

5.1.1 Applicable Standards within the Rural Resource Zone

Use Standards

A discussion against each applicable use standard is provided below in Table 2:

Table 2: Use Standards within Rural Resource Zone

Scheme Provision	Response
Clause 26.3.1 Discretionary Uses if not a single dwelling	
P1	The proposal does not compromise primary industry, tourism or rural communities. The site is not located on Prime Agricultural land, does not reduce the area of non-Prime agricultural land “converted” to non-agricultural use, reduces the visual impact and fire risk of the existing stockpile, and as a result enhances the opportunity for this site and its surrounds for rural industries.
P2	The site is not Prime Agricultural Land. A land capability report completed in 2013 classified the site as Class 5 due to limited soil depth ⁷ . The land capability layer on www.thelist.tas.gov.au classifies the site as Class 4.
P3	The proposal does not involve the conversion of non-prime agricultural land to non-agricultural use, as the site (where the tyres are currently being stored) is practically incapable of supporting an agricultural use. The proposal will actually convert the area, via the removal of stored tyres, back to being able to sustain an agricultural use, albeit temporarily.
P4	An assessment of the potential for environmental emissions can be found earlier in this submission and indicated no notable environmental impacts are likely. The proposal will not fetter existing primary industries as previously discussed. The low traffic generated during the use and short term nature of the use mean the proposal will have negligible to no impact on the local road network. This proposed use amounts to an Average Annual Daily Traffic (AADT) count of 1.75 vehicles.
P5	The site is not identified as a Scenic Management Area. The proposal results in a reduction in the visual impact of the existing tyre storage. The proposal is unlikely to be visible from a public road (Woolmers Lane), does not involve storage of materials and involves no vegetation clearance (beyond stripping the currently introduced pasture grasses to establish a work platform). Beyond the short term establishment of the chipper, the proposal will not have a noticeable negative impact on the current visual environment.

⁷ Land Capability Assessment, ‘Rhodes’, 437 Woolmers Lane, Longford, Northern Midlands, Tasmania. Crop Protection Research (Tasmania), 2013.

Scheme Provision	Response
Clause 26.3.2 Dwellings – Not applicable	
Clause 26.3.3 Irrigation Districts	
A1	The site is not within an Irrigation District under the <i>Water Management Act 1999</i> .

Development Standards

A discussion against each applicable development standard is provided below in Table 3:

Table 3: Development Standards in the Rural Resource Zone

Scheme Provision	Response
Clause 26.4.1 Building Location and Appearance	
A1	The chipper is approximately 5 metres high.
A2	The setback is significantly greater than 50 metres, at 400 m to the closest (eastern) boundary.
Clause 26.4.2 Subdivision - Not applicable	

5.2 codes

The following Table 4 provides a comment against each of the codes:

Table 4: Use and development Standards for Codes

Code	Response
E1 Bushfire Code	Development is exempt under E1.4 (b), a structure or building that is not a habitable building.
E2 Potentially contaminated land code	No sensitive use is proposed and no potentially contaminating activities, as per Table E2.1 of the Planning Scheme, have occurred on the site.
E3 Landslip Code	This site is not within an identified Landslip Hazard area ⁸ .
E4 Road and Railway Assets Code	See following Table 5 for discussion.

⁸ Northern Midlands Interim Planning Scheme 2013 – Overlays 1:25000 Series. 30/01/2013.

Code	Response
E5 Flood Prone Areas Code	The site is not located in a flood prone area ⁹ and is greater than 3km from the Macquarie River.
E6 Car Parking and Sustainable Transport Code	<p>The site plan in Appendix B provides the location of the car parking, bicycle parking and taxi parking for the site. The parking space required for people with disability is also shown (with associated AS/NZ 2890.6 requirements). However, the car parking area will be informal, with no intention or need to provide extensive permanent infrastructure. The short term nature of the use and operational characteristics mean there will be limited to no demand for car parks, a taxi park and a bicycle park, as required by the Planning Scheme. The staff working on-site will travel to and from the site in a single vehicle from their nearby accommodation and there will be limited and occasional other vehicles visiting the site.</p> <p>The site will not be open to the general public.</p> <p>The site has ample room for parking access and circulation. The existing access and circulation tracks on-site will be utilised and the car parking surface will be the existing ground surface. This reduces the impact to the soil resource and as such is preferred to construction of an impervious surface for what amounts to little more than a month of activity. The location of the car parking area has been chosen to ensure no disruption to existing or proposed site operations, proximity to work areas and site access and is the most secure and convenient location.</p>
E7 Scenic Management Code	The site is not identified as a Scenic Management Area ¹⁰ .
E8 Biodiversity Code	The site is not identified as priority habitat ¹¹ and no native vegetation is proposed to be cleared.
E9 Water Quality Code	There are no surface water bodies or drainage lines located in the vicinity of the site. The site is not within a designated Flood Prone Area or Domestic Water Supply area ¹² . The site is located at a distance of over 2km from nearest watercourse.
E10 Recreation and Open Space Code	No subdivision is proposed as part of this application.
E11 Environmental Impacts and Attenuation Code	No sensitive uses are proposed and there are no uses listed in Table E11.1 or E11.2 proposed or known to have previously occurred on the area proposed for the chipping operation.
E12 Airports Impact Management Code	The proposal is not located in the ANEF contours or prescribed air space.

⁹ *Ibid.*¹⁰ *Ibid.*¹¹ *Ibid.*¹² *Ibid.*

Code	Response
E13 Heritage Code	The site has been farmed and comprises improved pasture for grazing. There are no buildings or structures present. The site is not listed on the Tasmanian Heritage Register, within a Heritage Precinct ¹³ , or Table E13.2 Local Heritage Places of the Planning Scheme.
E15 Signs Code	No signs are proposed as part of this application.

E4 Road and Railway Assets Code

Table 5: Road and Rail Asset Code Provisions

Scheme Provision	Response
Clause E4.6.1 Use and road or rail infrastructure	
A1	No sensitive uses are proposed within 50m of a category 1 or 2 road.
A2	The speed limit on Woolmers Lane is greater than 60 km/h.
A3	As discussed earlier, the use will generate less than 2 AADT (1.75). This will not result in a 10% increase at the proposed access, as this site currently has the tyre storage traffic, general farm access and equipment access, shooting range and the traffic associated with the agricultural contracting business (which includes semi trailers dropping off seed, fertiliser and picking up equipment etc).
Clause E4.7.1 Development on and adjacent to existing and future arterial roads and railways	
A1	No use or development is proposed within 50m of a category 1 or 2 road.
Clause E4.7.2 Management of road accesses and junctions – not applicable	
A1	Not applicable.
A2	No new accesses are proposed.
Clause E4.7.3 Management of rail level crossings – Not applicable	
Clause E4.7.4 Sight distances at accesses, junctions and level crossings	

¹³ *ibid*

Scheme Provision	Response
P1	<p>Site distances at the proposed access are 72 metres to the west and 141 metres to the east, based on 5 metres setback ("X" as per Figure 4.7.4 in the Planning Scheme) and from the height of a typical car.</p> <p>The current use of the access includes heavy vehicles for the dropping off of tires, general farm access and the higher volume use of the agricultural contracting business, which includes frequent semi-trailer access. Current users of the access have not reported any traffic accidents or near misses.</p> <p>The proposed chipping operation will be short duration (40 days in the first year and 10 days every year after that) and involve low traffic volumes.</p> <p>One of the main factors limiting sight distance are the hawthorn hedges on the road side. The main traffic associated with the proposed use will be heavy vehicles, where the driver position is significantly higher than a typical car. This driver position will improve the actual sight distance on Woolmers Lane from the designated access and also allow approaching vehicles improved visibility of the vehicles using the access.</p>

6. Conclusion

This report has demonstrated that there are no significant potential impacts associated with the proposed project. The site is already approved for Recycling and waste disposal. In land use planning terms, the proposed short term mobile tyre chipping facility is of little to no change to the current operation on-site.

Once approved, the proposal will result in a net reduction in the volume of tyres stored at the site, a substantial improvement on the current situation. The proponent has agreed, through consultation with Council, to use tyres from the middle portion of the site to create an effective fire break in the middle of the tyre storage area, greatly reducing the risk associated with the current use of the site.

In summary:

- The site will be located directly adjacent to an area currently used for the storage of scrap tyres.
- It is highly unlikely that the project will result in any adverse impacts to geology, soils, biodiversity, heritage or visual amenity.
- The likely noise emissions from the project will be minimal and not audible beyond the project boundary.
- Although no liquid waste is generated as part of the process it is recommended that:
 - The generator should be bunded to contain any fuel lost during equipment breakdown or repair.
 - A spill kit should be provided on site for use during any spill events.

This report demonstrates that the proposal will be achieve best practise and can achieve compliance with applicable Tasmanian and Council policies, legislation and regulations.

Appendix A

EPA Correspondence



Enquiries: Brad Arkell
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Our Ref: EN-EM-EV-DE-030725_5 | H443653

18 August 2015

COPY

Jim Fairweather
Chief Executive Officer
30-56 Encore Avenue
SOMERTON VIC 3062

Dear Mr Fairweather

**TYRECYCLE – MOBILE TYRE CHIPPING FACILITY
WOOLMERS LANE, LONGFORD**

I refer to the draft Notice of Intent (NOI) for the above proposal, which was recently provided to the EPA Division for comment. I am of the view that the above proposal is unlikely to require assessment by the Board under the EMPC Act. If Tyrecycle submits a permit application under the *Land Use Planning and Approvals Act 1993* to the Northern Midlands Council, and Council refers the application to the Board, it is likely that the Board or its delegate will advise Council (in accordance with section 25(1D) of the EMPC Act) that assessment by the Board is not required. The reasons for my opinion are as follows.

The proposed activity would be of very limited scale or duration. Shredding activity would be limited to a relatively fixed duration every year and the activity presents a negligible risk of causing serious or material environmental harm or environmental nuisance. Accordingly, no further action will be taken by the EPA on the Notice of Intent at this stage.

You should note that the above opinion is based on the information provided in the draft Notice of Intent. In the event that the activity proceeds in a manner not consistent with the current proposal, the person responsible may be found to be unlawfully operating a level 2 activity and liable to prosecution. If details of the proposal change significantly you should seek my advice before proceeding. A number of EPA Division officers have some experience with the Woolmers Lane stockpile. It may be that Tyrecycle's proposed activities could see some improved environmental and risk-profile outcomes at the site, while not adversely affecting the overall shredding operations (for example, by widening some of the lanes between existing piles of tyres as per advice from the Tasmanian Fire Service).

I recognise that management of the wider site is not the responsibility of Tyrecycle and I applaud the strong efforts Tyrecycle is making to process the stored waste tyres from its Tasmanian clients and its ongoing commitments in waste tyre stewardship. However, an improvement in on-site management would help reduce the potential social, economic and environmental risks from the tyre stockpile.

If you have any queries regarding the above, please do not hesitate to contact Brad Arkell on (03) 6165 4515.

Yours sincerely



Wes Ford
DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY
Delegate for the Board of the Environment Protection Authority

Cc. Douglas Tangney, Environmental Scientist, Pitt & Sherry, Level 4, 113 Cimitiere Street, LAUNCESTON TAS 7250 – dtangney@pittsh.com.au
Mr Des Jennings, General Manager, Northern Midlands Council, PO Box 156, LONGFORD TAS 7301 – council@nmc.tas.gov.au
Jim.fairweather@tyrecycle.com.au

Appendix B

Indicative Site Layout



Appendix C

Photographs of Chipper





Appendix D

Certificate of Title

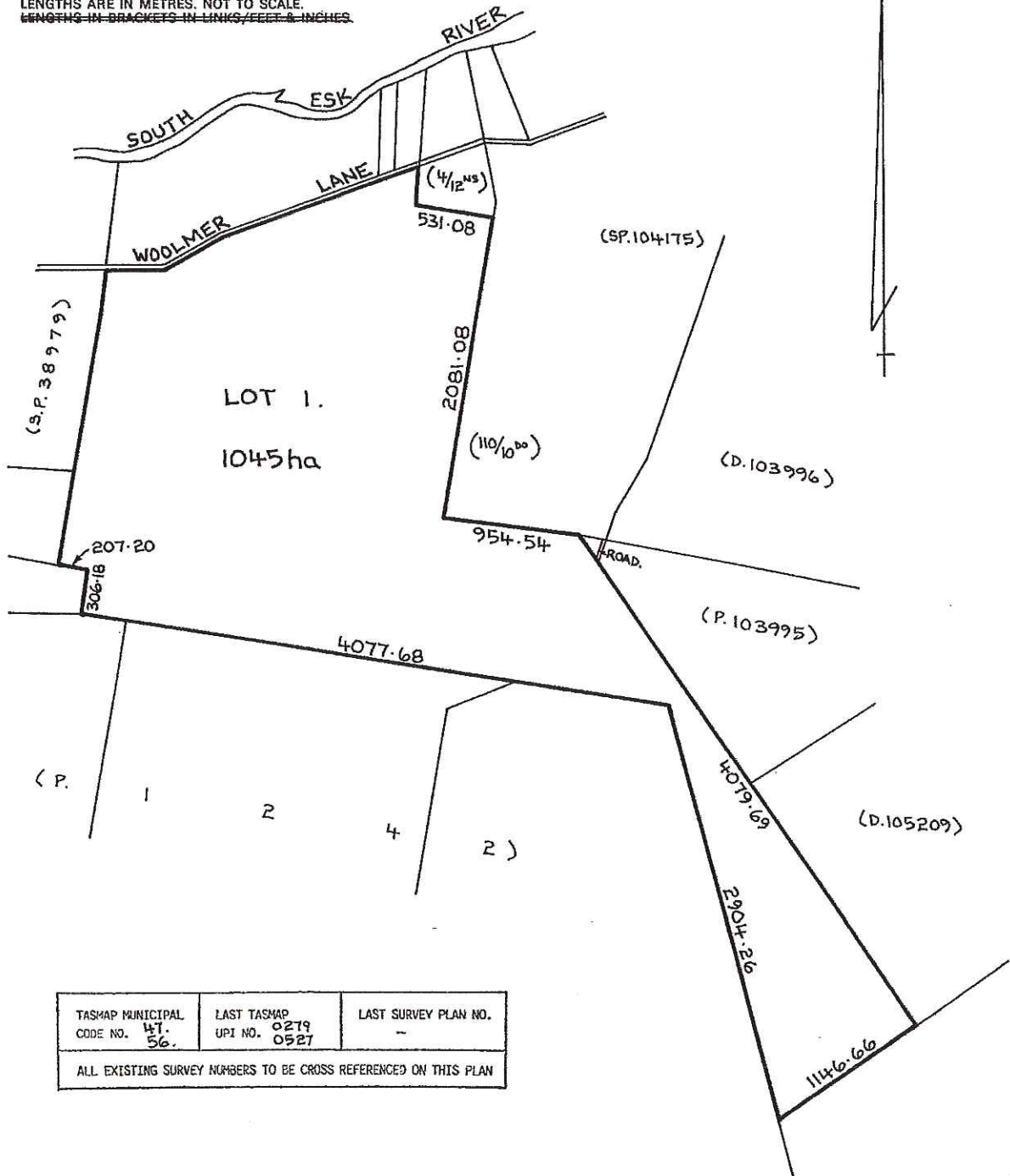


APPROVED <u>2.5 MAY 1993</u> <i>Michael Din</i> RECORDER OF TITLES	CONVERSION PLAN CONVERTED FROM 68/4093	REGISTERED NUMBER D.105810
FILE NUMBER Y.16101	GRANTEE: PART OF 1410-0-0 & 67-0-0 AND WHOLE OF 544-0-0 & 724-0-0 GTD TO THOMAS WALKER, WHOLE OF LOT 6, 329-0-0 GTD TO J. B. TOOSEY & ORS	DRAWN P. PAGE 24-5-93

