



**NORTHERN  
MIDLANDS  
COUNCIL**

# **MINUTES**

**ORDINARY MEETING OF COUNCIL**

**MONDAY, 16 MAY 2022**



MINUTES of the Ordinary Meeting of the Northern Midlands Council held on 16 May 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 Andrew Calvert, Cr Jan Davis, Cr Ian Goninon, Cr Janet Lambert, Cr Michael Polley AM

### **In Attendance**

Miss Maree Bricknell - Acting General Manager / Corporate Services Manager (to 7.58pm), Mr Leigh McCullagh - Works Manager (to 7.58pm), Mr Paul Godier - Senior Planner (to 7.10pm), Mrs Gail Eacher - Executive Assistant (to 7.58pm)

### **APOLOGIES**

Mr Des Jennings - General Manager



## 2 TABLE OF CONTENTS

Item	Page No.
1 ATTENDANCE .....	2
2 TABLE OF CONTENTS .....	3
3 ACKNOWLEDGEMENT OF COUNTRY .....	5
4 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE .....	5
5 PROCEDURAL .....	6
5.1 Confirmation Of Council Meeting Minutes .....	6
5.2 Date Of Next Council Meeting .....	6
6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES .....	7
7 COUNCIL COMMITTEES - RECOMMENDATIONS .....	8
8 INFORMATION ITEMS.....	14
8.1 Council Workshops/Meetings Held Since The Last Ordinary Meeting .....	14
8.2 Mayor's Activities Attended & Planned .....	14
8.3 General Manager's Activities .....	15
8.4 Petitions .....	15
8.5 Conferences & Seminars: Report On Attendance By Council Delegates.....	16
8.6 132 & 337 Certificates Issued.....	17
8.7 Animal Control .....	17
8.8 Environmental Health Services .....	18
8.9 Customer Request Receipts .....	19
8.10 Gifts & Donations (Under Section 77 Of The LGA) .....	19
8.11 Action Items: Council Minutes .....	20
8.12 Resource Sharing Summary: 01 July 2021 To 30 June 2022 .....	27
8.13 Vandalism .....	28
8.14 Youth Program Update .....	28
8.15 Strategic Plans Update .....	29
8.16 Tourism & Events And Heritage Highway Tourism Region Association (HHTRA) Update ...	31
9 GOVERNANCE REPORTS .....	33
9.1 Ross Community Sports Ground Master Plan.....	33



9.2 Local Government Reform.....	36
9.3 Renewal Of Appointment: Municipal Management Coordinator And Deputy .....	41
10 COMMUNITY & DEVELOPMENT REPORTS.....	44
10.1 Monthly Report: Development Services .....	44
11 CORPORATE SERVICES REPORTS.....	51
11.1 Monthly Report: Financial Statement .....	51
11.2 Public Land Register .....	58
11.3 Asset Management Plans .....	60
12 WORKS REPORTS.....	64
13 PUBLIC QUESTIONS AND STATEMENTS.....	65
14 COUNCIL ACTING AS A PLANNING AUTHORITY .....	67
15 PLANNING REPORTS.....	69
15.1 PLN22-0046: 80-82 Montagu Street Campbell Town .....	69
15.2 Draft Amendment 04/2021: 17 Church Street Campbell Town - Report On Representations .....	100
15.3 PLN21-0023: 12-20 Franklin Street, Campbell Town - 6 Lot Subdivision.....	115
16 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION.....	143
17 ITEMS FOR THE CLOSED MEETING .....	143
17.1 Closed Council Decisions Released.....	145
18 CLOSURE .....	146



### 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.*

Councillor Ian Goninon noted that a petition had been lodged in relation to a matter which he has an interest, and if any discussion was to take place regarding the petition listed in Information Item 8.4 Petitions, he would then declare an interest and vacate the meeting.



## 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, 11 April 2022, be confirmed as a true record of proceedings.

##### MINUTE NO. 22/140

##### DECISION

Cr Polley/Cr Adams

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 11 April 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, 27 June 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
1	8 March 2022	Evandale Community Centre and Memorial Hall Management Committee	Ordinary
2	30 March 2022	Longford Town Hall Committee	Ordinary
3	30 March 2022	Cressy Local District Committee	Ordinary
4	12 April 2022	Ross Community Sports Club	AGM
5	12 April 2022	Ross Community Sports Club	Ordinary
6	12 April 2022	Liffey Hall Management Committee	Ordinary
7	6 April 2022	Longford Local District Committee	Ordinary
8	5 April 2022	Campbell Town District Forum	Ordinary
9	3 May 2022	Campbell Town District Forum	Ordinary
10	26 April 2022	Local Recycling Committee	Ordinary
11	3 May 2022	Perth Local District Committee	Ordinary
12	5 April 2022	Ross Local District Committee	Ordinary
13	3 May 2022	Ross 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. 22/141

#### DECISION

Deputy Mayor Goss/Cr Lambert

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

Carried Unanimously

Council noted that the Perth Local District Committee meeting minutes of 5 April 2022 had been omitted from the meeting papers and would be circulated together with the 27 June 2022 Council Meeting Agenda.



## 7 COUNCIL COMMITTEES - RECOMMENDATIONS

### 7.1 CAMPBELL TOWN DISTRICT FORUM

At the ordinary meeting of the Campbell Town District Forum held on 5 April 2022 the following motion/s were recorded for Council's consideration:

#### 5.8 Public Telephone Box

The public telephone box located in Valentine Park is unclean and unsightly with graffiti and inappropriate language drawn and written on it.

#### COMMITTEE RECOMMENDATION

*Moved Danny Saunders, seconded Sally Hills*

*That Telstra be approached to clean and maintain the public telephone box located in Valentine Park*

#### AMENDMENT

*Moved: Tracey Spencer-Lloyd*

*That Council arrange for the cleaning and maintenance of the public telephone located in Valentine Park, with the relevant parties.*

*The amendment was put, became the motion, and was carried.*

#### Officer Comment:

Telstra provides around 15,000 public payphones throughout Australia which continue to provide valuable services to the community. They are a vital piece of social infrastructure and a beacon of safety and connection, especially for our most vulnerable and disadvantaged in the community. Telstra's Universal Service Obligation (USO) ensures that payphones are reasonably accessible to all people in Australia, no matter where they live or conduct business.

The public telephone box located in Valentine Park is the property of Telstra and said ownership includes ongoing maintenance and cleaning, which is undertaken on a scheduled basis, unless a fault report is made to Telstra identifying details of the issue including details of any physical damage (broken handsets, glass or graffiti etc.). This can be done by contacting the Payphone Fault Line on 180 22 44 (a free call from Telstra payphones). This service is available 24x7.

Since recording the minutes of the meeting held 5 April 2022, committee members have advised that the public telephone box has been cleaned.

#### Officer Recommendation:

That Council note the recommendation.

#### MINUTE NO. 22/142

#### DECISION

Cr Polley/Cr Goninon

That Council note the recommendation.

Carried Unanimously

#### Voting for the Motion:

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

#### Voting Against the Motion:

Nil

**Town Appearance:** *That the design for the flowerbeds and redevelopment of Queen Street be made available to the forum.*

#### Officer Comment:

The Campbell Town Urban Design and Traffic Management Strategy (the Strategy) prepared by GHD has previously been





provided to the Committee and while it identifies practical urban and landscaping design measures to improve the centre of Campbell Town, it does not provide the level of detail being requested.

As outlined in the Strategy, the quality and style of streetscape elements within Campbell Town, varies quite markedly. committee members are seeking consistency and uniformity within community in relation to pavement surfaces, street lighting, bins, seating and other site furniture, and signage.

Section 7, of the Strategy provides guidance in respect of the standard and style, which is targeted for streetscape elements but does not inform the reader or in this case, the committee, of the details which form part of Campbell Town's identity and showcases the community.

The Strategy also identifies that the major intersections between High Street and Queen and King Streets, pose a danger for oncoming traffic with poor sight lines due to on-street parking lanes. At item 3.3 Parking improvements of the Implementation Plan, it states, subject to decision regarding #3.2, replace bus parking zone within southern carpark with further vehicle spaces. *Provide further parking along Queen Street.*

The committee is seeking additional information and/or updates regarding the redevelopment of Queen Street.

**Officer Recommendation:**

That Council

- a) Provides the Campbell Town District Forum with a copy of the Campbell Town Streetscape Redevelopment (Stage 1A, Queen Street Intersection) Landscape Details.
- b) Provides an update regarding the redevelopment of Queen Street as identified in the Campbell Town Urban Design and Traffic Management Strategy.

**MINUTE NO. 22/143**

DECISION

Deputy Mayor Goss/Cr Lambert

That Council

- a) Provides the Campbell Town District Forum with a copy of the Campbell Town Streetscape Redevelopment (Stage 1A, Queen Street Intersection) Landscape Details.
- b) Provides an update regarding the redevelopment of Queen Street as identified in the Campbell Town Urban Design and Traffic Management Strategy.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

**Town Appearance:** *That the old town rubbish bins be replaced with bins that secure and contain the rubbish to stop it from blowing away.*

**Officer Comment:**

Committee members advised of issues with the form and function of the current bins which do not contain the rubbish as they have no lids. This means birds can pick at and scatter the rubbish and on windy days, the rubbish does not remain in the bins, creating an unsightly and even unhealthy mess throughout the streets.

The Committee included an example of the preferred bin surrounds in their budget request items which were presented to Council at a workshop on 9 May 2022.

**Officer Recommendation:**

That Council note the request in context of the 2022/2023 budget considerations.



**MINUTE NO. 22/144**

DECISION

Cr Goninon/Cr Adams

That Council

- a) note the request in context of the 2022/2023 budget considerations; and
- b) reviews the types of bins provided across the municipality.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

**Waste and Recycling:** *That Council address the issue of excess waste and contamination.*

**Officer Comment:**

Committee members enquired about the Campbell Town Transfer Station and recyclables and what happens to the recyclable and other materials as there appears that a substantial amount accumulates before it is transferred. There was concern that the amount of green waste that had accumulated could be a fire hazard.

At the Campbell Town District Forum meeting held 16 March 2022, Mayor Knowles advised the committee of the process to remove waste, such as green waste, and particularly recyclables being, that contractors will wait until there is enough to fill a truck and make the collection economically viable.

Committee members subsequently presented to the Transfer Station to attend to their own private waste matters and again viewed what was perceived as a substantial amount of waste accumulated.

The Committee still expresses concerns.

**Officer Recommendation:**

That Council note the request.

**MINUTE NO. 22/145**

DECISION

Cr Goninon/Cr Adams

That Council note the request; and receive a report on the processing of recyclables at Waste Transfer Stations (excluding Longford).

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 7.2 CRESSY LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Cressy Local District Committee held on 30 March 2022 the following motion/s were recorded for Council's consideration:

**Cressy Swimming Pool:** *Requested heated pool signs at the entrance to the Cressy Memorial Swimming Pool.*

**Officer Comment:**

There is presently a heated pool sign at the entrance to the pool. It is understood the intention of this motion may be for signs to be installed at the entrances to the town. There are presently various signs at the entrances to the town, and additional signs may cause the entrances to become too "busy". The replacement pool fence is scheduled to be installed this year, which will improve visibility of the pool. It is noted the street banner poles adjacent to the pool are also used to advertise the pool.

**Officer Recommendation:**

That the request be noted and no action be taken until the upgrades to the pool have been completed.

### MINUTE NO. 22/146

DECISION

Deputy Mayor Goss/Cr Polley

That the request be noted and a review of the 'heated pool' sign be undertaken.

Carried Unanimously

**Voting for the Motion:**

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

**Voting Against the Motion:**

Nil

## 7.3 LONGFORD LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Longford Local District Committee held on 6 April 2022 the following motion/s were recorded for Council's consideration:

**Signage at United Pie & Petroleum:** *Signage coming in and out of the United Service Station in Wellington Street needs to be realigned because it is unsafe, and Council need to review and have this addressed.*

**Officer Comment:**

Committee members raised concerns about poor visibility when entering the United Service Station on Wellington Street as it is positioned parallel in line with Wellington Street rather than being seen from an angular perspective.

Council's Planning Department has written to the owner advising that Council has had a traffic engineer review the available sight lines and the advice is:

*Whilst noting that the signage placement complies with the Acceptable Solution A1 of Clause E4.7.4 of the Planning Scheme, the following is noted:*

- *The signage is placed within the property boundary, immediately adjacent to the footpath. This provides a visual barrier that requires vehicles to travel from the property to the footpath to obtain appropriate sight distance along Wellington Street. During times of heavy pedestrian traffic, this may increase pedestrian/ vehicular conflict.*
- *It is noted that a similar sign has been installed associated with Hill Street. This sign has a gap below the lowest sign that permits some vision through the sign for drivers exiting the access.*
- *The two adjacent driveways have moderate traffic flow. Simultaneous movements of vehicles exiting 5 and 7A Wellington Street can increase traffic conflicts (i.e., left turn exit from 5 Wellington Street conflicting with right turn exit from 7A Wellington Street).*



The owners were also advised that placing 2 “no entry” signs at 90 degrees to the road would give drivers warning before they are on the exit driveway with no time to get to the entry.

In providing this advice the Planning Department also notes *that Council cannot enforce the suggested change, as the current situation complies with the sightlines of the scheme.*

**Officer Recommendation:**

That Council note the advice provided.

**MINUTE NO. 22/147**

DECISION

Cr Adams/Cr Brooks

That Council

- a) note the advice provided; and
- b) review previous traffic management reports and reported incidents/accidents.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

## **7.4 PERTH LOCAL DISTRICT COMMITTEE**

At the ordinary meeting of the Perth Local District Committee held on 3 May 2022 following motion/s were recorded for Council’s consideration:

**Bicycle Pump Track:** Council to allocate land for community-built Bicycle Pump Track at either Sheepwash Park or Oakmont St. The Committee is aware that clean fill and manpower is available from within the community.

**Officer Comment:**

The request for the provision of a Bicycle Pump Track at Perth has been submitted for Council’s consideration together with the Committee’s Budget Request list and is included for consideration as part of that process.

**Officer Recommendation:**

That Council note the request of the Committee and the inclusion of this matter for consideration as part of the budget process.

DECISION

Cr Brooks/Cr Lambert

That Council note the request of the Committee and the inclusion of this matter for consideration as part of the budget process; and if approved in the budget any preferred location be investigated with the Perth Local District Committee and local Perth interest groups.

Lost

Voting for the Motion:

Cr Brooks and Cr Lambert

Voting Against the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Calvert, Cr Davis, Cr Goninon and Cr Polley



**MINUTE NO. 22/149**

DECISION

Cr Polley/Cr Goninon

That Council note the request of the Committee and the inclusion of this matter for consideration as part of the budget process.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, 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: Des Jennings, General Manager

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

Date Held	Purpose of Workshop
02 May 2022	<b>Council Workshop</b> Presentations <ul style="list-style-type: none"><li>TasWater</li></ul> Discussion included: <ul style="list-style-type: none"><li>Special Workshops</li><li>Local Government Reform: General Discussion Paper</li><li>Campbell Town: Kings Park</li><li>Longford: Recreation Ground</li><li>Evandale: Murray Street Parking</li><li>Evandale: Recreational Vehicle Dump Site</li></ul>
09 May 2022	<b>Council Workshop</b> Presentations <ul style="list-style-type: none"><li>Local District Committee's presentation of 2022/23 Budget Request</li></ul> Discussion included: <ul style="list-style-type: none"><li>2022/2023 Budget</li></ul>
16 May 2022	<b>Council Workshop</b> Discussion: <ul style="list-style-type: none"><li>Council Meeting Agenda items</li></ul>
16 May 2022	<b>Council Meeting</b>

### 8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 12 April to 16 May 2022 are as follows:

Date	Activity
12 April 2022	Attended meeting with Commonwealth Bank reps, Longford
12 April 2022	Attended meeting with Oatlands tourism business proposal, Longford
13 April 2022	Attended Leon Compton radio interview, Campbell Town
13 April 2022	Attended meeting with Longford resident, Longford
13 April 2022	Attended meeting with Rick Dunn, Senior Advisor to Premier, Longford
14 April 2022	Attended Liberal function with Prime Minister and Susie Bower, Longford
20 April 2022	Attended meeting with citizenship inductee, Longford
20 April 2022	Attended meeting with mural group, Perth
22 April 2022	Attended online Aust Local Govt Women's Association (ALGWA) meeting, Gipps Creek
23 April 2022	Picked up Anzac Day wreaths, Campbell Town
23 April 2022	Attended working bee, Avoca Museum, and Information Centre
25 April 2022	Attended Anzac Day Dawn Service, Ross
25 April 2022	Officiated at Anzac Day Service, Avoca
26 April 2022	Attended Labor announcement, Translink
29 April 2022	Attended online affordable housing meeting, Gipps Creek
2 May 2022	Attended online ALGWA meeting, Gipps Creek
2 May 2022	Attended Council Workshop, Longford
3 May 2022	Attended NTDC Members meeting, Launceston



Date	Activity
3 May 2022	Attended meeting with Susie Bower
4 May 2022	Attended meeting with Perth resident, Longford
4 May 2022	Attended online meeting with Executive, Gipps Creek
9 May 2022	Guest speaker, online Communities Tasmania Forum, Gipps Creek
9 May 2022	Attended Red Cross members lunch, Longford
9 May 2022	Attended KPMG Aged Care Service Provision meeting, Longford
9 May 2022	Attended Council Workshop, Longford
10 May 2022	Attended Tas Talks Mayoral Moments radio interview, Gipps Creek
12 May 2022	Opening remarks online Hearing Lived Experience – Disability Forum, Gipps Creek
12 May 2022	Opening remarks online Hearing Lived Experience – LGBTIQ+ Forum, Gipps Creek
13 May 2022	Attended online emergency housing meeting, Gipps Creek
14 May 2022	Attended female elected member morning tea, Launceston
16 May 2022	Opening remarks Hearing Lived Experience – CALD Forum, Launceston
16 May 2022	Opening remarks online Hearing Lived Experience – Regional + Remote Forum, Longford
16 May 2022	Attended Workshop and Council Meeting, Longford
	Attended to email, phone, and mail enquiries.

### 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):

- Attended Northern Tasmania Development Corporation Board Meeting
- Met with Regional Development Australia (Tasmania) re Council's strategic priority projects
- Met with representatives from Evandale Information Centre
- Attended Local Government Association of Tasmania's General Manager's workshop
- Attended Citizenship Ceremony
- Met with promoter re Event proposal
- Met with ratepayer re concerns
- Met with the Premier's Senior Adviser re various matters
- Attended event hosted by Susie Bower, Federal Liberal Candidate for Lyons with Prime Minister, Scott Morrison, in attendance
- Met with Service Provider (Paul West)
- Attended Regional General Manager's meeting
- Attended ANZAC Day Dawn Service at Longford
- Attended National Local Government Vulnerability Program: Public Sector debrief
- Met with proponent re development proposal

### 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

### 1 Petition Opposing Planning Application PLN-21-0339 – 26-28 Charles Street, Cressy: (CT 132715/1) – Change of use to communal residence (accommodation for 20 seasonal workers)

A petition initiated by Jason Cox was received by Council on 9 May 2022, the petition is relative to a Planning Matter - **Planning Application PLN-21-0339 – 26-28 Charles Street, Cressy**, and is compliant having met the provisions of the *Local Government Act 1993*, Part 6 - Petitions, polls and public meetings, S57:

It is noted that there are a total of 257 signatories to the petition.

### 2 Convict Brick Trail at Campbell Town

A non-compliant petition initiated by John Cameron was received by Council on 4 April 2022, the non-compliant petition is relative to the Convict Brick Trail at Campbell Town, however, is non-compliant having not met the following provisions of the *Local Government Act 1993*, Part 6 - Petitions, polls and public meetings:

*Section 57*

- (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;

## ATTACHMENTS

1. PLN-21-0339 26-28 Charles Street Cressy [8.4.1 - 23 pages]
2. Convict Brick Trail - John Cameron - non-compliant petition [8.4.2 - 26 pages]

## 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		
<b>132</b>	95	74	98	111	75	95	58	73	74	66			<b>819</b>	<b>1,004</b>
<b>337</b>	34	54	29	59	63	30	35	37	52	39			<b>432</b>	<b>499</b>

## 8.7 ANIMAL CONTROL

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

Item	Income/Issues 2020/2021		Income/Issues for April 2022		Income/Issues 2021/2022	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,240	100,776	21	555	4,237	108,651
Dogs Impounded	27	2,212	3	276	22	3,784
Euthanised					1	
Re-claimed	24		2		19	
Re-homed/Dogs Home	2		1		3	
New Kennel Licences	16	1,152	3	216	15	1,080
Renewed Kennel Licences	72	3,168			83	3,652
Infringement Notices (paid in full)	36	6,785	6	1,004	26	4,796
Legal Action						
Livestock Impounded	1	65				
<b>TOTAL</b>		<b>114,159</b>		<b>2,051</b>		<b>121,963</b>



#### 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
89	22	12	14	8	8	6	2	17

#### Registration Audit of the Municipality:

Ongoing

#### Kennel Licences

5 kennel licences applied for.

#### Microchips:

0 dogs microchipped.

#### Infringements:

9 infringement issued.

#### Attacks:

0 attack – dog euthanised.

#### Impounded Dogs:

8 dogs impounded – 4 reclaimed by owner – 4 surrendered.

## 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	160/ 163	3	32	34	34	27	3	3	11	13		
Routine Mobile/Market stall Food Inspections	22	0	0	0	0	0	0	0	22	6		
Preliminary Site Visits – Licensed Premises	27	4	4	2	3	0	0	2	12	14		
On-site wastewater Assessments	12	3	4	2	2	0	0	0	1	2		
Complaints/Enquiries – All Types	98	8	8	4	6	3	4	40	25	16		
Place of Assembly approvals	7	0	1	0	2	1	0	0	3	2		
Notifiable Diseases	0	0	0	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	1	1	1		
Building & Planning	16	17	4	18	2	1	5	1	4	1		
Community Services	4	7	5	5	5	5	2	10	1	8		
Corporate Services	28	4	6	6	3	-	-		-			
Governance	9	-	-	-	1	1	-		-	2		
Waste	-	3	-	4	1	-	-	2	-	2		
Works	38	39	43	41	33	30	11	18	36	27		

## 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
16-Feb-22	Kalani C Brain	Bursary Program 2022 – Instalment 1	\$1,000.00
22-Feb-22	Ellie-Mae Evans	Bursary Program 2020 – Instalment 2	\$1,000.00
2-Mar-22	Bree Lavelle	Bursary Program 2022 – Instalment 1	\$1,000.00
16-Feb-22	Helping Hand Association	Donation	\$1,500.00
16-Feb-22	Longford Care-a-car Committee	Donation	\$1,000.00
25-Mar-22	Lachlan Oliver	Junior Track Championships Brisbane 2022	\$100.00
27-Apr-22	Erica Kirk	Bursary Program 2022 – Instalment 1	\$1,000.00
		TOTAL	\$28,818.32



### 8.11 ACTION ITEMS: COUNCIL MINUTES

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
31/01/2022	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	08/02/2022 Paul Godier Have requested the Spatial Information Specialist at the Department of Natural Resources and Environment to prepare the required maps. 03/03/2022 Paul Godier Spatial Information Specialist provided map on 17 February 2022. Meander Valley Council to consider the request for municipal boundary adjustment at its meeting of 8 March 2022. 25/03/2022 Gail Eachar 8/3/2022 Meander Valley Council agreed to adjustment. Request sent to LG Division 18/3/2022. 04/04/2022 Paul Godier 31 March 2022, the Local Government Division requested consent of new landowner and provision of Municipal Map. Being provided in conjunction with Meander Valley Council. 03/05/2022 Paul Godier Meander Valley Council advised on 1 April 2022 that they will follow up the new ownership and consent.
	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 Eachar	29/09/2021 Harbour Software 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 Gail Eachar Correspondence forwarded to property owner, awaiting response. 14/02/2022 Gail Eachar Letter received from property owner. Draft response to queries raised prepared. 01/04/2022 Gail Eachar Letter sent to property owner, response awaited.
	1.1	17/02/2020 - 039/20 - Bartholomew Park Sign	In progress	Committee Recommendation That the Bartholomew Park sign be removed from the top of the history board and a new sign (redesign) be installed at the corner of the park facing Main and Church Streets. RESOLUTION 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	08/10/2021 Harbour Software Support Committee has chosen sign design. Seeking advice on planning approval requirements. Once advice received will progress. 09/11/2021 Gail Eachar Planning application submitted. 03/12/2021 Amanda Bond Awaiting planning approval 12/01/2022 Amanda Bond Planning approval received, awaiting production. 08/02/2022 Amanda Bond Signs produced, to be collected and installed. 23/03/2022 Amanda Bond Signs collected awaiting installation. 03/05/2022 Amanda Bond Upon installation of frame, determined sign would obscure Trout and Public Toilet, therefore frame to be removed and options with Committee to confirm action moving forward ie reduce height and size and install.
	1.11	17/09/2018 - 258/18 - Initiation of Draft Planning Scheme Amendment 04/2018 include Flood Risk Mapping in the	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	Paul Godier	29/09/2021 Harbour Software Support Consultant is validating the modelling. 24/01/2022 Paul Godier Consultant provided updated modelling on 10 January 2022. 03/03/2022 Paul Godier Given that the draft Local Provisions Schedule hearing are expected to be held in July 2022, it is recommended that quotes be sought to prepare a scheme amendment to include the



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		Planning Scheme for Land along Sheepwash Creek from Arthur Street to Cemetery Road, Perth		Scheme 2013 to include the flood risk mapping for land zoned General Residential and Future Residential, based on the mapping shown in the attachment, in the planning scheme maps.		flood mapping once the Local Provisions Schedules are in effect. It is noted that the Flood Prone Areas Code currently applies to land mapped as flood risk on the planning scheme maps, or even if not mapped, if it is potentially subject to flooding at 1% annual exceedance probability. 09/05/2022 Paul Godier Quotes to be sought.
	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 Harbour Software Support Motions to be prepared and workshopped. 25/01/2022 Gail Eachar Advice sought.
	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.	Natalie Dell	29/09/2021 Harbour Software Support To be investigated and progressed.
	1.14	18/09/2017 - 279/17 - Historical Records and Recognition: Service of Councillors	In progress	That Council, ...and ii) progress the following when the glass enclosed area at the front of the Council Chambers is nearing completion: Photograph/photographs of current Councillors - professional printing and framing; Archiving of historic photographs; Production of a photo book of historic photographs for display.	Gail Eachar	29/09/2021 Harbour Software Support Historic photos to be catalogued and collated. 05/10/2021 Gail Eachar Framed photographs installed - action complete. Resources not available to undertake archiving of historic photographs and production of photo book. Additional resource to be sought. 06/12/2021 Gail Eachar Cataloguing and collation of historical photographs has commenced.
	1.1	21/10/2019 - 313/19 - Macquarie River	In progress	Committee Recommendation 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. RESOLUTION That Council support the proposal and progress the request.	Amanda Bond, Gail Eachar	08/10/2021 Harbour Software Support Information provided to DPIPW, awaiting decision. 07/12/2021 Gail Eachar The proposals went to the Place Names Advisory Panel on 2/12/21, recommendations are being prepared for the Minister.
21/02/2022	12.1	Bridge Across Liffey River to former Baptist Church Grounds	In progress	That Council ... b) notify the State Government that the maintenance grant for Bridge 9997 is no longer required; ...	Maree Bricknell	15/03/2022 Gail Eachar Awaiting agreement from property owner prior to action.
15/11/2021	9.4	Community Action Plan	In progress	Please action as per resolution. 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	07/12/2021 Amanda Bond Meeting with Relationships Australia representative on 9/12/2021 13/01/2022 Amanda Bond Officers to compile list of relevant community members / groups to work on the plan. 08/03/2022 Amanda Bond Relationships Australia, Tasmania representative to present to Northern Midlands Interagency Meeting (meeting of local service providers, particularly in the health space) and seek input for development of plan. 03/05/2022 Amanda Bond Awaiting report from Relationships Australia on how to proceed.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
21/02/2022	10.4	Inadequate Provision in the Planning Scheme to Cater for Itinerant Worker Accommodation with Appropriate Amenities and in Accordance with Federal Government Requirements	In progress	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.	Paul Godier	03/03/2022 Paul Godier 1. Awaiting advice of review of State Planning Provisions. 2. Preparing a Proposal for Change to the National Construction Code. Identifying who can undertake queuing modelling to support a recommended number of toilets and showers per person. 04/04/2022 Paul Godier Tasmanian State Planning Office advised of Local Government Engagement Timeline.
13/12/2021	7 1.3	Marlborough Street Traffic Islands	In progress	Please action as per resolution. 7.4 Marlborough Street Traffic 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. (Please see attached photos). Officer Comment: Customer request to be generated and request forwarded to Dept of State Growth. Officer Recommendation: That Council note the recommendation.	Lorraine Wyatt	14/02/2022 Lorraine Wyatt Request sent to DSG on 25/1/22. Response awaited.
21/02/2022	9.1	Proposed Acquisition of Land: Macquarie Street, Cressy	In progress	That Council accepts the offer and progress the acquisition of the land in question.	Amanda Bond	08/03/2022 Amanda Bond Property owner notified. Council staff preparing layout plan for Development Application.
21/02/2022	9.5	Swimming Pool Operations: 2021-2022 Season	In progress	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.	Des Jennings, Leslie Hall	15/03/2022 Gail Eachar Report to be prepared.
13/12/2021	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	Jonathan Galbraith, Leigh McCullagh	20/01/2022 Jonathan Galbraith 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 Jonathan Galbraith Design proposing installation of concrete bollards has been submitted to DSG for approval awaiting response 08/03/2022 Jonathan Galbraith Currently seeking prices to carry out works 01/04/2022 Jonathan Galbraith Planning Application has been submitted for these works. Contractor has been engaged to carry out works once planning approval is received.





Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				measures to remediate the dangers posed by the intersection.		06/05/2022 Jonathan Galbraith Finalizing heritage requirements for planning application
	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 Harbour Software Support Report to future Council Meeting. 08/11/2021 Gail Eachar Matter to be referred to future Council workshop for further advice.

