

1-405

PLAN 1

DRAFT PLANNING SCHEME AMENDMENT 02/2019

86 BURGHLEY STREET, LONGFORD

ATTACHMENTS

- Draft amendment and permit

- Representations and applicant's response

Northern Midlands Interim Planning Scheme 2013



Planning Permit PLN-19-0070

In accordance with Division 2 of the *Land Use and Planning Approvals Act 1993*, the Northern Midlands Council (Planning Authority) hereby grants a permit for –

ADDRESS OF LAND:

86 BURGHLEY STREET, LONGFORD

Property No: 7875547
Subdivision No: 27/003/854
CT 115134/3

THIS PERMIT ALLOWS FOR:

That land at 86 Burghley Street, Longford be approved to be developed and used for a Rezone to General Residential & 7 Lot Subdivision in accordance with application PLN-19-0070, and subject to the following conditions:

1 LAYOUT NOT ALTERED

The use and development must be undertaken substantially in accordance with the endorsed plans numbered P1 (File Name: L180418_PROP_PLAN_140219, dated 14/02/19, V2).

2 LANDSCAPE PLAN REQUIRED

Before the development starts, a landscape plan must be submitted to the approval of the General Manager. Once approved the plan will form part of this permit. The landscape plan must show street trees outside each of lots 1-6 and be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each tree.

3 AGREEMENT UNDER PART 5 OF LAND USE PLANNING APPROVAL ACT 1993

The owner must enter into, and comply with all conditions of, an agreement under Part 5 of the Act with the Northern Midlands Council to provide for the following:

- *The owners of lots 1 – 6 agree to construct floor levels to habitable buildings at least 300mm above natural ground level.*

This agreement must be prepared by the applicant and forwarded to the Council with a cheque for the Recorder of Titles fee for the registration of the Agreement.

4 COUNCIL'S WORKS DEPARTMENT'S CONDITIONS

4.1 Detailed engineering plans required

Before the commencement of any works for the subdivision, detailed engineering plans by a certified engineer, to the approval of Council's General Manager, must be lodged with Council.

The plans must include:

- An engineering design of the road, footpath and drainage system including pavement long sections and cross sections.



- For the frontage of lots 1-6, widening of Bulwer Street with hotmix sealed pavement to match the existing kerb and channel in Bulwer Street to the east plus kerb and gutter and nature strip on the southern side of Bulwer Street, in accordance with Tasmanian Standard Drawing TSD-R06.
- For the frontage of lot 6, widening of Catherine Street with hotmix sealed pavement to match the existing kerb and channel in Catherine Street to the north plus kerb and gutter and nature strip on the western side of Catherine Street, in accordance with Tasmanian Standard Drawing TSD-R06.
- A 1.8m wide concrete footpath for the Bulwer Street frontage of Lots 1-6, adjacent to the property boundary where practicable, otherwise adjacent to the road.

Works on site must not commence until the plan is approved by Council.

4.2 Roadworks

Before the final plan is sealed, the works detailed in the plans required by condition 4.1 must be completed in accordance with those plans.

4.3 Access

A concrete driveway crossover and concrete apron must be constructed for lots 1-6 and 301 from the edge of the street to the property boundary in accordance with Council's standard drawing TSD R09.

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

4.4 Works in road reserve

No works shall 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 hours (24) notice shall to 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.

4.5 Nature strips

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

4.6 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.

4.7 As constructed information

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

4.8 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.

4.9 Works in Council road reserve

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

4.10 Separation of hydraulic services

- a) All existing 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 services have been separated between the lots.

4.11 Easements to be created

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

4.12 Pollutants

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

4.13 Nature strips

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

4.14 Bonds

The subdivision shall be subject to a maintenance period and a bond shall be held by Council until the completion of the maintenance period. The bond shall be calculated based on 5% of the total cost of works based on Council's standard road construction rates.

5 TASWATER CONDITIONS

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2019/00521-NMC).

6 STREET LIGHTING

Before the final plan is sealed, the developer must install street lighting in accordance with a design to the approval of TasNetworks and Council.

7 LANDSCAPING

The street trees as shown in the approved landscaping plan are to be installed prior to the sealing of the final plan of survey, unless the General manager approves a later installation date, which may or may not be subject to further conditions. Each tree is to be provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti-vandalism tie down to prevent removal and be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each tree.

8 ELECTRICITY

- Electricity to the subdivision must be underground.
- Underground electricity services must be connected to each lot.
- Written advice from TasNetworks must be provided demonstrating that underground electricity services have been connected to each lot.



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9 PUBLIC OPEN SPACE CONTRIBUTION

- Take 5% of the title area of 1.763 ha as Public Open Space (881.5m²) located in the south-eastern corner of the lot.

10 SEALING OF PLANS

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

NOTE: National Broadband Network

The developer is strongly encouraged to contact NBN Co about extending the National Broadband Network to the subdivision.