OS-K 2082

SKETCH BY WAY OF ILLUSTRATION ONLY

~~CITY/TOWN OF~~
LAND DISTRICT OF SOMERSET
PARISH OF CHICHESTER & ESKDALE
LENGTHS ARE IN METRES. NOT TO SCALE.
LENGTHS IN BRACKETS IN LINKS/FEET & INCHES



TASHAP MUNICIPAL CODE NO. <u>47</u> <u>56.</u>	LAST TASHAP UPI NO. <u>0219</u> <u>0527</u>	LAST SURVEY PLAN NO. -
ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		

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FINANCIAL REVIEW

CLIENT CHOICE AWARDS 2015 WINNER



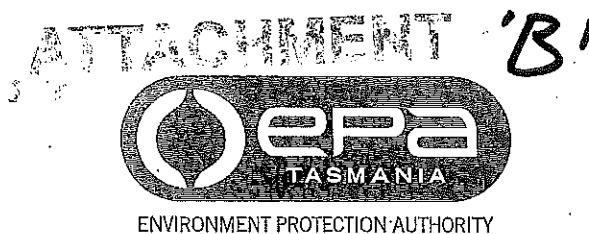
Best Consulting Engineering Firm
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Our Ref: EN-EM-EV-DE-030725_5/H457919/Tyrecycle mobile tyre chipper Assessment not Required]ars

18 September 2015

Mr Jim Fairweather
Chief Executive Officer
30-56 Encore Avenue
SOMERTON VIC 3062

Jim.fairweather@tyrecycle.com.au

Dear Mr Fairweather

**MOBILE TYRE CHIPPING FACILITY, WOOLMERS LANE, LONGFORD (DA P15-28)
EPA BOARD ASSESSMENT NOT REQUIRED**

I refer to the Northern Midland Council's correspondence, received on 11 September 2015, referring the above permit application to the Board of the Environment Protection Authority (the Board) for assessment under the *Environmental Management and Pollution Control Act 1994* (the EMPC Act).

In accordance with section 25(1D) of the EMPC Act, and acting under delegation from the Board, I have determined that the Board does not need to assess the activity that is the subject of the application.

The proposed activity would be of very limited scale or duration. Shredding activity would be limited to a relatively fixed duration each year and the activity presents a very low risk of causing serious or material environmental harm or environmental nuisance. In accordance with section 25(3) of the EMPC Act, Council may process the permit application without further reference to the Board.

You should note that the above decision is based on the information provided with the permit application. In the event that the activity proceeds in a manner not consistent with the current proposal, the person responsible may be found to be unlawfully operating a level 2 activity and liable to prosecution. If details of the proposal change significantly you should advise the applicant to seek advice from the Director, Environment Protection Authority before proceeding.

If you have any queries regarding the above, please contact the officer nominated at the head of this correspondence.

Yours sincerely



John Mollison
Deputy General Manager, EPA Division

Delegate for the Board of the Environment Protection Authority

Cc. Mr Douglas Tangney, Environmental Scientist, Pitt&Sherry, Level 4, 113 Cimitiere Street, Launceston TAS 7250, dtangney@pittsh.com.au

Mr Des Jennings, General Manager, Northern Midlands Council, PO Box 156, Longford 7301 council@nmc.tas.gov.au

ATTACHMENT C

RURAL RESOURCE ZONE	
ZONE PURPOSE	
26.1.1	<p><i>To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.</i></p> <p>The proposal does not conflict with this purpose.</p>
26.1.2	<p><i>To provide for other use or development that does not constrain or conflict with resource development uses.</i></p> <p>The proposal complies with this purpose.</p>
26.1.3	<p><i>To provide for economic development that is compatible with primary industry, environmental and landscape values.</i></p> <p>The proposal complies with this purpose.</p>
26.1.4	<p><i>To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.</i></p> <p>Not applicable to this proposal.</p>
26.1.5	Local Area Objectives
a)	<p><i>Primary Industries:</i></p> <p><i>Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.</i></p> <p><i>The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.</i></p> <p><i>Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.</i></p> <p>The proposal does not conflict with this objective.</p>
b)	<p><i>Tourism</i></p> <p><i>Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.</i></p> <p><i>The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental</i></p>

	<p><i>features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.</i></p> <p>Due to its temporary nature (up to 40 days), 5m height, and distance from the road, the proposal is not considered to have a detrimental impact on the nearby Woolmers historic estate.</p>
c)	<p><i>Rural Communities</i></p> <p><i>Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.</i></p> <p>Not applicable to this application.</p>
26.1.6	Desired Future Character Statements
26.1.4	<p><i>The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.</i></p> <p>The proposal complies with this statement.</p>

USE STANDARDS	
26.3.1	DISCRETIONARY USES IF NOT A SINGLE DWELLING
a)	<i>To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.</i>
b)	<i>To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.</i>
c)	<i>To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.</i>
d)	<i>Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.</i>
e)	<i>Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.</i>
f)	<i>The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.</i>

A1	<i>If for permitted or no permit required uses.</i>
	Does not comply.
P1.1	<i>It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</i>
	Complies. See Local Area Objectives above.
P1.2	<i>Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m² over the site.</i>
	Not applicable.
A2	<i>If for permitted or no permit required uses.</i>
	Does not comply.
P2.1	<i>Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</i> i) <i>amount of land alienated/converted is minimised; and</i> ii) <i>location is reasonably required for operational efficiency; and</i>
	Complies. Not prime agricultural land.
P2.2	<i>Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</i>
	Complies. Not prime agricultural land.
A3	<i>If for permitted or no permit required uses.</i>
	Does not comply.
P3	<i>The conversion of non-prime agricultural to non-agricultural use must demonstrate that:</i> a) <i>the amount of land converted is minimised having regard to:</i> i) <i>existing use and development on the land; and</i> ii) <i>surrounding use and development; and</i> iii) <i>topographical constraints; or</i> b) <i>the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:</i> i) <i>limitations created by any existing use and/or development surrounding the site; and</i> ii) <i>topographical features; and</i> iii) <i>poor capability of the land for primary industry; or</i> c) <i>the location of the use on the site is reasonably required for operational efficiency.</i>
	Assessment – The proposed site is on land already converted to non-agricultural use (tyre storage). The proposal complies.

A4	<p><i>If for permitted or no permit required uses.</i></p> <p>Does not comply.</p>
P4	<p><i>It must demonstrated that:</i></p> <ul style="list-style-type: none"> <i>a) emissions are not likely to cause an environmental nuisance; and</i> <i>b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and</i> <i>c) the capacity of the local road network can accommodate the traffic generated by the use.</i> <p>Assessment – The EPA has advised that the activity would be of very limited scale or duration. Shredding activity would be limited to a relatively fixed duration each year and the activity poses a very low risk of causing serious or material environmental harm or environmental nuisance</p>
A5	<p><i>The use must:</i></p> <ul style="list-style-type: none"> <i>a) be permitted or no permit required; or</i> <i>b) be located in an existing building.</i> <p>Does not comply.</p>
P5	<p><i>It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:</i></p> <ul style="list-style-type: none"> <i>a) the impacts on skylines and ridgelines; and</i> <i>b) visibility from public roads; and</i> <i>c) the visual impacts of storage of materials or equipment; and</i> <i>d) the visual impacts of vegetation clearance or retention; and</i> <i>e) the desired future character statements.</i> <p>Assessment – The proposal complies due to its temporary nature (up to 40 days), 5m height, and distance from the road.</p>
26.3.2	<p>DWELLINGS</p> <p><i>To ensure that dwellings are:</i></p> <ul style="list-style-type: none"> <i>a) incidental to resource development; or</i> <i>b) located on land with limited rural potential where they do not constrain surrounding agricultural operations.</i>
A1.1	<p><i>Development must be for the alteration, extension or replacement of existing dwellings; or.</i></p> <p>NA</p>
A1.2	<p><i>Ancillary dwellings must be located within the curtilage of the existing dwelling on the property; or</i></p> <p>NA</p>
A1.3	<p><i>New dwellings must be within the resource development use class and on land that has a minimum current capital value of \$1 million as demonstrated by a valuation report or sale price less than two years old.</i></p> <p>NA</p>

P1.1	<p>A dwelling may be constructed where it is demonstrated that:</p> <ul style="list-style-type: none"> a) it is integral and subservient to resource development, as demonstrated in a report prepared by a suitably qualified person, having regard to: <ul style="list-style-type: none"> i) scale; and ii) complexity of operation; and iii) requirement for personal attendance by the occupier; and iv) proximity to the activity; and v) any other matters as relevant to the particular activity; or b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, having regard to: <ul style="list-style-type: none"> i) limitations created by any existing use and/or development surrounding the site; and ii) topographical features; and iii) poor capability of the land for primary industry operations (including a lack of capability or other impediments); and
	NA
P1.2	<p>A dwelling may be constructed where it is demonstrated that wastewater treatment for the proposed dwelling can be achieved within the lot boundaries, having regard to the rural operation of the property and provision of reasonable curtilage to the proposed dwelling; and</p>
P1.3	<p>A dwelling may be constructed where it is demonstrated that the lot has frontage to a road or a Right of Carriageway registered over all relevant titles.</p>
	NA
26.3.3	<p>IRRIGATION DISTRICTS</p> <p>To ensure that land within irrigation districts proclaimed under Part 9 of the Water Management Act 1999 is not converted to uses that will compromise the utilisation of water resources.</p>
A1	<p>Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.</p>
	NA
P1	<p>Non-agricultural uses within an irrigation district proclaimed under Part 9 of the Water Management Act 1999 must demonstrate that the current and future irrigation potential of the land is not unreasonably reduced having regard to:</p> <ul style="list-style-type: none"> a) the location and amount of land to be used; and b) the operational practicalities of irrigation systems as they relate to the land; and c) any management or conservation plans for the land.
	NA

DEVELOPMENT STANDARDS	
26.4.1	<p>BUILDING LOCATION AND APPEARANCE</p> <p><i>To ensure that the:</i></p> <ul style="list-style-type: none"> a) <i>ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and</i> b) <i>development of buildings is unobtrusive and complements the character of the landscape.</i>
A1	<p><i>Building height must not exceed:</i></p> <ul style="list-style-type: none"> a) <i>8m for dwellings; or</i> b) <i>12m for other purposes.</i> <p>Complies. The chipper is approximately 5m high.</p>
P1	<p><i>Building height must:</i></p> <ul style="list-style-type: none"> a) <i>be unobtrusive and complement the character of the surrounding landscape; and</i> b) <i>protect the amenity of adjoining uses from adverse impacts as a result of the proposal.</i> <p>NA</p>
A2	<p><i>Buildings must be set back a minimum of:</i></p> <ul style="list-style-type: none"> a) <i>50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or</i> b) <i>200m where a sensitive use is proposed; or</i> c) <i>the same as existing for replacement of an existing dwelling.</i> <p>Complies. The chipper is a non-sensitive use and is setback more than 50m from the nearest boundary.</p>
P2	<p><i>Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to:</i></p> <ul style="list-style-type: none"> a) <i>the topography of the land; and</i> b) <i>buffers created by natural or other features; and</i> c) <i>the location of development on adjoining lots; and</i> d) <i>the nature of existing and potential adjoining uses; and</i> e) <i>the ability to accommodate a lesser setback to the road having regard to:</i> <ul style="list-style-type: none"> i) <i>the design of the development and landscaping; and</i> ii) <i>the potential for future upgrading of the road; and</i> iii) <i>potential traffic safety hazards; and</i> iv) <i>appropriate noise attenuation.</i> <p>NA</p>
26.4.2	<p>SUBDIVISION</p> <p><i>To ensure that subdivision is only to:</i></p> <ul style="list-style-type: none"> a) <i>improve the productive capacity of land for resource development and extractive industries; and</i> b) <i>enable subdivision for environmental and cultural protection or resource processing where compatible with the zone; and</i> c) <i>facilitate use and development for allowable uses by enabling subdivision subsequent to appropriate development.</i>
A1	<p><i>Lots must be:</i></p>

	<p>a) for the provision of utilities and is required for public use by the Crown, public authority or a municipality; or</p> <p>b) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>c) to align existing titles with zone boundaries and no additional lots are created.</p>
	NA
P1	<p>The subdivision</p> <p>a) must demonstrate that the productive capacity of the land will be improved as a result of the subdivision; or</p> <p>b) is for the purpose of creating a lot for an approved non-agricultural use, other than a residential use, and the productivity of the land will not be materially diminished.</p>
	NA

26.4.3	STRATA DIVISION
26.4.3.1	<i>In this scheme, division of land by stratum title is prohibited in the Rural Resource Zone.</i>

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/A – does not involve a habitable building or a hazardous use.
E2.0	POTENTIALLY CONTAMINATED LAND	N/A
E3.0	LANDSLIP CODE	N/A
E4.0	ROAD AND RAILWAY ASSETS CODE	See code assessment below
E.5.0	FLOOD PRONE AREAS CODE	N/A
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	See code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/A
E8.0	BIODIVERSITY CODE	N/A
E9.0	WATER QUALITY CODE	N/A
E10.0	RECREATION AND OPEN SPACE CODE	N/A
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/A
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/A
E13.0	LOCAL HISTORIC HERITAGE CODE	N/A
E14.0	COASTAL CODE	N/A
E15.0	SIGNS CODE	N/A

E4 Road and Railway Assets Code

E4.6.1 Use and road or rail infrastructure

<p>Objective</p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p>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%.</p>	<p>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.</p>
NA	NA
<p>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</p>	<p>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.</p>
NA	NA

<p>A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.</p>	<p>P3 For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
<p>Comment: Satisfies the performance criteria. Council's Consultant Engineer has advised that the access meets ASD requirements for a 100kmh approach speed, 2.5 second reaction time, which is considered satisfactory for a rural access road</p>	

E4.7 Development Standards

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

<p>Objective</p> <p>To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:</p> <ul style="list-style-type: none"> a) ensure the safe and efficient operation of roads and railways; and b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development. 	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 The following must be at least</p>	<p>P1 Development including buildings, road works, earthworks, landscaping works</p>

<p>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 envelopes on new lots; and</p> <p>c) outdoor sitting, entertainment and children's play areas</p>	<p>and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <p>a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</p> <p>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</p> <p>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</p> <p>d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.</p>
<p>Complies.</p>	<p>NA</p>

E4.7.2 Management of Road Accesses and Junctions

<p>Objective</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<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>

NA	NA
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> 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 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 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.
Complies.	NA

E4.7.3 Management of Rail Level Crossings

<p>Objective</p> <p>To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.</p>

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

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

Objective	
To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	Performance Criteria
<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	NA

E6 Car Parking & Sustainable Transport Code**E6.6 Use Standards****E6.6.1 Car Parking Numbers**

<i>Objective: To ensure that an appropriate level of car parking is provided to service use.</i>	
Acceptable Solutions	Comment
<p>A1 <i>The number of car parking spaces must not be less than the requirements of:</i></p> <p>a) <i>Table E6.1.</i></p>	Based on a site area of 6,600m ² for the chipping operation, 17 carparking spaces are required. There will be four staff, so the five proposed parking spaces are considered satisfactory.