#### COMPLETED

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
	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 Harbour Software Support Discussed at Workshop. Further options to be investigated. 08/10/2021 Gail Eachar Further report from Traffic Engineer re alternate solutions awaited. 08/11/2021 Gail Eachar Traffic Engineer scheduled to attend 29 November Councillor workshop. 06/12/2021 Gail Eachar Report to December Council meeting.
	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 Eachar	29/09/2021 Harbour Software Support Report to be presented to October Council Meeting. 08/10/2021 Gail Eachar Report to 18 October 2021 Council meeting.
11/04/2022	9.3	Adoption of Arms	Completed	a. Pursuant to s336(1) of the Local Government Act 1993, Council adopts as its arms the Northern Midlands Council logo identified by and as depicted in Council's Use of Northern Midlands Council Logo policy dated 19 March 2012 as amended; and b. That Council endorses the consequential amendments to its Use of the Northern Midlands Council Logo policy dated 19 March 2012 identified as amendments in the attachment to this report.	Amanda Bond	13/04/2022 Amanda Bond Policy updated
21/02/2022	11.4	Audit Committee	Completed	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.	Maree Bricknell	03/03/2022 Gail Eachar Policy manual updated. 04/04/2022 Gail Eachar Committee reappointed.
21/03/2022	1.1	Consultation on New Aboriginal Cultural	Completed	That Council note this report and prepare a submission.	Lorraine Wyatt	24/03/2022 Lorraine Wyatt Commenced research in preparation of compiling an Agenda item for presentation to Council.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		Heritage Legislation				31/03/2022 Lorraine Wyatt Submission has been prepared and will be presented to the 11 April 2022 Council meeting.
11/04/2022	9.6	Councillor Attendance at ANZAC Day Services	Completed	That i) Council receive this report; and ii) Councillors attend the 2022 ANZAC Day services as indicated.	Lorraine Wyatt	26/04/2022 Lorraine Wyatt Wreaths were provided and Councillors attended services as per the Council decision.
21/02/2022	10.3	Inadequate Provisions in the Planning Scheme to Prevent the Creation of Lots Less than 450 Square Metres	Completed	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 450m <sup>2</sup> . b) The strength of the proposed performance criteria in the draft Northern Midlands Local Provisions Schedule for preventing approval of lots less than 600m <sup>2</sup> .	Paul Godier	03/03/2022 Paul Godier Legal advice requested on 3 March 2022. 04/04/2022 Paul Godier Lawyer advised 10 March 2022 had received requested and working on response. 03/05/2022 Paul Godier Council's lawyer provided advice on 26 April 2022 which in summary advises: The SPP and LPS performance criteria does not provide an automatic or particularly strong pathway to prevent lots that are less than 450m <sup>2</sup> or 600m <sup>2</sup> respectively. Each individual application for subdivision should be considered on its own merits by taking into account the relevant P1(a) to (f) factors. That assessment should not compare the proposed lot size to the acceptable solution A1 requirement of 450m <sup>2</sup> or 600m <sup>2</sup> as some form of benchmark. Any assessment that adopts that approach would arguably be in error and open to challenge upon appeal. The performance criteria under the LPS would still permit lot sizes less than 600m <sup>2</sup> , and it is highly unlikely to limit or constrain a proper application of the relevant performance criteria. We consider it highly likely that the application of the performance criteria under both the SPP and the LPS would likely lead to identical outcomes with no meaningful difference between the two. The differences in between the SPP and LPS acceptable solution are unlikely to result in any meaningful difference in outcome between the two respective performance criteria.
21/02/2022	12.2	Kerbside Organics Collection	Completed	That the matter be deferred subject to a further report, provision of a business case and limited town survey.	Jonathan Galbraith	08/03/2022 Jonathan Galbraith To be considered at a future Council meeting following a further review of the business case 01/04/2022 Jonathan Galbraith A further report has been prepared for the April Council meeting 21/04/2022 Jonathan Galbraith Preparation of tender documents has commenced
13/12/2021	9.1	Local Roads and Community Infrastructure Program Phase Three Funding	Completed	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	Lorraine Green	21/12/2021 Lorraine Green The four projects to date submitted by Council have been approved and placed on the Work Schedule. Further project(s) will be submitted once Council has selected such. 09/05/2022 Gail Eachus Matter finalised at 11 April 2022 Council meeting.





Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				alternative projects to nominate for funding through Phase Three of the Local Roads and Community Infrastructure Program.		
11/04/2022	9.1	Local Roads and Community Infrastructure Program Phase Three Projects	Completed	That Council nominate Perth Early Learning Centre and Cressy Pool Upgrade projects for \$1,121,874 and \$600,000 respectively through Council's Phase Three Local Roads and Community Infrastructure Program funding.	Lorraine Green	13/04/2022 Lorraine Green The revised work schedule requesting the changes to the funding allocations for the Perth Early Learning Centre and Cressy Pool was submitted to the Local Roads and Community Infrastructure Program. Further information was requested and this has been submitted.
13/12/2021	9.2	Longford Memorial Hall Community Consultation	Completed	That Council progresses with option 1, reviews the external building materials and makes development application upon redesign.	Lorraine Green, Trent Atkinson	20/12/2021 Lorraine Green Council's Project Manager to submit the development application once the design is revised as requested.
11/04/2022	7 3.2	Memorial Reserve (Cenotaph / ANZAC Memorial Park)	Completed	REQUEST: ANZAC Memorial Park: That the Anzac Memorial Park be made more welcoming and inviting for both the residents and visitors to this park. This could be achieved by the daily opening of the large gates and installation of table and bench seating. DECISION: That Council note the recommendation.	Gail Eacher	09/05/2022 Gail Eacher At the 5 April 2022 PLDC meeting, in conjunction with the approval of the previous meeting minutes, the Committee resolved to withdraw this request.
11/04/2022	7 1.2	MOU Amendment	Completed	REQUEST: MOU Amendment: That Council consider an amendment to the Avoca, Royal George & Rossarden Local District Committee MOU, to provide for the Committee to meet on a quarterly basis. DECISION: That Council approve the amendments to the Avoca, Royal George & Rossarden Local District Committee Memorandum of Understanding.	Gail Eacher	13/04/2022 Gail Eacher MOU updated. To be listed for the endorsement of the Chair in the 26 May 2022 ARGR LDC Agenda.
18/10/2021	5 3.1	Naming of the Perth Dog Park	Completed	Please action as per resolution. That the Perth Dog Park be named the Perth Bicentenary Dog Park.	Natalie Horne	08/11/2021 Natalie Horne Submitted request to Place names Tasmania, waiting on confirmation 02/12/2021 Natalie Horne Request has been advertised, waiting on any objections then approval from nomenclature board 26/04/2022 Gail Eacher Council has received notice from the Place Names Office, the Minister has confirmed the Place Names Advisory Panel's decision to dismiss objections and confirm this proposed naming of the Mulgrave Street dog park as the Perth Bicentenary Dog Park .
21/03/2022	1.2	Northern Midlands Council Local Recycling Committee: extension of	Completed	That Council endorse the extension of the 2020-2022 term of membership of Northern Midlands Council Local Recycling Committee by 12 months to 30 June 2023.	Jonathan Galbraith	01/04/2022 Jonathan Galbraith Committee members to be informed at the April meeting that their term has been extended for a further 12 months 08/04/2022 Gail Eacher Advice sent to membership.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		2020-2022 term to 30 June 2023				
11/04/2022	12.1	Proposal for Kerbside Organics Collection	Completed	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.	Jonathan Galbraith	06/05/2022 Jonathan Galbraith Tender documents for FOGO collection are currently being prepared
11/04/2022	13.1	Public Questions	Completed	Question: N Tubb - Notification to Representors on Planning Items listed.	Gail Eacher	14/04/2022 Gail Eacher Advice re procedure sent to Councillors.
11/04/2022	13.1	Public Questions	Completed	Questions - K Peart: Campbell Town Fire Station	Gail Eacher	14/04/2022 Gail Eacher Response sent.
11/04/2022	8.9.1	Resolution for Information Items	Completed	PETITION: That Council acknowledge receipt of the non-compliant petition presented to Council by Ms Toni Burton on 28 March 2022; the non-compliant petition is in relation to the exhibition of Planning Application PLN 21-0339 - 26-28 Charles Street, Cressy.	Gail Eacher	14/04/2022 Gail Eacher Correspondence sent.
11/04/2022	12.2	Sale of Land at Bruce Place Longford	Completed	That Council determines to sell 7 Bruce Place at Longford and directs the General Manager to commence the subdivision and sale process in accordance with Part 12, Division 1 of the Local Government Act 1993 .	Amanda Bond	05/05/2022 Amanda Bond Commenced process and determined that Council decision was not specific enough. Report to be presented back to Council.
11/04/2022	9.4	Sale of Town Hall, Campbell Town	Completed	That Council calls for expressions of interest from commercial real estate agents operating in the Northern Midlands municipality to advertise and sell the Town Hall in Campbell Town.	Amanda Bond	03/05/2022 Amanda Bond Expressions of interest advertised in Examiner on 27 and 30 April 2022. Closing dates for expressions of interest 20 May 2022.
11/04/2022	9.2	Tasmanian Community Sport and Active Recreation Infrastructure Strategy	Completed	That Council note the draft Tasmanian Community Sport and Active Recreation Infrastructure Strategy.	Lorraine Green	13/04/2022 Lorraine Green No further action required.
11/04/2022	7 2.2	Town Appearance	Completed	REQUEST: 8.3 Town Appearance (Generally): That Council investigate the cleaning of the footpath on High Street. DECISION: That Council note the recommendation.	Lorraine Wyatt	26/04/2022 Lorraine Wyatt CTDF have been advised of Council's decision.
21/02/2022	11.3	Town Promotion Videos	Completed	That Council do not provide the additional funding at this time.	Fiona Dewar, Maree Bricknell	03/03/2022 Fiona Dewar Decision noted
11/04/2022	9.5	Vulnerable Peoples Register	Completed	That Council support elements of the City Launceston decision as follows: 1 Agree and support 2 Agree and	Lorraine Wyatt	26/04/2022 Lorraine Wyatt Longford Local District Committee has been advised of Councils decision.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				support 3 (a) Not support. Research demonstrates that through Premier's Economic and Social Recovery Advisory Council final report (the Report), the need for additional support for vulnerable community members has already been identified. 3 (b) Not support. Vulnerable people who wish to be registered are currently and continually being, registered. Barriers to accessing service delivery are varied and include inadequate human resources within the sector to meet demand for services.		
21/03/2022	1 1.2	Vulnerable People's Register	Completed	Longford LDC - Vulnerable People Register - That NMC ask the State government to establish a vulnerable people's register. DECISION: That the matter be investigated prior to a further report to Council.	Lorraine Wyatt	31/03/2022 Lorraine Wyatt Research being undertaken before being returning item 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 \$
<b>Meander Valley Council</b>		
<b>Service Provided by NMC to MVC</b>		
Street Sweeping Plant Operator Wages and Oncosts	229.50	12,265
Street Sweeper - Plant Hire Hours	229.50	20,807
<b>Total Services Provided by NMC to Meander Valley Council</b>		<b>33,072</b>
<b>Service Provided by Meander Valley Council to NMC</b>		
<b>Wages and Oncosts</b>		
Plumbing Inspector Services	496.70	37,688
Engineering Services	-	-
<b>Total Service Provided by MVC to NMC</b>		<b>37,688</b>
<b>Net Income Flow</b>		<b>- 4,616</b>
<b>Total Net</b>		<b>- 6,018.40</b>
<b>Private Works and Council Funded Works for External Organisations</b>		
	<b>Hours</b>	
Works Department Private Works Carried Out		
	<u>325</u>	



### 8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	Estimated Cost of Damages			
		April 2022	Total 2021/22	April 2021	Total 2020/21
Graffiti and damage at Pioneer Park Toilets	Evandale	\$1500			
Graffiti at War Memorial Oval Toilet	Campbell Town	\$600			
<b>TOTAL COST VANDALISM</b>		<b>\$2100</b>	<b>\$10,500</b>	<b>\$0</b>	<b>\$10,200</b>

### 8.14 YOUTH PROGRAM UPDATE

Prepared by: Natalie Dell, Youth Officer

#### PCYC Program

Council fund PCYC activities in the Northern Midlands. The program is currently being facilitated in Perth on Thursdays during school terms. Attendance numbers for the Perth program in April are as follows:

	Date of Session	Attendance	Comment
Perth			
	7/4	10	Earlier finish time commenced
	14/4	12	N/A
	21/4	0	School holidays
	28/4	0	School holidays

#### Free2B Girls Program

The Free2B Girls program is funded by Tasmania Community Fund and has commenced in Longford and Campbell Town and is to commence again in Term 2.

#### 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. Attendance for the month of April is as follows:

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	5/4	9	Instructor away
	12/4	18	N/A
	19/4	0	School holidays
	26/4	0	School holidays
Cressy			
	7/4	35	N/A
	14/4	0	Student free day
	21/4	0	School holidays
	28/4	0	School holidays

#### Meetings

Natalie Dell represents Council on the Northern Youth Coordinating Committee and the Northern Midlands Interagency Meetings.



## 8.15 STRATEGIC PLANS UPDATE

Prepared by: Lorraine Green, Project Officer

CURRENT AS OF 27 April 2022

Progress Report:

Not Started (obstacles)

On Hold

On Track

Completed

Strategic Plans	Dept.	Status	Current Status
<b>Lead: Serve with honesty, integrity, innovation and pride</b>			
Annual Budget and Quarterly Reviews	Corp	<span style="background-color: #92D050; border: 1px solid black;"></span>	Long Term Financial Plan updated and annual budget adopted at 28 June 2021 meeting.
Asset Management Plan Annual Review	Corp	<span style="background-color: #92D050; border: 1px solid black;"></span>	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	<span style="background-color: #92D050; border: 1px solid black;"></span>	Legislative Audit, Delegations Review and Policy Manual update ongoing.
Customer Service Standards	Corp	<span style="background-color: #92D050; border: 1px solid black;"></span>	Risk Management Policy reviewed July 2021 and Risk Register review scheduled December 2022.
Elected Members Development & Annual Plans	Gov	<span style="background-color: #FFC000; border: 1px solid black;"></span>	Policy and Annual Plan to be prepared.
Emergency Management	Corp	<span style="background-color: #92D050; border: 1px solid black;"></span>	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	<span style="background-color: #92D050; border: 1px solid black;"></span>	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	<span style="background-color: #92D050; border: 1px solid black;"></span>	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	<span style="background-color: #92D050; border: 1px solid black;"></span>	Framework utilised for recruitment is best practice. Employee Satisfaction Survey – department summaries to be distributed during March. COVID-19 Vaccination Mandate – consultation process commenced on 22/2/22 and concludes on 11/3/22 for staff and 18/3/22 for volunteers. Wage subsidy for apprentice wages claimed quarterly.
Workplace Health & Safety Action Plan Annual Review	Corp	<span style="background-color: #92D050; border: 1px solid black;"></span>	WHS audit assessment reviewed on an ongoing basis.
<b>Progress: Economic health and wealth – grow and prosper</b>			
<a href="#">Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania</a>	Gov	<span style="background-color: #92D050; border: 1px solid black;"></span>	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.
<a href="#">Campbell Town CBD Urban Design &amp; Traffic Management Strategy</a>	Gov	<span style="background-color: #92D050; border: 1px solid black;"></span>	Construction of midland highway underpass at Campbell Town progressing. Building Better Regions Fund application submitted for funding towards implementation of Stage 1 of the Urban Design Strategy. Outcome awaited. Main Street upgrade Included on 2022 Federal Election wish list.
Campbell Town (King Street) Tourist Park Master Plan & Business Case	Gov	<span style="background-color: #92D050; border: 1px solid black;"></span>	Draft master plan received. Business plan to be developed.
<a href="#">Campbell Town – Town Hall Sale/Lease</a>	Gov	<span style="background-color: #92D050; border: 1px solid black;"></span>	Expression of interest for selling the hall advertised: closes 20 May 2022.
Economic Development Master Plan Strategy Delivery	Gov	<span style="background-color: #92D050; border: 1px solid black;"></span>	Economic development framework adopted by Council at May 2020 meeting. Implementation underway.
Tourism Strategy Implementation	Corp	<span style="background-color: #92D050; border: 1px solid black;"></span>	Augmented Reality Project – Ross experience being trialled. Northern Midlands Business and Volunteer Expo – postponed due to pandemic. REASSIGN project – site work plans being finalised. Stage 1 implementation plan to be reviewed by Project Committee in early May.
Lake Leake Amenities Upgrade Project	Gov	<span style="background-color: #92D050; border: 1px solid black;"></span>	Recreational Fishing and Camping Facilities Program grant secured towards the upgrading of the toilet and shower facilities. Plans prepared.
Tooms Lake Camping Area Infrastructure Upgrade Project	Gov	<span style="background-color: #92D050; border: 1px solid black;"></span>	Funding secured through the Recreational Fishing and Camping Facilities Program for the upgrade of camping area infrastructure. Onsite work has commenced.
<a href="#">Longford Motor Sport Museum</a>	Gov	<span style="background-color: #FFC000; border: 1px solid black;"></span>	Alternative sites for museum being sought. Included on 2022 Federal Election wish list.
Longford Racecourse Master Plan & Area Review	Gov	<span style="background-color: #92D050; border: 1px solid black;"></span>	Draft master plan being progressed. Community and industry consultation phase completed.
<a href="#">Longford CBD Urban Design Strategy</a>	Gov	<span style="background-color: #92D050; border: 1px solid black;"></span>	Commitment of \$4m from National Party prior to 2019 Federal Election. Consultation completed for memorial hall upgrade.
Stormwater Management Plans	Works	<span style="background-color: #92D050; border: 1px solid black;"></span>	Model build for all Towns in progress, nearing completion.



Strategic Plans	Dept.	Status	Current Status
<i>Municipal Subdivisions Infrastructure Upgrade Program (including Ridgeside Lane)</i>	C&D		Council to identify opportunities to provide infrastructure and secure funding.
Nile Road Upgrade	Works		Included in NMC Priority Projects document.
<i>Perth Early Learning Centre</i>	Gov		On site works commenced late February 2022. First progress report submitted to Community Development Grants Program.
<i>Perth Sports Precinct Concept Master Plan</i>	Gov		Concept master plan developed October 2020. Included in NMC Priority Projects document and on 2022 Federal Election wish list.
Perth Town Structure Plan	C&D		Council has endorsed the plan and draft amendments to planning scheme to be prepared. Main Street upgrade included on 2022 Federal Election wish list.
<i>TRANSLink Precinct Renewal - Stormwater, gas pipeline and intermodal facility</i>	Gov		Seeking grant assistance to fund planned works. Included in NMC Priority Projects document and 2022 Federal Election wish list
<i>Underground Power – Evandale, Longford &amp; Perth</i>	Works		Awaiting funding streams to come available.
<b>People: Cultural and society – a vibrant future that respects the past</b>			
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. Community consultation completed. Onsite works to commence mid-May 2022.
<i>Municipal Shared Pathways Program (including pathways within &amp; between towns)</i>	Gov		Committee established and program to be prepared. Shared pathway Breadalbane roundabout to Youngtown included on 2022 Federal Election wish list.
Northern Midlands Community House	Gov		Possible site identified. Requesting State to transfer the property as a community lease to Council.
Ross Recreation Ground Master Plan	Gov		Draft Master Plan on agenda of May 2022 Council Meeting.
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 Programs	Gov		Participating in the Northern Health Providers Networks meetings. Further Education Bursary Program finalised for 2021.
Supporting Sport & Recreation Programs	Gov		Quarterly meeting held with Sport and Recreation Dept consultant. 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 &amp; Cressy Swimming Pools</i>	Gov		Included in NMC Priority Projects document.
<i>Ross Swimming Pool</i>	Gov		Pool operation to continue (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. New Youth Officer commenced 1 March 2022.
<b>Implementation of Final Stages</b>			
• <i>Campbell Town War Memorial Oval Precinct Development Plan</i>	Gov		New public toilet facility, irrigation system and tennis hit-up wall completed.
• <i>Cressy Recreation Ground Master Plan</i>	Gov		Levelling the Playing Field funding received – building work completed – final report and acquittal being prepared. BBQ facility & landscaping to be funded through Local Roads and Community Infrastructure grant. . Application submitted to Cricket Australia for funding to upgrade the practice facility – outcome awaited.
• <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, carpark and landscaping to be completed 2021/2022 - 2022/2023.
• <i>Evandale Morven Park Master Plan</i>	Gov		Works substantially completed: grant acquittal report submitted. Relocation of cricket nets underway.
• <i>Northern Midlands Community Sports Centre</i>	Gov		First floor fit-out to be progressed in 2021/2022. Internal and external stairs completed.
<b>Place: Nurture our heritage environment</b>			
<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.



Strategic Plans	Dept.	Status	Current Status
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.
<a href="#">Sheepwash Creek WSUD Open Space Corridor &amp; Associated Open Space Plan</a>	Gov		Grants to be sought for major new/improved infrastructure.
<a href="#">South Esk River Parklands Master Plan</a>	Gov		Building Better Regions Fund grant secured towards the extension of the walkway and installation of footbridge. Grant Agreement executed Feb 2022.
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 of \$19,787 provided for weed officer/strategy.

*\*Items included in Integrated Priority Projects Plan*

#### Completed:

Strategic Plans	Dept	Start Implementation Date	Status	Current Status
<b>Lead: Serve with honesty, integrity, innovation and pride</b>				
<a href="#">Integrated Priority Projects Plan</a>		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.
<b>Progress: Economic health and wealth – grow and prosper</b>				
<b>People: Cultural and society – a vibrant future that respects the past</b>				
Disability Action Plan	Gov			Review complete
<b>Place: Nurture our heritage environment</b>				

## 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.
  - 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, Evandale.
- Facilitate meeting of the Northern Midlands Visitor Information Centres on 29 March 2022.
- Longford Legends round of inductions completed and launched with a function on 14 March 2022.
- Represent Council with attendance at Exhibition Launch at Ross.

#### HHTRA update:

- Meeting held via zoom on 24 March 2022.
- Current marketing activities continue and include website blog posts and social media.





**MINUTE NO. 22/150**

DECISION

Cr Adams/Cr Polley

That Council acknowledge receipt of

- a) the compliant petition presented to Council by Mr Jason Cox on 9 May 2022, the petition is relative to the Opposing of Planning Application PLN-21-0339 26-28 Charles Street, Cressy; and
- b) the non-compliant petition presented to Council by Mr John Cameron on 4 April 2022, the petition is relative to the Convict Brick Trail at Campbell Town.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

**MINUTE NO. 22/151**

DECISION

Cr Lambert/Cr Polley

That the Open Council Information Items be received.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil





## 9 GOVERNANCE REPORTS

### 9.1 ROSS COMMUNITY SPORTS GROUND MASTER PLAN

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Lorraine Green, Project Officer

#### 1 PURPOSE OF REPORT

The purpose of the report is to:

- i) Present to Council the Ross Community Sports Ground and Clubrooms Draft Master Plans
- ii) Seek Council's in-principle adoption of the draft master plans and the release of the master plans for public comment.

#### 2 INTRODUCTION/BACKGROUND

Council is committed to promoting the health and well-being of Northern Midlands residents and towns by ensuring the provision of sport and recreation facilities and programs/activities that enable residents to participate in physical activity, and towns to host local, regional, statewide and national events. The recreation grounds across the municipality are integral components of the sport and recreation infrastructure of the Northern Midlands, serving as the towns' main sport and recreation precincts.

Council has been progressively contracting the development of master plans for these recreation grounds in order to gain a clear understanding of what current and future user groups require for their sporting activities, and to identify solutions for the future that can be integrated and consolidated within the grounds and the existing infrastructure. Extensive community and sports body consultation underpins the development of the master plans.

Veterans Cricket Tasmania's decision in 2021 to adopt the Ross Community Sports Ground as its headquarters underpinned Council commissioning a master plan for the sports ground.

In August 2021 Council contracted Lange Design to develop the grounds master plan, assisted by Loop Architecture designing the clubrooms upgrade. The consultants' work included detailed background research, assessment of the existing facilities/infrastructure and consultation with key stakeholders including the Ross Community Sports Club Committee, user groups and Council officers.

The consultants have submitted the draft master plans for the grounds and the clubrooms.

#### 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
- 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:**

- 3.2 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

4.4 Our heritage villages and towns are high value assets

#### **4 POLICY IMPLICATIONS**

N/A

#### **5 STATUTORY REQUIREMENTS**

N/A

#### **6 FINANCIAL IMPLICATIONS**

Cost estimates for the implementation of the grounds master plan will be determined following the receipt of community feedback on the draft plan, and the revision of the plan as required.

The cost of upgrading the clubrooms toilets and change facilities (players, umpires and public) has been estimated as \$940,030. The remainder of the recommended upgrade has not been costed.

Veterans Cricket Tasmania has applied for a Planting Trees for the Queen's Jubilee Grant that, if secured, will fund the cost of some of the tree plantings recommended in the draft grounds master plan.

#### **7 RISK ISSUES**

The progressive implementation of the master plans will ensure community and Veterans Cricket Tasmania expectations are met with regard to the enhancement of the function and aesthetic quality of the grounds.

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

Council officers regularly discuss Northern Midlands' sport and recreation needs and issues with Sport and Recreation Tasmania officers and seek their input to the development of the recreation ground master plans.

#### **9 COMMUNITY CONSULTATION**

Consultation with the Ross Community Sports Club Committee and user groups underpinned the development of the master plans.

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

Council can either accept or not accept the in-principle adoption of the master plans and the proposed way forward .

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

The consultants have fulfilled the requirements of the Master Plan project briefs and presented comprehensive and realistic draft master plans to drive the further development of the Ross Community Sports Ground.

#### **12 ATTACHMENTS**

1. Ross Recreation Ground draft master plan [9.1.1 - 1 page]
2. Ross Recreation Ground Clubrooms upgrade master plan [9.1.2 - 3 pages]



## RECOMMENDATION

That Council in-principle adopt the Ross Community Sports Ground and Clubrooms Draft Master Plans, release the plans for stakeholder and public comment, and receive the finalised master plans with costings at a future Council Meeting.

## MINUTE NO. 22/152

### DECISION

Cr Goninon/Cr Polley

That Council in-principle adopt the Ross Community Sports Ground and Clubrooms Draft Master Plans.

Carried

Voting for the Motion:

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

Voting Against the Motion:

Deputy Mayor Goss, Cr Brooks and Cr Davis



## 9.2 LOCAL GOVERNMENT REFORM

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

### 1 PURPOSE OF REPORT

The purpose of the report is for Council to consider the *Local Government Reform – General Discussion Paper* and determine whether Council wishes to make a submission on the Local Government Review.

### 2 INTRODUCTION/BACKGROUND

There are a wide range of options that may deliver economies of scale, or other benefits in terms of more effective local government.

Options to be investigated include a range of approaches:

- shared service delivery
- regional collaboration
- boundary adjustment
- voluntary, forced and failed amalgamations of councils

There have been many commissions and reports aimed at reforming local government, with a focus on the question of optimum size and efficiency.

There is often a heavy focus on economic arguments to the exclusion of other issues, for example:

- importance of good governance
- effective local democracy and representation
- evaluation of post-reform experience

### 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
- 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
- 2.2 Proactive engagement drives new enterprise
- 2.3 Collaborative partnerships attract key industries
- 2.4 Support and attract wealth-producing business and industry

**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
- 3.3 Public assets meet future lifestyle challenges
- 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
- 4.3 Eco-tourism strongly showcases our natural beauties
- 4.4 Our heritage villages and towns are high value assets

**4 POLICY IMPLICATIONS**

None applicable at this time.

**5 STATUTORY REQUIREMENTS**

None applicable at this time.

**6 FINANCIAL IMPLICATIONS**

No costs have been identified at this time for the preparation of the submission other than officer time.

**7 RISK ISSUES**

Council must consider it is a risk to do nothing or take the opportunity to put forward Council's position.

**8 CONSULTATION WITH STATE GOVERNMENT**

The State Government is inviting community feedback for Phase 1 of the *Future of Local Government Review*.

**9 COMMUNITY CONSULTATION**

Community members are welcome to provide a submission for Phase 1 of the *Future of Local Government Review*.

**10 OPTIONS FOR COUNCIL TO CONSIDER**

Council may either provide or not provide a submission on the *Future of Local Government Review*.

**11 OFFICER'S COMMENTS**

Direction is being sought from Council as to whether Council wishes to make comment on the Local Government Review.

We are all familiar with the long-established increasing need to do more with less. Sharing services enables us to do this by reducing duplication of effort and expenditure.

There is a wide array of shared services models already operating across Australia. The varying models each have different advantages and disadvantages. One model will not suit all councils. The range of choice out there means that there is very likely to be an effective option for council to consider.



We need to draw on the experiences and lessons learned from those who are already sharing services in the areas of council's interest.

Shared services are not new but can bring financial benefits to councils through the reduction of duplication. They can also improve customer service.

Through resource sharing on a regional basis Councils can improve the efficiency, effectiveness and quality of services and functions. Importantly, they provide the opportunity for Councils to maintain but also to improve service delivery to their communities in response to increasing external pressure resulting from other levels of government and to increasing regulatory, compliance and reporting requirements imposed on them.

Resource sharing can be implemented in a number of ways including:

- Resource sharing through service agreements where Councils as a group agree to allocate functions between themselves – one Council does a function on behalf of the group. Here a Council outsources a function to another Council.
- Resource sharing through a joint enterprise where Councils form a joint business to achieve economies of scale across a functional area of core business.
- Merger/amalgamation where Councils join together voluntarily.

There are other variations of resource sharing through service agreements. These include agency agreements, where one Council performs operations on behalf of other Councils as their agent. As well there could be a range of formal and informal arrangements to jointly fund, operate or provide services and share staff, facilities and assets. Examples of these include the sharing of building inspectors and waste management services.

There are opportunities to rationalise and achieve better utilisation of major operational assets such as plant and equipment, depots, workshops, administration centres and office technology, such as IT systems. Specialised items of plant which may have relatively low utilisation levels can be better utilised.

To achieve a successful outcome from the process of resource sharing it is essential that the process is designed to enable a range of options to be considered and informed decisions made only when the strengths and weaknesses of the options are determined.

Some of the opportunities for shared service delivery/regional collaboration include:

- Information Technology:

The company that councils in the region were partnering with withdrew from the project. It is understood that the reason for the withdrawal was because it was of greater financial benefit to the company to deal with each council on an individual basis.

The benefit of common technology platforms is not in the technology cost or operations. Rather, the majority of the potential benefit in shared platforms is in the ability to consolidate and drive synergies in processes across all operations of the councils, regardless of their physical location, size and complexity. This includes the standardisation of all corporate applications (finance, procurement, human resources, etc.) as well as technology platforms used for engineering & GIS, planning & design, asset management and risk management.

Establish a Regional Authority

- Northern Tasmania Waste Management Authority

NTWMA may be formed to provide waste management and resource recovery services. It would receive and process material on behalf of its constituent councils as well as providing waste management services to private industry.

- Waste Management Services
  - Kerbside Bin Collections



- Hard Waste
- Resource Recovery Centre
- FOGO – Green Waste
- Landfill

- Common Services

Common Services delivery model would involve the councils coming together as stakeholders, looking within the councils for opportunities to undertake shared initiatives at a whole-of-region or sub-regional level.

A common services model would provide participants with the ability and resources to enable quality equitable service provision, as well as generate economic efficiencies and increased viability to participating councils in the region.

The model enables participants to meet legislative requirements, increase consistency of processes between municipalities and develop the reputation and professionalisation of the councils.

- Engineering
- Environmental Health
- Planning/Building
- Building Surveyor

#### Planning Authority

- Internal and Independent Planning Authorities

There is recognition of the importance of planning to the economy in general, and particularly in housing supply, and hence the importance of improving the efficiency of the development application process.

A local authority may be staffed by officers and/or councillors, and an independent authority comprises of external experts and community representatives.

These collaborative approaches provide increased transparency, integrity and rigour in the development assessment process. The authorities can be used to provide advice to the applicants, objectors, council officers and councillors on individual DAs at various stages during the assessment process and/or to determine the development application. For example, authorities can be established:

- To provide advice to the applicant at the pre-lodgement stage including on design matters
- To provide advice upon lodgement or once the submissions have been received
- To provide advice on the design of the development at the pre-lodgement stage or during the assessment process
- To peer review the officers' assessment and recommendations
- To make the determination or to provide advice to those making the determination
- To review decisions as part of the post determination mediation/conciliation stage
- To provide advice to the councillors on senior officers on policy and practice matters.

An independent authority may be considered to be a council's body, they can be seen as a partner in the council's processes. This partnership can assist in removing the conflict associated with the multiple roles of councillors as decision maker and advocate, particularly when the authority takes over the decision-making role.