DES JENNINGS

GENERAL MANAGER

Date of Decision: 22 July 2019

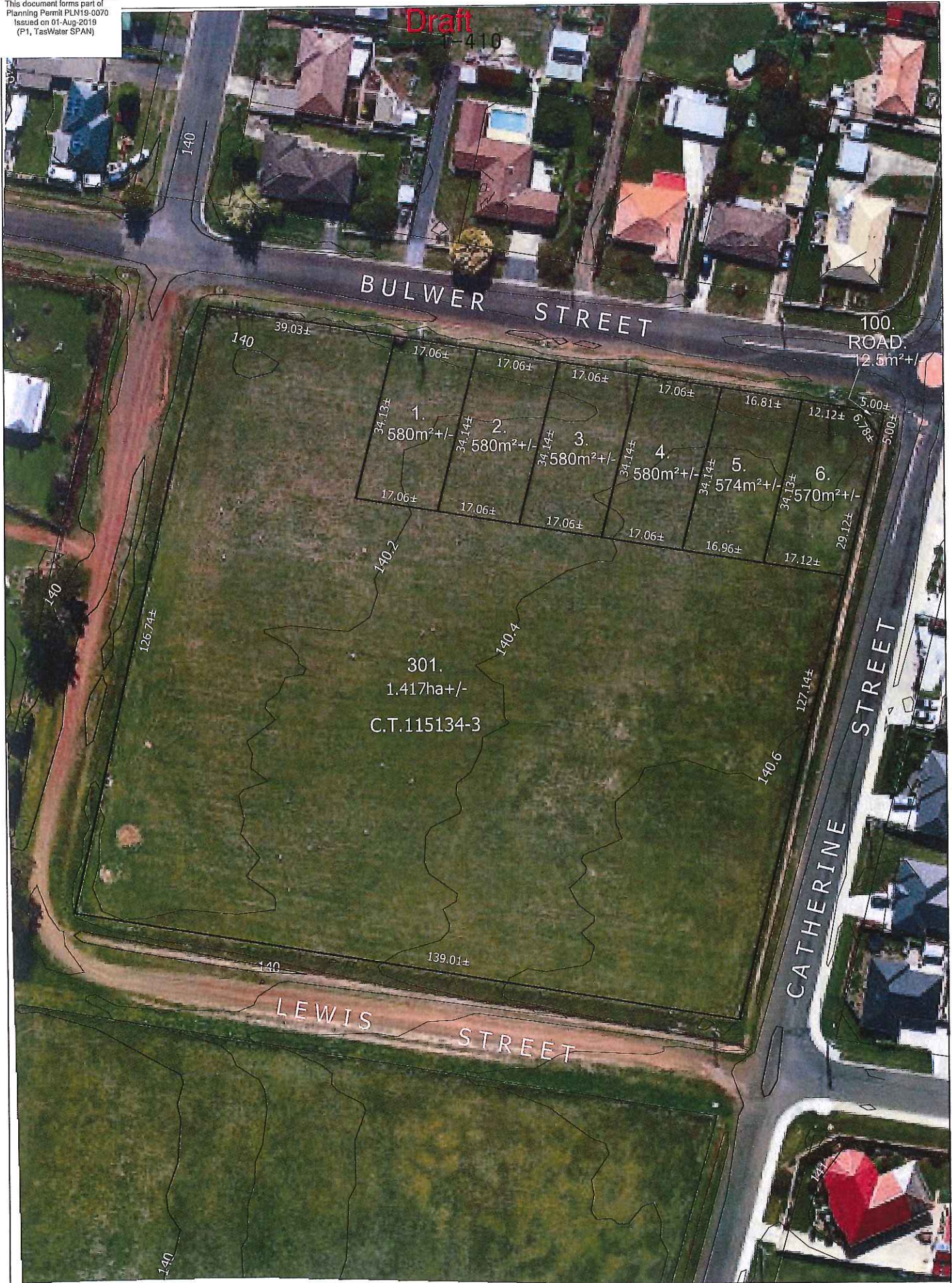
Date of Permit: 01 August 2019

Notes:

- A This permit has no force or effect until such time as the associated Planning Scheme Amendment is approved by the Tasmanian Planning Commission.
- B Attention is directed to Section 39 of the Land Use Planning and Approvals Act 1993: "... representations in relation to that draft amendment may be submitted to the authority by any person before the expiration of the exhibition period referred to in section 38(1)(a) ... 28 days (or a longer period agreed to by the planning authority and the Commission) from the date, specified in the notice, on which the public exhibition of those documents is to begin." (The authority is the Northern Midlands Council.)
- C This permit lapses after a period of two years from the date of TPC approving permit if the use or development has not substantially commenced within that period.
- D The issue of this planning permit does not certify compliance with the *Building Code of Australia*, the *Disability Discrimination Act 1992* or any other applicable legislation.
- E All new road reservation and/or drainage reserve areas shall be transferred to Council prior to takeover of the subdivision works as council assets at no cost to Council.

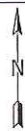
Draft

140-410



Notes:
 1. CONTOUR INTERVAL IS 0.2m
 2. CONTOUR INDEX IS 1.0m

PROPOSED SECTION 43A APPLICATION
 FOR REZONE AND 6 LOT SUBDIVISION
 OWNERS: BRUCE RONALD PITT
 JOHN LEONARD PITT
 ADDRESS: 86 BURGHELY STREET, LONGFORD



WOOLCOTT SURVEYS

Drawn CSS File name L180418_PROP_PLAN_140219

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

Date 14/02/19 Scale 1:700@A3

Job Number
 L180418

Edition V2 Sheet 1 OF 1

Submission to Planning Authority Notice

Council Planning Permit No.	PLN19-0070	Council notice date	12/04/2019
TasWater details			
TasWater Reference No.	TWDA 2019/00521-NMC	Date of response	13/05/2019
TasWater Contact	David Boyle	Phone No.	6345 6323
Response issued to			
Council name	NORTHERN MIDLANDS COUNCIL		
Contact details	Planning@nmc.tas.gov.au		
Development details			
Address	86 BURGHEY ST, LONGFORD	Property ID (PID)	7875547
Description of development	Rezone to General Residential & 7 Lot Subdivision		
Schedule of drawings/documents			
	Prepared by	Drawing/document No.	Revision No.
6ty °		18.361 P01	A
			Date of Issue
			6/05/2019
Conditions			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater makes the following submission(s):</p> <ol style="list-style-type: none"> 1. TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings. <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 & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections / sewerage system and connections to each 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 commencing construction of the subdivision, any water connection utilised for construction must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. <p>ASSET CREATION & INFRASTRUCTURE WORKS</p> <ol style="list-style-type: none"> 4. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains. 5. Prior to applying for a Permit to Construct to construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's satisfaction. 6. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All 			

infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.

7. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
8. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, generally as shown on the concept servicing plan "18.361 P01", are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
9. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
10. At practical completion of the water and sewerage works and prior to TasWater issuing a Consent to a Register Legal Document the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d. As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
11. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
12. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
13. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

14. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.
Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.
15. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement

conditions.

DEVELOPMENT ASSESSMENT FEES

16. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:
- a. \$351.28 for development assessment; and
 - b. \$149.20 for Consent to Register a Legal Document
- The payment is required within 30 days of the issue of an invoice by TasWater.
17. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

Advice

General

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

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

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



WOOLCOTT SURVEYS



Our Ref: L180418

10/10/2019

Des Jennings
The General Manager
Northern Midlands Council
P.O. Box 156
Longford, TAS
7301

Dear Des,

02/2019, PLN – 19 – 0070 PLANNING SCHEME AMENDMENT AND DEVELOPMENT APPLICATION, BURGHLEY STREET, LONGFORD

Please find below our response to the representations made against the above application.

Representation #1 – Topic – Eastern Barred Bandicott Habitat

Response: The subject title in this application is vacant pasture which has been used for farming purposes for many decades. The paddock is fenced and is frequently mowed. The site is not mapped as containing any threatened fauna nor is it mapped as habitat.

Representation #2 – Concerns of proximity of Site to Austral Bricks Brickmaking Business

The subject title in this proposal is approximately 870 metres north east of the Austral Bricks site at 15 Weston Street, Longford. The Environmental Impacts and Attenuation Code E11 of the Northern Midlands Interim Planning Scheme 2013 lists the attenuation distance from residential development to "Brickworks" as 200 metres. The development site is four times the required distance from the Brickworks.

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10 Goodman Crt, Invermay
PO Box 593, Mowbray TAS 7248
P 03 6332 3760

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48 Cecilia St, St Helens
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HOBART

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P 03 6227 7968

DEVONPORT

2 Piping Lane,
East Devonport TAS 7310
P 0428 349 479



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Representation #3: Flooding concerns related to the filling of the subject site

The subject site is not mapped as flood prone in relation to the 1 in 100 year flood event. As a result there is no filling of the subject site proposed by this application. A 'Flood Memo' was included in the Advertised Documentation by the Council for reasons unknown. To the applicants knowledge there are no publicly available flood modelling reports related to the Flood Memo.