E6.6.2 Bicycle Parking Numbers

<i>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.</i>	
Acceptable Solutions	Comment

<p>A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1.</p>	<p>1 space proposed, as required by Table E6.1.</p>
---	---

E6.6.3 Taxi Drop-off and Pickup

One space proposed.

E6.6.4 Motorbike Parking Provisions

Not applicable

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

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

Acceptable Solutions	Comment.
<p>A1 All car parking, access strips manoeuvring and circulation spaces must be:</p> <ul style="list-style-type: none"> a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces. 	<p>Does not comply with the acceptable solutions. Satisfies the performance criteria that all car parking, access strips, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.</p>

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	Comment
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and</p> <p>A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</p>	<p>A1.1 – Complies.</p> <p>A1.2 – NA.</p>
<p>A2.1 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) have a gradient of 10% or 	<p>A2.1</p> <ul style="list-style-type: none"> A) Complies. B) Complies.

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

E6.7.3 Car Parking Access, Safety and Security

Not applicable

E6.7.4 Parking for Persons with a Disability

One disabled space provided.

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

Applies to retail, commercial, industrial, service industry, warehouse or storage uses. Not applicable to this application for recycling and waste disposal.

E6.8 Provisions for Sustainable Transport

E6.8.2 Bicycle Parking Access, Safety and Security

Complies. Once space to be provided.

E6.8.5 Pedestrian Walkways

Not applicable

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Recycling and waste disposal	1 space per 500m ² of the site + 1 space per employee	1 space per 5 employees

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

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 Subdivision	N/A

STATE POLICIES
The proposal is consistent with all State Policies.

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
<p><i>Strategic Plan 2007-2017</i></p> <ul style="list-style-type: none"> • <i>4.3 Development Control.</i>

PLAN 5

**PLANNING SCHEME AMENDMENT 05/15, P15-176, 14
CHURCH LANE, NILE**

ATTACHMENTS:

- A Letter from the Tasmanian Planning Commission**
- B Assessment against section 32 of the Land Use Planning & Approvals Act**

ATTACHMENT 'A'

TASMANIAN PLANNING COMMISSION

18 September 2015

Our ref: DOC/15/76632
 Officer: Nell Nettlefold
 Phone: 03 6165 6835
 Email: enquiry@planning.tas.gov.au

Mr Des Jennings
 General Manager
 Northern Midlands Council
 PO Box 156
 LONGFORD TAS 7301

Dear Mr Jennings

**Direction to initiate an amendment to the Northern Midlands Interim Planning Scheme 2013
 Rezone land at 14 Church Lane, Nile**

I am pleased to advise that on 14 September 2015 the Minister for Planning and Local Government, Mr Peter Gutwein MP, approved the Commission directing the Northern Midlands Council to initiate an amendment to the planning scheme under section 34(2) of the *Land Use Planning and Approvals Act 1993* (the Act).

I confirm that the draft amendment to be initiated comprises the rezoning of land at 14 Church Lane, Nile (CT 126682/1) from Community Purpose to Low Density Residential.

Under section 34(2) of the Act, Council has 10 weeks to initiate the amendment to the planning scheme as directed.

The decision to recommend to the Minister that he give his approval for the Commission to direct the Council to initiate the amendment is procedural in nature and has been made on a without prejudice basis.

The merit of the draft amendment will be determined by the Commission in due course after its public exhibition, consideration of any representations received and Council's response to those representations as well as any other relevant evidence or information provided during the assessment process.

If you have any queries please contact Nell Nettlefold on 6165 6835.

Yours sincerely



Marietta Wong
 Acting Director Assessment

NORTHERN MIDLANDS COUNCIL					
Location					
File No.					
Property					
Attachments					
REC'D 21 SEP 2015					
GW		A	MYB		
PA/M			CBS		
CS/M			PLAN		✓
EA/M			REP		
WA			FILE		

Attachment B

Assessment against section 32 of the Land Use Planning & Approvals Act 1993

32. Requirements for preparation of amendments

(1) A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of [section 20\(2A\)](#)–

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; and

must not conflict with the requirements of [section 300](#); and

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

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

Comment: The amendment will make a single dwelling a Permitted use and development on the land. This is seen as avoiding land use conflict with the adjoining community purposes uses, and the adjoining residence.

Must not conflict with the requirements of [section 300](#).

Comment: Section 300 requires the amendment to be consistent with the Regional Land Use Strategy, and not to be inconsistent with mandatory provisions.

The RLUS give a lot size for Low Density between 1,600sqm and 10,000sqm. The site has an area of 9,200sqm. The RLUS states that suitable locations for Low Density are outer/fringe areas with existing low-density residential characteristics and within close proximity to a minimum settlement size of 500, serviced by a rural town centre offering basic facilities and services. Although zoned Village, the Nile township has the characteristic of a low-density residential area, and is some 11km from Evandale. The amendment is consistent with the RLUS. The amendment is not inconsistent with mandatory provisions.

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

Comment: The amendment is to zone the land Low Density Residential. The use table is:

Permitted	
Use Class	Qualification
Residential	If an ancillary dwelling, caretakers dwelling, home-based business, single dwelling
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Business and professional services	If a medical centre
Emergency services	
General retail and hire	If for a local shop
Community meeting & entertainment	If not a cinema or function centre
Sports and recreation	Including horse training or veterinary establishments on land in South Longford described on CT 110574/1-2; 111673/1-2; southern part of 112949/3; 113908/1-2; 122095/3; 124312/1; 135118/1-3; 140326/1; 157278/1-2; 19327/2-3; 244840/1; 244841/1; 26599/1; 63989/1.
Visitor accommodation	
Utilities	If not for minor utilities
Prohibited	
All other uses	

The uses and development permissible under that zone are considered to be acceptable on the use and development of the region as an entity in environmental, economic and social terms.

PLAN 6

**PLANNING SCHEME AMENDMENT 06/2015 - P15-196, 9
BOND STREET, ROSS**

ATTACHMENTS:

- A Application & plans**
- B Responses from referral agencies**
- C Assessment against Section 32 of LUPA**
- D Planning scheme assessment**

PLANNING APPLICATION

Proposal



NORTHERN
MIDLANDS
COUNCIL

Description of proposal:	Rezone part of 9 Bond Street from Community Purposes to General Residential; 2-lot subdivision of 9 Bond Street.
Site address:	9 Bond Street, Ross
CT:	1/242224
Estimated cost of project (include cost of landscaping, car parks etc for commercial / industrial uses)	
Are there any existing buildings on this property?	Yes
If yes -- use of main building:	Ross Fire Station, Men's Shed
If variation to Planning Scheme provisions requested, justification to be provided:	N/A
Is any signage required? (if yes, provide details)	No

PRIVACY STATEMENT

The Northern Midlands Council abides by the *Personal Information Protection Act 2004* and views the protection of your privacy as an integral part of its commitment towards complete accountability and integrity in all its activities and programs.

Collection of Personal Information: The personal information being collected from you for the purposes of the *Personal Information Protection Act, 2004* and will be used solely by Council in accordance with its Privacy Policy. Council is collecting this information from you in order to process your application.

Disclosure of Personal Information: Council will take all necessary measures to prevent unauthorised access to or disclosure of your personal information. External organisations to whom this personal information will be disclosed as required under the *Building Act 2000*. This information will not be disclosed to any other external agencies unless required or authorised by law.

Correction of Personal Information: If you wish to alter any personal information you have supplied to Council please telephone the Northern Midlands Council on (03) 6397 7303. Please contact the Council's Privacy Officer on (03) 6397 7303 if you have any other enquires concerning Council's privacy procedures.



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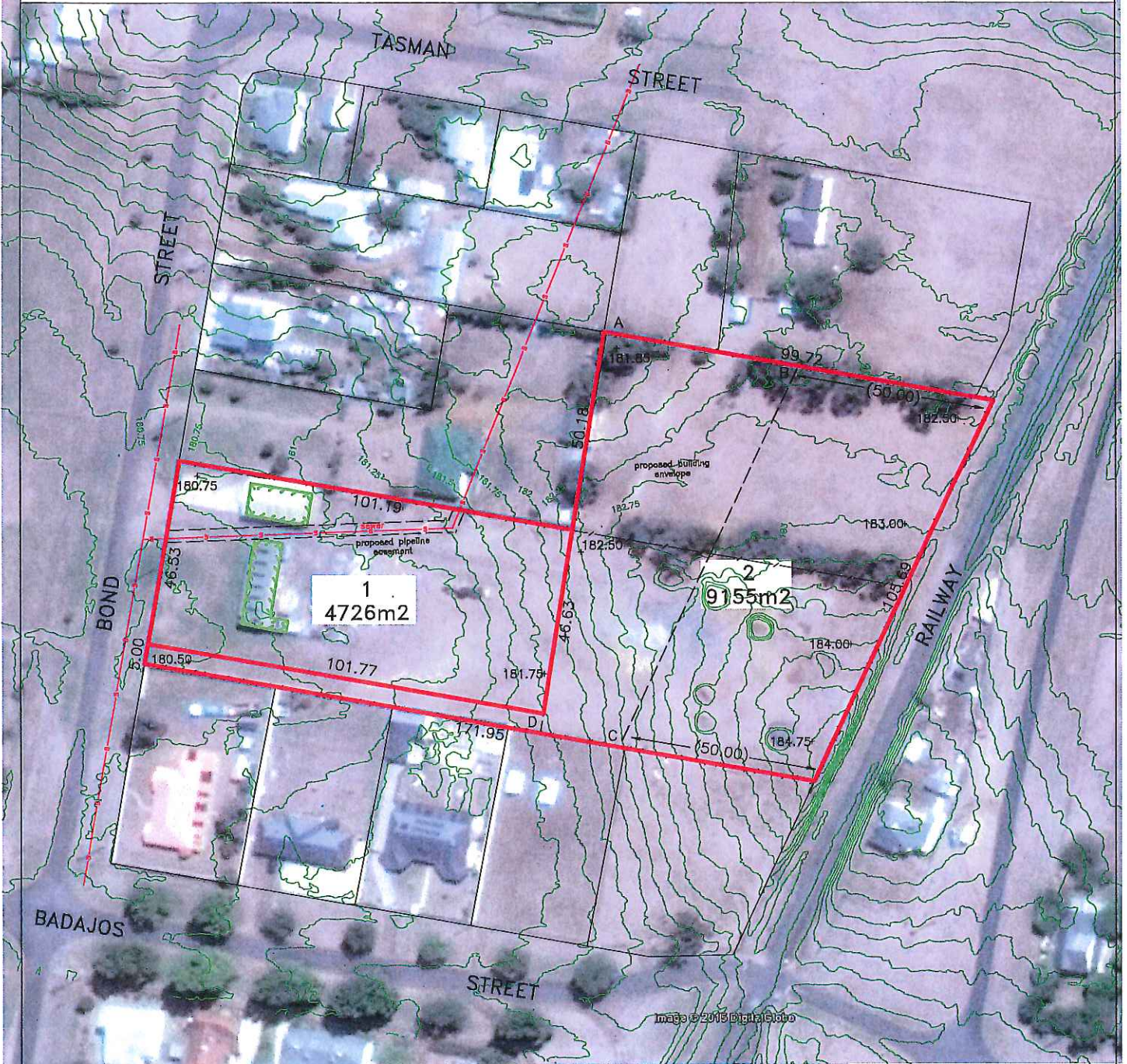
**PLAN OF
 SUBDIVISION
 SHEET 1 OF 1**

REF: **57-49
 (7039)**

Municipality: **NORTHERN MIDLANDS**
 Site Address: **9 BOND ST, ROSS TAS**
 Tasmap Sheet:
 Grid Reference: **E: 541192 N: 5347182 (MGA)**

Owners: **NORTHERN MIDLANDS COUNCIL**
 Title Refs: **242224/1**
 Dates: **Version A: 06/07/15**
 Scale: **1 : 1000 @ A3**

DISCLAIMER: This is a preliminary plan prepared without field survey and forms part of an application to subdivide the land described and is not to be used for any other purpose. Contours and levels may be transcribed from other sources and their accuracy has not been verified. These should not be used. The dimensions, area, location of improvements and number of lots are approximate and may vary as a result of decisions by the Municipality, Land Use Planning Review Panel, engineering or other advice. Easements may not be shown as these are to be determined at the time of survey. The plan is not to be copied unless this note is included.



IMPORTANT NOTE

THIS PLAN WAS PREPARED FOR NORTHERN MIDLANDS COUNCIL AS AN INDICATIVE SUBDIVISION DESIGN TO ACCOMPANY A DEVELOPMENT APPLICATION.

INFORMATION SHOWN ON THIS PLAN IS NOT SUITABLE FOR ANY OTHER PURPOSE. IN PARTICULAR NO RELIANCE SHOULD BE PLACED ON THE INFORMATION ON THIS PLAN FOR ANY FINANCIAL DEALINGS.

THE AERIAL PHOTOGRAPHY HAS BEEN SHOWN FOR INDICATIVE PURPOSES ONLY AND SHOULD NOT BE RELIED UPON FOR AN ACCURATE COMPARISON TO THE TITLE BOUNDARIES.

THIS NOTE IS AN INTEGRAL PART OF THIS PLAN.

SCALE 1cm = 10m



Section 33 Application

~~14 TO 18 BRIDGE STREET AND 9 BOND STREET, ROSS~~
NORTHERN MIDLANDS COUNCIL
SUPPORTING SUBMISSION
February 2013

Prepared by:
Planning Development Services

Contents

1. Executive Summary	3
2. The Proposal.....	4
3. Subject Land.....	4
3.1.1 Location – Property 1	4
3.1.2 Title description – Property 1	4
3.1.3 Land capability – Property 1.....	6
3.1.4 General environmental quality and hazard risk – Property 1.....	6
3.1.5 Special or significant features of the subject land – Property 1.....	6
3.1.6 Existing use of the subject and surrounding land – Property 1	6
3.1.7 Infrastructure – Property 1	7
3.2.1 Location – Property 2	7
3.2.2 Title description – Property 2	8
3.2.3 Land capability – Property 2.....	9
3.2.4 General environmental quality and hazard risk – Property 2	10
3.2.5 Special or significant features of the subject land – Property 2.....	10
3.2.6 Existing use of the subject and surrounding land – Property 2	10
3.2.7 Infrastructure – Property 2	10
4. The Amendment	10
4.1 Section 32 of LUPAA	10
4.2 Objectives of Schedule 1, Part 1 of LUPAA.....	11
4.3 Objectives of Schedule 1, Part 2 of LUPAA	12
4.4 State Policies	13
4.5 Use, development, protection or conservation of any land.....	13
4.6 Requirements under the Gas Pipelines Act 2000.....	14
4.7 Risk of land use conflict.....	14
5. Conclusion.....	14

1. Executive Summary

This report is prepared in support of an application for two scheme amendments to the Northern Midlands Planning Scheme 1995 ('the scheme') pursuant to Section 33 of the *Land Use Planning and Approvals Act 1993* (LUPAA). This supporting report has been prepared on behalf of Northern Midlands Council by Planning Development Services.