## 12 ATTACHMENTS

1. NMC Media Release - Submission to Local Government Review - 10 May 2022 [9.2.1 - 1 page]
2. State Government Local Government Review - DRAFT SUBMISSION [9.2.2 - 11 pages]

## RECOMMENDATION

That Council endorse the Local Government Board Review Submission.



**MINUTE NO. 22/153**

DECISION

Cr Adams/Cr Polley

That Council endorse the Local Government Board Review Submission.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

**MINUTE NO. 22/154**

DECISION

Cr Polley/Cr Goninon

That Council prepare a comparison of rates and services provided to the outer urban areas by Launceston City Council (incl. Lilydale) and the Northern Midlands Council towns of Perth, Evandale and Longford; as well as an analysis of income and outflows for urban and rural services provided.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil





### 9.3 RENEWAL OF APPOINTMENT: MUNICIPAL MANAGEMENT COORDINATOR AND DEPUTY

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

#### 1 PURPOSE OF REPORT

This report seeks the endorsement by Council for the nomination for the appointment of the Council's Municipal Emergency Management Coordinator and Deputy Coordinator positions.

#### 2 INTRODUCTION/BACKGROUND

The current statutory appointment by the Minister for Police, Fire and Emergency Management of the Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator has expired.

The current statutory appointments are as follows:

- Mr Des Jennings, General Manager - the Municipal Emergency Management Coordinator (Municipal Coordinator); and
- Miss Maree Bricknell, Corporate Services Manager - the Deputy Municipal Emergency Management Coordinator.

The *Emergency Management Act 2006* - Section 23(8) states:

*A council may only nominate a person for the position of Municipal Emergency Management Coordinator or Deputy Municipal Emergency Management Coordinator if the person, once appointed to the position, would have the authority and ability to make decisions relating to the coordination of emergency management in the municipal area during an emergency without first seeking the approval of the council.*

In the interest of consistency, it is recommended that the General Manager and Corporate Services Manager are renominated in their respective roles as Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator.

#### 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

**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

N/a

#### 5 STATUTORY REQUIREMENTS

The *Emergency Management Act 2006* - Section 23(8) states:



*A council may only nominate a person for the position of Municipal Emergency Management Coordinator or Deputy Municipal Emergency Management Coordinator if the person, once appointed to the position, would have the authority and ability to make decisions relating to the coordination of emergency management in the municipal area during an emergency without first seeking the approval of the council.*

## **6 FINANCIAL IMPLICATIONS**

Not applicable.

## **7 RISK ISSUES**

The appointment of Municipal Coordinators and Deputies ensures that the Emergency Services have direct Council contact in the event of an emergency, in the absence of such an appointment the well-being of the community and emergency services personnel and associated assets may be at risk in an emergency.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Council has received correspondence from the Regional Emergency Management Planner (North), State Emergency Service, Department of Police, Fire and Emergency Management, requesting that Council endorse the Northern Midlands Council's nominees to the roles of Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator for appointment by the Minister for Police, Fire and Emergency Management.

## **9 COMMUNITY CONSULTATION**

N/a

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

To endorse or not endorse the Northern Midlands Council's nominees to the roles of Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator.

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

The current statutory appointment of the Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator has expired.

In the interest of consistency, it is recommended that

- Mr Des Jennings, General Manager - the Municipal Emergency Management Coordinator (Municipal Coordinator); and
- Miss Maree Bricknell, Corporate Services Manager - the Deputy Municipal Emergency Management Coordinator.

are renominated in their respective roles as Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator.

## **12 ATTACHMENTS**

Nil



## RECOMMENDATION

That Council endorse the nomination of

- Mr Des Jennings, General Manager as the Northern Midlands Council's Municipal Emergency Management Coordinator (Municipal Coordinator); and
- Miss Maree Bricknell, Corporate Services Manager as the Northern Midlands Council's Deputy Municipal Emergency Management Coordinator;

for a further period of 4 years.

## MINUTE NO. 22/155

### DECISION

Cr Davis/Deputy Mayor Goss

That Council endorse the nomination of

- Mr Des Jennings, General Manager as the Northern Midlands Council's Municipal Emergency Management Coordinator (Municipal Coordinator); and
- Miss Maree Bricknell, Corporate Services Manager as the Northern Midlands Council's Deputy Municipal Emergency Management Coordinator;

for a further period of 4 years.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, 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: Des Jennings, General Manager

#### 1 PURPOSE OF REPORT

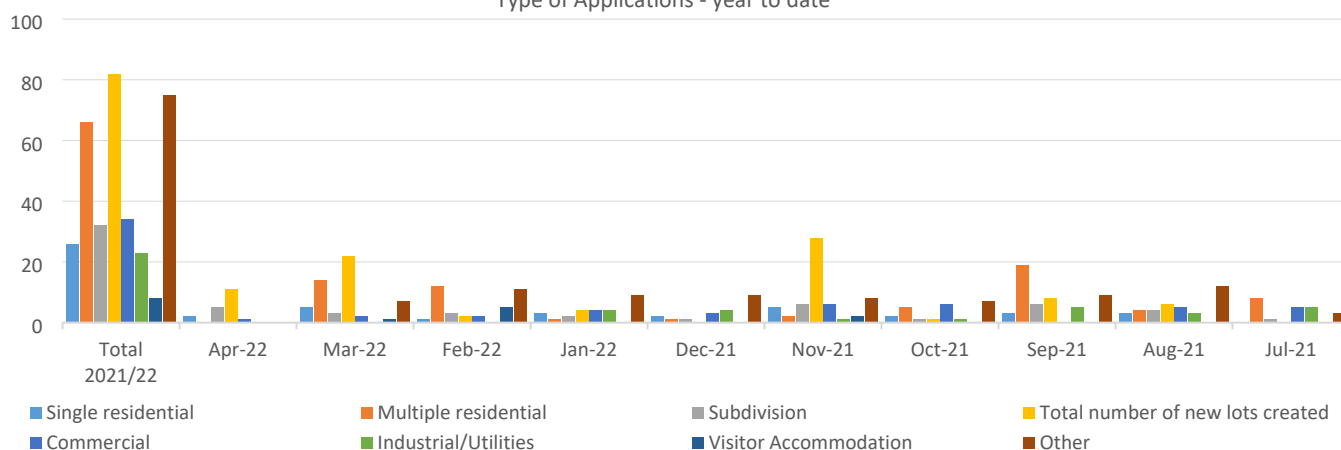
The purpose of this report is to present the Development Services activities as at the month end.

#### 2 DEVELOPMENT SERVICES REPORTING

##### 2.1 Planning Decisions

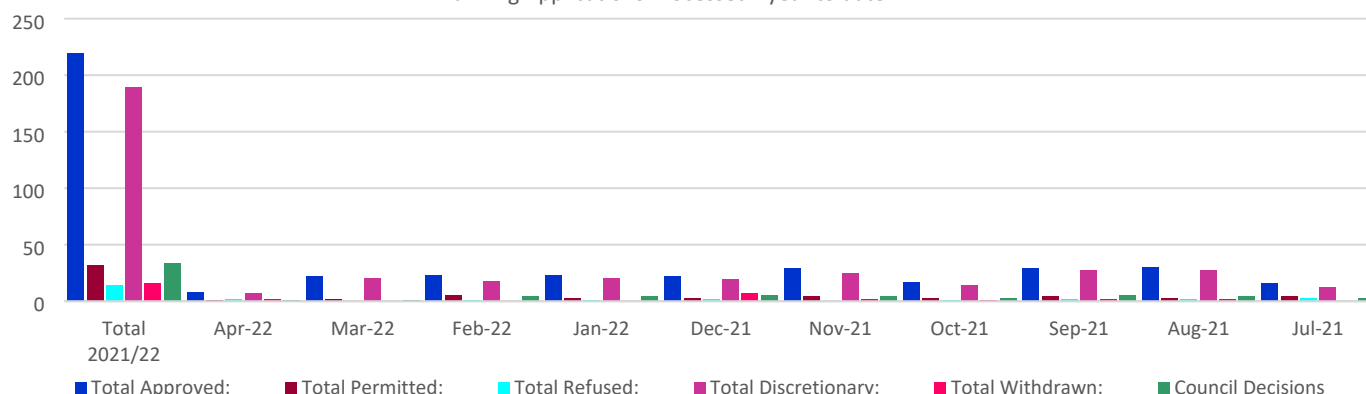
	Total YTD	July	Aug1	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	216	14	34	35	21	37	20	15	15	17	8		
Applications on STOP for further information							50	43	47	43	42		
Single residential	26	0	3	3	2	5	2	3	1	5	2		
Multiple residential	66	8	4	19	5	2	1	1	12	14	0		
Subdivision	32	1	4	6	1	6	1	2	3	3	5		
Total number of new lots created	82	0	6	8	1	28	0	4	2	22	11		
Commercial	34	5	5	0	6	6	3	4	2	2	1		
Industrial/Utilities	23	5	3	5	1	1	4	4	0	0	0		
Visitor Accommodation	8	0	0	0	0	2	0	0	5	1	0		
Total permitted	0	0	0	0	0	0	0	0	0	0	0		
Total discretionary	8	0	0	0	0	2	0	0	5	1	0		
Other (includes all residential development on existing dwellings [alterations/ additions, sheds, solar, fences, pools etc])	75	3	12	9	7	8	9	9	11	7	0		
Total No. Applications Approved:	219	16	30	29	17	29	22	23	23	22	8		
Total Permitted:	32	4	3	4	3	4	3	3	5	2	1		
Average Days for Permitted	16.4	23	14	18	13	16	16	18	20	18	8		
Days allowed for approval by LUPAA	28	28	28	28	28	28	28	28	28	28	28		
Total Exempt under IPS:	65	8	9	5	4	14	10	2	3	6	4		
Total Refused:	14	3	2	2	1	0	2	1	1	0	2		
Total Discretionary:	189	12	27	27	14	25	19	20	18	20	7		
Average Days for Discretionary:	37.9	42	35	36	37	38	33	41	37	40	40		
Days allowed for approval under LUPAA:	42	42	42	42	42	42	42	42	42	42	42		
Total Withdrawn:	16	0	2	2	1	2	7	0	0	0	2		
Council Decisions	34	3	4	5	3	4	5	4	4	1	1		
Appeals lodged by the Applicant	9	1	1	3	0	0	2	0	1	0	1		
Appeals lodged by third party	1	1	0	0	0	0	0	0	0	0	0		

Type of Applications - year to date

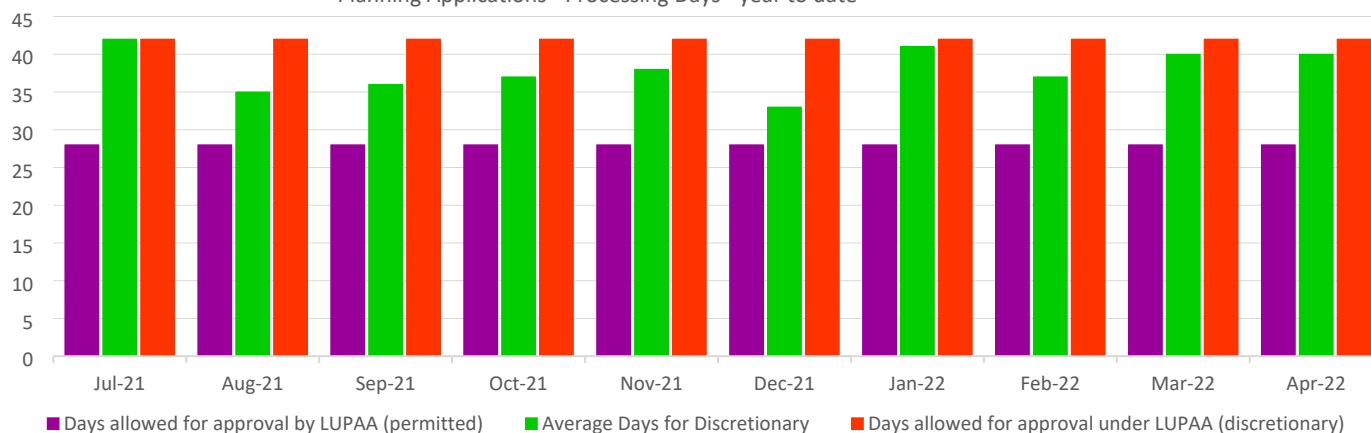




Planning Applications Processed - year to date



Planning Applications - Processing Days - year to date



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
PLN-21-0337	Dwelling and Shed (vary site coverage, side setbacks, gross floor area of outbuildings in excess of 80m2, Scenic Management)	6 Sinclair Street, Perth TAS 7300	Mr Stephen Lawes	42	D
PLN-22-0014	New Dwelling (Heritage Precinct)	74A Marlborough Street, Longford TAS 7301	Abode Designer Homes	34	D
PLN-22-0023	2 Lot Subdivision (vary solar orientation provision)	5 Macquarie Street, Evandale TAS 7212	Carlton Dixon	42	D
PLN-22-0024	30m x 10m Storage Shed (Manufacturing and Processing use; Construction of car parking spaces and access strips; Design and layout of car parking; Loading and unloading of vehicles)	12 Gay Street, Longford TAS 7301	Mr John Dennis	42	D
PLN-22-0025	2 Lot Subdivision and demolition (Solar orientation of lots)	12 Talisker Street, Perth TAS 7300	Carlton Dixon	43	D
PLN-22-0028	5 Lot subdivision (vary provision of services- onsite stormwater)	45 Forster Street, Campbell Town TAS 7210	Vincent Butler	42	D
PLN-22-0039	6 Lot Subdivision (Vary 10.4.15.2 Provision of Services P2 - Stormwater Drainage; E6.7.2 Design and Layout of Car Parking P2 - Passing Bay Provisions Lot 3 & Lot 5)	35 Waterloo Street, Ross TAS 7209	Woolcott Surveys	37	D
PLN-22-0066	Minor Boundary Adjustment between CT20435/1 & CT20850/1	5 & 7 Macquarie Street, Evandale TAS 7212	Woolcott Surveys	8	P
<b>COUNCIL DECISIONS</b>					
-					
<b>COUNCIL DECISIONS - REFUSAL</b>					
PLN-21-0195	Multiple dwellings x 21 & associated services, vary front & internal front setbacks, demolish outbuildings, remove vegetation (Road and Railway Assets Code, Carparking & Sustainable Transport	47 Marlborough Street and Marlborough Street road reserve, Longford TAS 7301	Abode Designer Homes	42	CR

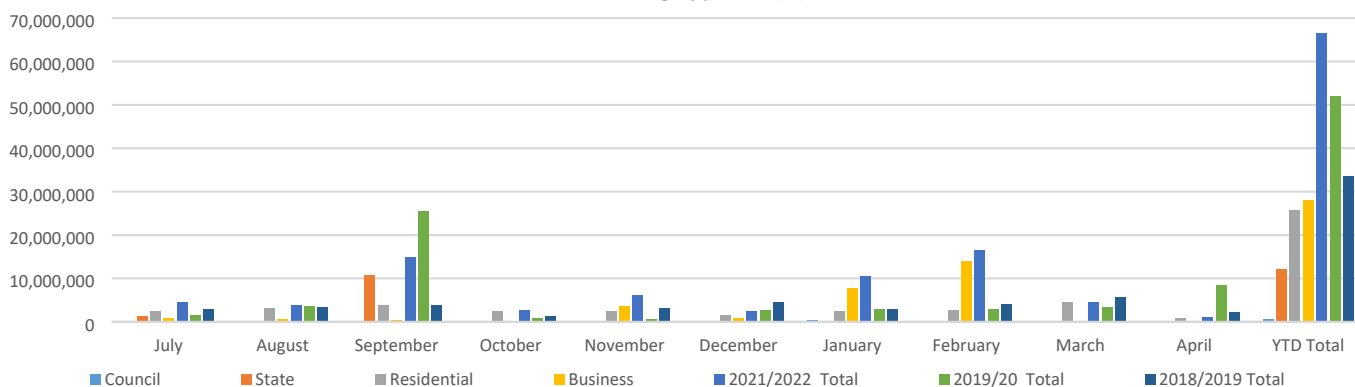


Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
	Code, Heritage Code, Heritage Precincts Specific Area Plan)				
<b>DELEGATED DECISIONS - REFUSAL</b>					
PLN-21-0278	Dwelling (Scenic Management Code) Re-advertised - proposed dwelling location changed	38 Fairtlough St, PERTH TAS 7300	Abode Designer Homes	42	DR

## 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
February	0	0	2,680,550	13,861,000	16,541,550	5,788,780	2,916,000	4,090,500
March	0	0	4,409,000	50,000	4,459,000	2,914,596	3,425,000	5,537,000
April	0	0	759,860	183,000	942,860	5,068,500	8,452,750	2,110,350
<b>YTD Total</b>	<b>654,671</b>	<b>12,052,500</b>	<b>25,781,261</b>	<b>27,992,917</b>	<b>66,481,349</b>	<b>47,346,442</b>	<b>52,016,400</b>	<b>33,501,450</b>
<b>Annual Total</b>						<b>59,101,247</b>	<b>55,891,900</b>	<b>36,482,950</b>

Value of Planning Approvals (\$)



## 2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT	TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
PLN-21-0223	Appeal 152/21S. 102 & 104 Marlborough Street, Longford. Preliminary conference held 17 January 2022. Mediation being undertaken.
PLN21-0292	Appeal 13/22P. 74 Marlborough Street, Longford. Appeal against Council's refusal of communal residence for seasonal workers. The grounds of refusal were: Inadequate vehicle parking and access; Inadequate private open space; and Inadequate provision of laundry facilities. Inadequate vehicle parking and access: There simply is adequate car parking of 1 space per bedroom as required by the scheme (4 bedrooms, 5 spaces provided). The ground of inadequate vehicle parking could not be maintained. The appellant has provided amended plans widening the access from 4m to the required 4.5m. Inadequate private open space: The private open space complies with the planning scheme requirement of at least 24m <sup>2</sup> measuring 6m x 4m. Council had no evidence to support this ground of refusal. Inadequate provision of laundry facilities: The planning scheme does not require laundry facilities. We have no evidence to support this ground for refusal. However, the applicant has provided revised plans showing one washer and one dryer with no loss of showers or toilets. Given that Council had no evidence to support the grounds of refusal, the General Manager agreed to replacing the refusal with a permit and advised Councillors of this. Conditions of approval being mediated.
PLN21-0195	Appeal P/2022/77. 47Marlborough Street, Longford. Appeal against Council's refusal of 21 multiple dwellings. Preliminary conference held 9 May 2022. Hearing set for 29 July 2022.



<b>TASCAT TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL</b>	
<b>Decisions received</b>	
-	-
<b>TPC TASMANIAN PLANNING COMMISSION</b>	
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. Deferred until 21 March meeting to get information on the process if Council supports any of the representations. Section 35F report on representations considered at Council meeting of 21 March 2022. Report sent to Tasmanian Planning Commission 28 March 2022. Hearings set for 8-10 June 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 considered at 22 March 2022 meeting. Initiated and approved. On public exhibition until 29 April 2022. Report on representations to be considered at Council meeting of 16 May 2022.
<b>Decisions received</b>	
PLN-21-0276	Draft Amendment 03-2021. Site specific amendment to insert 'Storage' (if a contractors yard) as a Discretionary use in the Rural Resource zone, if only on Folios of the Register 54261/7, 54260/6 and 137103/3, in conjunction with a Section 43A application for a permit for part change of use to Storage, extension to existing shed and container and domes. To be reconsidered by the planning authority as directed by the Tasmanian Planning Commission on 23 March 2022.

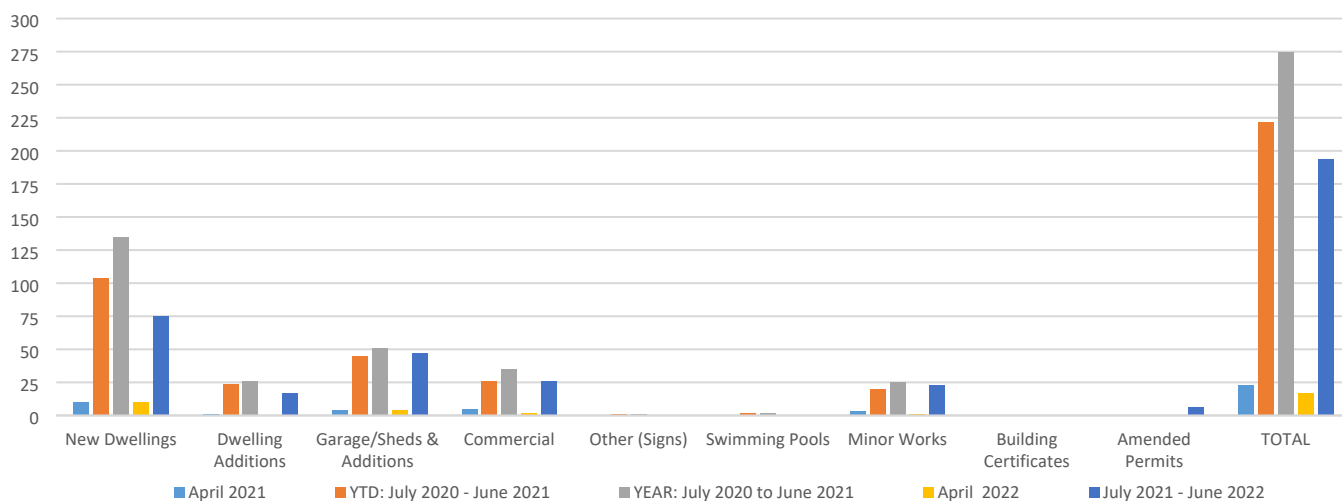
## 2.4 Building Approvals

The following table provides a comparison of the number and total value of building works for 2020/2021 – 2021/2022.

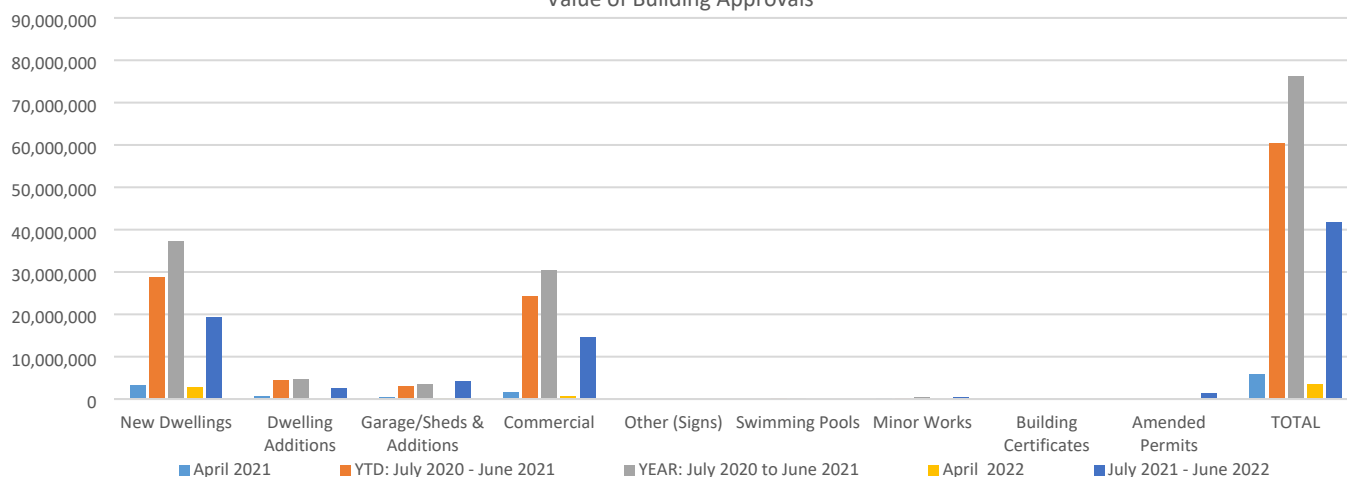
	YEAR: 2020-2021				YEAR		YEAR: 2021-2022			
	Apr 2021		YTD 2020-2021		July 2020 - June 2021		Apr-2022		YTD 2021-2022	
	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$
New Dwellings	10	3,315,959	104	28,685,125	135	37,308,797	10	2,620,544	75	19,147,829
Dwelling Additions	1	650,000	24	4,308,970	26	4,678,970	0	0	17	2,418,000
Garage/Sheds & Additions	4	368,000	45	2,905,830	51	3,494,830	4	109,000	47	4,030,738
Commercial	5	1,460,000	26	24,144,650	35	30,391,057	2	590,000	26	14,570,305
Other (Signs)	0	0	1	12,000	1	12,000	0	0	0	0
Swimming Pools	0	0	2	104,000	2	104,000	0	0	0	0
Minor Works	3	35,685	20	208,711	25	266,844	1	8,667	23	338,962
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	0	0	0	0	6	1,295,000
<b>TOTAL</b>	<b>23</b>	<b>5,829,644</b>	<b>222</b>	<b>60,369,286</b>	<b>275</b>	<b>76,256,498</b>	<b>17</b>	<b>3,328,211</b>	<b>194</b>	<b>41,800,834</b>
<b>Inspections</b>										
Building	0		30		30		0		38	
Plumbing	18		238		299		4		249	



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		15	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		12	9
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			
No Further Action Required		1	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	1	11	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	1	3	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 26 commercial building approvals valued at \$14,570,305 for 2021/22 (year to date), compared to 26 commercial building approval valued at \$24,144,650 (year to date) for 2020/2021.

In total, there have been 194 building approvals valued at \$41,800,834 (year to date) for 2021/2022, compared to 222 building approvals valued at \$60,369,286 (year to date) for 2020/21.

## RECOMMENDATION

That the report be noted.

## MINUTE NO. 22/156

### DECISION

Cr Goninon/Cr Adams

That the report be noted.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

*Mayor Knowles adjourned the meeting for the meal break at 6.05pm.*

*Mayor Knowles reconvened the meeting after the meal break at 6.45pm, the second session of the meeting commenced with Item 13 Public Question and Statements.*



## 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 30 April 2022.

#### 2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 30 April 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: 30-Apr-22 10

A. Operating Income and Expenditure						
	Budget	Year to Date Budget 42%	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$12,271,834	-\$12,271,834	-\$12,297,196	\$25	100.2%	
Recurrent Grant Revenue	-\$5,100,223	-\$4,250,186	-\$5,456,612	\$1,206	128.4%	* 75% Advanced grants paid
Fees and Charges Revenue	-\$2,566,095	-\$2,138,413	-\$2,243,705	\$105	104.9%	* Fee income above budget
Interest Revenue	-\$751,548	-\$626,291	-\$531,986	-\$94	84.9%	
Reimbursements Revenue	-\$51,918	-\$43,265	-\$70,169	\$27	162.2%	
Other Revenue	-\$1,814,414	-\$1,512,012	-\$1,010,210	-\$502	66.8%	
	-\$22,556,032	-\$20,842,000	-\$21,609,878	\$768	103.7%	
Employee costs	\$6,048,712	\$5,040,593	\$4,673,034	\$368	92.7%	
Material & Services Expenditure	\$6,111,983	\$5,093,319	\$4,762,674	\$331	93.5%	
Depreciation Expenditure	\$6,519,158	\$5,432,632	\$5,432,618	\$0	100.0%	
Government Levies & Charges	\$961,484	\$801,237	\$573,635	\$228	71.6%	
Councillors Expenditure	\$205,180	\$170,983	\$168,470	\$3	98.5%	
Interest on Borrowings	\$272,007	\$226,673	\$254,000	-\$27	112.1%	*Timing full years interest paid on 1 loan
Other Expenditure	\$1,370,769	\$1,142,308	\$868,894	\$273	76.1%	
Plant Expenditure Paid	\$538,650	\$448,875	\$523,551	-\$75	116.6%	
	\$22,027,943	\$18,356,619	\$17,256,876	\$1,100	94.0%	
	-\$528,089	-\$2,485,381	-\$4,353,002			
Gain on sale of Fixed Assets	\$0	\$0	-\$3,836	\$4	0.0%	
Loss on Sale of Fixed Assets	\$505,860	\$421,550	\$19,375	\$402	4.6%	*Asset recognition not yet



Underlying (Surplus) / Deficit		<b>-\$22,229</b>	<b>-\$2,063,831</b>	<b>-\$4,337,463</b>		<b>1*</b>
		\$0		-		
Capital Grant Revenue		-\$8,697,948	-\$7,248,290	-\$1,758,864	-\$5,489	24.3%
Subdivider Contributions		-\$330,765	-\$275,638	0	-\$276	0.0%
						* Not paid until milestones met
						* Not recognised until EOY
Capital Revenue		<b>-\$9,028,713</b>	<b>-\$7,523,928</b>	<b>-\$1,758,864</b>		
		-		-		
<b>Budget Alteration Requests</b>						
- For Council authorisation by absolute majority						
			<b>Budget</b>	<b>Budget</b>	<b>Actuals</b>	
			<b>Operating</b>	<b>Capital</b>		
<i>Capital works budget variances above 10% or \$10,000 are highlighted</i>						
<i>April</i>						
<i>March</i>						
<i>February</i>						
<i>January</i>						
<i>Note - December budget changes not yet reflected in accounts</i>			No changes identified in January			
<i>December</i>						
						Note
Original Budget Operating Surplus			<b>-\$22,229</b>			1*
- Interest on Investments	100300		<b>-\$10,000</b>			1 Additional revenue
- Govenance General Expenditure	101000 / 101010		\$60,000			2 Increased consultancy
- Receptions/Presentations	102300		\$1,201			3 Additional expenditure
- NTD - Nth Tas Residential Demand & Supply Study	102604		\$5,549			4 Additional funding requirement
- Other Council Expenditure	102950		\$20,000			5 Increased consultancy
- Corporate General Consultancy	202300		\$3,000			6 Increased consultancy
- Computer Operations	205300		\$27,000			7 E-cloud hosting
- Tourism - Re-assign Project Grant	507439		<b>-\$353,050</b>			8 Grant funding
- Tourism - Re-assign Project Expenditure	507260		\$353,050			9 Grant expenditure
- Health Food Licences	323950		<b>-\$5,000</b>			10 Additional revenue
- Grants Employee Training P&D	300555		<b>-\$5,000</b>			11 Additional revenue
- Planning Fees	323150		<b>-\$203,928</b>			12 One off Fee additional revenue
- Planning Consultancy	323350		\$70,000			13 Additional budget
- Building Permit Authority	323590		\$30,000			14 Reduce budget revenue
- Asset Management	324470		\$33,000			15 Increased consultancy
- Works Traineeship grants	404075		<b>-\$11,500</b>			16 Additional revenue
- Works Road Revenue Other	325200		<b>-\$12,800</b>			17 Increased revenue
- Works Stormwater maintenance C'Town	420066		\$8,000			18 Increased expenditure budget
- Water Trust income	438950		\$2,060			19 Delete budget
- Water Trust Expenditure	439200		<b>-\$2,060</b>			20 Delete budget
- Works Public Amenities cleaning	503650		\$30,000			21 Increase budget expenditure
- Pool Ctown Committee closure	517530		<b>-\$24,646</b>			22 Additional revenue
- Special Community Projects	517210		<b>-\$23,357</b>			23 Reduce budget expenditure
- FAGS Grant adjustmentv 21/22			<b>-\$6,717</b>			Additional revenue
<b>New Operating Surplus</b>			<b>-\$37,427</b>			
Change = Surplus Increase			<b>-\$15,198</b>			
<b>Capital</b>						
- Office Furniture	780006		\$6,000			C1 New budget allocation
- Cry - Childcare Centre Painting	791105		<b>-\$10,000</b>			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		<b>-\$14,000</b>			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		<b>-\$5,603</b>			C8 Reallocation
- Perth Cromwell Street section reconstruction	750329		\$5,587			C9 New budget allocation
- Midlands Silhouettes	New		\$10,000	Min 21/444		C10 New budget allocation
- Tooms Lake Improvements	New		\$20,000	Min 21/445		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		\$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
		<u>\$291,372**</u>	
<b>**Additional Capital budget allocation to be funded from projects deferred in 2021/22 or infrastructure reserves and funded in 2022/23</b>			
<b>November</b>			
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	
<b>October</b>			
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
<b>September</b>			
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
<b>August</b>			
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	
<b>July</b>			
No adjustments for July.			

