b) Driveways and parking areas around each unit sealed (as per condition 6).

9 Part 5 Agreement

The applicant must enter into an agreement with the Northern Midlands Council under Part 5 of the *Land Use Planning and Approvals Act 1993* to provide for the following:

- the owner acknowledges that the Council will not provide a waste collection service and the owner must arrange for private waste collection.

10 Staging of development

The development may be staged. Works relevant to each unit must be completed with each stage.



MINUTE NO. 22/58

DECISION

Deputy Mayor Goss/Cr Polley

That application PLN-21-0325 to develop and use the land at 15 Monastery Court for 5 Multiple Dwellings be approved with the conditions below:

1 Layout not altered

Except as required by Condition 2, the use and development must be in accordance with the endorsed documents:

- P1 – P19 Design to Live drawings 1/19 – 19/19, Rev. R2, 20/12/2021, Job Number MNST15.

2 Revised plans required

Before the Building Permit is issued, revised plans must be submitted. When approved, the plans will be endorsed and will form part of this permit. The plans must be substantially in accordance with the endorsed plans but revised to show:

- Clothes lines for each unit.
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- Unit 3 moved 0.5m eastward.
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- f) A plumbing permit is required prior to commencing any plumbing or civil works within the property.

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- c) Pay a \$500 per unit landscape bond (as per condition 5).



8 Prior to commencement of use

Prior to the commencement of the use of each unit, the following must be completed:

- a) Landscaping works for each unit - mail and newspaper receptacles, clothes-drying facilities, private open space fencing and surface treatment (as per condition 5 – landscaping);
- b) Driveways and parking areas around each unit sealed (as per condition 6).

9 Part 5 Agreement

The applicant must enter into an agreement with the Northern Midlands Council under Part 5 of the *Land Use Planning and Approvals Act 1993* to provide for the following:

- the owner acknowledges that the Council will not provide a waste collection service and the owner must arrange for private waste collection.

10 Staging of development

The development may be staged. Works relevant to each unit must be completed with each stage.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



15.4 PLN-21-0330: 17 WILLIAM STREET, LONGFORD

File: 113700.14 PLN21-0330
Responsible Officer: Maree Bricknell, Acting General Manager
Report prepared by: Ryan Robinson, Planner

1 INTRODUCTION

This report assesses an application for 17 William Street, Longford to construct alterations and additions to dwelling and 3 units for visitor accommodation.

2 BACKGROUND

Applicant:

Design to Live

Zone:

General Residential Zone

Classification under the Scheme:

Residential (single dwelling) and Visitor
Accommodation

Deemed Approval Date:

25.02.2022

Owner:

Owen Victor & Wendy Jane Erglis

Codes:

Road and Railway Assets Code
Car Parking and Sustainable Transport Code

Existing Use:

Residential

Recommendation:

Approve

Discretionary Aspects of the Application:

- 10.3.1 Amenity – P1
- 10.4.2 Setbacks and building envelopes for all dwellings – P3
- E6.7.2 Design and layout of car parking – P2
- E6.8.2 Bicycle parking access, safety and security – P1

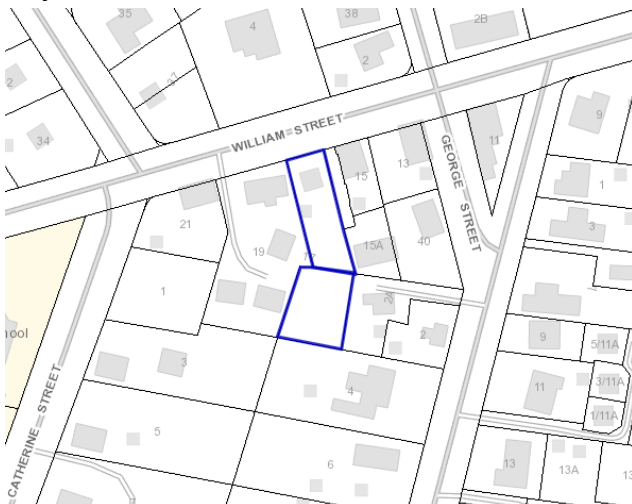
Planning Instrument:

Northern Midlands Interim Planning Scheme 2013, Version 36 Effective from 30/09/2021

Preliminary Discussion

Prior to the application 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.

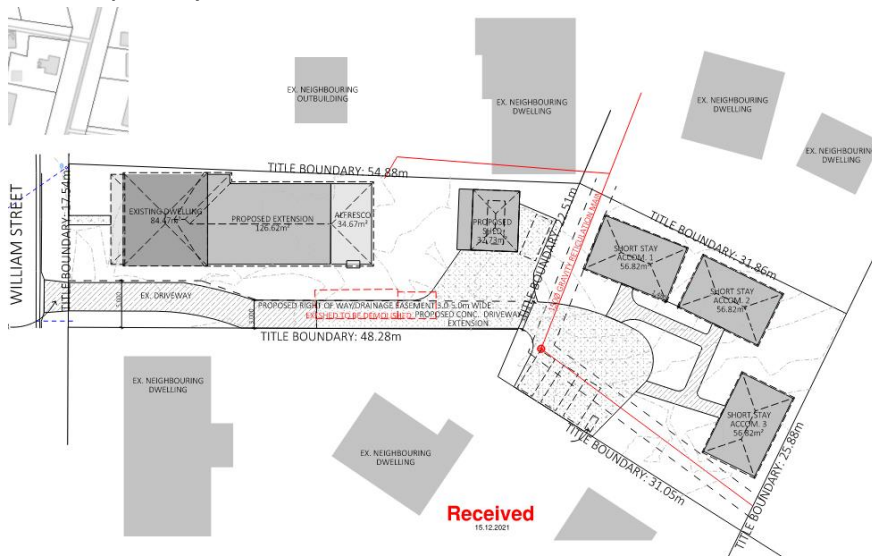
4 ASSESSMENT

4.1 Proposal

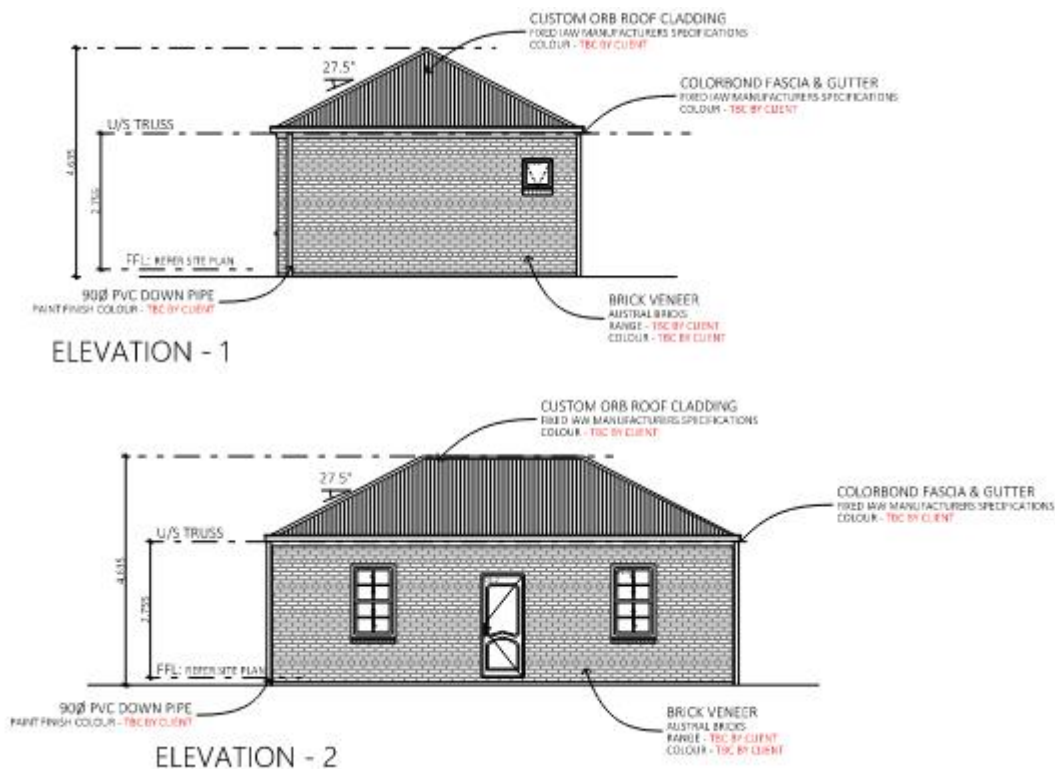
It is proposed to:

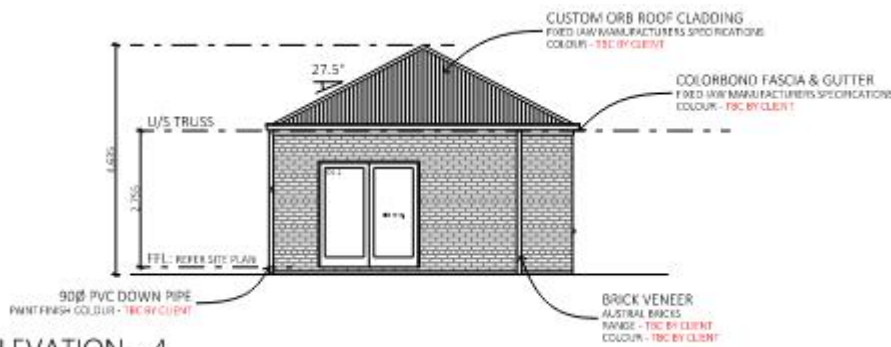
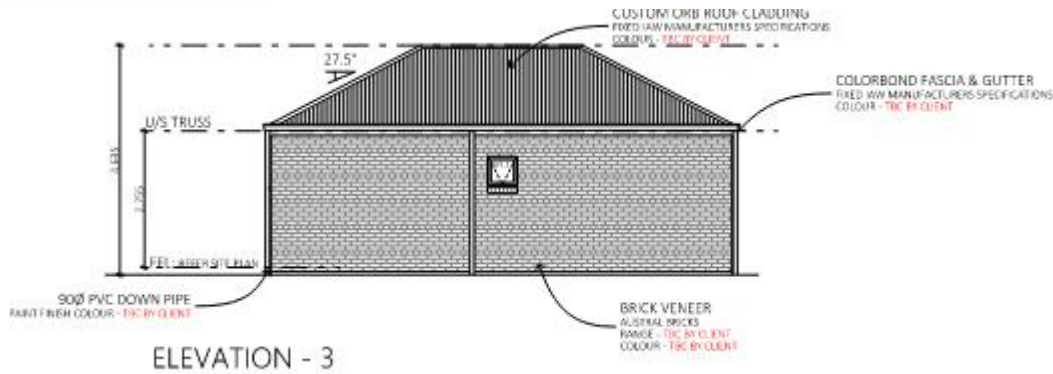
- It is proposed to construct alterations and additions to dwelling and 3 units for visitor accommodation.

Site Plan (extract)

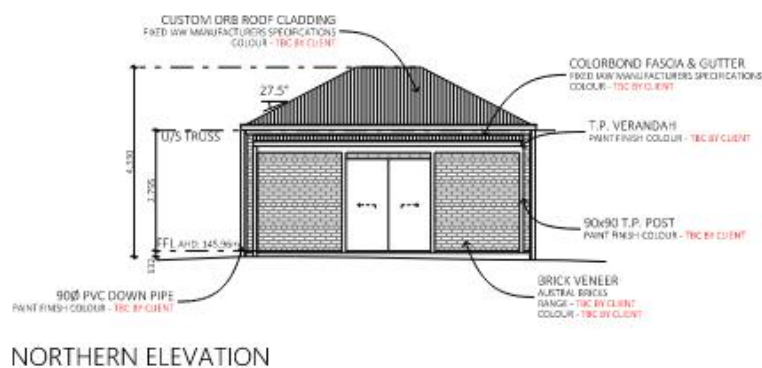
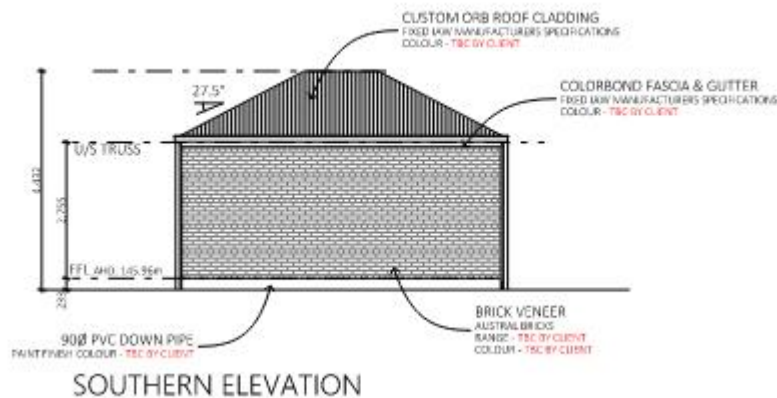


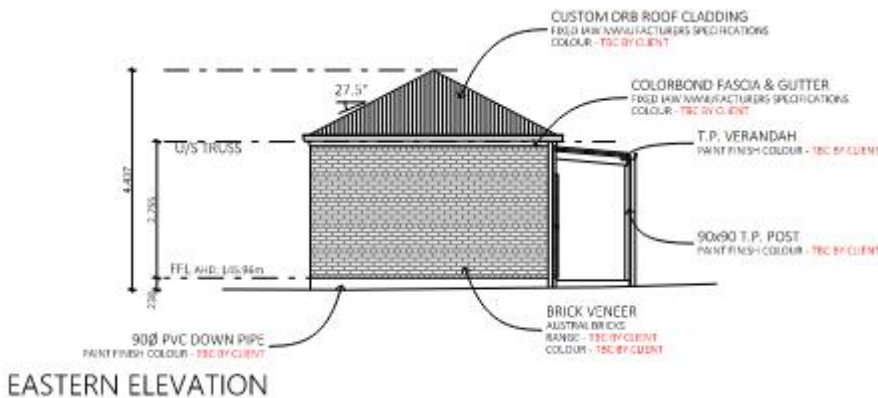
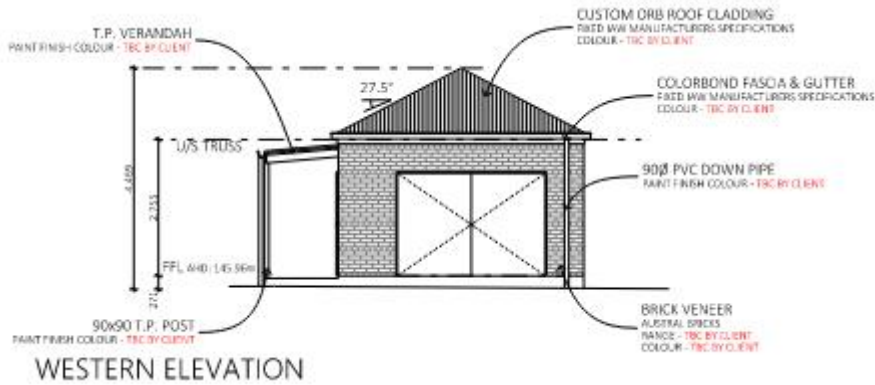
Elevations:



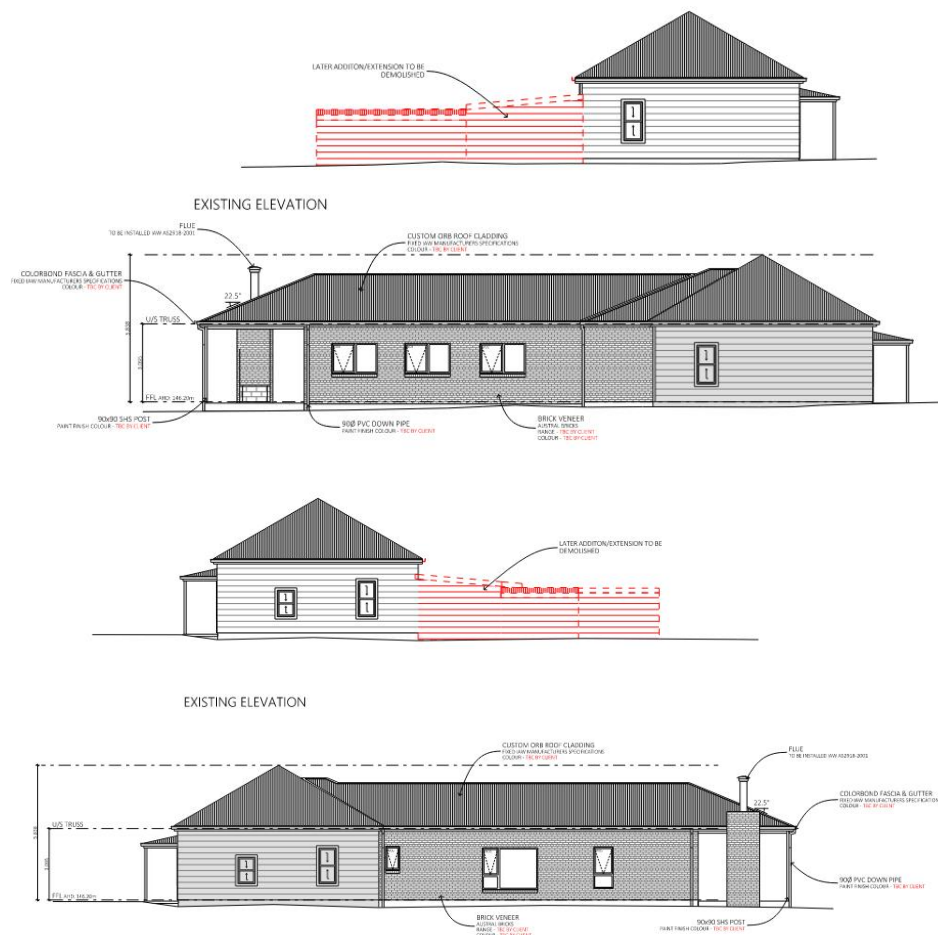


^Proposed Visitor Accommodation Unit





^Proposed Outbuilding

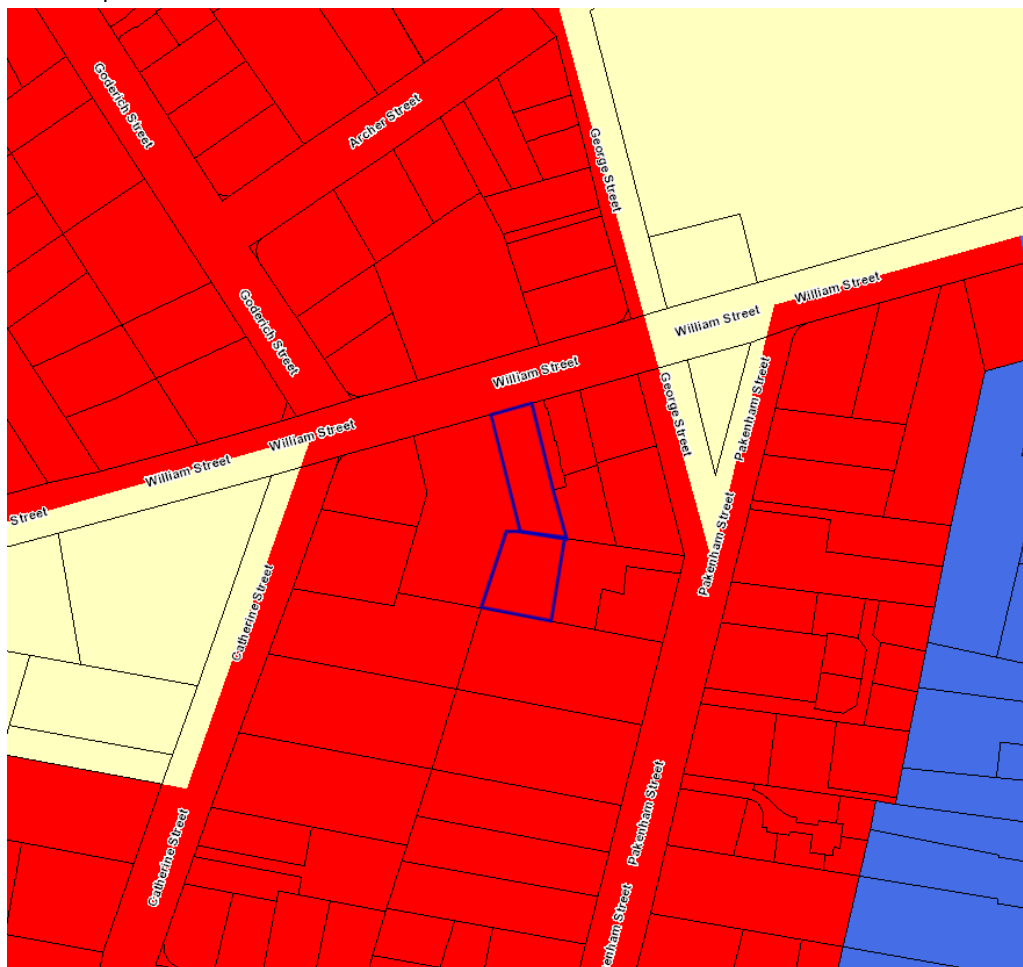


^Proposed Dwelling Extensions



4.2 Zone and Land Use

Zone Map – General Residential Zone



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

The relevant Planning Scheme definition is:

<i>Residential (use class)</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>Visitor Accommodation (use class)</i>	<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>

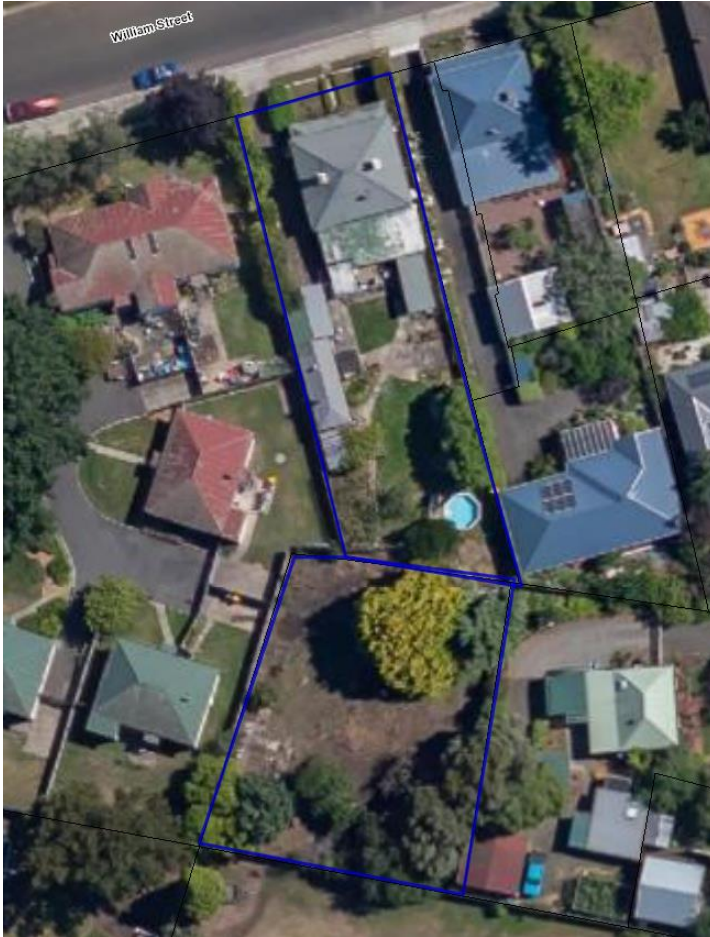
Visitor accommodation is Discretionary in the zone. Residential (if for a single dwelling) is No Permit Required in the Zone. However, as the proposed dwelling extension relies on compliance with provisions of Performance Criteria the application is discretionary.



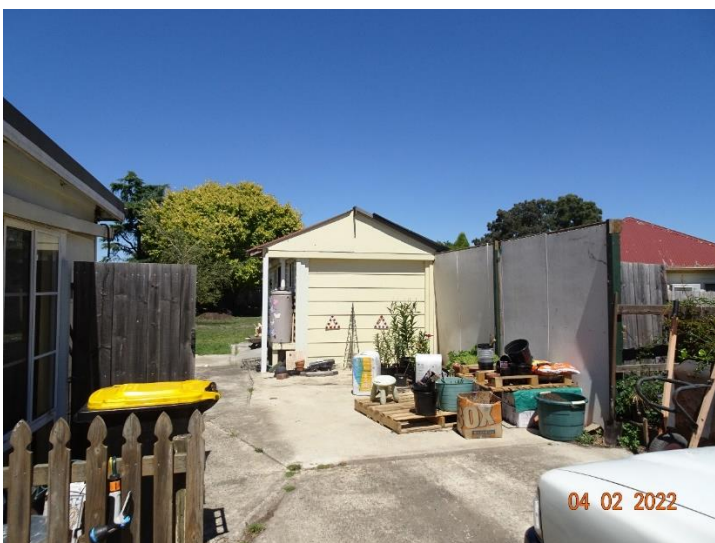
4.3 Subject Site and Locality

The author of this report carried out a site visit on 04/02/2022.

Aerial photograph of area



Photographs of subject site





^Outbuilding to be demolished



^Demolition and redevelopment of the existing dwelling will be primarily to the rear of the dwelling



^The eastern (side) boundary setback will be increased, but the proposed dwelling will protrude vertically through the building envelope



^View to the south from the approximate location of the proposed alfresco area



^Proposed visitor vehicle and bicycle parking area



4.4 Permit/Site History

Relevant permit history includes:

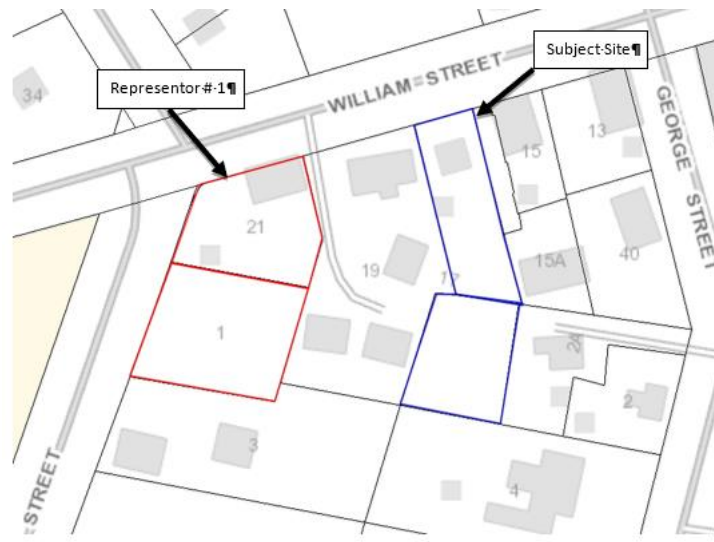
- DA131/1994 - Carport

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 two (2) representations (attached) were received from:

1. Timothy Flanagan, 21 William St Longford
2. Mark Rhodes (address not provided)

Map showing location of representors properties in relation to subject site



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

Issue 1

- The proposal is for a commercial development in an area subject to the General Residential Zone.

Planner's comment:

The proposal includes an extension to an existing residential dwelling and development of an outbuilding, the use status of which, in accordance with 10.2 Use Table, is No Permit Required. Nonetheless, the application relies on compliance with Performance Criteria for approval, and as such is Discretionary.

The proposal also includes a Visitor Accommodation use, which has a Discretionary use status in accordance with 10.2 Use Table.

The proposal complies with all relevant provisions of the Scheme, and is recommended for approval.

Issue 2

- The proposed development will pose a risk to pedestrian safety and subsequently deter pedestrian activity, particularly children passing the site on their way to and from the nearby school.

Planner's comment:

The anticipated number of traffic movements to and from the site is assessed against Clause E4.6.1 A2 of the Scheme, which requires that the number of daily traffic movements to and from site (accessing a road with a speed limit less than 50km/h) increase to no more than a total of 40.

Based on rates of traffic movements for Casual Accommodation provided in the RTA Guide to Traffic Generating Developments Version 2.2, the additional traffic generation will be three (3) movements per unit, per day, in addition to



the nine (9) traffic movements per day for the existing dwelling. The total traffic movements at the site are anticipated to be approximately 18 when the visitor accommodation units are at full capacity.

Further, the proposed development does not require a widening of the driveway crossover, and therefore the existing crossover will satisfy the relevant safety standards.

It is considered that the proposed development will not pose an additional risk to pedestrians.

Issue 3

- The proposed redevelopment of the dwelling is not consistent with the heritage form of the town. Specifically, the proposed brick cladding and removal of chimneys will impact the streetscape.

Planner's comment:

The site is not subject to the Heritage Precinct overlay, and the dwelling is not a heritage listed building. As such, the proposed development does not need to comply with relevant heritage design requirements of the Scheme.

Issue 4

- The additional drainage requirements of the proposed development might overload the existing drainage system.

Planner's comment:

The proposed development has been reviewed by Council's Engineering Officer, who has concluded that the development complies with relevant stormwater drainage requirements.

It is considered that the proposal will not overload the existing drainage system.

Issue 5

- The proposal does not comply with Clause 10.4.2 A3 on the basis that the outline of the existing dwelling to be demolished (shown on Drawing 3/16) shows the existing building to be closer to the side boundary (within 200mm) than it actually is.

Planner's comment:

The author of this report conducted a site visit on 04/02/2022 and confirmed that the relevant section of wall is not as close to the eastern (side) boundary as is shown on the demolition plan. However, the discrepancy has no impact on the assessment of the proposal against the provisions of 10.4.2 A3/P3 as the assessment of the proposed development against the provisions of Clause 10.4.2 determines that the proposal does not comply with subclause A3 (b)(ii). This is due to the fact that greater than 9m of the development is within 1.5m of the eastern (side) boundary of each lot (including the existing dwelling and proposed extension, and the proposed outbuilding within Lot CT 217073/1; and the proposed visitor accommodation units within Lot CT 149296/1). The proposal is therefore assessed against the relevant provisions of Clause 10.4.2 P3, and the assessment notes are provided in Section 4.7 of this report.

It is considered that the proposed development complies with the relevant Clause.

Issue 6

- The proposed driveway is greater than 30m in length and does not include a passing bay; and
- The proposed driveway requires a 0.3m clearance from an obstruction, such as fences.

Planner's comment:

The above observations are addressed in the assessment of this proposal against Clauses E6.7.2 A2.1 and A2.2, which are included in Section 4.7 of this report.

In summary, the proposed driveway is greater than 30m in length, and does not include a passing bay, which is a requirement of the Acceptable Solutions to the abovementioned Clauses.

The distance between the existing dwelling (including its proposed extension) and the western (side) boundary is approximately 6.7m, which provides sufficient space for the required driveway and passing bay, including a 0.3m clearance between the driveway and fence. As such, it is considered that the proposal can comply with the relevant provisions for site access in accordance with the relevant provisions of the Acceptable Solutions. It is considered that a passing bay is necessary, and the proposal cannot comply with the provisions of the Performance Criteria without a passing bay.



This report recommends as a condition of approval, that the applicant provides Council with updated site plans showing the inclusion of a passing bay and clearance between the driveway and western (side) boundary fence, to confirm that the proposal complies with the relevant provisions of the Clause prior to works being undertaken.

Issue 7

- The proposed visitor accommodation does not appear to fit the definition of a dwelling, and therefore must comply with additional Clauses of the General Residential Zone.

Planner's comment:

It is assumed that the representor is referring to Clauses 10.4.13.1 to 10.4.13.9. However, Clauses 10.4.13.1 to 10.4.13.9 apply only to development within the Residential Use Class, which is not a dwelling. As the proposal is for a single dwelling and Visitor Accommodation (which is not a Residential Use) Clauses 10.4.13.1 to 10.4.13.9 do not apply to the proposal.

Issue 8

- The proposed Visitor Accommodation is located on a lot with a total area of 756m².

Planner's comment:

It is assumed that the representor's comment relates to development density. The proposed development complies with all relevant provisions relating to site coverage. No other applicable Clauses of the Scheme relate to development density.

Issue 9

- The proposal does not comply with certain provisions of Clauses 10.4.13.5 and 10.4.13.8.

Planner's comment:

Clauses 10.4.13.5 and 10.4.13.8 do not apply to the proposal.

4.6 Referrals

The following referrals were required:

Council's Works Department

Summary: Council's Works & Infrastructure Department (Jonathan Galbraith) reported that the proposal satisfies Council's requirements, and their recommended conditions are included in the conditions of approval.

TasWater

Summary: A TasWater Submission to Planning Authority Notice was issued on 22/12/2021 (TasWater Ref: TWDA 2021/02218-NMC). TasWater's required conditions are included as an attachment to this report.

4.7 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE
ZONE PURPOSE
<i>To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</i>
<i>To provide for compatible non-residential uses that primarily serve the local community.</i>
<i>Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off-site impacts.</i>
<i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i>
Assessment: The proposal meets the zone purpose.

LOCAL AREA OBJECTIVES
<i>To consolidate growth within the existing urban land use framework of the towns and villages.</i>
<i>To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.</i>
<i>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</i>



Assessment: The proposal meets the local area objectives.

PRECIS OF DEVELOPMENT STANDARDS FOR SINGLE DWELLINGS			
10.4.2 Setback and building envelopes for dwellings			
	A1	Unless within a building area, then	
	□	(a)	4.5m from primary frontage; or not less than existing dwelling on site; OR
	N/a	(b)	3m to secondary frontage; or not less than existing dwelling on site; OR
	N/a	(b)	if vacant lot, setback which is not more or less than dwellings on immediately adjoining lots; OR
	N/a	(c)	not less than the existing dwelling setback if less than 4.5m; OR
	N/a	(d)	as per road setback specified in Planning Scheme
	A2	Garage or carport to be set back:	
	□	(a)	5.5m from primary frontage or 1m behind the façade, OR
	N/a	(b)	The same as the dwelling façade if under dwelling
	N/a	(c)	1m if gradient > 1:5 for 10m from frontage
	A3	Dwellings (excluding minor protrusions extending to 1.5m)	
	□	(a)	to be within building envelope (i) frontage setback (as above), or 4.5m from rear boundary of adjoining frontage lot for internal lot (ii) 45 degrees from the horizontal at a height of 3m above natural ground level, 4m rear setback, and max height 8.5m AND
	□	(b)	1.5m side setback or built to the boundary (existing boundary wall within .2m of boundary or; 9m or ⅓ of the side boundary, whichever is lesser)
10.4.3 Site coverage and private open space for dwellings			
	□	A1	(a) max. site coverage of 50% (excluding eaves)
	□		(c) at least 25% free from impervious surfaces
	□	A2	(a) POS of 24m ² in one location
	□		(b) horizontal dimension of 4m; AND
	□		(c) directly accessible from, & adjacent to, a habitable room (other than bedroom); AND
	□		(d) not located to the S, SE or SW of dwelling, unless receives at least 3 hours of sunlight to 50% of area between 9am and 3pm on 21June; AND
	□		(e) between dwelling and frontage only if frontage is orientated between 30 degrees west of north and 30 degrees east of north; AND
	□		(f) not steeper than 1:10, AND
	□		(g) not used for vehicle parking
10.4.4 Sunlight and overshadowing			
	N/a	A1	1 habitable room (other than bedroom) with window facing between 30 degrees west of north and 30 degrees east of north
10.4.5 Width of openings for garages and carports			
	N/a	A1	Garage or carport within 12m of a primary frontage (whether free-standing or not), total width of openings facing frontage of < 6m or half the width of the frontage (whichever is lesser).
10.4.6 Privacy			
	N/a	A1	Balconies, decks, carports etc. OR windows/glazed doors to a habitable room, more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (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 10.3.1 A1 (Visitor Accommodation is a Discretionary use), 10.4.2 A3 (a portion of the proposed dwelling extension will protrude vertically through the building envelope, and greater than 9m of the development will be within 1.5m of the eastern (side) boundary). Accordingly, the development relies on the following performance criteria:

10.3.1 Amenity	
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.
Comment:	
The proposed use and development, including both the residential dwelling extension, and the three (3) visitor accommodation units, is not likely to cause an environmental nuisance. The development will not generate a nuisance through the emission of smoke, odour, dust or illumination. The anticipated number of vehicle movements to and from the site is within the acceptable amount for a residential use (in accordance with the provisions of E4.6.1 A2). The proposal complies with the provisions of 10.3.1 P1.	

10.4.2 Setbacks and building envelope for all dwellings	
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:	
The proposed dwelling will include a small section of wall within 1.5m of the eastern (side) boundary, which protrudes through the building envelope vertically by up to 97mm over a horizontal distance of approximately 2.184m. As such, it is considered that the potential for overshadowing of an adjoining property is very limited. Further, the relevant portion of the proposed extension protruding through the building envelope is located next to the shared access strip of the adjoining property. As such, potential overshadowing will not impact a habitable room or private open space of an adjoining lot, and will maintain a separation between dwellings on adjoining properties that is consistent with the existing separation.	
The visual impact of the apparent scale and bulk of the proposed dwelling extension and visitor accommodation units will be consistent with that established at the site and on adjoining properties.	
The proposal complies with the provisions of 10.4.2 P3.	



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
E.5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
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.
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	P3 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate



	<p>site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
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Comment:

A1 – Not applicable

A2 – The proposal provides five (5) car parking spaces generating an anticipated nine (9) daily vehicle trips (based on the RTA Guide to Traffic Generating Developments 2002).

The proposal complies with the provisions of A2.

A3 – Not applicable

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>

Comment:

A1 – Not applicable

E4.7.2 Management of Road Accesses and Junctions

Objective



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

Comment:

A1 – The proposed development provides only one access for entry and exit.

The proposal complies with the provisions of A1.

A2 – Not applicable

E4.7.3 Management of Rail Level Crossings

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

Comment:

A1 – Not applicable



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

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

Comment:

A1 – The site access has clear views in both directions (east and west) along William Street, consistent with the requirements of Table E4.7.4.

The proposal complies with the provisions of A1.

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: a) Table E6.1; or b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	P1 The number of car parking spaces provided must have regard to: a) the provisions of any relevant location specific car parking plan; and b) the availability of public car parking spaces within reasonable walking distance; and c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and d) the availability and frequency of public transport within reasonable walking distance of the site; and e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and g) an empirical assessment of the car parking demand; and h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and i) the recommendations of a traffic impact assessment prepared for the proposal; and j) any heritage values of the site; and k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:



	i) the size of the dwelling and the number of bedrooms; and ii) the pattern of parking in the locality; and iii) any existing structure on the land.
Comment: The proposal provides two (2) parking spaces for the residential use, and three (3) parking spaces for the visitor accommodation use. The proposal meets the requirements of Table E6.1. The proposal complies with the provisions of Clause E6.6.1 A1.	

Table E6.1: Parking Space Requirements

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

E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.	
Acceptable Solutions	Performance Criteria
A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the: a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and 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: The proposal includes one (1) bicycle parking space for visitor accommodation use, and bicycle parking for the residential use is available within the proposed garage consistent with the requirements of Table E6.1. The proposal complies with the provisions of Clause E6.6.2 A1.1.	

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: Not applicable	

E6.6.4 Motorbike Parking Provisions

Objective: To ensure that motorbikes are adequately provided for in parking considerations.	
Acceptable Solutions	Performance Criteria



A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1 No performance criteria.
Comment: Not applicable	

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.	
Acceptable Solutions	Performance Criteria
A1 All car parking, access strips manoeuvring and circulation spaces must be: <ul style="list-style-type: none"> a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces. 	P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
Comment: The proposed driveway will be constructed of concrete and drained to William Street using a series of drainage pits, and sump/pump arrangement, which has been assessed by Council's Engineer. Whilst the proposal does not show line marking for the proposed visitor accommodation parking spaces, it is considered that a condition of approval can require that those three (3) parking spaces be clearly delineated through line marking or other appropriate method. It is considered that the proposal complies with the provisions of E6.7.1 A1.	

E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.	
Acceptable Solutions	Performance Criteria
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and 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: <ul style="list-style-type: none"> 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 five (5) parking spaces, and provision for turning, will be located behind the building line. The proposal complies with the provisions of E6.7.2 A1.1 & A1.2.	
A2.1 Car parking and manoeuvring space must: <ul style="list-style-type: none"> a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and 	P2 Car parking and manoeuvring space must: <ul style="list-style-type: none"> a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.

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

Comment:

The average fall of the land is 1m over 83m, which is 1:83 or 1.2%. However, the proposal does not comply with A2.1 (c) as the total width allocated for the three (3) visitor accommodation parking spaces is approximately 8.3m (see *Figure 1*), which allows 2.76m per parking space. As such, the width of the access strip needs to be 6.4m in accordance with Table E6.3.

Further, the parking spaces shown on the drawing are only 4.64m in length, which is insufficient to comply with Table E6.3. The minimum length of a parking space must be 5.4m, and as the parking space widths are between 2.6m and 2.8m the corresponding aisle width should be 6.4m. The proposal provides between 10.3m and 12.1m instead of the minimum 11.8m.

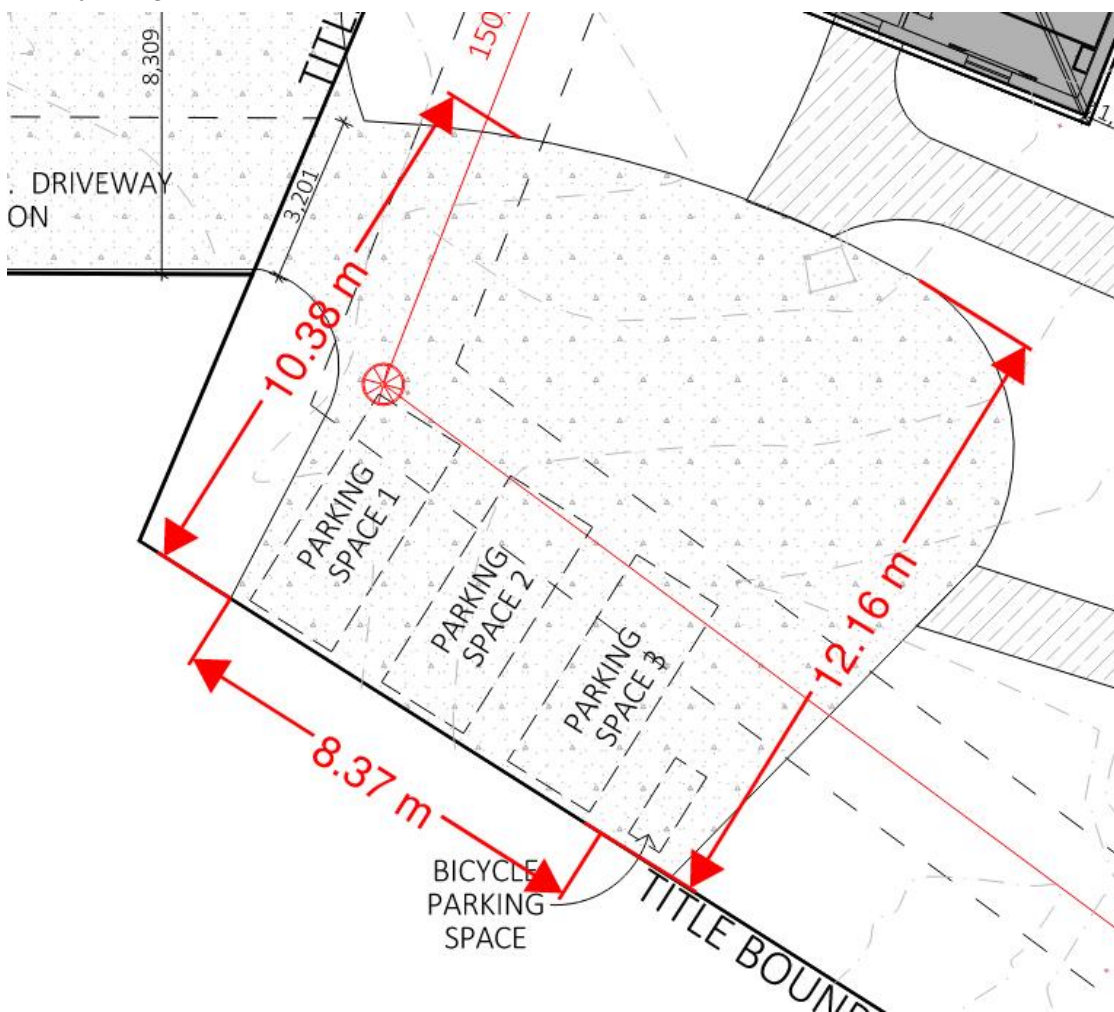


Figure 1 Parking space and manoeuvring dimensions

The Australian Standard requires for User Class 2 parking spaces, at 90 degrees, a minimum width of 2.5m, a minimum length of 5.4m, and an aisle width of 5.8m (a total of 11.2m). Parking space P3 and P2 have sufficient space, but P1 falls a little short. Nonetheless, due to the type of use (visitor accommodation), which has a low frequency of vehicle movements, and the total amount of space provided for circulation and manoeuvring, it is considered that the parking area shown is sufficient to ensure each parking space is convenient and safe to use, and therefore complies with the Performance Criteria.

With respect to access width, the required width is 3m, with a passing bay located within 30m of the frontage. Whilst the proposal plans do not include a passing bay, as the distance between the proposed dwelling extension and western boundary is 6.752m it is considered that a suitably dimensioned passing bay can be incorporated into the



development, including the 0.3m clearance between the driveway and the fence. It is considered that a condition of approval can require that the applicant provides updated site plans showing a suitable passing bay, and 0.3m clearance between the driveway and boundary fence.

It is considered that, with the inclusion of a suitable passing bay, and 0.3m clearance, the proposal will comply with the provisions of E6.7.2 P2.

Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

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

Acceptable Solutions	Performance Criteria
<p>A1 Car parking areas with greater than 20 parking spaces must be:</p> <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: Not applicable</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</p> <p>d) applicable Australian Standards.</p>
<p>A2 One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with <i>Australian Standards AS/NZ 2890.6 2009</i>.</p>	<p>P2 The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to:</p> <p>a) characteristics of the populations to be served;</p> <p>b) their means of transport to and from the site; and</p> <p>c) applicable Australian Standards.</p>
<p>Comment: Not applicable</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
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<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: Not applicable</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

<p>Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 Bicycle parking spaces for customers and visitors must:</p> <p>a) be accessible from a road, footpath or cycle track; and</p> <p>b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and</p> <p>c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and</p> <p>d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and</p> <p>A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</p>	<p>P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</p>
<p>Comment: Whilst a bicycle parking space for the residential use can be incorporated into the proposed garage, which would ensure its secure storage and convenient access, which would comply with the provisions of E6.8.2 A1.1, the proposed bicycle parking space for visitor accommodation is located outdoors, and does not include a rail or hoop to secure a bicycle. Nonetheless, it is considered that if a condition is placed on the proposal to include a rail or hoop for the visitor accommodation bicycle parking space, the proposal will comply with the provisions of E6.8.2 P1.</p>	
<p>A2 Bicycle parking spaces must have:</p> <p>a) minimum dimensions of:</p> <p>i) 1.7m in length; and</p> <p>ii) 1.2m in height; and</p> <p>iii) 0.7m in width at the handlebars; and</p> <p>b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.</p>	<p>P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.</p>
<p>Comment: The availability of space suitable for the storage of a bicycle for residential use, and the provision of a bicycle parking space for visitor accommodation comply with the provisions of E6.8.2 A2.</p>	

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: Pedestrian access is via the proposed driveway, which complies with the requirements of Table E6.5. The proposal complies with the provisions of Clause E6.8.5 A1.	

Table E6.5: Pedestrian Access

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

Notes

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

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	See comment below.
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

9.4 Demolition:

Unless approved as part of another development or Prohibited by another provision in this planning scheme, or a code relating to historic heritage values applies, an application for demolition is Permitted and a permit must be granted subject to any conditions and restrictions specified in clause 8.11.2 of the relevant interim planning scheme.

Comment:

The proposed demolition of the existing outbuilding, and demolition of parts of the existing dwelling are Permitted in accordance with Clause 9.4.



STATE POLICIES

The proposal is consistent with all State Policies.

OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan 2017-2027

- *Statutory Planning*

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- 10.3.1 Amenity – P1
- 10.4.2 Setbacks and building envelopes for all dwellings – P3
- E6.7.2 Design and layout of car parking – P2
- E6.8.2 Bicycle parking access, safety and security – P1

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

1. DA Cover WLL S 17 [15.4.1 - 1 page]
2. Amended WLL S 17 [15.4.2 - 16 pages]
3. Additional Information Request - 211214 [15.4.3 - 2 pages]
4. EOT Proforma - PL N 21-0330 17 William St Longford - Signed [15.4.4 - 1 page]
5. EOT Proforma PL N 21-0330 - 25.02.2022 - s IGNORED [15.4.5 - 1 page]
6. Extension of Time - Applicant to Sign - PL N 21-0330 17 William St Longford [15.4.6 - 1 page]
7. 1) representation - PL N-21-0330 [15.4.7 - 1 page]
8. 2) Representation 17 William St PL N-21-0330 concerns [15.4.8 - 2 pages]
9. Letter to Applicant - Representations Received to Planning Application PL N 21-0330 [15.4.9 - 2 pages]
10. Tas Water SPAN TWDA 2021 02218- NMC [15.4.10 - 2 pages]

RECOMMENDATION

That land at 17 William Street, Longford be approved to be developed and used for alterations and additions to dwelling and 3 units for visitor accommodation in accordance with application PLN-21-0330, and subject to the following conditions:

1 Layout not altered

With the exception of Conditions 1.1 to 1.3 below, the use and development shall be in accordance with the endorsed plans numbered 1/16 – 16/16, including:

- Drawing 1/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 2/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 3/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;



- Drawing 4/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 5/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 6/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 7/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 8/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 9/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 10/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 11/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 12/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 13/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 14/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 15/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
- Drawing 16/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17.

1.1 Driveway and Passing Bay

Prior to the commencement of works, in order to comply with the provisions of Clause E6.7.2 updated development plans must be provided to Council. The updated plans must show the inclusion of a passing bay within 30m of the property access, with dimensions consistent with the requirements set out in Table E6.2 of the *Northern Midlands Council Interim Planning Scheme 2013, Version 36*. Further, the driveway must provide for a minimum clearance from the western (side) boundary fence of 0.3m.

1.2 Delineation of Parking Spaces

Prior to the commencement of use or development authorised by this permit, in order to comply with the provisions of Clause E6.7.1 A1 the three (3) parking spaces provided for visitor accommodation must be delineated by line markings or other clear physical means.

Note: due to the limited combined width of the parking spaces and parking aisle width, each parking space must be no less than 2.5m wide, and 5.4m long.

1.3 Secure Bicycle Parking

Prior to the commencement of use or development authorised by this permit, in order to comply with the provisions of Clause E6.8.2 P1 the bicycle parking space provided for visitor accommodation must include a rail or hoop for secure bicycle parking.

2 Council's Works Department conditions

2.1 Stormwater

- a) Concentrated stormwater must not be discharged into neighbouring properties
- b) Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- c) Prior to the issue of any approval under the Building Act 2016 or the commencement of work on the site (whichever occurs first), plans must be provided showing:
 1. all roofs that are capable of effectively draining to the kerb via charged connections, do drain to the kerb via a charged connection; and
 2. hardstand areas and roofs unable to drain to the kerb via charged connection, are drained to a pumped stormwater system with combined effective storage design to cater for 20 year AEP event and otherwise designed and installed in accordance with AS3500.3:2018.
- d) Plans must be approved by Council's Works and Infrastructure Department.
 1. The plans must be accompanied by a detailed design of the pumped stormwater system prepared by a suitably qualified person which clearly shows:
 2. calculations describing the extent of runoff that occurs in the 2 hour 20 year AEP event and how much can be pumped in the 30 minute 20 year AEP event;
 3. that the combined effective storage design is sufficient to cater for 20 year AEP event;
 4. that on the pumped stormwater system discharging to the kerb, the capacity of the kerb is not exceeded, with a maximum pumped outflow of 20 L/s; and



5. that stormwater to be discharged to the kerb is at a 45-degree angle
- e) Prior to the commencement of the use, an 'Operation and Maintenance Manual' for the pumped stormwater system must be prepared by a suitably qualified person and provided to and approved by Council's Works and Infrastructure Department. The Operation and Maintenance Manual must:
 1. provide a detailed description of the pumped stormwater system as well as the components included in the system covered in the manual;
 2. provide a comprehensive detailed explanation of all major operating procedures to ensure that the pumped system works as designed;
 3. detail the preventive and corrective maintenance programs that must be adopted to ensure the system is in a proper working order, including maintenance schedules, procedures and test requirements; and
 4. include 'as constructed' drawings of the pump and storage system as an annexure to the Operation and Maintenance Manual.
- f) A plumbing permit is required prior to commencing any plumbing or civil works within the property.

2.2 Municipal standards & approvals

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. All works must be constructed to the satisfaction of Council. Where works are required to be designed prior to construction, such designs and specifications must be approved by Council prior to commencement of any *in situ* works.

2.3 Works in Council road reserve

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

2.4 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 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.

2.5 Works damage bond

- a) Prior to the issue of a building permit, or the commencement of development authorised by this permit, a \$1000 bond must be provided to Council, which will be refunded if Council's infrastructure is not damaged.
- b) This bond is not taken in place of the Building Department's construction compliance bond.
- c) The nature strip, crossover, apron and kerb and gutter and stormwater infrastructure must be reinstated to Council's standards if damaged.
- d) The bond will be returned after building completion if no damage has been done to Council's infrastructure and all engineering works are done to the satisfaction of the Works & Infrastructure Department.

2.6 Nature strips

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

3 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2021/02218-NMC).

3.1 Connections, metering and backflow



A suitably sized water supply with metered connection and sewerage system and connection to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. Prior to commencing construction/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.

3.2 56W Consent

Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be, must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.

3.3 Development assessment fees

The applicant or landowner as the case may be, must pay a development assessment fee of \$363.57 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater. The payment is required within 30 days of the issue of an invoice by TasWater.

MINUTE NO. 22/59

DECISION

Deputy Mayor Goss/Cr Adams

That land at 17 William Street, Longford be approved to be developed and used for alterations and additions to dwelling and 3 units for visitor accommodation in accordance with application PLN-21-0330, and subject to the following conditions:

1 Layout not altered

With the exception of Conditions 1.1 to 1.3 below, the use and development shall be in accordance with the endorsed plans numbered 1/16 – 16/16, including:

- Drawing 1/16, Revision R1, Undated (Received by Council on 15/12/2021), Job Number WLLS17;
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Prior to the commencement of use or development authorised by this permit, in order to comply with the provisions of Clause E6.8.2 P1 the bicycle parking space provided for visitor accommodation must include a rail or hoop for secure bicycle parking.

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- b) This bond is not taken in place of the Building Department's construction compliance bond.
- c) The nature strip, crossover, apron and kerb and gutter and stormwater infrastructure must be reinstated to Council's standards if damaged.
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Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2021/02218-NMC).

3.1 Connections, metering and backflow

A suitably sized water supply with metered connection and sewerage system and connection to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.

Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.

Prior to commencing construction/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.

3.2 56W Consent

Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be, must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.

3.3 Development assessment fees

The applicant or landowner as the case may be, must pay a development assessment fee of \$363.57 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



15.5 REPORT ON REPRESENTATIONS TO DRAFT LOCAL PROVISIONS SCHEDULE

File: 13/004/001

Responsible Officer: Maree Bricknell, Acting General Manager

Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report relates to the exhibition of the draft Northern Midlands Local Provisions Schedule which has been prepared as part of the introduction of the Tasmanian Planning Scheme. In accordance with the requirements of section 35F of the *Land Use Planning and Approvals Act 1993*, Council is required to prepare a report to the Tasmanian Planning Commission on the representations received during the public exhibition period, including its opinions on whether the matters raised in those representations are of sufficient merit to necessitate a modification to the draft Local Provisions Schedule.

2 BACKGROUND

The State Government has legislated for the introduction of a single statewide planning scheme to be known as the Tasmanian Planning Scheme.

The Tasmanian Planning Scheme will replace all existing local council planning schemes and will come into effect for each council once the relevant Local Provisions Schedule is declared for that local government area.

In general terms, the Tasmanian Planning Scheme will comprise two parts:

- a set of consistent statewide planning rules called State Planning Provisions; and
- Local Provisions Schedules which will contain the zone and overlay maps and lists that apply the State Planning Provisions and identified special and unique areas for each council area.

On 6 October 2021, the Commission directed Council to exhibit the draft Local Provisions Schedule for the statutory 60 day exhibition period required under the *Land Use Planning and Approvals Act 1993*.

3 STATUTORY REQUIREMENTS

Section 35F of the *Land Use Planning and Approvals Act 1993* requires a report to be provided to the Tasmanian Planning Commission.

4 REPRESENTATIONS

The draft Northern Midlands Local Provisions Schedule was placed on public exhibition for 60 days in accordance with sections 35C and 35D of the *Land Use Planning and Approvals Act 1993*, from 22 October to 21 December 2021. 49 Representations were received (attached).

5 FINANCIAL IMPLICATIONS TO COUNCIL

This matter is provided for within budget allocations.

6 OPTIONS

Endorse the report on the representations, or move modifications to the report.



7 DISCUSSION

The attached report considers the representations to the draft Local Provisions Schedule and provides opinions as to the merit of each representation and any subsequent recommendation for modification to the draft LPS.

It is recommended that the report be endorsed and submitted to the Tasmanian Planning Commission.

8 ATTACHMENTS

1. Attachment 1 - Report on Draft Local Provisions Schedule Representations [15.5.1 - 44 pages]
2. Attachment 2 - Representations [15.5.2 - 376 pages]

RECOMMENDATION

That Council, in accordance with section 35F of the *Land Use Planning and Approvals Act 1993*, endorse and submit to the Tasmanian Planning Commission this report about the exhibition of the draft Northern Midlands Local Provisions Schedule, which includes the following particulars:

- (A) as set out in **Attachment 1**, the Planning Authority's consideration of the received representations including opinions as to the merit of each representation and any subsequent recommendation for modification to the draft LPS;
- (B) a copy of each representation received during the public exhibition period (as enclosed with **Attachment 2**); and
- (C) determination that the draft LPS (including those recommendations and modifications described in **Attachment 1**) satisfies the local provisions schedule criteria set out under section 34(2) of the *Land Use Planning and Approvals Act 1993*.

MINUTE NO. 22/60

DECISION

Deputy Mayor Goss/Cr Davis

That Council, in accordance with section 35F of the *Land Use Planning and Approvals Act 1993*, endorse and submit to the Tasmanian Planning Commission this report about the exhibition of the draft Northern Midlands Local Provisions Schedule, which includes the following particulars:

- (A) as set out in **Attachment 1**, the Planning Authority's consideration of the received representations including opinions as to the merit of each representation and any subsequent recommendation for modification to the draft LPS;
- (B) a copy of each representation received during the public exhibition period (as enclosed with **Attachment 2**); and
- (C) determination that the draft LPS (including those recommendations and modifications described in **Attachment 1**) satisfies the local provisions schedule criteria set out under section 34(2) of the *Land Use Planning and Approvals Act 1993*.

Lost

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss and Cr Davis

Voting Against the Motion:

Cr Adams, Cr Brooks, Cr Goninon, Cr Lambert and Cr Polley



MINUTE NO. 22/61

FORESHADOWED MOTION

Cr Goninon/Cr Polley

That the matter be deferred to the next Council meeting to seek clarification on the process if Council agrees with a representation – will Council be directed to re-exhibit the whole draft LPS, part of the draft LPS relevant to the representation, or to prepare an amendment once the scheme is in force.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



16 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.

MINUTE NO. 22/62

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



17 ITEMS FOR THE CLOSED MEETING

Item	Local Government (Meeting Procedures) Regulations 2015 Reference
Confirmation of Closed Council Minutes	15(2)(g)
Councillors' Leave	15(2)(h)
Personnel Matters	15(2)(a)
Management Meetings	15(2)(g)
Correspondence Received	15(2)(i)
Action Items: Status Report	15(2)(g)
Personnel Matters	15(2)(a)
Kennel Licence – additional information	15(2)(g)
Kennel Licence – additional information	15(2)(g)
Compliance Matter	15(2)(i)
Planning Appeal	15(2)(g)
Planning Appeal	15(2)(g)
Land Acquisition/Disposal	15(2)(f)
Lease Proposal	15(2)(g)
Longford Legends	15(2)(g)

Local Government (Meeting Procedures) Regulations 2015 - Part 2 - Meetings

- (a) *personnel matters, including complaints against an employee of the council and industrial relations matters;*
- (b) *information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business;*
- (c) *commercial information of a confidential nature that, if disclosed, is likely to -*
 - (i) *prejudice the commercial position of the person who supplied it; or*
 - (ii) *confer a commercial advantage on a competitor of the council; or*
 - (iii) *reveal a trade secret.*
- (d) *contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;*
- (e) *the security of -*
 - (i) *the council, councillors and council staff; or*
 - (ii) *the property of the council.*
- (f) *proposals for the council to acquire land or an interest in land or for the disposal of land;*
- (g) *information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;*
- (h) *applications by councillors for a leave of absence;*
- (i) *matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) *the personal hardship of any person who is a resident in, or is a ratepayer in, the relevant municipal area.*

RECOMMENDATION

That Council move into the "Closed Meeting" with the Acting General Manager, Works Manager, Senior Planner and Executive Assistant to discuss Closed Council Items.

MINUTE NO. 22/73-2

DECISION

Cr Goninon/Cr Lambert

That Council move into the "Closed Meeting" with the Acting General Manager, Works Manager, Senior Planner and Executive Assistant to discuss Closed Council Items.

Carried Unanimously

Mr Robinson left the meeting at 8.12pm.



17.1 CLOSED COUNCIL DECISIONS RELEASED

4.4 DISPOSAL OF LAND: NILE ROAD EVANDALE

MINUTE NO. 22/79

DECISION

Deputy Mayor Goss/Cr Davis

- A) That Council agrees in principle to transfer the portion of land adjoining 3 Nile Road, Evandale to Mr Graham Palmer, subject to:
 - i) A review of other titles in the municipality for disposal; and
 - ii) A valuation of the land being completed; and
 - iii) A report being presented to open Council to formally commence the process in accordance with the provisions of the *Local Government Act 1993*.
- B) Council, in relation to this matter:
 - i) consider whether any discussion, decision, report or document is kept confidential or released to the public; and
 - ii) determined to release the decision to the public.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil

18 CLOSURE

MINUTE NO. 22/84

DECISION

Cr Davis/Cr Goninon

That Council move out of the "Closed Meeting".

Carried Unanimously

Mayor Knowles closed the meeting at 8.58pm.

MAYOR _____ DATE _____