The purpose of the application is to amend the Northern Midlands Planning Scheme 1995 as follows:

- To change the zoning of the eastern portion of FR 242224/1, known as 9 Bond Street, Ross, to Residential Serviced; and
- ~~To change the zoning of the eastern portion of FR 133354/1, known as 14 to 18 Bridge Street, Ross to Residential Serviced.~~

The amendment of the scheme will allow both FR 242224/1 and ~~FR 133354/1~~ to be subdivided.

The application for the Scheme amendments is proposed in accordance with Section 32 of the *Land Use Planning and Approvals Act 1993*. The applications for subdivision and development are to be made in accordance with Section 57 of the Act at a later point in time.

The key points of this submission are:

- The proposal furthers the objectives of Schedule 1 of the Act;
- The proposal complies with State Policies;
- The proposal is in accordance with Council's objectives for the development of the Ross township as it represents logical infill development, to be undertaken in accordance with the relevant Planning Scheme provisions;
- The proposal furthers the objectives of the Regional Land Use Strategy; and
- The existing infrastructure network is able to cater for the proposed development.

This submission demonstrates that the proposal is consistent with Council's strategic objectives for this area as articulated in the Northern Midlands Planning Scheme 1995 and the Regional Land Use Strategy of Northern Tasmania 2011.

This submission will be presented in two parts. The first part of the submission will provide details of the sites. The second part will address the requirements of Section 32 of the *Land Use Planning and Approvals Act 1993* (LUPAA) with reference to the proposed change of zonings.

2. The Proposal

The purpose of this application is to amend the Northern Midlands Planning Scheme 1995 ("the Scheme") as follows:

- To change the zoning of a portion of 242224/1 from Community Purpose to Residential Serviced; and
- ~~To change the zoning of a portion of 1933354/1 from Community Purpose to Residential Serviced.~~

The proposed amendments seek to change the zoning of:

- Approximately 9150 square metres (Lot 2) at 9 Bond Street from Community Purpose to Residential Services, this parcel will be vacant;
- ~~Approximately 5327 square metres (Lot 1) at 14 to 18 Bridge Street from Community Purpose to Residential Serviced, this parcel contains a number of school buildings, outbuildings and historic trees.~~

These applications are made by Northern Midlands Council.

3. Subject Land

3.1.1 Location – Property 1

The first parcel of land subject to rezoning is located at 9 Bond Street, Ross. Figure 1, below, illustrates the location of the subject land.

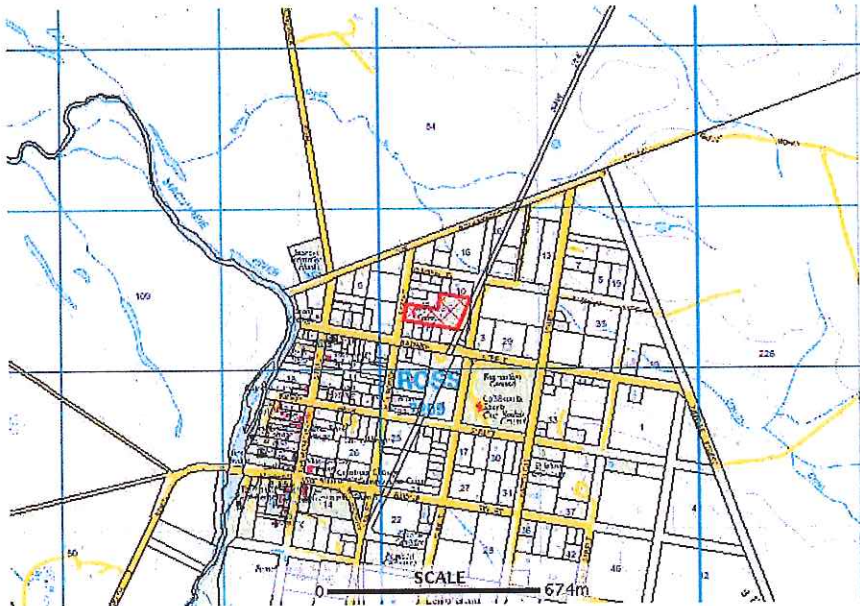


Figure 1 – Location of subject land. (Image courtesy of www.thelist.tas.gov.au)

3.1.2 Title description – Property 1

The subject property is described in the following title, 242224/1. The registered owner of the title is the Northern Midlands Council. The site is irregular in shape and consists of an area of 1.388 hectares. The western end of the site, fronting Bond Street contains two sheds and a cyclone wire yard. Previously used as a depot yard for Council for the storage of road construction materials, the

two sheds occupying the western portion are used as the Ross Fire Station and the second as a community Men's Shed. The eastern portion of the site remains vacant and is predominantly cleared of vegetation.

The railway forms the title boundary to the east, with residential properties bordering all other sides. The site is predominantly flat, with a gentle slope from east to west.

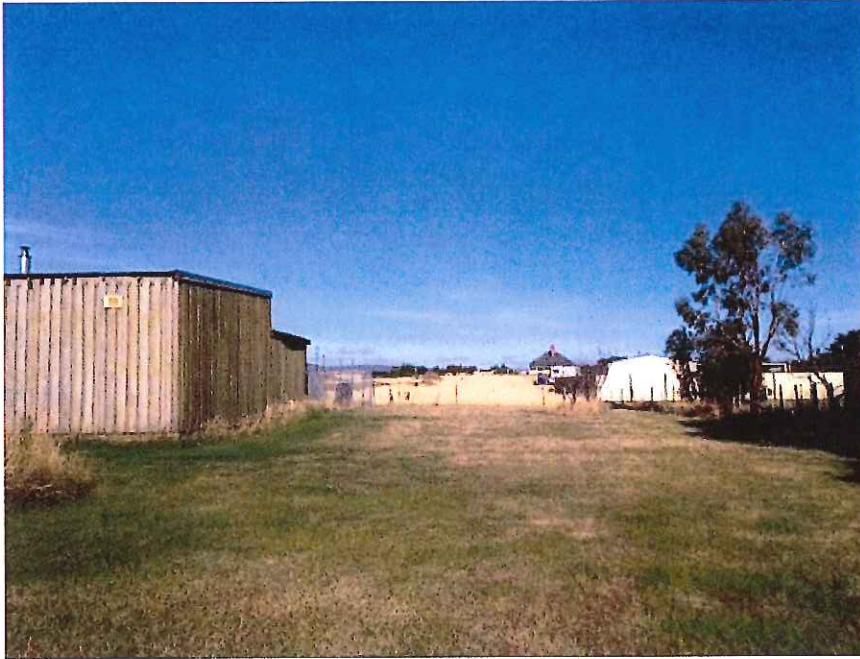


Figure 2 – 9 Bond Street, access to Lot 2

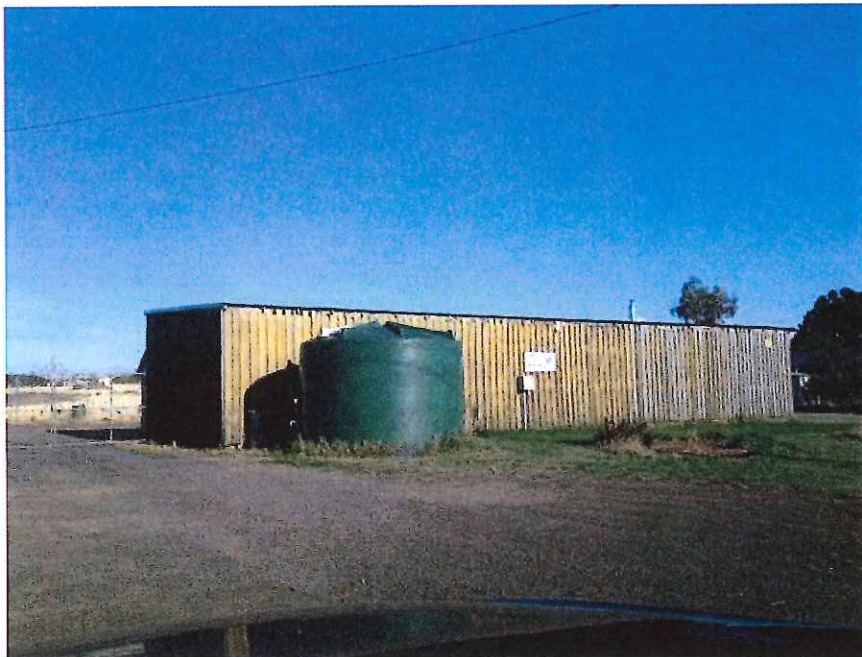


Figure 3 – 9 Bond Street, Men's Shed



Figure 4 – 9 Bond Street, Ross Fire Station and Men's Shed

3.1.3 Land capability – Property 1

The land is mapped as class 5 according to the state wide land capability mapping.

3.1.4 General environmental quality and hazard risk – Property 1

The site potentially contains contamination simply from the position that it was previously used as a Council depot. Council's position in relation to this matter is that prior to certification of the amendment, an Environmental Site Assessment is to be provided, and site sign off received from the Environmental Protection Authority, to allow the site to be used for more sensitive uses.

There is no significant vegetation on the development site that will require clearing as part of the development of the site.

3.1.5 Special or significant features of the subject land – Property 1

There are no species of rare, vulnerable or endangered flora species located on the subject land.

3.1.6 Existing use of the subject and surrounding land – Property 1

The subject site is surrounded by residential uses.

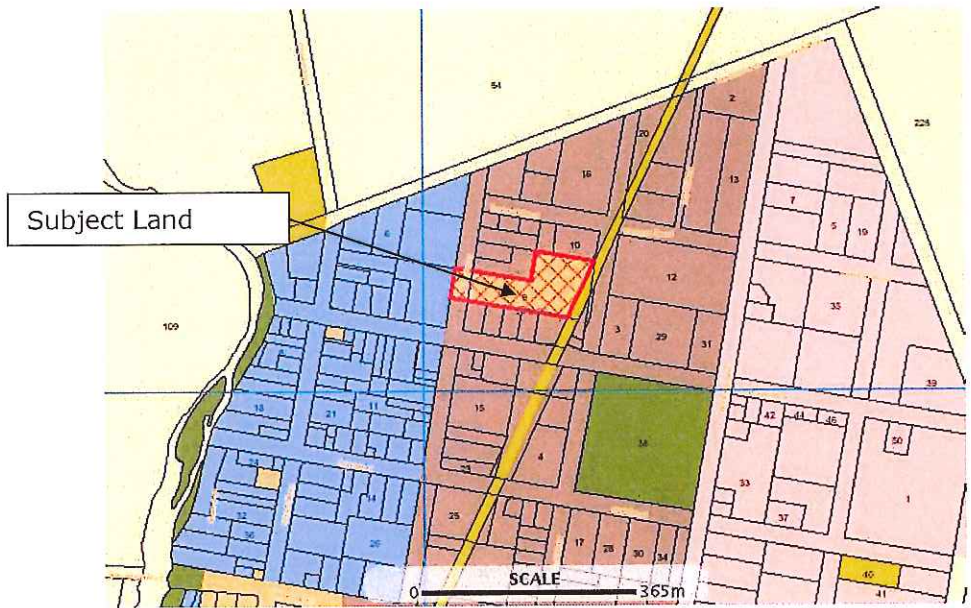


Figure 5 – Zoning of subject land. (Image courtesy of www.thelist.tas.gov.au)

3.1.7 Infrastructure – Property 1

The development site is located adjacent to a fully serviced residential area. A sewer main currently crosses the western end of the site and terminates in Tasman Street. The servicing can easily be extended to serve the subject site. Reticulated water and storm water are available in Bond Street. Bond Street is a sealed road, but does not possess kerb and channel or formed access crossings.

3.2.1 Location – Property 2

The first parcel of land subject to rezoning is located at 14 to 18 Bridge Street, Ross. Figure 6, below, illustrates the location of the subject land.

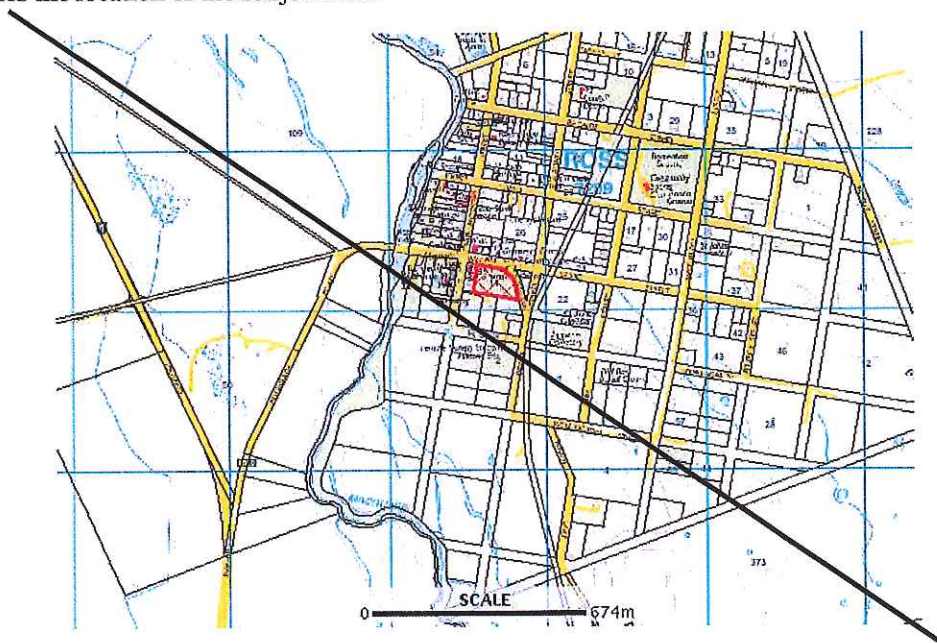


Figure 6 – Location of subject land. (Image courtesy of www.thelist.tas.gov.au)

3.2.2 Title description – Property 2

The subject property is described in the following title, 133354/11. The registered owner of the title is the Northern Midlands Council. The site is 1.117 hectares in area, and located on the corner of Bridge Street and Beaufront Street. The Former Ross Primary School buildings dominate the eastern portion of the site, with the school sports grounds, including cricket nets and cricket pitch occupying the western portion of the site. The site is currently unoccupied. The site is listed on the Tasmanian Heritage Register. The listed Ross Town Hall is located immediately to the west of the subject site.