B. Balance Sheet Items						
	Year to Date Actual		Monthly Change		Same time last year	Comments
<b>Cash &amp; Cash Equivalents</b>						
<b>Balance</b>						
- Opening Cash balance	\$19,432,295		\$25,966,362			
- Cash Inflow	\$28,649,653		\$3,595,409			
- Cash Payments	-\$20,695,741		-\$2,175,565			
- Closing Cash balance	\$27,386,207		\$27,386,207			
	-		-			
<b>Account Breakdown</b>						
- Trading Accounts	\$284,692					
- Investments	\$27,101,515					
	\$27,386,207					
	-					
<b>Summary of Investments</b>	<b>Investment Date</b>	<b>Maturity Date</b>	<b>Interest Rate%</b>	<b>Purchase Price</b>	<b>Maturity Value</b>	



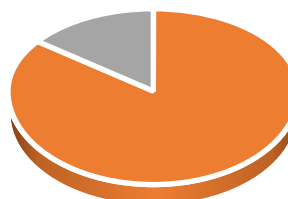
Tasmanian Public Finance Corporation Call Account	1/04/2022	30/04/2022	0.10	\$5,400	\$5,400
CBA Call Account	1/04/2022	30/04/2022	0.01	\$1,574	\$1,574
CBA Business Online Saver	20/04/2022	30/04/2022	0.20	\$9,604,536	\$9,605,062
Westpac Corporate Regulated Interest Account	30/04/2022	30/04/2022	0.35	\$96,995	\$96,995
My State Financial	25/05/2021	25/05/2022	0.85	\$3,343,010	\$3,371,425
Westpac	4/04/2022	4/07/2022	3.37	\$5,500,000	\$5,546,211
Westpac	13/04/2022	13/04/2023	1.91	\$4,500,000	\$4,585,950
Westpac	29/03/2022	29/06/2023	3.30	\$1,050,000	\$1,093,384
Westpac	16/12/2021	16/12/2024	1.60	\$3,000,000	\$3,144,132
				\$27,101,515	\$27,450,133

Investments by Institution



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

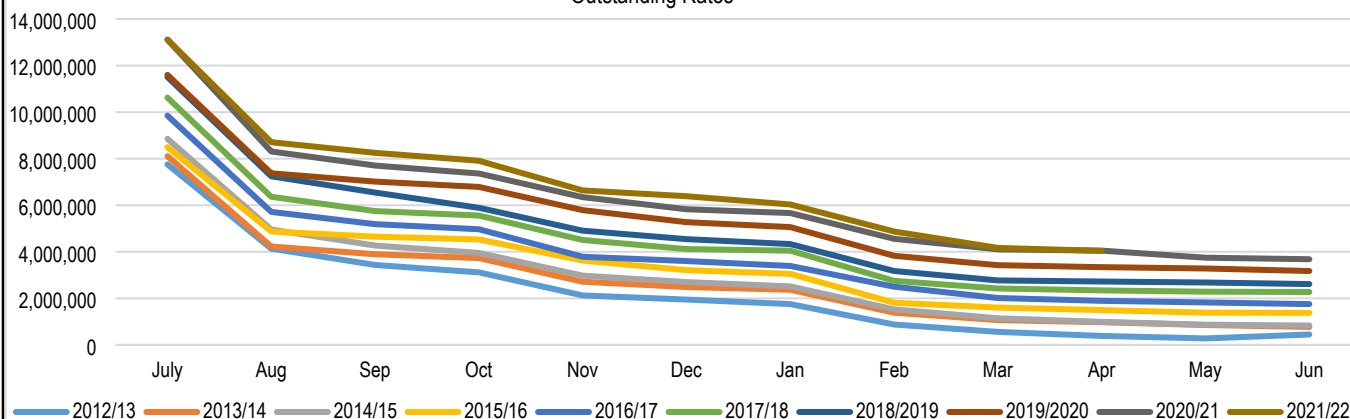
Total Investments by Rating (Standard & Poor's)



AA+ AA- BBB Unrated

Rate Debtors	2020/21	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	\$3,205,341		\$2,808,852	
Rates Raised	\$12,555,333		\$11,862,030	
	\$15,760,674		\$14,670,882	
Rates collected	\$11,200,306	89.2%	\$10,416,605	87.8%
Pension Rebates	\$496,798	4.0%	\$486,451	4.1%
Discount & Remissions	\$25,099	0.2%	\$58,695	0.5%
	\$11,722,203		\$10,961,751	
Rates Outstanding	\$4,038,471	32.2%	\$4,049,537	34.1%
Advance Payments received	-\$482,020	3.8%	-\$340,406	2.9%

Outstanding Rates



Trade Debtors	
Current balance	\$521,429
- 30 Days	\$233,543
- 60 Days	\$217,726
- 90 Days	\$84,836
- More than 90 days	-\$14,675
Summary of Accounts more than 90 days:	
- Norfolk Plains Book sales	171
- Hire/lease of facilities	12,561
- Removal of fire hazards	5,984
- Dog Registrations & Fines	16,237
- Private Works	8,665

Paid by outlet as sold  
Send to Fines Enforcement



- Regulatory Fees	3,987	
- Govt Reimbursements	62,281	
	-	

C. Capital Program				
	Budget	Actual (\$,000)	Target 83%	Comments
Renewal	\$12,012,371	\$5,389,242	45%	
New assets	\$11,734,242	\$3,459,939	29%	
Total	\$23,746,613	\$8,849,182	37%	
Major projects:				
- Longford Sports Centre lift & level 1	\$270,000	\$199,889	74%	Substantially complete
- Cressy Rec Ground Amenities	\$1,028,566	\$1,049,004	102%	Substantially complete
- Cressy Pool Improvements	\$800,000	\$764,278	96%	Substantially complete
- Ross Village Green	\$558,000	\$614,579	110%	Substantially complete
- Longford Victoria Square Hall	\$1,518,272	\$31,048	2%	Consultation stage
- Perth Childcare Centre	\$3,550,607	\$219,072	6%	Commence Feb 2022
- Lake Leake Amenities	\$145,256	\$6,152	4%	Preliminaries
- Translink Detention Basin	\$252,540	\$25,410	10%	Ready to construct
- Footpath Program	\$816,685	\$204,225	25%	In progress
- Bryants Lane Bridge	201,777	\$86,011	43%	Tender accepted
- William Street Footbridge	270,000	\$12,433	5%	Tender accepted
- Glen Esk Road Reconstruction	411,400	\$376,817	92%	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	54.4%	56.9%	-2.5%	↘
- Own Source Revenue / Total Revenue	77%	75%	2.6%	↘
Sustainability Ratio				
- Operating Surplus / Operating Revenue	0.1%	20.1%	-20.0%	↘
- Debt / Own Source Revenue	42.5%	45.9%	-3.4%	↔
Efficiency Ratios				
- Receivables / Own Source Revenue	26.1%	25.1%	1.1%	↘
- Employee costs / Revenue	26.8%	21.6%	5.2%	↗
- Renewal / Depreciation	184.3%	99.2%	85.1%	↗
Unit Costs				
- Waste Collection per bin	\$10.12	\$13.20		↔
- Employee costs per hour	\$50.41	\$40.16		↗
- Rate Revenue per property	\$1,727.45	\$1,731.02		↔
- IT per employee hour	\$3.30	\$4.45		↘

E. Employee & WHS scorecard		
	YTD	This Month
Number of Employees	99	99
New Employees	30	2
Resignations	19	0
Total hours worked	116,347	10,749
Lost Time Injuries	0	0
Lost Time Days	1	0
Safety Incidents Reported	16	0
Hazards Reported	18	1
Risk Incidents Reported	5	0
Insurance claims - Public Liability		
	0	0
Insurance claims - Industrial		
	0	0
Insurance claims - Motor Vehicle		
	14	0
IT - Unplanned lost time	1	0
Open W/Comp claims	17	2

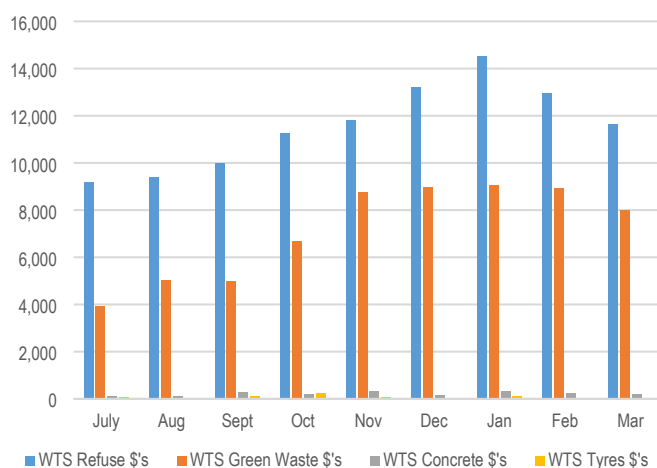




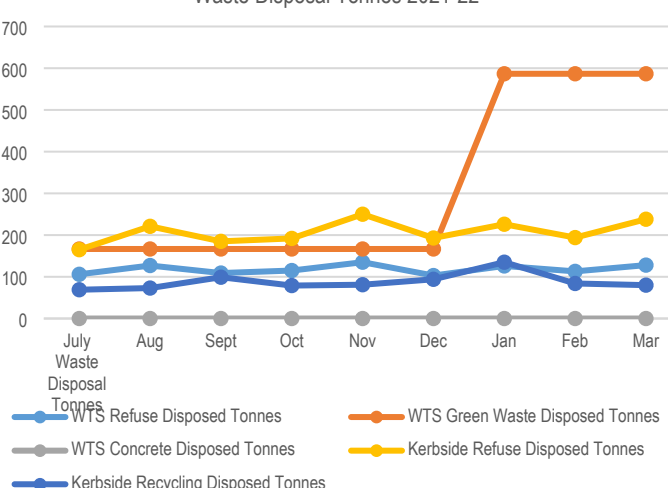
F. Waste Management				
Waste Transfer Station	2019/20	2020/21	2021/22 Budget Year to Date	2021/22
<b>Takings</b>				
- Refuse	\$92,611	\$119,842	\$96,032	\$103,861
- Green Waste	\$50,996	\$80,904	\$62,883	\$64,360
- Concrete	\$1,551	\$2,293	\$1,605	\$1,940
- Tyres		727	\$525	\$586
Total Takings	\$142,782	\$203,767	\$161,045	\$170,747
<b>Tonnes Disposed</b>				
WTS Refuse Disposed Tonnes	1388	1432	1149	1062
WTS Green Waste Disposed Tonnes	5400	4670	3671	2760
WTS Concrete Disposed Tonnes	0	3056	0	0
Kerbside Refuse Disposed Tonnes	2326	2435	1679	1864
Kerbside Recycling Disposed Tonnes	1036	1051	896	794
Total Waste Tonnes Disposed	10150	12644	7394	6480

Mulch quarterly  
Crush periodically

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. Monthly Financial Report to Council - April 2022 [11.1.1 - 1 page]
2. Monthly Works Infrastructure Capital Report 2021-2022 ( April) [11.1.2 - 7 pages]

## RECOMMENDATION

That Council:

- i) receive and note the Monthly Financial Report for the period ending 30 April 2022, and
- ii) authorise Budget 2021/22 alterations as listed in Item 4.





**MINUTE NO. 22/162**

DECISION

Cr Calvert/Deputy Mayor Goss

That Council:

- i) receive and note the Monthly Financial Report for the period ending 30 April 2022, and
- ii) authorise Budget 2021/22 alterations as listed in Item 4.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 11.2 PUBLIC LAND REGISTER

*Responsible Officer:* Maree Bricknell, Corporate Services Manager

*Report prepared by:* Gail Eacher, Executive Assistant

### 1 PURPOSE OF REPORT

The purpose of this report is to update the Public Land Register following the revaluation effective from 1 May 2022.

### 2 INTRODUCTION/BACKGROUND

Under section 177A of the Local Government Act 1993 Council must keep a list or maps of all public land within the municipal area.

The list or maps are to be made available for public inspection at any time during normal business hours.

An updated public land list with a copy of each title (were available) is now available following recent review from the Property Committee.

The following land owned by Council is 'Public Land'

- (a) a public pier or public jetty
- (b) any land that provides health, recreation, amusement or sporting facility for public use
- (c) any public park or garden
- (d) any land acquired under section 176 for the purpose of establishing or extending public land
- (e) any land shown on a subdivision plan as public open space that is acquired by council under the Local Government (Building and Miscellaneous Provisions) Act 1993
- (f) any other land that the council determines is public land
- (g) any other prescribed land or class of land.

### 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:**

- 2.4 Support and attract wealth-producing business and industry

### 4 POLICY IMPLICATIONS

Not applicable for this matter.

### 5 STATUTORY REQUIREMENTS

The provisions of section 177A of the *Local Government Act 1993* applies to the recognition of council owned public land. Section 178 sets out a procedure that must be followed to sell, lease or donation of public land.



## **6 FINANCIAL IMPLICATIONS**

There are no financial implications in relation to this matter.

## **7 RISK ISSUES**

There is a risk that if Council does not declare land as public land, that it can be sold, leased or donated more easily without public consultation.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Government consultation is not applicable regarding this matter.

## **9 COMMUNITY CONSULTATION**

Community consultation is not applicable regarding this matter.

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

Council has the option to declare / not declare the list of council owned land as 'public land'.

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

There are some non-council owned but long-term council controlled land listed on the 'public land' register.

## **12 ATTACHMENTS**

1. Public Land Register 2022 [**11.2.1** - 3 pages]

## **RECOMMENDATION**

That Council accept the 'Register of Public Land' as at 1 May 2022 owned/controlled by Council under the section 177A of the *Local Government Act 1993*.

## **MINUTE NO. 22/163**

### DECISION

Cr Adams/Deputy Mayor Goss

That Council accept the 'Register of Public Land' as at 1 May 2022 owned/controlled by Council under the section 177A of the *Local Government Act 1993*.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



### 11.3 ASSET MANAGEMENT PLANS

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

#### 1 PURPOSE OF REPORT

The purpose of this report is to consider the adoption of the revised Stormwater Asset Management Plan and the Strategic Management Plan.

#### 2 INTRODUCTION/BACKGROUND

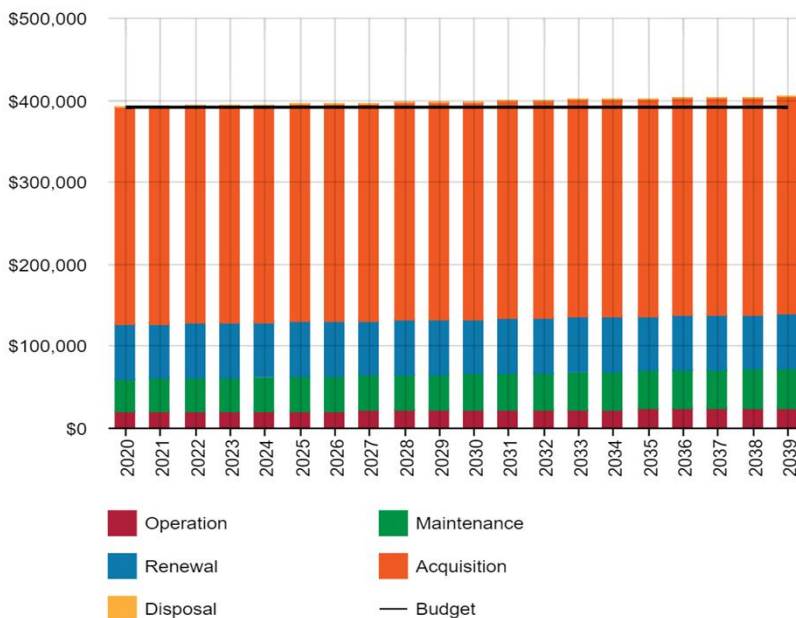
Council last reviewed these Asset Management Plans in May 2017. Council is required to review its financial and asset management plans at least every 4 years to comply with section 70 of the Local Government Act 1993.

This review has been undertaken by a consultant engineer Mr Vince Butler from Hydrodynamica in consultation with council staff.

The Asset Management Plans tabled with this report details information on how Council manages its assets. It lists actions required to provide an agreed level of service in the most cost-effective manner, while outlining associated risks. The plans defines the services to be provided, how the services are provided, and what funds are required over a 20 year planning period. The Asset Management Plans links to the Long Term Financial Plan which typically considers a 10 year planning period. Council endeavors for continuous improvement in its asset management practices and a pathway forward is included in the plans for each asset class.

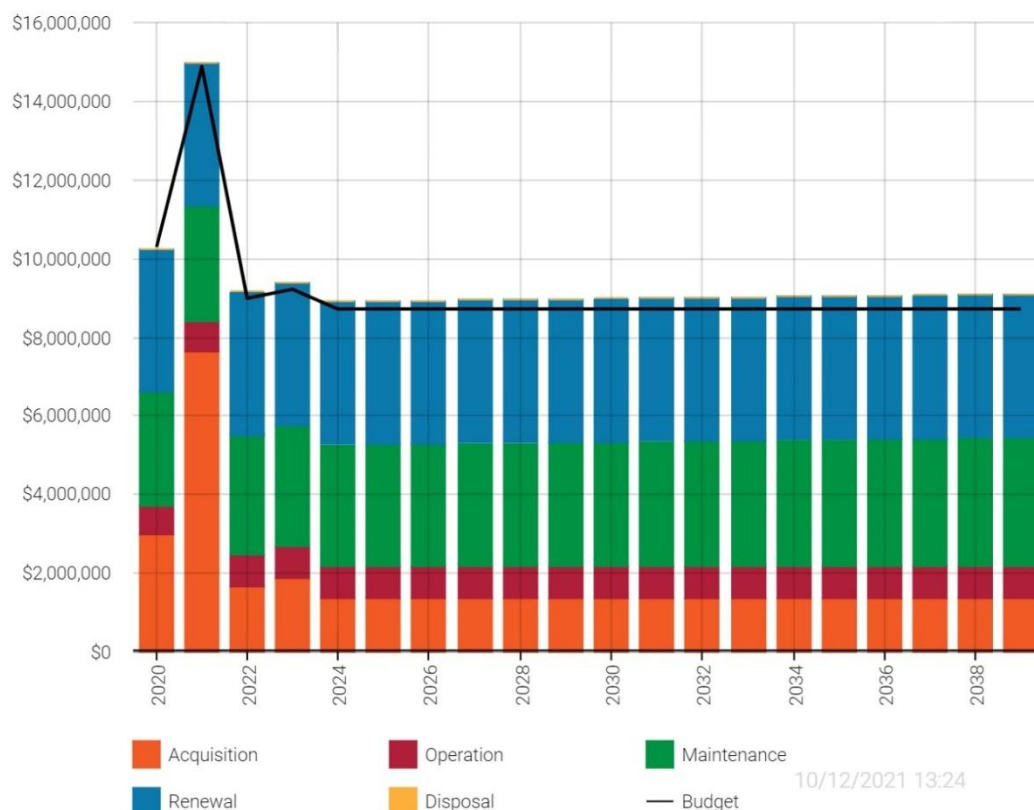
The following graphs are a snapshot of the Asset Management Plan Forecasted Lifecycle Costs and Planned Budgets for:

*Lifecycle Forecast Stormwater Assets*





*Lifecycle Summary (major asset classes – Transport, Buildings, Stormwater)*



### 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 POLICY IMPLICATIONS

Council adopted a reviewed asset management policy on 19 July 2021 which is in accordance with the Local Government Act 1993 section 70C.

### 5 STATUTORY REQUIREMENTS

Council to follow the provisions of the Local Government Act 1993 regarding Asset Management.

### 6 FINANCIAL IMPLICATIONS

Asset management is intrinsically linked to Council's financial management.

The Financial Management Strategy and Long Term Financial Plan are largely built around the future sustainable management of Council's asset base.

Financial sustainability for Council, where services are mainly provided from infrastructure, is being able to manage likely developments and unexpected shocks in future periods without having to introduce substantial and economically



significant or socially destabilising income or expenditure adjustments.

## **7 RISK ISSUES**

Council is obligated to consider the promotion of sustainability and community resilience in the way in which it manages the community's assets.

Equally the Council in the future is required to plan for impacts of climate change adaptation and mitigation measures in relation to the management of its assets.

There is a risk management section incorporated into each Asset Management Plan.

The financial projections in the long term plans are based on current knowledge and will be effected by future changes to operating conditions and future council decisions, therefore the plan will be reviewed regularly.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Not required for this matter.

## **9 COMMUNITY CONSULTATION**

There is no community consultation in relation to the development of the Asset Management Plans as these documents are essentially internally focused to provide direction to Council.

The Asset Management Plans will be publicly available on Council's website once adopted for general public access.

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

Council may agree to

- Accept the revised Stormwater and Strategic Asset Management Plans
- Require further revision of the Plans
- Not accept the revised Asset Management Plans

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

The Stormwater Asset Management Plan reflects substantial forecasted investment in renewal of stormwater assets. It is noted that Council has also planned improvement master plans at Translink and Perth.

The forecast total lifecycle cost (for the three major asset classes) is \$9,744,601 on average per year over the planning period, whilst the total lifecycle planned budget is \$9,571,602 on average per year.

This results in a total shortfall of \$172,999 on average per year, and a funding ratio of 98.2 %.

## **12 ATTACHMENTS**

1. Strategic Asset Management Plan - May 2022 [11.3.1 - 72 pages]
2. Stormwater Asset Management Plan - May 2022 [11.3.2 - 56 pages]

## **RECOMMENDATION**

That Council adopt the revised Stormwater Asset Management Plan and the Strategic Asset Management Plan.



**MINUTE NO. 22/164**

DECISION

Deputy Mayor Goss/Cr Adams

That Council adopt the revised Stormwater Asset Management Plan and the Strategic Asset Management Plan.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 12 WORKS REPORTS

No Works reports included in this Council meeting agenda for Council's consideration.





### 13 PUBLIC QUESTIONS AND STATEMENTS

#### PUBLIC ATTENDANCE DURING THE COVID-19 DISEASE EMERGENCY DECLARATION

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

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

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

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

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

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

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

On arrival attendees will:

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

Access to the Municipal Building will only be permitted prior to 5.00pm and between 6.30pm to 6.40pm. Public Question Time commences at 6.45pm.

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

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

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

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

#### PUBLIC QUESTIONS AND STATEMENTS

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

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

- At each Council Meeting up to 20 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.
- A person seeking to ask a question must firstly identify himself or herself by stating their name and the town they reside in.



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

#### **PUBLIC QUESTIONS**

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

*No questions were put forward by the gallery.*



## 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. 22/157

#### DECISION

Cr Goninon/Cr Lambert

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 15.3

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.

#### PLAN 15.1: PLN22-0046: 80-82 Montagu Street Campbell Town

##### *Anton Compton, Campbell Town*

Mr Compton advised that he was in attendance at the meeting to answer any questions that may be forthcoming from the elected members.

No questions were asked of Mr Compton.

#### PLAN 15.2: Draft Amendment 04/2021: 17 Church Street Campbell Town - Report on Representations

##### *Elizabeth Porter, Campbell Town*

Mrs Porter

- referred to her representation submitted to Council, advising that the reasons for her objection are clearly outlined in that correspondence, in particular:
  - issues with water pressure
  - the increased demand on wifi capability
  - lack of community consultation
  - the notice of the application for subdivision
- queried how the site was selected and whether alternate sites had been considered.

Council's Acting General Manager advised that the application is a State Government application and Council has not had input into the selection of a site.

##### *Derek Porter, Campbell Town*

Mr Porter

- location on the back streets of Campbell Town
- queried whether the reference to 40 vehicle movements entering and exiting each day
- referred to the traffic volumes in the area at school drop off and pick up times; and on show days
- why Council has included 'emergency services' as a discretion in the residential zone
- noted that emergency services premises are usually situated within 50m of a Category 1 or Category 2 roadway



- noted that the width of Church Street is 4.2m wide
- noted the Hydrology report.

Council's Senior Planner advised:

- traffic assessment is required when there are to be more than 40 vehicle movements per day, to and from the site and not the street as a whole
- the applicant applied for an amendment to the Planning Scheme
- application for an amendment is permitted under the Land Use Planning and Approvals Act
- if Council agrees, which in this case it has, then it is assessed as a discretionary land use category.



## 15 PLANNING REPORTS

### 15.1 PLN22-0046: 80-82 MONTAGU STREET CAMPBELL TOWN

*File:* 302300.325; PLN22-0046  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Paul Godier, Senior Planner

#### 1 INTRODUCTION

This report assesses an application for 80-82 Montagu Street, Campbell Town for a dwelling extension & shed (Heritage Precinct).

#### 2 BACKGROUND

**Applicant:**

Steve Jordan Drafting

**Zone:**

General Residential Zone

**Classification under the Scheme:**

Residential (single dwelling)

**Deemed Approval Date:**

20 May 2022

**Owner:**

Anton & Lynne Compton

**Codes:**

Car Parking and Sustainable Transport Code  
Local Historic Heritage Code  
Heritage Precincts Specific Area Plan

**Existing Use:**

Visitor accommodation

**Recommendation:**

Approve

**Discretionary Aspects of the Application:**

- Variation to development standards (building envelope – shed, height/building envelope – dwelling extension).
- Reliance of performance criteria of Local Historic Heritage Code and Heritage Precincts Specific Area Plan.

**Planning Instrument:**

- Northern Midlands Interim Planning Scheme 2013, Version 38, Effective from 22<sup>nd</sup> February 2022.

**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.

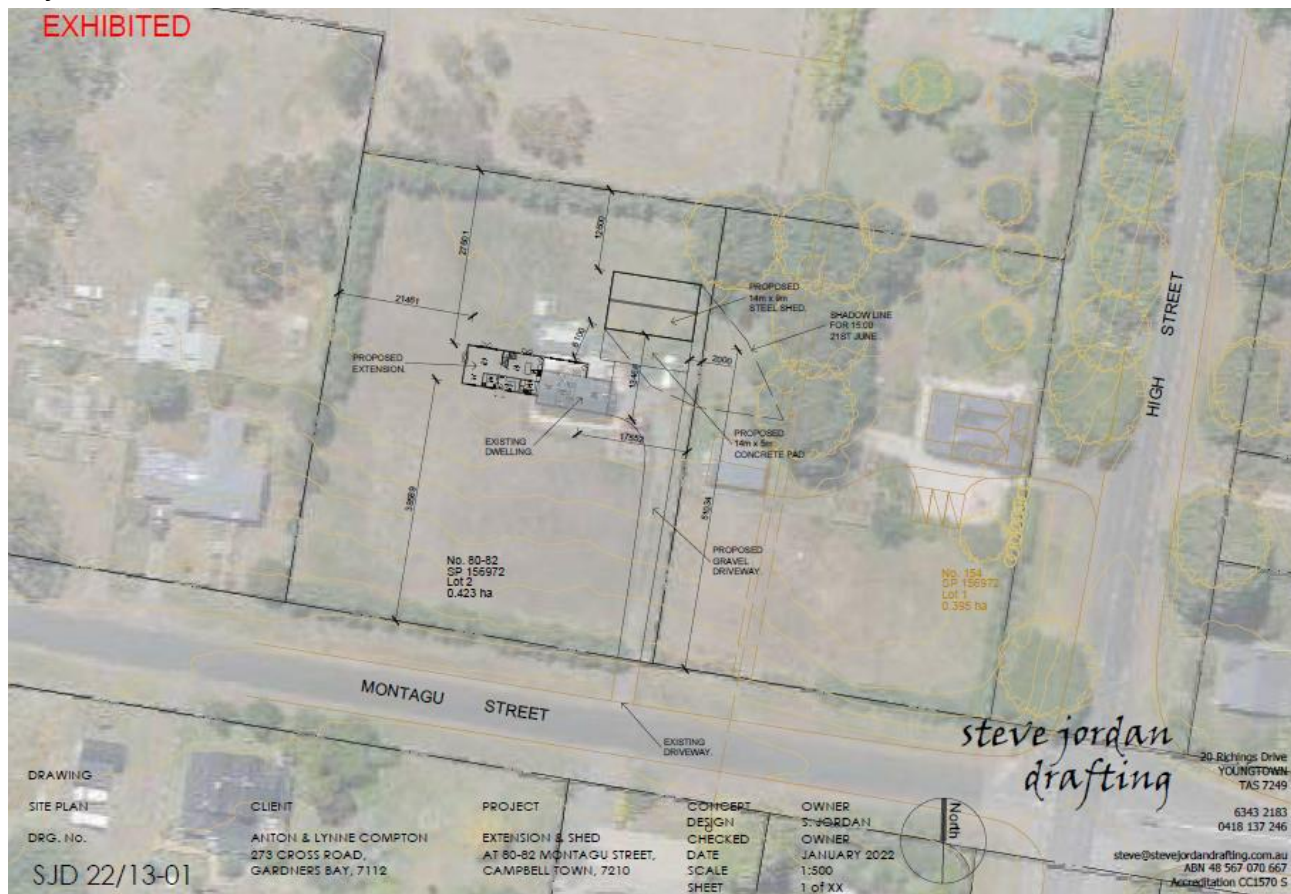
### 4 ASSESSMENT

#### 4.1 Proposal

It is proposed to:

- Dwelling extension & shed (Heritage Precinct).

#### Subject Site







**Elevations**

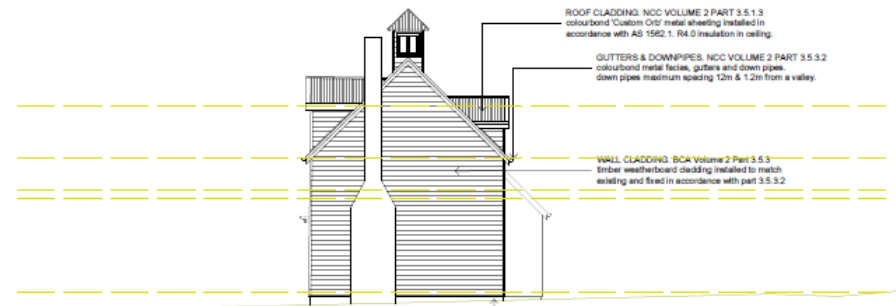
**EXHIBITED**



**NORTHERN ELEVATION**

scale 1:100

SELECTED TIMBER FRAMED FRENCH  
DOORS, GLAZING TO COMPLY WITH AS 1288,  
ALL FIXING & FLASHINGS TO MANUFACTURERS  
REQUIREMENTS.



**WESTERN ELEVATION**

scale 1:100

ROOF CLADDING, NCC VOLUME 2 PART 3.5.1.3  
colourbond 'Custom Clif' metal sheeting installed in  
accordance with AS 1562.1, R4.0 insulation in ceiling.  
GUTTERS & DOWNPIPES, NCC VOLUME 2 PART 3.5.3.2  
colourbond metal fascia, gutters and down pipes,  
down pipes maximum spacing 12m & 1.2m from a valley.  
WALL CLADDING, BCA Volume 2 Part 3.5.3  
timber weatherboard cladding installed to match  
existing and fixed in accordance with part 3.5.3.2  
FOOTINGS, NCC VOLUME 2 PART 3.2, AS 2870.1  
Refer to engineering drawings for all concrete footing  
construction & timber flooring member sizes.