The concerns of the representor in relation to filling of the subject land and subsequent resultant flooding are not applicable in this case as there is no filling proposed.

Furthermore, the 'Flood Memo' included in the advertised documents has unfortunately not been endorsed or verified (peer reviewed) to the knowledge of the applicant. The Flood Memo in question relates to suggested flood modelling related to Climate Change forecast some 50-80 years in the future. Two Flood Scenarios are proposed in this memo both of which are scenarios which suggest the Council Flood Gates for Back Creek will fail in the 1 in 100 year climate change flood event. It is suggested that if the Council deems that the failure of the Back Creek flood gates is a significant risk of happening, that the Council would surely respond within the next 50-80 years to address any perceived risk and build safety redundancy into the flood levee system should the gates fail. The likelihood of the flood gates failing in a 1 in 100 year climate change event 50-80 years from now is extremely low.

Representation #4:

Issues

- Future Road Access opposite representor, traffic concerns, light nuisance and possible changes to layout.

Response: The current application is for 6 residential lots fronting Bulwer Street. TAS Water required a plan showing a Concept layout for the overall site to address servicing questions. Any future application will require a Traffic Impact Assessment to address any traffic concerns.

- Pump station query, sewer and stormwater/flooding concerns.

Response: As previously mentioned this proposal is for a rezone and subdivision of 6 new lots fronting Bulwer Street. A preliminary engineering design has been included with this application demonstrating how the six lots will be serviced. Any future subdivision will require engineering design in support of that application.

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- Queries of Higher Density.

Response: The proposed lot sizes in this application are well above the acceptable solution minimum lot size of the General Residential zone required in the planning scheme.

- Concerns about unstructured development in Longford.

Response: The title in this application is contained in the area shown as Site 3 in the Northern Midlands Council Longford Development Plan. This site has long been earmarked as a logical extension of the Residential zone of Longford. The title is also contained in the Supporting Consolidation Areas of the Northern Regional Land Use Strategy.

Representation #5:

Issues

1. Concerns about the lot size being too small.

Response: The proposed lot sizes in this application are well above the acceptable solution minimum lot size of the General Residential zone required in the planning scheme. The saleability of the lots is a commercial decision and not a planning matter. Indications from local realtors are that the lots will sell very quickly in the current market.

2. Neighbourhood Character and Lot Size. Concerns the small Lot size is not in keeping with the neighbourhood character.

Response: The lots in this proposal meet all the requirements of the Northern Midlands Council Interim Planning Scheme General Residential Zone. The fact is that there is an Australian and globally wide trend/demand for smaller lot sizes and higher density decreases the effects of the traditional urban sprawl. Smaller lot sizes are in high demand and provide a good mix of residential lot sizes for the market not just a one size fits all.

3, 4 and 5. Smaller lot sizes do not equate to smaller homes and thus increase the impacts of solar access and overshadowing. Private and Public Open Space.

Response: This proposal is for subdivision only. The Northern Midlands Council Interim planning scheme 2013 contains planning controls for the design and siting of dwellings and other associated dwelling criteria. Any future dwellings on these lots will be required to meet these planning scheme provisions.

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All the items listed in points 3, 4 and 5 of this representation relate to dwellings and the current planning scheme has planning controls for these issues raised.

Please let us know if you have any questions.

Regards, Colin.

Yours faithfully

Woolcott Surveys

A handwritten signature in blue ink, appearing to read 'Colin Smith'.

Colin Smith

Registered Land Surveyor

Enc.

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**NORTHERN MIDLANDS INTERIM
PLANNING SCHEME 2013**

INSTRUMENT OF CERTIFICATION

The Northern Midlands Council resolved at its meeting of **22 July 2019** to certify that:

Draft Amendment 02/2019 of *Northern Midlands Interim Planning Scheme 2013* to rezone part of the land at 86 Burghley Street, Longford (CT 115134/3) from *RURAL RESOURCE ZONE* to General Residential

meets the requirements specified in section 32 of the *Land Use Planning and Approvals Act 1993*.

The **COMMON SEAL** of the)
Northern Midlands Council is)
affixed hereto, pursuant to the)
Council's resolution of)
22 July 2019 in the presence of:)



M Knowles
.....

Mayor

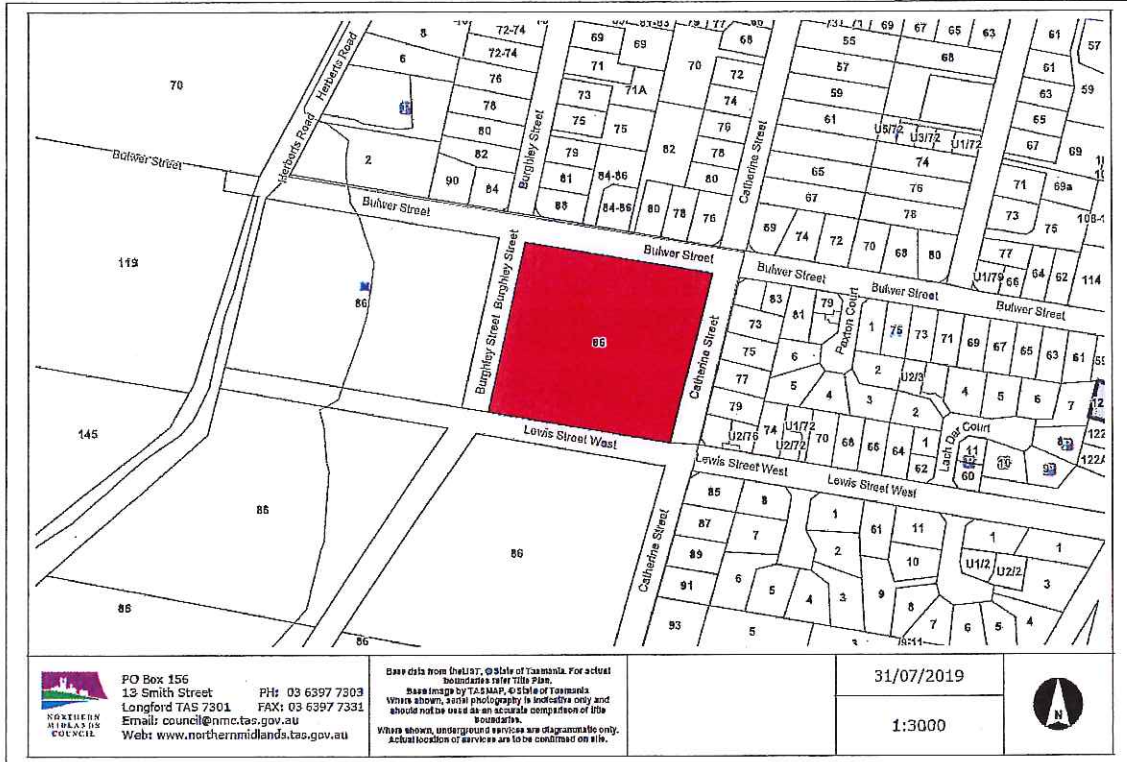
[Signature]
.....
General Manager

EXHIBITED

**NORTHERN MIDLANDS INTERIM
PLANNING SCHEME 2013**

AMENDMENT 02/2019

rezone part of the land at 86 Burghley Street, Longford (CT 115134/3)
from Rural Resource to General Residential.



Legend:

 General Residential

The **COMMON SEAL** of the)
 Northern Midlands Council is)
 hereunto affixed, pursuant to the)
 Council's resolution of)
22 July 2019 in the presence of:)



M Knowles
 Mayor

[Signature]
 General Manager

EXHIBITED

1-420

From:
Sent: Wednesday, 7 August 2019 11:23 AM
To: NMC Planning
Subject: PLN-19-0070

To whom it may concern in the planning of the proposed subdivision at 86 Burghley Street Longford. I would like it noted that on the corner of Burghley and Bulwer Streets, the paddock to be subdivided, there is an Eastern Barred Bandicoot Habitat. This tiny creature is considered a threatened species and is at risk of being extinct due to land clearing and development of residential land. It has largely disappeared from the Midlands.

I would make the suggestion that before any work, even removal of existing fencing is undertaken, that the National Parks and Wildlife be contacted to relocate these precious creatures. Sincerely, Maureen Shadbolt.



28 August 2019

The General Manager
Northern Midlands Council
PO Box 156,
Longford, TAS 7301

NORTHERN MIDLANDS COUNCIL					
Location					
File No.					
Property					
Attachments <i>3 pages</i>					
REC'D 29 AUG 2019					
GM		A	MYR		A
P&DM			OFF		
CSM			PLAN		✓
E&DM			BLD		
WM			PLT		
HR					

Dear General Manager,

Re: 02/2019, PLN-19-0070 Application to rezone from Rural Resource to General Residential

Austral Bricks is the sole clay brickmaker remaining in Tasmania, the first (and only) manufacturer of certified Carbon Neutral bricks in Australia, and operates out of its Longford manufacturing plant on the corner of Cressy Road and Weston Street, located some 370 metres south of the proposed rezoning - see attached plan. The carbon neutral bricks are a highly sought after sustainable building product which are distributed nationally and exported to New Zealand, Japan and Korea. The Longford plant uses sawdust from the local timber industry to fire its kiln, and further supports the State by procuring a portion of our carbon credits from locally sourced greenhouse gas emission offset projects (when available on the carbon market) - currently we are supporting the Redd Forests: Protection of a Tasmanian Native Forest. Austral also operates 3 satellite quarries which supply the plant with raw material, the nearest is located on Wilmores Lane 2.7km west of the proposed rezoning.

At first glance the proposed development as per the Woolcott Surveys Section 43 Planning Application appears limited to a square block of 1.763ha bounded by Lewis Street to the south, however the fifth page of the Hydrodynamica Flood Modelling Report within the public exhibition documents indicates the proposed development footprint extends a further 490 metres south along Catherine Street and ends 370 metres away from the Austral Bricks site. Austral Bricks has no objection to the 1.763ha rezoning, however would much prefer that any residential rezoning further south be limited by Cracroft Street.

Brick manufacturing is unlike many other manufacturing operations in that the location of its manufacturing plants is crucial. A brick plant must be located close to adequate clay reserves, electricity supply, main roads, and where a source of fuel to fire the kiln is readily available. The absence of any adverse impact to flora and fauna, floodplain, heritage and infrastructure assets is also a key consideration. For these reasons brick plants (and to a lesser extent, their satellite quarries) have very limited options for ideal locations and once established, tend to remain in operation for the life of the clay reserve.

Unfortunately, it is common for brick plants to become encroached by residential development and subjected to increasing and often unachievable community expectations. This typically results in brickmakers being forced to close well before raw material reserves are exhausted. Similarly, the quarries supplying raw materials are also at risk of encroachment.

Mainland state and local governments are recognising the need to protect valuable and strategic resources such as clay, sand and stone (and by extension the associated processing and manufacturing facilities) to ensure building and construction demands can be met in future at a reasonable cost. For example, Victoria has led the way with the following extracts from plans and policy being central to Austral Bricks recent success in gaining planning approval for a new quarry in Wallan, where the quarry was prioritised over residential development:

Austral Bricks (TAS)
ABN 14 009 501 053
Cressy Road,
Longford TAS 7301

T +61 (3) 6397 4500
E infoTAS@australbricks.com.au
australbricks.com.au

A division of

BRICKWORKS
— BUILDING PRODUCTS —

Proudly supports





Plan Melbourne supports that *"the sequencing of urban development in growth areas should allow strategic resources ... to be extracted ahead of establishing urban area, with provision for these areas to proceed outside defined buffer zones that can be subsequently in-filled by other urban land uses"*.

State planning policy provides that *"Planning is to assist in the conservation and wise use of natural resources including energy, water, land, stone and minerals to support both environmental quality and sustainable development"*.

Hume Council's Regional Growth Plan identifies extractive industry as a State significant land use and observes that *"A locally available supply of earth resources, including heavy construction materials, will support settlement growth, economic development and the provision of cost-effective infrastructure. Consideration could be given to measures that help facilitate and manage the future extraction of earth resources in the region as part of diversifying its economy"*.

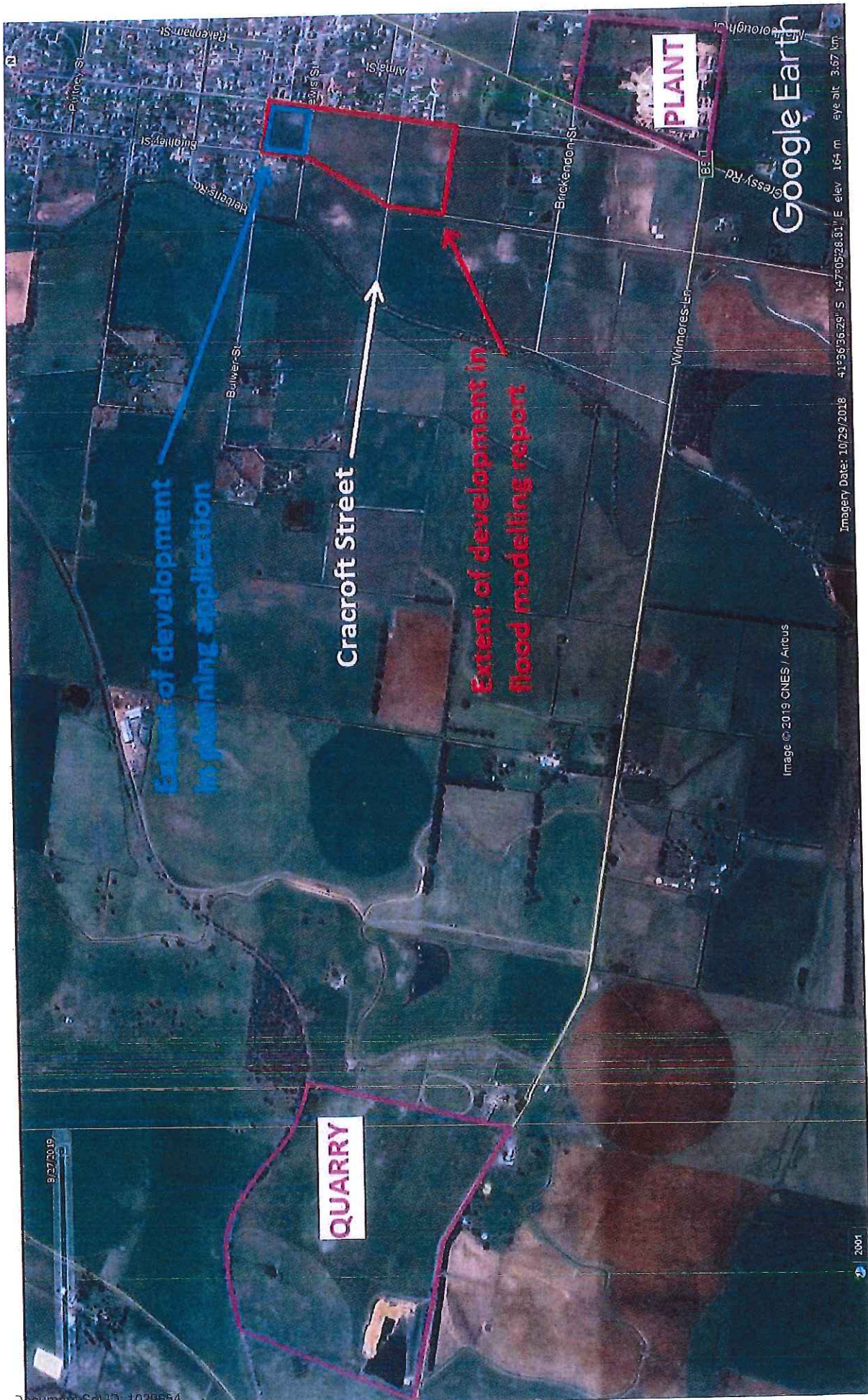
Austral Bricks values the ongoing support, understanding and advice we receive from EPA and Mineral Resources Tasmania. This support helps reinforce Austral's investment in Tasmania to the extent that Brickworks is currently assessing the feasibility of a significant upgrade to the Longford plant which would result in extending the security of 23 local jobs for the region and affordable building materials for the State over the next 30 years. The Wilmores Lane quarry holds significant clay reserves and will continue to expand within the approved mining lease boundary to supply the plant with raw material.

While the full extent of the PLN-19-0070 proposal remains unclear, the original 1.763ha rezoning will not adversely impact our business. However, Austral Bricks would prefer the rezoning to be limited to north of Cracraft Street, and will object strongly to any further proposed rezoning south of the area noted in the Flood Report, and any proposed rezoning in future that has the potential to threaten the ongoing operation of the plant, and the necessary expansion of the Wilmores Lane Quarry.

Yours sincerely,

Cameron McCormick
National Environment Manager
Brickworks Building Products

David Johnson
Business Unit Manager
Austral Bricks (Tas)



NORTHERN MIDLANDS COUNCIL					
Location					
File No.					
Property					
Attachments					
REC'D 2 SEP 2019					
		A			A
GM			MYR		
P&DM			CRS		
GSM			PLAN		✓
E&DM			BLD		
WM			BLT		
HR					

1st September, 2019

General Manager
Northern Midlands Council
Smith Street
Longford.

Dear Mr Jennings,

It is with some reluctance that we are writing to formally object to the Development Application for the rezoning of the land identified as 86 Burghley Street, Longford, from Rural Resource to General Residential, and for the subsequent subdivision of 7 residential blocks.

Our reluctance is not because we object to the concept of residential development of the land in question: indeed, it has long been identified as a growth corridor for the township, and in that we offer our full endorsement.

However, we feel obligated to lodge this objection because we believe that the matter of flood mitigation has not been properly or comprehensively addressed in the Development Application, specifically as it relates to adjoining land.

Our property is adjacent to 86 Burghley Street, separated only by the flood-prone Back Creek. Any development that potentially places our property of increased risk of flooding – and our house is at the lowest level of elevation of any on the western side of Back Creek – is of obvious concern to us. It is evident from the DA that no consideration of the impact of flooding on the western side of the Creek has been made. Given that future development of this extensive parcel of land (of which this application for 6 building blocks is likely to be the first of many), the impact is likely to grow over time.

The documentation provided indicates that the new subdivision will require a depth of fill of up to 0.96m to protect the blocks from flood. However, Council advice states, "the draft amendment has not demonstrated how filling the land will protect public infrastructure and other assets from floodwater dispersed by the filling." Additionally, The Hydrodynamica report concluded that to avoid inundation of the subject land, filling would be appropriate, but "the report does not go further to assess the impact on other properties as a result of the fill."


There are several references in the reports and discussion, to the possibility of raising the height of the existing levee to protect the site from future floods. Such a plan would inevitably force flood to the west, further flooding our land and potentially placing our house in danger.

Our reluctance about lodging the application is in large part because we have been unable to access Council initiated Flood Modelling Reports which have been completed in the past year. It may be that the modelling demonstrates that our fears are mis-placed. To date, the reports have not been publicly released. However, the fact that the recommendation of Council officers to the Council (page 884, June 24th meeting), was **not to initiate amendments** to the Northern Midlands Interim Planning Scheme does not fill us with confidence that all is transparent about flood projections, given that this was the only area of the application that did not meet the requirements of the Act.

The independent advice we have sought has been unanimous; that because the earliest date the modelling can be released by Council is after the closing date for objections to be lodged, we must first lodge a claim, which can be withdrawn at a later date.

In the event that the modelling (when it is released) demonstrates that there is no danger of severe flooding to our property in the immediate or long term, or other solutions are proposed and a plan and time-table for implementation are agreed, then we will immediately withdraw this objection. However, until such evidence is provided, we feel we must protect the integrity of our asset.

I can be contacted on _____ or email, _____ should you wish to discuss the matter further.


Dennis Betts OAM, and Cheryl Betts



119 Bulwer Street.

The General Manager
 PO Box 156
 LONGFORD TAS 7301

NORTHERN MIDLANDS COUNCIL					
Location					
File No.					
Property					
Attachments					
REC'D 2 SEP 2019					
			A		A
GM			MYA		
P&DM			CHB		
CSM			PLAN		✓
E&DM			BLD		
WM			HLT		
HR					

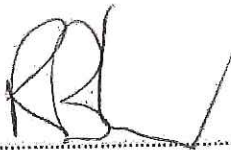
Date: 29/8/19

I, ROB BAKER wish to make a representation to planning application number:

02/2019 on the following grounds:
PLN-19-0070

- ①. SUGGEST/REQUEST ENTRY BE MERGED TO BURGLEY ST INSTEAD OF CATHERINE ST. (SEE ATTACHED NOTES)
- ②. DESTINATION OF INCREASED WATER CATCHMENT (SEE ATTACHED NOTES)
- ③. PLANNING SCHEME AMENDMENT 5.1. WHAT IS 'HIGHER DENSITY RESIDENTIAL DEVELOPMENT'?
- ④. REGIONAL COUNCIL CURRENTLY HAS NO IDENTIFIED STRUCTURE PLAN IN PLACE FOR THE LONGFORD AREA (SEE ATTACHED NOTES)

Yours sincerely



Address: 77 CATHERINE ST. LONGFORD (PO BOX 717 KINGSMEADOWS)

- ① WE BOUGHT THIS HOME BECAUSE OF THE PEACEFUL OUTLOOK TO PASTURE & MOUNTAINS. POTENTIALLY THIS SUBDIVISION WILL REMOVE THE AESTHETIC WE ENJOY. WITH THE ENTRY/EXIT LOCATED OPPOSITE OUR HOME, WE WILL HAVE EXTRA TRAFFIC; NOISE; LIGHTS SHINING INTO OUR BEDROOM; AND DECREASED OFF-STREET PARKING TO ALLOW TRAFFIC FLOW & VISION AT THE INTERSECTION. IF THE PLAN WAS FLIPPED, TRAFFIC WILL EXIT ONTO BUCKLEY ST COTTAGE WITH MINIMAL DISTURBANCE.
- ② IS A PUMP STATION PLANNED FOR THIS DEVELOPMENT AS WAS THE CASE WHEN OUR LAND AREA WAS SUBDIVIDED: CATHERINE, LEWIS WEST, BULLER, MARLBOROUGH. WITH INCREASED WATER CATCHMENT FLOWING INTO PIPES DESTINED FOR WHAT LOCATION? POTENTIAL FLOODING IS A POSSIBILITY. LONGFORD ALREADY HAS ISSUES WITH SEWERAGE & TAP WATER, SO WE DON'T NEED TO ADD TO THIS ISSUE AT THIS END OF THE TOWN. AVERAGE ROOF AREA 150 m^2 X AVERAGE RAINFALL 61mm P/A PAST 10 YEARS = 91,650 LITRES PER HOUSE; PLUS RUN-OFF FROM NEW ROAD, KERBS & GUTTERING.
- ③ 5:1 DOES THIS MEAN SMALLER BLOCKS ON TOP OF EACH OTHER? WHY TRAVEL OUT OF LAUNCESTON REGIONAL AREA TO BE STUCK CLOSELY TO NEIGHBOURS?
- ④ LONGFORD & PERTH HAVE BEEN EARMARKED AS FUTURE GROWTH AREAS. RSN - AI HIGHLIGHTS COUNCIL CURRENTLY HAS NO IDENTIFIED STRUCTURE PLAN IN PLACE FOR THE LONGFORD AREA. I'M SURE THIS WILL BE ADDRESSED SOON TO AVOID UNSTRUCTURED DEVELOPMENT

For the attention of the General Manager:

I write to you with regard to the planning application PLN-19-0070 seeking approval for a change of use and subdivision of the land bordered by Bulwer, Catherine, Lewis and Burghley streets.

Whilst I've no objection to changing the use or subdividing the land, I am concerned lot sizes in the proposed subdivision for the initial and future stages are inconsistent with existing development patterns.

The proposed subdivision similarly does not appear to take into consideration a number of issues regarding long term sustainability of the built environment which may be impacted by lot configurations in relation to typical dwelling sizes and layouts.

1. PLANNING APPLICATION

There is significant focus in the planning application on the need to provide additional residential land. It is further claimed that smaller lot sizes will better cater to the needs of singles, couples or older generations seeking to downsize to more manageable properties.

However, there appears to be no consideration for the reality that buyers may not match these demographics nor does it guarantee the size of the desired dwellings will be appropriate to the proposed smaller lot sizes.

2. PLANNING SCHEME RESPONSE IN APPLICATION

Section 10.1.1.4 of the current Northern Midlands Planning Scheme highlights the intent to encourage residential development that respects neighbourhood character and provide a high standard of residential amenity.

This is a rather vague requirement and open to interpretation, but does imply development should at least be consistent with or improve upon existing development patterns.

In response to Section 10.1.1.4, the application specifically states that lot size, layout and orientation is commonly seen in this area and therefore respects the neighbourhood character and provides a high standard of residential amenity.

It is subsequently possible to compare the proposal with existing residential areas. The most suitable for comparison is perhaps the newer residential area (bounded by Bulwer, Marlborough, Lewis and Catherine streets) to the east of the proposed subdivision site.

Simple analysis of the newer residential area to the east reveals:

- Original 44 lots averaged approx. 835m²
- Further subdivision to 6 of the 7 corner lots
- Further subdivision to 2 other lots
- Resulting 52 lots average approx. 708m²
- Bulwer Street frontages average 20m
- Catherine Street frontages average 20m
- Cul-de-sacs join streets running east-west

Residential areas to the north, north-east and south-east of the proposed subdivision have lot sizes that are typically comparable or greater in size than those in the newer residential area to the east. Frontages are also comparable or longer on average.

Simple analysis of the proposed subdivision reveals:

- 6 smaller initial lots average approx. 577m²
- Average for all lots (initial + stage 2) is approx. 574m²
- Bulwer Street frontages of 6 smaller lots is approx. 17m (Stage 2 lots increase this marginally)
- Catherine Street frontages noticeably longer than 20m on average
- Stage 2 cul-de-sac joins north-south Catherine Street

Evidently, there are a number of inconsistencies with the proposed subdivision when compared with the existing development pattern of the newer residential area to the east and subsequently older residential areas to the north, north-east and south-east.

2. LOT SIZE + DWELLING SIZE

Developments across Tasmania and interstate show smaller lot sizes do not necessarily translate to a reduction in dwelling size.

Muirton Way, Perth is a local example which includes a number of smaller lots with frontages on the northern boundary. This includes several lots of around 500m² and 20-21m frontages with a lot depth of around 24m.

Using the 2019 aerial photography overlay available on the LIST website allows approximate measurements to be taken of the lot size and roofed area of several dwellings.

13 Muirton Way – lot size 500m², roof area 200m²
 17 Muirton Way – lot size 515m², roof area 200m²
 23 Muirton Way – lot size 510m², roof area 165m²
 25 Muirton Way – lot size 518m², roof area 258m²
 29 Muirton Way – lot size 518m², roof area 245m²

The size of these dwellings is evidently comparable to those located in the newer residential area to the east of the proposed subdivision in Longford.

This result in a greater proportion of lots being covered by roofed areas or impervious surfaces, necessitating greater consideration for stormwater management.

Narrow lots also increase the likelihood dwelling width will result in reduced distances to boundaries and other dwellings on adjoining properties, thus increasing potential for impacts to solar access and overshadowing of neighbouring properties and dwellings.

3. DWELLING LAYOUT + LOT CONFIGURATION

The proposed lot configuration when considered in conjunction with typical dwelling layout is likely to present issues with regard to maximising solar access.

Dwellings should ideally have living areas to the north – see diagram 1. Solar gain can then be maximised during winter and minimised during summer.

This improves long term sustainability by reducing energy consumption for heating and cooling, subsequently reducing ongoing costs for residents.

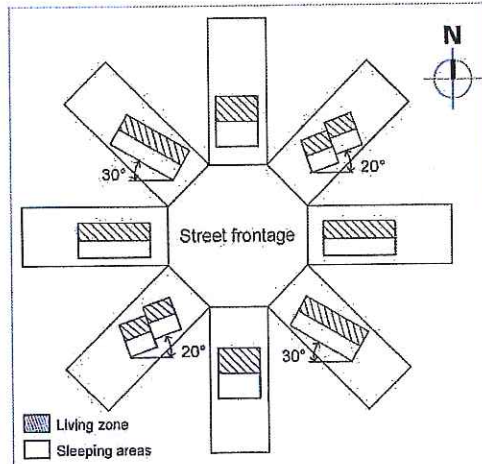


Diagram 1
(Source: AMCORD)

Current trends in dwelling layouts as offered by various building companies often place a garage, bedroom and entry facing the street with living spaces to the rear – see Diagram 2.

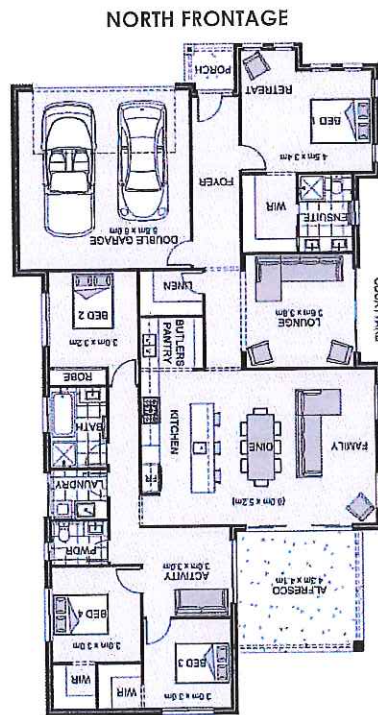


Diagram 2
(Source of plan: GJ Gardner Homes)

Despite the availability of alternatives or ability to modify these plans, it appears site specific responses to dwelling design which deviate from this configuration are uncommon.

A small number of plans also offer a small living space at the front, although the majority of these appear intended to satisfy planning scheme requirements rather than acting as the primary living space or an extension of the primary living space.

Hip roof styles are also predominant and when configured such that the long axis of the dwelling runs north-south, options for future solar panel and/or solar hot water installations may be adversely impacted.

Lots with narrow frontages to the north are therefore more likely to result in dwellings that have a long axis running north-south.

This will introduce a variety of undesirable issues such as:

- Placement of living spaces to the south, east or west
- Placement of private open spaces to the south
- Placement of private open spaces to the east or west that are overshadowed by the dwelling or neighbouring dwellings
- Minimise glazing to the north
- Increase glazing to the south, east and west
- May not meet acceptable solution requirements of planning scheme (e.g. window orientation for habitable rooms)
- May be less suited to solar installations

Lots with narrower main frontages on a southern boundary may also create similar issues where the living spaces are more centrally located in a dwelling or the dwelling has minimal glazing on the northern façade.

4. PRIVATE + PUBLIC OPEN SPACE

Smaller lot sizes increases the need to offset the loss of private open space through provision of additional public open spaces to cater for a range of recreational activities that require greater amounts of space.

Where smaller lot sizes are proposed, the offer of cash payments in lieu of providing such spaces should be declined.

5. ALTERNATIVE CONFIGURATION

Overlaying typical dwelling outlines from the newer residential area to the east that are comparable in size to those on the smaller lots of Muirton Way highlights the potential issues previously described (Diagram 3) in relation to the proposed lot configuration.



Diagram 3
Proposed lot configuration with dwelling
outlines from newer residential area to east

The Muirton Way example shows that planning requirements may not prevent approval for dwellings that adversely impact solar access or overshadowing. The configuration of lots with a longer north-south axis off the proposed cul-de-sac also increases the number of dwellings likely to have living and private open spaces on the south side.

Lots on the north side of east-west streets such as Lewis Street should also be narrower and of greater depth from the street frontage given typical dwelling layouts. Similarly, lots on the south side of such streets can have reduced depth from the frontage and wider frontages to maximise solar access.

Diagram 4 provides a sketch alternative configuration that may address a number of the issues relating to the proposed subdivision configuration.

This includes removal of the cul-de-sac and instead providing a 10m wide private access to six smaller internal lots. Perimeter lots have comparable frontages to the newer residential area to the east and thus provide continuation of the established neighbourhood character and better maintain residential amenity.

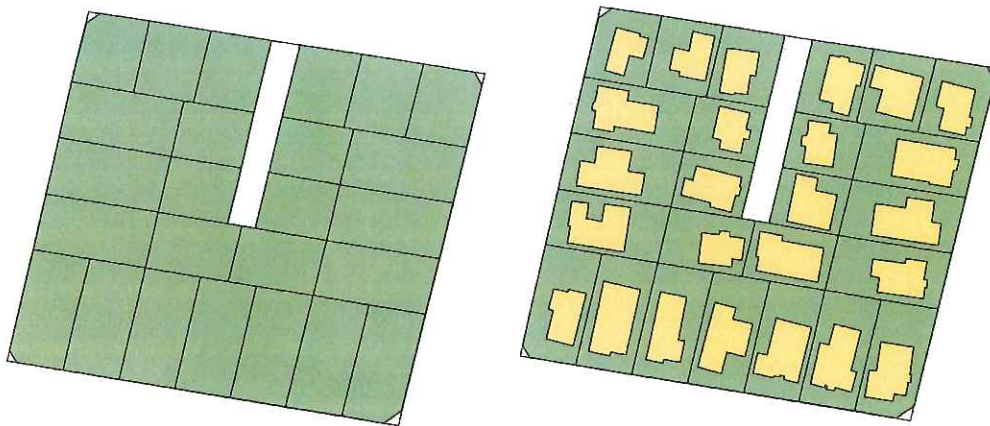


Diagram 4
Alternative lot configuration with dwelling
outlines from newer residential area to east

The alternative configuration clearly results in a greater amount of private open space for individual dwellings, although there is a reduction in the number of lots from 28 to 25.

There is however potential for corner lots on Lewis Street to be further subdivided (STCA) and the increased lot size more generally would equally negate the increased need for provision of any new public open spaces in this stage, which would otherwise result in the loss of one or two lots from the proposed configuration in the application.

Additional consideration would however be required with regard to other potential issues such as waste collection for internal lots to avoid any issues similar to those experienced near 15 Lewis Street and other similar developments.

6. CONCLUSION

Evidently, lot sizes in the vicinity of the proposed subdivision are on average much larger with street frontages also being generally greater.

Smaller lot sizes as claimed in the application are therefore not commonly seen in the area.

Larger dwellings following the typical layout of garage, entry and bedroom on the street frontage when constructed on smaller lots may similarly introduce a range of long term sustainability issues, especially those relating to solar access and overshadowing.

The example of Muirton Way in Perth further illustrates smaller lot sizes are no barrier to the construction of larger dwellings commonly seen on lots that are several hundred square metres larger.

When considered in relation to more realistic dwelling sizes and their typical layout, it is likely the neighbourhood character and residential amenity will be adversely impacted through provision of smaller lot sizes that have narrower frontages.

There are similarly no obvious constraints preventing alternative lot configurations which may achieve better outcomes in terms of maintaining optimal solar access and minimising overshadowing whilst achieving greater consistency with existing neighbourhood character and residential amenity.

As such, exploration of alternative subdivision configurations should be undertaken.

I trust that the issues raised will be taken into consideration to ensure the best possible outcome is achieved with regard to the proposed subdivision.

Kind regards,

Mark Rhodes BEnvDes UTAS, BArch UTAS

a: 2 Lach Dar Court, Longford



WOOLCOTT SURVEYS



Our Ref: L180418

30/08/2019

Des Jennings
The General Manager
Northern Midlands Council
P.O. Box 156
Longford, TAS
7301

Dear Des,

02/2019, PLN – 19 – 0070 PLANNING SCHEME AMENDMENT AND DEVELOPMENT APPLICATION, BURGHLEY STREET, LONGFORD

Please find below our representation to the above application. Our comments below include responses to the draft planning permit contained in the Council meeting minutes for the July 22nd Council meeting. It should be noted that at its meeting of 24 June 2019, Council initiated a draft amendment to rezone part of 86 Burghley Street, Longford from Rural Resource to General Residential.

General comments in regard to Section 32 report contained in the Council Meeting Agenda for July 2019

The Northern Midlands Council engaged consultant planner Dianne Cowen of Gray Planning to author a section 32 report in relation to the above planning scheme amendment. The applicant has reviewed this report and would like to state their full support for the findings of this highly professional report.

Comments in relation to the Draft Planning Permit included in the July 2019 Council Meeting Minutes

The applicant would like to make a representation against the Public Open Space Condition number 9 contained in the draft planning permit on page 1105 of the July 22nd Council meeting minutes.

The subdivision application proposes to subdivide six new residential lots with the balance land remaining undeveloped as a balance lot. The Council has two options under Section 116 and 117 of the Local Government (Building and Miscellaneous

LAUNCESTON

10 Goodman Crt, Invermay
PO Box 593, Mowbray TAS 7248
P 03 6332 3760

ST HELENS

48 Cecilia St, St Helens
PO Box 430, St Helens TAS 7216
P 03 6376 1972

HOBART

Rear Studio, 132 Davey St,
Hobart TAS 7000
P 03 6227 7968

DEVONPORT

2 Piping Lane,
East Devonport TAS 7310
P 0428 349 479



WOOLCOTT SURVEYS



Provisions) Act 1993. In the case where Council deem there is not a requirement to take land for Public Open Space the Council may ask for cash in lieu of Public Open Space equivalent to 5% of the value of the undeveloped land in the subdivision. If the Council do require land for Public Open Space then it is legislated that Council can ask for land area equivalent to 5% of the undeveloped value of the land in the subdivision area. In this case the area of land must be calculated on 5% of the value of the land in the six new subdivided lots as this is the land under subdivision. Section 116 (1) (b) states: *'and the value of the area reserved for open space in the plan also exceeds the value of one-twentieth of the whole area comprised in the plan of subdivision, the council must purchase the excess as provided in this section'*.

It is the applicant's preference that no Public Open Space land is taken as part of the six lot subdivision. The applicant believes that more suitable land for Public Open Space will be included as part of future development applications for the overall site and the applicant is keen to work with the Council to develop an overall master plan for the area. The land owner is working with Council officers on a proposed Public Open Space configuration for the area which includes the titles owned by the land owner.

Council will also have further opportunity to request land for Public Open Space or cash in lieu of public open space as part of any future subdivision application for the balance land in line with the Section 116 and 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993.

Please let us know if you have any questions.

Regards, Colin.

Yours faithfully
Woolcott Surveys

Colin Smith
Registered Land Surveyor

Enc.

LAUNCESTON

10 Goodman Crt, Invermay
PO Box 593, Mowbray TAS 7248
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48 Cecilia St, St Helens
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HOBART

Rear Studio, 132 Davey St,
Hobart TAS 7000
P 03 6227 7968

DEVONPORT

2 Piping Lane,
East Devonport TAS 7310
P 0428 349 479

Rosemary Jones

From: Mark Walters - [mailto:mark.walters@6ty.com.au]
Sent: Friday, 10 May 2019 3:02 PM
To: NMC Planning
Subject: Additional Information request for PLN-19-0070 - Rezoning and Subdivision of 86 Burghley Street.
Attachments: 18.361 - P.pdf

Attention: Paul Godier

Hi Paul,

Attached is a sketch plan of what could be done with the balance of the land if given a residential zoning. I have spoken with the Taswater officer, Mr. David Boyle about his concerns for the development of just the 7 lots.

The RAI had two specific questions which can be summarised as follow:

1. The reason why the sewer is for the proposed 7 lots is not located in the Bulwer Street road reserve. As can be seen on the attached plan, locating the sewer in the rear of the lots allows for the servicing of future lots off an internal court (lots 7-11) without the need to construct additional sewer infrastructure.
2. The Catherine Street sewer is between 3.6m and 4.0m deep and running at minimum grade of 0.70% in the location. Placing a new pit on this alignment rather than utilising the existing pit would be both difficult and hydraulically inefficient than the proposed crossing of Catherine Street shown on the sketch plan which uses an existing maintenance hole outside of 75 Catherine Street.

Please do not hesitate to call me if you have any question on this.

Kind Regards,



Mark Walters

Civil & Hydraulic Engineer

Measured form and function

Tamar Suite 103, The Charles
 287 Charles Street, Launceston 7250
 PO Box 63 Riverside 7250
 P 03 6332 3300
 E [mailto:mark.walters@6ty.com.au]
 W 6ty.com.au
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