Figure 7 – 14 to 18 Bridge Street, view from Bridge Street



Figure 8 – 14 to 18 Bridge Street, existing access



Figure 9 — 14 to 18 Bridge Street, old School building

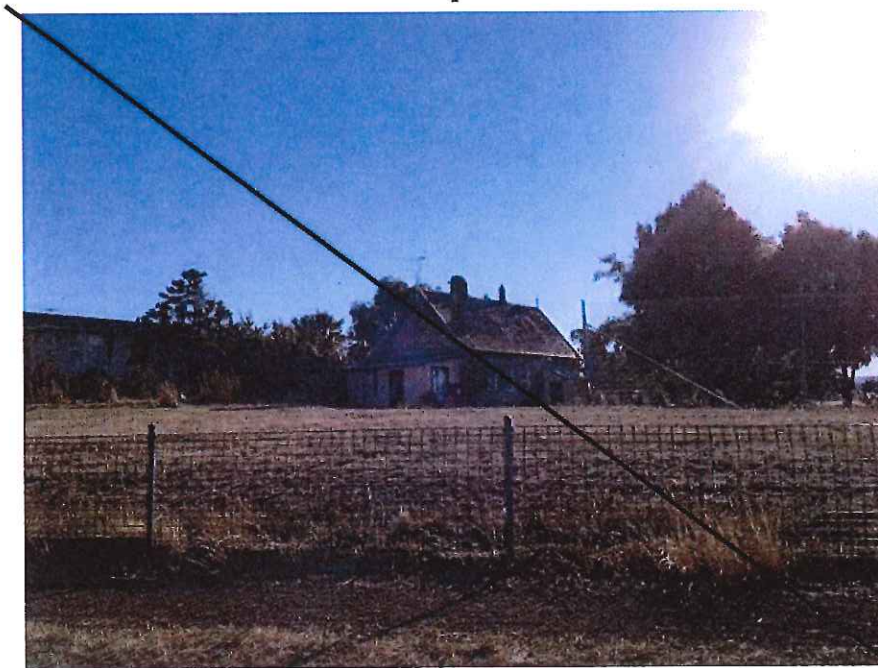


Figure 10 — 14 to 18 Bridge Street, view from Beaufront Street

3.2.3 Land capability — Property 2

The land is mapped as class 5 according to the state wide land capability mapping.

3.2.4 General environmental quality and hazard risk – Property 2

There are no identified areas of contamination on the development site.

A number of historic plantings are within the site, and consistent with the preliminary advice received by the Tasmanian Heritage Council, the plantings are to be retained within the new lot boundaries to include the school building and associated outbuildings.

3.2.5 Special or significant features of the subject land – Property 2

There are no species of rare, vulnerable or endangered flora species located on the subject land.

3.2.6 Existing use of the subject and surrounding land – Property 2

The subject site is surrounded by residential and commercial uses.

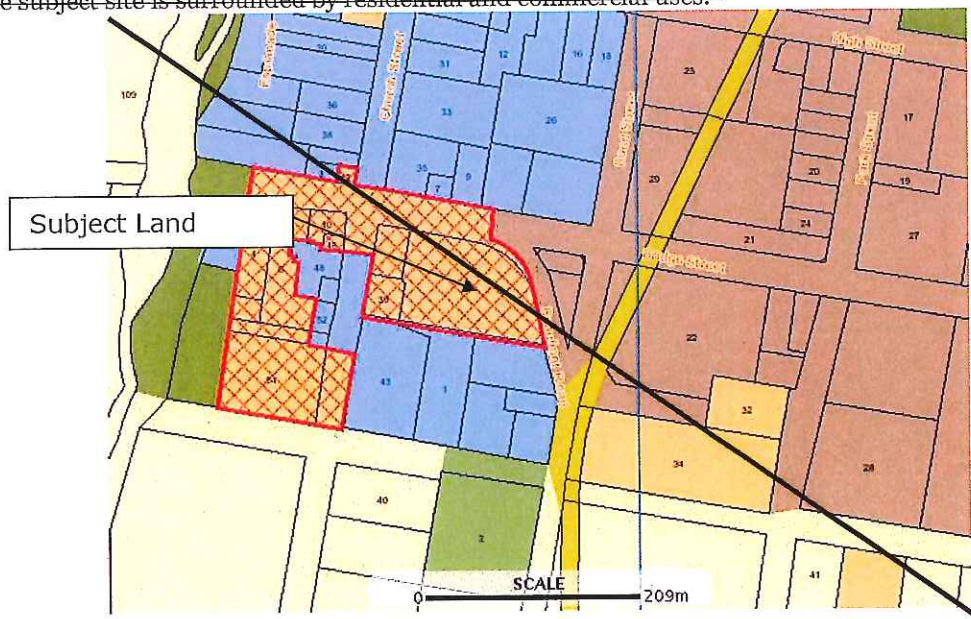


Figure 11 – Zoning of subject land. (Image courtesy of www.thelist.tas.gov.au)

3.2.7 Infrastructure – Property 2

The development site is located adjacent to a fully serviced residential area. The site is currently serviced by reticulated sewerage and water. Storm water is available currently to the neighbouring Ross Town Hall site, and can be easily extended should this be required.

4. The Amendment

4.1 Section 32 of LUPAA

This section of LUPAA requires that an application for an amendment to a Planning Scheme:

- Must seek to further the objectives of Schedule 1; and
- Must be prepared in accordance with State Policies; and
- May make any provision which relates to the use, development, protection or conservation of any land; and
- Must have regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*; and
- 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; and

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

Each of these parts of Section 32 of the Act will be addressed in the following sections.

4.2 Objectives of Schedule 1, Part 1 of LUPAA

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

The proposed amendments seek to further the objective of this part of the Act through the development of land presently vacant, surrounded by an established urban area. No rare or threatened species of flora or fauna have been identified on the subject sites. As such, the proposed amendments will not threaten genetic diversity. The proposals would therefore also not adversely impact on ecological processes.

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

The use and development of land within the Ross township is guided by the Northern Midlands Planning Scheme 1995 and the Regional Land Use Strategy of Northern Tasmania 2011. The proposals will add to the diversity of lot sizes, consistent with the objective.

The Northern Regional Land Use Strategy recognizes that the intent of the Ross community is to reduce expansion of the rural residential area by consolidating growth within existing areas (p.34). The proposals, provides infill and consolidation within the settlement. The Northern Midlands Local Government Area has experienced modest growth since 2006¹, and the additional lots are seen as an appropriate land release in this context.

~~The former Ross Primary School has ceased operation a number of years ago. The entire site is not seen to be required for Community Purposes into the future.~~

The former Depot site is no longer utilized for this purpose, due to the continued centralization of Northern Midlands Council's services and the creation of Ben Lomond Water, and hence the entire site is not seen to be required for Community Purposes into the future.

- (c) *To encourage public involvement in resource management and planning*

This process encourages public participation and comment through the notification process, following Council certification. The community and government departments and agencies will be able to formally comment on the draft amendment as part of this process.

- (d) *To facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)*

The proposed amendment seeks to further this objective of the Act by rezoning the subject lands to allow for infill residential development. Whilst it is correct to attribute economic development to the building industry the true value of land division is maintaining the supply of affordable quality housing.

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

Community involvement will be encouraged through public notification, local government involvement will be encouraged through this planning process and industry involvement will be promoted during the future development and construction phase of the site development. State

¹ Australian Bureau of Statistics, National Regional Profile: Northern Midlands, 04/11/2011.

Government involvement will be facilitated through the Tasmanian Planning Commission assessment process.

4.3 Objectives of Schedule 1, Part 2 of LUPAA

- (a) *To require sound strategic planning and coordinated action by State and local government; and*

The amendments seek to further this objective of the Act by furthering Council's objectives as expressed through the Council's Settlement Strategy. The Township of Ross, as a Rural Village within the Northern Regional Land Use Strategy shall grow within the existing settlement pattern for commercial, residential, industrial and community development.

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

The amendments seek to change the zoning of the subject sites to zones existing within the Northern Midlands Planning Scheme 1995. It is not proposed to change the text of the Scheme, as the provisions suit the proposed development. The subject land will be developed in accordance with the relevant provisions of the Scheme.

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

The amendments are not likely to have an adverse impact on the surrounding environment. No rare, vulnerable or threatened species of flora or fauna have been identified on the subject properties. Similarly, no areas of land exist on the site that requires conservation. The social and economic effects of development of the site will be addressed as part of the development component of this application.

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

The proposed amendment seeks to further this objective through alignment with Council's objectives for the development of the subject area of Ross and furthers the objective of the Northern Regional Land Use Strategy through providing for infill development.

In terms of State Policies, the proposed amendments are seen to be in compliance with all three Policies.

- (e) *To provide for the consolidation of approvals for land use or development and related matters, and to coordinate planning approvals with related approvals; and*

The amendments seek to further this objective by allowing simultaneous consideration of both the amendments and the proposed developments. The proposed amendments also allow for consideration of land use planning at a regional level, in terms of available residential land.

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

The amendments sought seek to further this objective by allowing for residential use in an area of high amenity. The subject site is close to shops, and other services.

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

The subject lands have no known scientific, historical or special cultural value.

- (h) *To protect public infrastructure and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community; and*

The amendments will further this objective by allowing for infill development. Both sites are able to be connected to reticulated sewerage, water and storm water. The railway line runs along the rear of 9 Bond Street. There is a sufficient buffer available between the railway boundary and any future dwelling building envelope of between 20-50 metres. This amendment would be referred to TasRail by Council following certification.

- (i) *To provide a planning framework that fully considers land capability.*

The amendments are consistent with this objective.

4.4 State Policies

State Policy on Water Quality Management 1997

The proposed development will involve drainage of stormwater into Council's existing storm water network. Stormwater will be filtered through Council's existing filtration system.

As such, any adverse impact upon water quality would not occur as a result of these amendments.

State Policy on the Protection of Agricultural Land 2009

As noted, the sites have no agricultural capacity. As such, the proposal is consistent with this policy.

State Coastal Policy 1996

The subject land is not within the coastal zone as defined by the State Coastal Policy.

National Environment Protection Measures

In accordance with Section 12A of the *State Policies and Projects Act 1993*, a national environment protection measure is taken to be a State Policy. The following therefore require consideration:

- Ambient air quality
- Diesel vehicle emissions
- Assessment of site contamination
- Used packaging materials
- Movement of controlled waste between States and Territories
- National pollutant inventory

14-18 Bridge Street site has no land use history that indicates contamination. It is considered that the NEPMs will have no impact on the proposed amendment.

It is noted that 9 Bond Street site is potentially contaminated. This is due to the previous use as a Council depot. Site sign-off would involve the undertaking of an Environmental Site Assessment. The Assessment may advise that remediation would be required. Once any works have been undertaken the Planning Authority may choose to refer the site to the Director of the Environment Protection Authority or make an independent decision on whether the site is suitable for the proposed use, bearing in mind that the change relates to allowing for a sensitive uses.

4.5 Use, development, protection or conservation of any land

There are no areas of significance on the development site at 9 Bond Street that require protection or conservation. As such, the requirement of Section 32(1)(c) of LUPAA is satisfied by the proposed amendment.

~~The Tasmanian Heritage Council has provided initial advice to Council in terms of the boundaries for Lot 1 at 14-18 Bridge Street. If certified, the amendment would be required to be referred to the Tasmanian Heritage Council for assessment.~~

4.6 Requirements under the Gas Pipelines Act 2000

This section of LUPAA requires that regard be had with respect of the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*. The gas pipeline is not located near to the subject properties. As such, the requirements of the *Gas Pipelines Act 2000* are not relevant to the proposed amendments.

4.7 Risk of land use conflict

As noted throughout this submission, the proposed amendments will not cause conflict with adjoining uses. The proposed rezonings will result in a reduction in the potential of land use conflict, by bringing the sites in line with surrounding land use zonings.

5. Conclusion

The applications satisfy the requirements of Section 32 of LUPAA. This submission demonstrates that the proposals are consistent with Council's Settlement Strategy and the Northern Regional Land Use Strategy 2011.

The amendments will allow for logical infill development in areas of high residential amenity, with low risk of creating land use conflict. The subsequent development of the land will result in the delivery of additional residential lots, and will not result in an oversupply of residential land.

Furthermore, the development proposals satisfy the specified development standards for the Residential Services Zone of the Northern Midlands Planning Scheme 1995.

The proposed amendment satisfies the requirements of Section 32 of LUPAA by:

- Seeking to further the objectives set out in Schedule 1 of the Act; and
- Being prepared in accordance with State Policies; and
- By making provision for the use, development, protection or conservation of land; and
- By having regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*; and
- By avoiding the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent areas; and
- By having regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

This application therefore seeks:

- To change the zoning of a portion of 242224/1 from Community Purpose to Residential Serviced; and
- ~~To change the zoning of a portion of 1333354/1 from Community Purpose to Residential Serviced.~~



PLANNING
DEVELOPMENT
SERVICES

<i>Author</i>	<i>Reviewer</i>	<i>Date</i>
Rebecca Green	Claire Gregg	19.02.2013

Submission to Planning Authority Notice

Council Planning Permit No.	P15-196	Council notice date	25/09/2015
TasWater details			
TasWater Reference No.	TWDA 2015/01549-NMC	Date of response	28/09/2015
TasWater Contact	David Boyle	Phone No.	6345 6323
Response issued to			
Council name	NORTHERN MIDLANDS COUNCIL		
Contact details	planning@northmidlands.tas.gov.au		
Development details			
Address	9 BOND ST, ROSS	Property ID (PID)	6830021
Description of development	Rezone to General Residential - 2 lot subdivision		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Cohen & Associates Pty Ltd	Plan of Subdivision 57-49(7039)		6/07/2015
	Concept Servicing Plan		25/09/2015
Conditions			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS & METERING</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections / sewerage system and connections to each dwelling unit / lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to use of the development, a water meter must be installed to the satisfaction of TasWater. <p>FINAL PLANS, EASEMENTS & ENDORSEMENTS</p> <ol style="list-style-type: none"> 4. Prior to the Sealing of the Final Plan of Survey, the developer must obtain a Consent to Register a Legal Document from TasWater and the certificate must be submitted to the Council as evidence of compliance with these conditions when application for sealing is made; 5. Pipeline easements must be created over existing/proposed sewerage pipelines on TasWater's standard pipeline easement conditions. Pipeline easement width, location of easements relative to pipes, and terms and conditions must be to TasWater's satisfaction. <p>DEVELOPMENT ASSESSMENT FEES</p> <ol style="list-style-type: none"> 6. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater for this proposal of: 			



- a. \$240.00 for development assessment; and
- b. \$130.00 for Consent to Register a Legal Document as approved by the Economic Regulator and the fees will be indexed as approved by the Economic Regulator from the date of:
 - a. The Submission to Planning Authority Notice for the development assessment fee; and
 - b. The Consent to Register a Legal Document for the Legal Document until the date they are paid to TasWater; and payment is required within 30 days from the date of the invoice.