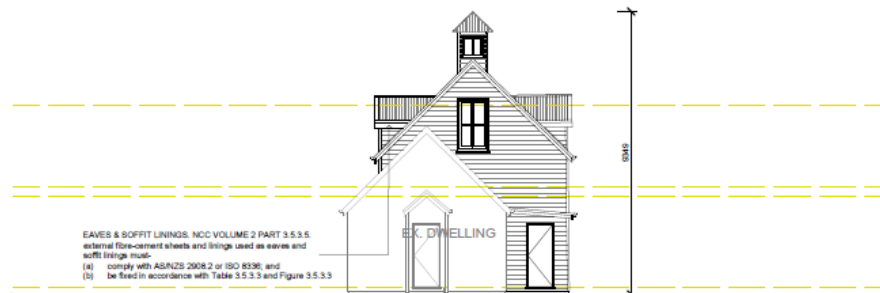
**EXHIBITED**



**SOUTHERN ELEVATION**

scale 1:100

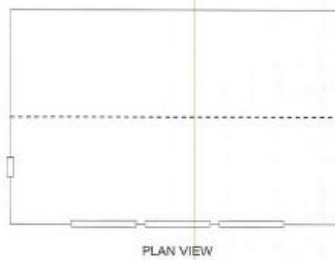
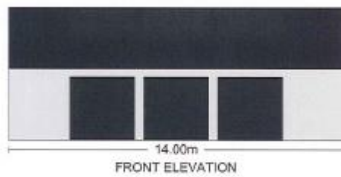
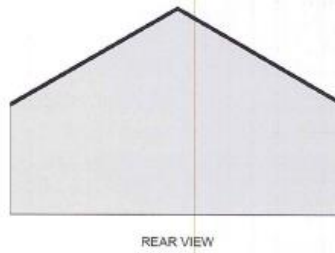
SELECTED TIMBER FRAMED WINDOWS,  
GLAZING TO COMPLY WITH AS 1288, ALL  
FIXING & FLASHINGS TO MANUFACTURERS  
REQUIREMENTS



**EASTERN ELEVATION**

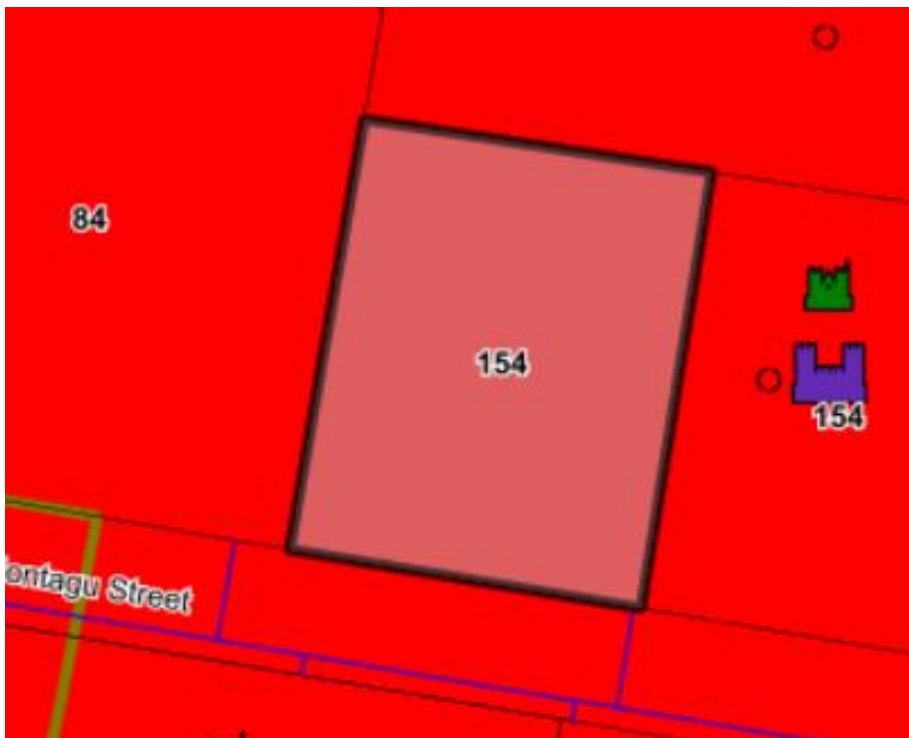
scale 1:100

EAVES & SOFFIT LININGS, NCC VOLUME 2 PART 3.5.3.5  
external fibre-cement sheets and linings used as eaves and  
soffit linings must:  
(a) comply with AS/NZS 2062.2 or ISO 8336; and  
(b) be fixed in accordance with Table 3.5.3.3 and Figure 3.5.3.3



#### 4.2 Zone and Land Use

##### *Zone Map – General Residential Zone*



The land is zoned General Residential Zone and is within the Heritage Precinct.





The relevant Planning Scheme definition is:

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

Residential (single dwelling) is a 'no permit required' use within the General Residential zone, however as the proposal relies upon assessment against a performance criteria, the application is treated as discretionary.

#### **4.3 Subject Site and Locality**

The author of this report undertook a site inspection on 3<sup>rd</sup> May 2022. The site comprises an area of 4233m<sup>2</sup> and accommodates a building approved for visitor accommodation use, a small approximately 18m<sup>2</sup> outbuilding is also present to the rear of the main building which will require further approvals as Council has no records of the outbuilding receiving approval. The site is surrounded by residential uses, many with outbuildings adjacent to side and rear boundaries.

##### ***Aerial photograph of area***





***Photographs of subject site***













#### 4.4 Permit/Site History

Relevant permit history includes:

- PLN18-0217 – visitor accommodation

#### 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 one representation (attached) was received from:

- Chris Triebe & Associates Town Planning Services obo Mr. & Mrs. A. Mitford of 154 High Street, Campbell Town



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



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

**Issue 1**

- The application was advertised a second time and the representor is concerned of the assessment process, and a phone call was not returned.

**Planner's comment:**

Having advertised the planning application initially, a phone call was received raising the issue that the shed plans and elevations did not form part of the exhibition documentation. On receipt of this call, the matter was resolved by way of re-advertising which included the omitted plans to the initial advertisement resolving this matter and concern in the phone call. It was not considered necessary to return the phone call as the matter was resolved.

**Issue 2**

- Concerns that the address of the property was incorrectly listed on the Form 35.

**Planner's comment:**

The Form 35 is not required until the building application process, and the applicant has advised that this will be rectified accordingly.

**Issue 3**

- The plans indicate a 14m by 5m concrete pad to be laid in the front of the shed, and concern was raised in relation to the construction of a future carport.

**Planner's comment:**

The subject application does not propose a carport and no further consideration of this matter is required.



**Issue 4**

- Stormwater concerns is a future carport was to be constructed.

**Planner's comment:**

As detailed above in response to the 3<sup>rd</sup> issue, the application does not propose a carport. The applicant has provided a response in relation to the concerns raised in the representation and has advised that a grated drain will be provided along the front of the shed and the slab shaped in a manner that will direct rainwater from the pad to the stormwater disposal system on the subject site.

**Issue 5**

- Issue of inconsistencies in the application relating to cladding wall material.

**Planner's comment:**

The applicant has provided a response in relation to the concerns raised in the representation and has advised that the front of the shed is to be clad in Colorbond as per the 'Shed Kit Compliance Statement'.

**Issue 6**

- Concerns raised that the use of the shed will be a workshop for cabinet making and the potential impact this may have on existing residential amenity.

**Planner's comment:**

The application submitted is for an outbuilding associated with the Residential use class only. The applicant has provided a response in relation to the concerns raised in the representation and has advised that the site owner offered to make windows and doors to the representor as a neighbourly gesture and that the workshop will not be used in a commercial wood working capacity. It would seem appropriate to place a condition upon any approval ensuring that the use of the outbuilding is associated with the residential use only of the site.

**Issue 7**

- Unsightly visual impact will be created by the large shed wall when viewed from the adjoining eastern property.

**Planner's comment:**

The initial advertised plans locate the proposed shed at 2.0m from the eastern boundary. The shed is to have a maximum height (at apex) of 5.6m, a small portion of the top of the roof would extend outside the three-dimensional building envelope, meaning that the initial proposal would have relied on performance criteria not just due to the height of the dwelling extension but also the shed extending outside the building envelope. Visual impact would therefore be a consideration of the performance criteria. In response to the concerns made in the representation, the application is willing to move the shed a further 600mm to the west, with amended plans submitted detailing that with this change, the shed will be wholly contained within the building envelope and that there is no further requirement to consider the performance criteria including visual impact from the adjoining property. This is considered a great planning outcome when an application can be altered to further bring it into greater compliance with a planning scheme. It is noted though, that the shed is separated from the adjoining residence and utilised private open space some distance, with substantial vegetation and a solid timber 1.8m high fence between that would have mitigated any apparent visual bulk. The outbuilding is well articulated in form and colours and is residential in scale and therefore there is not detrimental visual impact caused by the proposal, even if the performance criteria was to continue to be relied upon. It would seem appropriate that the amended plans form part of the assessment, as a way to mitigate the concerns of the representor.

**Issue 8**

- Noise and visual impact concerns again raised.

**Planner's comment:**

As above, the use of the shed is residential, and the applicant has agreed to move the shed a further 600mm from the eastern boundary to ensure that the outbuilding complies with A3 of Clause 10.4.2.



### Issue 9

- The proposed shed located is very close to the long-established elm trees growing in the adjoining eastern property.

#### Planner's comment:

The elm trees are located some distance from the boundary with the subject site except for a couple of smaller trunked elm trees in the rear corner. The shed has been located to ensure minimal impact on the elm trees (being outside the drip line) and the applicant has advised that during excavations all care will be taken. The edge beams will only have a depth of some 400mm which will not cause any structural or health damage to the roots.

### Issue 10

- The existing smaller outbuilding on site has not been shown on the proposed plans.

#### Planner's comment:

Council records do not show approval of this outbuilding, which would be required due to the location of the site within a heritage precinct, and this outbuilding was only brought to Council's attention due to the representation and then further inspection of the site. The applicant has been advised that further approval will be required to legalise the shed on site and that this will be done in the future in accordance with all Council processes. An advisory note on any approval highlighting that this application does not consider this outbuilding as forming part of the application and that further approvals are necessary is deemed appropriate.

## 4.6 Referrals

The only referral required was as follows:

#### **Heritage Adviser**

##### Summary:

Council's Heritage Advisor, David Denman, reviewed the application on the 29 March 2022. Mr Denman noted that he had no objections to the proposal and his comments from the Heritage Code assessment of 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>	
<b>Assessment:</b> 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>	
<b>Assessment:</b> The proposal meets the local area objectives.	

10.4.1 Residential density for multiple dwellings		
	A1	Site area per dwelling of not less than
	N/a	(a) 325m <sup>2</sup>





<b>10.4.2 Setback and building envelopes for dwellings</b>		
	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	(c) if vacant lot, setback which is not more or less than dwellings on immediately adjoining lots; OR
	N/a	(d) if above a non-residential use, not less than setback from frontage on ground level; OR
	N/a	(e) as per road setback specified in Planning Scheme
	A2	Garage or carport to be set back:
	□	(a) 5.5m from primary frontage or 1m behind the façade, OR
	N/a	(b) The same as the dwelling façade if under dwelling
	N/a	(c) 1m if gradient > 1:5 for 10m from frontage
	A3	Dwellings (excluding minor protrusions extending to 1.5m)
	X	(a) to be within building envelope (i) frontage setback (as above), or 4.5m from rear boundary of adjoining frontage lot for internal lot (ii) 45 degrees from the horizontal at a height of 3m above natural ground level at the side and rear boundaries, and max height 8.5m AND
	□	(b) 1.5m side or rear setback or built to the boundary (existing boundary wall within .2m of boundary or; 9m or ⅓ of the side boundary, whichever is lesser)
<b>10.4.3 Site coverage and private open space for dwellings</b>		
	□	A1 (a) max. site coverage of 50% (excluding eaves)
	N/a	(b) for multiple dwellings, a total area of private open space of not less than 60m <sup>2</sup> , unless floor level is entirely over 1.8m above ground level (excl garage, carport or foyer)
	N/a	A2 (a) (i) POS of 24m <sup>2</sup> in one location, or
		(ii) POS of 12m <sup>2</sup> in one location if a multiple dwelling with floor level over 1.8m high (as per A1b)
	N/a	(b) (i) horizontal dimension of 4m; or (ii) horizontal dimension of 2m if a multiple dwelling with floor level over 1.8m high (as per A1b); AND
	N/a	(c) between dwelling and frontage only if frontage is orientated between 30 degrees west of north and 30 degrees east of north; AND
	N/a	(d) not steeper than 1:10
<b>10.4.4 Sunlight to private open space of multiple dwellings</b>		
	N/a	A1 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.9 m horizontally from the multiple dwelling
<b>10.4.5 Width of openings for garages and carports for all dwellings</b>		



	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).
<b>10.4.6 Privacy</b>			
	N/a	A1	Balconies, decks, carports etc more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: <ul style="list-style-type: none"> <li>(a) side boundary – 3m</li> <li>(b) rear boundary – 4m</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m: <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</li> </ul> </li> </ul>
	N/a	A2	Window or glazed door to habitable room with floor level over 1m must <ul style="list-style-type: none"> <li>(a) (i) 3m setback from side boundary; and</li> <li>(ii) 4m setback from rear boundary;</li> </ul>
	N/a		and <ul style="list-style-type: none"> <li>(iii) if a multiple dwelling, at least 6m from glazing of adjacent dwelling on same site</li> <li>(iv) if a multiple dwelling, at least 6m from private open space of adjacent dwelling on same site</li> </ul>
	N/a		(b) (i) offset horizontally 1.5m from glazing of habitable room of another dwelling; or <ul style="list-style-type: none"> <li>(ii) sill height or fixed obscure glazing 1.7m above floor level, or</li> <li>(iii) permanently fixed external screen for the full length of the glazing, to 1.7 m above floor level, with a uniform transparency of not more than 25%.</li> </ul>
	N/a	A3	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 at least: <ul style="list-style-type: none"> <li>(a) <u>2.5m; or</u></li> <li>(b) 1m if: <ul style="list-style-type: none"> <li>(i) it is separated by a screen of at least 1.7m in height; or</li> </ul> </li> <li>(ii) the glazing, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</li> </ul>
<b>10.4.7 Frontage fences for all dwellings</b>			
	N/a	A1	No acceptable solutions (see Clause 5.0 – exemptions)
<b>See Planning Scheme for the following provisions for multiple dwellings</b>			
<b>10.4.8 Waste storage for multiple dwellings- N/a</b>			
<b>10.4.9 Storage for multiple dwellings – N/a</b>			
<b>10.4.10 Common Property for multiple dwellings – N/a</b>			
<b>10.4.11 Outbuildings and Ancillary Structures for the Residential Use Class other than a single dwelling – N/a</b>			
<b>10.4.12 Site Services for multiple dwellings – N/a</b>			
<b>Easements</b>			
			No construction over an easement

Accordingly, the development relies on the following performance criteria:

**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: <ul style="list-style-type: none"> <li>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</li> </ul>



- (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 –

Further to receipt of amended plans in response to the representation received, the shed complies with the acceptable solution and the dwelling only is to be considered against the performance criteria.

It is considered that the variation to the building envelope of the dwelling extension meets the performance criteria. The land to the east and west are large residential lots (zoned General Residential). The adjacent lots would not be subject to overshadowing due to the central location of the dwelling and extension, the land to the east is developed such that the dwelling is approximately 36m east of the shared boundary with vegetation and outbuilding between the dwelling and western boundary. The land to the west is closer to the western boundary, but approximately 43m away from the dwelling and extension. Substantial vegetation screening is located on the northern, western and southern boundary of the subject site.

The height of the dwelling extension will not be apparent from the street, due to the slope of the site, sloping down from the road as well as the existing vegetation screening in place. The dwelling extension is proposed with little impact therefore the building envelope variation is unlikely to negatively impact on the adjacent dwellings. Given the developed nature of the area, the separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area. The proposed development will not cause reduction in sunlight to an existing solar energy installation.

The proposed dwelling extension is consistent with the performance criteria.

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	N/a
E.5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – no changes to existing parking.
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	Complies – See code assessment below
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a



**ASSESSMENT AGAINST E13.0  
LOCAL HISTORIC HERITAGE CODE**

**E13.1 Purpose**

**E13.1.1** The purpose of this provision is to:

- a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; and
- b) encourage and facilitate the continued use of these items for beneficial purposes; and
- c) discourage the deterioration, demolition or removal of buildings and items of assessed heritage significance; and
- d) ensure that new use and development is undertaken in a manner that is sympathetic to, and does not detract from, the cultural significance of the land, buildings and items and their settings; and
- e) conserve specifically identified heritage places by allowing a use that otherwise may be prohibited if this will demonstratively assist in conserving that place

**E13.2 Application of the Code**

**E13.2.1** This code applies to use or development of land that is:

- a) within a Heritage Precinct;
- b) a local heritage place;
- c) a place of identified archaeological significance.

**E13.3 Use or Development Exempt from this Code**

**E13.3.1** The following use or development is exempt from this code:

- a) works required to comply with an Emergency Order issued under Section 162 of the Building Act 2000;
- b) electricity, optic fibre and telecommunication cables and gas lines to individual buildings;
- c) internal alterations to buildings if the interior is not included in the historic heritage significance of the place or precinct;
- d) maintenance and repairs that do not involve removal, replacement or concealment of any external building fabric;
- e) repainting of an exterior surface that has been previously painted, in a colour similar to that existing;
- f) the planting, clearing or modification of vegetation for safety reasons where the work is required for the removal of dead, or treatment of disease, or required to remove unacceptable risk to the public or private safety, or where vegetation is causing or threatening to cause damage to a building or structure; and
- g) the maintenance of gardens, unless there is a specific listing for the garden in Table E13.1 or Table E13.2.

Comment: The subject site is within a Heritage Precinct.

**E13.5 USE STANDARDS**

**E13.5.1 Alternative Use of heritage buildings**

Objective: To ensure that the use of heritage buildings provides for their conservation.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	<p>P1 Notwithstanding Clause 8.9, a permit may be granted for any use of a locally listed heritage place where:</p> <ul style="list-style-type: none"> <li>a) it can be demonstrated that the proposed use will not adversely impact on the significance of a heritage place; and</li> <li>b) the amenity impacts of both the proposed use on the surrounding areas and from the surrounding area on the proposed use are considered acceptable; and</li> <li>c) a report by heritage professional states that it is necessary for conservation purposes or the continued maintenance of the building or where there is an overriding public benefit.</li> </ul>

Comment: N/a



## **E13.6 DEVELOPMENT STANDARDS**

### **E13.6.1 Demolition**

<i>Objective: To ensure that the demolition or removal of buildings and structures does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Removal of non-original cladding to expose original cladding.	<p>P1.1 Existing buildings, parts of buildings and structures must be retained except:</p> <ul style="list-style-type: none"> <li>a) where the physical condition of place makes restoration inconsistent with maintaining the cultural significance of a place in the long term; or</li> <li>b) the demolition is necessary to secure the long-term future of a building or structure through renovation, reconstruction or rebuilding; or</li> <li>c) there are overriding environmental, economic considerations in terms of the building or practical considerations for its removal, either wholly or in part; or</li> <li>d) the building is identified as non-contributory within a precinct identified in Table E13.1: Heritage Precincts, if any; and</li> </ul> <p>P1.2 Demolition must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: N/a

### **E13.6.2 Subdivision and development density**

<i>Objective: To ensure that subdivision and development density does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 No acceptable solution.	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> <li>a) be consistent with and reflect the historic development pattern of the precinct or area; and</li> <li>b) not facilitate buildings or a building pattern unsympathetic to the character or layout of buildings and lots in the area; and</li> <li>c) not result in the separation of building or structures from their original context where this leads to a loss of historic heritage significance; and</li> <li>d) not require the removal of vegetation, significant trees or garden settings where this is assessed as detrimental to conserving the historic heritage significance of a place or heritage precinct; and</li> <li>e) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>

Comment: N/a

### **E13.6.3 Site Cover**

<i>Objective: To ensure that site coverage is consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts, if any.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Site coverage must be in accordance with the acceptable development criterion for site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 The site coverage must:</p> <ul style="list-style-type: none"> <li>a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and</li> <li>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>

Comment: Satisfies the performance criteria.



#### E13.6.4 Height and Bulk of Buildings

*Objective: To ensure that the height and bulk of buildings are consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.*

Acceptable Solutions	Performance Criteria
A1 New building must be in accordance with the acceptable development criteria for heights of buildings or structures within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1.1 The height and bulk of any proposed buildings must not adversely affect the importance, character and appearance of the building or place, and the appearance of adjacent buildings; and</p> <p>P1.2 Extensions proposed to the front or sides of an existing building must not detract from the historic heritage significance of the building; and</p> <p>P1.3 The height and bulk of any proposed buildings must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: Satisfies the performance criteria.

#### E13.6.5 Fences

*Objective: To ensure that fences are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.*

Acceptable Solutions	Performance Criteria
A1 New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 New fences must:</p> <p>a) be designed to be complementary to the architectural style of the dominant buildings on the site or</p> <p>b) be consistent with the dominant fencing style in the heritage precinct; and</p> <p>c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: N/a

#### E13.6.6 Roof Form and Materials

*Objective: To ensure that roof form and materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.*

Acceptable Solutions	Performance Criteria
A1 Roof form and materials must be in accordance with the acceptable development criteria for roof form and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 Roof form and materials for new buildings and structures must:</p> <p>a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and</p> <p>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: Satisfies the performance criteria.

#### E13.6.7 Wall materials

*Objective: To ensure that wall materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.*

Acceptable Solutions	Performance Criteria
A1 Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct	<p>P1 Wall material for new buildings and structures must:</p> <p>a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and</p> <p>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>





identified in Table E13.1: Heritage Precincts, if any.	
--	--

Comment: Satisfies the performance criteria.

#### **E13.6.8 Siting of Buildings and Structures**

<i>Objective: To ensure that the siting of buildings, does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 New buildings and structures must be in accordance with the acceptable development criteria for setbacks of buildings and structures to the road within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 The front setback for new buildings or structure must: a) be consistent with the setback of surrounding buildings; and b) be set at a distance that does not detract from the historic heritage significance of the place; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria.

#### **E13.6.9 Outbuildings and Structures**

<i>Objective: To ensure that the siting of outbuildings and structures does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Outbuildings and structures must be: a) set back an equal or greater distance from the principal frontage than the principal buildings on the site; and b) in accordance with the acceptable development criteria for roof form, wall material and site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 New outbuildings and structures must be designed and located; a) to be subservient to the primary buildings on the site; and b) to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria.

#### **E13.6.10 Access Strips and Parking**

<i>Objective: To ensure that access and parking does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Car parking areas for non-residential purposes must be: a) located behind the primary buildings on the site; or b) in accordance with the acceptable development criteria for access and parking as within a precinct identified in Table 1: Heritage Precincts, if any.	P1 Car parking areas for non-residential purposes must not: a) result in the loss of building fabric or the removal of gardens or vegetated areas where this would be detrimental to the setting of a building or its historic heritage significance; and b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: N/a

#### **E13.6.11 Places of Archaeological Significance**

<i>Objective: To ensure that places identified in Table E13.3 as having archaeological significance are appropriately managed.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 No acceptable solution.	P1 For works impacting on places listed in Table E13.3:



	<p>a) it must be demonstrated that all identified archaeological remains will be identified, recorded and conserved; and</p> <p>b) details of survey, sampling and recording techniques technique be provided; and</p> <p>c) that places of identified historic heritage significance will not be destroyed unless there is no prudent and feasible alternative.</p>
--	--

Comment: N/a

#### **E13.6.12 Tree and Vegetation Removal**

Objective: To ensure that the removal, destruction or lopping of trees or the removal of vegetation does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	<p>P1 The removal of vegetation must not:</p> <p>a) unreasonably impact on the historic cultural significance of the place; and</p> <p>b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: N/a

#### **E13.6.13 Signage**

Objective: To ensure that signage is appropriate to conserve the historic heritage significance of local heritage places and precincts.	
Acceptable Solutions	Performance Criteria
A1 Must be a sign identifying the number, use, heritage significance, name or occupation of the owners of the property not greater than 0.2m <sup>2</sup> .	<p>P1 New signs must be of a size and location to ensure that:</p> <p>a) period details, windows, doors and other architectural details are not covered or removed; and</p> <p>b) heritage fabric is not removed or destroyed through attaching signage; and</p> <p>c) the signage does not detract from the setting of a heritage place or does not unreasonably impact on the view of the place from public viewpoints; and</p> <p>d) signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: N/a

#### **E13.6.14 Maintenance and Repair**

Objective
To ensure that maintenance and repair of buildings is undertaken to be sympathetic to, and not detract from the <a href="#">historic cultural heritage significance</a> of local heritage places and precincts.
Acceptable Solution
New materials and finishes used in the maintenance and repair of buildings match the materials and finishes that are being replaced.

Comment: N/a

#### **Table E13.1: Local Heritage Precincts**

For the purpose of this table, Heritage Precincts refers to those areas listed, and shown on the Planning Scheme maps as Heritage Precincts.

Existing Character Statement - Description and Significance
<p><b>CAMPBELL TOWN HERITAGE PRECINCT CHARACTER STATEMENT</b></p> <p>The Campbell Town Heritage Precinct is unique because it is the core of a substantially intact nineteenth century townscape, with its significant built fabric, and its atmosphere of a traditional resting place on the main road between the north and south. Its wide main street, historic buildings and resting places for travellers all contribute</p>





to its unique character. High Street has remained as the main commercial focus for the town, continuing to serve the needs of residents, visitors and the agricultural community. The War Memorial to the north marks the approach to the business area which terminates at the historic bridge over the Elizabeth River; a significant landscape feature. Traditional buildings in the Precinct include impressive examples of colonial architecture. The historic Valentine's Park is the original foreground for 'The Grange' and provides a public outdoor resting place for visitors and locals at the heart of the town. Campbell Town's heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the town.

#### **Management Objectives**

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

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

**Comment:** The proposal is consistent with the Heritage Precinct Character Statement and satisfies the Management Objectives.

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	Complies – See Specific Area Plan assessment below

#### **Assessment against F2.0 (Heritage Precincts Specific Area Plan)**

#### **F2.1 Purpose of Specific Area Plan**

F2.1.1 In addition to, and consistent with, the purpose of E13.0 Local Historic Heritage Code, the purpose of this Specific Area Plan is to ensure that development makes a **positive contribution to the streetscape** within the Heritage Precincts.

#### **F2.2 Application of Specific Area Plan**

F2.2.1 This Specific Area Plan applies to those areas of land designated as Heritage Precincts on the Planning Scheme maps.

F2.2.2 The following development is exempt from this Specific Area Plan:

- a) works required to comply with an Emergency Order issued under section 162 of the Building Act 2000;
- b) electricity, optic fibre and telecommunications cables, and water, sewerage, drainage connections and gas lines to individual buildings;
- c) maintenance and repairs that do not involve removal, replacement or concealment of any external building fabric;
- d) repainting of an exterior surface that has been previously painted, in a colour similar to that existing;
- e) the planting, clearing or modification of vegetation for safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove unacceptable risk to the public or private safety, or where vegetation is causing or threatening to cause damage to a building or structure; and
- f) the maintenance of gardens, unless there is a specific listing for the garden in Table E13.1 or Table E13.2.

#### **F2.3 Definitions**

##### **F2.3.1 Streetscape**

For the purpose of this specific area plan 'streetscape' refers to the street reservation and all design elements within it, and that area of a private property from the street reservation; including the whole of the frontage, front setback, building façade, porch or verandah, roof form, and side fences; and includes the front elevation of a garage, carport or outbuilding visible from the street (refer Figure F2.1 and F2.2).

##### **F2.3.2 Heritage-Listed Building**

For the purpose of this Plan 'heritage-listed building' refers to a building listed in Table F2.1 or listed on the Tasmanian Heritage Register.



## **F2.4 Requirements for Design Statement**

- F2.4.1** *In addition to the requirements of clause 8.1.3, a design statement is required in support of the application for any new building, extension, alteration or addition, to ensure that development achieves consistency with the existing streetscape and common built forms that create the character of the streetscape.*
- F2.4.2** *The design statement must identify and describe, as relevant to the application, setbacks, orientation, scale, roof forms, plan form, verandah styles, conservatories, architectural details, entrances and doors, windows, roof covering, roof plumbing, external wall materials, paint colours, outbuildings, fences and gates within the streetscape. The elements described must be shown to be the basis for the design of any new development.*
- F2.4.3** *The design statement must address the subject site and the two properties on both sides, the property opposite the subject site and the two properties both sides of that.*

Comment: Although the subject site is within the Heritage Precincts Specific Area Plan, the proposal will not have an adverse effect on the streetscape.

## **F2.5 STANDARDS FOR DEVELOPMENT**

### **F2.5.1 Setbacks**

<i>Objective: To ensure that the predominant front setback of the existing buildings in the streetscape is maintained, and to ensure that the impact of garages and carports on the streetscape is minimised.</i>			
<b>Acceptable Solutions &amp; performance criteria</b>			
<b>A1</b>	<i>The predominant front setback as identified in the design statement must be maintained for all new buildings, extensions, alterations or additions (refer Figure F2.4 &amp; F2.8).</i>	<b>P1</b>	<i>The front setback must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</i> a) <i>the cultural heritage values of the local heritage place, its setting and the precinct;</i> b) <i>the topography of the site;</i> c) <i>the size, shape, and orientation of the lot;</i> d) <i>the setbacks of other buildings in the surrounding area;</i> e) <i>the historic cultural heritage significance of adjacent places; and</i> f) <i>the streetscape.</i>
<b>A2</b>	<i>New carports and garages, whether attached or detached, must be set back a minimum of 3 metres behind the line of the front wall of the house which it adjoins (refer Figure F2.3, &amp; F2.7).</i>	<b>P2</b>	<i>The setback of new carports and garages from the line of the front wall of the house which it adjoins must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</i> a) <i>the cultural heritage values of the local heritage place, its setting and the precinct;</i> b) <i>the topography of the site;</i> c) <i>the size, shape, and orientation of the lot;</i> d) <i>the setbacks of other buildings in the surrounding area;</i> e) <i>the historic cultural heritage significance of adjacent places; and</i> f) <i>the streetscape.</i>
<b>A3</b>	<i>Side setback reductions must be to one boundary only, in order to maintain the appearance of the original streetscape spacing.</i>	<b>P3</b>	<i>Side setbacks must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</i> a) <i>the cultural heritage values of the local heritage place, its setting and the precinct;</i> b) <i>the topography of the site;</i> c) <i>the size, shape, and orientation of the lot;</i> d) <i>the setbacks of other buildings in the surrounding area;</i> e) <i>the historic cultural heritage significance of adjacent places; and</i> f) <i>the streetscape.</i>

Comment: Meets the Acceptable Solutions.