Advice

For information on TasWater development standards, please visit <http://www.taswater.com.au/Development/Development-Standards>

For information regarding headworks, further assessment fees and other miscellaneous fees, please visit <http://www.taswater.com.au/Development/Fees---Charges>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

The developer is responsible for arranging to locate existing TasWater infrastructure and clearly showing it on any drawings. Existing TasWater infrastructure may be located by TasWater (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor may be engaged at the developers cost to locate the infrastructure.

Advice to Planning Authority (Council) and developer on fire coverage

TasWater cannot provide a supply of water for the purposes of firefighting to the lots on the plan.

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

Authorised by

Jason Taylor

Development Assessment Manager

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

**REFERRAL OF DEVELOPMENT APPLICATION P15-196
TO WORKS & INFRASTRUCTURE DEPARTMENT**

Property/Subdivision No: 27/003/739 400400.05

Date: 25-Sep-2015

Applicant: Northern Midlands Council

Proposal: Amendment 06/2015: Rezone from Community Purposes to General Residential; in conjunction with 2-lot subdivision

Location: 9 Bond Street, Ross

Planning admin: Engineering fees paid.

Please inspect the property and advise regarding stormwater/drainage, access, traffic, and any other engineering concerns.

Is there is a house on one of the lots?	<i>Building</i>
Is it connected to all Council services?	<i>Yes</i>
Are any changes / works required to the house lot?	<i>No</i>
Are the discharge points for stormwater, infrastructure that is maintained by Council? (This requires a check to ensure the downstream infrastructure is entirely owned, maintained, operated by Council and have been taken over as Council assets.)	<i>Yes</i>

Stormwater:

Is the property connected to Council's stormwater services?	<i>Unknown</i>
If so, where is the current connection/s?	<i>N/A</i>
Can all lots access stormwater services?	<i>Yes</i>
If so, are any works required?	<i>No</i>

Stormwater works required:

<i>Works to be in accordance with Standard Drawing TSD-R09 – a 100mm stormwater connection.</i>	
Is there kerb and gutter at the front of the property?	<i>No</i>
Are any kerb-and-gutter works required?	<i>No</i>

Road Access:

Does the property have access to a made road?	<i>Yes</i>
If so, is the existing access suitable?	<i>No</i>
Does the new lot/s have access to a made road?	<i>Yes</i>
If so, are any works required?	<i>Yes, see below</i>
Is off-street parking available/provided?	<i>Yes</i> <i>No</i>

Road / access works required:

<i>Works to be in accordance with Standard Drawing TSD R0-3 - hotmix sealed apron from the edge of Bond Street to the property boundary of Lot/s 1 & 2</i>	
Is an application for vehicular crossing form required?	<i>Yes</i>
Is a footpath required?	<i>No</i>
Extra information required regarding driveway approach and departure angles	<i>No</i>
Are any road works required:	<i>No</i>
Are street trees required?	<i>No</i>
Additional Comments:	An Engineer's design is not required.

Engineer's comment:

Council services for this subdivision can be addressed by standard conditions.

WORKS & INFRASTRUCTURE DEPARTMENT CONDITIONS

STANDARD CONDITIONS FOR SMALL SUBDIVISIONS

W1 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.

W2 Access (Rural)

- a) A driveway crossover must be constructed from the edge of Bond Street to the property boundary of Lots 1 & 2 in accordance with Council standards.
- b) A driveway crossover application form must be completed prior to the commencement of works.

W4 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.

W5 Works in Council road reserve

- a) Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works & Infrastructure Manager.
- b) **Twenty-four (24) hours notice must be given to the Works & Infrastructure Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.**

W6 Separation of stormwater services

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

W7 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 Planning & Development Manager.

W8 Pollutants

- a) The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- b) Prior to the commencement of the development works 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 naturestrip, 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.

W9 Naturestrips

Any new naturestrips, or areas of naturestrip 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.

Jonathon Galbraith (Works & Infrastructure Officer)

Date: 29/9/15



Level 7, 134 Macquarie Street, Hobart TAS
GPO Box 1550, Hobart, TAS 7001 Australia

Enquiries: Contaminated Sites Unit
Ph: +61 3 61654594 Fax +61 3 6233 3800
Email: contaminatedsites@environment.tas.gov.au
Web: www.epa.tas.gov.au
Our Ref: (EN-EM-EV-BY-240810: A250783)tm

4 February 2014

Mr Duncan Payton
Planning and Development Manager
Northern Midlands Council
PO Box 156
LONGFORD TAS 7301

Dear Mr Payton

**SITE CONTAMINATION SIGN-OFF
9 BOND STREET, ROSS – LOT 2**

I refer to correspondence with respect to site contamination sign-off for the above site to allow rezoning of Lot 2 to General Residential. The site is designated as Lot 2 in the figure attached to your correspondence of 14 November 2013.

The following report was reviewed:

Phase 1 Site Investigation, Lot 2, 9 Bond Street Ross. Prepared for Northern Midlands Council by Pitt & Sherry. Date: December 2013 (revision of September 2013 report).

The report outlines site contamination environmental investigations undertaken at the site to determine its suitability for residential use. Based on the information supplied I am satisfied that appropriate works and investigations have been undertaken by a suitably qualified consultant, in accordance with the standards currently applied by the EPA, and that it is reasonable to rely on the consultant's (*Pitt & Sherry*) recommendations (page 14) that:

- *This report is used to support a rezoning application for Lot 2, 9 Bond Street Ross.*
- *No further environmental assessment is deemed necessary to rezone Lot 2, 9 Bond Street, Ross to residential under the Northern Midlands Council Planning Scheme.*


The EPA applies the following limitations: that it has not carried out independent, parallel investigations to verify the information presented in the documentation submitted, nor has the EPA independently verified the sampling, testing or analytical protocols and procedures followed by the site assessor. Sign-off is based upon the state of the site as reported to the EPA in the reports. The EPA accepts no responsibility for the consequences of any inaccuracy in these reports, nor does it accept responsibility for any contamination arising from future activities on the site or in the vicinity of the site. This sign-off relates exclusively to 'the site' defined in the attached plan and in the site report referred to above.

Please note that the EPA currently charges \$120.45 (including GST) per hour of officer time spent in conducting sign-off assessments. Five hours of officer time have been spent in reviewing the documents listed above and preparing correspondence. An invoice for this time is enclosed.

1-461

If you have any queries in relation to the matters above, please contact the Contaminated Sites Unit using the details provided at the head of this correspondence.

Yours sincerely

A handwritten signature in black ink, appearing to be 'J. Mollison', with a long horizontal flourish extending to the right.

John Mollison
DELEGATE FOR THE DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Encl. Invoice

Attachment C

Assessment against section 32 of the Land Use Planning & Approvals Act 1993

32. Requirements for preparation of amendments

(1) A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of [section 20\(2A\)](#)–

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; and

must not conflict with the requirements of [section 300](#); and

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

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

Comment: The draft amendment's supporting report notes that the proposed amendment will not cause conflict with adjoining land uses. The proposed rezoning will result in a reduction in the potential of land use conflict, by bringing the site in line with surrounding land uses. That is, the current use is a works storage area. Surrounding uses are residential. The draft amendment is to rezone the works storage area to residential. Potential conflict with the adjoining railway will be addressed by the Road and Rail Assets Code which requires a Discretionary permit for development within 50m of the railway. The lot proposes to have an area of some 50m x 50m outside the 50m railway setback.

Must not conflict with the requirements of [section 300](#).

Comment: Section 300 requires the amendment to be consistent with the Regional Land Use Strategy, and not to be inconsistent with mandatory provisions. The draft amendment's supporting report finds that the proposed amendment is consistent with the RLUS. The proposed amendment is not inconsistent with mandatory provisions.

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

Comment: The amendment seeks to zone the land General Residential, consistent with the adjoining zones. The uses and development permissible under that zone are considered to be acceptable on the use and development of the region as an entity in environmental, economic and social terms.

Attachment D

Assessment against the Northern Midlands Interim Planning Scheme 2013

Discretionary Aspects of the Application

- Subdivision

Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE
ZONE PURPOSE
<p><i>To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</i></p> <p><i>To provide for compatible non-residential uses that primarily serve the local community.</i></p> <p><i>Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off site impacts.</i></p> <p><i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i></p>
<p>Assessment: The proposal complies with the zone purpose.</p>

LOCAL AREA OBJECTIVES
<p><i>To consolidate growth within the existing urban land use framework of the towns and villages.</i></p> <p><i>To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.</i></p> <p><i>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</i></p>
<p>Assessment: The proposal complies with the local area objectives.</p>

10.4.15 Subdivision

10.4.15.1 Lot Area, Building Envelopes and Frontage

<p>Objective</p> <p>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, private open space, vehicle access and parking, easements and site features.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Lots must:</p> <ul style="list-style-type: none"> a) have a minimum area of at least 450m² which: <ul style="list-style-type: none"> i) is capable of containing a rectangle measuring 10m by 15m; and ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or b) 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 c) for the provision of utilities; or d) for the consolidation of a lot with another lot with no additional titles created; or e) to align existing titles with zone boundaries and no additional lots are created. 	<p>P1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:</p> <ul style="list-style-type: none"> a) a dwelling to be erected in a convenient and hazard-free location; and b) on-site parking and manoeuvrability; and c) adequate private open space.
Complies.	NA
A2 Each lot must have a frontage of at	P2 Each lot must have appropriate, permanent access by a Right of

least 3.6m.	Carriageway registered over all relevant titles.
Complies	NA

10.4.15.2 Provision of Services

Objective	
To provide lots with appropriate levels of utility services.	
Acceptable Solutions	Performance Criteria
A1 Each lot must be connected to a reticulated: <ul style="list-style-type: none"> a) water supply; and b) sewerage system. 	P1 Each lot created must be: <ul style="list-style-type: none"> a) in a locality for which reticulated services are not available or capable of being connected; and b) capable of accommodating an on-site wastewater management system.
Complies	NA
A2 Each lot must be connected to a reticulated stormwater system.	P2 Each lot created must be capable of disposal of stormwater to a legal discharge point.
Complies	NA

10.4.15.3 Solar Orientation of Lots

Objective	
To provide for solar orientation of lots and solar access for future dwellings.	
Acceptable Solutions	Performance Criteria
A1 At least 50% of lots must have a long axis within the range of: <ul style="list-style-type: none"> a) north 20 degrees west to north 30 degrees east; or 	P1 Dimensions of lots must provide adequate solar access, having regard to the likely dwelling size and the relationship of each lot to the road.

b) east 20 degrees north to east 30 degrees south.	
Complies	NA
A2 The long axis of residential lots less than 500m ² , must be within 30 degrees east and 20 degrees west of north.	P2 Lots less than 500 m ² must provide adequate solar access to future dwellings, having regard to the: <ul style="list-style-type: none"> a) size and shape of the development of the subject site; and b) topography; and c) location of access way(s) and roads.
NA	NA

10.4.15.4 Interaction, Safety and Security

This clause was not used in this planning scheme

10.4.15.5 Integrated Urban Landscape

Objective	
To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:	
<ul style="list-style-type: none"> a) character and identity of new neighbourhoods and urban places; or b) to existing or preferred neighbourhood character, if any. 	
Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road, public open space or other reserves.	P1 For subdivision that creates roads, public open space or other reserves, the design must demonstrate that: <ul style="list-style-type: none"> a) it has regard to existing, significant features; and b) accessibility and mobility through

	<p>public spaces and roads are protected or enhanced; and</p> <p>c) connectivity through the urban environment is protected or enhanced; and</p> <p>d) the visual amenity and attractiveness of the urban environment is enhanced; and</p> <p>e) it furthers the local area objectives, if any.</p>
Complies	NA

10.4.15.6 Walking and Cycling Network

Objective	
<p>a) To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and</p> <p>b) To design footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible.</p> <p>c) To provide adequate provision to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</p>	
Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road, footpath or public open space.	<p>P1 Subdivision that creates new roads, footpaths, or public open spaces must demonstrate that the walking and cycling network is designed to:</p> <p>a) link to any existing pedestrian and cycling networks; and</p> <p>b) provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces; and</p> <p>c) provide an interconnected and</p>

	<p>continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood roads and regional public open spaces; and</p> <p>d) promote surveillance along roads and from abutting dwellings.</p>
Complies	NA

10.4.15.7 Neighbourhood Road Network

<p>Objective</p> <p>a) To provide for convenient, safe and efficient movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood road network; and</p> <p>b) To design and construct road carriageways and verges so that the road geometry and traffic speeds provide an accessible and safe neighbourhood road system for all users.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The subdivision must not create any new road.</p>	<p>P1 The neighbourhood road network must:</p> <p>a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and</p> <p>b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and</p> <p>c) provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport; and</p> <p>d) provide safe and efficient access to activity centres for commercial and freight vehicles; and</p>

	<ul style="list-style-type: none"> e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and f) provide an interconnected and continuous network of roads within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles and minimise the provision of cul-de-sacs; and g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and h) take into account of any identified significant features.
Complies	NA

Community Purpose zone

17.1 Zone Purpose

17.1.1 Zone Purpose Statements

17.1.1.1 To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.

17.1.1.2 To provide for a range of health, educational, government, cultural and social facilities to serve the function of settlements and local communities.

17.1.2 Local Area Objectives

To manage development in the Community purpose zone as part of or context to the Heritage Precincts in the towns and villages.

To ensure developments within street reservations contribute positively to the context of the Heritage Precincts in each settlement.

17.1.3 Desired Future Character Statements

There are no desired future character statements

17.4.2 Subdivision

<p>Objectives</p> <ul style="list-style-type: none"> a) To facilitate the establishment and continued use of community facilities at a size and scale appropriate to the needs of the community; and b) To ensure that appropriate road access, wastewater, stormwater, energy and communication services are provided as appropriate for the use; and c) To further the local area objectives and desired future character statements for the area, if any. 	
Acceptable Solutions	Performance Criteria
<p>A1 No acceptable solutions</p>	<p>P1 The subdivision must:</p> <ul style="list-style-type: none"> a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a Council, or b) be a combined application for subdivision and subsequent development and use of the land; and c) facilitate the provision or augmentation of public services, utilities or recreational use; and d) have regard to: <ul style="list-style-type: none"> i) the topographical or natural features of the site; and ii) the pattern of existing development; and iii) the ability of vegetation to provide buffering; and iv) any features of natural, historical or cultural significance; and v) the presence of any natural hazards; and e) provide sufficient area and dimension having regard to the: <ul style="list-style-type: none"> i) nature of the proposed use and development; and ii) need to accommodate vehicles on the lot; and iii) proximity of neighbouring residential development; and

	<p>f) provide access and services appropriate to the intended use, and;</p> <p>g) have regard to the local area objectives and desired future character statements, if any.</p>
-	<p>Comment - The proposal complies with P1 a), as the subdivision is by a council for the purpose of placing the Fire Station and Men's Shed on a new title.</p>

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/A
E2.0 POTENTIALLY CONTAMINATED LAND	See code assessment below.
E3.0 LANDSLIP CODE	N/A
E4.0 ROAD AND RAILWAY ASSETS CODE	See code assessment below.
E.5.0 FLOOD PRONE AREAS CODE	N/A
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies. No change to Fire Station and Men's Shed parking. Sufficient parking for residential use on internal lot.
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.
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

E2 Potentially Contaminated Land Code

E2.5 Use Standards

E2.5.1 Use of Potentially Contaminated Land

Objective	
To ensure that the use of contaminated land does not adversely impact on human health.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Use must not be located on potentially contaminated land; or</p> <p>A1.2 Use of potentially contaminated land must be accompanied by sign off of the Environment Protection Authority pursuant to EPA Bulletin 112, that the land:</p> <p>a) is not contaminated; or</p> <p>b) has been remediated appropriate to the use.</p>	<p>P1 Use of potentially contaminated land must demonstrate that human health and safety and the environment are not at risk as a result of the use through:</p> <p>a) a site investigation report by a person who meets the competencies established under Schedule B (10) of the <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i>; and</p> <p>b) where the site investigation report indicates the presence of contaminants that require management a:</p> <p>i) contaminant management plan; and</p> <p>ii) remediation action plan;</p> <p>by a person who meets the competencies established under Schedule B (10) of the <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i>; and</p> <p>c) completion of the decontamination process prior to the commencement of the use.</p>
Site sign off received from EPA	NA

E2.6 Development Standards

E2.6.1 Development of Potentially Contaminated Land

<p>Objective</p> <p>To ensure that the development of contaminated land does not adversely impact on human health, safety or the environment.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 Development must not be located on potentially contaminated land; or</p> <p>A1.2 Development of potentially contaminated land must be accompanied by advice of the Environment Protection Authority that the land:</p> <p>a) is not contaminated; or</p> <p>b) has been remediated appropriate to the use.</p>	<p>P1 Development of potentially contaminated land that has not been decontaminated must demonstrate that human health and safety and the environment are not at risk as a result of the development through:</p> <p>a) a site investigation report by a person who meets the competencies established under Schedule B (10) of the <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i>; and</p> <p>b) where the site investigation report indicates the presence of contaminants that require management, a:</p> <p>i) contaminant management plan; and</p> <p>ii) remediation action plan;</p> <p>by a person who meets the competencies established under <i>Schedule B (10) of the National Environment Protection (Assessment of Site Contamination) Measure 1999</i>; and</p> <p>c) completion of the decontamination process prior to the commencement of the development.</p>
<p>Site sign off received from EPA</p>	<p>NA</p>

E4 Road and Railway Assets Code**E4.1 Purpose of Code**

E4.1.1 The purpose of this provision is to:

- a) ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network; and
- b) maintain opportunities for future development of road and rail infrastructure; and
- c) reduce amenity conflicts between roads and railways and other use or development.

E4.2 Application of Code

E4.2.1 This code applies to use or development of land that:

- a) requires a new access, junction or level crossing; or
- b) intensifies the use of an existing access, junction or level crossing; or
- c) involves a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as:
 - i) a future road or railway; or
 - ii) a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour.

E4.3. Definition of Terms

E4.3.1 In this code, unless the contrary intention appears:

Category 1 – Trunk Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Category 2 – Regional Freight Route means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Category 3 – Regional Access Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Category 4 – Feeder Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Category 5 – Other Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Future road or railway means a future road or railway shown on the plans of this planning scheme.

Junction means an intersection of two or more roads at a common level, including intersections of on and off ramps and grade-separated roads.

Limited access road means a road proclaimed as limited access under Section 52A of the *Roads and Jetties Act 1935*.

E4.4 Use or development exempt from this Code

E4.4.1 There are no exemptions from this Code.

E4.5 Requirements for a Traffic Impact Assessment (TIA)

E4.5.1 A TIA is required to demonstrate compliance with performance criteria.

E4.5.2 A TIA for roads must be undertaken in accordance with *Traffic Impact Assessment Guidelines*, Department of Infrastructure, Energy and Resources September 2007. Australian Guidelines and Australian Standards are to be used as the basis for any required road or junction design.

E4.5.3 A TIA must be accompanied by written advice as to the adequacy of the TIA from the:

- a) road authority in respect of a road; and
- b) rail authority in respect of a railway.

E4.5.4 The Council must consider the written advice of the relevant authority when assessing an application which relies on performance criteria to meet an applicable standard

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective

To ensure that the safety and efficiency of road and rail infrastructure is not reduced by

the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
Na	Na
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	Na

<p>A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.</p>	<p>P3 For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
<p>Na</p>	<p>Na</p>

E4.7 Development Standards

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

<p>Objective</p> <p>To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:</p> <ul style="list-style-type: none"> a) ensure the safe and efficient operation of roads and railways; and b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development. 	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 The following must be at least 50m</p>	<p>P1 Development including buildings, road works, earthworks, landscaping works</p>

<p>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 envelopes on new lots; and</p> <p>c) outdoor sitting, entertainment and children's play areas</p>	<p>and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <p>a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</p> <p>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</p> <p>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</p> <p>d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.</p>
<p>Complies, building envelope greater than 50m from railway shown on plan of subdivision.</p>	<p>Na</p>

E4.7.2 Management of Road Accesses and Junctions

<p>Objective</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<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</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</p>

separate entry and exit.	pedestrians and cyclists.
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> 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 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 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>Na</p>	<p>Na</p>

E4.7.3 Management of Rail Level Crossings

<p>Objective</p> <p>To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.</p>

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

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

Objective	
To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	Performance Criteria
<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	Na

E10 Recreation and Open Space Code

E10.6 Development Standards

E10.6.1 Provision of Public Open Space

<p>Objective</p> <p>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</p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The application must:</p> <p>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.</p>	<p>P1 Provision of public open space, unless in accordance with Table E10.1, must:</p> <p>a) not pose a risk to health due to contamination; and</p> <p>b) not unreasonably restrict public use of the land as a result of:</p> <ul style="list-style-type: none"> i) services, easements or utilities; and ii) stormwater detention basins; and iii) drainage or wetland areas; and iv) vehicular access; and <p>c) be designed to:</p> <ul style="list-style-type: none"> i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and ii) reasonably contribute to the

	<p>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.	NA

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 Subdivision	Applies. See below.

Clause 9.5 - Notwithstanding any other provisions of this planning scheme, with the exception of sub clause 9.3.1, all applications for subdivision may be

refused or approved at the discretion of the planning authority, unless the application is for a subdivision that must not be approved under section 84 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

STATE POLICIES

The proposal is consistent with all State Policies.

OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
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The proposal complies with the Strategic Plan 2007-2017

RECOMMENDATION

That land at 9 Bond Street, Ross be approved to be developed and used for a 2-lot subdivision in accordance with application P15-196, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1** (Plan of Subdivision Ref: 57-49 (7039)).

2 Council's Works & Infrastructure 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.

2.2 Access (Rural)

- A driveway crossover must be constructed from the edge of Bond Street to the property boundary of Lots 1 & 2 in accordance with Council standards.
- A driveway crossover application form must be completed prior to the commencement of works.

2.3 Municipal standards & certification of works

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

2.4 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 & Infrastructure 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.

2.5 Separation of stormwater services

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

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 Planning & Development 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 works 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 naturestrip, 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 Naturestrips

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

3 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2015-01549-NMC).

PLAN 7

**PLANNING APPLICATION P15-157
'WILLIAMWOOD' (ACCESSED FROM AUBURN ROAD),
109 AUBURN ROAD, ROSS**

ATTACHMENTS

- A Application & plans**
- B Additional Information request**
- C Additional Information response**
- D Responses from referral agencies**
- E Representation, applicant's response, further information provided by representor**
- F Planning scheme assessment**
- G Visual Assessment**
- H Email from Woolcott Surveys 13 October 2015**

PLANNING APPLICATION Proposal

Description of proposal:

CHANGE OF USE OF SITE TO RESOURCE PROCESSING
AND CONSTRUCTION OF A SHED AND WEIGH BRIDGE.
(GRAIN STORAGE / PROCESSING).

(attach additional sheets if necessary)

Site address: "WILLIAMWOOD", (OFF AUBURN ROAD),
109 AUBURN ROAD, ROSS, 7209

ID no: 7.57.0639 and/or Council's property no:
and/or

Area of land: ha/m² and/or CT no: C.T. 120 818 - 1

Estimated cost of project \$ 40,000.00 (include cost of landscaping,
car parks etc for commercial/industrial uses)


Are there any existing buildings on this property? Yes / No

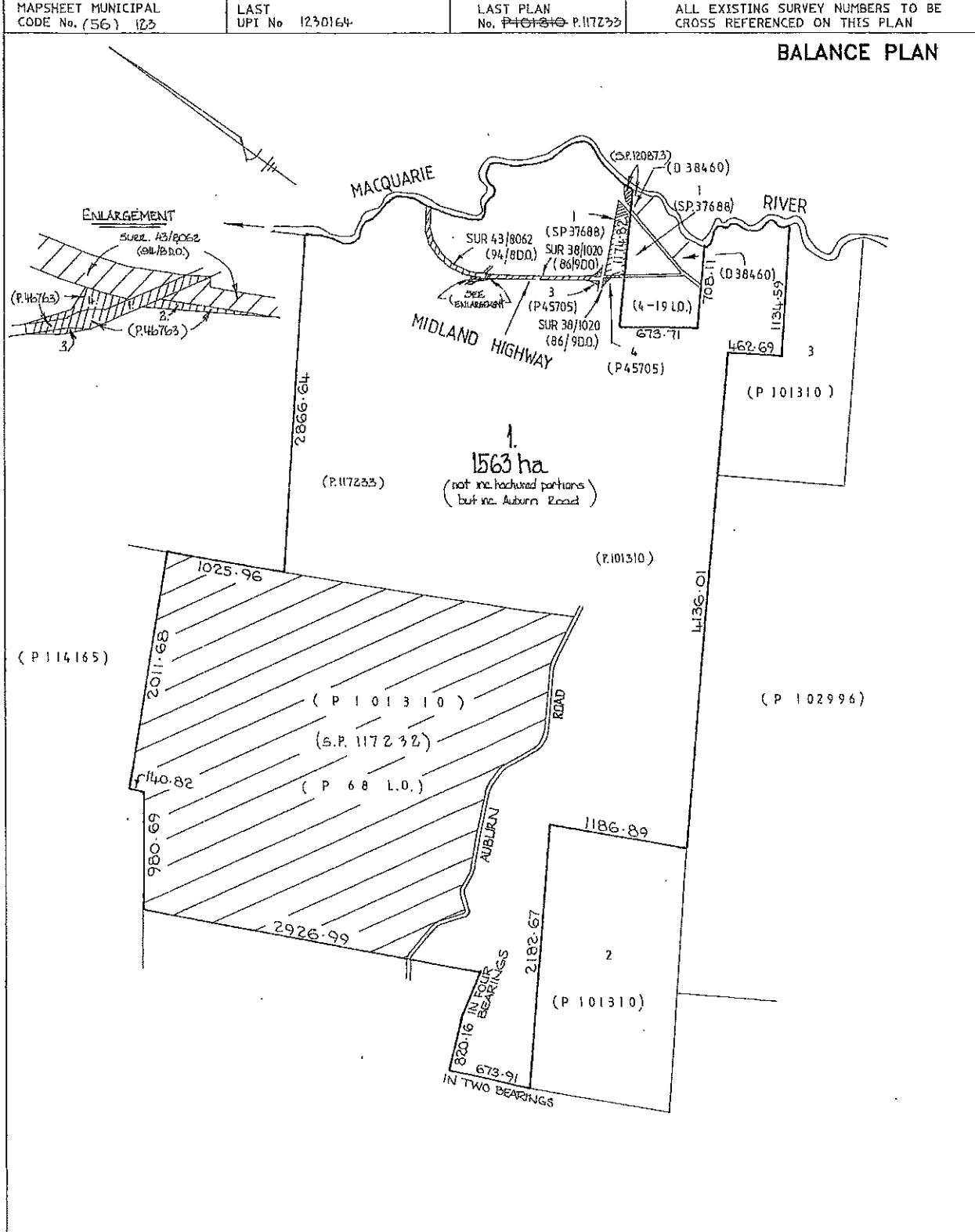
If yes - main building is used as WILLIAMWOOD IS A LARGE FARM
TITLE WHICH CONTAINS NUMEROUS BUILDINGS.

Is any signage required? NO

(if yes, provide details)

EXHIBITED

OWNER ROBERT OLIVER MORRIS JESSICA ANNE MORRIS FOLIO REFERENCE C.T. VOL 101310 FOL 1 GRANTEE PART OF 6180 ACRES, GRANTED TO WILLIAM HILL.	PLAN OF TITLE LOCATION LAND DISTRICT OF SOMERSET PARISH OF ELDON FIRST SURVEY PLAN No. P.68 L.O. P.38459 COMPILED BY COHEN & ASSOCIATES PTY. LTD LAUNCESTON SCALE 1: 30,000 LENGTHS IN METRES		REGISTERED NUMBER P 120818 APPROVED 8 JAN 1996 
	MAPSHEET MUNICIPAL CODE No. (56) 123	LAST UPI No 1230164	LAST PLAN No. P.101310 P.117232



A-143



WOOLCOTT SURVEYS



June 3, 2015

Paul Godier
The Planning Department
Northern Midlands Council
P.O. 156
Longford, TAS
7301

Dear Paul,

RE: Application for Resource processing Facility Auburn Road, Ross

I refer to our various conversations and emails regarding the new site for the XLD Grain Processing facility at Ross.

Please find attached a new application for the new site on the Williamwood side of the Midland Highway off Auburn Road. The application includes the following:

- Proposal Site Plan.
- Bushfire Assessment Report and Certificate
- Planning Report
- Traffic Impact Assessment
- Copy of Subject Titles

I am advised to also write seeking exemption from the General Manager in regard to planning fees for this development. In doing so I am advised to point out that by not taking the last proposal and its refusal of permission to appeal a considerable amount of money has been saved on behalf of Council.

I understand this matter will be considered – but with XLD paying the advertising fees only,

If this is in agreement then can you please create an invoice for the Advertising fees and email me the invoice direct to colin.smith@woolcottsurveys.com.au so I can forward to our client for direct payment to Council. The invoice should be made out to:

XLD Grain
C-o Woolcott Surveys
P.O. Box 593, Mowbray Heights
TAS, 7248

WOOLCOTT SURVEYS

Ph: (03) 6332 3760 F: (03) 6332 3764
10 Goodman Court, Invermay, TAS, 7248
PO Box 593, Mowbray Heights, TAS, 7248
Email: admin@woolcottsurveys.com.au

EAST COAST SURVEYING

Ph: (03) 6376 1972
Avery House Level 1
48 Cecilia Street, St Helens, TAS, 7216
PO Box 430, St Helens, TAS, 7216
Email: admin@ecosurv.com.au

1-490



WOOLCOTT SURVEYS



Please advise if you have any questions.