### F2.5.2 Orientation

<i>Objective: To ensure that new buildings, extensions, alterations and additions respect the established predominant orientation within the streetscape.</i>			
<b>Acceptable Solutions &amp; performance criteria</b>			
A1	All new buildings, extensions, alterations or additions must be orientated:	P1	Orientation of all new buildings, extensions, alteration or additions must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:
a)	perpendicular to the street frontage (refer Figure F2.5, F2.6, & F2.8); or	a)	the cultural heritage values of the local heritage place, its setting and the precinct;
b)	Where the design statement identifies that the predominant orientation of buildings within the street is other than perpendicular to the street, to conform to the established pattern in the street; and	b)	the topography of the site;
c)	A new building must not be on an angle to an adjoining heritage-listed building (refer Figure F2.5).	c)	the size, shape, and orientation of the lot;
		d)	the setbacks of other buildings in the surrounding area;
		e)	the historic cultural heritage significance of adjacent places; and
		f)	the streetscape.

Comment: Meets the Acceptable Solutions.

### F2.5.3 Scale

<i>Objective: To ensure that all new buildings respect the established scale of buildings in the streetscape, adhere to a similar scale, are proportional to their lot size and allow an existing original main building form to dominate when viewed from public spaces.</i>	
<b>Acceptable Solutions (no performance criteria)</b>	
A1	Single storey developments must have a maximum height from floor level to eaves of 3 metres (refer Figure F2.14).
A2	Where a second storey is proposed it must be incorporated into the roof space using dormer windows, or roof windows, or gable end windows, so as not to detract from original two storey heritage-listed buildings (refer Figure F2.13 & F2.15).
A3	Ground floor additions located in the area between the rear and front walls of the existing house must not exceed 50% of the floor area of the original main house.

Comment: Meets the Acceptable Solutions.

### F2.5.4 Roof Forms

<i>Objective: To ensure that the roof form and elements respect those of the existing main building and the streetscape.</i>			
<b>Acceptable Solutions &amp; performance criteria</b>			
A1.1	The roof form for new buildings, extensions, alterations, and additions must, if visible from the street, be in the form of hip or gable, with a pitch between 25 – 40 degrees (refer Figure F2.14 & F2.18), or match the existing building, and	P1	The roof form of all new buildings, extensions, alteration or additions must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:
A1.2	Eaves overhang must be a maximum of 300mm excluding guttering, or match the existing building.	a)	the cultural heritage values of the local heritage place, its setting and the precinct;
		b)	the design, period of construction and materials of the dominant building on site;
		c)	the dominant roofing style and materials in the setting; and
		d)	the streetscape.
A2	Where there is a need to use the roof space, dormer windows are acceptable and must be in a style that reflects the period setting of the existing main building on the site, or the setting if the site is vacant (refer Figure F2.15).		
A3	Where used, chimneys must be in a style that reflects the period setting of the existing main building on the site, or the setting if the site is vacant.		
A4	Metal cowls must not be used where they will be seen from the street.		

Comment: Meets the Acceptable Solutions.



#### F2.5.5 Plan Form

<i>Objective: To ensure that new buildings, alterations, additions and extensions respect the setting, original plan form, shape and scale of the existing main building on the site or of adjoining heritage-listed buildings.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1.1 Alterations and additions to <b>pre-1940</b> buildings must retain the original plan form of the existing main building; or	P1 Original main buildings must remain visually dominant over any additions when viewed from public spaces.
A1.2 The plan form of additions must be rectilinear or consistent with the existing house design and dimensions.	
A2 The plan form of new buildings must be rectilinear (refer Figure F2.9).	P2 No performance criteria

Comment: Meets the Acceptable Solutions

#### F2.5.6 External Walls

<i>Objective: To ensure that wall materials used are compatible with the streetscape.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A1.1 Materials used in additions must match those of the existing construction, except in additions to <b>stone or brick</b> buildings; and</p> <p>A1.2 External walls must be clad in:</p> <p>a) traditional bull-nosed timber weatherboards; if treated pine boards are used to replace damaged weatherboards they must be painted; thin profile compressed board weatherboards must not be used; or</p> <p>b) brickwork, with mortar of a natural colour and struck flush with the brickwork (must not be deeply raked), including:</p> <ul style="list-style-type: none"> <li>• painted standard size bricks; or</li> <li>• standard size natural clay bricks that blend with the colour and size of the traditional local bricks; or</li> <li>• standard brickwork rendered in traditional style; or</li> <li>• if a heritage-listed building, second-hand traditional local bricks.</li> </ul> <p>Heavily-tumbled clinker bricks must not be used; or</p> <p>c) concrete blocks specifically chosen to blend with local dressed stone, or rendered and painted;</p> <p>d) concrete blocks in natural concrete finish must not be used.</p> <p>e) A1.3 Cladding materials designed to imitate traditional materials such as brick, stone and weatherboards must not be used.</p>	<p>P1 Wall materials must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the design, period of construction and materials of the dominant building on site;</p> <p>c) the dominant wall materials in the setting; and</p> <p>d) the streetscape.</p>

Comment: Meets the Acceptable Solutions

#### F2.5.7 Entrances and Doors

<i>Objective: To ensure that the form and detail of the front entry is consistent with the streetscape.</i>	
<b>Acceptable Solutions &amp; performance criteria</b>	
<p>A1.1 The position, shape and size of original door and window openings must be retained where they are prominent from public spaces; and</p> <p>A1.2 The front entrance location must be in the front wall facing the street, and be located within the central third of the front wall of the house; and</p> <p>A1.3 Modern front doors with horizontal glazing or similar styles must not be used (refer Figure F2.21).</p>	<p>P1 Entrances and doors must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the design, period of construction and materials of the dominant building on site; and</p> <p>c) the streetscape.</p>

Comment: Meets the Performance Criteria



#### F2.5.8 Windows

<i>Objective: To ensure that window form and details are consistent with the streetscape.</i>	
<b>Acceptable Solutions &amp; performance criteria</b>	
A1 Window heads must be a minimum of 300mm below the eaves line, or match the existing.	
<b>Solid-void ratio</b>	
A2 Front façade windows must conform to the solid/void ratio (refer Figure F2.24 & F2.25).	P2 For commercial buildings, the solid/void ratio of front façade windows must be compatible with that of heritage-listed commercial buildings in the precinct.
<b>Window sashes</b>	
A3 Window sashes must be double hung, casement, awning or fixed appropriate to the period and style of the building (refer Figure F2.22 & F2.23).	
A4 Traditional style multi-pane sashes, when used, must conform to the traditional pattern of six or eight vertical panes per sash with traditional size and profile glazing bars.	
A5 Horizontally sliding sashes must not be used.	
A6 Corner windows to front facades must not be used.	
<b>Window Construction Materials</b>	
A7 Clear glass must be used.	
A8 Reflective and tinted glass and coatings must not be used where visible from public places.	
A9 Additions to heritage-listed buildings must have timber window frames, where visible from public spaces.	
A10 Painted aluminium must only be used where it cannot be seen from the street and in new buildings, or where used in existing buildings	P10 Window frames must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to the cultural heritage values of the local heritage place, its setting and the precinct.
A11 Glazing bars must be of a size and profile appropriate for the period of the building	
A12 Stick-on aluminium glazing-bars must not be used	
A13 All windows in brick or masonry buildings must have projecting brick or stone sills, or match the existing.	
<b>French Doors, Bay Windows and Glass Panelling</b>	
A14 French doors and bay windows must be appropriate for the original building style and must be of a design reflected in buildings of a similar period.	
A15 Where two bay windows are required, they must be symmetrically placed.	
A16 Large areas of glass panelling must:	
a) Be divided by large vertical mullions to suggest a vertical orientation; and	
b) Be necessary to enhance the utility of the property or protect the historic fabric; and	
c) Not detract from the historic values of the original building.	

Comment: Meets the Performance Criteria

#### F2.5.9 Roof Covering

<i>Objective: To ensure that roof materials are compatible with the streetscape.</i>	
<b>Acceptable Solutions (no performance criteria)</b>	
A1.1 Roofing of additions, alterations and extensions must match that of the existing building; and	
A1.2 Roof coverings must be:	
a) corrugated iron sheeting in grey tones, brown tones, dark red, or galvanized iron	
or	
b) slate or modern equivalents, shingle and low-profile tiles, where compatible with the style and period of the main building on the site and the setting. Tile colours must be:	
• dark gray; or	
• light grey; or	
• brown tones; or	



	<ul style="list-style-type: none"> <li>• dark red;</li> </ul>
	or
	c) traditional metal tray tiles where compatible with the style and period of the main building on the site.
	d) for additions, alterations and extensions, match that of the existing building.
A2	Must not be klip-lock steel deck and similar high rib tray sheeting.

Comment: Meets the Acceptable Solutions

#### **F2.5.10 Roof Plumbing**

<i>Objective: To ensure that roof plumbing and fittings are compatible with the streetscape.</i>	
<b>Acceptable Solutions (no performance criteria)</b>	
A1.1	Gutters must be OG, D mould, or Half Round profiles (refer Figure F2.26), or match the existing guttering; and
A1.2	Downpipes must be zincalume natural, colorbond round, or PVC round painted.
A2	Downpipes must not be square-line gutter profile or rectangular downpipes (refer Figure F2.27), or match the existing downpipes.

Comment: Meets the Acceptable Solutions.

#### **F2.5.11 Verandahs**

<i>Objective: To ensure that traditional forms of sun and weather protection are used, consistent with the streetscape.</i>	
<b>Acceptable Solutions &amp; performance criteria</b>	
<b>Original Verandahs</b>	
A1	Original verandahs must be retained.
<b>Replacement of Missing Verandahs</b>	
A2.1	The replacement of a missing verandah must be consistent with the form and detail of the original verandah; or
A2.2	If details of the original verandah are not available:
a)	The verandah roof must join the wall line below the eaves line of the building (refer Figure F2.19); and
b)	Verandah posts and roof profile must be consistent with that in use by the surrounding buildings of a similar period.
P2	Verandahs must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: <ul style="list-style-type: none"> <li>a) the cultural heritage values of the local heritage place, its setting and the precinct;</li> <li>b) the design, period of construction and materials of the dominant building on site; and</li> <li>c) the streetscape.</li> </ul>
<b>New Verandahs</b>	
A3	A new verandah, where one has not previously existed, must be consistent with the design and period of construction of the dominant existing building on the site or, for vacant sites, those of the dominant design and period within the precinct.

Comment: N/a

#### **F2.5.12 Architectural Details**

<i>Objective: To ensure that the architectural details are consistent with the historic period and style of the main building on the site, and the streetscape.</i>	
<b>Acceptable Solutions (no performance criteria)</b>	
<b>Original Detailing</b>	
A1	Original details and ornaments, such as architraves, fascia's and mouldings, are an essential part of the building's character and must not be removed beyond the extent of any alteration, addition or extension.
<b>Non-original Detailing</b>	
A2.1	Non-original elements must be consistent with the original architectural style of the dominant existing building on the site or, for vacant sites, be consistent with the existing streetscape; and
A2.1	Non-original elements must not detract from or dominate the original qualities of the building, nor should they suggest a past use which is not historically accurate.





Comment: Meets the Performance Criteria

#### **F2.5.13 Outbuildings**

<i>Objective: To ensure that outbuildings do not reduce the dominance of the original building or distract from its period character.</i>	
<b>Acceptable Solutions &amp; performance criteria</b>	
A1 <i>The roof form of outbuildings must, if visible from the street, be in the form of hip or gable, with a maximum span of 6.5m and a pitch between 22.5 – 40 degrees.</i>	P1 <i>The roof form of outbuildings, if visible from the street, must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</i> a) <i>the cultural heritage values of the local heritage place, its setting and the precinct;</i> b) <i>the design, period of construction and materials of the dominant building on site;</i> c) <i>the dominant roofing style and materials in the setting; and</i> d) <i>the streetscape.</i>
A2 <i>Outbuildings must be designed, in both scale and appearance, to be subservient to the primary buildings on the site.</i>	
A3 <i>Outbuildings must not be located in front of existing heritage-listed buildings, and must be setback a minimum of 3 metres behind the line of the front wall of the house that is set furthest back from the street (refer Figure F2.1 &amp; F2.3).</i>	
A4 <i>Any garage, including those conjoined to the main building, must be designed in the form of an outbuilding, with an independent roof form.</i>	
A5 <i>Those parts of Outbuildings visible from the street must be consistent, in both materials and style, with those of any existing heritage-listed building on-site.</i>	
A6 <i>Where visible from the street, the eaves height of outbuildings must not exceed 3m and the roof form and pitch must be the same as that of the main house.</i>	

Comment: Meets the Performance Criteria

#### **F2.5.14 Conservatories**

<i>Objective: To ensure new conservatories respect traditional location, form and construction.</i>	
<b>Acceptable Solutions (no performance criteria)</b>	
A1 <i>Conservatories must not be located at the front of a building.</i>	
A2 <i>The scale, form, materials, and colours of a conservatory addition must respect the established style and period of the existing building.</i>	

Comment: N/a

#### **F2.5.15 Fences and Gates**

<i>Objective: To ensure that original fences are retained and restored where possible and that the design and materials of any replacement complement the setting and the architectural style of the main building on the site.</i>	
<b>Acceptable Solutions &amp; performance criteria</b>	
A1.1 <i>Replacement of front fence must be in the same design, materials and scale; or</i> A1.2 a) <i>Front fence must be a timber vertical picket, masonry to match the house, heritage style woven wire, galvanized tubular fencing, other than looped, or iron palisade fence with a maximum height of 1500mm.</i> b) <i>Side and rear fences must be vertical timber palings to a maximum height of 1800mm.</i>	P1 <i>Fences must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</i> a) <i>the cultural heritage values of the local heritage place, its setting and the precinct;</i> b) <i>the architectural style of the dominant building on the site;</i> c) <i>the dominant fencing style in the setting; and</i> d) <i>the original or previous fences on the site.</i>



A2	<i>Gates must match the fence, both in materials and design.</i>
A3	<i>Screen fences used to separate the front garden from the rear of the house must be of timber or lattice.</i>
A4	<i>Fences must not be:</i>
a)	<i>horizontal or diagonal timber slat fences; or</i>
b)	<i>plastic covered wire mesh; or</i>
c)	<i>flat metal sheet or corrugated sheets; or</i>
d)	<i>plywood and cement sheet.</i>

Comment: N/a

#### **F2.5.16 Paint Colours**

<i>Objective: To ensure that new colour schemes maintain a sense of harmony with the street or area in which they are located.</i>	
<b>Acceptable Solutions &amp; performance criteria</b>	
A1.1 <i>Colour schemes must be drawn from heritage-listed buildings within the precinct; or</i>	P1 <i>Colour schemes must be compatible with the local historic heritage significance of the local heritage place or precinct having regard to the character and appearance of the existing place or precinct.</i>
A1.2 <i>Colour schemes must be drawn from the following:</i>	
a) <i>Walls – Off white, creams, beige, tans, fawn and ochre.</i>	
b) <i>Window &amp; Door frames – white, off white, Indian red, light browns, tans, olive green and deep Brunswick green.</i>	
c) <i>Fascia &amp; Barge Boards - white, off white Indian red, light browns, tans, olive green and deep Brunswick green</i>	
d) <i>Roof &amp; Gutters – deep Indian red, light and dark grey.</i>	
A2	<i>There must be a contrast between the wall colour and trim colours.</i>
A3	<i>Previously unpainted brickwork must not be painted, except in the case of post-1960 buildings.</i>

Comment: Meets the Performance Criteria

#### **F2.5.17 Lighting**

<i>Objective: To ensure that modern domestic equipment and wiring do not intrude on the character of the streetscape</i>	
<b>Acceptable Solutions (no performance criteria)</b>	
A1	<i>Wiring or conduit to new lighting is not located on the front face of a building.</i>

Comment: Meets the Performance Criteria

#### **F2.5.18 Maintenance and Repair**

<i>Objective: To ensure that maintenance and repair of buildings is undertaken to be sympathetic to, and not detract from the historic cultural heritage significance of heritage precincts.</i>	
<b>Acceptable Solution (no performance criteria)</b>	
<i>New materials and finishes used in the maintenance and repair of buildings match the materials and finishes that are being replaced.</i>	

Comment: N/a

### **F2.6 USE STANDARDS**

#### **F2.6.1 Alternative Use of heritage buildings**

<i>Objective: To ensure that the use of heritage buildings provides for their conservation.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 <i>No acceptable solution.</i>	P1 <i>Notwithstanding Clause 8.9, a permit may be granted for any use of a building listed in table F2.1 where:</i>
	a) <i>it can be demonstrated that the proposed use will not adversely impact on the significance of a heritage place; and</i>





	<p>b) the amenity impacts of both the proposed use on the surrounding areas and from the surrounding area on the proposed use are considered acceptable; and</p> <p>c) a report by heritage professional states that it is necessary for conservation purposes or the continued maintenance of the building or where there is an overriding public benefit.</p>
--	---

Comment: N/a

## **E15.0 Signs Code**

### **E15.5.2 Heritage Precincts**

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

Comment: N/a

<b>SPECIAL PROVISIONS</b>	
9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	N/a
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	N/a
9.5 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

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

## **5 FINANCIAL IMPLICATIONS TO COUNCIL**

Not applicable to this application.

## **6 OPTIONS**

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

## **7 DISCUSSION**

Discretion to refuse the application is limited to:

- Variation to development standards (building envelope – dwelling only after amended plans provided moving the shed a further 600mm from eastern boundary).
- Reliance of performance criteria of Local Historic Heritage Code and Heritage Precincts Specific Area Plan.



The applicant has provided a response including amended plans locating the shed a further 600mm from the eastern boundary to the concerns raised in the representation. This is considered a good outcome, where a proposal can be brought further in accordance with the acceptable solutions of a planning scheme and negates the need to consider a performance criteria. The use of the shed is confirmed to be as per the application, residential use, and a condition ensuring this is proposed. The smaller shed on the site that is present will need a further approval as this was not shown on plans of this proposal and advice on this approval would highlight the need for such.

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. PL N-22-0046 public exhibition documents readvertised [15.1.1 - 72 pages]
2. Heritage referral PL N-22-0046 - 80-82 Montague St CAMPBELL TOWN [15.1.2 - 22 pages]
3. 1. Representation - Chris Triebe [15.1.3 - 3 pages]
4. Applicant's Resonse to Representation [15.1.4 - 6 pages]

## RECOMMENDATION

That land at 80-82 Montagu Street, Campbell Town be approved to be developed and used for a Dwelling Extension & Shed (Heritage Precinct) in accordance with application PLN-22-0046, and subject to the following conditions:

### 1 Layout not altered

The use and development must be in accordance with the endorsed plans numbered **P1 – P9** (*Plans prepared by Steve Jordan Drafting, Drawing No: SJD 22/13, Sheet No's: cover sheet, SD, 01-04, 07-09, Dated: January 2022, including Revised Site Plan locating shed at 2600mm from eastern boundary, received 5 May 2022*); and **P10** (*Shed plans by ShedTech, Dated: 11/01/2022*).

### 2 Use of Shed

The outbuilding (shed) is to be used only for those purposes reasonably subservient to a normal residential use.

*Advice: Council has no record of the approximately 18m<sup>2</sup> outbuilding located on the subject site. Planning Approval is required due to the locality within a Heritage Precinct, and must be gained, with a planning application to be lodged within 3 months of receipt of this advice.*

## MINUTE NO. 22/158

### DECISION

Cr Polley/Cr Goninon

That land at 80-82 Montagu Street, Campbell Town be approved to be developed and used for a Dwelling Extension & Shed (Heritage Precinct) in accordance with application PLN-22-0046, and subject to the following conditions:

### 1 Layout not altered

The use and development must be in accordance with the endorsed plans numbered **P1 – P9** (*Plans prepared by Steve Jordan Drafting, Drawing No: SJD 22/13, Sheet No's: cover sheet, SD, 01-04, 07-09, Dated: January 2022, including Revised Site Plan locating shed at 2600mm from eastern boundary, received 5 May 2022*); and **P10** (*Shed plans by ShedTech, Dated: 11/01/2022*).

### 2 Use of Shed

The outbuilding (shed) is to be used only for those purposes reasonably subservient to a normal residential use.



*Advice: Council has no record of the approximately 18m<sup>2</sup> outbuilding located on the subject site. Planning Approval is required due to the locality within a Heritage Precinct, and must be gained, with a planning application to be lodged within 3 months of receipt of this advice.*

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 15.2 DRAFT AMENDMENT 04/2021: 17 CHURCH STREET CAMPBELL TOWN - REPORT ON REPRESENTATIONS

*File:* 13/026/007/164; 300800.055; PLN21-0301

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Paul Godier, Senior Planner

### 1 INTRODUCTION

At its meeting of 21 March 2022, Council resolved to:

Initiate and certify draft amendment 04/2021 to the Northern Midlands Interim Planning Scheme 2013 as follows:

Initiate Draft Scheme Amendment 04-2021 to the Northern Midlands Interim Planning Scheme 2013 as follows:

- Amend Clause 10.2 Use Table by placing the following in the Discretionary category:

Discretionary	
Use Class	Qualification
Emergency Services	If on CT 76398/4 & 5 (176 High Street, Campbell Town); or on folio of the register 14992/1 (17 Church Street, Campbell Town)

And

Grant planning permit PLN21-0301, to develop and use the land at 17 Church Street, Campbell Town, for Emergency Services (Co-located Emergency Services Facility), in accordance with application PLN-21-0301 and subject to the following conditions:

The draft amendment and planning permit were placed on public notification and five representations were received.

The representations are considered in this report.



^ Subject site from Church Street (notification of draft amendment and permit)



## 2 BACKGROUND

**Applicant:**

Department of Police, Fire and Emergency  
Management (DPFEM) c/- All Urban Planning Pty Ltd

**Critical Date:**

Report on Representations to be sent to Planning  
Commission by 3 June 2022

**Planning Instrument:**

*Northern Midlands Interim Planning Scheme 2013,  
Version 36 Effective from 30 September 2021.*

**Owner:**

Midland Agricultural Association Incorporated

**Recommendation:**

Provide report on representations to the Tasmanian Planning  
Commission

**Planning Authority:**

Northern Midlands Council

## 3 STATUTORY REQUIREMENTS

In accordance with Schedule 6 (3) (2) (b) of the *Land Use Planning & Approvals Act 1993*, Council is required under Section 39 (2) to forward to the Planning Commission a report comprising –

- (a) *a copy of each representation received by the authority in relation to the draft amendment; and*
- (b) *a statement of its opinion as to the merit of each such representation, including, in particular, its views as to–*
  - (i) *the need for modification of the draft amendment in the light of that representation; and*
  - (ii) *the impact of that representation on the draft amendment as a whole; and*
- (c) *such recommendations in relation to the draft amendment as the authority considers necessary.*

These matters are discussed below.

## 4 ASSESSMENT OF REPRESENTATIONS

### REPRESENTATIONS

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

- Kim Peart, 39A Bridge Street, Ross
- Derek Porter, 36 Bridge Street, Campbell Town
- Elizabeth Porter, 36 Bridge Street, Campbell Town
- Andrew McCullagh, address not provided
- Jennifer Bolton, 39A Bridge Street, Ross

### CONSIDERATION OF THE REPRESENTATIONS

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

#### ISSUE 1: The land at 17 Church Street, Folio 14992/1 is zoned for General Residential.

*This prohibits its use by Emergency Services for practical reasons. The Northern Midlands Council (NMC) has surreptitiously inserted a qualification on Folio 14992/1 to enable Emergency Services to be used within the "Discretionary Category".*

*Not only is this highly irregular, it is illegal.*

*The Planning Scheme, Section 20(8) clearly states "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."*

**Response:** The Northern Midlands Council has initiated the draft amendment in accordance with the *Land Use Planning and Approvals Act 1993*.



### **Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

### **ISSUE 2: The use of Road Infrastructure.**

*Under the Act E4.6.1 the Performance Criteria for this proposed development states:*

*"the site should be within 50 metres of a Category 1 or Category 2 road." As defined by the Dept of State Growth under the Road Hierarchy it states:*

*Category 1 - Primary Freight Road*

*Category 2 - Major Regional Road*

*17 Church St is a sealed back road barely 4.2 metres in width and would be classified Category 5 at best. The road is not constructed for heavy vehicles and as there is no storm water drainage it is in need of continual repair.*

*Again this does not comply with the regulations.*

**Response:** The representation appears to be referring to clause E4.6.1 A1 of the planning scheme which states:

*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%.*

The proposal is not for a sensitive use, defined in the planning scheme as a residential use or a use involving the presence of people for extended periods except in the course of their employment, such as in a caravan park, childcare centre, dwelling, hospital or school, so this provision does not apply to this application.

### **Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

### **ISSUE 3: There is a requirement for a Traffic Impact Statement under E4.5.3**

*E4.5.3 states a (TIA) must be accompanied by written advice from the road use authority in respect of the road (Church St) This is a requirement to demonstrate compliance with performance criteria. Northern Midlands Council (NMC) has advised: E4.6.1. a2*

*'less than 40 vehicle entry and exit movements per day are expected'*

*Can NMC produce the report and when and at what time it was conducted. Clearly at school drop off and pick up times and the Campbell Town Showground Events there is significantly more traffic.*

**Response:** Clause E4.6.1 A2 and P2 states:

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<i>A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day</i>	<i>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.</i>

The application contains the following information:

*Expected traffic volumes – will vary depending on the event with the following examples:*

*Meetings - will be a combination of North/South staff meeting in middle.*





*The building will have capacity for 50 people. Some ride sharing is expected with a resultant demand for 20 domestic vehicles.*

*Up to 6 heavy vehicles in storage on site at any one time.*

*Volunteer activities such as weekly training are expected to generate up to 12 vehicles.*

Therefore, less than 40 vehicle entry and exit movements per day are expected and the Acceptable Solution is complied with. A Traffic Impact Assessment for the Performance Criteria is not required.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 4: Concerns from Council's Consultant Hydrologist**

"Given the proposal of the site, mains water use is extremely likely for washdown of vehicles and plant and potentially for training purposes. It is not known what volumes of operational water will enter the proposed systems, or if they will enter the sewage system. Infiltration systems are prone to failure. Gross pollutants may enter the detention basin causing it to overtop onto neighbouring properties. If any of the above items are not properly considered there is potential for the system to fail and cause a nuisance. This proposal is unique in that it is more similar to an industrial site and therefore the potential risk is greater."

**Response:** Council's Consultant Hydrologist notes that the alternative to an infiltration system would be for stormwater to be collected and pumped back to the roadside drain, once any upgrades to the drain had been completed, or pumped to a new pipe which would have to be constructed in Church Street, from the site 170m east to Glenelg Street.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 5:** *Tas Water is aware water pressure in this street is always at minimal acceptable levels. Tas Water have investigated and say the solution is to construct a larger diameter water pipe down the length of Church St to service the residents. If this proposal goes ahead Tas Water would need to factor into the budget these additional costs*

**Response:** TasWater provided a Submission to Planning Authority Notice which advises:

TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings.

Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1) TasWater imposes conditions contained in the Notice on the permit for this application.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 6:** Telecommunications is a problem in Church St. Currently the nearest NBN node is 1.2 kms distant and residents are serviced by copper wire/WiFi combination which is unreliable.

**Response:** This is a matter for the developer's consideration, rather than a planning consideration.



**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 7:** This is not the best site for the facility.

**Response:** The Council has received an application to amend the planning scheme to allow an Emergency Services Facility to be developed on this site. This was considered against the requirements of the Land Use Planning and Approvals Act 1993 and the planning scheme. Having been found to meet the requirements, the draft amendment was initiated and certified and a draft permit issued.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 8:** Impact on residential amenity

**Response:** 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.*

Retaining the General Residential zone and making Emergency Services a Discretionary use is expected to avoid, as far as practical, potential land use conflicts with the surrounding residential uses, more so than rezoning the land to Community Purposes, where a number of uses potentially incompatible with residential uses are Permitted.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.



**ISSUE 9: Notice for subdivision application placed behind a bush and unable to be seen by residents.**

Two representations raise concern that the notice for a 2 lot subdivision that approves the subject site was placed behind a bush.

Figure 8 ..... Subdivision notice of April 2021 for 17 Church Street, Campbell Town, hidden behind a bush .....



*^ Extract from Kim Peart's representation*



*^ Extract from Elizabeth Porter's representation*

**Response:** Public exhibition for the 2 lot subdivision was from 31 July 2021 to 13 August 2021. The photographs below, taken on 30 July 2021, show green vegetation close to the notice, but not obscuring the notice. The date of photographs in the representations is unknown but it is possible that the vegetation grew up some time after the notification time had ended.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.



*^ Photograph of site notice taken 30 July 2021*



*^ Photograph of site notice taken 30 July 2021*

## 5 OPTIONS

- Move the recommendation; or
- Move alterations to the recommendation;
- Withdraw support for the amendment.

## 6 DISCUSSION

Section 4 of this report has discussed the representations. A report on the representations is to be provided to the Tasmanian Planning Commission by 3 June 2022.

## 7 ATTACHMENTS

1. 1. Representation - Kim Peart [15.2.1 - 13 pages]
2. 2. Representation - D Porter [15.2.2 - 2 pages]
3. 3. Representation - E Porter [15.2.3 - 2 pages]
4. 4. Representation - A Mc Cullagh [15.2.4 - 2 pages]
5. 5. Representation - Bolton [15.2.5 - 1 page]
6. Draft Amendment [15.2.6 - 1 page]
7. Instrument of Certification [15.2.7 - 1 page]



8. DRAFT PLANNING PERMIT PL N-21-0301 - Emergency Services facility at 17 Church Street, Campbell Town, [15.2.8 - 4 pages]
9. Draft Endorsed plans for Planning Permit PL N-21-0301 [15.2.9 - 56 pages]
10. Engineering plans [15.2.10 - 10 pages]

## RECOMMENDATION

That Council provide the following response to the representations to the Tasmanian Planning Commission in accordance with section 39 (2) of the Land use Planning and Approvals Act 1993:

### **ISSUE 1: The land at 17 Church Street, Folio 14992/1 is zoned for General Residential.**

*This prohibits its use by Emergency Services for practical reasons. The Northern Midlands Council (NMC) has surreptitiously inserted a qualification on Folio 14992/1 to enable Emergency Services to be used within the "Discretionary Category".*

*Not only is this highly irregular, it is illegal.*

*The Planning Scheme, Section 20(8) clearly states "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."*

**Response:** The Northern Midlands Council has initiated the draft amendment in accordance with the *Land Use Planning and Approvals Act 1993*.

### **Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

### **ISSUE 2: The use of Road Infrastructure.**

*Under the Act E4.6.1 the Performance Criteria for this proposed development states:*

*"the site should be within 50 metres of a Category 1 or Category 2 road." As defined by the Dept of State Growth under the Road Hierarchy it states:*

*Category 1 - Primary Freight Road*

*Category 2 - Major Regional Road*

*17 Church St is a sealed back road barely 4.2 metres in width and would be classified Category 5 at best. The road is not constructed for heavy vehicles and as there is no storm water drainage it is in need of continual repair.*

*Again this does not comply with the regulations.*

**Response:** The representation appears to be referring to clause E4.6.1 A1 of the planning scheme which states:  
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%.

The proposal is not for a sensitive use, defined in the planning scheme as a residential use or a use involving the presence of people for extended periods except in the course of their employment, such as in a caravan park, childcare centre, dwelling, hospital or school, so this provision does not apply to this application.

### **Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

### **ISSUE 3: There is a requirement for a Traffic Impact Statement under E4.5.3**

*E4.5.3 states a (TIA) must be accompanied by written advice from the road use authority in respect of the road (Church St) This is a requirement to demonstrate compliance with performance criteria. Northern Midlands Council (NMC) has advised: E4.6.1. a2*

*'less than 40 vehicle entry and exit movements per day are expected'*

*Can NMC produce the report and when and at what time it was conducted. Clearly at school drop off and pick up times and the Campbell Town Showground Events there is significantly more traffic.*





**Response:** Clause E4.6.1 A2 and P2 states:

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A2</b> 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	<b>P2</b> 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.

The application contains the following information:

*Expected traffic volumes – will vary depending on the event with the following examples:*

*Meetings - will be a combination of North/South staff meeting in middle.*

*The building will have capacity for 50 people. Some ride sharing is expected with a resultant demand for 20 domestic vehicles.*

*Up to 6 heavy vehicles in storage on site at any one time.*

*Volunteer activities such as weekly training are expected to generate up to 12 vehicles.*

Therefore, less than 40 vehicle entry and exit movements per day are expected and the Acceptable Solution is complied with. A Traffic Impact Assessment for the Performance Criteria is not required.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 4: Concerns from Council's Consultant Hydrologist**

"Given the proposal of the site, mains water use is extremely likely for washdown of vehicles and plant and potentially for training purposes. It is not known what volumes of operational water will enter the proposed systems, or if they will enter the sewage system. Infiltration systems are prone to failure. Gross pollutants may enter the detention basin causing it to overtop onto neighbouring properties. If any of the above items are not properly considered there is potential for the system to fail and cause a nuisance. This proposal is unique in that it is more similar to an industrial site and therefore the potential risk is greater."

**Response:** Council's Consultant Hydrologist notes that the alternative to an infiltration system would be for stormwater to be collected and pumped back to the roadside drain, once any upgrades to the drain had been completed, or pumped to a new pipe which would have to be constructed in Church Street, from the site 170m east to Glenelg Street.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 5:** *Tas Water is aware water pressure in this street is always at minimal acceptable levels. Tas Water have investigated and say the solution is to construct a larger diameter water pipe down the length of Church St to service the residents. If this proposal goes ahead Tas Water would need to factor into the budget these additional costs*

**Response:** TasWater provided a Submission to Planning Authority Notice which advises:  
TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified or nor attend any subsequent hearings.  
Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1) TasWater imposes conditions contained in the Notice on the permit for this application.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 6:** Telecommunications is a problem in Church St. Currently the nearest NBN node is 1.2 kms distant and residents are serviced by copper wire/WiFi combination which is unreliable.

**Response:** This is a matter for the developer's consideration, rather than a planning consideration.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 7:** This is not the best site for the facility.

**Response:** The Council has received an application to amend the planning scheme to allow an Emergency Services Facility to be developed on this site. This was considered against the requirements of the Land Use Planning and Approvals Act 1993 and the planning scheme. Having been found to meet the requirements, the draft amendment was initiated and certified and a draft permit issued.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 8:** Impact on residential amenity

**Response:** 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.*

Retaining the General Residential zone and making Emergency Services a Discretionary use is expected to avoid, as far as practical, potential land use conflicts with the surrounding residential uses, more so than rezoning the land to Community Purposes, where a number of uses potentially incompatible with residential uses are Permitted.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 9: Notice for subdivision application placed behind a bush and unable to be seen by residents.**

Two representations raise concern that the notice for a 2 lot subdivision that approves the subject site was placed behind a bush.

Figure 8 ---- Subdivision notice of April 2021 for 17 Church Street, Campbell Town, hidden behind a bush ----



^ Extract from Kim Peart's representation



^ Extract from Elizabeth Porter's representation

**Response:** Public exhibition for the 2 lot subdivision was from 31 July 2021 to 13 August 2021. The photographs below, taken on 30 July 2021, show green vegetation close to the notice, but not obscuring the notice. The date of photographs in the representations is unknown but it is possible that the vegetation grew up some time after the notification time had ended.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.



^ Photograph of site notice taken 30 July 2021



^ Photograph of site notice taken 30 July 2021

**MINUTE NO. 22/159**

DECISION

Cr Goninon/Cr Calvert

That Council provide the following response to the representations to the Tasmanian Planning Commission in accordance with section 39 (2) of the Land use Planning and Approvals Act 1993:

**ISSUE 1: The land at 17 Church Street, Folio 14992/1 is zoned for General Residential.**

*This prohibits its use by Emergency Services for practical reasons. The Northern Midlands Council (NMC) has surreptitiously inserted a qualification on Folio 14992/1 to enable Emergency Services to be used within the "Discretionary Category".*

*Not only is this highly irregular, it is illegal.*



*The Planning Scheme, Section 20(8) clearly states "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."*

**Response:** The Northern Midlands Council has initiated the draft amendment in accordance with the *Land Use Planning and Approvals Act 1993*.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 2: The use of Road Infrastructure.**

*Under the Act E4.6.1 the Performance Criteria for this proposed development states:*

*"the site should be within 50 metres of a Category 1 or Category 2 road." As defined by the Dept of State Growth under the Road Hierarchy it states:*

*Category 1 - Primary Freight Road*

*Category 2 - Major Regional Road*

*17 Church St is a sealed back road barely 4.2 metres in width and would be classified Category 5 at best. The road is not constructed for heavy vehicles and as there is no storm water drainage it is in need of continual repair.*

*Again this does not comply with the regulations.*

**Response:** The representation appears to be referring to clause E4.6.1 A1 of the planning scheme which states:

*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%.*

The proposal is not for a sensitive use, defined in the planning scheme as a residential use or a use involving the presence of people for extended periods except in the course of their employment, such as in a caravan park, childcare centre, dwelling, hospital or school, so this provision does not apply to this application.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 3: There is a requirement for a Traffic Impact Statement under E4.5.3**

*E4.5.3 states a (TIA) must be accompanied by written advice from the road use authority in respect of the road (Church St) This is a requirement to demonstrate compliance with performance criteria. Northern Midlands Council (NMC) has advised: E4.6.1. a2*

*'less than 40 vehicle entry and exit movements per day are expected'*

*Can NMC produce the report and when and at what time it was conducted. Clearly at school drop off and pick up times and the Campbell Town Showground Events there is significantly more traffic.*

**Response:** Clause E4.6.1 A2 and P2 states:

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<i>A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day</i>	<i>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.</i>

The application contains the following information:

*Expected traffic volumes – will vary depending on the event with the following examples:*

*Meetings - will be a combination of North/South staff meeting in middle.*

*The building will have capacity for 50 people. Some ride sharing is expected with a resultant demand for 20 domestic vehicles.*

*Up to 6 heavy vehicles in storage on site at any one time.*



*Volunteer activities such as weekly training are expected to generate up to 12 vehicles.*

Therefore, less than 40 vehicle entry and exit movements per day are expected and the Acceptable Solution is complied with. A Traffic Impact Assessment for the Performance Criteria is not required.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 4: Concerns from Council's Consultant Hydrologist**

"Given the proposal of the site, mains water use is extremely likely for washdown of vehicles and plant and potentially for training purposes. It is not known what volumes of operational water will enter the proposed systems, or if they will enter the sewage system. Infiltration systems are prone to failure. Gross pollutants may enter the detention basin causing it to overtop onto neighbouring properties. If any of the above items are not properly considered there is potential for the system to fail and cause a nuisance. This proposal is unique in that it is more similar to an industrial site and therefore the potential risk is greater."

**Response:** Council's Consultant Hydrologist notes that the alternative to an infiltration system would be for stormwater to be collected and pumped back to the roadside drain, once any upgrades to the drain had been completed, or pumped to a new pipe which would have to be constructed in Church Street, from the site 170m east to Glenelg Street.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 5:** *Tas Water is aware water pressure in this street is always at minimal acceptable levels. Tas Water have investigated and say the solution is to construct a larger diameter water pipe down the length of Church St to service the residents. If this proposal goes ahead Tas Water would need to factor into the budget these additional costs*

**Response:** TasWater provided a Submission to Planning Authority Notice which advises:  
TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified or nor attend any subsequent hearings.  
Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1) TasWater imposes conditions contained in the Notice on the permit for this application.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 6:** Telecommunications is a problem in Church St. Currently the nearest NBN node is 1.2 kms distant and residents are serviced by copper wire/WiFi combination which is unreliable.

**Response:** This is a matter for the developer's consideration, rather than a planning consideration.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 7:** This is not the best site for the facility.

**Response:** The Council has received an application to amend the planning scheme to allow an Emergency Services Facility to be developed on this site. This was considered against the requirements of the Land Use Planning and Approvals Act 1993 and the planning scheme. Having been found to meet the requirements, the draft amendment was initiated and certified and a draft permit issued.



**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 8:** Impact on residential amenity

**Response:** 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.*

Retaining the General Residential zone and making Emergency Services a Discretionary use is expected to avoid, as far as practical, potential land use conflicts with the surrounding residential uses, more so than rezoning the land to Community Purposes, where a number of uses potentially incompatible with residential uses are Permitted.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.

**ISSUE 9:** Notice for subdivision application placed behind a bush and unable to be seen by residents.

Two representations raise concern that the notice for a 2 lot subdivision that approves the subject site was placed behind a bush.

Figure 9 ... Subdivision notice of April 2021 for 17 Church Street, Campbell Town, hidden behind a bush ...



^ Extract from Kim Peart's representation



^ Extract from Elizabeth Porter's representation

**Response:** Public exhibition for the 2 lot subdivision was from 31 July 2021 to 13 August 2021. The photographs below, taken on 30 July 2021, show green vegetation close to the notice, but not obscuring the notice. The date of photographs in the representations is unknown but it is possible that the vegetation grew up some time after the notification time had ended.

**Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not need modification as a result.



*^ Photograph of site notice taken 30 July 2021*



*^ Photograph of site notice taken 30 July 2021*

Carried

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Calvert, Cr Davis and Cr Goninon

Voting Against the Motion:

Cr Brooks, Cr Lambert and Cr Polley



### 15.3 PLN21-0023: 12-20 FRANKLIN STREET, CAMPBELL TOWN - 6 LOT SUBDIVISION

*File:* 301600.03; PLN21-0023  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Paul Godier, Senior Planner

## 1 INTRODUCTION

This report assesses an application for 12-20 Franklin Street, Campbell Town for a 6-lot subdivision.

The application was considered by Council at its meeting of 11 April 2022 with a recommendation for refusal on the following ground:

The application does not comply with clause 12.4.3.1 P3 a). The application does not propose to connect the lots to a reticulated sewerage. Clause 12.4.3.1 P3 a) requires that lots that are not provided with reticulated sewerage services must be in a locality for which reticulated services are not available or capable of being connected. The lots are in a locality for which reticulated sewerage services are available, being immediately opposite TasWater sewer serviced land. The lots are capable of being connected as there are sewer mains opposite the site in Franklin Street.

The applicant granted an extension of time for Council to decide on the application to provide a plan showing the total sewer serviceable area possible.

## 2 BACKGROUND

**Applicant:**

PDA Surveyors

**Zone:**

Low Density Residential

**Classification under the Scheme:**

Subdivision

**Deemed Approval Date:**

21 May 2022

**Owner:**

Mathew & Fairlie Smith

**Codes:**

Bushfire Prone Areas Code  
Road & Railway Assets Code  
Flood Prone Areas Code  
Car Parking and Sustainable Transport Code  
Recreation and Open Space Code

**Existing Use:**

Vacant

**Recommendation:**

Approve

**Discretionary Aspects of the Application:**

- Reliance on the performance criteria 12.4.3.1 P1.1 for lots less than 1ha.
- Reliance on the performance criteria 12.4.3.1 P3 for lots not connected to reticulated sewerage system.
- Subdivision within 50m of a Railway Corridor
- Reliance upon performance criteria of the Flood Prone Areas Code

**Planning Instrument:**

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

## 3 STATUTORY REQUIREMENTS

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

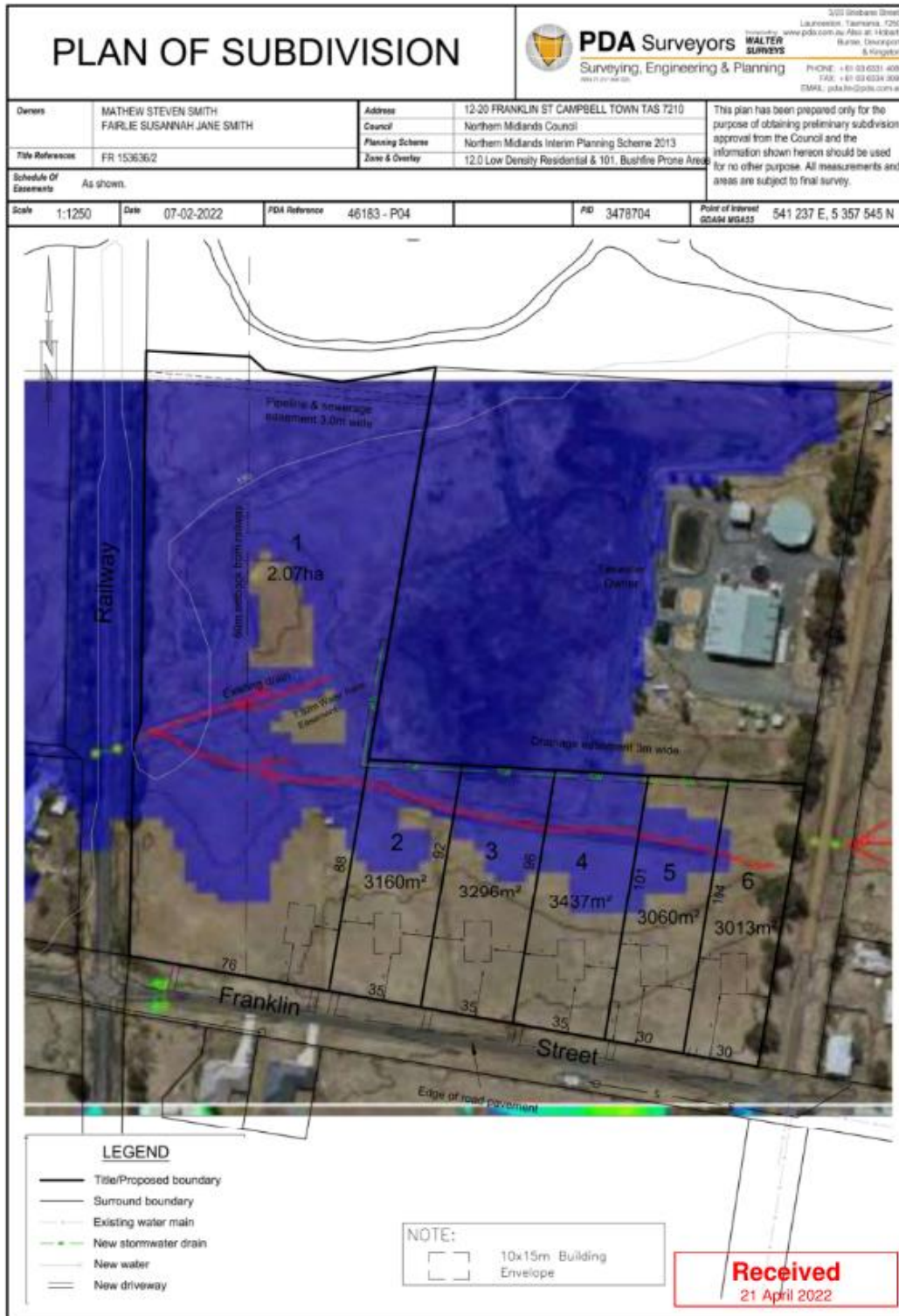


## 4 ASSESSMENT

### 4.1 Proposal

- It is proposed to create a 6 Lot Subdivision

**Image 1: Plan of Subdivision with Flood Mapping**





#### 4.2 Zone and Land Use

**Image 2: Zone Map – Low Density Residential**



The land is zoned Low Density Residential Zone.

The relevant Planning Scheme definition is:

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

Subdivision is permitted.

#### 4.3 Subject Site and Locality

The author of this report carried out a site visit on 1 April 2022.

**Image 3: Aerial photograph of area**





**Image 4: Subject site from corner of Franklin Street and Bedford Street.**



**Image 5: Subject site from Franklin Street**



#### **4.4 Permit/Site History**

Relevant permit history includes:

- P07-215 – 4 Lot Resubdivision

#### **4.5 Representations**

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



#### 4.6 Referrals

The following referrals were required:

<p><b>Council's Works and Infrastructure Department</b></p> <p>The application was referred to Council's Works &amp; Infrastructure Department which provided the attached response.</p>
<p><b>TasWater</b></p> <p>TasWater issued a Submission to Planning Authority Notice on 7/3/2022 (Taswater Ref: TWDA 2022/00269-NMC).</p>
<p><b>TasRail (adjoining landowner)</b></p> <p>TasRail has reviewed the available documentation and notes:</p> <p>Lot 1 – dwelling to be located outside of the recommended 50m setback from the State Rail Network land boundary</p> <p>Lots 2 to 6 will be in excess of 76m of the railway</p> <p>Level crossing line of sight will be kept clear</p> <p>Stormwater for Lots 2 to 6 will be discharged into the TasWater facility (Mill Pond) on the northern boundary</p> <p>Stormwater for Lot 1 – is yet to be confirmed.</p> <p>TasRail requests that information about the proposed stormwater connection for Lot 1 stormwater be made available to TasRail, prior to any permit being issued by Council. If this is not possible, then TasRail requests a permit condition be included to ensure that information be provided to TasRail for review/approval prior to finalisation of stormwater for Lot 1</p> <p>TasRail also requests the attached TasRail Standard Notes be included with any Council permit so as to inform the applicants of matters relevant to developing land adjoining an operational rail corridor.</p> <p>Note: The plans have since been revised so that stormwater for the building area on Lot 1 discharges into the TasWater facility (Mill Pond) on the northern boundary.</p>

#### 4.7 Planning Scheme Assessment

LOW DENSITY RESIDENTIAL ZONE
ZONE PURPOSE
<p><b>12.1.1 Zone Purpose Statements</b></p> <p><b>12.1.1.1</b> To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.</p> <p><b>12.1.1.2</b> To provide for non-residential uses that are compatible with residential amenity.</p> <p><b>12.1.1.3</b> To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views.</p>
<p><b>Assessment:</b> The proposal meets the zone purpose.</p>
LOCAL AREA OBJECTIVES
<p>To make provision for any additional future needs in low-density residential development at Avoca, Campbell Town, Cressy, Devon Hills and Longford by the incremental expansion of those areas already established for the purpose.</p>
<p><b>Assessment:</b> The proposal meets the local area objectives.</p>

#### 12.4.3 Subdivision

##### 12.4.3.1 Lot Area, Building Envelopes and Frontage

<p><b>Objective</b></p> <p>To ensure:</p> <p>a) the area and dimensions of lots are appropriate for the zone; and</p> <p>b) the conservation of natural values, vegetation and faunal habitats; and</p> <p>c) the design of subdivision protects adjoining subdivision from adverse impacts; and</p> <p>d) each lot has road, access, and utility services appropriate for the zone.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>

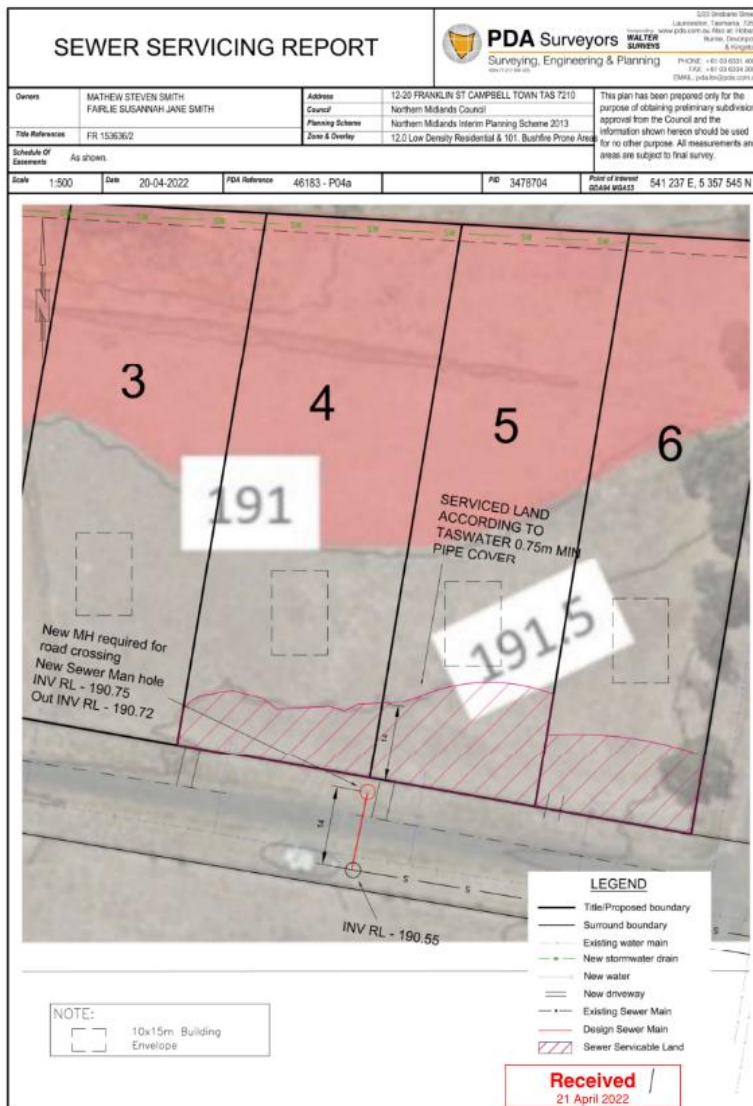
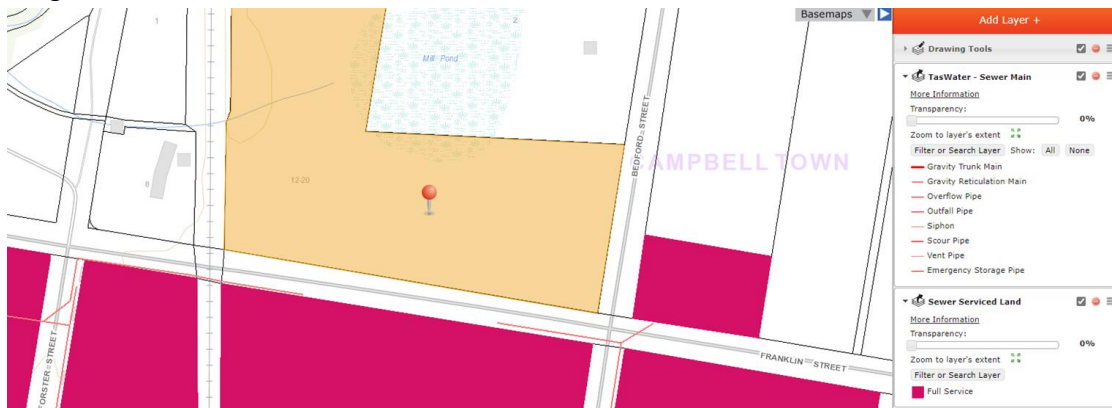




<p>A1.1 Each lot must:</p> <ul style="list-style-type: none"> <li>a) have a minimum area of 1ha; and</li> <li>b) have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or</li> <li>c) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</li> <li>d) be for the provision of public utilities; or</li> <li>e) for the consolidation of a lot with another lot with no additional titles created; or</li> <li>f) to align existing titles with zone boundaries and no additional lots are created.</li> </ul> <p>A1.2 Subdivision at Devon Hills will not result in any new lots.</p>	<p>P1.1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:</p> <ul style="list-style-type: none"> <li>a) a dwelling to be erected in a convenient and hazard free location; and</li> <li>b) on-site parking and manoeuvrability; and</li> <li>c) adequate private open space; and</li> <li>d) reasonable vehicular access from the carriageway of the road to a building area on the lot, if any; and</li> <li>e) development that would not adversely affect the amenity of, or be out of character with, surrounding development and the streetscape.</li> </ul> <p>P1.2 Land in Devon Hills must not be further subdivided</p>
<p>A1.1 (a) Relies on performance criteria. The application proposes to vary the 1ha minimum lot size required by the acceptable solution.</p>	<p>Complies with P1.1 as follows:</p> <ul style="list-style-type: none"> <li>a) Lots 2 to 6 range in size from 3013m<sup>2</sup> to 3437m<sup>2</sup>. Each of the proposed lots will allow sufficient area for a dwelling to be established in a convenient and hazard free location.</li> <li>b) Sufficient space is available for on-site parking and manoeuvrability for a future dwelling on each of the proposed lots.</li> <li>c) Sufficient space is available for private open space for a future dwelling on each of the proposed lots.</li> <li>d) Each lot has sufficient useable area and dimensions to allow for vehicle access to future dwellings on the proposed lots.</li> </ul>
<p>A2 Each lot must have a frontage of at least 6m.</p>	<p>P2 No performance criteria.</p>
<p>Complies with A2.</p>	<p>N/a</p>
<p>A3 Each lot must be connected to a reticulated:</p> <ul style="list-style-type: none"> <li>a) water supply; and</li> <li>b) sewerage system.</li> </ul>	<p>P3 Lots that are not provided with reticulated water and sewerage services must be:</p> <ul style="list-style-type: none"> <li>a) in a locality for which reticulated services are not available or capable of being connected; and</li> <li>b) capable of accommodating an on-site wastewater management system.</li> </ul>
<p>Comment: Connection to reticulated water supply is proposed. The application complies with A3 a).</p>	
<p>Connection to reticulated sewerage system is not proposed. The application does not comply with A3 b) and must be assessed against P3.</p> <p>In terms of whether the site is within a locality where reticulated services are available and capable of being connected, Tribunal Decision 6ty Pty Ltd v Northern Midlands Council [2019] TASRMPAT 29 (20 December 2019) provides context around the interpretation of P3.</p> <p>At 15., the Tribunal considered the steps in considering P3(a) as:</p> <ul style="list-style-type: none"> <li>a) to identify the relevant locality</li> <li>b) to determine whether reticulated water supply services are available in that locality; and</li> <li>c) if they are available, determine whether the reticulated water supply service is capable of being connected to the lots in the subdivision.</li> </ul>	

In respect of the subject site, it is considered that it is within a locality where sewerage services are available as evidenced by Image 6 showing the site in the context of TasWater sewer serviced land.

**Image 6: TasWater Sewer Serviced Land and Sewer Mains**



The Tribunal found that a site does not have to be in a serviced area to be in a locality where reticulated services are available. In this situation it is considered that the site is in a locality where reticulated services are available. As per the Tribunal Decision, as the site is within a locality where reticulated services are available, it is necessary to consider whether reticulated water supply services are capable of being connected. The Tribunal Decision looked at, among other matters, the cost of bringing the water supply to the site and found that the additional cost of reticulated



<p>water services, compared to an onsite supply of water, are not so great in the context of the development that they result in reticulated water supply not being reasonably capable of being connected to the lots.</p> <p>The applicant has provided a plan titled Sewer Servicing Report which shows that most of each lot cannot be connected by gravity to a sewer main.</p> <p>Therefore the subdivision would need a pump station costing around \$500,000 (around \$83,000 per lot). The pump station would have to be located at a low point of the site which would place it in a flood prone area.</p> <p>Consideration was given to individual sewer pumps for each lot. The estimate is \$100,000 per lot.</p> <p>Due to the cost associated with providing sewer pumps, it is considered that the lots are not in a locality for which reticulated services are capable of being connected.</p> <p>P3 b) The application provided an Onsite Waste Water Assessment which found that each lot is capable of supporting an onsite wastewater management system.</p>	
<p>A4 Each lot must be connected to a reticulated stormwater system.</p>	<p>P4 Stormwater may only be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:</p> <ul style="list-style-type: none"> <li>a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and</li> <li>b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the pre-development levels of the subdivision; and</li> <li>c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and</li> <li>d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.</li> </ul>
<p>The application proposes to provide a stormwater drain along the northern boundary of lots 2-6 with the outfall discharging to the existing drain from Mill Pond. Stormwater from lot 1 will need to be determined when a building site has been determined. the stormwater from any future dwelling on lot 1 can be directed to the existing drain or stormwater absorption trenches can be installed on site.</p> <p>The proposal complies.</p>	<p>N/a</p>



CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	Complies. Refer to the Bushfire Hazard Management Report and certification prepared by Livingston Natural Resource Services, dated 12 <sup>th</sup> November 2020
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	Complies – See code assessment below.
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below.
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	Complies - See code assessment below.
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

**ASSESSMENT AGAINST E4.0  
ROAD AND RAILWAY ASSETS CODE**

**E4.6 Use Standards**

**E4.6.1 Use and road or rail infrastructure**

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



	<p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
N/a	N/a

#### E4.7 Development Standards

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

<p><b>Objective</b></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>
N/a	Lot 1 will be partly within 50m of the railway. A building area will be located outside the 50m setback. The proposal complies.

##### E4.7.2 Management of Road Accesses and Junctions

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



A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
N/a	N/a

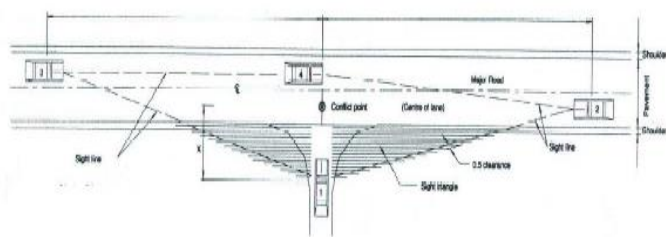
#### E4.7.3 Management of Rail Level Crossings

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

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

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





**Figure E4.7.4 Sight Lines for Accesses and Junctions**

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

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

**Table E4.7.4 Safe Intersection Sight Distance (SISD)**

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

**Notes:**

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

**ASSESSMENT AGAINST E5.0  
FLOOD PRONE AREAS CODE**

**E5.5 Use Standards**

**E5.5.1 Use and flooding**

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





Complies with A1. No new buildings are currently proposed. The plans show building areas outside of the flood prone area.	N/a
A2 Use must not be located in an area subject to a medium or high risk in accordance with the risk assessment in E5.7.	P2 Use must demonstrate that the risk to life, property and the environment will be mitigated to a low risk level in accordance with the risk assessment in E5.7.
Complies with A2. The application shows building sites not within an area subject to a medium or high risk	N/a

## E5.6 Development Standards

### E5.6.1 Flooding and Coastal Inundation

<b>Objective</b> To protect human life, property and the environment by avoiding areas subject to flooding where practicable or mitigating the adverse impacts of inundation such that risk is reduced to a low level.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1.1 It must be demonstrated that development: a) where direct access to the water is not necessary to the function of the use, is located where it is subject to a low risk, in accordance with the risk assessment in E5.7 a); or b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is mitigated to a medium risk level in accordance with the risk assessment in E5.7. P1.2 Development subject to medium risk in accordance with the risk assessment in E5.7 must demonstrate that the risk to life, property and the environment is mitigated through structural methods or site works to a low risk level in accordance with the risk assessment in E5.7.
-	Complies. The likelihood is rare (1:100) and the consequence is minor, giving a low risk.
	P1.3 Where mitigation of flood impacts is proposed or required, the application must demonstrate that: a) the works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and b) the works will not result in an increase in the extent of flooding on other land or increase the risk to other structures; c) inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials; and d) where mitigation works are proposed to be carried out outside the boundaries of the site, such works are part of an approved hazard reduction plan covering the area in which the works are proposed.
-	N/a

## E5.7 Risk Assessment

- (a) Where an assessment of risk under the Risk Consequence and Likelihood Matrix Table for a use or development is required, it is to be classified through the determination of consequence contained in the criteria in b) together with the likelihood of flood occurrence contained in c).

Table E5.1 AS/NZS 4360:2004 Risk Consequence and Likelihood Matrix Table

Likelihood	Consequences				
	Catastrophic	Major	Moderate	Minor	Insignificant
Moderate	High	High	High	Medium	Low
Unlikely	High	Medium	Medium	Low	Low
Rare	High	Medium	Medium	Low	Low

## b) Consequence Criteria



Catastrophic	Loss of life, loss of significant environmental values due to a pollution event where there is not likely to be recovery in the foreseeable future.
Major	Extensive injuries, complete structural failure of development, destruction of significant property and infrastructure, significant environmental damage requiring remediation with a long-term recovery time.
Moderate	Treatment required, significant building or infrastructure damage i.e. loss of minor outbuildings such as car ports, public park shelters and the like. Replacement of significant property components such as cladding, flooring, linings, hard paved surfaces. Moderate environmental damage with a short-term natural or remedial recovery time.
Minor	Medium loss – seepage, replacement of floor/window coverings, some furniture, repair of building components of outbuildings and repair and minor replacement of building components of buildings where direct access to the water is required. Minor environmental damage easily remediated.
Insignificant	No injury, low loss – cleaning but no replacement of habitable building components, some repair of garden beds, gravel driveways etc. Environment can naturally withstand and recover without remediation.  Inundation of the site, but ground based access is still readily available and habitable buildings are not inundated, including incorporated garages.

**c) Likelihood – Annual Exceedance Probability**

1:25 (4%) Moderate

1:50 (2%) Unlikely

1:100 (1%) Rare

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

**E6.6 Use Standards**

**E6.6.1 Car Parking Numbers**

Objective: To ensure that an appropriate level of car parking is provided to service use.			
Acceptable Solutions		Performance Criteria	
A1	The number of car parking spaces must not be less than the requirements of:	P1	The number of car parking spaces provided must have regard to:
a)	Table E6.1; or	a)	the provisions of any relevant location specific car parking plan; and
b)	a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	b)	the availability of public car parking spaces within reasonable walking distance; and
		c)	any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and
		d)	the availability and frequency of public transport within reasonable walking distance of the site; and
		e)	site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and
		f)	the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and
		g)	an empirical assessment of the car parking demand; and
		h)	the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and
		i)	the recommendations of a traffic impact assessment prepared for the proposal; and
		j)	any heritage values of the site; and
		k)	for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:
		i)	the size of the dwelling and the number of bedrooms; and
		ii)	the pattern of parking in the locality; and
		iii)	any existing structure on the land.



Comment: Complies – each lot has sufficient space to accommodate at least 2 parking spaces.

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

<b>Use</b>	<b>Parking Requirement</b>	
	<b>Vehicle</b>	<b>Bicycle</b>
<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.

<b>Acceptable Solutions</b>		<b>Performance Criteria</b>	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.

Comment: Sufficient space available on each proposed lot to accommodate bicycle parking.

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

Objective: To ensure that taxis can adequately access developments.

<b>Acceptable Solutions</b>		<b>Performance Criteria</b>	
A1	One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1	No performance criteria.

Comment: N/a

#### E6.6.4 Motorbike Parking Provisions

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

<b>Acceptable Solutions</b>		<b>Performance Criteria</b>	
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.

Comment: N/a

#### E6.7 Development Standards

##### E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.

<b>Acceptable Solutions</b>		<b>Performance Criteria</b>	
A1	All car parking, access strips manoeuvring and circulation spaces must be:	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
a)	formed to an adequate level and drained; and		
b)	except for a single dwelling, provided with an impervious all-weather seal; and		



c)	except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	
Comment: To be assessed by future development application for works on proposed Lots 1-7.		

#### E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.		
Acceptable Solutions		Performance Criteria
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	a) the layout of the site and the location of existing buildings; and
		b) views into the site from the road and adjoining public spaces; and
		c) the ability to access the site and the rear of buildings; and
		d) the layout of car parking in the vicinity; and
		e) the level of landscaping proposed for the car parking.
Comment: N/a		
A2.1	Car parking and manoeuvring space must:	P2 Car parking and manoeuvring space must:
a)	have a gradient of 10% or less; and	a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
b)	where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
c)	have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and	
A2.2	The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .	
Comment: To be assessed by future development application for works on proposed Lots 1-7.		

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

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

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

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

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

Objective: To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria



A1	All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1	The location and design of parking spaces considers the needs of disabled persons, having regard to: <ul style="list-style-type: none"> <li>a) the topography of the site;</li> <li>b) the location and type of relevant facilities on the site or in the vicinity;</li> <li>c) the suitability of access pathways from parking spaces, and</li> <li>d) applicable Australian Standards.</li> </ul>
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: <ul style="list-style-type: none"> <li>a) characteristics of the populations to be served;</li> <li>b) their means of transport to and from the site; and</li> <li>c) applicable Australian Standards.</li> </ul>
Comment: N/a – likely to be residential use on each of the vacant lots.			

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

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.			
Acceptable Solutions		Performance Criteria	
A1	For retail, commercial, industrial, service industry or warehouse or storage uses: <ul style="list-style-type: none"> <li>a) at least one loading bay must be provided in accordance with Table E6.4; and</li> <li>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.</li> </ul>	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			

#### E6.8 Provisions for Sustainable Transport

##### E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

##### E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.			
Acceptable Solutions		Performance Criteria	
A1.1	Bicycle parking spaces for customers and visitors must: <ul style="list-style-type: none"> <li>a) be accessible from a road, footpath or cycle track; and</li> <li>b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and</li> <li>c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and</li> <li>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</li> </ul>	P1	Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
A1.2	Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.		
A2	Bicycle parking spaces must have: <ul style="list-style-type: none"> <li>a) minimum dimensions of: <ul style="list-style-type: none"> <li>i) 1.7m in length; and</li> <li>ii) 1.2m in height; and</li> <li>iii) 0.7m in width at the handlebars; and</li> </ul> </li> </ul>	P2	Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.



b)	unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	
Comment: N/a		

#### 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: N/a		

Table E6.5: Pedestrian Access

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

#### Notes

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

### ASSESSMENT AGAINST E10.0 RECREATION AND OPEN SPACE CODE

#### E10.6 Development Standards

##### E10.6.1 Provision of Public Open Space

Objective		
a)	To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity and health of the community; and	
b)	To ensure that the design of public open space delivers environments of a high quality and safety for a range of users, together with appropriate maintenance obligations for the short, medium and long term.	
Acceptable Solutions		Performance Criteria
A1	The application must:	P1 Provision of public open space, unless in accordance with Table E10.1, must:
a)	include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu.	a) not pose a risk to health due to contamination; and b) not unreasonably restrict public use of the land as a result of: i) services, easements or utilities; and ii) stormwater detention basins; and iii) drainage or wetland areas; and iv) vehicular access; and c) be designed to: i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and





	<p>ii) reasonably contribute to the pedestrian connectivity of the broader area; and</p> <p>iii) be cost effective to maintain; and</p> <p>iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and</p> <p>v) provide for public safety through <i>Crime Prevention Through Environmental Design</i> principles; and</p> <p>vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and</p> <p>vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and</p> <p>ix) create attractive environments and focal points that contribute to the existing or desired future character statements, if any.</p>
Complies with A1. Consent provided by General Manager via email on 24 March 2022.	N/a

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

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

STATE POLICIES
The proposal is consistent with all State Policies.

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
<b>Strategic Plan 2017-2027</b> <ul style="list-style-type: none"> <li>Statutory Planning</li> </ul>

## 5 LOCAL GOVERNMENT (BUILDINGS AND MISCELLANEOUS PROVISIONS) ACT 1993

Section 83	Approval of plan of subdivision	Yes	No
83 (1)(a)	Does the council require the owner to sell to it for a nominal consideration any land shown on the plan as set apart for a public open space or for drainage purposes?		No



83(1)(b)	Does the council require the owner to mark on the plan in respect of any proposed way, the words "to be acquired by the highway authority"?		No
83(5)(a)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not provide means of drainage for all or some specified kind of effluent from the block?		No
83(5)(a)(iii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not permit a septic tank?		No
83(5)(b)(i)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a septic tank?		No
83(5)(b)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a specific form of on-site sewerage treatment?		No
83(7)	Does the council require the final plan of subdivision to note, in respect of a block, that the council has been advised by a regulated entity, within the meaning of the <i>Water and Sewerage Industry Act 2008</i> , that the entity cannot or will not –		
83(7)(a)	provide a supply of water to the block?		No
83(7) (b)	provide means of sewerage for all or some specified kind of effluent from the block?		No

<b>Section 84</b>	Council not to approve subdivision	<b>Yes</b>	<b>No</b>
84(1)(c)	Does the subdivision include any road or other works whereby drainage will be concentrated and discharged into any drain or culvert on or under any State highway, and the Minister administering the <i>Roads and Jetties Act 1935</i> has first not approved so much of the application as affects the drainage?		No
	<b>If 'yes', refuse the subdivision.</b>		

<b>Section 85</b>	<b>Refusal of application for subdivision</b>		
	<b>Council may refuse the application for subdivision if it is of the opinion:</b>		
85(a)	that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is;		No
85(b)	that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of;		No
85(ba)	that the land is not suitable for an on-site effluent disposal system for all or specified kinds of effluent from each block;		No
85(c)	that the site or layout will make unduly expensive the arrangements for supply of water and electricity, connection to drains and sewers and the construction or maintenance of streets;		No
85(d)	that the layout should be altered to include or omit –		
85(d)(i)	blind roads;		No
85(d)(ii)	alleys or rights of way to give access to the rear of lots;		No
85(d)(iii)	public open space;		No
85(d)(iv)	littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake;		No
85(d)(v)	private roads, ways or open spaces;		No
85(d)(vi)	where the ground on one side is higher than on the other, wider roads in order to give reasonable access to both sides;		No
85(d)(vii)	licences to embank highways under the <i>Highways Act 1951</i> ;		No
85(d)(viii)	provision for widening or deviating ways on or adjoining land comprised in the subdivision;		No
85(d)(ix)	provision for the preservation of trees and shrubs;		No



85(e)	that adjacent land of the owner, including land in which the owner has any estate or interest, ought to be included in the subdivision;		No
85(f)	that one or more of the lots is by reason of its shape in relation to its size or its contours unsuitable for building on;		No
85(g)	that one or more of the lots ought not to be sold because of –		
85(g)(i)	easements to which it is subject;		No
85(g)(ii)	party-wall easements;		No
85(g)(iii)	the state of a party-wall on its boundary.		No

Section 86	Security for payment	Yes	No
	Does council require security for payments and the execution of works for -		
86(2)(c)	if the land is not located within 30 metres of the existing public storm water system as shown on the map made available under section 12 of the <i>Urban Drainage Act 2013</i> , payment for a public storm water system by, from, or from within, the land as determined by the council so that all lots may have connecting drains and the concentrated natural water may be lawfully disposed of and for the laying of storm water connections from a place on the boundary of each lot to the public storm water system in accordance with the by-laws of the council and to the satisfaction of its engineer;		No
86(2)(d)	the works required for the discharge of the owner's obligations under <u>section 10 of the <i>Local Government (Highways) Act 1982</i></u> in respect of the highways opened or to be opened on the subdivision;		No
86(2)(e)	the making and draining of footways that are not part of a road and of private roads and similar footways serving 3 lots or more;		No
86(2)(f)	the filling in of ponds and gullies;		No
86(2)(g)	the piping of watercourses.		No
	<b>If 'yes':</b>		
	council may refuse to approve the application until such security is given.		
	See section 86 (3) for the form of the security.		
	See section 86 (4) for when the works are to be executed.		

Section 107	Access orders	Yes	No
107 (2)	Is work of a substantial nature needed to provide access for vehicles from a highway onto the block?		No
	If 'yes', council may refuse to seal the final plan under which the block is created until the owner has carried out the work specified in the order within the specified period or given the council security for carrying out that work if called upon by it to do so.		

Section 108	Road widening	Yes	No
108 (1) (a)	Does council, in respect of an existing highway, require to obtain a dedication of land for widening or diverting? (compensation is not payable for the dedication of land which lies within 9 metres of the middle line of the highway of a parcel into which the land is subdivided and on which no building stands)		No
108 (1) (b)	Does council, in respect of an existing highway, require to obtain a licence to embank?		No

## 6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.



## 7 OPTIONS

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

## 8 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on the performance criteria 12.4.3.1 P1.1 for lots less than 1ha.
- Reliance on the performance criteria 12.4.3.1 P3 for lots not connected to a reticulated sewerage system.
- Subdivision within 50m of a Railway Corridor
- Reliance upon performance criteria of the Flood Prone Areas Code.

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

Connection to reticulated sewerage system is not proposed and the application must be assessed against 12.4.3.1 P3:

Lots that are not provided with reticulated sewerage services must be:

- a) in a locality for which reticulated services are not available or capable of being connected; and
- b) capable of accommodating an on-site wastewater management system.

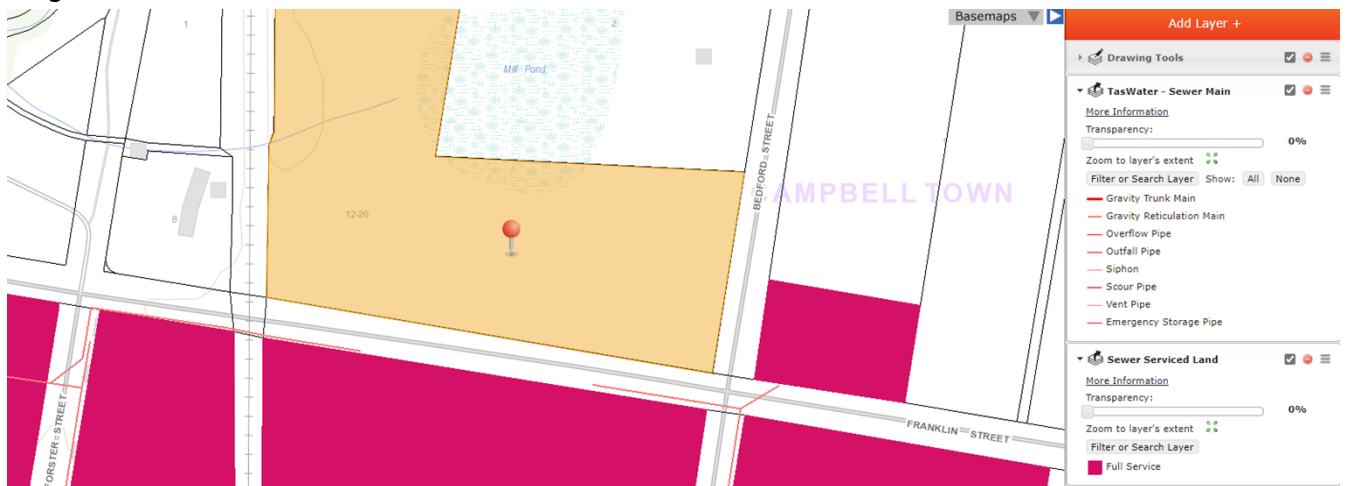
In terms of whether the site is within a locality where reticulated services are available and capable of being connected, Tribunal Decision 6ty Pty Ltd v Northern Midlands Council [2019] TASRMPAT 29 (20 December 2019) provides context around the interpretation of P3.

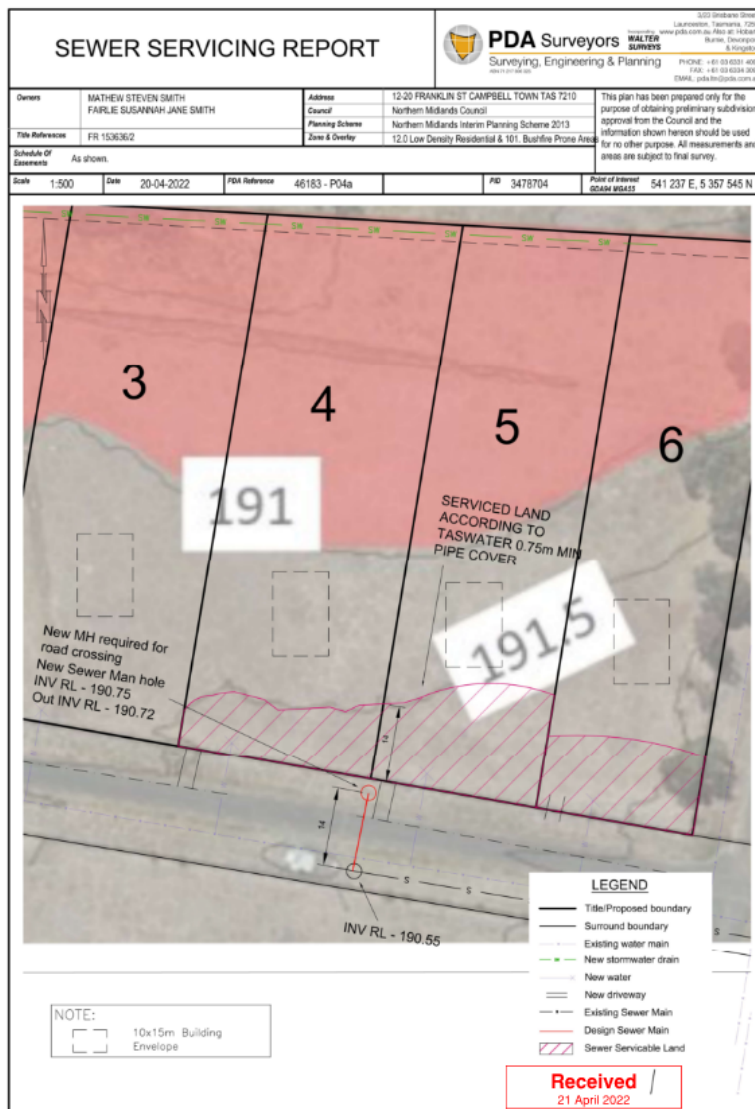
At 15., the Tribunal considered the steps in considering P3(a) as:

- a) to identify the relevant locality
- b) to determine whether reticulated water supply services are available in that locality; and
- c) if they are available, determine whether the reticulated water supply service is capable of being connected to the lots in the subdivision.

In respect of the subject site, it is considered that it is within a locality where sewerage services are available as evidenced by Image 6 showing the site in the context of TasWater sewer serviced land.

**Image 6: TasWater Sewer Serviced Land and Sewer Mains**





The Tribunal found that a site does not have to be in a serviced area to be in a locality where reticulated services are available. In this situation it is considered that the site is in a locality where reticulated services are available.

As per the Tribunal Decision, as the site is within a locality where reticulated services are available, it is necessary to consider whether reticulated water supply services are capable of being connected. The Tribunal Decision looked at, among other matters, the cost of bringing the water supply to the site and found that the additional cost of reticulated water services, compared to an onsite supply of water, are not so great in the context of the development that they result in reticulated water supply not being reasonably capable of being connected to the lots.

The applicant has provided a plan titled Sewer Servicing Report which shows that most of each lot cannot be connected by gravity to a sewer main.

Therefore the subdivision would need a pump station costing around \$500,000 (around \$83,000 per lot). The pump station would have to be located at a low point of the site which would place it in a flood prone area.

Consideration was given to individual sewer pumps for each lot. The estimate is \$100,000 per lot.

Due to the cost associated with providing sewer pumps, it is considered that the lots are not in a locality for which reticulated services are capable of being connected.



P3 b) The application provided an Onsite Waste Water Assessment which found that each lot is capable of supporting an onsite wastewater management system.

P3 b) The application provided an Onsite Waste Water Assessment which found that each lot is capable of supporting an onsite wastewater management system.

## 9 ATTACHMENTS

1. Application form proposal [15.3.1 - 1 page]
2. Cover Letter PDA Surveyors [15.3.2 - 2 pages]
3. Superseded 6183 P 03 [15.3.3 - 1 page]
4. Plan of Subdivision 7 February 2022 [15.3.4 - 1 page]
5. Plan of subdivision with flood mapping 7 February 2022 [15.3.5 - 1 page]
6. Folio Plan-153636-2 (1) [15.3.6 - 1 page]
7. Schedule Of Easements-153636-2 (1) [15.3.7 - 2 pages]
8. 002-2021- Onsite Waste Water Disposal Assessment 12-20 Franklin St Campbell Town 21.1.2021 (final) [15.3.8 - 28 pages]
9. Bushfire Hazard Management Plan 12 20 Franklin St Campbell Town [15.3.9 - 30 pages]
10. Consent to Cash in Lieu of POS [15.3.10 - 1 page]
11. Further Information Request PL N-21-0023 [15.3.11 - 3 pages]
12. Correspondence with Applicant 15 March 2021 [15.3.12 - 2 pages]
13. Correspondence with Applicant 4 February 2022 [15.3.13 - 2 pages]
14. Response to Request for Additional Information [15.3.14 - 6 pages]
15. Comments from Works and Infrastructure [15.3.15 - 5 pages]
16. W&I Referral [15.3.16 - 3 pages]
17. 12-20 FRANKLIN S T, CAMPBELL TOWN Tas Water Submission to Planning Authority Notice - Conditions D [15.3.17 - 3 pages]
18. Tas Rail response [15.3.18 - 2 pages]
19. PDA Email sewer servicing report [15.3.19 - 4 pages]
20. PDA Emails regarding sewer pumps [15.3.20 - 3 pages]

## RECOMMENDATION

That land at 12-20 Franklin Street, Campbell Town be approved to be developed and used for a 6 Lot Subdivision (vary lot size, flood prone area, no reticulated sewerage) in accordance with application PLN-21-0023, and subject to the following conditions:

### 1 Layout not altered

The use and development must be in accordance with the endorsed documents P1 (Woolcott Surveys Plan of Subdivision 07-02-2022, stamped received 21 April 2022)).

### 2 Council's Works Department conditions

#### 2.1 Stormwater

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

A design plan including calculations and modelling and showing cross sections and long sections for the stormwater drainage must be provided to Council for approval prior to the commencement of any works on site.

#### 2.2 Access

A driveway crossover and hotmix sealed apron must be constructed from the edge of Franklin Street to the property boundary of each lot in accordance with Council standards.

Access works must not commence until an application for vehicular crossing has been approved by Council.

#### 2.3 As constructed information

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





#### 2.4 Municipal standards & certification of works

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

#### 2.5 Works in Council road reserve

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.

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.

#### 2.6 Easements to be created

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

#### 2.7 Pollutants

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

#### 2.8 Nature strips

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

### 3 TasWater conditions

Water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2022/00269-NMC, 07/03/2022).

### 4 PUBLIC OPEN SPACE CONTRIBUTION

A contribution must be paid towards the cost of providing public open space infrastructure in accordance with Council policy:

- \$1,400 per additional lot created; or
- The applicant may obtain a valuation not less than one month old by a registered land valuer, of the subject land, less one of the proposed lots. The Public Open Space Rate shall total 5% of that value.

### 5 SEALING OF PLANS

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

#### TasRail Standard Notes (V2021)

- Where a building or other development is proposed to be located at a setback distance less than 50 metres from the boundary of the rail corridor, the occupants are likely to be exposed to train horn noise and vibration, noting that TasRail Freight Rail Services operate 24/7 and the configuration, frequency and time of these services is subject to change at any time.
- Landowners, builders/developers and prospective residents should undertake appropriate due diligence to ensure they are aware of potential exposure to train horn noise and vibration, particularly in relation to building design, material specifications and lifestyle. The train horn is a safety device that is required to be sounded



twice per level crossing being on approach and on entry. The minimum duration of each train horn blow is one second. The train driver also has the discretion to sound the horn at any time he/she perceives a risk.

- Using or creating an unauthorised railway crossing or stock crossing is unsafe and strictly prohibited. If the proposed development interfaces with a rail crossing and/or rail corridor land it is recommended you contact [property@tasrail.com.au](mailto:property@tasrail.com.au) to discuss the proposed interface ahead of the planning process. Consideration should also be given to the orientation and siting of above ground structures on adjoining land as well as landscaping to ensure there is no potential to obscure or obstruct the line of sight with respect to a railway crossing.
- Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting [property@tasrail.com.au](mailto:property@tasrail.com.au)
- Any excavation within 3 metres of the rail boundary line requires a separate TasRail Permit from [property@tasrail.com.au](mailto:property@tasrail.com.au) in accordance with s44 of the Rail Infrastructure Act 2009. A minimum of seven (7) business days notice is required, but earlier engagement is recommended
- Rail land is not for private use and should not be encroached for any purpose including for gardens, storage, keeping of animals etc. Dumping of rubbish including green waste into the rail corridor is not permitted.
- No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc.
- As per the Rail Infrastructure Act 2007, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.
- No persons should enter rail land without formal authorisation from TasRail in the form of a TasRail Permit issued by [property@tasrail.com.au](mailto:property@tasrail.com.au)
- As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.

## MINUTE NO. 22/160

### DECISION

Cr Polley/Cr Goninon

That land at 12-20 Franklin Street, Campbell Town be approved to be developed and used for a 6 Lot Subdivision (vary lot size, flood prone area, no reticulated sewerage) in accordance with application PLN-21-0023, and subject to the following conditions:

#### **1 LAYOUT NOT ALTERED**

The use and development must be in accordance with the endorsed documents P1 (Woolcott Surveys Plan of Subdivision 07-02-2022, stamped received 21 April 2022)).

#### **2 COUNCIL'S WORKS DEPARTMENT CONDITIONS**

##### **2.1 Stormwater**

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

A design plan including calculations and modelling and showing cross sections and long sections for the stormwater drainage must be provided to Council for approval prior to the commencement of any works on site.

##### **2.2 Access**

A driveway crossover and hotmix sealed apron must be constructed from the edge of Franklin Street to the property boundary of each lot in accordance with Council standards.



Access works must not commence until an application for vehicular crossing has been approved by Council.

**2.3 As constructed information**

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

**2.4 Municipal standards & certification of works**

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

**2.5 Works in Council road reserve**

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.

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.

**2.6 Easements to be created**

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

**2.7 Pollutants**

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

**2.8 Nature strips**

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

**3 TASWATER CONDITIONS**

Water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2022/00269-NMC, 07/03/2022).

**4 PUBLIC OPEN SPACE CONTRIBUTION**

A contribution must be paid towards the cost of providing public open space infrastructure in accordance with Council policy:

- \$1,400 per additional lot created; or
- The applicant may obtain a valuation not less than one month old by a registered land valuer, of the subject land, less one of the proposed lots. The Public Open Space Rate shall total 5% of that value.

**5 SEALING OF PLANS**

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

**6 AGREEMENT UNDER PART 5 OF LAND USE PLANNING APPROVAL ACT 1993**

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



- The owners of lots 1 – 6 agree to construct floor levels to habitable buildings at least 300mm above natural ground level.

This agreement must be prepared by the applicant and forwarded to the Council with a cheque for the Recorder of Titles fee for the registration of the Agreement.

#### Standard Notes (V2021)

- Where a building or other development is proposed to be located at a setback distance less than 50 metres from the boundary of the rail corridor, the occupants are likely to be exposed to train horn noise and vibration, noting that TasRail Freight Rail Services operate 24/7 and the configuration, frequency and time of these services is subject to change at any time.
- Landowners, builders/developers and prospective residents should undertake appropriate due diligence to ensure they are aware of potential exposure to train horn noise and vibration, particularly in relation to building design, material specifications and lifestyle. The train horn is a safety device that is required to be sounded twice per level crossing being on approach and on entry. The minimum duration of each train horn blow is one second. The train driver also has the discretion to sound the horn at any time he/she perceives a risk.
- Using or creating an unauthorised railway crossing or stock crossing is unsafe and strictly prohibited. If the proposed development interfaces with a rail crossing and/or rail corridor land it is recommended you contact [property@tasrail.com.au](mailto:property@tasrail.com.au) to discuss the proposed interface ahead of the planning process. Consideration should also be given to the orientation and siting of above ground structures on adjoining land as well as landscaping to ensure there is no potential to obscure or obstruct the line of sight with respect to a railway crossing.
- Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting [property@tasrail.com.au](mailto:property@tasrail.com.au)
- Any excavation within 3 metres of the rail boundary line requires a separate TasRail Permit from [property@tasrail.com.au](mailto:property@tasrail.com.au) in accordance with s44 of the Rail Infrastructure Act 2009. A minimum of seven (7) business days notice is required, but earlier engagement is recommended
- Rail land is not for private use and should not be encroached for any purpose including for gardens, storage, keeping of animals etc. Dumping of rubbish including green waste into the rail corridor is not permitted.
- No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc.
- As per the Rail Infrastructure Act 2007, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.
- No persons should enter rail land without formal authorisation from TasRail in the form of a TasRail Permit issued by [property@tasrail.com.au](mailto:property@tasrail.com.au)
- As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, 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. 22/161

#### DECISION

Deputy Mayor Goss/Cr Lambert

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

Carried Unanimously

## 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)
Closed Council Committee Meeting	15(2)(g)
Committee Membership	15(2)(g)
Lessee Capital Investment	15(2)(c)
Stormwater Management Plan	15(2)(g)
Request for Support	15(2)(g)
Personnel Matters	15(2)(a)

#### *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 General Manager, Corporate Services Manager, Works Manager, Senior Planner and Executive Assistant to discuss Closed Council Items.

#### **MINUTE NO. 22/165**

##### DECISION

Cr Goninon/Cr Adams

That Council move into the “Closed Meeting” with the Acting General Manager / Corporate Services Manager, Works Manager and Executive Assistant to discuss Closed Council Items.

Carried Unanimously

*Mr Godier left the meeting at 7.10pm.*





## 17.1 CLOSED COUNCIL DECISIONS RELEASED

### 3 INFORMATION ITEMS

#### MINUTE NO. 22/168

##### DECISION

Cr Davis/Cr Calvert

That Council,

- A) contract its media advisor to prepare a publicity campaign in relation to the inclusion of Bicycle Pathway on Illawarra Road Longford and request its media advisor to prepare a brief for the 23/5 Council workshop; and
- B) in relation to this matter:
  - i) considered whether any discussion, decision, report or document is kept confidential or released to the public.
  - ii) determined **to release** the decision to the public.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

### 4.1 BICYCLE ADVISORY COMMITTEE: MEMBERSHIP APPOINTMENTS

#### MINUTE NO. 22/170

##### DECISION

Cr Lambert/Cr Davis

That

- A) Council amend the Bicycle Advisory Committee Terms of Reference (ToR) to provide for a membership complement of 4 Community Members representing the Cycling Community;
- B) the inaugural term of membership of the Committee expires at 30 June 2023;
- C) Council appoint the following to the membership of the Bicycle Advisory Committee
  - Health Sector (1 representative):
    - Marcus Burston
  - Recreation Sector (1 representative):
    - Tony Cullimore
  - Community Member Representatives of the Cycling Community (3 representatives):
    - Eric Aalbrecht
    - Hugh Mackinnon
    - Colin Cocker
    - Sam Miller
- D) 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 Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



#### 4.3 REVIEW OF STORMWATER SYSTEM MANAGEMENT PLAN

##### MINUTE NO. 22/172

###### DECISION

Cr Davis/Cr Adams

- A) That the Stormwater System Flood & Risk Studies (SSFRS) report be adopted and released to ensure that Council and developers are meeting the requirements of the *Urban Drainage Act 2013*.
- 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 and the report referred to in the decision** to the public.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

#### 4.4 REQUEST TO PURCHASE CROWN LAND IN GAY STREET, LONGFORD

##### MINUTE NO. 22/173

###### DECISION

Cr Goninon/Cr Calvert

- A) That Council advise Ms Paul that Council does not approve of the sale of the land;
- 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 Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil

## 18 CLOSURE

##### MINUTE NO. 22/175

###### DECISION

Deputy Mayor Goss/Cr Lambert

That Council move out of the "Closed Meeting".

Carried Unanimously

Mayor Knowles closed the meeting at 8.20pm.

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_