Yours Truly,

Colin Smith
Director
Woolcott Surveys

WOOLCOTT SURVEYS

Ph: (03) 6332 3760 F: (03) 6332 3764
10 Goodman Court, Invermay, TAS, 7248
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ABN 15 808 360 064



WOOLCOTT SURVEYS

**NORTHERN MIDLANDS INTERIM PLANNING
SCHEME 2013**

**DEVELOPMENT APPLICATION
109 AUBURN ROAD, ROSS**

**Change of Use of Site to Resource Processing and
Erection of Buildings**

For

XLD GRAIN

June 2015

Contents

1. Proposal	3
2. Subject Land	4
2.1 Location	4
2.2 Title Reference.....	5
2.3 Land Area.....	5
3. Existing Conditions	5
3.1 Use of site and surrounding lands	5
3.3 Availability and Capacity of Infrastructure	5
4. Planning Controls	7
4.1 Existing zoning of the subject land and surrounding land.....	7
4.2 Special controls and effect on subject and surrounding land	7
4.3 Planning Matters	8
4.4 Planning Definitions.....	8
5. Northern Midlands Interim Planning Scheme 2013	8
Part E Codes	10
E1.0 Bushfire Code	10
E4.0 Road and Railway Assets Code	13
E6.0 Car Parking and Sustainable Transport Code	16
E7 Scenic Management Code	17
6. Strategic Planning	17
6.1 State Policies.....	17
7. Summary	18
Annexure 1 – Certificate of Title	19
Annexure 2 – Proposal Plan	20
Annexure 3 – Onsite Wastewater Report	21
Annexure 4 – Bushfire Code Report and Certificate	22

1. Proposal

It is proposed to use the subject site for the collection and distribution of grain (in bags); erection of an office amenity block and installation of a weighbridge.

This is a new site on the west of the Midland Highway – away from the Ross Township.

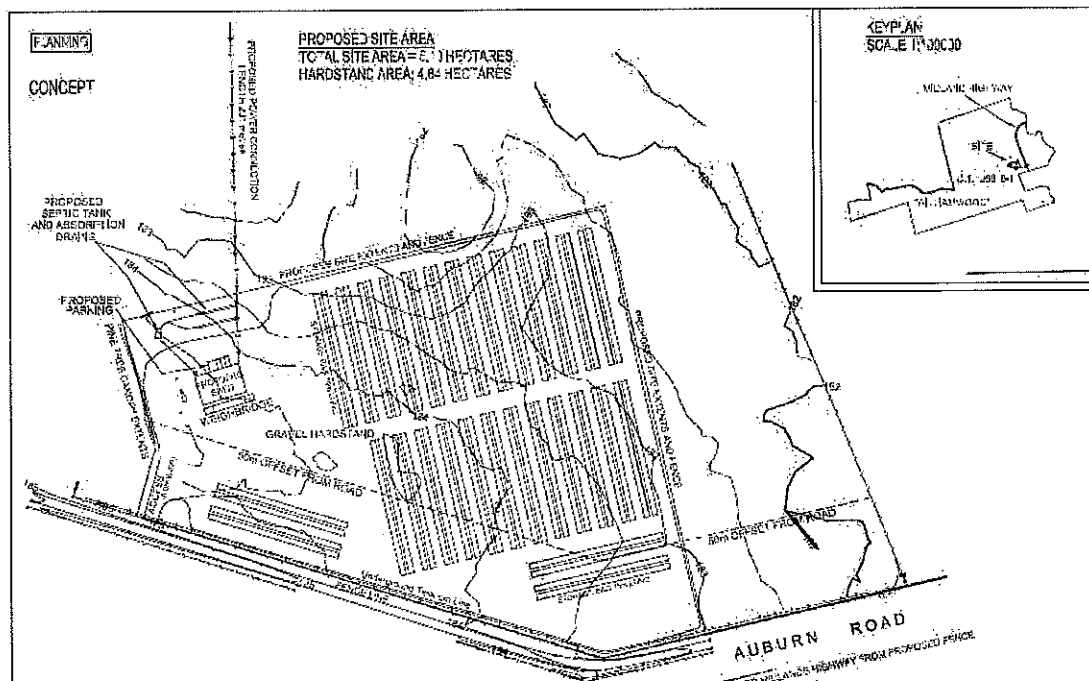


Figure 1 – Proposal Plan

The subject site is part of the very large agricultural holding of “Williamwood” located south of the Ross Township. Williamwood management has changed following the introduction of the Midland Irrigation Scheme. The objective of Williamwood management (and other significant properties in this area) is to capitalise on the benefits of irrigation – focussing efforts on grain production.

Increased grain production aligns with the growth of the dairy sector. The end user of the grain to be grown around Ross will be the southern dairy farms around Cambridge. But with the possible dairy expansion predicted in the NE this site becomes strategic for not only the collection of grain – but also the distribution of the product in the winter months.

This site is also important in regard to reducing transport costs for primary product – making the industry sustainable in the long term.

It should be noted that had the product been solely from Williamwood then this would have been a No Permit required development. It is only because some of the product will come from properties other than Williamwood that this matter has to be considered under the Planning Scheme.

2. Subject Land

2.1 Location

The subject site is located at 'WILLIAMWOOD' - 109 AUBURN RD ROSS TAS 7209.

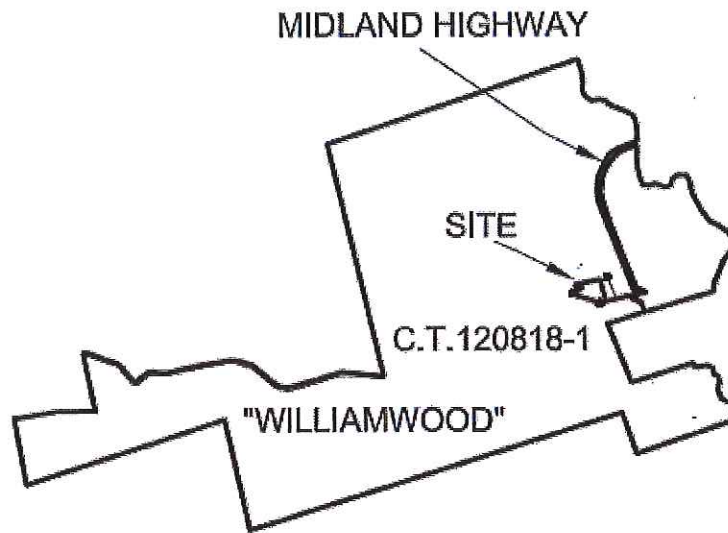


Figure 2. Location Map – source Woolcott Surveys

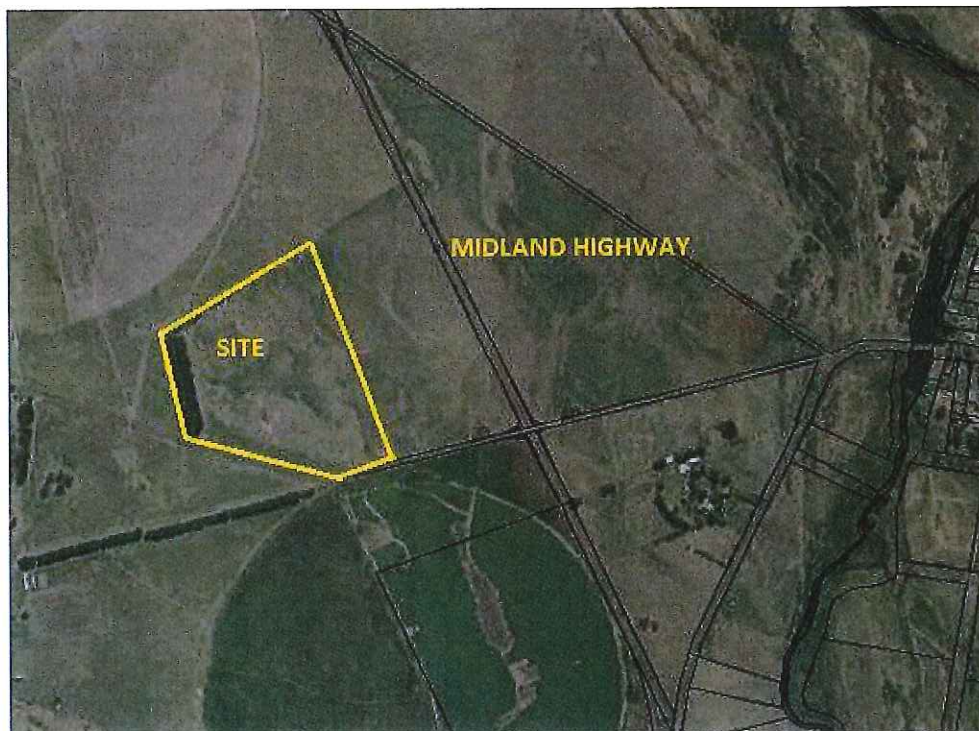


Figure 3. Google image of site

2.2 Title Reference

Title Details (Full copies of Title in **Annexure 1**)

Property Address	'WILLIAMWOOD' - 109 AUBURN RD ROSS TAS 7209
Property ID	7570639
Title Reference	120818/1

2.3 Land Area

The land area is Approx 5.19ha.

3. Existing Conditions

3.1 Use of site and surrounding lands

The site is currently used for grazing purposes. It is a site which sits between two pivot irrigators and their respective spray circles. To the south is Auburn Road. To the east is the Midland Highway – some 226m away. To the south, west and north is land within the title of Williamswood.

Special or significant features of the subject land

The features which are significant to this site are:

- *The Midland Highway*
- *The surrounding agricultural land – under irrigation*

3.3 Availability and Capacity of Infrastructure

Access to the site will be from Auburn Road. The new use will require a new access in the approx. location below.

Water supply for domestic use and firefighting will be via roof filled tanks.

Proposal Plans are attached at **Annexure 2**



Figure 4. Access from Auburn Road

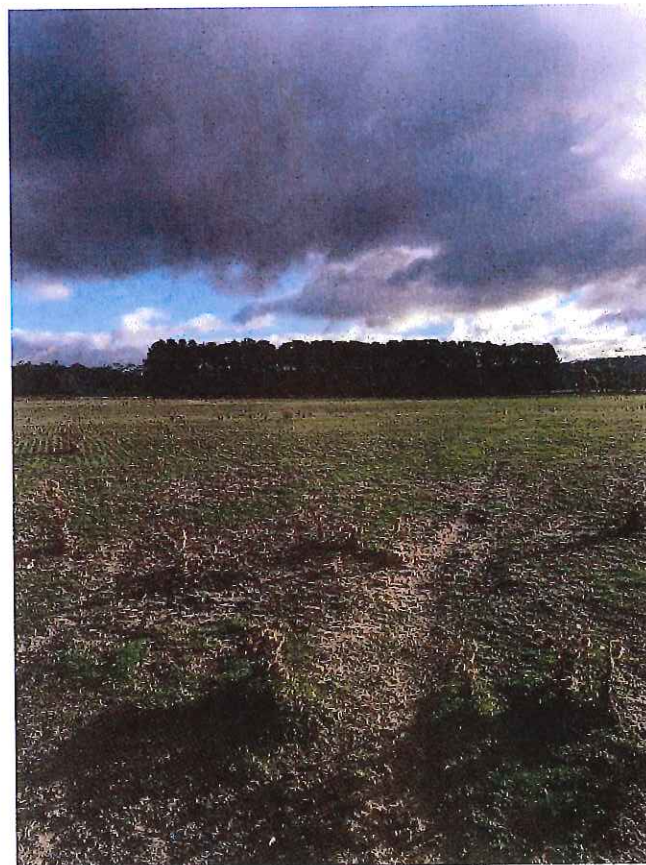


Figure 5. The subject site.

4. Planning Controls

4.1 Existing zoning of the subject land and surrounding land



Figure 6. Zoning of site and surrounds

The subject site and the surrounding lands are zoned Rural Resource use (pink).

4.2 Special controls and effect on subject and surrounding land



Figure 7 – Overlay Controls

There are no overlay controls covering this site. The closest matter to consider is the Scenic Tourist Corridor which is applied to the Midland Highway – some 226m to the east of the site.

4.3 Planning Matters

The land is under the jurisdiction of the Northern Midlands Council. The relevant planning instrument is the Northern Midlands Interim Planning Scheme 2013.

4.4 Planning Definitions

Within the Planning Scheme there are a series of definitions into which use and development must fit. If there is no definition which describes the use or development the principle of “best fit” applies. In this instance the definition which describes the development is:

Resource Processing

Legal Advice has been taken to confirm this use definition. This advice has been accepted by the Northern Midlands Council.

5. Northern Midlands Interim Planning Scheme 2013

This section details how the proposed development complies with the zone requirements of the Northern Midlands Interim Planning Scheme 2013. The following section numbering is the same as found in the Northern Midlands Interim Planning Scheme 2013.

26 Rural Resource Zone

26.1 Zone Purpose

26.1.1 Zone Purpose Statements

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

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

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

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

It will be demonstrated that the proposed development aligns well with the purpose of the zone – providing a balance between a limited level of development and a mechanism for enhancing agricultural production in line with the State’s irrigation policy.

26.1.2 Local Area Objectives

a) Primary Industries:

Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.

The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.

Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.

The proposal fits well with the Local Area Objectives.

26.2 Use Table

Within the zone use table new Recourse Processing is a discretionary use

26.3 Use Standards

26.3.1 Discretionary Uses if not a single dwelling

The use is discretionary and this clause does apply

Objective To ensure that discretionary uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.	
Compliance Measure	Comment
P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise, smoke, odour, dust and illumination.	The development is discretionary and therefore relies on P1 for compliance. The development will not cause or likely to cause nuisance through emissions, etc. This is a very passive development with little off-site effects.
A2 Operating hours for commercial vehicles for discretionary uses must be between 6.00am and 10.00pm.	The hours specified within the Acceptable solution relate well to the hours of operation of the development.

26.3.2 Dwellings

The use is not a dwelling therefore this clause does not apply

26.3.3 Irrigation Districts

Objective To ensure that land within irrigation districts proclaimed under Part 9 of the Water Management Act 1999 is not converted to uses that will compromise the utilisation of water resources.	
Compliance Measure A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.	Comment In effect this is an agricultural use making good use of the benefits of irrigation areas. This is a small area of land between two pivot irrigators – the shape of the land means that joining the two irrigation circles to maximise the use of the land is not possible.

26.4 Development Standards

26.4.1 Building Location and Appearance

Objective To ensure that the: <ul style="list-style-type: none"> a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and b) development of buildings is unobtrusive and complements the character of the landscape. 	
Compliance Measure A1 Building height must not exceed: <ul style="list-style-type: none"> a) 8m for dwellings; or b) 12m for other purposes. 	Comment The buildings do not exceed 12m in height. Overall the buildings are 5.5m in height.
Compliance Measure A2 Buildings must be set back a minimum of: <ul style="list-style-type: none"> a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or b) 200m where a sensitive use is proposed; or c) the same as existing for replacement of an existing dwelling. 	Comment Complies – the buildings are set back a minimum of 50 from all boundaries.

26.4.2 Subdivision

No subdivision is required as a result of this proposal.

Part E Codes

Within the Planning Scheme are a series of Codes which need consideration. Only those relevant to the development will be discussed.

E1.0 Bushfire Code

A Bushfire Assessment Report and certificate this is attached in **Annexure 3**. The relevant clauses are discussed below: