NORTHERN MIDLANDS COUNCIL

AGENDA

ORDINARY MEETING OF COUNCIL

MONDAY, 19 OCTOBER 2020

VIA ZOOM VIDEO CONFERENCING PLATFORM

Des Jennings
GENERAL MANAGER

QUALIFIED PERSONS ADVICE

The *Local Government Act 1993* Section 65 provides as follows:

(1) A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

(2) A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –

(a) the general manager certifies, in writing –

(i) that such advice was obtained; and

(ii) that the general manager took the advice into account in providing general advice to the council or council committee; and

(b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.

I therefore certify that with respect to all advice, information or recommendation provided to the Council in or with this Agenda:

i) the advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and

ii) where any advice is directly given by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice, the advice from an appropriately qualified or experienced person.

Des Jennings
GENERAL MANAGER

GUIDELINES FOR COUNCIL MEETINGS

PUBLIC QUESTIONS AND STATEMENTS

Due to COVID-19 the Council Meeting scheduled for **Monday 19 October 2020** commencing at 5.00pm will take place electronically which unfortunately at this stage prevents public attendance.

Due to this situation the public will be unable to attend the meeting to ask questions during Public Question Time, to ensure questions can still be asked, questions can be submitted prior to the meeting and they will be read out at the meeting. **Questions must be received by no later than 12.00pm on Monday 19 October 2020**.

Questions can be emailed to council@nmc.tas.gov.au; or be mailed or hand delivered to the Council Chambers, 13 Smith Street, Longford.

A public recording of the meeting will be placed on Councils website as soon as practicable after the meeting.

PETITIONS

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

RECORDING OF COUNCIL MEETINGS

COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 – ***Regulation 18*** makes provision for councils to hold meetings via video conferencing platforms.

A copy of the recording of the meeting will be placed on Council's website as soon as practicable after the meeting, the Closed Council session of the meeting will be redacted.

Regulation 33 of the ***Local Government (Meeting Procedures) Regulations 2015*** provides for the audio recording of Council meetings.

The purpose of recording meetings of Council is to assist Council officers in the preparation of minutes of proceedings.

Council's Policy includes the following provisions:

- only applies to formal Council meetings (ordinary meetings, special meetings and Annual General meetings);
- does not apply to closed sessions of Council;
- does not apply to Committees of Council;
- The recording will not replace written minutes and a transcript of the recording will not be prepared;
- The recording may be used by Council staff to assist with the preparation of the minutes and by Council during a subsequent meeting within the period that the recording is retained;
- The official copy of the recording of a Council meeting is to be retained by Council for at least a period of 6 months from the date of a meeting and deleted after that period has expired;
- If requested, a recording of a Council meeting to be available to Councillors at no cost within 24 hours of the meeting;

Unless expressly stated otherwise, Northern Midlands Council claims copyright ownership of the content of recordings of Council meetings ("the Recordings").

NORTHERN MIDLANDS COUNCIL
AGENDA – ORDINARY MEETING
19 OCTOBER 2020

NOTICE IS HEREBY GIVEN THAT THE NEXT MEETING OF THE NORTHERN MIDLANDS COUNCIL WILL BE HELD ON MONDAY 19 OCTOBER 2020 AT 5.00PM VIA ZOOM VIDEO CONFERENCING PLATFORM IN ACCORDANCE WITH THE *COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020, SECTION 18* (AUTHORISATION FOR MEETINGS NOT TO BE HELD IN PERSON)

DES JENNINGS
GENERAL MANAGER

14 OCTOBER 2020

4.00pm	Councillor Workshop – closed to the public ***4.00pm – 4.20pm:*** ***Attendance of Mark Baker CEO NTDC – Regional Collaboration Framework***

GOV 1 ATTENDANCE

1 PRESENT

In Attendance:

2 APOLOGIES

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GOV 3 ACKNOWLEDGEMENT OF COUNTRY

We acknowledge and pay our respects to the Tasmanian Aboriginal Community as the traditional and original owners, and continuing custodians of this land on which we gather today and acknowledge Elders – past, present and emerging.

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

Section 8 sub clause (7) of the *Local Government (Meeting Procedures) 2005* require that the Chairperson is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the Agenda.

GOV 5 CONFIRMATION OF MINUTES

1 OPEN COUNCIL: ORDINARY COUNCIL MEETING MINUTES

DECISION

Cr

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 21 September 2020, subject to the following amendment to the Closed Council decision:

Min. Ref 331/20 - REVIEW: CAMPBELL TOWN TOWN HALL

…

Cr Calvert/Cr Goss

That Council

A) contract Watershed Solutions to undertake the review of the Campbell Town Town Hall to identify possible future usage and opportunities for the building, noting that it is the intent of Council to sell the building,

B) in relation to this matter:

i) considered whether any discussion, decision, report or document is kept confidential or released to the public; and

*ii) determined **to release** the decision to the public.*

Carried

Voting for the motion:

Mayor Knowles, Cr Adams, Cr Calvert, ~~Cr Davis,~~ Cr Goninon, Cr Goss, Cr Lambert

Voting against the motion:

*Cr Brooks, **Cr Davis,** Cr Polley*

be confirmed as a true record of proceedings.

2 CONFIRMATION OF MINUTES OF COMMITTEES

Attachments: Section 1 – Page 1

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

	Date	Committee	Meeting
i)	6/10/2020	Ross Local District Committee	Ordinary
ii)	7/10/2020	Longford Local District Committee	Ordinary

DECISION

Cr

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

3 RECOMMENDATIONS OF SUB COMMITTEES

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

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

Ross Local District Committee

At the ordinary meeting of the Ross Local District Committee held on 6 October 2020 the following motion/s were recorded for Council's consideration:

6.8 Honeysuckle Road

That the RLDC request NMC to clarify what distance of Honeysuckle Road is Northern Midlands Council responsible for maintaining.

Officer's comment:

Council maintains 16.5kms of the road, the rest of the road is classed as Crown Land Reserve, therefore Council has no authority to maintain the remainder of the road.

Officer's recommendation:

That Council note this information.

DECISION

Cr

Longford Local District Committee

At the ordinary meeting of the Longford Local District Committee held on 7 October 2020 the following motion/s were recorded for Council's consideration:

7.1 Draft Planning Scheme Amendment 04/2020: Low Density Residential Zone, Southern Longford.

That this committee ask the Council what "discretionary" means in their table for the uses in the area marked by the boundary of Anstey Street/Brickendon Road/Wellington and Craycroft Streets? The committee believes this does not protect the area from general development with this discretionary clause."

7.4 Flood Levee banking – it was suggested that with appropriate signage the levee could be used.

"That Council investigates erecting appropriate signage so that the levee bank can be used for health and recreation"

8.1 Capeweed – who is responsible for nature strips is there a Council Policy and is there any State funding for weed eradication "

That this committee asks if there is a Council policy for this sort of weed eradication and if so, it doesn't seem to be working. Could they please advise.

8.3 Policy on fence heights

Could the Council please advise the committee on any policy.

8.4 Businesses are reporting that they have run out of Longford tear off street maps

That Council reproduce a simple tear off street map pad for distribution around Longford businesses and community groups.

Officer's comment:

The recommendations from the Committee were received by Council Officers during the latter stages of preparation of the Council Agenda. It is therefore recommended that Council Officers investigate and provide advice direct to the Committee in relation to the motions listed.

Officer's recommendation:

That Council Officers investigate and provide advice to the Longford Local District Committee in relation to the motions listed.

DECISION

Cr

GOV 6 DATE OF NEXT COUNCIL MEETING: 16 NOVEMBER 2020

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 16 November 2020 via the Zoom video conferencing platform in accordance with the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, Section 18 (authorisation for meetings not to be held in person).

INFO INFORMATION ITEMS

1 COUNCIL WORKSHOPS/MEETINGS HELD SINCE THE LAST ORDINARY MEETING

Responsible Officer: *Des Jennings, General Manager*

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

Date Held	Purpose of Workshop
5/10/2020	**Council Workshop** Discussion: • ASPIRE Presentation • Memorial Hall and Village Green, Longford • Draft Bushfire Mitigation Bill: for review and comment • Recreational Fishing Strategy • Declaration of a Climate Change Emergency
19/10/2020	**Council Workshop** Discussion: • Council Meeting Agenda items
Tuesday 3/11/2020	**Presentations planned to be received at next workshop:** • Perth Streetscape Development • Integrated Priority Projects

2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 22 September 2020 to 19 October 2020 are as follows:

Date	Activity
22 September 2020	Attended Heritage Highway AGM, Poatina
22 September 2020	Attended Visit Northern Tasmania AGM, Launceston
23 September 2020	Attended meeting via ZOOM with Department of State Growth, Longford
23 September 2020	Attended meeting via ZOOM RE TRANSlink, Longford
23 September 2020	Attended NRM North AGM, Launceston
24 September 2020	Attended TasWater Owners Representatives Group General Meeting, Riverside
24 September 2020	Attended NMC Staff Celebration, Longford
24 September 2020	Attended NTDC Special Members Meeting, Launceston
29 September 2020	Attended Avoca playground Official Opening, Avoca
30 September 2020	Attended NMBA AGM, Longford
1 October 2020	Attended Tasmania Talks radio interview, Gipps Creek
1 October 2020	Attended Tasmanian Young Achiever Awards presentation via webinar, Gipps Creek
3 October 2020	Attended Rotary Op Shop Opening, Longford
4 October 2020	Attended NRM North Bandicoot Field Day, Longford
4 October 2020	Attended NTJFA Grand Final, Longford
5 October 2020	Attended Citizenship Ceremony, Longford
5 October 2020	Attended meeting with HR advisor and General Manager, Longford
5 October 2020	Attended Council Workshop, Longford
6 October 2020	Attended Ross Local District Committee meeting, Ross
6 October 2020	Attended Perth Local District Committee meeting, Perth
6 October 2020	Attended Evandale Advisory Committee meeting, Evandale
7 October 2020	Attended Rossarden Fire Brigade and Landcare AGM, Rossarden
13 October 2020	Attended Avoca Museum and Information Centre, Avoca
14 October 2020	Attended Campbell Town Auxiliary meeting, Campbell Town
14 October 2020	Attended Launceston Chamber of Commerce AGM and Board Elections, Launceston
15 October 2020	Attended LG Professionals Conference, Campbell Town
19 October 2020	Attended Council Workshop and Ordinary Meeting, Longford

3 GENERAL MANAGER'S ACTIVITIES

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

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

- Attended NTDC Board discussion
- Met with Consultants re Perth Streetscape Project
- Met with Consultants re Integrated Priority Projects
- Attended Launceston Transport Strategy Workshop
- Attended NTDC Board discussion
- Met with Developers re Perth proposal
- Met with Ratepayer re Seasonal Workers
- Met with TasRacing
- Attended NTDC Board meeting
- Met with Perth Mural Artists
- Attended Ben Lomond Visitor Shelter Reference Group meeting
- Attended LGAT general meeting
- Attended Regional General Manager's meeting
- Met with State Director – Department of Foreign Affairs and Trade
- Met with Developers re proposals
- Met with CEO, Tourism Northern Tasmania
- Attended TasWater Owners' Representatives Group general meeting
- Attended NTDC Members special meeting
- Attended Staff Recognition of Service function
- Attended opening of redeveloped Avoca playground

4 PETITIONS

1 PURPOSE OF REPORT

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

2 OFFICER'S COMMENT

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

Section 57. Petitions

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

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

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

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

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

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

(d) a statement specifying the number of signatories; and

(e) at the end of the petition –

(i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and

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

(3) In this section –

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

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

petition means a paper petition or electronic petition;

signatory means –

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

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

3 PETITIONS RECEIVED

Nil.

5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

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

6 132 & 337 CERTIFICATES ISSUED

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

S132. Certificate of liabilities

(1) A person referred to in subsection (2) may apply to the general manager for a certificate stating–

(a) the amount of any liability for rates, whether due or not on the land and outstanding interest or penalty payable in relation to the land;

(b) any amount received on account of rates that is held in credit against future liabilities for rates in relation to the land; and

(c) the amount of any charge on the land recoverable by the council.

S337. Council land information certificate

(1) A person may apply in writing to the general manager for a certificate in respect of information relating to land specified and clearly identified in the application.

(2) The general manager, on receipt of an application made in accordance with subsection (1) , is to issue a certificate in the prescribed form with answers to prescribed questions that are attached to the certificate.

(3) A certificate under subsection (2) relates only to information that the council has on record as at the date of issue of the certificate.

(4) A prescribed fee is payable in respect of the issue of a certificate.

(5) The general manager, on request, may provide in or with the certificate any other information or document relating to the land that the general manager considers relevant.

(6) A council does not incur any liability in respect of any information provided in good faith from sources external to the council.

(7) A person, with the consent of the occupier or owner of specified land, may request in writing to the general manager that an inspection be carried out of that land to obtain supplementary information relevant to that land.

(8) If the general manager agrees to a request under subsection (5) or (7) , the general manager may impose any reasonable charges and costs incurred.

(9) In this section –

***land** includes –*

(a) any buildings and other structures permanently fixed to land; and

(b) land covered with water; and

(c) water covering land; and

(d) any estate, interest, easement, privilege or right in or over land.

	No. of Certificates Issued 2020/2021 year												Total 2020/2021 YTD	Total 2019/2020
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
132	136	71	95										**302**	**846**
337	34	41	36										**111**	**449**

7 ANIMAL CONTROL

Prepared by: *Martin Maddox, Accountant and Tammi Axton, Animal Control Officer*

Item	Income/Issues 2019/2020		Income/Issues for September		Income/Issues 2020/2021	
	No.	$	No.	$	No.	$
Dogs Registered	4,278	101,937	926	23,040	3,713	84,826
Dogs Impounded	44	4,089	1	86	3	217
Euthanized	1	-	-	-	-	-
Re-claimed	39	-	1	-	3	-
Re-homed/Dogs Home *	4	-	-	-	-	-
New Kennel Licences	15	1,080	3	216	4	288
Renewed Kennel Licences	70	3,080	2	88	74	3,256
Infringement Notices (paid in full)	42	12,149	1	344	11	2,199
Legal Action	-	-	-	-	-	-
Livestock Impounded	-	-	-	-	1	65
TOTAL		**122,335**		**23,598**		**90,851**

** previously sent to RSPCA (and subsequently Launceston City Council shelter) to 30 January 2019; commenced with utilising the Dogs Home April 2019.*

Registration Audit of the Municipality:

Perth audit will be included with the registrations, which are now being followed up

Kennel Licences

3 new kennel licences applied for in September

Kennel licence inspections completed

Microchips:

0 dogs microchipped

Infringements:

1 infringement issued.

Attacks:

1 attack on a sheep – attack was not witnessed

Impounded Dogs:

1 dog impounded – 1 reclaimed by owner.

8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: *Chris Wicks, Environmental Health Officer*

Determine acceptable and achievable levels of environmental and public health by ongoing monitoring, inspection, education and, where necessary, by applying corrective measures by mutual consent or application of legislation.

Ensure safe standards of food offered for sale are maintained.

Investigations/Inspections	2017/2018	2018/2019	2019/2020	2020/2021	No. of premises inspected this month	Current No. of Premises Registered
Notifiable Diseases	4	5	1	0		
Inspection of Food Premises	77	127	111	27	11	125

Notifiable Disease investigations are carried out by Council's Environmental Health Officer at the request of the Department of Health. Investigations typically relate to cases of food borne illness. While some investigations are inconclusive others can be linked to other cases and outbreaks within Tasmania and across Australia. Under the Public Health Act 1997, investigations are confidential.

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

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

NOTE: Department of Health has advised all EHOs to suspend food inspections unless absolutely unavoidable.

9 CUSTOMER REQUEST RECEIPTS

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

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

Date	Recipient	Purpose	Amount $
15-Sep-20	Campbell Town District High School	Inspiring Positive Futures Program	7,272.73
15-Sep-20	Campbell Town District High School	Chaplaincy	1,363.64
		TOTAL DONATIONS	**$ 8,636.37**

11 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status
19/08/2019	238/19	Local District Committees: Review of Memorandum of Understanding	That the matter be deferred to a workshop	General Manager	Advice formally provided to Committees for comment. Requested response from Committees by 30 August. Report to Council workshop.
16/03/2020	Deferred item	GOV8 Overhanging Trees/Hedges: Evandale	Deferred to provide opportunity for the community to attend	General Manager	No further action to be taken at this time. To be workshopped and report to be relisted.
29/06/2020	191/20	Information Items	That Council request a meeting with the Minister to address communication, between the Department of State Growth and Council, in regard to progressing the decisions relating to the Perth Link Road Project (By-Pass) transfers.	General Manager	Matter in progress with discussion with General Manager of State Roads.
29/06/2020	204/20	Northern Midlands Business Digital Innovation Program Proposal; Opportunity to Promote the Northern Midlands in the IF Locations Guide; Northern Midlands Business Association Pandemic Support Package	That Council v) Continue to fund NMBA to provide the pandemic support package until 30 June 2020 (a further payment of $4,670 of the $7,000 contracted to be paid); vi) Review the final report from NMBA (due 3 July 2020 as per the terms of the Consultancy Agreement) on the pandemic support work undertaken 1 April 2020 to 30 June 2020, with the report to be aligned to the key tasks NMBA committed to perform in the pandemic support package Consultancy Agreement; vii) Consider the NMBA 30 June 2020 pandemic support package outcome report at the July 2020 Council Meeting and determine if the outcomes achieved warrant NMBA the extension of the pandemic support package for a further three months;	General Manager	In progress.
29/06/2020	208/20	Footpath Trading By-Law	That the matter be deferred to a Council Workshop for discussion.	General Manager	Listed for workshop discussion.
21/09/2020	300/20	Campbell Town Tennis Club funding request	That Council liaise with the Campbell Town Tennis Club to explore ways, including financing, to improve the current viewing area with adequate shelter, heating and seating	General Manager	Meeting arranged.
20/07/2020	241/20	Traffic Concerns: Intersection of Marlborough & Wellington streets Longford	That Council i) conduct a vehicle movement survey on the - Wellington/Marlborough street and Wellington/Lyttleton Street - intersections to ascertain the data on vehicle movements through those intersections; and ii) investigate current heavy vehicle movements and routes through Longford and identify possible solutions and alternate routes; and iii) present the data and options	Engineering Officer	A Traffic Engineer has been engaged by Council to undertake investigation. Consultants report awaited.

Date	Min. Ref.	Details	Action Required	Officer	Current Status
			for discussion at a Council Workshop prior to a report being tabled at a future Council meeting.		
21/09/2020	306/20	Grant funding for upgrade of Longford Waste Transfer Station	That Council i) accepts the $100,000 grant from the NTRWMG for the construction of a recycling shed and other site upgrades at the Longford Waste Transfer Station; and ii) plans to continue using the current site for at least the next 20 years; and iii) approve a budget adjustment accepting the Capital Grant Revenue of $100,000; and iv) reallocate $20,000 from the Waste - All Areas WTS Improvements budget allocation; and v) accesses the balance of the funds required, being $80,000 from Council's cash reserves.	Engineering Officer	Further works ongoing to develop master plan for the site.
21/09/2020	307/20	Illawarra Road Safety Issues	That Council requests the Department of State Growth to review the safety of this intersection and investigate safety improvements including the lowering of the speed limit to 80kph and installation of lighting	Engineering Officer	Letter prepared.
17/02/2020	039/20	Recommendations of Sub Committees - Cressy Local District Committee	Bartholomew Park Sign - That Council officers investigate and design a new park sign and explanation plinth (providing background on the park name) to be located at the corner of Main and Church streets, Cressy near the trout sculpture, and it be brought back to the Committee for comment	Works Manager	Design drawing to be provided by Committee.
19/11/2018	323/18	Tom Roberts Interpretation at Longford	That Council approve the proposal to develop a Tom Roberts interpretation panel for erection in the grounds of Christ Church Longford and a short Tom Roberts' video, and consider funding these items in the mid-year budget review process.	Project Officer	Interpretation panel installed. Video production being negotiated.
29/06/2020	193/20	Pandemic Recovery Proposal: Incentives to entice Intrastate Visitors to Northern Midlands to Stay, Play and Spend	That Council support the proposed course of action to entice intrastate visitors to Northern Midlands to stay, play and spend, and allocate a budget of $2,000 towards the project commencing in Longford, and a further recommendations be made to the next Council meeting in relation to the other towns across the Northern Midlands.	Project Officer	Being progressed in liaison with Tourism Officer.
29/06/2020	194/20	Proposed Blue Tree Project	That the matter be deferred pending receipt of further proposals relating to mental health initiatives.	Project Officer	Informal response received from Dept State Growth that lighting the tree is an undesireable outcome and could potentially distract drivers negotiating the ramp curve at night. Discussed at September workshop. Awaiting further advice.
29/06/2020	204/20	Northern Midlands Business Digital Innovation Program Proposal; Opportunity to promote the Northern Midlands in the IF Locations Guide; Northern Midlands Business Association Pandemic Support Package	That Council ... ii) Collaborates with the Northern Midlands Courier to build on the 'Call a Local' campaign by the production of a Northern Midlands business directory for inclusion as a pull out insert in two editions of forthcoming Couriers (plus extra copies for free distribution at local outlets) and publication online on Council's website; ...	Project Officer	NMBA directory updated.
29/06/2020	204/20	Northern Midlands Business Digital Innovation Program Proposal; Opportunity to promote the Northern Midlands in the IF Locations Guide; Northern Midlands Business Association Pandemic Support Package	That Council ... iii) Dependent on the cost of the production and distribution of the two copies of the business directory in the Courier, allocate the remainder of the $25,000 budget to the production and distribution of a hard copy television, radio and online video/You Tube production to promote visiting the Northern Midlands to intrastate markets; iv) in conjunction with i) and iii) with a proposal to be brought to council to focus on television and google advertising, and buy Tasmania and promote ecommerce sites; through ecommerce education workshops and identify costs of the initiatives. ...	Project Officer	Options and costings being completed.
29/06/2020	204/20	Northern Midlands Business Digital Innovation Program Proposal; Opportunity to promote the Northern Midlands in the IF Locations Guide; Northern Midlands Business Association Pandemic Support Package	That Council ... ix) Request NMBA to collaborate with Council on the development and undertaking of an annual business satisfaction survey with regard to NMBA support of local businesses.	Project Officer	To be progressed with NMBA.
20/07/2020	227/20	Recommendations of Sub Committees - Longford Local District Committee - Tree: Perth Bypass	That Council note the request - That the Committee approach Council to see how the tree on the bypass can be solar lit as a natural artistic feature.	Project Officer	Discussed at September workshop. Awaiting further advice.
21/10/2019	313/19	Confirmation of Minutes - Ross Local District Committee - 7.1 Macquarie River	The Ross Local District Committee requests that the Northern Midlands Council progress the dual naming of the Macquarie River to Tinamirakuna which includes community consultation and investigation. - That Council support the proposal and progress the request	Executive & Comms Officer	Information sought to prepare appropriate community consultation. Contacted DPIPWE and Tasmanian Aboriginal Centre, awaiting response. In progress.
22/07/2019	207/19	Policy – Bond Payment and Return	That the matter of bond payment consolidation be listed for discussion at a future workshop.	Community & Development	Listed for workshop discussion.

Date	Min. Ref.	Details	Action Required	Officer	Current Status
				Manager/Corporate Services Manager	
17/08/2020	268/20	Taswater Operations Inquiry	That Council … B) request TasWater provide a breakdown of the increase in water rates charged to the community by TasWater since its inception	Corporate Services Manager	
17/09/2018	258/18	Initiation of Draft Planning Scheme Amendment 04/2018 include Flood Risk Mapping in the Planning Scheme for land along Sheepwash Creek from Arthur Street to Cemetery Road, Perth	That Council, acting as the Planning Authority, pursuant to section 34 of the former provisions of the Land Use Planning and Approvals Act 1993 resolve to initiate draft Planning Scheme Amendment 04/2018 to the Northern Midlands Interim Planning Scheme 2013 to include the flood risk mapping for land zoned General Residential and Future Residential, based on the mapping shown in the attachment, in the planning scheme maps.	Senior Planner	A flood map is to be incorporated by an amendment to the Planning Scheme. Drone survey to be undertaken prior to seeking quotes for amendment.

LONG TERM ACTIONS

Date	Min. Ref.	Details	Action Required	Officer	Current Status
10/04/2017	120/17	Perth Structure Plan	Draft amendments to the planning scheme to be prepared.	Senior Planner	Status report to November Workshop.
18/09/2017	279/17	Historical Records and Recognition: Service of Councillors	That Council, ...and ii) progress the following when the glass enclosed area at the front of the Council Chambers is nearing completion: Photograph/photographs of current Councillors – professional printing and framing; Archiving of historic photographs; Production of a photo book of historic photographs for display.	Exec Assistant	Photographs of Mayors at framers, expected to be completed mid-December. Photographs of full NMC Council, for each term since inception, being sourced. To be professionally remastered.
18/05/2020	146/20	Northern Midlands Youth Voice Forum	That Council endorse the progression of the Northern Midlands Youth Voice Forum	Youth Officer	On hold.

COMPLETED ACTION ITEMS FOR DELETION

Date	Min. Ref.	Details	Action Required	Officer	Current Status
27/04/2020	113/20	South Longford Expansion: Project Brief	That Council a) endorse the South Longford Expansion: Project Brief (the brief to include other areas for expansion, including east Longford); and b) invite tenders from appropriately qualified and experienced consultants to produce the South Longford Expansion Strategy (inclusive of other areas identified); and c) receive a further report.	General Manager	JMG engaged.
20/07/2020	227/20	Recommendations of Sub Committees - Longford Local District Committee - Longford Racecourse	That Council … formally approach Tas Racing and seek the status of future planning for the site.	General Manager	Meeting held with TasRacing CEO, awaiting further advice.
21/09/2020	292/20	Longford Local District Committee - 1) Proposal for Longford Racecourse to be the home for the Magic Millions	Decision from 2 September 2020 LLDC meeting - That Council note the support of the Longford Local District Committee.	General Manager	Letter sent to the Chair of the LLDC. Complete.
21/09/2020	292/20	Longford Local District Committee - 2) Vinnies replacement Op Shop	Decision from 2 September 2020 LLDC meeting - That Council note the Committees recommendation and acknowledge that a report for financial assistance will be considered by Council.	General Manager	Letter sent to the Chair of the LLDC. Complete.
21/09/2020	292/20	Perth Local District Committee - 1) Bicentenary	Decision from 1 September 2020 PLDC meeting - That the Committee be advised that Council will give consideration to the Committees request once a formal plan, inclusive of budget details, and request has been received.	General Manager	Letter sent to the Chair of the PLDC. Complete.
21/09/2020	292/20	Perth Local District Committee - 2) Planters	Decision from 1 September 2020 PLDC meeting - That the Committees comments be noted. That the committee be advised that a Main Street design plan is progressing and includes consideration of the number and type of planters.	General Manager	Letter sent to the Chair of the PLDC. Complete.
21/09/2020	292/20	Perth Local District Committee - 3) Priority Projects/Budget list	Decision from 1 September 2020 PLDC meeting - That Council submit applications for grant funding as suitable opportunities arise.	General Manager	Letter sent to the Chair of the PLDC. Complete.
21/09/2020	292/20	Perth Local District Committee - 4) Clarence Street Speeding Vehicles	Decision from 1 September 2020 PLDC meeting - That the recommendations of the Committee be noted.	General Manager	Letter sent to the Chair of the PLDC. Complete.
21/09/2020	292/20	Perth Local District Committee - Murals, Artworks	Various decisions from 1 September 2020 PLDC meeting - 1) & 2) That Council note the Committees motion and Officer's comments.	General Manager	Letter sent to the Chair of the PLDC. Complete.
21/09/2020	292/20	Perth Local District Committee - Murals, Artworks & Bicentenary	Various decisions from 4 August 2020 PLDC meeting - 1) & 2) That Council note the Committees motion and Officer's comments. 3) That the Committee note the 24 June 2019 and 27 April 2020 decisions of Council, namely that Council does not	General Manager	Letter sent to the Chair of the PLDC. Complete.

Date	Min. Ref.	Details	Action Required	Officer	Current Status
			have the resources of an events coordinator, but would provide secretarial support only.		
21/09/2020	292/20	Ross Local District Committee - MOU	Decision from 1 September 2020 RLDC meeting - That Council note the motion and consider when appropriate the attendance and resourcing accessibility of the proposed meetings.	General Manager	Noted, comment to be incorporated into the MOU report to Council. Complete.
21/09/2020	295/20	Local Government Association of Tasmania (LGAT) - Motions for the General Meeting: 4 December 2020	That Council endorse the submission of the following motion to the Local Government Association of Tasmania (LGAT) for consideration at the 4 December 2020 general meeting - That LGAT lobby for amendment to the State Planning Provisions to further regulate the placement of shipping containers to reduce their visual impact on the streetscape within township areas.	General Manager	22/9/2020 email sent to LGAT. Complete.
21/09/2020	296/20	Annual General Meeting and 2020 Council Calendar	2) Council in regard to the 2020 calendar year, set aside the practice of the holding of end of year functions for: a) Councillors;	General Manager	Noted.
21/09/2020	297/20	Proposal for the Council Owned Property At 32 Norfolk Street, Perth	That the name "Dolly Dalrymple Reserve" be put forward for the reserve formed by the subdivision at 10 and 32 Norfolk Street Perth	General Manager	Further report to Council - name Dolly Dalrymple not available.
21/09/2020	297/20	Proposal for the Council Owned Property At 32 Norfolk Street, Perth	That the name "Dolly Dalrymple Reserve" be put forward for the reserve formed by the subdivision at 10 and 32 Norfolk Street Perth	General Manager	Letter sent to Mr Henley.
21/09/2020	297/20	Proposal for the Council Owned Property At 32 Norfolk Street, Perth	That Council note the receipt of Ms Donoghue's letter	General Manager	Letter sent.
21/09/2020	296/20	Annual General Meeting and 2020 Council Calendar	2) Council in regard to the 2020 calendar year, set aside the practice of the holding of end of year functions for: …; b) the membership of Local District Committees; and 3) Council write to the Local District Committees advising them of the decision in regard to 2b) above.	General Manager	Letter sent to LDC Committees.
21/09/2020	299/20	Longford Motor Racing Book	That the matter be deferred pending further information on costings, together with a business case, and investigation on the possible printing thereof	General Manager	Letter sent.
21/09/2020	301/20	Longford Cup New Year's Day: Request for financial support	That Council provide in-principle financial support of $8,000, subject to the investigating of other funding sources and negotiation on how the funding is to be provided.	General Manager	Officers liaising with Turf Club.
20/07/2020	227/20	Recommendations of Sub Committees - Longford Local District Committee - Erection of signs	Council officers investigate the request - Can Council approach State Growth to have some signs erected to prevent cyclists and pedestrians using off roads (off-ramps) that have speeds greater that 80 kmh and can Council please erect "Beware of Cyclists" signs in Pateena Road	Engineering Officer	Request for pedestrian/cyclist signs on highway not supported by Dept of State Growth. Committee advised. Cyclists are permitted to use highways in accordance with the Act, as bicycles are classified as vehicles. Signage for Pateena Road under investigation.
29/06/2020	192/20	Northern Midlands Further Education Bursary Program 2020: Update Report	That Council establish a clear process before considering the applications in 2021.	Project Officer	Report to Council.
29/06/2020	202/20	Proposal to Establish a Short to Medium Term, Temporary, Pop-Up, Neighbourhood House at Longford	That Council approve a budget of $2,000 to enable the establishment and operation of a short to medium term, temporary, pop-up, Neighbourhood House at Longford.	Project Officer	Funding application submitted to Tasmanian Community Fund. Invitated to progress to Stage 2 application on October Council Agenda.
21/09/2020	298/20	Longford Rotary Community Shop	That Council approve seeding capital of $5,000 towards the set-up costs of the Longford Rotary Community Shop.	Project Officer	Letter sent.
17/08/2020	268/20	Taswater Operations Inquiry	That Council A) provide the feedback to LGAT for a submission to the Legislative Council inquiry into TasWater Operations (LISTED AS A 1-5) …	Corporate Services Manager	Feedback provided to LGAT.
21/09/2020	296/20	Annual General Meeting and 2020 Council Calendar	1) That the Annual General Meeting for the Northern Midlands Council be held at the Longford Council Offices on Monday, 14 December 2020, commencing at 5pm;	Corporate Services Manager	Noted.
21/09/2020	304/20	Nomenclature: new road name Monastery Court	That Council agree to the road name Monastery Court being assigned to the new court created off Paton Street Longford.	Corporate Services Manager	Complete.
21/09/2020	305/20	Nomenclature: renaming of section of Illawarra Road at Perth - Oakmount Street	That Council assign the name "Oakmount Street" to the section of Illawarra Road isolated by the new Midland Highway bypass at Perth and that the Nomenclature Board be advised of the new name within 40 days.	Corporate Services Manager	Complete.

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

Resource Sharing Summary 1/7/20 to 30/6/21 As at 30/9/20	Units Billed	Amount Billed GST Exclusive $	Rate inclusive of Oncosts and Admin $
Meander Valley Council			
Service Provided by NMC to MVC			
Street Sweeping Plant Operator Wages and Oncosts	56.50	3,067.50	
Street Sweeper - Plant Hire Hours	55.50	5,373.89	
Total Services Provided by NMC to Meander Valley Council		8,441.39	
Service Provided by Meander Valley Council to NMC			
Wages and Oncosts			
Plumbing Inspector Services	126.40	9,438.64	
Total Service Provided by MVC to NMC		9,438.64	
Net Income Flow		**- 997.25**	
Total Net		**- 997.25**	
Private Works and Council Funded Works for External Organisations			
	Hours		
Economic & Community Development Department			
Northern Midlands Business Association			
Promotion Centre Expenditure		Not Charged to Association Funded	
- Tourism Officer	4.00	from Council Budget A/c 519035	
Works Department Private Works Carried Out	64.25		
	68.25		

13 VANDALISM

Prepared by: *Jonathan Galbraith; Engineering Officer*

Incident	Location	Estimated Cost of Damages		
		September 2020	Total 2020/21	September 2019
Graffiti Valentines Park toilets	Campbell Town	$ 350		
Door damaged, Old Bridge Road toilets	Perth	$ 50		
Door damaged, Village Green toilets	Longford	$ 50		
	TOTAL COST VANDALISM	**$ 450**	**$ 1,100**	**$ 1,000**

14 YOUTH PROGRAM UPDATE

Council's Youth Program has been suspended until such time as the state of emergency has been lifted and Council's normal operations are resumed.

15 STRATEGIC PLANS UPDATE

Prepared by: *Lorraine Green, Project Officer*

CURRENT AS OF 5 OCTOBER 2020

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
Blessington			•
Feasibility Study: Investment in Ben Lomond Skifield Northern Tasmania (TRC Tourism)	Jun-15		• Ongoing collaboration with Parks and Wildlife Services and other key stakeholders to progress implementation of report recommendations. • State Government budget included commitment of $400,000 to upgrade the shuttle bus carpark below Jacob's Ladder. Project completed June 2019 • Jan 2019: Nomination submitted for Ben Lomond to be the state's next iconic walk. Nomination unsuccessful.

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
Campbell Town			
War Memorial Oval Precinct Tennis/multi-purpose courts			• September 2017: Funding application submitted to TCF for $55,000 towards the courts development: application successful. Grant deed executed and funds received. Request submitted March 2020 for extension to deadline to enable completion of court surrounds work – anticipated Sept/Oct 2020.. • November 2017: Funding application submitted to Sport & Recreation Tas for $80,000 to assist with the courts development: application successful. Acquittal report submitted December 2019. • October 2020: in discussion with tennis club re the design and funding of the shelter
Oval Irrigation System & Public Toilet			• August 2020: application being prepared to Improving the Playing Field grant program for oval irrigation system and new public toilet facility
CBD Urban Design and Traffic Management Strategy (GHD) (Lange Design and Rare Innovations)	May-16		• GHD contracted to prepare the strategy: final report accepted at November 2017 Council Meeting. • Council secured $1 million loan through the Northern Economic Stimulus package towards the implementation of the main street component of the strategy. • 20 November 2017 ; Lange Design and Rare Innovations Design contracted to prepare the design and construction tenders. Stage 1 concept plan received April 2018. • June 2019: Landscape Works Technical Specification received. • Request for funding through the Local Government Land Transport Infrastructure Program submitted April 2020.
Cressy			
Swimming Pool Master Plan (Loop Architecture)	Dec 15		• Master Plan accepted at October 2017 Council meeting. • Liberal election commitment of $100,000 to upgrade the complex. Acquittal report due November 2020. • Nationals in Government funding commitment of $400,000 made March 2019. Funding agreement signed January 2020. Design Consultant engaged , tender being prepared– late 2021 completion date anticipated.
Recreation Ground Master Plan (Lange Design & Loop Architecture)	Feb-17		• 17 Jan 2017: confirmation that the state govt has approved $220,000 for the ground upgrade through the Northern Economic Stimulus Package. • Feb 2017: Lange Design and Loop Architecture contracted to develop the master plan. Master Plan accepted at April 2018 Council Meeting. • Levelling the Playing Field grant for inclusive changerooms ($354,076) secured October 2019 (to be matched by Council funding). First report due 30.6.20. • October 2019: assisted Cressy Cricket Club with funding application to Stronger Communities Programme for clubrooms upgrade: funding secured. • Facility upgrade design brief completed. Design work completed. Tender being prepared- completion anticipated late 2020.
Evandale			
Honeysuckle Banks			• At May 2017 Council meeting, Council i) accepted in principle the Honeysuckle Banks Plan; ii) consider funding the minor works components of the plan in future Council budgets, and iii) request Council Officers to seek to secure external grants to assist with the implementation of the full plan.
Morven Park Master Plan (Lange Design) **Clubhouse**	Nov-16 April 18		• Nov 2016 Lange Design contracted to develop master plan. Council accepted 2030 Master Plan at April 2018 Council Meeting. • State Liberal election commitment of $158,000 towards facilities' upgrades. Progress reports submitted Dec 2018, March 2019 and Sept 2019. • Feb 2019: funding of 50% matching grant by Council ($430,300) secured under Levelling the Playing Field State Government Grant Program. First progress report submitted 7 Oct 2019. Final report due 30 June 2020. Extension of completion date requested (to end December 2020) • AFL Tas funding commitment of $60,000 secured – to be paid upon project completion. • Anticipated completion in December 2020.
Longford			
Community Sports Centre Master Plan (RT & NJ Construction Services)	Feb-15		• 17 Jan 2017: Council advised State Govt has approved $1,000,000 for the centre upgrade through the Northern Economic Stimulus Package • March 2018: Tender for new gym and amenities shed awarded to RT & NJ Construction Services. Work progressing within available funding.

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
CBD Urban Design Strategy (Lange Design and Loop Architecture)	May-16		• December 2016: Draft Urban Design Strategy received. • Strategy and Guidelines manual accepted at the October 2017 Council Meeting. • Negotiations underway February 2018 with State Growth towards development of a deed regarding the future maintenance of the Illawarra Road roundabout. • Nationals in Government funding commitment of $4 million made in March 2019. Documentation to secure funds submitted 3 October 2019.Deed of Agreement signed June 2020.
Memorial Hall & Village Green Infrastructure			• Sept 17: Philp Lighton Architects contracted to undertake the study of the Council Offices, Memorial Hall, Town Hall and Library facilities. Report received. • March 19: Nationals in Govt commitment of $4m to Longford Urban Design Project memorial hall redevelopment and village green infrastructure upgrade are components of the project. Application to secure the funding commitment submitted 3 October 2019. Agreement signed June 2020. Tender being prepared.
Perth			
Community Centre Development Plan/Perth Early Learning Centre Redevelopment (Loop Architecture)	Oct-15		• March 2019: Nationals in Government funding commitment of $2.6million for the redevelopment of the Early Learning Centre. Documentation to secure funds submitted 4 Oct 2019. Deed of Agreement signed and returned.
CBD Precinct Concept Master Plan (Lange Design and Loop Architecture)	Apr-20		• Consultancy Agreement signed. Draft concept plans prepared.
Ross			
Swimming Pool Master Plan (Loop Architecture)	Dec-15		• Draft Master Plan received May 2016: structural assessment approved August 2016 • Final plan received June 2017 • Final report to be presented to workshop September 2017 • Council resolved at October 2017 Meeting to undertake a survey of the use of the pool across the 2017-2018 swimming season. Pool usage data received May 2018. • Council resolved at June 2020 Meeting to develop a Swimming Pool Strategy. Work on strategy underway.
Village Green Master Plan (Lange Design, Loop Architecture)	Jun-16		• Master Plan accepted in principle at Council 12 December 2016 Meeting. • Jan 2017: cost estimate for design and documentation, tender process and project management received from JMG. • 17 Jan 2017: Council advised State Government has approved $300,000 loan through the Northern Economic Stimulus Package for the implementation of the Master Plan. • Feb 2017: Application lodged with Building Better Regions Fund for $237,660 to enable the Master Plan to be implemented in its entirety. Application unsuccessful. • Feb 2017: Lange Design and Loop Architecture contracted to manage the implementation of the master plan. Concept design presented to Council workshop on 8 May. Planning approval with conditions to be met passed at January 2018 Council Meeting. • March 2018: Lange Design submitted full project package for Village Green, ready for planning application to be prepared by Council officers. • Work progressing. Stage 2 with Local Road & Community Infrastructure funding.
Western Junction			
Launceston Gateway Precinct Master Plan Freight Demand Analysis Report (SGS) Master Plan	Oct-15		• Council approved the preparation of a brief for the precinct master plan at the Sept 2016 Council Meeting. • Liberal election commitment of $5.5million upgrade of Evandale Main Road between the Breadalbane roundabout and the airport, and $1million for edge-widening and other works to improve safety along Evandale Main Road from the airport to Evandale.
TRANSlink Stormwater Upgrade Project			• Applications lodged with National Stronger Regions Fund 2015/ 2016: unsuccessful. • Application submitted Feb 2017 to the Building Better Regions Fund for $2,741,402 (total project cost is $5,482,805: council's contribution is $1,525,623 and private investors $1,215,780). Application unsuccessful. • Application submitted December 2017 for Round Two Building Better Regions Fund: notified July 2018 unsuccessful. • Purchase of parcel of land for stormwater detention purpose.
Municipal wide			
Integrated Priority Projects	**Apr-20**		• Consultancy Agreement signed. Consultants preparing Councillor Workshop materials.

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
Plan (**Jacobs,** Evergreen Lab)			

COMPLETED ACTION ITEMS FOR DELETION

Nil this month.

16 STRATEGIC PROJECTS OUTCOMES AND DELIVERY 2017-2027

Prepared by: *Departmental Managers*

Progress Report:

Not Started (obstacles) *On Hold* *On Track* *Completed*

Status		Comments
GOVERNANCE		
Local Government Reform		Minister Gutwein advised that Council has received the study. GM to report to Council on progress. Expressions of Interest sought for the role of Project Manager, Shared Services Implementation Project. NOA Group engaged. Workshops arranged with Senior Managers of participating councils. NOA Group report finalised, GM's meeting to be arranged to finalise. Legal Services tender submissions being considered. NOA workshops on 5 priority Council functions: IT, Regulatory Services (Planning/Building Compliance), Payroll/Rates, Risk Management/WH&S. Completed, report being reviewed by GMs. Legal Services project considered by GMs, contract finalised. Joint IT platform to be investigated.
Elected Members Development and Annual Plans		Policy and Annual Plan to be prepared.
People and Culture Plan		Framework utilised for recruitment is best practice ▪ Pool Lifeguard Recruitment ▪ Early Childhood Educator COVID-19 Safety Plans for all three pools MOU's for Ross and Cressy Pools. Lease to be prepared for Campbell Town Pool Pool Lifeguard and Operations Manual to be updated to incorporate COVID-19 section Hygiene Policy developed and implemented Council Logo Usage Policy, has been reviewed in accordance with branding project/Northern Midlands Council Style Guide and endorsed at the Sep Council meeting WHS Training for all staff – Put on hold till 2021 Developing a Contractor Agreement for use in the Projects Team Employee Satisfaction Survey – Questions complete. Need to populate Survey Monkey. Project on hold till 2021 Family and Domestic Violence Policy – complete and with the General Manager for review Employment Contract templates have all been reviewed and updated accordingly Corporate Voice and Organisational Branding Project – complete General human resource matters - ongoing Performance management and disciplinary matters – ongoing (as required) Employee learning and development - ongoing Development and implementation of Human Resources Policies and Procedures – ongoing.
Best Business Practice, Governance and Compliance		Legislative Audit, Delegations Review and Policy Manual update ongoing.
Media and Marketing		Communications Strategy and Framework to be developed. Expanding Council's communications through social media and other publications. Marketing Plan to be prepared.
CORPORATE SERVICES		
Asset Management Plan Annual Review		Road and Building revaluation currently being undertaken, review of Asset Plans to be completed upon receipt of review and audit finalised.
Annual Budget and Quarterly Review		Long Term Financial Plan updated, and annual budget adopted by Council at 29 June 2020 meeting.
Information Technology Upgrade Program		ECM hosted in the cloud Dec 2019. Ability for all to work from home March 2020.
Emergency Management		Municipal emergency meeting held in Nov 2019, regular regional meetings attended during Covid19 via zoom. Updated Emergency Recovery Plan adopted May 2017 by Council, revision of Emergency Management Plan to be finalised in 2020.

	Status	Comments
Workplace Health and Safety Action Plan Annual Review		WHS audit assessment complete Nov 2018. Asbestos – individual registers for all properties completed. 1 WorkSafe Tasmania notifiable incident Feb 2019. Risk Register review currently being undertaken.
Customer Service Standards		Participated in LGAT state-wide community satisfaction annual survey. Attending the National Local Government Customer Service Network state meetings on regular basis. Implemented Live-Pro customer service system early 2019. Covid19 recovery and care package developed.
Asset Management Plan Annual Review		Road and Building revaluation currently being undertaken, review of Asset Plans to be completed upon receipt of review.
Annual Budget and Quarterly Review		Long Term Financial Plan updated, and annual budget adopted by Council at 29 June 2020 meeting.
Information Technology Upgrade Program		Security penetration testing report Feb 2019 and recommendations implemented by end of May 2019. One-Touch Payroll implemented from June 2019. ECM hosted in the cloud Dec 2019. Ability for all to work from home March 2020.
Emergency Management		Municipal emergency meeting held in Nov 2019, regular regional meetings attended during Covid19 via zoom. Updated Emergency Recovery Plan adopted May 2017 by Council, revision of Emergency Management Plan approved by State Govt April 2018.
Workplace Health and Safety Action Plan Annual Review		Risk Register reviewed. WHS audit assessment complete Nov 2018. Asbestos – individual registers for all properties completed. 1 WorkSafe Tasmania notifiable incident Feb 2019.
Customer Service Standards		Participated in LGAT state-wide community satisfaction annual survey. Attending the National Local Government Customer Service Network state meetings on regular basis. Implemented Live-Pro customer service system early 2019. Covid19 recovery and care package developed.
COMMUNITY & DEVELOPMENT		
Land Use and Development Strategy		Endorsed 21 October 2019. To be released for public consultation (awaiting timelines for LPS to consolidate the release)
Tasmanian Planning Scheme Integration		Endorsed 21 October 2019 with some amendments required. Submitted to Tasmanian Planning Commission December 2019. Awaiting contact for post-lodgement meeting.
Strategic Projects Team		
Economic Development Master Plan - Prepare, Prioritise, Implement		1) Council and NMBA are collaborating on a small-scale project to identify opportunities to grow the number of businesses in the TRANSlink precinct. Council accepted in principle the TRANSLink Pilot Project: Consultation, Analysis and Recommendations for Growing and Enhancing the TRANSLink Business Precinct in Northern Tasmania Report, August 2018. NMBA contracted April 2019 to implement the TRANSlink Engagement Project. Project completed 2) Economic development framework adopted by Council at May 2020 council meeting. Implementation underway.
Strategic Infrastructure Projects		
Launceston Gateway Precinct Master Planning		Listed as a component of the Municipal Land Use & Development Strategy. Options for southern expansion prepared.
Northern Midlands Rural Processing Centre		Combined with Launceston Gateway Precinct component of the Municipal Land Use & Development Strategy.
Perth Town Structure Plan		Council has endorsed the plan and draft amendments to planning scheme to be prepared.
Perth Community & Recreation Centre & Primary School Integrated Master Plan		Funding committed from Federal Government toward expansion of Perth Childcare Centre. Funding Agreement signed June 2020. Tenders called
Sense of Place Planning - all villages and towns		Master planning for townships underway.
Longford CBD Urban Design Strategy		Commitment of $4million from National Party prior to federal election. Funding Agreement signed June 2020. Tender for memorial hall upgrade, and BBQ and toilet facility being prepared
Longford Place Activation Plan		Complete.
Campbell Town CBD Urban Design and Traffic Management Strategy		Allocation in 2018/2019 budget to commence works. Tender prepared. State Liberal election commitment of $1.9 million for underpass between War Memorial Oval and School/Multipurpose Centre
Ross Village Green Master Plan		Planning approval received. . Work progressing
Ross Swimming Pool Master Plan		Plan complete. Community consultation on future of the pool commenced September 2020..
Cressy Recreation Ground Master Plan		Council accepted Cressy Recreation Ground 2030 Master Plan at April 2018 Council meeting. Levelling the Playing Field funding received. Tender being prepared.

	Status	Comments
Cressy Swimming Pool Master Plan		State election funding grant of $100,000 received. $400,000 commitment from National Party prior to federal election. Funding signed.. Tender being prepared.
Evandale Morven Park Master Plan		Council accepted Morven Recreation Ground 2030 Master Plan at April 2018 Council meeting. State Government levelling the Playing Field grant: $430,300 secured towards development of inclusive changerooms. Work underway.
Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania		Study being driven by external stakeholders, Council support provided when requested. Included in NMC Priority Projects 2019 document.
Sheepwash Creek WSUD Open Space Corridor		July 2018: WSUD space corridor concept plan and concepts – Phillip to Drummond streets – received from consultants. Land acquired. Stormwater works underway.
Economic Development		
Economic Development Master Plan Strategy Delivery		Economic development framework adopted by Council at May 2020 meeting. Implementation underway. See *Strategic Projects Team* above.
Economic Development (incl. Tourism) Strategy Delivery		
Tourism Strategy Implementation		Augmented Reality Project - For the northern part of the Heritage Highway, Ross is the first town to come on board. Work close to completion. Northern Midlands Business and Volunteer Expo – postponed due to pandemic.
Youth and Ageing Strategy		Youth programs and services being pursued. Grant funding received for 2020 programs. On hold due to pandemic. Recommencing October 2020.
Discrimination Strategy		Officers investigating development of strategy
Family Violence Strategy		Council continues to support *End Men's Violence Against Women* campaign. Officers investigating development of strategy
Supporting Health and Education Programs		Participating in the Northern Health Providers Networks meetings. Further Education Bursary Programunderway for 2020.
Supporting Employment Programs		Participate in LGAT special interest groups on a quarterly basis. Support Work for the Dole program. Participate in work experience and University placements.
Supporting Sport and Recreation Programs		Participation in quarterly northern Sport & Recreation meetings. Planning and implementation of upgrade to Council owned sporting facilities underway. Support provided to participants in sporting activities on a state and national level.
Social Recovery Plan		Review complete
Disability Action Plan		Review complete
Cohesive Communities and Communities at Risk		Not yet commenced.
Legislative Audit		Review of legislation ongoing.
Delegations Reviews		Review as new staff commence and legislation changes. Regulatory software purchased to assist.
Council Policy Manual Review		Policies due for review, relevant managers and officers notified, schedule for review in place. Ongoing.
Land Use and Development Strategy		Endorsed 21 October 2019. To be released for public consultation (awaiting timelines for LPS to consolidate the release)
Tasmanian Planning Scheme Integration		Endorsed 21 October 2019 with some amendments required. Submitted to Tasmanian Planning Commission December 2019. Awaiting contact for post-lodgement meeting.
Strategic Projects Team		
Economic Development Master Plan - Prepare, Prioritise, Implement		1) Council and NMBA are collaborating on a small-scale project to identify opportunities to grow the number of businesses in the TRANSlink precinct. Council accepted in principle the TRANSLink Pilot Project: Consultation, Analysis and Recommendations for Growing and Enhancing the TRANSLink Business Precinct in Northern Tasmania Report, August 2018. NMBA contracted April 2019 to implement the TRANSlink Engagement Project. Project underway. 2) Economic development framework adopted by Council at May 2020 council meeting.
Strategic Infrastructure Projects		
Launceston Gateway Precinct Master Planning		Listed as a component of the Municipal Land Use & Development Strategy. Options for southern expansion prepared.
Northern Midlands Rural Processing Centre		Combined with Launceston Gateway Precinct component of the Municipal Land Use & Development Strategy.
Perth Town Structure Plan		Council has endorsed the plan and draft amendments to planning scheme to be prepared.
Perth Community & Recreation Centre & Primary School Integrated Master Plan		Funding committed from Federal Government toward expansion of Perth Childcare Centre. Funding Agreement signed June 2020.
Sense of Place Planning - all villages and towns		Master planning for townships underway.

	Status	Comments
Longford CBD Urban Design Strategy		Commitment of $4million from National Party prior to federal election. Funding Agreement signed June 2020.
Longford Place Activation Plan		Complete.
Campbell Town CBD Urban Design and Traffic Management Strategy		Awaiting detailed design. Allocation in 2018/2019 budget to commence works. State Liberal election commitment of $1.9 million for underpass between War Memorial Oval and School/Multipurpose Centre
Ross Town Centre Park Development Master Plan		Planning approval received. Stormwater and footpath works underway.
Ross Swimming Pool Master Plan		Plan complete. Community consultation on future of the pool to commence July 2020..
Cressy Recreation Ground Master Plan		Council accepted Cressy Recreation Ground 2030 Master Plan at April 2018 Council meeting. Levelling the Playing Field funding received. Final plans prepared.
Cressy Swimming Pool Master Plan		State election funding grant of $100,000 received. $400,000 commitment from National Party prior to federal election. Funding signed. Design work underway.
Evandale Morven Park Master Plan		Council accepted Morven Recreation Ground 2030 Master Plan at April 2018 Council meeting. State Government levelling the Playing Field grant: $430,300 secured towards development of inclusive changerooms. Work underway.
Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania		Study being driven by external stakeholders, Council support provided when requested. Included in NMC Priority Projects 2019 document.
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Tourism Strategy Implementation		Augmented Reality Project - For the northern part of the Heritage Highway, Ross is the first town to come on board. Work close to completion. Northern Midlands Business and Volunteer Expo – postponed due to pandemic.
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Supporting Health and Education Programs		Participating in the Northern Health Providers Networks meetings. Further Education Bursary Program. Underway for 2020.
Supporting Employment Programs		Participate in LGAT special interest groups on a quarterly basis. Support Work for the Dole program. Participate in work experience and University placements.
Supporting Sport and Recreation Programs		Participation in quarterly northern Sport & Recreation meetings. Planning and implementation of upgrade to Council owned sporting facilities underway. Support provided to participants in sporting activities on a state and national level.
Social Recovery Plan		Review complete
Disability Action Plan		Review complete
Cohesive Communities and Communities at Risk		Not yet commenced.
Legislative Audit		Review of legislation ongoing.
Delegations Reviews		Review as new staff commence and legislation changes. Regulatory software purchased to assist.
Council Policy Manual Review		Policies due for review, relevant managers and officers notified, schedule for review in place. Ongoing.
WORKS & INFRASTRUCTURE		
TRANSlink Precinct Renewal - Stormwater		Seeking grant assistance to fund planned works. Included in NMC Priority Projects 2019 document.
Campbell Town War Memorial Oval		External landscaping works, tennis court shade structure and irrigation works outstanding.
Longford NM Sport and Fitness Centre		Stage 3 works commenced, incl: foyer, landscaping and car park.
Evandale Honeysuckle Banks		Masterplan complete. Only minor works being undertaken. Included in NMC Priority Projects 2019 document. Table and bench seating replaced.
Nile Road Upgrade		Included in Roads 5-year Capital Works program. Included in NMC Priority Projects 2019 document.

	Status	Comments
Stormwater Management Plans		Model build for all Towns in progress.
Waste Management 2017 - 2020		Member of the Northern Waste Management Committee. WTS disposal and supervision contracts tendered for long term provision of services. Concrete material being collected, to be crushed at a later date.
NRM Program Collaboration		Collaborating with NRM North on the WSUD Master Plan for Sheepwash Creek.
Longford Recreation Ground Master Plan		Complete.
Sheepwash Creek		Stage 2 in progress.

DECISION

Cr

That the Information items be received.

GOV 7 NORTHERN MIDLANDS BUSINESS ASSOCIATION (NMBA): SERVICE AGREEMENT

Attachments: Section 1 – Page 11

Responsible Officer: *Des Jennings, General Manager*
Report prepared by: *Billie -Jo Lowe, Youth Officer/NMBA-Council Liaison*

1 PURPOSE OF REPORT

To provide Council with:
i) The Northern Midlands Business Association (NMBA) Service Agreement, and
ii) To seek Council's acceptance of the Agreement.

2 INTRODUCTION/BACKGROUND

The NMBA was incorporated in 1999. The primary purpose of the Association is to promote economic development in the Northern Midlands through the fostering, promotion and development of local businesses.

3 STRATEGIC/OPERATIONAL PLAN

Supporting the NMBA is consistent with Council's 2017-2027 Strategic under the 'Economic Development – Supporting Growth and Change' specifically to support new businesses to grow capacity and service and to ensure new and expanded small business is valued.

4 FINANCIAL IMPLICATIONS

The Council has allocated the following financial support to the Association:

Annual contribution	$ 31,779
COVID 19 additional funding April – June 2020	$ 6,990

5 OFFICER'S COMMENTS/CONCLUSION

The NMBA Service Agreement provides a sound framework for the successful partnership between the Association and Council to support Northern Midlands businesses.

6 ATTACHMENTS

6.1 Northern Midlands Council and Northern Midlands Business Association Service Agreement 2020

RECOMMENDATION

That Council accept and endorse the signing of the Northern Midlands Business Association Service Agreement 2020.

DECISION
Cr

GOV 8 NORTHERN MIDLANDS BUSINESS ASSOCIATION PANDEMIC SUPPORT PACKAGE

Attachments: Section 1 – Page 19

Responsible Officer: *Des Jennings, General Manager*
Report prepared by: *Billie -Jo Lowe, Youth Officer/NMBA-Council Liaison*

1 PURPOSE OF REPORT

To:

i) provide Council with the Pandemic Support Package progress reports from the Northern Midlands Business Association

ii) forward proposal from Northern Midlands Business Association for a second round of funding for the Pandemic Recovery Support package

2 INTRODUCTION/BACKGROUND

In April 2020 Council entered into a Consultancy Agreement with NMBA which committed Council to provide an additional $7,000 for the period 1 April – 30 June 2020 to enable NMBA to implement the Pandemic Support Package. The key tasks NMBA committed to were:

- Provide at least weekly email bulletins that condense information received from all levels of government and agencies, and prioritises the information most relevant to Northern Midlands businesses
- Create and maintain the currency of a special coronavirus page on the NMBA website as a means of responding to enquiries and requests for support from Northern Midlands businesses
- Develop and implement a range of programs to support Northern Midlands businesses during the coronavirus pandemic
- Participate in weekly Ministerial teleconferences with the state's chambers of commerce to provide input to the development of initiatives and programs to support businesses during the coronavirus pandemic, and to provide advice on the progress of the initiatives and programs from the perspective of Northern Midlands businesses.

The Agreement required NMBA to provide a report on progress against each of the key tasks at the midway point of the project: 8 May 2020. NMBA submitted the report on 8 May 2020. The report is held as an Attachment.

NMBA have also submitted regular progress updates. The reports are held as Attachments.

In summary, the progress of the Pandemic Support Package against the NMBA coronavirus agreement to date:

- Collation of 1700 Government and other Covid updates in 15 separate bulletins to more than 700 recipients.
- Creation and maintenance of a special coronavirus page on the NMBA website as a means to responding to enquiries and requests for support from Northern Midlands businesses
- Development and distribution of an NMBA 3-Step program for Covid Safety and Recovery
- Coordinated with The Van Diemen Project and The Project Lab to deliver free individual Covid safety plan and recovery advice to nearly 50 local businesses
- Participation in Ministerial teleconferences with the state's chambers of commerce to provide input to the development of initiatives and programs to support businesses during the coronavirus pandemic and provide advice on the progress of the initiatives and programs from the perspective of Northern Midlands businesses

- Initiation of and support for the "Call a Local" Courier newspaper series and promotion of the NMBA 3-Step program for Covid safety and recovery

3 STRATEGIC PLAN 2017-2027

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

- Lead –
  - Leaders with Impact
    Core Strategies:
    - Communicate – Connect with the community
    - Lead – Councillors represent honestly with integrity
    - Manage – Management is efficient and responsive
  - Money Matters
    Core Strategies:
    - Budgets are responsible yet innovative
  - Best Business Practice & Compliance
    Core Strategies:
    - Council complies with all Government legislation
    - Effective and efficient marketing, communications & IT
    - Excellent standards of customer service
  - Workforce Standards
    Core Strategies:
    - Emergency Management & Safety Plans work well
- Progress –
  - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
    Core Strategies:
    - Proactive engagement drives new enterprise
    - Collaborative partnerships attract key industries
    - Attract healthy, wealth-producing business & industry
  - Economic Development – Supporting Growth & Changes
    - New & expanded small business is valued
    - Support new businesses to grow capacity & service
    - Towns are enviable places to visit, live & work
    - Maximise external funding opportunity
  - Tourism Marketing & Communication
    - Tourism thrives under a recognised regional brand
- People –
  - Sense of Place – Sustain, Protect, Progress
    Core Strategies:
    - Planning benchmarks achieve desirable development
  - Lifestyle – Strong, Vibrant, Safe and Connected Communities
    Core Strategies:
    - Living well – Valued lifestyles in vibrant, eclectic towns
    - Communicate – Communities speak & leaders listen
    - Participate – Communities engage in future planning
    - Connect – Improve sense of community ownership
    - Caring, Healthy, Safe Communities – Awareness, education & service
  - Core Strategies:
    - Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

Council have committed $7,000 to NMBA to implement the Northern Midlands Pandemic Support Package. The second round of funding will be an additional $7000 totalling $14,000.

7 RISK ISSUES

Failure to support local businesses during and post the pandemic runs the risk of businesses closing or being financially disadvantaged.

8 CONSULTATION WITH STATE GOVERNMENT

NMBA have provided information to State Government regarding the progress of NMBA Pandemic Support Package.

9 COMMUNITY CONSULTATION

There has been no formal consultation with the community regarding the NMBA Pandemic Support Package.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can either continue or cease funding the NMBA Pandemic Support Package

11 OFFICER'S COMMENTS/CONCLUSION

In my role as liaison between Council and Northern Midlands Business Association I have considered the progress of the NMBA Pandemic Support Package to have provided Northern Midlands Businesses with a high level of support that has improved their capacity to reopen or continue operations under COVID safety regulations. I would therefore support the funding of the NMBA Pandemic Support Package with necessary progress reporting in accordance with the NMBA Coronavirus Agreement.

12 ATTACHMENTS

12.1 NMBA Coronavirus Agreement
12.2 NMBA Pandemic Support Package update 8 May 2020
12.3 NMBA Pandemic Support Package update 12 May 2020
12.4 NMBA Pandemic Support Package update notes 3 June 2020
12.5 NMBA Pandemic Support Package update 9.October 2020

RECOMMENDATION

That Council continue to fund the NMBA Pandemic Support Package

DECISION
Cr

GOV 9 PROPOSED COMMUNITY HOUSE AT LONGFORD

Responsible Officer: *Des Jennings, General Manager*
Report prepared by: *Lorraine Green, Project Officer*

1 PURPOSE OF REPORT

To provide Council with:

i) Provide Council with background on the community house proposal
ii) Seek Council's approval of a funding contribution towards the community house.

2 INTRODUCTION/BACKGROUND

The significant impact of the COVID-19 pandemic has been a catalyst for Council to consider various initiatives and opportunities that could be explored to assist with social recovery for the Northern Midlands community. One of the key initiatives explored was Neighbourhood Houses.

Tasmania currently has a network of 35 funded Neighbourhood Houses that provide accessible, locally-driven programs which respond to community need and provide a soft entry point to community and service systems. Typical programs may include youth and adult literacy programs, healthy eating and cooking classes, IT skills training, family and school holiday activities, vocational training, community events and many volunteer opportunities.

With the sudden advent of a community level emergency, Neighbourhood Houses can provide a range of responsive support tailored to the needs of the individual community and the emerging crisis impacting at that time, and ongoing post-crisis programs as needed.

There are no Neighbourhood Houses in the Northern Midlands.

In July 2020 The Tasmanian Community Fund opened a targeted funding round for projects that would contribute to the support, connection and rebuilding of the Tasmanian Community from the COVID-19 pandemic. Expressions of interest for large projects ($100,000 to $500,000) closed August 12 2020.

An Expression of Interest was submitted on behalf of Council for the development of a community/neighbourhood house at Longford, possibly based at the Riverlands Centre (TBC). Funding was sought to operate a three year pilot, early 2021 to the end of 2023, during which time Council would work with the State Government to argue the case for a designated Neighbourhood House to be funded at Longford. The estimated total cost of the pilot program is $293,824 and the request to the Tasmanian Community Fund is $263,824 as applicants were required to contribute a minimum of 10% cash towards the project.

The Tasmanian Community Fund advised 5 October 2020 that the Expression of Interest had been selected to progress to a Stage Two application, with the application needing to be lodged by 11 November 2020. As part of the application a business plan needs to be developed.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
  - Leaders with Impact
    Core Strategies:
    - Communicate – Connect with the community
    - Lead – Councillors represent honestly with integrity

- Manage – Management is efficient and responsive

- Money Matters

  Core Strategies:
  - Budgets are responsible yet innovative
  - Improve community assets responsibly and sustainably

- Best Business Practice & Compliance

  Core Strategies:
  - Excellent standards of customer service

- Progress –
  - Economic Development – Supporting Growth & Changes
    - Towns are enviable places to visit, live & work
    - Maximise external funding opportunity
- People –
  - Lifestyle – Strong, Vibrant, Safe and Connected Communities

    Core Strategies:
    - Living well – Valued lifestyles in vibrant, eclectic towns
    - Communicate – Communities speak & leaders listen
    - Participate – Communities engage in future planning
    - Connect – Improve sense of community ownership
    - Caring, Healthy, Safe Communities – Awareness, education & service

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

The estimated total cost of the pilot program is $293,824 and the request to the Tasmanian Community Fund is $263,824 as applicants were required to contribute a minimum of 10% cash towards the project. This equates to $10,000 per year for each year of the pilot program.

7 RISK ISSUES

The Stage Two application for the Community House funding cannot proceed without the external 10% contribution towards the project.

8 CONSULTATION WITH STATE GOVERNMENT

Over the term of pilot program council will consolidate its argument for State Government funding for a designed Neighbourhood House at Longford.

9 COMMUNITY CONSULTATION

A meeting of local service providers and community members held in July 2020 unanimously supported the establishment of a community/neighbourhood House and the re-establishment of an opportunity shop in the town - in response to articulated need in the community resulting from the COVID-19 pandemic.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can either approve or not approve the 10% contribution ($30,000 across three years) towards the Community House project.

11 OFFICER'S COMMENTS/CONCLUSION

Longford residents' characteristics and their reaction to the pandemic are no different to those of Deloraine, George Town, Scottsdale, St Helens – to name a few – where there are Neighbourhood Houses providing invaluable support to residents of all ages and abilities. This pilot project has received unanimous support from local community members and local community organisations.

12 ATTACHMENTS

N/A

RECOMMENDATION

That Council approve the allocation of $30,000 across three years for the Longford Community House project.

DECISION
Cr

GOV 10 CLIMATE CHANGE: DECLARATION OF A CLIMATE EMERGENCY

Attachments: Section 1 – Page 34

Responsible Officer: *Des Jennings, General Manager*
Report prepared by: *Des Jennings, General Manager*

1 PURPOSE OF REPORT

The purpose of this report is to consider a request for a report from Councillor Ian Goninon and Mayor Mary Knowles to make a "*Declaration of a Climate Emergency*".

2 INTRODUCTION/BACKGROUND

Across Australia 76 councils have declared an emergency on behalf of more than six million Australians. Darebin City Council, in Victoria, was the first council to make a declaration in Australia and worldwide on 5 December 2016 and have since made a plan to address the issue. In Tasmania Hobart, Launceston and Kingborough councils have declared a climate emergency.

The motions moved by other Tasmanian Councils requested that they

- to write to Tasmanian Premier and Prime Minister to urge them to declare a climate emergency at the state and federal levels.
- To write to all local State and Federal politicians and leaders of Opposition parties expressing its position on the climate emergency
- Conduct an audit on all Council operations to obtain current baseline greenhouse gas emission levels
- To create a Sustainability Strategy

In July 2019 the members of the Local Government Association of Tasmania (LGAT) passed the following motion:

> *That LGAT call upon the Federal and State Governments and Parliaments urging them to:*
>
> *a) Acknowledge the urgency created by climate change that requires immediate and collaborative action across all tiers of government*
>
> *b) Acknowledge that the world climate crisis is an issue of social and environmental injustice and, to a great extent, the burden of the frontline impacts of climate change fall on low income communities, vulnerable groups and future generations, and*
>
> *c) Facilitate emergency action to address the climate crisis, reduce greenhouse gas emissions and meet or exceed targets in the Paris Agreement*

In this regard, LGAT has advised as follows:

> *Acting on the July 2019 climate change motion, LGAT wrote to the then Premier of Tasmania, Hon. Will Hodgman, and the Prime Minister of Australia, Hon. Scott Morrison. We have not yet received responses from either the Premier or the Prime Minister. However, with the change in leadership at a State level and the subsequent focus on managing responses to the COVID -19 pandemic, this is understandable.*
>
> *Regardless, there has been progress in climate change policy subsequent to LGAT's letters.*
>
> *The new Premier, the Hon. Peter Gutwein, went on to create a ministerial portfolio for climate change and has taken it on personally. Addressing climate change featured very prominently in the Premier's March 2020 State of the State Address, making very strong statements with great consistency with the LGAT motion. For example:*

… our response to climate change can't be limited to adaptation and risk management - we also need to mitigate the effects of climate change. Whilst Tasmania has a proud history of being a quiet leader on climate action, it is now time to showcase our innovation to the world and stake our claim as a renewables powerhouse.

These clear statements specifically identifying action beyond just adaptation are very promising and speak to the heart of the motion. In addition, the Premier is strategically positioning Tasmania to be on the front foot and take advantage of the opportunities (relatively speaking) that taking early mitigation action can present to the state, aligning economic and climate agendas.

Our next step is to write to the new Premier in coming months to seek an update on work in the Climate Change portfolio to date, and in particular an understanding of when the background work for the Climate Change Action Plan will commence. We appreciate that much of the work has been delayed as a result of key staff within the Tasmanian Climate Change Office (TCCO) being seconded across to support the Government in responding to COVID-19. Indeed, this continues to be the case with the TCCO still operating with minimum staff.

In addition, the Royal Commission into National Natural Disaster Arrangements has just released (31 August) their Interim Observations report. It is not the purpose of the Royal Commission to address climate change mitigation or carbon reduction, however, the report discusses the climate future we are entering and makes multiple statements about shared responsibility to act and adapt between all levels of government, the private sector, not-for-profits, communities, families, and individuals.

Lastly, LGAT has developed a specific internal work plan for how we engage with the sector and the State Government on the important issue of climate change. Our efforts will involve facilitating collaborative opportunities between councils, as well as with the Tasmanian Government, and examining where state climate change investigations and planning has not eventuated into material action and positioning the Local Government sector to respond to, and where possible lead, the development of the State Government's next Climate Change Action Plan.

Campbell Town District Hight School students grade 9 and 10 recently presented at the Tasmanian Youth Climate Conference a project monitoring local wildlife, on farm identifying hollows as habitat homes, identifying and planting native species to stabilise a dam bank and visiting a working forest to learn about sustainable productive use of trees. They are involved with the NRM North project safeguarding northern Tasmania as a refuge for the Eastern Barred Bandicoot. Mayor Knowles attended the Longford Forum on this topic on Sunday, 4 October 2020.

The grade 3-4 students at Campbell Town District Hight School invited Mayor Knowles to their class to ask what the Council is doing to help mitigate climate change, what are we doing about rubbish, making useful things from rubbish and actually using these instead of buying new things made from new products or trees. (tree planting in towns to keep summer temperatures down, water sensitive urban design ponds to reduce sediment and heavy metals in waterways, installing solar panels wherever we can and enabling the electric car charging station). They had an amazing comprehension of the issues.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
  - Leaders with Impact
    Core Strategies:
    - Communicate – Connect with the community
    - Lead – Councillors represent honestly with integrity
    - Manage – Management is efficient and responsive
  - Money Matters

Core Strategies:
- Budgets are responsible yet innovative
- Efficiency in resource sharing and Council reform
- Improve community assets responsibly and sustainably

- Best Business Practice & Compliance

  Core Strategies:
  - Council complies with all Government legislation
  - Continuous improvement is embedded in staff culture

- Progress –
  - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future

    Core Strategies:
    - Strategic, sustainable, infrastructure is progressive
    - Proactive engagement drives new enterprise
    - Collaborative partnerships attract key industries
    - Attract healthy, wealth-producing business & industry
  - Economic Development – Supporting Growth & Changes
    - New & expanded small business is valued
    - Support new businesses to grow capacity & service
    - Towns are enviable places to visit, live & work
    - Minimise industrial environment impact on amenity
    - Developers address climate change challenges
    - Maximise external funding opportunity
- People –
  - Sense of Place – Sustain, Protect, Progress

    Core Strategies:
    - Public assets meet future lifestyle challenges
  - Lifestyle – Strong, Vibrant, Safe and Connected Communities

    Core Strategies:
    - Communicate – Communities speak & leaders listen
    - Participate – Communities engage in future planning
    - Connect – Improve sense of community ownership
    - Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
  - Environment – Cherish & Sustain our Landscapes

    Core Strategies:
    - Cherish & sustain our landscapes
    - Meet environmental challenges
    - Eco-tourism strongly showcases our natural beauties

4 POLICY IMPLICATIONS

Policy to be developed subject to the outcome of this report.

5 STATUTORY REQUIREMENTS

N/a

6 FINANCIAL IMPLICATIONS

A budget allocation will need to be made for the preparation of a Climate Emergency Strategy, Action Plan and conduct of an audit of all of Council's operations to obtain baseline greenhouse gas emission levels.

It is recommended that the budget allocation is included in the 2021/2022 Budget.

7 RISK ISSUES

That Council declare a climate emergency, but if no action is taken by Council and Government there is a high risk that climate related disasters will increase in frequency, be more diverse and of higher intensity.

8 CONSULTATION WITH STATE GOVERNMENT

In July 2019 LGAT passed the following motion:

That LGAT call upon the Federal and State Governments and Parliaments urging them to:

a) Acknowledge the urgency created by climate change that requires immediate and collaborative action across all tiers of government

b) Acknowledge that the world climate crisis is an issue of social and environmental injustice and, to a great extent, the burden of the frontline impacts of climate change fall on low income communities, vulnerable groups and future generations, and

c) Facilitate emergency action to address the climate crisis, reduce greenhouse gas emissions and meet or exceed targets in the Paris Agreement.

LGAT has advised as follows:

Acting on the July 2019 climate change motion, LGAT wrote to the then Premier of Tasmania, Hon. Will Hodgman, and the Prime Minister of Australia, Hon. Scott Morrison. We have not yet received responses from either the Premier or the Prime Minister. However, with the change in leadership at a State level and the subsequent focus on managing responses to the COVID -19 pandemic, this is understandable.

Regardless, there has been progress in climate change policy subsequent to LGAT's letters.

The new Premier, the Hon. Peter Gutwein, went on to create a ministerial portfolio for climate change and has taken it on personally. Addressing climate change featured very prominently in the Premier's March 2020 State of the State Address, making very strong statements with great consistency with the LGAT motion. For example:

> *… our response to climate change can't be limited to adaptation and risk management - we also need to mitigate the effects of climate change. Whilst Tasmania has a proud history of being a quiet leader on climate action, it is now time to showcase our innovation to the world and stake our claim as a renewables powerhouse.*

These clear statements specifically identifying action beyond just adaptation are very promising and speak to the heart of the motion. In addition, the Premier is strategically positioning Tasmania to be on the front foot and take advantage of the opportunities (relatively speaking) that taking early mitigation action can present to the state, aligning economic and climate agendas.

Our next step is to write to the new Premier in coming months to seek an update on work in the Climate Change portfolio to date, and in particular an understanding of when the background work for the Climate Change Action Plan will commence. We appreciate that much of the work has been delayed as a result of key staff within the Tasmanian Climate Change Office (TCCO) being seconded across to support the Government in responding to COVID-19. Indeed, this continues to be the case with the TCCO still operating with minimum staff.

9 COMMUNITY CONSULTATION

Mayor Knowles has been approached by more than one ratepayer, and many Councillors have been contacted by a prominent farmer who now realises the seriousness of this issue and has urged Council to do the same.

Campbell Town District Hight School students grade 9 and 10 recently presented at the Tasmanian Youth Climate Conference a project monitoring local wildlife, on farm identifying hollows as habitat homes, identifying and planting native species to stabilise a dam bank and visiting a working forest to learn about sustainable productive use of trees. They are involved with the NRM North project safeguarding northern Tasmania as a refuge for the Eastern Barred Bandicoot. Mayor Knowles attended the Longford Forum on this topic on Sunday, 4 October 2020.

The grade 3-4 students at Campbell Town District Hight School invited Mayor Knowles to their class to ask what the Council is doing to help mitigate climate change, what are we doing about rubbish, making useful things from rubbish and actually using these instead of buying new things made from new products or trees. (tree planting in towns to keep summer temperatures down, water sensitive urban design ponds to reduce sediment and heavy metals in waterways, installing solar panels wherever we can and enabling the electric car charging station). They had an amazing comprehension of the issues.

10 OPTIONS FOR COUNCIL TO CONSIDER

It is recommended that Council not ignore the extreme change in the climate.

11 OFFICER'S COMMENTS/CONCLUSION

Local Government plays a critical role assisting the community to reduce emissions and adapt to climate change.

It is believed Council is best placed to respond to localised climate change that would impact on regional and state needs to adapt to climate change.

It is suggested that if Council endorses the recommendation that consideration is also given to the preparation of a Climate Emergency Strategy and Action Plan that details priorities for the future. Part of the report should also include the initiatives of Northern Midlands Council to date, and the opportunities to expand these initiatives along with the identification of additional opportunities.

12 ATTACHMENTS

12.1 LGAT correspondence to the Prime Minister
12.2 LGAT correspondence to the Premier

RECOMMENDATION

That Council:
i) declare a Climate Change Emergency; and
ii) prepare a Climate Emergency Strategy and Action Plan, inclusive of an audit of initiatives taken by Council over the last 5 years and additional opportunities for improvement; and
iii) an allocation for the preparation of the Strategy and Action Plan be included in the 2021/2022 Budget.

DECISION
Cr

C&D 1 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: *Des Jennings, General Manager*

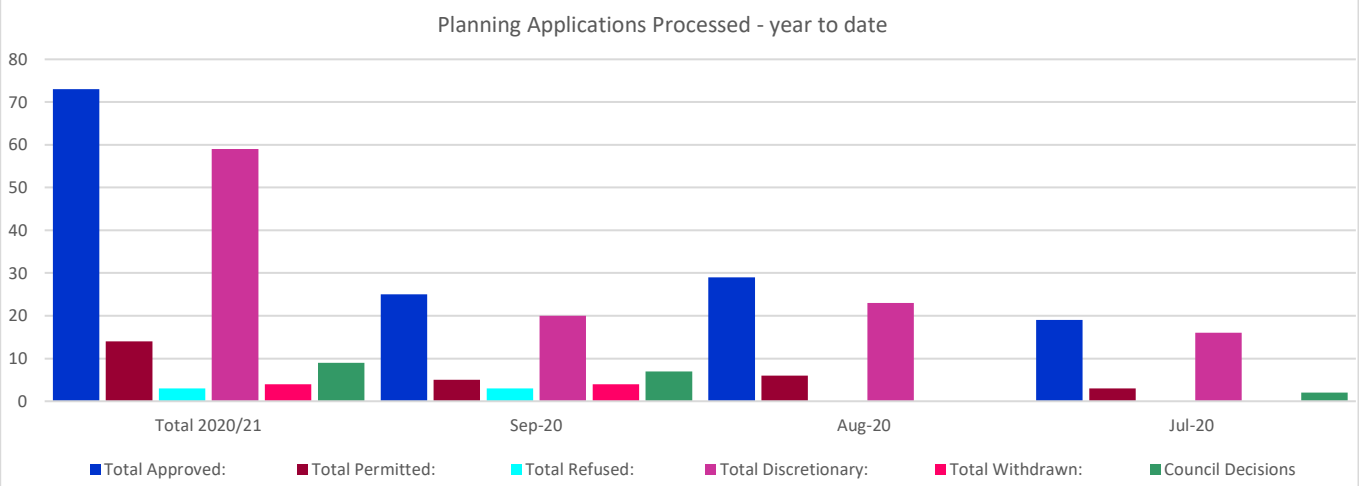
1 PURPOSE OF REPORT

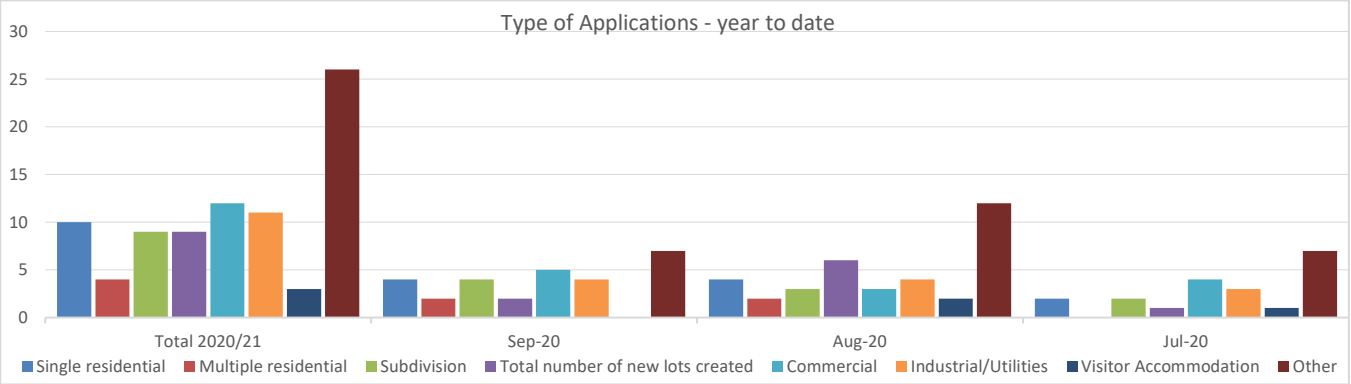
The purpose of this report is to present the Development Services activities as at the month end.

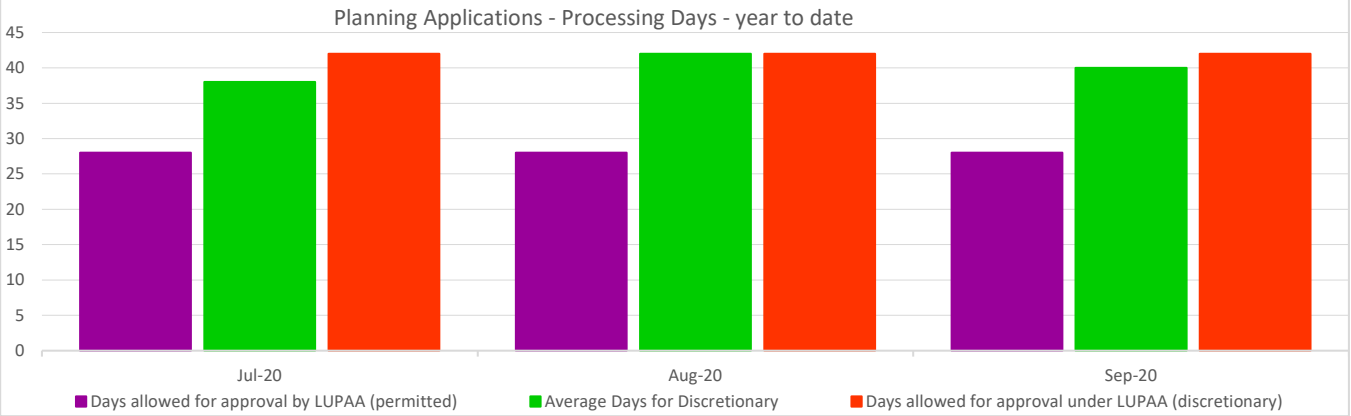
2 DEVELOPMENT SERVICES REPORTING

2.1 Planning Decisions

	Total YTD	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
Number of valid applications	**32**	21	11	19									
Single residential	**6**	2	4	4									
Multiple residential	**2**	0	2	2									
Subdivision	**5**	2	3	4									
Total number of new lots created	**7**	1	6	2									
Commercial	**7**	4	3	5									
Industrial/Utilities	**7**	3	4	4									
Visitor Accommodation	**3**	1	2	0									
Total permitted	**0**	0	0	0									
Total discretionary	**3**	1	2	0									
Other	**19**	7	12	7									
Total number of applications approved	**48**	19	29	25									
Total Permitted	**9**	3	6	5									
Average Days for Permitted		25	26	29									
Days allowed for approval by LUPAA		28	28	28	28	28	28	28	28	28	28	28	28
Total Exempt under IPS	**13**	8	5	4									
Total Refused	**0**	0	0	3									
Total Discretionary	**39**	16	23	20									
Average Days for Discretionary		38	42	40									
Days allowed for approval under LUPAA		42	42	42	42	42	42	42	42	42	42	42	42
Total Withdrawn	**0**	0	0	4									
Council Decisions	**2**	2	0	7									
Appeals lodged by the Applicant	**0**	0	0	0									
Appeals lodged by third party	**0**	0	0	0									





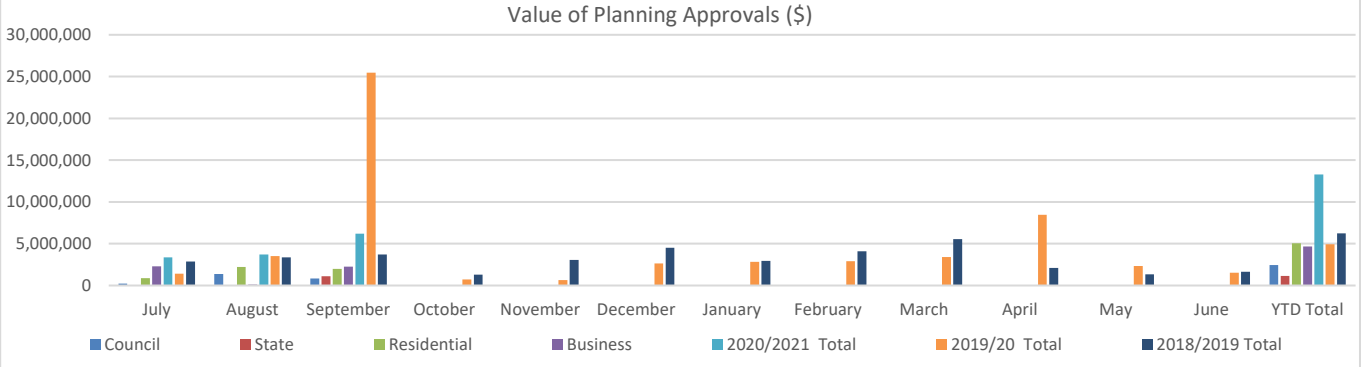


September 2020 Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-20-0172	Extension to transport and distribution centre	10 Translink Avenue, Western Junction TAS 7212	Fairbrother Pty Ltd	28	P
PLN-20-0175	alterations and additions	766 Logan Road, Evandale TAS 7212	Mr Samuel Peltzer & Rhian Shephard	28	P
PLN-20-0183	Subdivision of 2 lots & adhesion	Lake Leake Road, Lake Leake TAS 7210	Steven Flude	28	P
PLN-20-0195	Re-subdivision Between 2 Lots	2A Fore Street & 48 Clarence St Perth, Perth TAS 7300	Rebecca Green & Associates	32	P
PLN-20-0204	Classroom Upgrades	112-118 Main Street, Cressy TAS 7302	Cressy District High School	13	P
PLN-20-0146	Replace timber bridge (#1469) with concrete bridge (Water Quality Code)	Storys Creek Road, Avoca TAS 7213	Northern Midlands Council	42	D
PLN-20-0173	Re-subdivision between 2 lots for Utilities (Airport ANEF Contours)	47 Translink Av & Lot 2 Evandale Road, Western Junction TAS 7212	Northern Midlands Council	44	D
PLN-20-0178	Partially covered extension to sheep sale pens (vary setback in rural resource zone; irrigation district)	73 Powranna Road, Cressy TAS 7302	Ron Ritson	42	D
PLN-20-0186	Demolition of caretaker cottage (Heritage listed place; Water Quality Code)	15960 Midland Highway, Perth TAS 7300	Forestry Tasmania	41	D
PLN-20-0151	New workshop, new general learning area, covered ramps & replacement crossover (vary setback to Glenelg St, heritage listed place; Heritage Precinct)	118 Bridge Street, Campbell Town TAS 7210	HBV Architects	36	D
PLN-20-0134	Cattery and kennel additions, replacement caretakers cottage, crematorium demolition, 2 x shipping containers & signage (vary setbacks in rural zone; within Attenuation Area & Airport ANEF Contours)	805 Hobart Road, Breadalbane TAS 7258	Wilkin Design & Drafting	42	D
PLN-20-0181	Farm machinery & hay storage shed (vary boundary setbacks in rural zone)	133 Powranna Road, Powranna TAS 7300	Mr Wayne Wilson	42	D
PLN-20-0124	Multiple Dwellings (x2 - one existing), shed/carport & new access (vary rear setback & outbuilding size)	107 Catherine Street, Longford TAS 7301	Ms Jo Woodbury	37	D

September 2020 Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-20-0165	Upgrade Cressy pool facilities including demolish perimeter screen/fence and replace with new screen/fence, construct new entrance, install new shade structures and sign (vary setbacks)	39a Main Street, Cressy TAS 7302	Northern Midlands Council	42	D
PLN-20-0169	Shed (15m x 8.5m x 4m high) (vary side [N] and rear setback) & pool demolition	18 Archer Street, Cressy TAS 7302	Jamie Goss	32	D
PLN-20-0170	3 Lot Subdivision	13 Pakenham Street, Longford TAS 7301	Mr Carlton Dixon	42	D
PLN-20-0171	Shed (vary SE setback)	75 Trafalgar Lane, Evandale TAS 7212	Outside Concepts Building Launceston	42	D
PLN-20-0182	Dwelling, removal of vegetation (vary front setback to garage)	882 White Hills Road, Evandale TAS 7212	Grand Designs Tasmania	40	D
PLN-20-0187	Shed (vary rear setback & building envelope)	888 White Hills Road, Evandale TAS 7212	Airon Denwer-Ripper & Rebecca Barber	33	D
PLN-20-0188	Extension to existing shed (vary rear setback)	88A Marlborough Street, Longford TAS 7301	Mr Simon Bingley	36	D
PLN-20-0190	Shed (vary rear [N] setback on approved Lot 26 on PLN-19-0184)	Lot 26 (will be known as 38 Seccombe St), 96-102 Fairtlough Street, Perth TAS 7300	Growth Developments Pty Ltd	36	D
COUNCIL DECISIONS					
PLN-20-0081	Dwelling & Shed (vary rear and side [S & N] setbacks, private open space provisions; within heritage precinct)	7a Scone Street, Perth TAS 7300	J & B Fidler	61	C
PLN-20-0098	Dwelling (vary setbacks in rural zone; within airport ANEF contours & attenuation area)	847 Hobart Road, Breadalbane TAS 7258	Design to Live	0	C
PLN-20-0164	extension to shed (vary rear & side [W] setback)	19 Sassafras Street, Perth TAS 7300	Vaughan & Kristy Springer	49	C
PLN-20-0167	Alterations & 2nd story addition to dwelling (vary building envelope)	158 Wellington Street, Longford TAS 7301	Design to Live	50	C
COUNCIL DECISIONS - REFUSAL					
PLN-20-0137	Dog washing facility (new pedestrian access and gate, no on-site parking)	1 Wellington Street, Longford TAS 7301	Mr Brian Oliver	42	CR
PLN-20-0115	Install book return chute (Heritage Listed Place, Heritage Precinct)	55 Wellington Street, Longford TAS 7301	Northen Midlands Council	42	CR
PLN-20-0158	Shipping container (vary rear setback)	19-21 Longford Close, Longford TAS 7301	Mrs Christine Spencer	42	CR

2.2 Value of Planning Approvals

			2020/2021			2019/20	2018/2019
	Council	State	Residential	Business	Total	Total	Total
July	217,500	0	877,000	2,283,000	3,377,500	1,429,000	2,863,500
August	1,370,000	10,000	2,208,500	121,000	3,709,500	3,503,000	3,369,300
September	850,000	1,120,000	1,971,000	2,248,000	6,189,000	25,457,550	3,704,400
YTD Total	**2,437,500**	**1,130,000**	**5,056,500**	**4,652,000**	**13,276,000**	**4,932,000**	**6,232,800**
Annual Total						**30,389,550**	**9,937,200**



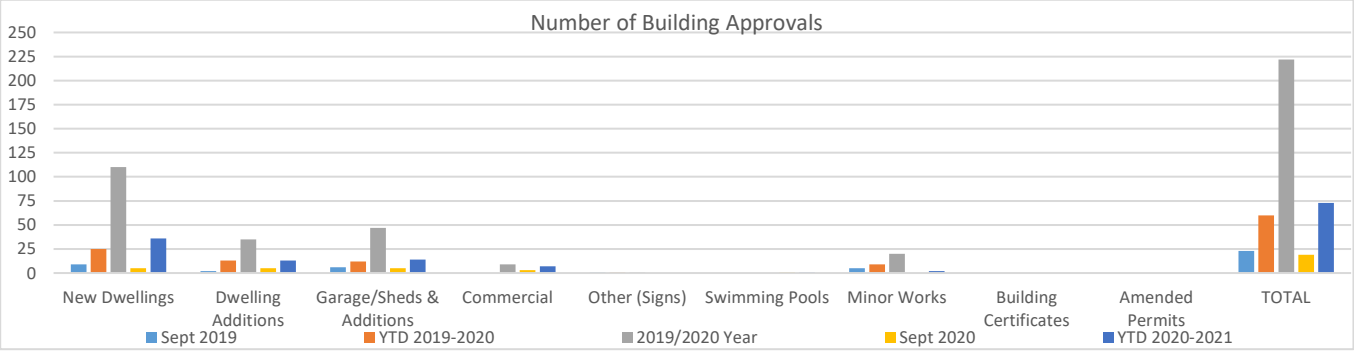
2.3 Matters Awaiting Decision by TPC & RMPAT

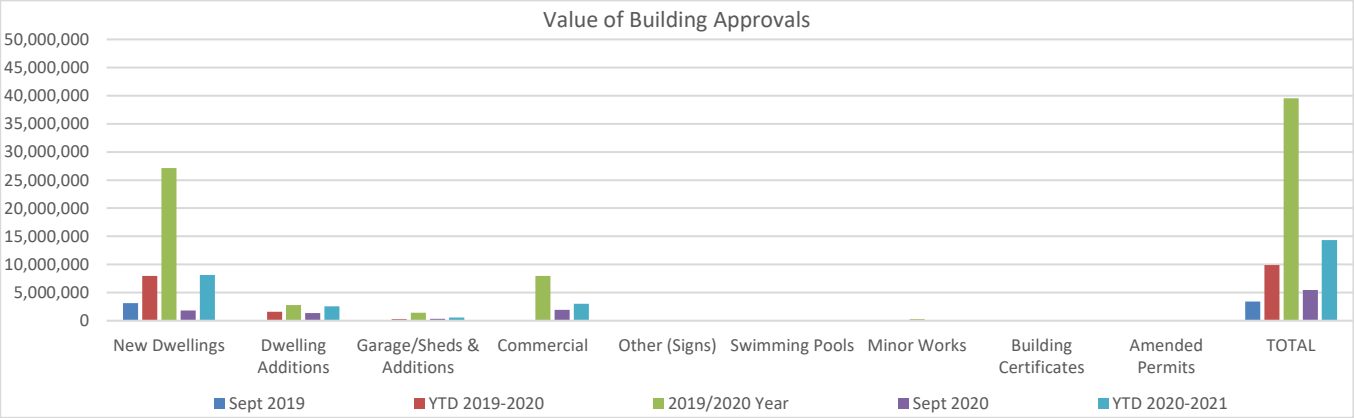
TPC	TASMANIAN PLANNING COMMISSION
TPS	Tasmanian Planning Scheme. The State Planning Provisions (SPPs) came into effect on 2/3/2017. They will have no practical effect until the Local Provisions Schedule (LPS) is in effect in a municipal area. Northern Midlands Council's Draft Local Provisions Schedule submitted to the Commission 19/12/2019. Post lodgement meeting held 5/5/2020. The Commission has given until 10/7/2020 to provide a response to the matters raised at the meeting. Matters raised by the Commission and recommended response tabled at the 29/6/2020 Council meeting. Remaining responses to post lodgement enquiries provided 28/08/2020.
02/2019	PLN-19-0070, 86 Burghley St Longford, rezone to General Residential and s43A application for 7 Lot Subdivision. Hearing held 13/12/2019. Additional information provided to the Commission on 21/1/2020. The Commission had flood report reviewed. The Commission has advised that it considers it would be difficult to approve the amendment and permit in the absence of further site specific flood modelling being submitted and gave the proponent (Woolcott Surveys) until 4/8/2020 to provide further flood modelling, noting that the invitation to submit further flood modelling is not intended to indicate that the application will be approved if the modelling work is completed. The Commission has given Woolcott Surveys a further extension, until 9 October 2020, to submit further flood modelling work.
01/2020	PLN-20-0001, 41-43 Wellington St Longford, rezone to General Residential and s43A application for 3 lot subdivision. S39 Report sent to the Commission 3/7/2020. Hearing set for 14/10/2020.
03/2020	PLN20-0071, 2A Saundridge Rd Cressy Site specific amendment to allow for subdivision, in conjunction with s43A for 2 lot subdivision. Council's report on representation sent to Commission 24/9/2020.
RMPAT	RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL
-	-
Decisions received TPC	
06/2019	PLN-19-0221, 74 Marlborough Street Longford, rezone part of site to General Residential, insert new clause for lot size, and s43A application for 6 lot subdivision. 1 representation received, considered at Council meeting 15/6/2020. Readvertised until 17 July 2020 to include in the exhibition documents: correct application documents, map coordinates for the proposed rezoning and instrument of certification with wording of new clause. The Commission has been advised that no representations were received. The Commission has approved the amendment and permit to come into effect on 19/10/2020.
RMPAT	
-	-

2.4 Building Approvals

The following table provides a comparison of the number and total value of building works for 2019/2020 – 2020/2021:

	YEAR: 2019-2020				YEAR		YEAR: 2020-2021			
	Sept 2019		YTD 2019-2020		July 2019 - June 2020		Sept 2020		YTD 2020-2021	
	No.	Total Value $	No.	Total Value $	No.	Total Value $	No.	Total Value $	No.	Total Value $
New Dwellings	9	3,129,000	**25**	**7,952,049**	**110**	**27,131,594**	5	1,821,801	**36**	**8,143,288**
Dwelling Additions	2	90,000	**13**	**1,576,251**	**35**	**2,757,001**	5	1,369,320	**13**	**2,558,970**
Garage/Sheds & Additions	6	123,000	**12**	**273,000**	**47**	**1,394,142**	5	320,000	**14**	**542,700**
Commercial	0	0	**0**	**0**	**9**	**7,952,000**	3	1,925,000	**7**	**3,011,150**
Other (Signs)	1	5,000	**1**	**5,000**	**1**	**5,000**	0	0	**0**	**0**
Swimming Pools	0	0	**0**	**0**	**0**	**0**	1	49,000	**1**	**49,000**
Minor Works	5	67,200	**9**	**80,280**	**20**	**287,983**	0	0	**2**	**35,000**
Building Certificates	0	0	**0**	**0**	**0**	**0**	0	0	**0**	**0**
Amended Permits	0	0	**0**	**0**	**0**	**0**	0	0	**0**	**0**
TOTAL	**23**	**3,414,200**	**60**	**9,886,580**	**222**	**39,527,720**	**19**	**5,485,121**	**73**	**14,340,108**
Inspections										
Building	**0**		**0**		**58**		**0**		**0**	
Plumbing	**30**		**84**		**282**		**32**		**73**	





2.5 Planning and Building Compliance – Permit Review

There has been a spike in compliance issues this month. Generally, the response to complaints raised is positive with property owners working with Council to remedy the issue, whether it be by removing the works or applying for the appropriate permits.

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

Planning Permit Reviews	This Month	2019/2020	Total 2018/2019
Number of Inspections	6	54	47
Property owner not home or only recently started		1	
Complying with all conditions / signed off	6	29	28
Not complying with all conditions			1
Re-inspection required		17	6
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			1
No Further Action Required		7	16

Building Permit Reviews	This Month	2019/2020	Total 2018/2019
Number of Inspections		30	42
Property owner not home or only recently started			
Complying with all conditions / signed off		5	3
Not complying with all conditions		1	
Re-inspection required		7	
Building Notices issued			
Building Orders issued			
No Further Action Required		16	34

Illegal Works - Building	This Month	2019/2020	Total 2018/2019
Number of Inspections	3	31	14
Commitment provided to submit required documentation	1	2	3
Re-inspection required	1	7	4
Building Notices issued	1	5	3
Building Orders issued	1	5	3
Emergency Order			
No Further Action Required	1	15	2

Illegal Works - Planning	This Month	2019/2020	Total 2018/2019
Number of Inspections	10	109	17
Commitment provided to submit required documentation		9	5
Re-inspection required	7	64	5
Enforcement Notices issued	1	1	3
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued		5	1
No Further Action Required	2	27	5

3 STRATEGIC PLAN 2017-2027

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

- Progress – Economic Health and Wealth – Grow and Prosper
  - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
    Core Strategies:
    - Strategic, sustainable, infrastructure is progressive
      A Land Use and Development Strategy to direct growth
  - Economic Development – Supporting Growth and Change
    Core Strategies:
    - Towns are enviable places to visit, live and work
- People – Culture and Society – A Vibrant Future that Respects the Past
  - Sense of Place – Sustain, Protect, Progress
    Core Strategies:
    - Planning benchmarks achieve desirable development
    - Council nurtures and respects historical culture
    - Developments enhance existing cultural amenity
- Place – Nurture our Heritage Environment
  - Environment – Cherish and Sustain our Landscapes
    Core Strategies:
    - Meet environmental challenges
  - History – Preserve and Protect our Built Heritage for Tomorrow
    - Our heritage villages and towns are high value assets
- Core Departmental Responsibilities
  - Planning and Development

4 STATUTORY REQUIREMENTS

4.1 *Land Use Planning & Approvals Act 1993*

The planning process is regulated by the *Land Use Planning & Approvals Act 1993*, section 43 of which requires Council to observe and enforce the observance of its planning scheme.

4.2 Building Act 2016

The *Building Act 2016* requires Council to enforce compliance with the Act.

5 RISK ISSUES

Lack of public awareness is a risk to Council. If people are not aware of requirements for planning, building and plumbing approvals, this may result in work without approval. Council continues to promote requirements to ensure the public is aware of its responsibility when conducting development.

6 COMMUNITY CONSULTATION

Discretionary applications are placed on public notification in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*.

From time to time articles are placed in the Northern Midlands Courier and on Council's Facebook page, reminding the public of certain requirements.

7 OFFICER'S COMMENTS/CONCLUSION

There have been 7 commercial building approvals valued at $3,011,150 for 2020/21 (year to date), there were no commercial building approvals for the same period last year.

In total, there were 73 building approvals valued at $14,340,108 (year to date) for 2020/2021, compared to 60 building approvals valued at $9,886,580 (year to date) for 2019/20.

RECOMMENDATION

That the report be noted.

DECISION

Cr

C&D 2 PERTH FENCED OFF LEASH DOG EXERCISE AREA

Responsible Officer: *Leigh McCullagh, Works Manager*
Report prepared by: *Tammi Axton, Animal Control Officer*

1 PURPOSE OF REPORT

The purpose of this report is to seek Council's approval of a budget for new fencing, entrances gates, picnic tables, and a water tap at the Perth off-leash dog exercise area.

2 INTRODUCTION/BACKGROUND

The Perth off-leash dog exercise area is situated north of the railway line between Arthur and Mulgrave streets

Previously there was a tap installed in the Perth off leash dog exercise area, the tap was stolen, and the decision was made to not replace it. Recently requests have been made from dog owners asking for a water station or just a tap and bowl to be provided. As the population of Perth is increasing, the amount of people using the dog park is also increasing.

The section of fence that runs along the railway line has been in a state of disrepair for many years with complaints dating back to 2011. The fence has been patched up many times but continues to be damaged by people walking across the railway line and either cutting the fence or jumping over the fence into the dog park. Council continues to receive complaints of dogs escaping through holes in the fence and concerns with the two entrances not being secure. The park currently only has one park bench seat, extra seating is needed to encourage people to relax and spend time in the dog park exercising their dog.

Photos of the existing fence that runs between the railway and the dog off leash exercise area.

Photos of proposed fencing and gating system

Council may wish to consider installation of a section of security barrier on the length of the rail line, this would, to a large extent, prevent access to the park from the railway reserve and the damage to the fencing.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
  - Best Business Practice & Compliance

    Core Strategies:
    - Council complies with all Government legislation
- Progress –

- Economic Development – Supporting Growth & Changes
  - Towns are enviable places to visit, live & work
- People –
  - Sense of Place – Sustain, Protect, Progress
    Core Strategies:
    - Public assets meet future lifestyle challenges
  - Lifestyle – Strong, Vibrant, Safe and Connected Communities
    Core Strategies:
    - Living well – Valued lifestyles in vibrant, eclectic towns
    - Communicate – Communities speak & leaders listen
    - Participate – Communities engage in future planning
    - Connect – Improve sense of community ownership
    - Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
  - Environment – Cherish & Sustain our Landscapes
    Core Strategies:
    - Meet environmental challenges

4 POLICY IMPLICATIONS

There are no policy implications

5 STATUTORY REQUIREMENTS

Dog Control Act 2000
Land Use Planning and Approvals Act 1993

6 FINANCIAL IMPLICATIONS

A budget of $15,700 is sought for:

- Wallaby fencing x 350 metres $ 8,250
- Double entrance x 2 $ 2,000
- Picnic table x 2 $ 5,000
- Large metal dog bowl $ 15
- Water meter supply and installation $ 403.47

The cost of the alternate security fence is $175 per metre.

Council may also want to consider the installation of a 6 ft high timber paling fence@$100 per metre, in place of wallaby fencing.

7 RISK ISSUES

The following risks have been identified:

- With replacing the fence there is a risk of the new fencing being damaged; however, if nothing is done there is a risk of dogs escaping through the existing damaged fence.
- By not repairing and adding to the park there is risk a of Council losing the respect of many residents seeking a safe community space to meet with like-minded community members.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

No community consultation has occurred.

Many complaints have been received from members of the public about the lack of secure fencing at the Perth off leash dog exercise area and the need for extra seating, and a water tap. It has also been raised that the gates need to be a double entrance to ensure you have a buffer between the two gates to prevent accidental escapes from an open gate.

10 OPTIONS FOR COUNCIL TO CONSIDER

To replace the existing fencing that runs along the railway line and adding double entrance gates at both the Mulgrave Street and Arthur Street entrances, add additional seating of 2 x picnic tables and install a water tap and bowl, or not.

11 OFFICER'S COMMENTS/CONCLUSION

The damage to the fencing has been an ongoing issue with many complaints from dog owners received since 2011. The fencing that runs along the railway line is in need of replacement to ensure that the park is a safe place for dog owners to exercise their dogs off lead. Improving the park by adding extra seating, and water tap will make it a safe and fun off-leash exercise area, which can be enjoyed by all dogs and their owners. Use of the park will increase as the population grows and the park must be of standard to cope.

Council may wish to consider installation of a section of security barrier on the length of the rail line, this would, to a large extent, prevent access to the park from the railway reserve.

It should be noted that dogs still need to be under effective control when being exercised in an off-leash area.

DOG CONTROL ACT 2000 - SECT 4:

(3) In an area where a dog is not required to be on a lead, a dog, other than a greyhound, a dangerous dog or a restricted breed dog, is under the effective control of a person if –

(a) it is in close proximity to the person; and

(b) it is in sight of the person; and

(c) the person is able to demonstrate to the satisfaction of an authorised person that the dog is immediately responsive to the person's commands.

ATTACHMENTS

Nil.

RECOMMENDATION

That Council allocate a budget of $15,700 to the upgrade of the Perth off-leash dog exercise park, including the installation of a new secure fence along the railway line, the installation of 2 x picnic tables, a water tap and bowl and double entrance gates at both the Mulgrave Street and Arthur Street entrances.

DECISION

Cr

C&D 3 REMAKING OF THE DOG CONTROL REGULATIONS 2010

Attachments: Section 1 – Page 49

Responsible Officer: *Des Jennings, General Manager*
Report prepared by: *Tammi Axton, Animal Control Officer*

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with information regarding the proposed changes to the Dog Control Regulations 2010

2 INTRODUCTION/BACKGROUND

The Local Government Association of Tasmania (LGAT) are seeking feedback on the Draft Dog Control Regulations 2020.

The Draft Regulations remake the Dog Control Regulations 2010 (the Regulations). The Regulations include the prescribed details for microchips, the requirements for a dangerous dog enclosure, and the offences under the Dog Control Act 2000 for which infringement notices may be issued.

The Dog Control Regulations 2010 will expire on 9 June 2021.

It is proposed that most provisions in the Regulations are remade without change. The proposed changes are necessary because of the December 2019 amendments to the Dog Control Act, which strengthened the law and increased the penalties associated with dogs attacking sensitive wildlife.

The Director of Local Government has specifically asked Council to consider the proposed change that would remove the existing infringement notice that applies when a dog attacks a person and causes serious injury, due to the impact this proposed change would have for enforcement activities.

The maximum penalty in the Dog Control Act 2000 that applies for a serious dog attack on a person has been increased from 20 -30 penalty units, to match the penalty for the new offence for attacks on sensitive wildlife under section 19AB(1). Due to the serious nature of these offences and the associated penalties, it is proposed that the infringement notice prescribed for section 19(3) Dog attacking person causing serious injury, is removed, and that the offence under section 19AB(1) Dog Attacks on sensitive wildlife, is not a prescribed offence.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
  - Best Business Practice & Compliance
    Core Strategies:
    - Council complies with all Government legislation
- People –
  - Sense of Place – Sustain, Protect, Progress
    Core Strategies:
    - Public assets meet future lifestyle challenges
  - Lifestyle – Strong, Vibrant, Safe and Connected Communities
    Core Strategies:
    - Communicate – Communities speak & leaders listen
    - Participate – Communities engage in future planning
    - Caring, Healthy, Safe Communities – Awareness, education & service

- Place –
  - Environment – Cherish & Sustain our Landscapes
    Core Strategies:
    - Meet environmental challenges

4 POLICY IMPLICATIONS

There are no policy implications

5 STATUTORY REQUIREMENTS

Subordinate Legislation Act 1992
Dog Control Act 2000

6 FINANCIAL IMPLICATIONS

Legal/Court costs for all breaches of section 19(3)

7 RISK ISSUES

The proposed changes would remove the existing infringement notice that applies when a dog attacks a person and causes serious injury. Due to the serious nature of these offences and their associated penalties, it is proposed that the infringement notice prescribed for section 19(3) is removed, and that the offence under section 19AB(1) is not prescribed as an infringement notice. Therefore, all breaches of section 19(3) would be considered by the Courts. This would incur financial costs and council resources.

8 CONSULTATION WITH STATE GOVERNMENT

The Government is seeking submissions for the proposed amendments by 16 November 2020.

9 COMMUNITY CONSULTATION

The Government The details of the consultation process will be published on the Local Government Divisions website. There is an opportunity for stakeholders and the general community to submit feedback on the draft regulations.

10 OPTIONS FOR COUNCIL TO CONSIDER

There are three options for Council to consider:

- Submit feedback supporting all proposed changes; or
- Submit feedback supporting all proposed changes except the removal of the infringement notice prescribed for section 19(3) Dog attacking person causing serious injury, or
- Submit feedback not supporting any of the proposed changes.

11 OFFICER'S COMMENTS/CONCLUSION

The proposed changes to the Dog Regulations 2010 are necessary due to the amendment to the Dog Control Act 2000. It is proposed that most provisions in the Regulations are remade without change. Council need to consider the changes to section 19(3) Serious dog attack on person, and the impact this would have on enforcement activities.

ATTACHMENTS

Draft Dog Control Regulations 2020 information sheet

Proposed Changes to Dog Control Regulations 2010

RECOMMENDATION

That council submit feedback supporting all proposed changes except the removal of the infringement notice prescribed for section 19(3).

DECISION

Cr

CORP 1 MONTHLY FINANCIAL STATEMENT

Attachments: Section 1 – Page 54

File: *Subject 24/023*
Responsible Officer: *Maree Bricknell, Corporate Services Manager*
Report Prepared by: *Maree Bricknell, Corporate Services Manager*

1 PURPOSE OF REPORT

The purpose of this report is to present the monthly financial reports as at 30 September 2020.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 30 September 2020 is circulated for information.

3 ALTERATIONS TO 2020-21 BUDGET

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

SUMMARY FINANCIAL REPORT
For Month Ending: 30-Sep-20 3

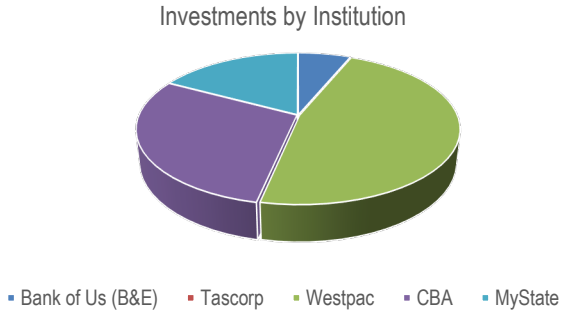
A. Operating Income and Expenditure							
		Year to Date			Target		
	Budget	Budget	Actual	($,000)	100%		Comments
Rate Revenue	-$11,236,820	-$11,236,820	-$11,633,187	$396	103.5%		
Recurrent Grant Revenue	-$4,293,307	-$1,073,327	-$921,099	-$152	85.8%		
Fees and Charges Revenue	-$1,848,426	-$462,107	-$629,141	$167	136.1%		
Interest Revenue	-$675,507	-$168,878	-$84,704	-$84	50.2%		
Reimbursements Revenue	-$63,880	-$15,970	-$42,692	$27	267.3%		
Other Revenue	-$968,444	-$242,111	-$193,730	-$48	80.0%		
	-$19,086,384	-$13,199,212	-$13,504,553	$305	102.3%		
Employee costs	$5,536,773	$1,384,193	$1,275,974	$108	92.2%		
Material & Services Expenditure	$5,248,743	$1,312,186	$1,163,185	$149	88.6%		
Depreciation Expenditure	$5,732,369	$1,433,092	$1,432,799	$0	100.0%		
Government Levies & Charges	$861,522	$215,381	$193,036	$22	89.6%		
Councillors Expenditure	$199,210	$49,803	$39,471	$10	79.3%		
Interest on Borrowings	$272,007	$68,002	$117,996	-$50	173.5%		
Other Expenditure	$1,712,984	$428,246	$671,582	-$243	156.8%		Pension rebates for full year
Plant Expenditure Paid	$524,700	$131,175	$173,585	-$42	132.3%		
	$20,088,308	$5,022,077	$5,067,628	-$46	100.9%		
	$1,001,924	-$8,177,135	-$8,436,925				
Gain on sale of Fixed Assets	$0	$0	$0	$0	0.0%		
Loss on Sale of Fixed Assets	$602,390	$150,598	$0	$151	0.0%		
Underlying (Surplus) / Deficit	**$1,604,314**	**-$8,026,538**	**-$8,436,925**				
	-		-				
Capital Grant Revenue	-$10,749,146	-$2,687,287	-$350,000	-$2,337	13.0%		
Subdivider Contributions	-$524,114	-$131,029	0	-$131	0.0%		

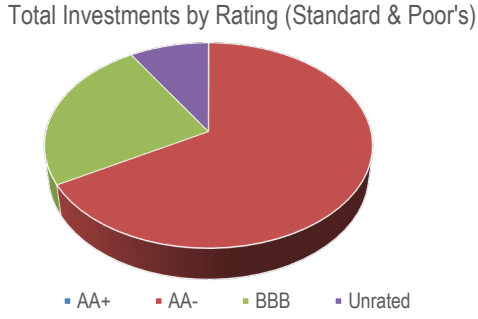
Capital Revenue	-$11,273,260	-$2,818,315	-$350,000			
	-		-			

Budget Alteration Requests - For Council authorisation by absolute majority		Budget Operating	Budget Capital	Actuals			
Capital works budget variances above 10% or $10,000 are highlighted							
Sept							
Aug							
July							

B. Balance Sheet Items	Year to Date Actual		Monthly Change		Same time last year		Comments
Cash & Cash Equivalents Balance							
- Opening Cash balance	$16,905,670		$21,583,481				
- Cash Inflow	$9,039,385		$1,133,362				
- Cash Payments	-$4,831,372		-$1,603,161				
- Closing Cash balance	$21,113,683		$21,113,683				
	-		-				
Account Breakdown							
- Trading Accounts	$7,546,473						
- Investments	$13,567,210						
	$21,113,683						
	-						

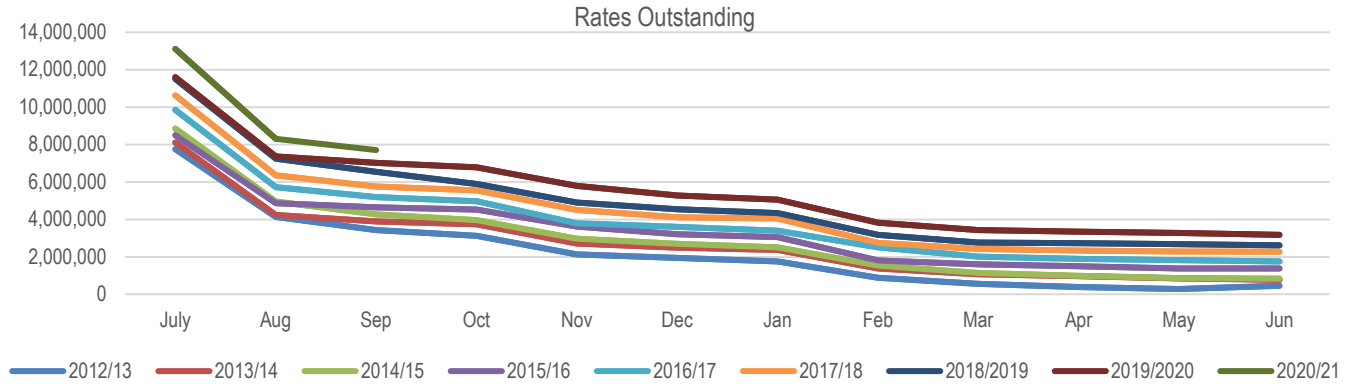
Summary of Investments	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value	
Tasmanian Public Finance Corporation Call Account	1/09/2020	30/09/2020	0.25	$5,390	$5,391	
CBA Call Account	1/09/2020	30/09/2020	0.15	$1,573	$1,573	
CBA Business Online Saver	9/09/2020	30/09/2020	0.50	$5,676,086	$5,677,719	
Bank of Us	25/05/2020	25/11/2020	1.00	$680,802	$684,234	
Westpac	9/09/2020	9/12/2020	0.47	$2,503,781	$2,506,715	
Bank of Us	30/03/2020	29/01/2021	2.00	$522,229	$530,957	
My State Financial	25/05/2020	25/05/2021	1.20	$3,303,434	$3,343,076	
Westpac	6/07/2020	4/07/2022	3.37	$5,500,000	$5,869,684	
Westpac	29/09/2020	29/06/2023	3.30	$1,050,000	$1,145,216	
Total Investments				$19,243,296	$19,764,565	





Rate Debtors	2020/21	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	$2,808,852		$2,275,315	
Rates Raised	$11,626,733		$11,336,167	

	$14,435,585		$13,611,483		
Rates collected	$6,320,808	49.0%	$6,258,879	55.2%	
Pension Rebates	$478,576	4.1%	$452,412	4.0%	
Discount & Remissions	$49,800	0.4%	$43,141	0.4%	
	$6,849,184		$6,754,433		
Rates Outstanding	$7,705,313	71.5%	$7,015,279	61.9%	
Advance Payments received	-$118,912	0.8%	-$158,229	1.4%	



Trade Debtors						
Current balance	$96,444					
- 30 Days		$36,996				
- 60 Days		$28,724				
- 90 Days		-$11,228				
- More than 90 days		$41,952				
Summary of Accounts more than 90 days:		-				
- Norfolk Plains Book sales			171			Paid by outlet as sold
- Hire/lease of facilities			4,652			
- Removal of fire hazards			7,100			
- Dog Registrations & Fines			16,715			Send to Fines Enforcement
- Private Works			12,643			
- Regulatory Fees			671			
- Govt Reimbursements			-			
			-			

C. Capital Program	Budget	Actual ($,000)	Target 25%	Comments
Renewal	$11,293,402	$2,016,501	18%	
New assets	$9,542,194	$1,988,415	21%	
Total	$20,835,595	$4,004,916	19%	
Major projects:				
- Longford Sports Centre stage 2 & carpark	$890,000	$183,074	21%	
- Campbell Town Rec Ground Site Works	$166,500	$39,128	24%	
- Evandale Rec Ground Amenities	$866,205	$60,278	7%	
- Cressy Rec Ground Amenities	$837,855	$54,581	7%	
- Cressy Pool Improvements	$516,000	$27,012	5%	
- Ross Caravan Park units	$220,000	$28,195	13%	
- Ross Village Green	$400,000	$103,600	26%	
- Sheepwash Creek development	$715,000	$586,543	82%	

- Barton Road reconstruction	$535,000	$0	0%	
- Macquarie Road reconstruction	$370,000	$0	0%	
- Bridge 1469 Storys Creek Road	208,000	$51,624	25%	In progress
- Bridge 1813 Hop Valley Road	192,000	$192,406	100%	Complete
- Bridge 1940 Cressy Road	200,000	$7,500	4%	
- Bridge 4519 Verwood Road	112,035	$119,185	106%	Complete

* Full year to date capital expenditure for 2019/20 provided as an attachment.

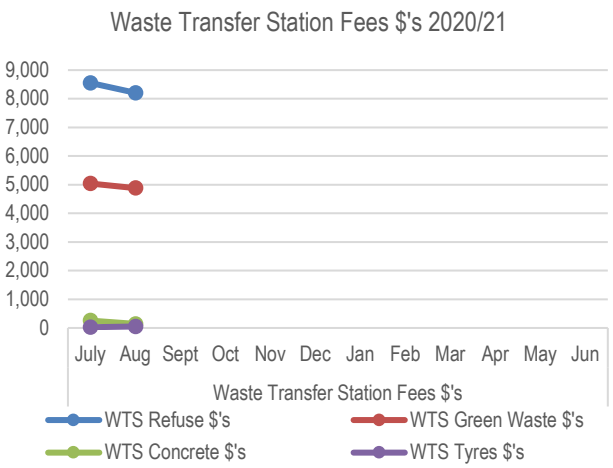
D. Financial Health Indicators

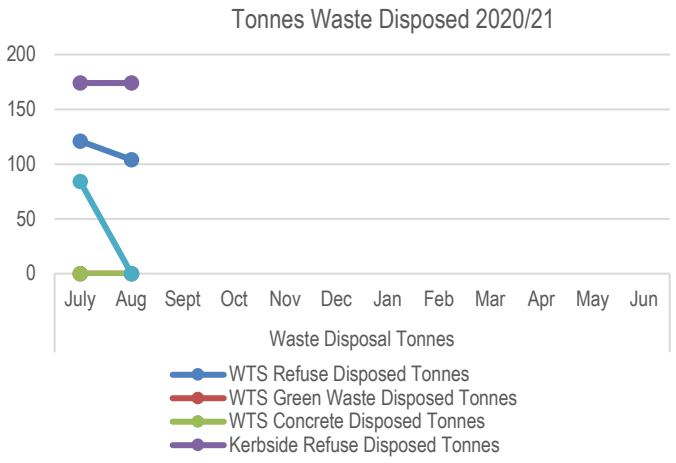
	Target	*Actual*	*Variance*	*Trend*
Financial Ratios				
- Rate Revenue / Total Revenue	58.9%	86.1%	-27.3%	↘
- Own Source Revenue / Total Revenue	78%	93%	-15.7%	↘
Sustainability Ratio				
- Operating Surplus / Operating Revenue	-8.4%	62.5%	-70.9%	↘
- Debt / Own Source Revenue	50.2%	59.0%	-8.8%	↔
Efficiency Ratios				
- Receivables / Own Source Revenue	52.7%	55.8%	-3.0%	↘
- Employee costs / Revenue	29.0%	9.4%	19.6%	↗
- Renewal / Depreciation	197.0%	140.7%	56.3%	↗
Unit Costs				
- Waste Collection per bin	$10.53	$12.64		↔
- Employee costs per hour	$46.14	$31.97		↗
- Rate Revenue per property	$1,581.76	$1,637.55		↔
- IT per employee hour	$3.30	$4.27		↘

E. Employee & WHS scorecard

	YTD	*This Month*
Number of Employees	91	91
New Employees	3	0
Resignations	3	0
Total hours worked	39,906	14,554
Lost Time Injuries	0	0
Lost Time Days	0	0
Safety Incidents Reported	3	1
Hazards Reported	30	11
Risk Incidents Reported	3	0
Insurance claims - Public Liability	0	0
Insurance claims - Industrial	1	0
Insurance claims - Motor Vehicle	3	0
IT - Unplanned lost time	0	0
Open W/Comp claims	3	1

F. Waste Management					
Waste Transfer Station	***2018/19***	***2019/20***	***2020/21 Budget Year to Date***	***2020/21***	
Takings					
- Refuse	$93,411	$92,611	$22,945	$16,760	
- Green Waste	$52,960	$50,996	$12,069	$9,922	
- Concrete	$2,376	$1,551	$378	$398	
			$0	$76	
Total Takings	$152,877	$142,782	$35,392	$27,156	
Tonnes Disposed					
WTS Refuse Disposed Tonnes	$1,325	1388	1954	225	
WTS Green Waste Disposed Tonnes	5200	5400	6015	0	
WTS Concrete Disposed Tonnes	0	0	0	0	
Kerbside Refuse Disposed Tonnes	2217	2326	1806	348	
Kerbside Recycling Disposed Tonnes	1051	1036	869	84	
Total Waste Tonnes Disposed	$9,793	10150	10644	657	





4 OFFICER COMMENTS

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

5 ATTACHMENTS

5.1 Income & Expenditure Summary for period ending September 2020.
5.2 Capital Works Report to end September 2020.

RECOMMENDATION

That Council receive and note the Monthly Financial Report for the period ending 30 September 2020.

DECISION
Cr

CORP 2 ROUND 2 ASSISTANCE: MAJOR FESTIVALS, EVENTS & PROMOTIONS

Attachments: To be circulated separately

Responsible Officer: *Maree Bricknell, Corporate Services Manager*
Report prepared by: *Maree Bricknell, Corporate Services Manager*

1 PURPOSE OF REPORT

This report considers Round 2 requests for assistance during 2020-21 by community, sporting and non-profit organisations holding major festivals, events or promotions in the Northern Midlands.

2 INTRODUCTION/BACKGROUND

Community groups, organisations or clubs may apply for assistance towards major festivals, events and promotions that are the only one of their kind in the Northern Midlands in any one year, and attract significant numbers of people to the event and/or attract significant media coverage of the Northern Midlands.

The maximum allocation to an event is $2,000 except in the case of a major new event which can be eligible for a one-off seeding grant of up to $3,500. Major events that are held annually are eligible for up to $2,000 in-kind support each year (both grant amounts include a Covid compliance grant of $350 towards additional expenses to run events covid safe).

Funding priorities are given to events that have a significant benefit for a wide range of Northern Midlands residents and businesses, are unique within Northern Midlands, or if profit making put the funds back into the community, preferably through community projects that will benefit a wide cross section of the community.

Round 2 Applications for 2020-21 were advertised on 15th August and closed on 25th September 2020.

Some 9 applications seeking $32,650 were received by Council.

Applicant	Event	Grant Sought	Recommendation
YMCA Skate Park League in Tas	Event during 2020/21	$ 2,200	$ 2,200
Rossarden Progress Group	Bus Trip for isolated children – January 2021	$ 1,000	$ 1,000
Festival of Small Halls	Musical Event – January 2021	$ 1,650	$ 1,650
Paddle Tasmania	Whitewater Report within Northern Midlands	$ 2,500	$ 2,500*
Nth Tas Light Horse Troup	Animal War Remembrance Day - 27 February 2021	$ 1,650	$ 1,650
Poatina Golf Club	Golf club 50th Anniversary – 7&8 November 2020	$ 500	$ 500
Ten Days on the Island	Ten Days on the Island 12-14 March 2021 - Heritage program of events in Ross Town Hall and international poetry mini festival in the Liffey Hall - estimate 300 attendees	$10,000	$ 2,700
Northern Midlands Events Assoc	Verandah Music Festival - 21-22 November 2020 estimate 500 to 1000 attendees	$ 3,500	$ 3,500
Longford New Year's Day Cup	Longford Cup – additional covid expenditure	$ 8,000	$ 8,000
Evandale Village Fair/Penny Farthings (annual event)	Evandale Village Fair & National Pennyfarthing Championships - 20th Feb 2020	$ 1,650	incl in Round 1*
	Total	**$ 32,650**	**$ 23,700**
	*already approved by Council		

3 STRATEGIC PLAN

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

- People –
  - Lifestyle – Strong, Vibrant, Safe and Connected Communities
    Core Strategies:
    - Communicate – Communities speak & leaders listen

- Participate – Communities engage in future planning
- Connect – Improve sense of community ownership
- Caring, Healthy, Safe Communities – Awareness, education & service

4 POLICY IMPLICATIONS

The event application guidelines set out a process for a fair and equitable distribution of financial assistance to local community groups.

5 STATUTORY REQUIREMENTS

There is no statutory requirement to provide a community event grant program.

6 CONSULTATION WITH STATE GOVERNMENT

The program is not to be a substitute or in conflict with state government sundry grant programs.

7 OFFICER COMMENTS

A budget allocation during 2020-21 of $75,000 was available with $20,190 available for Round 2, an additional $3,510 will need to be allocated by Council if all applications in round 1 and 2 draw down on their grants.

8 ATTACHMENTS

To be circulated separately
8.1 Funding Schedule
8.2 Copy of applications received

RECOMMENDATION

That Council allocate Round 2 Special Event Funding as follows (excluding GST):

Applicant	Event	Grant Sought	Recommendation
YMCA Skate Park League in Tas	Event during 2020/21	$ 2,200	$ 2,200
Rossarden Progress Group	Bus Trip for isolated children – December 2020	$ 1,000	$ 1,000
Festival of Small Halls	Musical Event – January 2021	$ 1,650	$ 1,650
Paddle Tasmania	Whitewater Report within Northern Midlands	$ 2,500	$ 2,500*
Nth Tas Light Horse Troup	Animal War Remembrance Day - 27 February 2021	$ 1,650	$ 1,650
Poatina Golf Club	Golf club 50th Anniversary – 7&8 November 2020	$ 500	$ 500
Ten Days on the Island	Ten Days on the Island 12-14 March 2021 - Heritage program of events in Ross Town Hall and international poetry mini festival in the Liffey Hall - estimate 300 attendees	$10,000	$ 2,700
Northern Midlands Events Assoc	Verandah Music Festival - 21-22 November 2020 estimate 500 to 1000 attendees	$ 3,500	$ 3,500
Longford New Year's Day Cup	Longford Cup – additional covid expenditure	$ 8,000	$ 8,000
Evandale Village Fair/Penny Farthings (annual event)	Evandale Village Fair & National Pennyfarthing Championships - 20th Feb 2020	$ 1,650	incl in Round 1*
	Total	**$ 32,650**	**$ 23,700**
	*already approved by Council		

DECISION
Cr

CORP 3 NOMENCLATURE: NAMING OF NEW PARK CREATED IN NORFOLK STREET PERTH

File: *34/007*
Responsible Officer: *Maree Bricknell, Corporate Services Manager*
Report Prepared by: *Natalie Horne, Administration Officer*

1 PURPOSE OF REPORT

This report considers the naming of a new public park to be created in Norfolk Street Perth

2 INTRODUCTION/BACKGROUND

A proposal from Mr Robert Henley was tabled at the September Council Meeting ref 297/20 requesting Councillors to consider naming the public open space along Sheep Wash Creek the "Dolly Dalrymple Reserve" the decision being carried that the name "Dolly Dalrymple Reserve" be put forward for the reserve formed by the subdivision at 10 and 32 Norfolk Street Perth.

Advice from the nomenclature board was sought regarding the proposed name, points noted in the reply:

> *Unfortunately, a park named 'Dolly Dalrymple Reserve' already exists in Latrobe, so this name would not be acceptable for the new reserve in Perth.*
>
> *When commemorating a person, it is preferable for only the surname to be incorporated into the place name and use of first and second names avoided if possible (per Section 3.11 of the Guidelines).*
>
> *When determining a name, it would be recommended to use the generic 'Park' rather than 'Reserve'.* As per *Tasmanian Place Naming Guidelines:*
>
> > *(8.2) The use of the word 'Reserve' as a generic should ideally be restricted to areas of land reserved under the Nature Conservation Act 2002. Consideration should be made to using the generic 'Park' for other types of recreation areas, including those managed by local government.*

Councils Planning Officer met with Officers from Aboriginal Heritage Tasmania and Heritage Tasmania on site at 32 Norfolk Street on 6th October 2020.

It is the opinion Heritage Tasmania that the well does not have enough credentials for State significance/ registration unless further evidence to the contrary is provided. Any local importance should be dealt with at a local level (i.e. covenants on title, potential local listing etc).

The historical title has been viewed by the Council Officer, the title shows the original land grant to 'Dalrymple Johnson', which is located on the eastern side of Norfolk Street (opposite the subject site).

3 STRATEGIC PLAN 2017-2027

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

- Lead –
  - Leaders with Impact
    Core Strategies:
    - Communicate – Connect with the community
    - Manage – Management is efficient and responsive
  - Best Business Practice & Compliance
    Core Strategies:
    - Council complies with all Government legislation

- Excellent standards of customer service

- People –
  - Sense of Place – Sustain, Protect, Progress
    Core Strategies:
    - Council nurtures and respects historical culture

4 STATUTORY REQUIREMENTS

As this proposed park is within a Town Boundary under section 8.1 of the nomenclature guidelines, "Names for other reserves and parks are to be selected and proposed in accordance with the principles in these guidelines by the managing authority" in this case being Council.

5 FINANCIAL IMPLICATIONS

The council will be responsible for signage.

6 RISK ISSUES

The Nomenclature Board's guiding principles for the assignment of place names state:

> *The naming of other reserves and parks is to comply with the general principles and structure principles of these guidelines. Features to be named as reserves or parks must be open to the public. The naming process for any other reserves and parks that are not named under the Nature Conservation Act 2002 is the same as for naming cultural features. The generic 'Park' is preferred for these features over the generic 'Reserve'. See 8.1*
>
> *Consideration should be given to naming small council parks or playgrounds after the name of the street in which they are located for ease of identification, providing that name is not duplicated e.g. Hawthorn Road park.*

It has been suggested that the Park be named Norfolk Park. It is unlikely that the Nomenclature Board would approve the name Norfolk Park as there are already 24 references to the name 'Norfolk' in Tasmania.

8 OPTIONS

Options for council to consider

That Council:

- conduct a community consultation with Perth residents requesting suggestions for the naming of the park
- name the park after the past owners
  - Original land grant – Houghton
  - Previous owners - Kelrose /Casanda; however, these names are registered business names.
- consider one of the names from the Perth proposed naming list:
  - Old Perth family names
    - Caler Park
    - Lowen Park
    - Peachy Park
    - Stancombe Park
    - Stackhouse Park
    - Fookes Park
    - Galer Park
  - Tay Park – Perth township in Scotland, which Perth was named by Governor Macquarie, is located on the River Tay
- consider naming the area Sheepwash Park as it is opposite Sheepwash wetland/detention area. Council's long-term plan is to close off a section of Youl Road between the park and wetland to create a bike/ pedestrian path linking

up to current pathways. This would create one name for the whole area instead of two.

9 ATTACHMENTS

Nil.

RECOMMENDATION

That Council submit a request to the Nomenclature Board for approval for the name "Sheepwash Park" to be assigned to the new parkland created by the subdivision of 10 and 32 Norfolk Street at Perth.

DECISION

Cr

CORP 4 APPLICATION TO PURCHASE ROAD RESERVE KERTCH STREET, LONGFORD

File: *17/011*
Responsible Officer: *Maree Bricknell, Corporate Services Manager*
Report prepared by: *Maree Bricknell, Corporate Services Manager*

1 PURPOSE OF REPORT

This report seeks Council's view on an application to claim the road reserve known as Kertch Street at Longford.

2 INTRODUCTION/BACKGROUND

The owner of 144 Marlborough Street who also claims to have a contract to purchase 359 Cressy Road has advised he would like to claim the strip of Kertch Street by long possession.

According to the claimant Kertch Street was laid out in an 1859 plan but has never been constructed as a public way. He is also applying to have the notation 'Kertch Street' removed from the title to the land.

To comply with the relevant land title legislation Council has been requested to provide the following information:

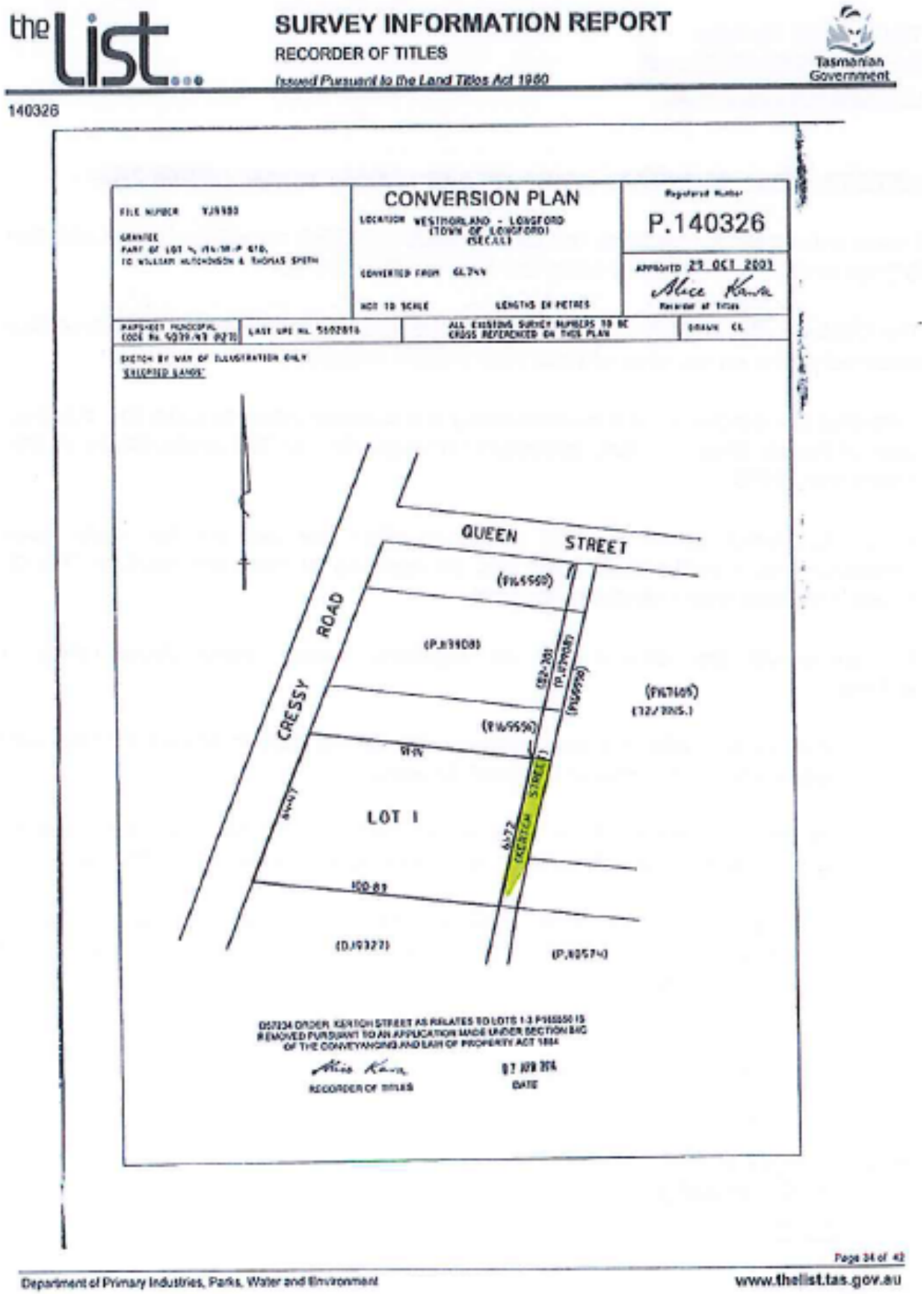
1) If it is clear, who has been paying rates on the portion of Kertch Street land within PID 673709 over the past 30 years?

2) Whether the Kertch Street land within PID 6730709 has ever been opened, constructed or maintained as a local highway for continuous public use?

3) That Council consents to an application for the removal of the notation Kertch Street within PID 6730709 under section 84C of the Conveyancing and Law of Property Act 1884.

The site plan is as follows:

The title plan is as follows:



the LIST

SURVEY INFORMATION REPORT

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

140326

CONVERSION PLAN

Registered Number P.140326

FILE NUMBER 7/9980

GRANTEE
PART OF LOT ½, 154/10-P 6TH,
TO WILLIAM HUTCHINSON & THOMAS SMITH

LOCATION WESTBOURNE - LONGFORD
(TOWN OF LONGFORD)
(SECALL)

CONVERTED FROM GL.P.44

NOT TO SCALE LENGTHS IN METRES

APPROVED 29 OCT 2003
Alice Kara
Recorder of Titles

MAP SHEET MUNICIPAL
CODE No. 5039-93 (2)

LAST LPI No. 5102816

ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN

DRAWN CL

SECTION BY WAY OF ILLUSTRATION ONLY
SHOWING SANDS

QUEEN STREET

CRESSY ROAD

(P.140560)

(P.139608)

(P.139608)

(P.140560)

(P.140560)

(P.67169)
(122/2005.1)

(P.140560)

LOT 1

(CRESSY STREET)

100.83

(D.10327)

(P.825744)

D27234 ORDER KERTON STREET AS RELATES TO LOTS 1-3 P.140560 IS REMOVED PURSUANT TO AN APPLICATION MADE UNDER SECTION 84C OF THE CONVEYANCING AND LAW OF PROPERTY ACT 1884

Alice Kara
RECORDER OF TITLES

07 JAN 2014
DATE

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Department of Primary Industries, Parks, Water and Environment

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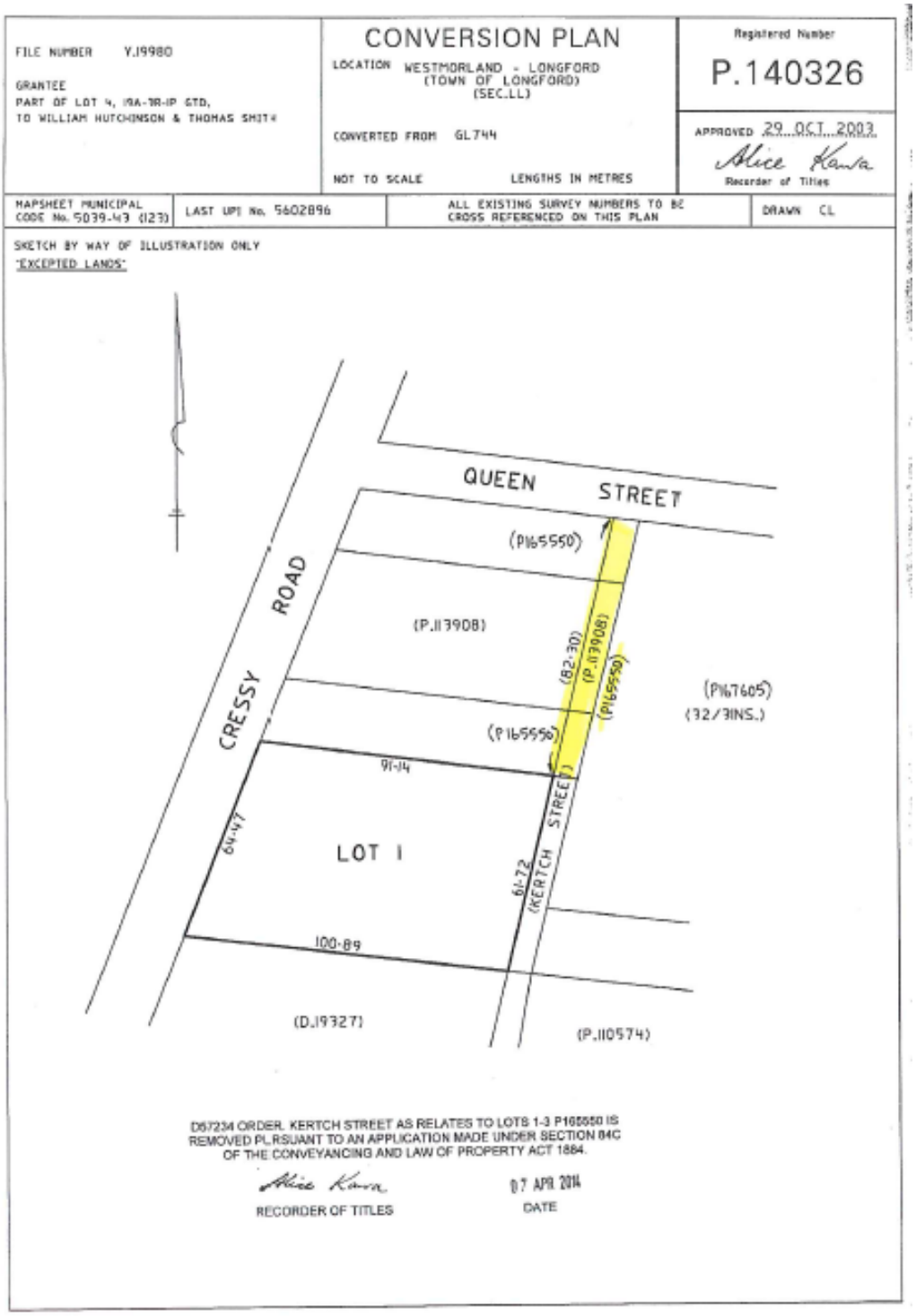
Conversion plan P140326 notes that Kertch Street as it relates to lots 1-3 P165550 was removed pursuant to an application made under section 84C of the conveyancing of Law of Property Act 1884. This was supported by Council in December 2013.



3 STRATEGIC PLAN 2017-2027

The requested information or intended claim for Crown land does not conflict with Council's Strategic Plan 2017-2027.

4 POLICY IMPLICATIONS

There are no policy implications identified.

5 STATUTORY REQUIREMENTS

The provisions of Conveyancing and Law of Property Act 1884.

The Crown Lands Act 1976 may apply.

6 FINANCIAL IMPLICATIONS

No financial implications to Council are identified.

7 RISK ISSUES

No risk issues to Council are identified as it appears that the parcel of land is land locked and not connected to Queen Street (which is also unmade).

8 CONSULTATION WITH STATE GOVERNMENT

No request has been made from State Government on the proposed claim for Kertch Street from a local government and planning perspective.

9 COMMUNITY CONSULTATION

There has been no community consultation by Council or the claimant at this stage.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can advise the applicant that it supports or does not support the removal of Kertch Street on associated titles.

11 OFFICER'S COMMENTS/CONCLUSION

The land does not appear needed for a future road. It is located adjacent to the applicant's property on the eastern side. Sale/transfer of the land would allow it to be incorporated into that property and maintained with it.

12 ATTACHMENTS

Nil

RECOMMENDATION

That Council advise that:

1) there is no evidence that Kertch Street has been included with PID 6730709 for rating purposes. Kertch Street has not been valued separately by the Valuer General for rating purposes as it is an unleased 'reserved road';
2) there is no record of Kertch Street being opened, constructed or maintained as a road for continuous public use; and
3) it consents to an application for the removal of the notation Kertch Street on within PID 6730709 on the condition that the land is adhered to an adjoining title.

DECISION

Cr

WORKS 1 RAIL INTERFACE AGREEMENT BETWEEN NORTHERN MIDLANDS COUNCIL AND TASRAIL

Attachments: Section 1 – Page 63

Responsible Officer: *Leigh McCullagh (Works Manager)*
Report Prepared by: *Jonathan Galbraith (Engineering Officer)*

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with information regarding the rail interface agreement which Council is required to enter into with TasRail under Rail Safety National Law.

2 INTRODUCTION/BACKGROUND

Rail safety National Law requires that all rail and road asset owners enter into an interface agreement which sets out their maintenance responsibilities at the interface between their assets. This agreement must cover all locations where there are road or pedestrian crossing over the rail line.

Council have been in discussions with TasRail regarding the interface agreement since October 2018 and have been working with officers from the Meander Valley Council to resolve some concerns regarding maintenance responsibilities. These concerns have now been resolved to the satisfaction of all parties and the National Rail Safety Regulator has advised that Council is required to sign up to the agreement by 30 November 2020.

3 STRATEGIC PLAN 2017-2027

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

- Progress –
  - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
    Core Strategies:
    - Strategic, sustainable, infrastructure is progressive
    - Proactive engagement drives new enterprise
    - Collaborative partnerships attract key industries
    - Attract healthy, wealth-producing business & industry

4 POLICY IMPLICATIONS

The rail interface agreement sets out the responsibility maintenance responsibilities of Council and TasRail where roads or pedestrian paths cross the rail line. Council and TasRail have already agreed on these responsibilities in previous discussion and Council have been carrying out maintenance in accordance with these discussions for a number of years. This agreement formalises discussions that have already taken place.

5 STATUTORY REQUIREMENTS

The following laws and standards have relevance to this matter.

- Rail Safety National Law
- Australian Standard AS 1742

6 FINANCIAL IMPLICATIONS

Works at rail crossings are funded from Councils signage, road and footpath maintenance budget.

7 RISK ISSUES

There is a risk that if responsibilities are not clearly defined that maintenance and safety issues at rail crossing may be missed. The Rail Interface agreement seeks to define the responsibilities of both Council and TasRail so that this does not

occur

If Council does not fulfil their maintenance responsibilities Council may be considered liable if an incident occurs at a level crossing.

Council may be prosecuted under Rail Safety National law if they do not sign the Rail Interface Agreement by 30 November 2020.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

Council is required to sign the Rail Interface Agreement by November 30.

11 OFFICER'S COMMENTS/CONCLUSION

Following discussion over the last 18 months officers from both the Northern Midlands and Meander Valley Council's are satisfied the at the Draft Rail Interface Agreement accurately reflects Council responsibilities in relation to road and pedestrian rail crossing. The Meander Valley Council intend to sign their agreement with TasRail subject to approval at their October meeting.

11.1 Council responsibilities under the agreement

The responsibilities of Council are set out in detail in the agreement. It is not anticipated that there will be any significant change to the responsibilities of Council as result of signing this agreement. Council responsibilities include:

- Safety assessments of road and pedestrian crossings (joint assessments with the rail authority where possible)
- Maintenance of advance warning signage
- Linemarking at approaches to crossings
- Maintenance of the road pavement up to 0.6m from the edge of the rail
- Maintenance of sight lines within the road corridor
- Obtaining authorisation from TasRail prior to entering the rail corridor

12 ATTACHMENTS

Draft Rail and Local Government Interface Agreement – September 2020

RECOMMENDATION

That Council enter into a Rail Interface agreement with TasRail.

DECISION
Cr

PUBLIC QUESTIONS & STATEMENTS

Due to COVID-19 the Council Meeting scheduled for **Monday 19 October 2020** commencing at 5.00pm will take place electronically which unfortunately at this stage prevents public attendance.

Due to this situation the public will be unable to attend the meeting to ask questions during Public Question Time, to ensure questions can still be asked, questions can be submitted prior to the meeting and they will be read out at the meeting. **Questions must be received by no later than 12.00pm on Monday 19 October 2020.**

Questions can be emailed to council@nmc.tas.gov.au; or be mailed or hand delivered to the Council Chambers, 13 Smith Street, Longford.

A public recording of the meeting will be placed on Councils website as soon as practicable after the meeting.

1 PUBLIC QUESTIONS

COUNCIL ACTING AS A PLANNING AUTHORITY

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

DECISION

Cr

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda item/s PLAN 1 – PLAN 5.

2 STATEMENTS

PLAN 1	PLN-20-0180: 11 GAY STREET, LONGFORD
PLAN 2	PLN-20-0101: 59 RAEBURN ROAD, BREADALBANE
PLAN 3	PLN-20-0211: 40 FAIRTLOUGH STREET AND SINCLAIR STREET RESERVED ROAD, PERTH
PLAN 4	PLN-20-0224: 59 RAEBURN ROAD & ACCESS OVER 827, 831 & 833 HOBART ROAD, BREADALBANE
PLAN 5	PLN-20-0189: EVANDALE ROAD FROM HOBART ROAD TO HUDSON FYSH DRIVE, WESTERN JUNCTION

PLAN 1 PLANNING APPLICATION PLN-20-0180: 11 GAY STREET, LONGFORD

Attachments: Section 1 – Page 84

File Number: *105300.065; CT 226099/1*
Responsible Officer: *Des Jennings, General Manager*
Report prepared by: *Erin Miles, Development Supervisor*

1 INTRODUCTION

This report assesses an application for 11 Gay Street, Longford to construct a storage facility (vary all setbacks; within 50m of Railway; parking forward of building line).

2 BACKGROUND

Applicant:
Wilkin Design & Drafting

Owner:
ACN 621 340 529 PTY LTD

Zone:
Light Industrial Zone

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

Classification under the Scheme:
Storage

Existing Use:
Vacant

Deemed Approval Date:
23.10.2020

Recommendation:
Approve

Discretionary Aspects of the Application

- Reliance on the performance criteria of the Light Industrial Zone
- Reliance on the performance criteria of the Road and Railway Assets Code
- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 31, Effective from 27th August 2020.*

Subject site

3 STATUTORY REQUIREMENTS

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

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

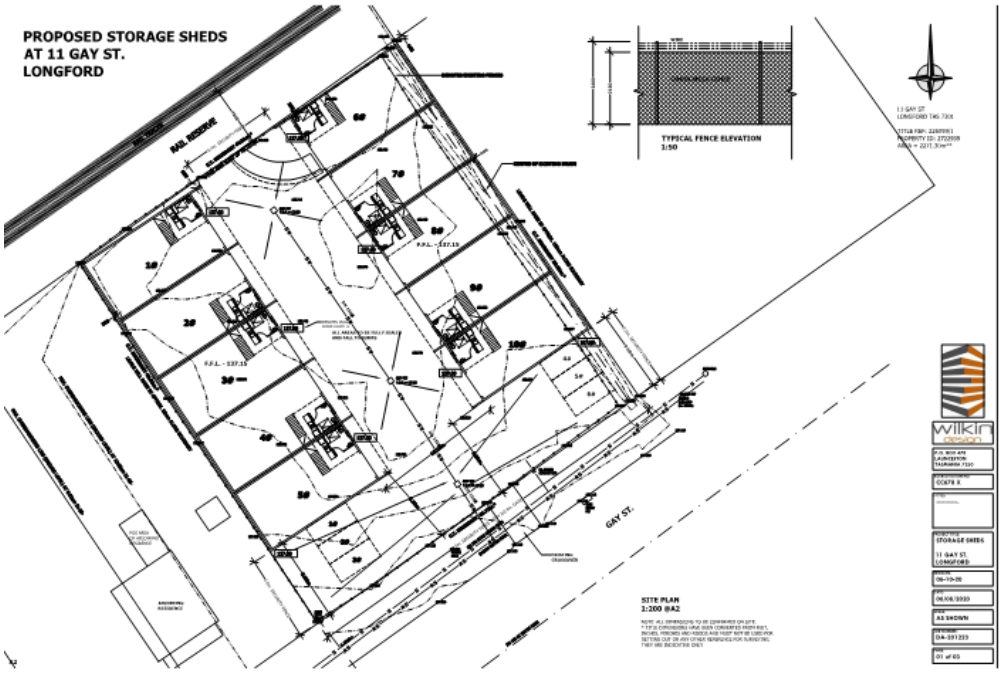
4 ASSESSMENT

4.1 Proposal

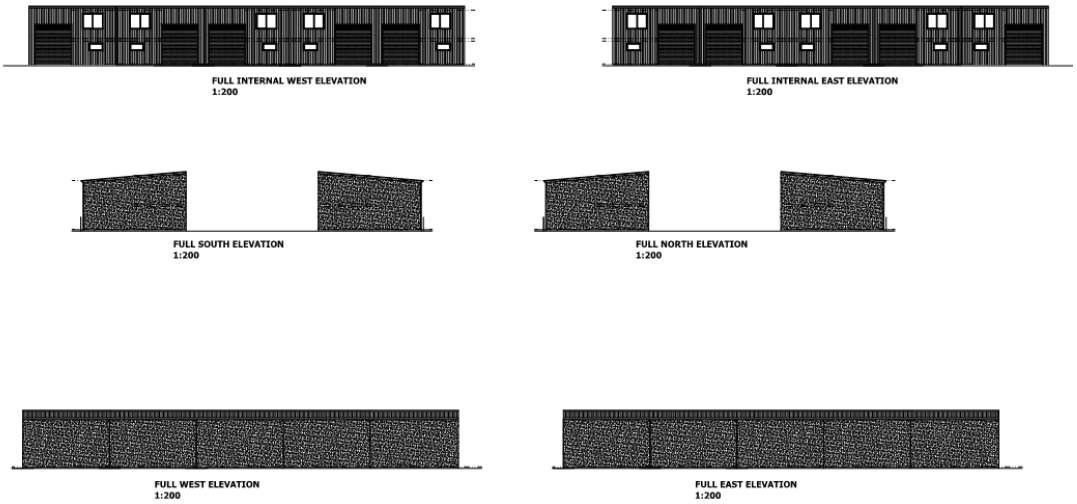
It is proposed to:

- Construct a storage facility (vary all setbacks; within 50m of Railway; parking forward of building line).

Site Plan

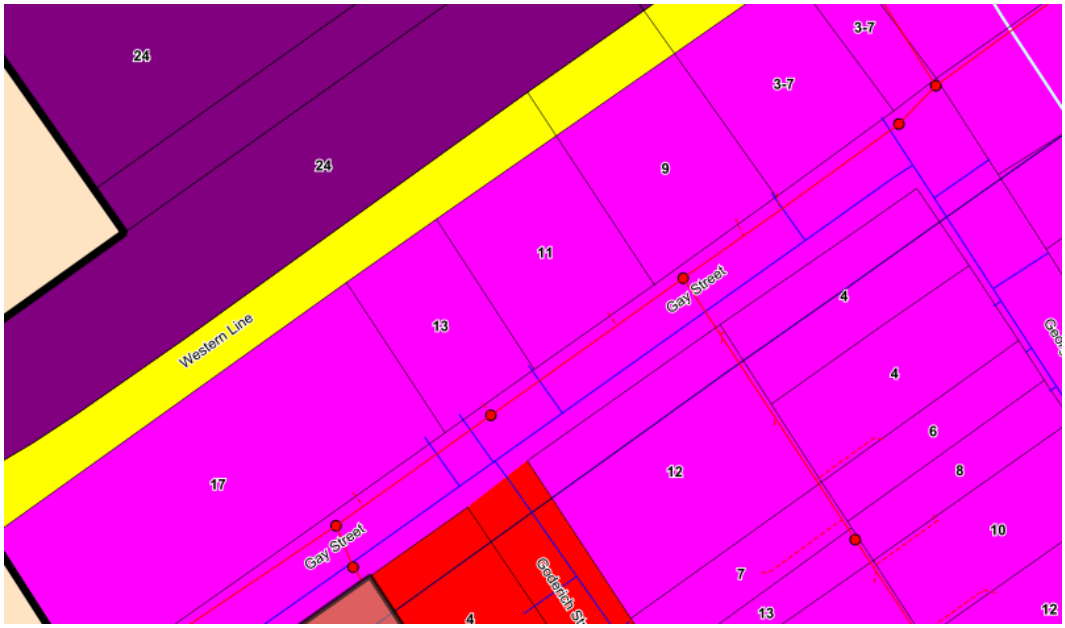


Elevations



4.2 Zone and land use

Zone Map – Light Industrial Zone



The land is zoned Light Industrial and is subject to the Road & Railway Assets Code and Car Parking and Sustainable Transport Code.

The relevant Planning Scheme definition is:

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

Storage is permitted in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on 8th September 2020. The subject site is an approximately 2271m^2 vacant lot, with residential uses located to the east and west, the railway and Koppers Logs facility to the north, and a mechanic business to the south. The site is generally level and has access via an existing crossover to Gay Street.

Aerial photograph of area

Photographs of subject site

4.4 Permit/site history

Relevant permit history includes:

- Nil - Vacant site.

4.5 Representations

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

- Tasrail, via email.
- Dean Koeck, 13 Gay Street, Longford

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

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

Issue 1

- Variation to rear setback – access and land management

Planner's comment:

The method of construction to ensure all works are contained within the subject site, without access into the rail corridor is not a matter for consideration under the planning scheme provisions. Obligations of developer under the *Rail Infrastructure Act 2007* regarding notification of excavations to the rail authority are separate to the planning approval process.

Issue 2

- Overshadowing

Planner's comment:

The development may result in some early morning shadowing of the adjacent dwelling to the west; however, for the majority of the day during mid-winter, the adjacent dwelling to the west and associated private open space will be unaffected by the proposed development as a result of overshadowing.

Issue 3

- Stormwater

Planner's comment:

The development proposes a connection to Council's reticulated system, with all buildings and hardstand areas drained to the connection. Further assessment will occur at plumbing approval stage.

Issue 4

- Potential use of building for residential purposes.

Planner's comment:

The application proposes the use is for storage only, and a Residential use is a prohibited use in the Light Industrial Zone, unless a property has existing use rights. A condition may be applied to a permit if issued, to ensure it is clear that no residential use of the buildings is to occur.

Issue 5

- Security fencing

Planner's comment:

Security fencing is regulated by the relevant Australian Standard and due to the height, requires consideration under the *Northern Midlands Interim Planning Scheme 2013.* The light industrial zone performance criteria considers the impact of fencing where a setback variation is sought. As the fence proposed has a mesh finish, it will not impact on overshadowing and have minimal impact on visual bulk.

4.6 Referrals

The following referral were required:

Council's Works Department Summary: Council's Works & Infrastructure Department (Jonathan Galbraith) reviewed the application on the 12.10.2020 and their recommended conditions are included in the conditions of approval.
TasWater Summary: A Taswater Submission to Planning Authority Notice was issued on 15.09.2020 (Taswater Ref: TWDA 2020/01401-NMC).
Tasrail (adjoining landowner) Precis: The application was referred to Tasrail on the 8th September as an adjoining land owner and referral body. The response from Tasrail is for consideration as a representation to the development. If a permit were to be issued, Tasrail standard notes could be included as a note on the permit.
General Manager Precis: Application signed by the General Manager due to works proposed within the Council road reserve.

4.7 Planning Scheme Assessment

LIGHT INDUSTRIAL ZONE
ZONE PURPOSE
24.1.1 Zone Purpose Statements *24.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.* *24.1.1.2 To focus light industrial use and development into appropriate areas suitable for its needs.* *24.1.1.3 To provide for 'non-industrial' uses that either support, supply or facilitate industrial development.*
Assessment: The proposal meets the zone purpose.

LOCAL AREA OBJECTIVES
There are no desired local area objectives

USE AND DEVELOPMENT STANDARDS

24.2 Use Table

Permitted	
Use Class	**Qualification**
Storage	

24.3 Use Standards

24.3.1 Emissions

Objective To ensure that emissions to air, land and water are reduced to the greatest extent practicable in consideration of proximity to sensitive uses.

Acceptable Solutions	Performance Criteria
A1 Use not listed in Table E11.1 Attenuation Distances or E11.2 Attenuation Distances for Sewerage Treatment Plants must be set back from sensitive uses a minimum distance of 100 metres.	P1 The use must not cause or be likely to cause an adverse impact to the amenity of sensitive uses through emissions including noise, smoke, odour, dust and illumination.
Relies on P1.	Complies with P1 – the use for 'storage' will not result in emissions of smoke, odour or dust. A condition may be applied to the permit to limit noise and illumination to a level that ensure there will not be an adverse impact to the amenity of sensitive uses as a result of the amenity.
A2 All solid waste produced through processing or manufacturing operations on the site must be removed and disposed of: a) by a licensed waste removal operator; or b) in accordance with a management plan approved by the Environment Protection Authority.	P2 No performance criteria.
Complies with A2 – condition required to ensure compliance.	N/a

24.4 Development Standards

24.4.1 Building Design and Siting

Objective To ensure that the site and layout, building design and form is visually compatible with surrounding development.	
Acceptable Solutions	**Performance Criteria**
A1 Building height must not exceed: a) 8m; or b) the average of the heights of buildings on immediately adjoining titles.	P1 Building height must: a) be complementary to the streetscape immediately surrounding the site; and b) avoid unreasonable levels of shading to the road, public places or adjoining properties.
Complies with A1 (a).	N/a
A2 Buildings must be set back a minimum distance of 15m from a frontage.	P2 Frontage setbacks must be: a) in keeping with or to enhance the streetscape character; and b) consistent with the local area objectives, if any.
Relies on Performance Criteria.	Complies with P2 (a) – There is a consistent pattern of buildings within the streetscape with reduced front setbacks, including light industrial uses at 3-7, 4 and 12 Gay Street, that are all within 100m of the subject site. b) There are no local area objectives.
A3.1 Buildings must be set back from side boundaries a minimum distance of 3m; and A3.2 Buildings must be set back from rear boundaries a minimum distance of 3m.	P3 The setback to the side and rear boundary must: a) provide adequate access to the site; and b) not result in unreasonable loss of amenity to adjoining uses having regard to the: i) bulk and form of the building; and ii) impact on the solar access of habitable room windows and private open space; and iii) size and proportions of the lot; and iv) extent to which the slope, retaining walls, fences or existing vegetation screening reduce or increase the impact of the proposed variation.
Relies on Performance Criteria.	Complies with P3 (a) – Access to the site is via an existing crossover, providing direct access to the communual parking area and doorways of each storage unit. b) i) The bulk and form of the storage units are typical of other uses within the light industrial zone and while the visual outlook will certainly be different to the vacant site, the loss of amenity is not considered to be

	unreasonable, given a seperation distance of over 8m will be maintained between the storage units and the residential to the west. A seperation distance of appoximately 34m is available between the storage units and the residential use to the east. ii) The development may result in some early morning shadowing of the adjacent dwelling to the west; however, for the majority of the day during mid winter, the adjacent dwelling to the west and associated private open space will be unaffected by the proposed development. iii)The subject site is a 2271m^2 lot, and the proposed building area is 1200m^2, resulting in a site coverage of 52.8%. iv) As the site is effectively flat, slope has little impact on any variations. Existing vegetation on the boundary of the neighbouring property to the east will provide some screening of the proposed development to the residential use to the east.

24.4.2 Subdivision – N/a

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies – See code assessment below
E.5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

ASSESSMENT AGAINST E4.0
ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective
To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.

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

E4.7 Development Standards

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

Objective

To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:

a) ensure the safe and efficient operation of roads and railways; and
b) allow for future road and rail widening, realignment and upgrading; and
c) avoid undesirable interaction between roads and railways and other use or development.

Acceptable Solutions	**Performance Criteria**
A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h: a) new road works, buildings, additions and extensions, earthworks and landscaping works; and b) building areas on new lots; and c) outdoor sitting, entertainment and children's play areas	P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to: 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 b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and 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.
Relies on Performance Criteria.	Complies with P1 as follows: a) The proposed development will maintain the safety and efficiency of the railway, noting that sight lines are maintained due to the straight track alignment and absence of level crossings. A number of adjacent lots also contain buildings with a similar setback to the rail reserve. b) Due to the development being a non-sensitive use, mitigation measures relating to air-pollution and noise are not considered necessary. A memo, prepared by MV Consulting demonstrates that the development does not require any measures to mitigate the impacts of vibration from the railway. c) N/a – no additions/extensions. d) N/a – no temporary works proposed.

E4.7.2 Management of Road Accesses and Junctions

Objective	
To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	**Performance Criteria**
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Complies with A1.	N/a
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	P2 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the 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.
N/a	N/a

E4.7.3 Management of Rail Level Crossings

Objective	
To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.	
Acceptable Solutions	**Performance Criteria**
A1 Where land has access across a railway: a) development does not include a level crossing; or b) development does not result in a material change onto an existing level crossing.	P1 Where land has access across a railway: a) the number, location, layout and design of level crossings maintain or improve the safety and efficiency of the railway; and 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 c) it is uneconomic to relocate an existing use to a site that does not require a level crossing; and d) an alternative access or junction is not practicable.
N/a – no access across railway proposed.	N/a

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

Objective	
To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	**Performance Criteria**
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with *AS1742.7 Manual of uniform traffic control devices - Railway crossings*, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Complies with A1 – 80m + site distance in both directions.	N/a

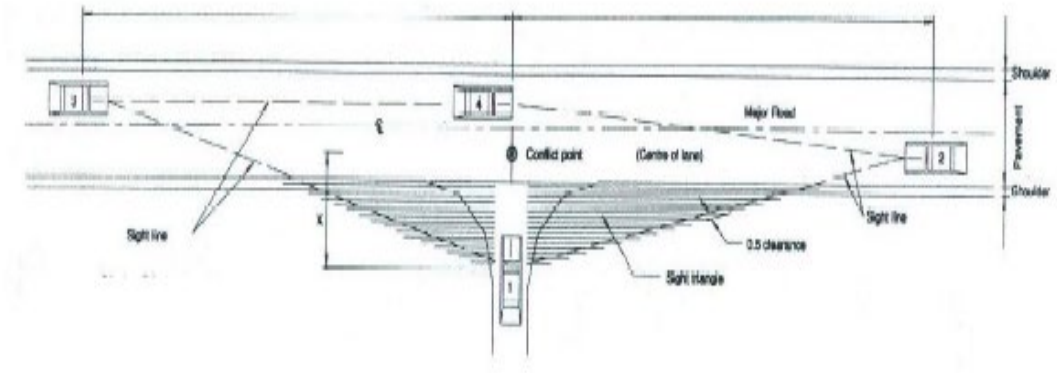


Figure E4.7.4 Sight Lines for Accesses and Junctions

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

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

Table E4.7.4 Safe Intersection Sight Distance (SISD)

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

Notes:

(a) Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.

(b) For safe intersection sight distance (SISD):

(i) All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;

(ii) These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;

(iii) A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.7.4;

(iv) A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and

(v) A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

ASSESSMENT AGAINST E6.0
CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.	
Acceptable Solutions	**Performance Criteria**
A1 The number of car parking spaces must not be less than the requirements of: a) Table E6.1; or b) a parking precinct plan contained in Table E6.6:	P1 The number of car parking spaces provided must have regard to: a) the provisions of any relevant location specific car parking plan; and b) the availability of public car parking spaces within reasonable walking distance; and c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and d) the availability and frequency of public transport within reasonable walking distance

Precinct Parking Plans (except for dwellings in the General Residential Zone).	of the site; and e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and g) an empirical assessment of the car parking demand; and h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and i) the recommendations of a traffic impact assessment prepared for the proposal; and j) any heritage values of the site; and k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to: i) the size of the dwelling and the number of bedrooms; and ii) the pattern of parking in the locality; and iii) any existing structure on the land.
Comment: The total area of the site is 2271m^2, therefore, 11 parking spaces are required. 6 formal parking spaces are proposed at the front of the site, with parking also available within each of the 10 storage units.	

Table E6.1: Parking Space Requirements

Use	***Parking Requirement***	
Residential:	***Vehicle***	***Bicycle***
Storage (vehicle/caravan/boat store, cold store, wood yard / fuel depot, warehouse)	1 space per 200m^2 of the site or 1 space per 2 employees; whichever is greater	No requirement

E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.

Acceptable Solutions	**Performance Criteria**
A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the: a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and b) location of the site and the distance a cyclist would need to travel to reach the site; and c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Comment: N/a – no requirement set.	

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

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

E6.6.4 Motorbike Parking Provisions

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

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

N/a

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.	
Acceptable Solutions	**Performance Criteria**
A1 All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
Comment: Complies with A1. Condition required to ensure parking spaces are line marked or clearly delineated.	

E6.7.2 Design and Layout of Car Parking

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

Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

Objective: To ensure adequate access, safety and security for car parking and for deliveries.	
Acceptable Solutions	**Performance Criteria**
A1 Car parking areas with greater than 20 parking spaces must be:	P1 Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:

a) secured and lit so that unauthorised persons cannot enter or; b) visible from buildings on or adjacent to the site during the times when parking occurs.	a) levels of activity within the vicinity; and b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.
Comment: N/a	

E6.7.4 Parking for Persons with a Disability

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

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

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

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	**Performance Criteria**
A1.1 Bicycle parking spaces for customers and visitors must: a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets *Australian Standard AS 2890.3 1993*; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and d) be available and adequately lit in accordance *with Australian Standard AS/NZS 1158 2005 Lighting Category C2* during the times they will be used; and	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.

A1.2	Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	
A2 a) i) ii) iii) b)	Bicycle parking spaces must have: minimum dimensions of: 1.7m in length; and 1.2m in height; and 0.7m in width at the handlebars; and unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
Comment: N/a – no requirement for bicycle parking.		

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	**Performance Criteria**
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment: Relies on P1 – parking for each of the storage units will be within the facility, with the remaining 6 spaces resulting in minimal pedestrian movements, due to the nature of the development.	

Table E6.5: Pedestrian Access

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

Notes

a) In parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.

b) Separation is deemed to be achieved by:

i) a horizontal distance of 2.5m between the edge of the driveway and the footpath; or

ii) protective devices such as bollards, guard rails or planters between the driveway and the footpath; and

iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

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

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

STATE POLICIES
The proposal is consistent with all State Policies.

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
Strategic Plan 2017-2027
Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on the performance criteria of the Light Industrial Zone
- Reliance on the performance criteria of the Road and Railway Assets Code
- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code

The proposal has been assessed as meeting the relevant provisions of the *Northern Midlands Interim Planning Scheme 2013.* Conditions have been recommended to assist in mitigating the concerns raised in the two representations received during the advertising period. Additional plans showing appropriate management of stormwater and overland flow paths will be required to be reviewed at the building/plumbing stage of the development.

8 ATTACHMENTS

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

RECOMMENDATION

That land at 11 Gay Street, Longford be approved to be developed and used for a Storage Facility (vary all setbacks; within 50m of Railway; parking forward of building line) in accordance with application PLN-20-0180, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P3** *(Drawing No: DA-201223, Sheet No's: 01-03, Dated: 6/8/2020).*

2 Council's Works Department conditions

2.1 Stormwater

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

b) Prior to the issue of a building permit, engineering plans are to be submitted to the satisfaction of the Works Manager. The designs are to detail the pavement, drainage, any onsite detention, and connection point to public infrastructure. The design must not result in any adverse stormwater impacts to neighbouring properties.

2.2 Access (Urban)

a) A concrete driveway crossover and apron must be constructed from the edge of Gay Street to the property boundary of in accordance with LGAT standard drawing TSD R09.

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

2.3 As constructed information

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

2.4 Municipal standards & certification of works

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

2.5 Works in Council road reserve

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.

2.8 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.

2.9 Nature strips

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

3 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2020/01401-NMC, dated 15.09.2020).

4 Access and parking

4.1 Prior to the commencement of use, all external parking spaces are to be line marked or clearly delineated.

4.2 Where required, accessible car parking spaces for use by persons with disabilities must be constructed closest to the main entry point of the building and designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.

5 Noise and lighting

5.1 External lighting must not operate within the hours of 8.00pm to 6.00am, excluding any security lighting; and if for security lighting, be baffled so that direct light does not extend into the adjoining property.

5.2 Beyond the zone boundary, noise levels caused by the use must not exceed:

(a) 50dB(A) between 8.00am and 8.00pm; and

(b) 40dB(A) at other times; and

(c) 5dB(A) above background for intrusive noise

6 Waste disposal

All solid waste produced through processing or manufacturing operations on the site must be removed and disposed of by a licensed waste removal operator

7 Future use

No residential use of any building approved by this permit is to occur.

8 Weed and Vegetation Management

Prior to the issue of a certificate of completion, the area between the rear of the buildings and the rear boundary shall be sealed or similarly managed to prevent the growth of weeds and vegetation.

TasRail Standard Notes (as at 24 October 2019)

- Where a building or other development is proposed to be located at a setback distance less than 50 metres from the boundary of the rail corridor, the occupants are likely to be exposed to train horn noise and vibration, noting that TasRail Freight Rail Services operate 24/7 and the configuration, frequency and time of these services is subject to change at any time. Landowners and prospective landowners should undertake appropriate due diligence to ensure they are aware of train noise and vibration, particularly train horn noise.
- The train horn is a safety device that is required to be sounded twice per level crossing being on approach and on entry. The minimum duration of each train horn blow is one second. The train driver also has the discretion to sound the horn at any time he/she perceives a risk.
- Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting property@tasrail.com.au
- No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc.
- No persons should enter rail land without formal authorisation.
- Rail land is not for private use and should not be encroached for any purpose including for gardens, storage, keeping of animals etc. Dumping of rubbish including green waste into the rail corridor is not permitted.
- As per the *Rail Infrastructure Act 2007*, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.
- Using or creating an unauthorised railway crossing or stock crossing is unsafe and strictly prohibited.
- All access and rail land enquiries should be directed to property@tasrail.com.au
- As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.

DECISION

Cr

PLAN 2 PLANNING APPLICATION PLN-20-0101: 59 RAEBURN ROAD, BREADALBANE

Attachments: Section 1 – Page 107

File Number: *201800.186*
Responsible Officer: *Erin Miles, Development Supervisor*
Report prepared by: *Paul Godier, Senior Planner*

1 INTRODUCTION

This report assesses an application for 59 Raeburn Road, Breadalbane for a poultry abattoir and composting of poultry waste.

2 BACKGROUND

Applicant:
Strelleyfield Tasmania

Owner:
A & J Gardner Pty Ltd

Zone:
Rural Resource

Codes:
Car Parking and Sustainable Transport Code, Water Quality Code, Airports Impact Management Code

Classification under the Scheme:
Resource processing

Existing Use:
Resource processing

Deemed Approval Date:
24 October 2020

Recommendation:
Approve

Discretionary Aspects of the Application

- Non-agricultural use in an Irrigation District.
- Unsealed access and parking.
- Crossing of watercourse.
- Development within Australian Noise Exposure forecast contours of Launceston Airport.

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 31, Effective from 27 August 2020*

Preliminary Discussion

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

3 STATUTORY REQUIREMENTS

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

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

4 ASSESSMENT

4.1 Proposal

It is proposed to develop and use a poultry abattoir and compost poultry waste.

Figure 1 - Locality plan (Note: representor's house is immediately north-west of the house marked Matts House)

Figure 2 - Site plan (Note: representor's house is immediately north-west of the house marked Matts House)

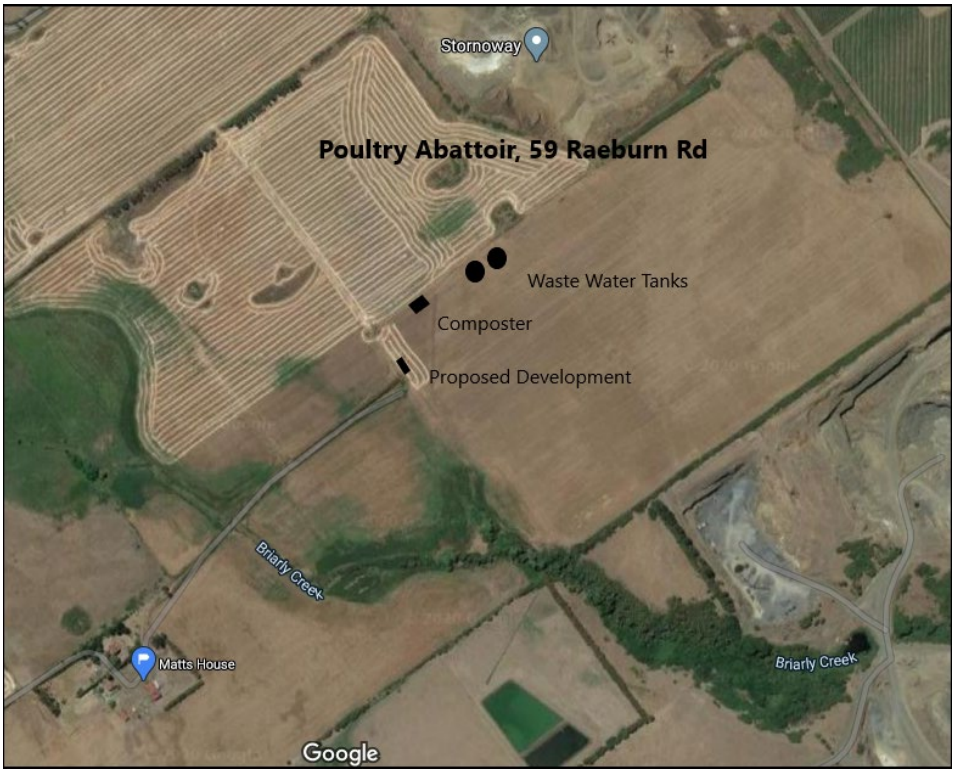


Figure 3 - Elevations

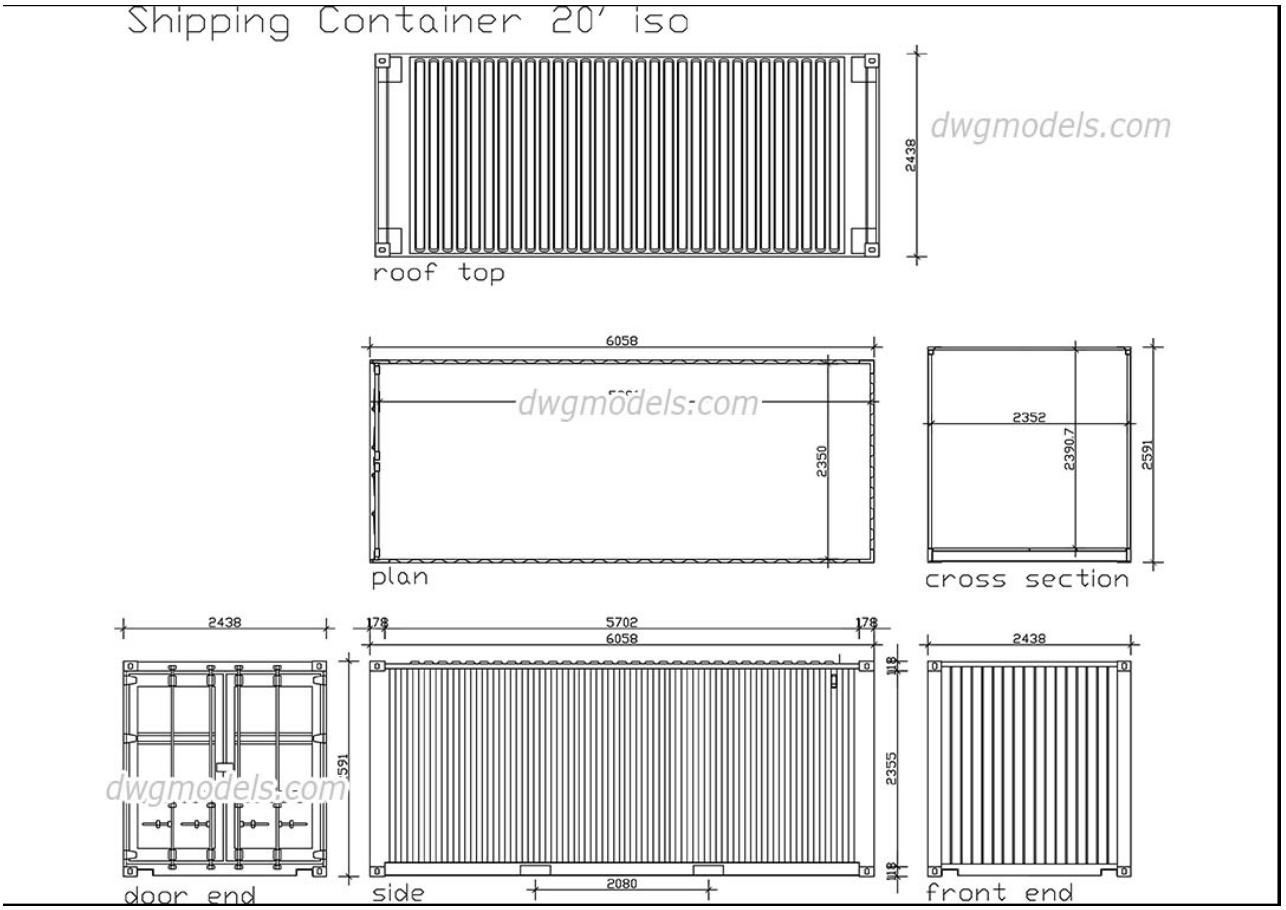


Figure 4 – floor plan

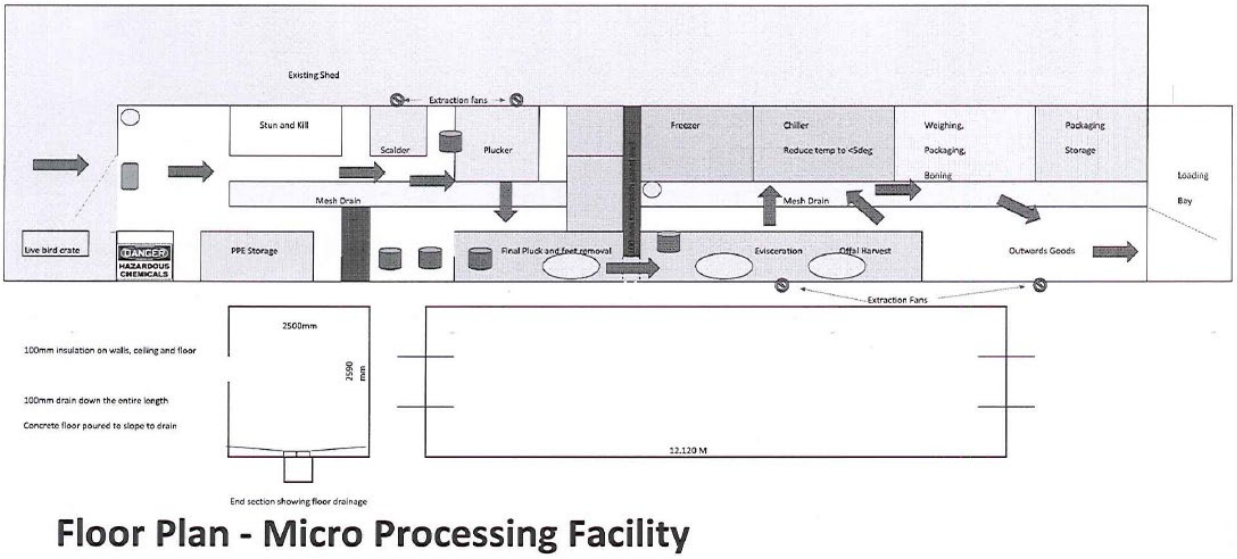
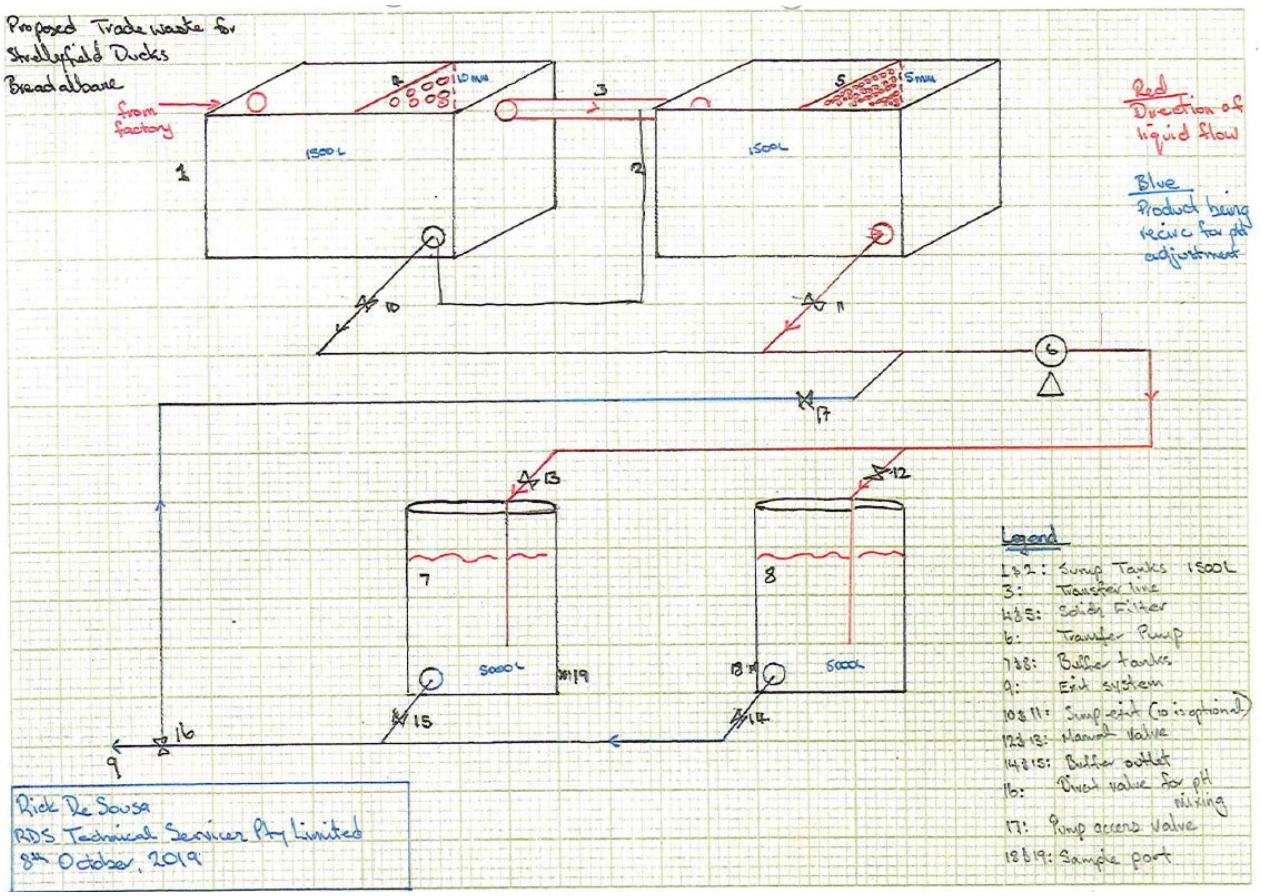
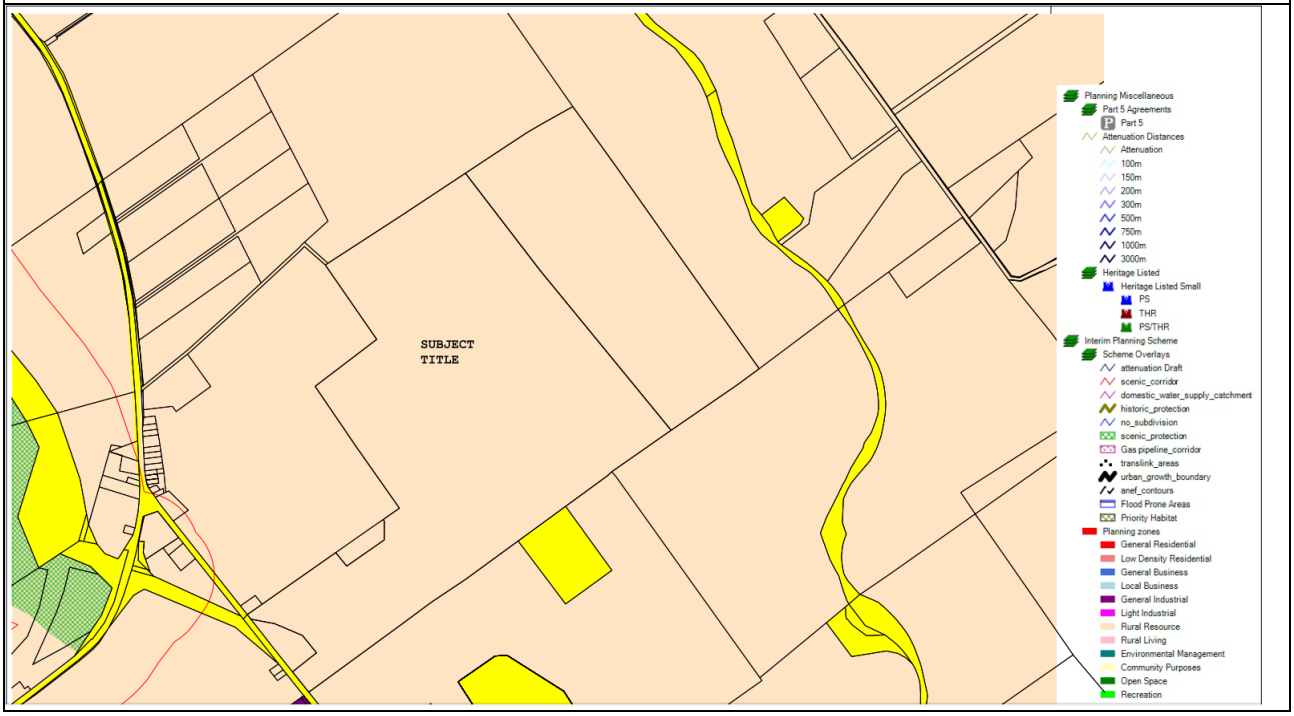


Figure 5 - Proposed trade waste



4.2 Zone and land use

Figure 6 - Zone Map – Rural Resource Zone



The land is zoned Rural Resource. The relevant Planning Scheme definition is:

Resource processing	*use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish processing, milk processing, winery and sawmilling.*

Resource processing, if directly associated with produce from the subject site, is permitted (with permit) in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on 9/10/2020. The site contains a house, with a neighbouring house immediately north-west. The site is used for raising ducks and cropping. It also contains a quarry. In the wider area, land is used for cropping, grazing, quarries, vineyards and residences.

Figure 7 - Photograph taken from site of proposed shipping container looking towards representor's property approximately 520m to 550m away (red roof around centre of photo)

Figure 8 – entrance to the property from Raeburn Road

4.4 Permit/site history

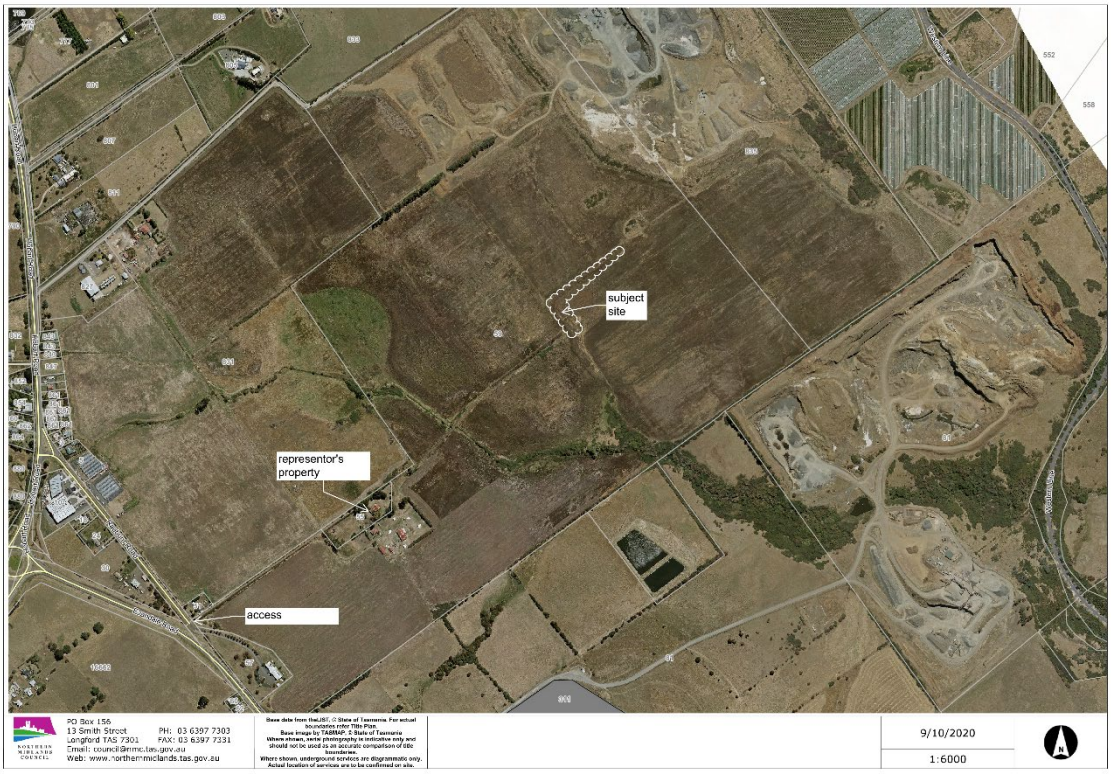
There is no permit or site history relevant to this proposal.

4.5 Representations

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

- Jackie McCallum, 55 Raeburn Road, Breadalbane.

Figure 9 – aerial photograph showing location of the subject site in relation to the representor's property



A mediation session was held between the representor and applicant, with a council planner in attendance.

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

Issue 1

- Concern over strong odour from current composting.

Planner's comment:

At the mediation session Mr Crane advised that the composting has now been moved at least 500m from the representor's property, to the area marked composter in Figure 2.

Issue 2

- Concern that the facility will be placed next to the southern side of the existing shearing shed structure, close to 55 Raeburn Road.

Planner's comment:

This site was initially proposed. Council's planning department advised Mr Crane that a site-specific study (demonstrating that that there will not be an environmental nuisance or environmental harm) would be required for sensitive uses (dwellings):

- within 300m of the abattoir;
- within 500m of the composting if no turning and 1000m of the composting if turning;

- within 200m of spray irrigation of secondary treated liquid wastes and 500m of spray irrigation of primary treated liquid wastes.

Mr Crane amended his plan to move the operation beyond these distances.

Issue 3

- The shared access into 53, 55 and 59 Raeburn Road is poorly maintained, single lane with potholes and no drainage.

Planner's comment:

At the mediation session Mr Crane advised that if the development proceeds, he will gravel the access for its entire length. The planning scheme requires the access road to be at least 3m wide with passing bays every 30m.

Issue 4

- Concern about run off to Briarly Creek. Where is to filtered water to be pumped. Where are the composted materials to be spread? Will the container be connected to power or run by a generator?

Planner's comment:

Mr Crane advised that the filtered water and composted materials would be disposed of on site, but distant from houses and watercourses, and that the container would be run by a generator.

It is recommended that the permit require the facility to operate in accordance with the Wastewater Management Guidelines for Intensive Animal Husbandry Activities, Department of Primary Industries, Water & Environment.

4.6 Referrals

Council's Works Department
Summary: Council's Engineering Officer advised that no Works conditions are required.

Environmental Health Officer
Summary: Council's Environmental Health Officer advised that the Department of Primary Industries Parks Water and Environment is the function control authority for the processing of poultry. The Primary Produce Safety Manager has advised that the applicant will be required to obtain accreditation as a meat premises in accordance with the Primary Produce Safety (Meat and Poultry) Regulations 2014. The proposed development is subject to that accreditation.

Environment Protection Agency (level 2 under EMPCA)
Summary: The proposal did not require referral to the EPA.
The conduct of meat processing for producing 100 tonnes or more of meat or meat products per year is a Level 2 Activity. The applicant advises that the size of the unit will allow for up to 200 birds per day to be processed which is well below the threshold of 100 tonnes per year.
On-farm composting for use on agricultural land having the same owner as the land on which the compost is produced is not a Level 2 Activity.

4.7 Planning Scheme Assessment

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.

Supports the zone purpose.

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

Not applicable.

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

Supports the zone purpose.

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

Not applicable.

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.

Supports the local area objectives.

b) Tourism

Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.

The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.

Not applicable.

c) Rural Communities

Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities.

Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.

Not applicable.

26.1.3 Desired Future Character Statements

The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.

Complies with the statement.

26.2 Use Table (extract)

Permitted	
Use Class	***Qualification***
Resource processing	*If directly associated with produce from the subject site*

26.3 Use Standards

26.3.1 Discretionary Uses if not a single dwelling

Not applicable – it is a permitted use.

26.3.2 Dwellings

Not applicable – it is not a dwelling

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.*	
Acceptable Solutions	***Performance Criteria***
A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.	*P1 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:* *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.*
Does not comply. Is within the North Esk Irrigation District.	The container, composting and waste water tanks are easily removable. The proposal satisfies the performance criteria.

26.4 Development Standards

26.4.1 Building Location and Appearance

Objective *To ensure that the:* *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.*	
Acceptable Solutions	***Performance Criteria***
A1 Building height must not exceed: *a) 8m for dwellings; or* *b) 12m for other purposes.*	*P1 Building height must:* *a) be unobtrusive and complement the character of the surrounding landscape; and* *b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal.*
Complies.	N/a
A2 Buildings must be set back a minimum of: *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.*	*P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to:* *a) the topography of the land; and* *b) buffers created by natural or other features; and* *c) the location of development on adjoining lots; and* *d) the nature of existing and potential adjoining uses; and* *e) the ability to accommodate a lesser setback to the road having regard to:* *i) the design of the development and landscaping; and* *ii) the potential for future upgrading of the road; and* *iii) potential traffic safety hazards; and* *iv) appropriate noise attenuation.*
Complies – the container is a non-sensitive use and more than 50m from boundaries.	N/a

26.4.2 Subdivision

Not applicable.

26.4.3 Strata Division

Not applicable.

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	N/a
E.5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	Complies – see code assessment below
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	Complies – see code assessment below.
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

ASSESSMENT AGAINST E6.0
CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6 Use Standards

E6.6.1 Car Parking Numbers

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

A1 The number of car parking spaces must not be less than the requirements of: *a) Table E6.1; or* *b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).*	*P1 The number of car parking spaces provided must have regard to:* *a) the provisions of any relevant location specific car parking plan; and* *b) the availability of public car parking spaces within reasonable walking distance; and* *c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and* *d) the availability and frequency of public transport within reasonable walking distance of the site; and* *e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and* *f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and* *g) an empirical assessment of the car parking demand; and* *h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and* *i) the recommendations of a traffic impact assessment prepared for the proposal; and* *j) any heritage values of the site; and* *k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:* *i) the size of the dwelling and the number of bedrooms; and* *ii) the pattern of parking in the locality; and* *iii) any existing structure on the land.*
Complies – able to provide the 2 spaces required.	N/a

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.	
Acceptable Solutions	***Performance Criteria***
A1 All car parking, access strips manoeuvring and circulation spaces must be: *a) formed to an adequate level and drained; and* *b) except for a single dwelling, provided with an impervious all weather seal; and* *c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.*	*P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.*
Does not comply.	Will be gravelled. Condition required.

E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.	
Acceptable Solutions	***Performance Criteria***
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and *A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.*	*P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:* *a) the layout of the site and the location of existing buildings; and* *b) views into the site from the road and adjoining public spaces; and* *c) the ability to access the site and the rear of buildings; and* *d) the layout of car parking in the vicinity; and* *e) the level of landscaping proposed for the car parking.*
Complies.	N/a
A2.1 Car parking and manoeuvring space must: *a) have a gradient of 10% or less; and* *b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and*	*P2 Car parking and manoeuvring space must:* *a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and*

c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and *A2.2 The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.*	*b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.*
Complies – condition required.	N/a

Table E6.1: Parking Space Requirements

Use		
	Scheme requirement	**Required**
Resource processing	*2 spaces per 3 employees*	2 spaces
Resource development	*No requirement*	None
Single dwelling	*1 space per bedroom*	55 Raeburn Road: estimated 2 spaces 53 Raeburn Road: estimated 2 spaces
Total		6 spaces

Table E6.2: Access Widths for Vehicles

Number of parking spaces served	***Access width***	***Passing bay (2.0m wide in addition to 3m carriage way width by 5.0m long plus entry and exit tapers)***
6 to 20	*4.5m for initial 7m from road carriageway and 3.0m thereafter*	*Every 30m*

Table E6.3: Width of Access and Manoeuvring Space adjacent to Parking Spaces

Angle of Car Spaces to Access Strip	***Access Strips Widths***	***Car Park Widths***	***Car parking length***
Parallel	*3.6m*	*2.3m*	*6.7m*
45 degrees	*3.5m*	*2.6m*	*5.4m*
60 degrees	*4.9m*	*2.6m*	*5.4m*
90 degrees	*6.4m*	*2.6m*	*5.4m*
	5.8m	*2.8m*	*5.4m*
	5.2m	*3.0m*	*5.4m*
	4.8m	*3.2m*	*5.4m*

ASSESSMENT AGAINST E9.0
WATER QUALITY CODE

E9.6.3 Construction of Roads

Objective *To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.*	
Acceptable Solutions	***Performance Criteria***
A1 A road or track does not cross, enter or drain to a watercourse or wetland.	*P1 Road and private tracks constructed within 50m of a wetland or watercourse must comply with the requirements of the Wetlands and Waterways Works Manual, particularly the guidelines for siting and designing stream crossings.*
The internal access track crosses Briarly Creek – must address the performance criteria.	A condition is required for the access track to comply with the requirements of the *Wetlands and Waterways Works Manual.*

ASSESSMENT AGAINST E12.0
AIRPORT IMPACTS MANAGEMENT CODE

E12.5.1 Noise Impacts

Objective *To ensure that noise impacts on use within the ANEF contours from aircraft and airports are appropriately managed.*	
Acceptable Solutions	***Performance Criteria***
A1 No acceptable solution.	*P1 All new buildings must comply with the Australian Standard 2021-2000Acoustics - Aircraft Noise Intrusion - Building Siting and Construction.*
-	Complies. Industrial uses other than light machinery, assembly or bench work is acceptable in all ANEF zones.

Objective *To ensure that noise impacts on use within the ANEF contours from aircraft and airports are appropriately managed.*	
Acceptable Solutions	***Performance Criteria***
A2 Sensitive use (whether ancillary to other use or development or not) must not occur within the 25 ANEF contour.	*P2 No performance criteria.*
Complies – not a sensitive use.	N/a

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

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

STATE POLICIES
The proposal is consistent with all State Policies.

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
Strategic Plan 2017-2027 • *Statutory Planning*

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Non-agricultural use in an Irrigation District.
- Unsealed access and parking.
- Crossing of watercourse.
- Development within Australian Noise Exposure forecast contours of Launceston Airport.

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

The proposal satisfies the requirements of the planning scheme. It is recommended it be approved with the conditions below.

8 ATTACHMENTS

- Application & plans, correspondence with applicant
- Representation

RECOMMENDATION

That land at 59 Raeburn Road, Breadalbane be approved to be developed and used for a Poultry abattoir and composting of poultry waste (Irrigation District) in accordance with application PLN-20-0101, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed documents **D1** (Proposed Development of Temporary Micro Poultry Processing Facility including site plan, location plan, floor plan, waste management design system)*, except that:*

The sentence, *The facility will be placed next to the southern side of the existing shearing shed structure, meaning it will not be visible from any current dwelling*, is deleted from document D1.

Reason: This is now incorrect. It was mistakenly carried over from an earlier proposal for the site. The site is correctly indicated in the site plan and location plan.

2 Plans required

Before the use or development commences, plans to the approval of the General Manager must be submitted detailing:

a) Internal access with a width of 4.5m for the first 7m from the Raeburn Road carriageway, then at least 3m width.

b) Drainage.

c) Passing bays (2.0m wide in addition to 3m carriage way width by 5.0m long plus entry and exit tapers) every 30m between Raeburn Road and 53 Raeburn Road.

d) Parking for two cars.

e) Waterway crossings in accordance with the Wetlands and Waterways Works Manual (Department of Primary Industries, Water & Environment https://dpipwe.tas.gov.au/conservation/flora-of-tasmania/tasmanias-wetlands/wetlands-waterways-works-manual).

When approved, the plans will be endorsed and form part of this permit.

3 Access construction

Before the use commences, the internal access and parking must be constructed in accordance with the endorsed plans.

4 Wastewater

The use must be carried out in accordance with the Wastewater Management Guidelines for Intensive Animal Husbandry Activities, Department of Primary Industries, Water & Environment.

DECISION

Cr

PLAN 3 PLANNING APPLICATION PLN-20-0211: 40 FAIRTLOUGH STREET AND SINCLAIR STREET RESERVED ROAD, PERTH

Attachments: Section 1 – Page 128

File Number: *104900.341*
Responsible Officer: *Erin Miles, Development Supervisor*
Report prepared by: *Paul Godier, Senior Planner*

1 INTRODUCTION

This report assesses an application for a 3 lot subdivision, fill dam, and new road at 40 Fairtlough Street and Sinclair Street reserved road, Perth.

2 BACKGROUND

Applicant:
C Dixon

Owner:
Fay Norma Harris

Zone:
Low Density Residential Zone

Codes:
Busfire Prone Areas Code, Carparking and Sustainable Transport Code, Recreation and Open Space Code

Classification under the Scheme:
Subdivision

Existing Use:
Residential

Deemed Approval Date:
20 October 2020

Recommendation:
Approve

Discretionary Aspects of the Application

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

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 31, Effective from 27 August 2020*

Preliminary Discussion

Discussion with the applicant/developer resulted in agreement that if the application is approved, the developer will construct Sinclair Street for approximately 85m with provision for truck turning at the end.

3 STATUTORY REQUIREMENTS

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

4 ASSESSMENT

4.1 Proposal

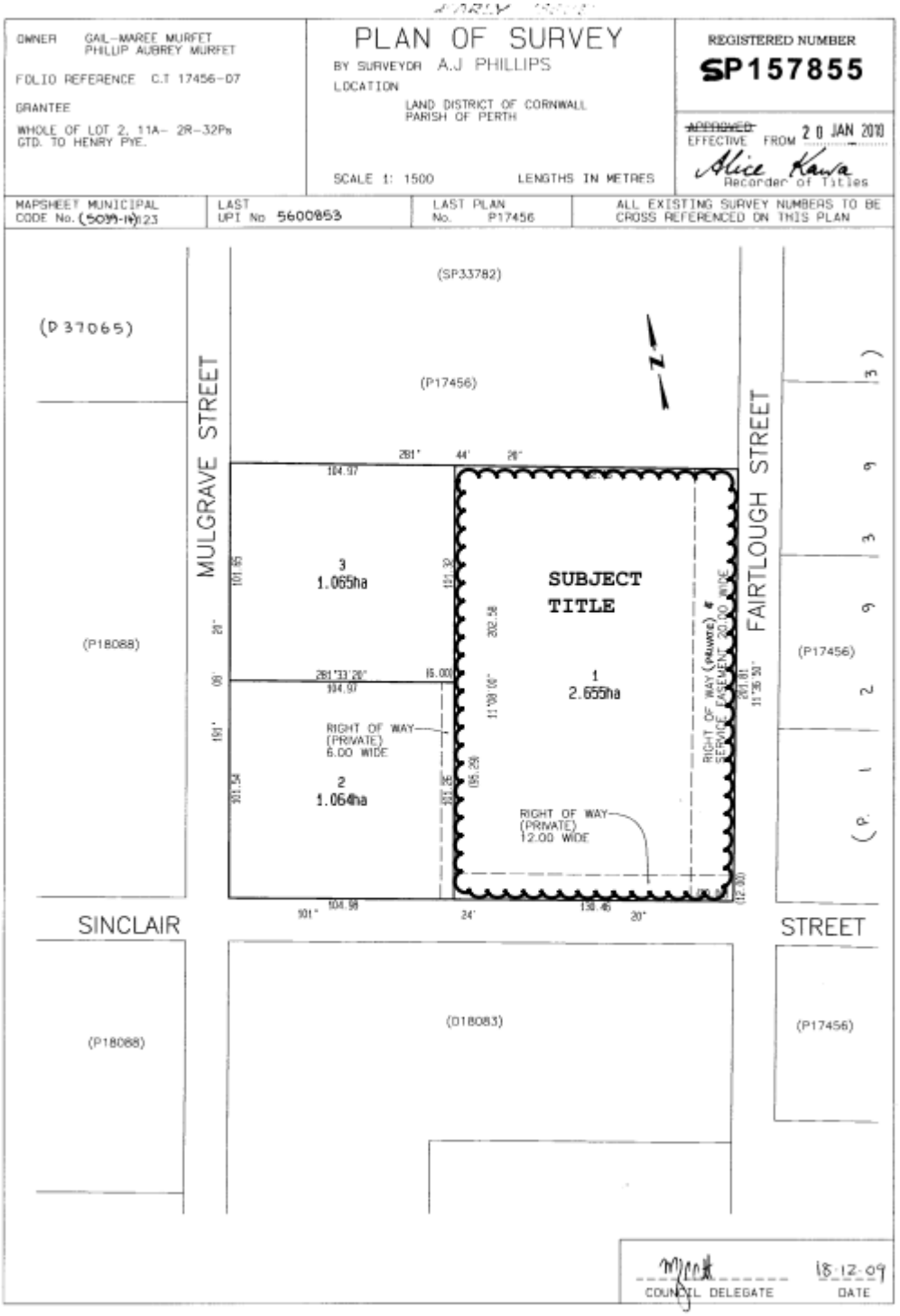
It is proposed to:

- Create 3 lots:
  - Lot 1 (vacant, 5,000m2 +/-);
  - Lot 2 (vacant, 5,000m2 +/-); and

- Lot 3 (existing house, 1.655ha +/-)
- Fill dam
- Construct a new road to access the lots.

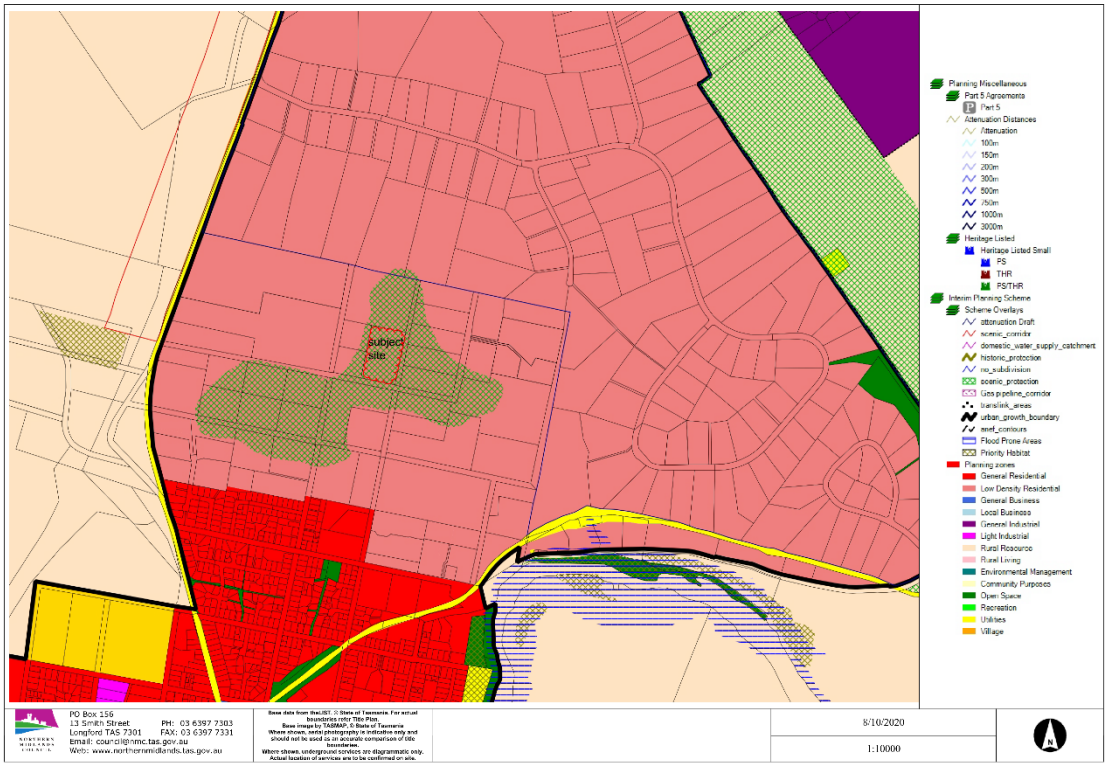
Figure 1 - Proposed subdivision plan

Figure 2 - Current title plan with subject title indicated



4.2 Zone and land use

Figure 3 - Zone map – Low Density Residential Zone, Scenic Management Area



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

8.2 Categorising Use or Development

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

The relevant Planning Scheme definitions are:

subdivision	*means the act of subdividing or the lot subject to an act of subdividing.*
Residential	*use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.*

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

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

4.3 Subject site and locality

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

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

Figure 4 Aerial photograph of area – subject site indicated:

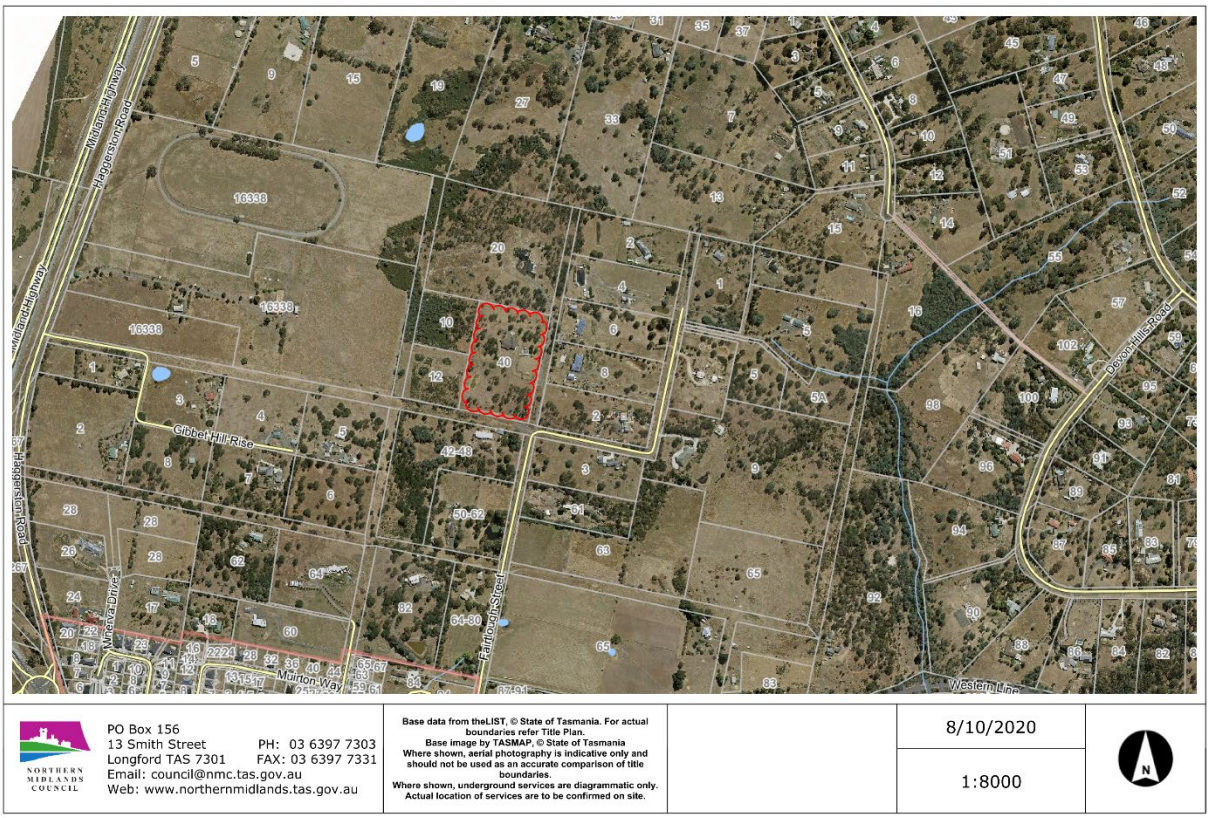


Figure 5 Subject site from Sinclair Street reserved road showing access to 12 Sinclair Street constructed in right of way

Figure 6 – subject stie from Sinclair Street reserved road, showing dam on the site

4.4 Permit/site history

Relevant permit history includes:

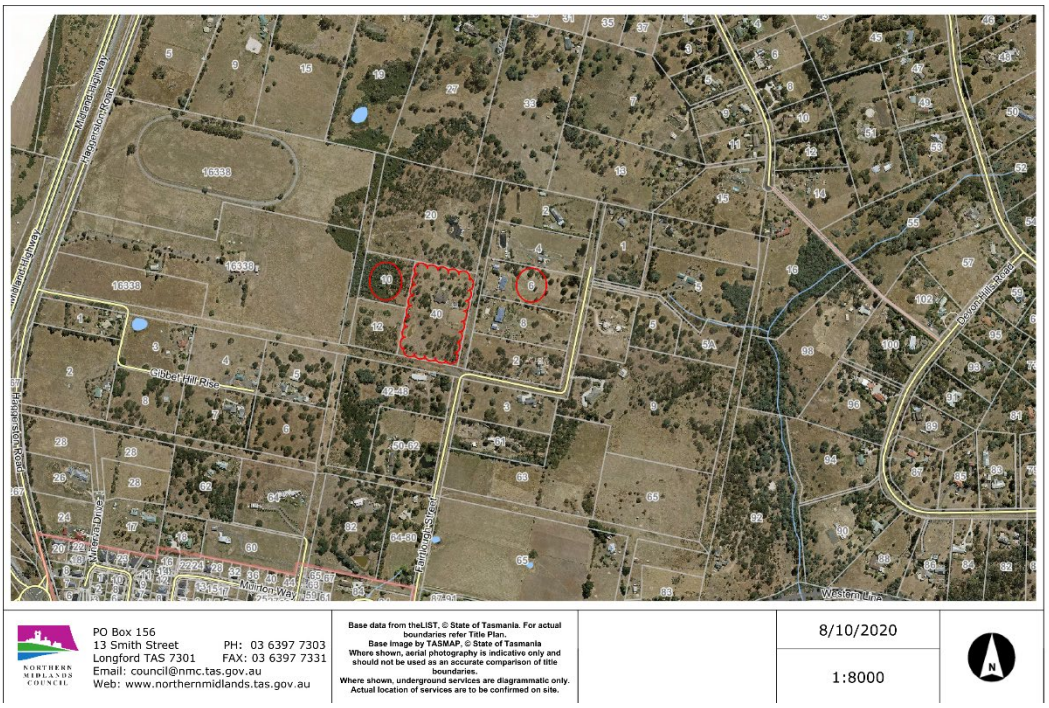
- P03-473 – dwelling
- P08-094 – 3 lot subdivision
- P16-006 – dam

4.5 Representations

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

- Jessika Allan & Steven Wrigley, 10 Sinclair St Perth (*withdrawal of representation received 14 October*)
- Alex Harding, 10 Sinclair St Perth
- Stephen Frankcombe, 6 Collins St Perth

Figure 7 - Aerial photograph showing subject site in relation to representors' properties (circled)



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

Issue 1

- Concern that the right of way to 10 Sinclair Street will be given to lots 1 and 2, preventing access to 10 Sinclair.

Planner's comment:

The right of way to 10 Sinclair Street must be carried over onto any subsequent subdivision of the land.

Issue 2

- Concern over draining of the dam, and it currently controls the flow of natural water

Planner's comment:

The applicant's response is that the owner will drain the dam in a manner that does not result in water running across the driveway. The work will be undertaken by a civil contractor and pumped to an open drain in Fairtlough Street or removed in a tanker.

Issue 3

- 5000m2 lot sizes will detract from existing allotments in the area.

Planner's comment:

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

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

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

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

b) on-site parking and manoeuvrability; and

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

c) adequate private open space; and

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

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

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

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

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

4.6 Referrals

Council's Works & Infrastructure Department

Precis: Council's Works & Infrastructure Department recommended the attached conditions to be included in the conditions of approval.

4.7 Planning Scheme Assessment

Clause 8.10.2 states:

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

(a) the purpose of the applicable zone;

(b) any relevant local area objective or desired future character statement for the applicable zone;

(c) the purpose of any applicable code; and

(d) the purpose of any applicable specific area plan.

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

12 Low Density Residential Zone

12.1 Zone Purpose

12.1.1 Zone Purpose Statements

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

Not being connected to reticulated sewerage limits the lots to around 5,000m^2 as indicated in the wastewater report.

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

Not applicable – the subdivision is for residential uses.

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

Two additional lots, allowing for two additional houses, in this relatively sparsely vegetated area is considered to satisfy this purpose statement.

12.1.2 Local Area Objectives

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

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

12.1.3 Desired Future Character Statements

There are no desired future character statements

12.2 Use Table

No Permit Required	
Use Class	***Qualification***
Natural and cultural values management	
Passive recreation	
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***
Food services	*If a Restaurant on the land described in CT 200085/1 (part of 31-41 Grant Street, Campbell Town*
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	

12.3 Use Standards

12.3.1 Amenity

Objective *To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.*	
Acceptable Solutions	***Performance Criteria***
A1 If for permitted or no permit required uses.	*P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.*
Complies. The subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable.
A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	*P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.*
Not applicable as the subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable.
A3 If for permitted or no permit required uses.	*P3 External lighting must demonstrate that:* *a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and* *b) all direct light will be contained within the boundaries of the site.*
Complies. The subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable.

12.3.2 Low Density Residential Character

Objective *To ensure that discretionary uses support the:* *a) visual character of the area; and* *b) local area objectives, if any.*	
Acceptable Solutions	***Performance Criteria***
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	*P1 No performance criteria.*
Not applicable as the subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable to this application for subdivision.
A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	*P2 No performance criteria.*
Not applicable as the subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable to this application for subdivision.
A3 Waste material storage for discretionary uses must:	*P3 No performance criteria.*

a) not be visible from the road to which the lot has frontage ; and *b) use self-contained receptacles designed to ensure waste does not escape to the environment.*	
Not applicable as the subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable to this application for subdivision.

12.4 Development Standards

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

12.4.1.1 Site Coverage

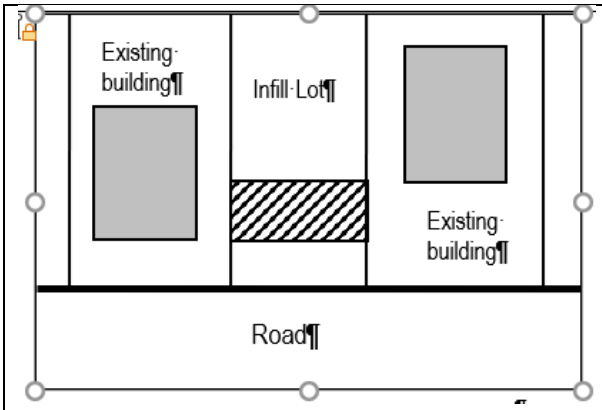
Objective *a) To ensure that the site coverage respects the existing or preferred neighbourhood character: and* *b) To reduce the impact of increased stormwater runoff on the drainage system; and* *c) To ensure sufficient area for landscaping and private open space.*	
Acceptable Solutions	***Performance Criteria***
A1 The site coverage must not exceed 10% of the site.	*P1 The site coverage must have regard to the:* *a) size and shape of the site; and* *b) existing buildings and any constraints imposed by existing development or the features of the site; and* *c) site coverage of adjacent properties; and* *d) effect of the visual bulk of the building and whether it respects the neighbourhood character; and* *e) capacity of the site to absorb runoff; and* *f) landscape character of the area and the need to remove vegetation to accommodate development.*
It is expected that site coverage on the proposed lots of 5,000m2 +/- will not exceed 10% (500m2).	Not applicable.

12.4.1.2 Building Height

Objective *To ensure that the height of dwellings respects the existing or desired future character statements.*	
Acceptable Solutions	***Performance Criteria***
A1 Building height must not exceed 8 metres.	*P1 Building height must be appropriate to the site and the streetscape having regard to the:* *a) effect of the slope of the site on the height of the building; and* *b) relationship between the proposed building height and the height of existing adjacent buildings; and* *c) visual impact of the building when viewed from a road.*
This will be assessed when an application for a building is lodged.	This will be assessed when an application for a building is lodged.

12.4.1.3 Frontage Setbacks

Objective *To ensure that the setbacks of dwellings from the road respect the existing or preferred neighbourhood character and make efficient use of the site.*	
Acceptable Solutions	***Performance Criteria***
A1.1 Primary frontage setbacks must be a minimum: *a) of 15m; and* *b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 12.4.1.3 below; and*	*P1 Buildings are set back from the primary frontage an appropriate distance having regard to:* *a) the efficient use of the site; and* *b) the safety of road users; and* *c) the prevailing setbacks of existing buildings on nearby lots; and* *d) the visual impact of the building when viewed from the road; and* *e) retention of vegetation within the front setback.*

 ***Figure 12.4.1.3 – Primary Frontage Setback for Infill Lots*** *A1.2 Buildings must be set back a minimum of 15m from any other frontage.*	
This will be assessed when an application for a building is lodged. The lot dimensions allow for this to be complied with.	This will be assessed when an application for a building is lodged.

12.4.1.4 Rear and Side Setbacks

Objective *To ensure that the:* *a) height and setback of dwellings from a boundary respects the existing neighbourhood character and limits adverse impact on the amenity and solar access of adjoining dwellings; and* *b) separation of buildings is consistent with the preferred low density character and local area objectives, if any.*	
Acceptable Solutions	***Performance Criteria***
A1 Buildings must be set back 5m from the rear boundary.	*P1 Building setback to the rear boundary must be appropriate to the location, having regard to the:* *a) ability to provide adequate private open space for the dwelling; and* *b) character of the area and location of dwellings on lots in the surrounding area; and* *c) impact on the amenity and privacy of habitable room windows and private open space of existing and adjoining dwellings; and* *d) impact on the solar access of habitable room windows and private open space of adjoining dwellings; and* *e) locations of existing buildings and private open space areas; and* *f) size and proportions of the lot.*
This will be assessed when an application for a building is lodged. The lot dimensions allow for this to be complied with.	This will be assessed when an application for a building is lodged.
A2 Buildings must be set back 7.5m from side boundaries.	*P2 Building setback to the side boundary must be appropriate to the location, having regard to the:* *a) ability to provide adequate private open space for the dwelling; and* *b) character of the area and location of dwellings on lots in the surrounding area; and* *c) impact on the amenity and privacy of habitable room windows and private open space of existing and adjoining dwellings; and* *d) impact on the solar access of habitable room windows and private open space of adjoining dwellings; and* *e) locations of existing buildings and private open space areas; and* *f) size and proportions of the lot; and* *g) extent to which the slope and retaining walls or fences reduce or increase the impact of the proposed variation.*

This will be assessed when an application for a building is lodged. The lot dimensions allow for this to be complied with.	This will be assessed when an application for a building is lodged.

12.4.1.5 Location of Car Parking

Objective *a) To provide convenient parking for resident and visitor vehicles; and* *b) To minimise the impacts of garage doors to the neighbourhood.*	
Acceptable Solutions	***Performance Criteria***
A1 A garage or carport must be located: *a) within 10 metres of the dwelling it serves; and* *b) with a setback equal to or greater than the setback of the dwelling from the primary road frontage.*	*P1 Car parking facilities must be:* *a) close and convenient to dwellings and residential buildings; and* *b) located to minimise visual impact to the streetscape; and* *c) provided in a form that is appropriate to the area and development.*
This will be assessed when an application for a building is lodged. The lot dimensions allow for this to be complied with.	This will be assessed when an application for a building is lodged.
A2 The total width of the door or doors on a garage facing a road frontage must: *a) be not more than 6m; or* *b) the garage must be located within the rear half of the lot when measured from the front boundary.*	*P2 The width of garage doors should not be a visually dominant element in the streetscape and must be designed having regard to the:* *a) existing streetscape and the design and locations of garages in the area; and* *b) location of existing buildings on the site.*
This will be assessed when an application for a building is lodged.	This will be assessed when an application for a building is lodged.

12.4.1.6 Outbuildings and Ancillary Structures

Objective *To ensure that:* *a) outbuildings do not detract from the amenity or established neighbourhood character; and* *b) dwellings remain the dominant built form within an area.*	
Acceptable Solutions	***Performance Criteria***
A1 Outbuildings must not have a: *a) combined gross floor area of greater than 80m; and* *b) maximum wall height of greater than 3.5m; and* *c) maximum building height greater than 4.5m.*	*P1 Outbuildings must be designed and located having regard to:* *a) visual impact on the streetscape; and* *b) any adverse impacts on native vegetation; and* *c) overshadow adjoining properties; and* *d) compatibility with the size and location of outbuildings in the neighbourhood.*
This will be assessed when an application for a building is lodged.	This will be assessed when an application for a building is lodged.
A2 A swimming pool or tennis court for private use must be located: *a) behind the primary frontage setback; or* *b) in the rear yard.*	*P2 A swimming pool or tennis court for private use must designed and located to:* *a) minimise any visual impact on the streetscape; and* *b) not unreasonably overlook or overshadow adjoining properties; and* *c) be compatible with the size and location of approved outbuildings in the neighbourhood.*
This will be assessed when an application for a swimming pool is lodged.	This will be assessed when an application for a swimming pool is lodged.

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

12.4.2.1 Non Residential Buildings

Objective *To ensure that all non-residential development undertaken in the Low Density Residential Zone is sympathetic to the form and scale of residential development and does not affect the amenity of nearby residential properties.*

Acceptable Solutions	*Performance Criteria*
A1 If for permitted or no permit required uses.	*P1 Development must be designed to protect the amenity of surrounding residential uses and:* *a) the proportion of the site covered by buildings must have regard to the:* *i) size and shape of the site; and* *ii) site coverage of existing buildings and any constraints imposed by existing development or the features of the site; and* *iii) site coverage of adjacent properties; and* *iv) effect of the visual bulk of the building and whether it respects the neighbourhood character; and* *v) capacity of the site to absorb runoff; and* *vi) landscape character of the area and the need to remove vegetation to accommodate development; and* *b) the building height must have regard to the:* *i) effect of the slope of the site on the height of the building; and* *ii) relationship between the proposed building height and the height of existing adjacent and buildings; and* *iii) visual impact of the building when viewed from the road and from adjoining properties; and* *iv) degree of overshadowing and overlooking of adjoining properties; and* *c) the setback of the building to a road frontage must be appropriate to the location and the character of the area having regard to:* *i) the prevailing setbacks of existing buildings on nearby lots; and* *ii) the visual impact of the building when viewed from the road; and* *iii) treatment of development within front setback; and* *d) the setback of the building to side and rear boundaries must prevent unreasonable impacts on the solar access and privacy of habitable room windows and private open space of adjoining dwellings; and* *e) traffic circulation and parking areas must be located away from residential boundaries; and* *f) landscaping must integrate development having regard to:* *i) the level and effectiveness of physical screening by fences or vegetation; and* *ii) the location and impacts of illumination of the site; and* *iii) passive surveillance of the site.*
Not applicable as the subdivision is for Residential (single dwelling) which is a permitted use.	Not applicable.

12.4.3 Subdivision

12.4.3.1 Lot Area, Building Envelopes and Frontage

Objective

To ensure:

a) the area and dimensions of lots are appropriate for the zone; and

b) the conservation of natural values, vegetation and faunal habitats; and

c) the design of subdivision protects adjoining subdivision from adverse impacts; and

d) each lot has road, access, and utility services appropriate for the zone.

Acceptable Solutions	*Performance Criteria*
A1.1 Each lot must: *a) have a minimum area of 1ha; and* *b) have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or* *c) be required for public use by the Crown, a an agency, or a corporation all the shares of*	*P1.1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:* *a) a dwelling to be erected in a convenient and hazard free location; and* *b) on-site parking and manoeuvrability; and* *c) adequate private open space; and* *d) reasonable vehicular access from the carriageway of the road to a building area on the lot, if any; and*

which are held by Councils or a municipality; or *d) be for the provision of public utilities; or* *e) for the consolidation of a lot with another lot with no additional titles created; or* *f) to align existing titles with zone boundaries and no additional lots are created.* *A1.2 Subdivision at Devon Hills will not result in any new lots.*	*e) development that would not adversely affect the amenity of, or be out of character with, surrounding development and the streetscape.* *P1.2 Land in Devon Hills must not be further subdivided*
Lots 1 and 2 are proposed to be 5,000m² +/-. As this is under 1 ha it does not comply with A1.1 a) and must address the performance criteria. Complies with A1.1 b). A1.1 c) – f) are not applicable. A1.2 does not apply – the site is not in Devon Hills.	a) The only hazard identified for the site is bushfire hazard. The bushfire hazard report demonstrates that each lot has sufficient useable area and dimensions to allow for a dwelling to be erected in a convenient location at a Bushfire Attack Level 19 in accordance with the Bushfire-prone areas Code. b) The size of the lots and the slope of the land gives sufficient useable area and dimensions to allow for on-site parking and manoeuvrability. c) The size of the lots and the slope of the land gives sufficient useable area and dimensions to allow for adequate private open space. d) The size of the lots and the slope of the land gives sufficient useable area and dimensions to allow *reasonable vehicular access from the carriageway of the road to a building area identified in the Busfire Hazard Management Report.* e) The size of the lots and the slope of the land gives sufficient useable area and dimensions to allow for development that would not adversley affect the amenity of, or be out of character with, surrounding development and the streetscape. P1.2 does not apply – the site is not in Devon Hills.
A2 Each lot must have a frontage of at least 6m.	*P2 No performance criteria.*
Complies. The developer will be required to construct Sinclair Street to provide at least 6m frontage to each lot.	N/a
A3 Each lot must be connected to a reticulated: *a) water supply; and* *b) sewerage system.*	*P3 Lots that are not provided with reticulated water and sewerage services must be:* *a) in a locality for which reticulated services are not available or capable of being connected; and* *b) capable of accommodating an on-site wastewater management system.*
Does not comply. Must address the performance criteria.	<u>Water Services</u> The lots are in a locality for which reticulated water services are available (see Figure 8). The cost of extending the main for three lots means reticulated water is not capable of being connected. <u>Sewerage Services</u> The lots are not in a locality for which reticulated sewerage services are available (see Figure 9). An on-site wastewater assessment by Environmental Service and Design Pty Ltd was provided with the application. The assessment finds: The property is not within the sewer serviced area of Perth with the closest sewer main approximately 950m south. It is impractical to connect to the reticulated sewer and on-site disposal will be required. Surface rock was noted on all three lots. All attempts to obtain a core sample met with refusal at between 200mm – 300mm. the presence of sub-surface rock restricts the system selection of the on-site wastewater design but does not preclude either lot from accommodating an on-site wastewater system.

	Based on the results of the site and soil evaluation an on-site wastewater system based on a secondary treatment system and designed in accordance with AS/NZS1547-2012 will be required. The system selection and location of the on-site wastewater disposal area will be depended upon the size of any dwelling proposed and its position within the lot and a site-specific on-site wastewater design in accordance with AS/NZS1547-2012. Lots 1 and 2 have the capability to accommodate a secondary treatment on-site wastewater management system. There is an existing approved on-site wastewater management system for the existing dwelling. With a proposed area of 1.655ha the existing system will remain wholly within the lot. There were no obvious signs of failure such as offensive odour or seepage noted during the site assessment. The proposal has the capability to meet the requirements of clause 12.4.3.1 P3 (b) of the scheme.
A4 Each lot must be connected to a reticulated stormwater system.	*P4 Stormwater may only be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:* *a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and* *b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the pre-development levels of the subdivision; and* *c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and* *d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.*
Does not comply. Must address the performance criteria.	An on-site wastewater assessment by Environmental Service and Design Pty Ltd was provided with the application. The assessment finds: There is no intention to discharge stormwater from the site, On-site disposal of stormwater through sub-surface beds or trenches is proposed. Lots 1 and 2 at 5,000m2 each have adequate area for on-site disposal of stormwater through sub-surface trenches or beds clear of wastewater areas and acccesses.

Figure 8 - TasWater Water Serviced Land (Source: The LIST)

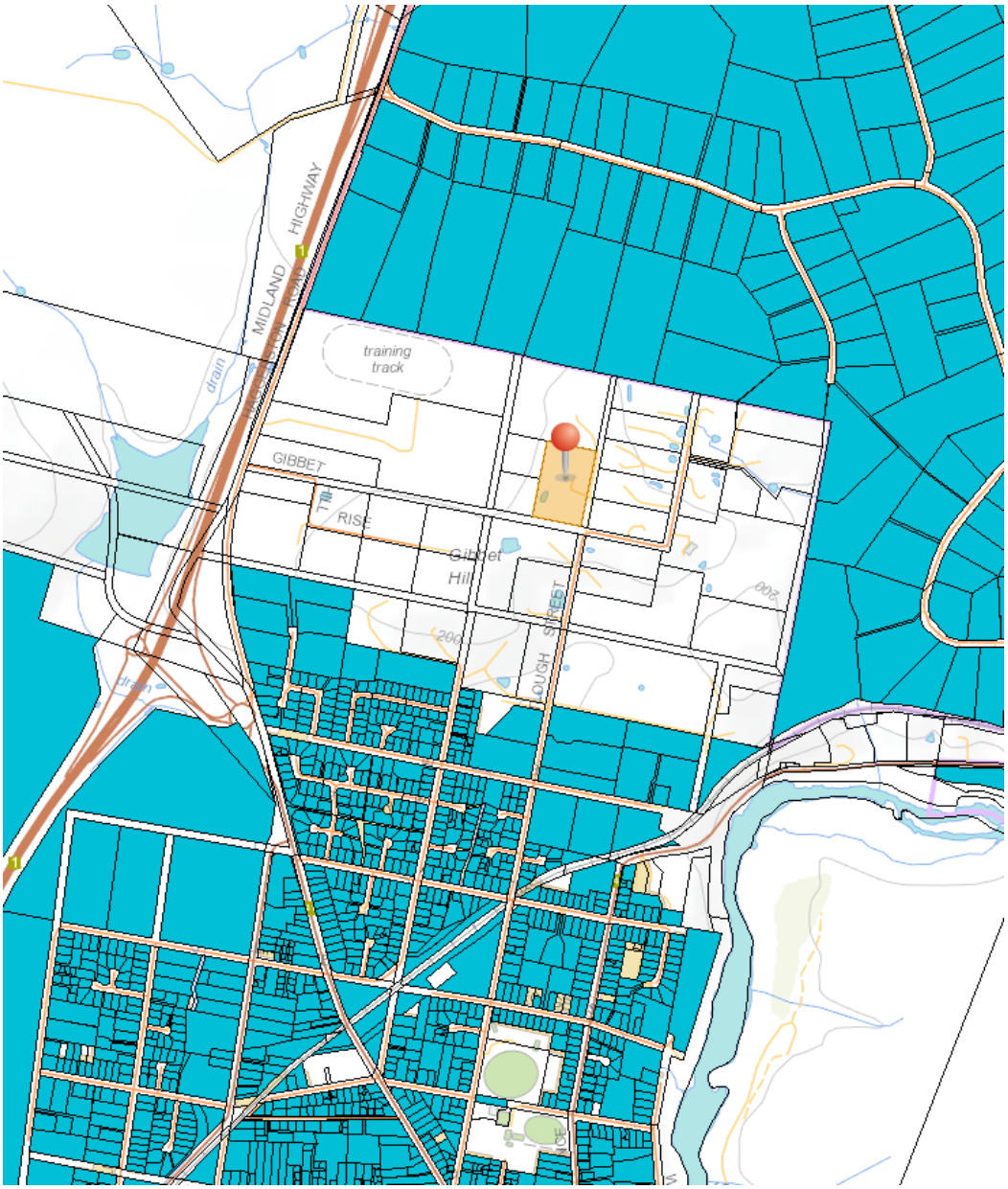
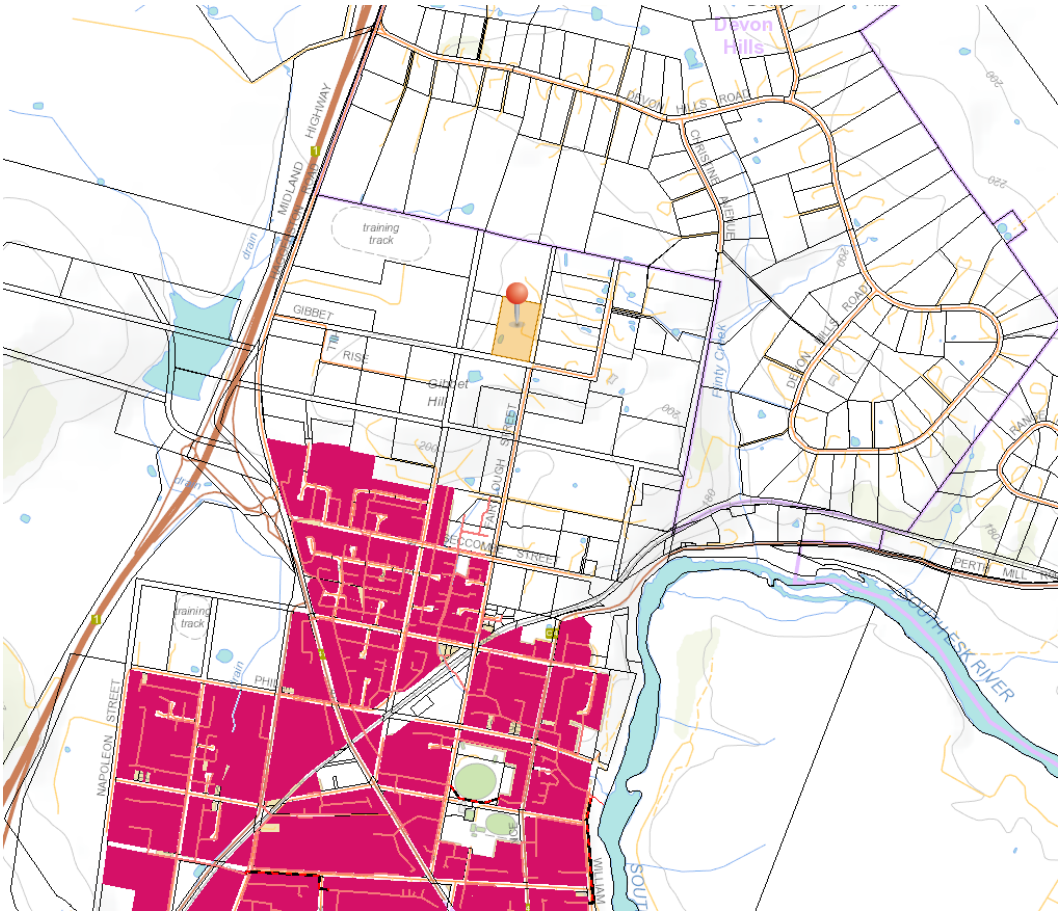


Figure 9 - TasWater Sewer Serviced Land (Source: The LIST)



CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	A report has been provided by Scott Livingston BFP-105, Dated 26th August 2020 in relation to the subdivision and demonstrates compliance with the applicable acceptable solutions in relation to subdivision.
E2.0	POTENTIALLY CONTAMINATED LAND	N/A
E3.0	LANDSLIP CODE	N/A
E4.0	ROAD AND RAILWAY ASSETS CODE	N/A
E.5.0	FLOOD PRONE AREAS CODE	N/A
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – each lot has enough area to provide for the required 2 spaces per dwelling.
E7.0	SCENIC MANAGEMENT CODE	See code assessment below.
E8.0	BIODIVERSITY CODE	N/A
E9.0	WATER QUALITY CODE	N/A
E10.0	RECREATION AND OPEN SPACE CODE	Complies – GM provided consent to taking cash in lieu of land for public open space.
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/A
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/A
E13.0	LOCAL HISTORIC HERITAGE CODE	N/A
E14.0	COASTAL CODE	N/A
E15.0	SIGNS CODE	N/A

E7 SCENIC MANAGEMENT CODE

E7.1 Purpose of the Code

E7.1.1 The purpose of this provision is to:

a) ensure that siting and design of development protects and complements the visual amenity of defined tourist road corridors; and

b) ensure that siting and design of development in designated scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape.

E7.2 Application of this Code

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

E7.3 Definitions of Terms

scenic management – tourist road corridor	*means the area of land within 100 metres measured from each frontage to the scenic management tourist road corridor indicated on the planning scheme maps, except as follows:* *a) in urban areas within the general residential, low density residential, village, local business, general business, light industrial, general industrial, community purposes zones; and* *b) 200m from each frontage for Midland Highway, Illawarra Road, Lake Leake Road and Esk Main Road.*
local scenic management area	*means those areas listed in Table E7.1 – local scenic management areas and indicated on the planning scheme maps.*

E7.4 Use or Development Exempt from this Code

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

a) Use without development, not including plantation forestry; and

b) Subdivision for a boundary adjustment; and

c) road widening.

E7.5 Use Standards

Not used in this Scheme.

E7.6 Development Standards

E7.6.1 Scenic Management – Tourist Road Corridor

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

E7.6.2 Local Scenic Management Areas

Objective a) To site and design buildings, works and associated access strips to be unobtrusive to the skyline and hillsides and complement the character of the local scenic management area; and b) To ensure subdivision and the subsequent development of land does not compromise the scenic management objectives of the local scenic management area.	
Acceptable Solutions	**Performance Criteria**
A1 No acceptable solution.	P1 Development (not including subdivision) must have regard to the: a) character statement and scenic management objectives of the particular area set out in Table E7.1 – local scenic management areas; and b) impact on skylines, ridgelines and prominent locations; and c) retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and d) design or treatment of development including: i) the bulk and form of buildings including materials and finishes; and ii) earthworks for cut or fill; and iii) complementing the physical (built or natural) characteristics of the site or area.
-	Not applicable – the application is for subdivision.
A2 No acceptable solution.	P2 Subdivision must be consistent with the scenic management objectives of the particular area set out in Table E7.1 – local scenic management areas, having regard to: a) the local scenic management area – character statement; and b) site size; and c) density of subsequent development; and

	d) the clearance or retention of vegetation in combination with requirements for hazard management; and e) the extent of works required for roads and to gain access to sites including cut and fill; and f) the physical characteristics of the site and locality; g) any plan over the land through an agreement under S71 of the Act.
	The subdivision is considered to be consistent with the scenic management objectives the Gibbet Hill area to 'retain remnant tree cover on skylines and limit further development to low density and low impact' and the character statement is 'low density settlement areas with remnant tree cover on skylines visible along important tourism routes' as: • The site size is two 5,000m^2 lots and one 1.655ha lot. • The density of subsequent development will be one dwelling per 8,850m^2 (0.885ha) • The Bushfire Hazard Management Report indicates little need for vegetation removal. • The construction of Sinclair Street is expected to require little cut or fill.

Table E7.1 – Local Scenic Management Areas

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

SPECIFIC AREA PLANS		
F1.0	TRANSLINK SPECIFIC AREA PLAN	N/A
F2.0	HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/A
SPECIAL PROVISIONS		
9.1	Changes to an Existing Non-conforming Use	N/A
9.2	Development for Existing Discretionary Uses	N/A
9.3	Adjustment of a Boundary	N/A
9.4	Demolition	N/A
9.5	Access and Provision of Infrastructure Across Land in Another Zone	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 *Land Use Planning & Approvals Act 1993.*

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
Strategic Plan 2017-2027
• *Statutory Planning*

6 LOCAL GOVERNMENT (BUILDINGS AND MISCELLANEOUS PROVISIONS) ACT 1993

Section 83	**Approval of plan of subdivision**	**Yes**	**No**
83 (1)(a)	Does the council require the owner to sell to it for a nominal consideration any land shown on the plan as set apart for a public open space or for drainage purposes?		✓
83(1)(b)	Does the council require the owner to mark on the plan in respect of any proposed way, the words "to be acquired by the highway authority"?		✓
83(5)(a)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not provide means of drainage for all or some specified kind of effluent from the block?		✓
83(5)(a)(iii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not permit a septic tank?	✓	
83(5)(b)(i)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a septic tank?		✓
83(5)(b)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a specific form of on-site sewerage treatment?		✓
83(7)	Does the council require the final plan of subdivision to note, in respect of a block, that the council has been advised by a regulated entity, within the meaning of the *Water and Sewerage Industry Act 2008*, that the entity cannot or will not –		
83(7)(a)	provide a supply of water to the block?	✓	
83(7) (b)	provide means of sewerage for all or some specified kind of effluent from the block?	✓	

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

Section 85	**Refusal of application for subdivision**		
	Council may refuse the application for subdivision if it is of the opinion:		
85(a)	that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is;		✓
85(b)	that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of;		✓
85(ba)	that the land is not suitable for an on-site effluent disposal system for all or specified kinds of effluent from each block;		✓
85(c)	that the site or layout will make unduly expensive the arrangements for supply of water and electricity, connection to drains and sewers and the construction or maintenance of streets;		✓
85(d)	that the layout should be altered to include or omit –		
85(d)(i)	blind roads;		✓
85(d)(ii)	alleys or rights of way to give access to the rear of lots;		✓
85(d)(iii)	public open space;		✓

85(d)(iv)	littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake;		✓
85(d)(v)	private roads, ways or open spaces;		✓
85(d)(vi)	where the ground on one side is higher than on the other, wider roads in order to give reasonable access to both sides;		✓
85(d)(vii)	licences to embank highways under the *Highways Act 1951*;		✓
85(d)(viii)	provision for widening or deviating ways on or adjoining land comprised in the subdivision;		✓
85(d)(ix)	provision for the preservation of trees and shrubs;		✓
85(e)	that adjacent land of the owner, including land in which the owner has any estate or interest, ought to be included in the subdivision;		✓
85(f)	that one or more of the lots is by reason of its shape in relation to its size or its contours unsuitable for building on;		✓
85(g)	that one or more of the lots ought not to be sold because of –		
85(g)(i)	easements to which it is subject;		✓
85(g)(ii)	party-wall easements;		✓
85(g)(iii)	the state of a party-wall on its boundary.		✓

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

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

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

7 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

8 OPTIONS

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

9 DISCUSSION

Discretion to refuse the application is limited to:

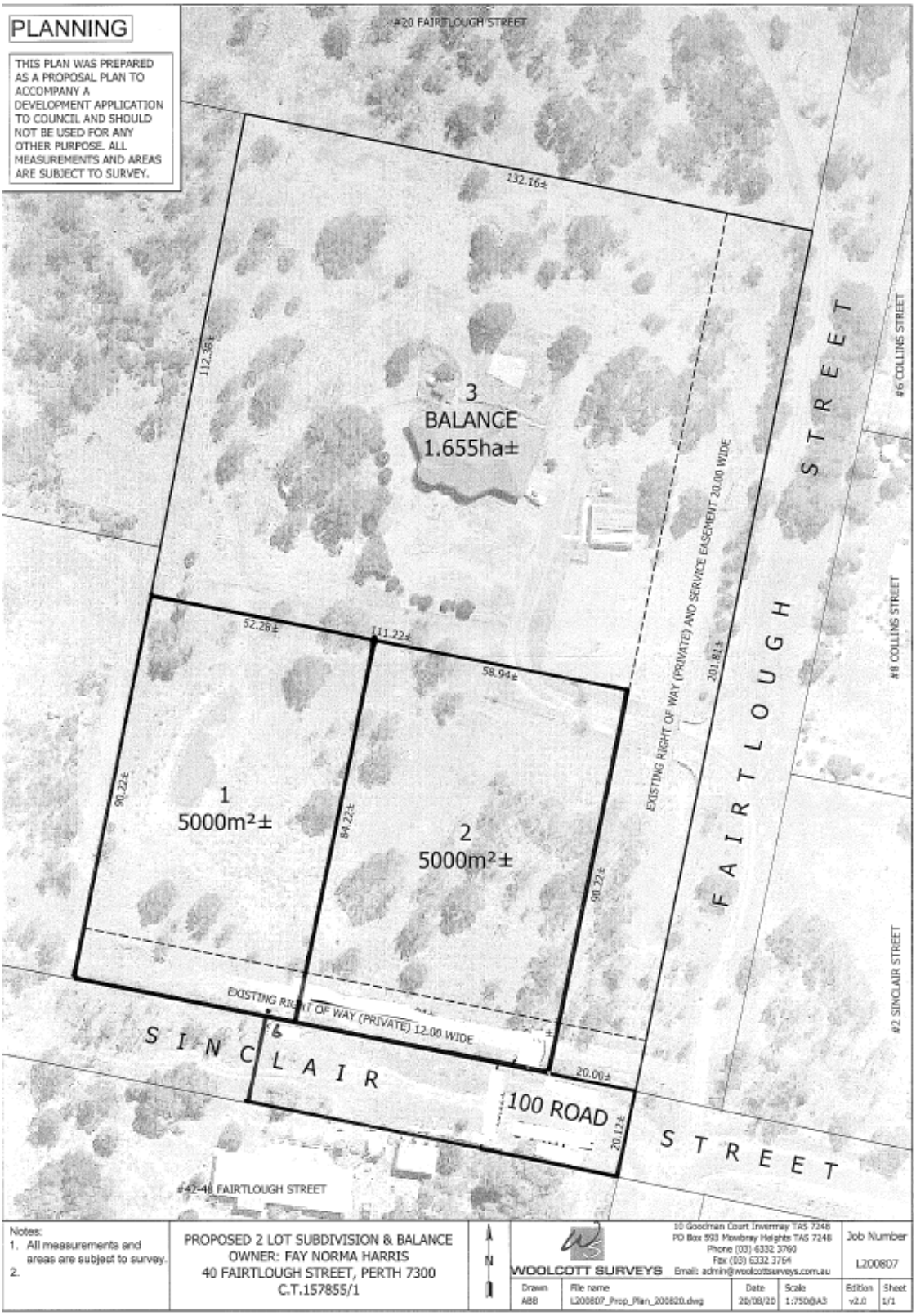
- Creation of lots less than 1 ha.
- Subdivision within scenic management area.

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

As discussed in this report, the proposal satisfies the requirement of the planning scheme. It is recommended that the application be approved with the conditions below.

The applicant has indicated a willingness to construct Sinclair Street to Council standards to provide access for the lots as indicated below.

Figure 10 – recommended that developer construct of Sinclair Street as below



11 ATTACHMENTS

- Application & plans, correspondence with applicant
- Responses from referral agencies

- Representations & applicant's response

RECOMMENDATION

That land at 40 Fairtlough Street and Sinclair Street reserved road, Perth be approved to be developed and used for a 3 lot subdivision in accordance with application PLN-20-0211 and subject to the following conditions:

1 LAYOUT NOT ALTERED

The use and development shall be substantially accordance with the endorsed documents:
P1 (Proposed subdivision plan, 20/08/20 but modified to show Lot 2 with 59m of frontage to Sinclair Street reserved road and Lo1 1 with 6m of frontage to Sinclair Street reserved road),
D1 (Planning assessment report),
D2 (Onsite wastewater report),
D3 (Bushfire hazard management report)

2 COUNCIL'S WORKS DEPARTMENT CONDITIONS

2.1 Stormwater

Stormwater must be contained within each lot and concentrated stormwater must not be discharged on to neighbouring properties.
Water from driveways and roadside drainage must drain to the Council stormwater system.

2.2 Access (Rural)

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

2.3 Roadworks

a) A sealed road must be constructed to service all lots in accordance with LGAT Standard Drawing TSD R02 and all other relevant standards
b) A circular turning head must be constructed in accordance with LGAT standard drawing TSD R07.
c) Full design plans for the road, property accesses and roadside drainage must be provided and approved by Council prior to the commencement of any works on site.

2.4 As constructed information

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

2.5 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.

2.6 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.

2.7 Bonds

A bond of $2500 or 5% of the total cost of works (whichever is greater) must be paid by the developer and shall be held for a minimum period of 12 months and until the works have passed a final completion inspection by Council Officers.

2.8 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.

2.9 Nature strips

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

3 PUBLIC OPEN SPACE CONTRIBUTIONS

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

4 DRAINING OF POND

Draining of the pond must be undertaken by a civil contractor and pumped to an open drain in Fairtlough Street or removed in a tanker.

5 FILLING OF POND

a) The land subject to filling must be filled in accordance with Australian Standard AS3798-2007 - Guidelines on earthworks for commercial and residential development.

b) Before the final plan is sealed, certification of the fill quality of the site, including certified test results by a NATA accredited facility, must be provided to Council.

6 SEALING OF FINAL PLAN

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

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

For lots 1 and 2, the final plan of subdivision must note that Council will not permit a septic tank.

For lots 1, 2, and 3, the final plan of subdivision must note that the regulated entity cannot or will not provide a supply or water to the block, or provide a means of reticulated sewerage for the block.

DECISION

Cr

PLAN 4 PLANNING APPLICATION PLN-20-0224: 59 RAEBURN ROAD & ACCESS OVER 827, 831 & 833 HOBART ROAD, BREADALBANE

Attachments: Section 1 – Page 208

File Number: *201800.186*
Responsible Officer: *Erin Miles, Development Supervisor*
Report prepared by: *Paul Godier, Senior Planner*

1 INTRODUCTION

This report assesses an application for 59 Raeburn Road & access over 827, 831 & 833 Hobart Road, Breadalbane to for a temporary extension to hours of operation of concrete batch plant (Environmental Impacts and Attenuation Code).

2 BACKGROUND

Applicant:
Woolcott Surveys Pty Ltd

Owner:
Gardner A & J Pty Ltd

Zone:
Rural Resource

Codes:
Environmental Impacts & Attenuation Code

Classification under the Scheme:
Discretionary

Existing Use:
Extractive industry

Deemed Approval Date:
4 November 2020

Recommendation:
Refuse

Discretionary Aspects of the Application

- Discretionary use in the zone
- Reliance on performance criteria in the zone

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 31, Effective from 27 August 2020*

Preliminary Discussion

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

3 STATUTORY REQUIREMENTS

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

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

4 ASSESSMENT

4.1 Proposal

It is proposed to extend the hours of operation of the concrete batch plant until 31 March 2021 to:

- 4am to 6pm Mondays to Friday

- 4am to 4pm Saturdays

The hours currently allowed are:

- 6am to 6pm Mondays to Fridays
- 8am to 4pm Saturdays

4.2 Zone and land use

The land is zoned Rural Resource.

Clause 8.2 of the planning scheme states:

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

8.2.2 A use or development that is directly associated with and a subservient part of another use on the same site must be categorised into the same use class as that other use.

8.2.3 If a use or development fits a description of more than one use class, the use class most specifically describing the use applies.

8.2.4 If a use or development does not readily fit any use class, it must be categorised into the most similar use class.

8.2.5 If more than one use or development is proposed, each use that is not directly associated with and subservient to another use on the same site must be individually categorised into a use class.

The relevant Planning Scheme definition is:

Extractive industry	*use of land for extracting or removing material from the ground, other than resource development, and includes the treatment or processing of those materials by crushing, grinding, milling or screening on, or adjoining the land from which it is extracted. Examples include mining, quarrying, and sand mining.*

The concrete batch plant is directly associated with and a subservient part of the extractive industry on the site. In accordance with Clause 8.2.1 the concrete batch plant is therefore categorized at Extractive Industry. Within the Rural Resource zone Extractive Industry is:

26.2 Use Table (extract)

Permitted	
Use Class	**Qualification**
Extractive industries	If not: a) located on prime agricultural land or; b) for a Level 2 Activity
Discretionary	
Use Class	**Qualification**
Extractive industries	If located on prime agricultural land, or If for a Level 2 Activity

The land is not prime agricultural land. The extractive industry on site is a Level 2 Activity. The use is therefore Discretionary in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on 4 August 2020. It contains a concrete batch plant and is also used for pasture and quarrying. Surrounding land is also used for farming, quarrying, various businesses and residential uses.

4.4 Permit/site history

Relevant permit/site history includes:

- DA127/00 – Level 1 to Level 2 quarry
- P09-297 – Increase quarry production (withdrawn)
- P10-147 – Increase quarry production

- P16-220 – Aggregate precoating plant
- PLN-19-0034 – Concrete batch plant

4.5 Representations

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

- H & T Clayton, 832 Hobart Rd, Breadalbane
- M & A Henry, 803 and 805 Hobart Rd, Breadalbane
- NP & LD Westgarth, 852 Hobart Rd, Breadalbane
- E Vos, 847 Hobart Road, Breadalbane
- K & M Challis, 843 Hobart Road, Breadalbane

The representors detail their concerns with loss of amenity due to noise from the operation of the batch plant and truck movements.

4.6 Referrals

Environmental Health Officer

Summary: Council's Environmental Health Officer advised Noise and potentially vibration, cannot be ruled out. Noise will be created by truck movements, even though the access road is now sealed, noise occurs from exhaust brakes as vehicles slow to enter the site and when trucks enter the site there is a change in the road surface causing a significant bang from some vehicles. The extent to which noise may affect neighbouring residences is not possible to estimate without an assessment being undertaken by a suitably qualified engineer. Therefore, Council may wish to consider engaging an engineer to undertake an assessment.

4.7 Planning Scheme Assessment

26 Rural Resource Zone

26.1 Zone Purpose

26.1.1 Zone Purpose Statements

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

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

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

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

26.1.2 Local Area Objectives

a) Primary Industries:

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

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

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

b) Tourism

Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.

The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.

c) Rural Communities

Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.

26.1.3 Desired Future Character Statements

The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.

26.3 Use Standards

26.3.1 Discretionary Uses if not a single dwelling

Objective

a) To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.

b) To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.

c) To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.

d) Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.

e) Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.

f) The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.

Acceptable Solutions	**Performance Criteria**
A1 If for permitted or no permit required uses.	P1.1 It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m^{2}over the site.
Discretionary use.	P1.1 – the local area objectives relate to primary industries, tourism and rural communities. None of these are applicable to this application. P1.2 N/a
A2 If for permitted or no permit required uses.	P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the: i) amount of land alienated/converted is minimised; and ii) location is reasonably required for operational efficiency; and P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.
Discretionary use.	P2.1 – N/a, the land is not prime agricultural land. P2.2 – N/a, the land is not prime agricultural land.
A3 If for permitted or no permit required uses.	P3 The conversion of non-prime agricultural to non-agricultural use must demonstrate that: a) the amount of land converted is minimised having regard to: i) existing use and development on the land; and ii) surrounding use and development; and iii) topographical constraints; or b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as: i) limitations created by any existing use and/or development surrounding the site; and ii) topographical features; and iii) poor capability of the land for primary industry; or c) the location of the use on the site is reasonably required for operational efficiency.
Discretionary use.	Not applicable to this application to change the hours of operation.

A4 If for permitted or no permit required uses.	P4 It must demonstrated that: a) emissions are not likely to cause an environmental nuisance; and b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and c) the capacity of the local road network can accommodate the traffic generated by the use.
Discretionary use.	Environmental nuisance means the emission, discharge, depositing or disturbance of a pollutant that unreasonably interferes with, or is likely to unreasonably interfere with, a person's enjoyment of the environment. Five representations were received from surrounding property owners. All are concerned with the impact that the proposal to extend the hours of operation will have on their amenity in terms of noise from the operation and traffic. It is therefore considered that the extended hours of operation are likely to cause an environmental nuisance, contrary to this clause.
A5 The use must: a) be permitted or no permit required; or b) be located in an existing building.	P5 It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to: a) the impacts on skylines and ridgelines; and b) visibility from public roads; and c) the visual impacts of storage of materials or equipment; and d) the visual impacts of vegetation clearance or retention; and e) the desired future character statements.
Discretionary use.	Complies – no development is proposed..

26.3.2 Dwellings

Not applicable – not a dwelling.

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.	
Acceptable Solutions	**Performance Criteria**
A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the *Water Management Act 1999*.	P1 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: 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.
Does not comply	Complies – does not reduce irrigation potential.

26.4 Development Standards

26.4.1 Building Location and Appearance

Objective To ensure that the: 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.	
Acceptable Solutions	**Performance Criteria**
A1 Building height must not exceed: a) 8m for dwellings; or b) 12m for other purposes.	P1 Building height must: a) be unobtrusive and complement the character of the surrounding landscape; and b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal.
N/a – no development is proposed.	N/a
A2 Buildings must be set back a minimum of: a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or	P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to: a) the topography of the land; and b) buffers created by natural or other features; and c) the location of development on adjoining lots; and d) the nature of existing and potential adjoining uses; and

b) 200m where a sensitive use is proposed; or c) the same as existing for replacement of an existing dwelling.	e) the ability to accommodate a lesser setback to the road having regard to: i) the design of the development and landscaping; and ii) the potential for future upgrading of the road; and iii) potential traffic safety hazards; and iv) appropriate noise attenuation.
N/a – no development is proposed.	N/a

26.4.2 Subdivision

Not applicable – not a subdivision

26.4.3 Strata Division

Not applicable – not a Strata Division

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

ASSESSMENT AGAINST E11.0
ENVIRONMENTAL IMPACTS AND ATTENUATION CODE

E11.6 Use Standards

E11.6.1 Attenuation Distances

Objective To ensure that potentially incompatible use or development is separated by a distance sufficient to ameliorate any adverse effects.	
Acceptable Solutions	**Performance Criteria**
A1 No acceptable solution.	P1 Sensitive use or subdivision for sensitive use within an attenuation area to an existing activity listed in Tables E11.1 and E11.2 must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm, having regard to the: a) degree of encroachment; and b) nature of the emitting operation being protected by the attenuation area; and c) degree of hazard or pollution that may emanate from the emitting operation; and d) the measures within the proposal to mitigate impacts of the emitting activity to the sensitive use.
N/a	N/a
A2 Uses listed in Tables E11.1 and E11.2 must be set back from any existing sensitive use, or a boundary to the General Residential, Low Density Residential, Rural Living, Village, Local Business, General Business, Commercial zones, the minimum	P2 Uses with the potential to create environmental harm and environmental nuisance must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm having regard to: a) the degree of encroachment; and b) the nature of the emitting operation being protected by the attenuation area; and c) the degree of hazard or pollution that may emanate from the emitting operation; and

attenuation distance listed in Tables E11.1 and E11.2 for that activity.	d) use of land irrigated by effluent must comply with *National Health and Medical Research Council Guidelines*.
Complies – the concrete batch plant is more than 100m from any sensitive use.	N/a

Table E11.1 Attenuation Distances

The attenuation distances in Table E11.1 and Table E11.2 must be measured between the outer edge of the area used by the listed activity and the property boundary of the sensitive use or development, except for extractive industry the attenuation distance must be measured from the boundary of any applicable mining or quarry lease.

ACTIVITY	DIST (M)
Abattoirs (primary)	
- Large animals, greater than 100 tonnes/ year production (odours, noise)	500
- Large animals, less than 100 tonnes/year production (odours, noise).	300
- Small animals (e.g. poultry) (odours, noise)	300
Abattoirs (secondary)	
- rendering etc (odours)	1000
Pre-mix bitumen plants (e.g. batching)	
- mobile and static (odours)	500
Brickworks	
- (dust, noise)	200
Composting (vegetation only)	
- with or without turning (odours)	500
Composting (animal wastes)	
- incorporating human and animal wastes without turning (odours)	500
Composting (animal wastes)	
- incorporating human and animal wastes, with turning, (odours)	1000
Concrete batching plants	
- (noise, dust)	100
Concrete or stone articles	
- (not pipe extrusion) (noise, dust)	100
Crematoria	
- (odours, particulates)	300
Dairy Products	
- (odours)	100
Disposal Site	
- (odours, dust, disease, vectors, visual)	500
- transfer station (except very large stations) (odours, disease, vectors, noise, visual).	150
- non putrescible wastes (odours, noise)	50
Quarry/pit etc.	
- no blasting, crushing or vibratory screening (noise, dust)	300
- blasting (noise, vibration, dust)	
• hard rock.	1000
• material other than hard rock.	300
- crushing (noise, dust)	750
- vibratory screening (noise, dust)	500
Saleyard	
- stock (odours, noise).	500

ACTIVITY	DIST (M)
Disposal sites	
- spray irrigation of liquid wastes of animal or vegetative origin (odours, disease vectors)	
• primary treated	500
• secondary treated	200
Feedlot and holding yard	
- cattle and sheep (odours)	3000
Fibreglass manufacturing	
(odours)	200
Fish processing (primary)	
- fish filleting etc.	
(odours, noise, lights)	100
Fish processing (secondary)	
- fish meal production etc.	1000
Flour Mills	
- (particulates, noise).	300
Foundry	
- (odours, particulates, noise)	1000
Liquid waste treatment	
- e.g. treatment lagoons for wash down, processing effluent etc. (odours).	200
Metal fabrication	
- (noise, odours).	500
Organic waste treatment	
- e.g. cattle and pig slurry (odours)	500
Piggery	
- intensive husbandry (odours)	500
Sawmill	
- including wood waste burnt in approved incinerator, wood chipper or use of internal combustion powered chainsaw. (noise, particulates)	300
Poultry	
- intensive husbandry (odours).	500
Smallgoods manufacture	100
Storage	
- petroleum products and crude oil (odours, noise)	
• with fixed roofs	300
• with floating roofs	100
- wet salted or unprocessed hides (odours)	300
Wood preservation	
(odours, noise)	100
Wood chipper	
(noise)	300

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

STATE POLICIES
The proposal is consistent with all State Policies.

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
Strategic Plan 2017-2027
Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Discretionary use in the zone
- Reliance on performance criteria in the zone

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

Given the issues raised in the representations, it is considered that it is likely that the extended hours of operation are likely to cause an environmental nuisance, contrary to clause 26.3.1 of the planning scheme. It is therefore recommended that the application be refused.

8 ATTACHMENTS

- Application & plans
- Representations

RECOMMENDATION

That application PLN-20-0224 to for a temporary extension to hours of operation of concrete batch plant at 59 Raeburn Road & access over 827, 831 & 833 Hobart Road, Breadalbane be refused on the following grounds:

- The proposal is likely to cause an environmental nuisance, contrary to clause 26.3.1 P4 a).

DECISION

Cr

PLAN 5 PLANNING APPLICATION PLN-20-0189: EVANDALE ROAD FROM HOBART ROAD TO HUDSON FYSH DRIVE, WESTERN JUNCTION

Attachments: Section 1 – Page 234

File Number: *CT 143903/1, 143771/3, 148609/1-6, 150770/100, 23720/3, 128763/1, 21958/1, 21957/5-7, 136826/7, 21958/7, 150770/3-4, 129905/1, 159125/1-2, 50634/4*
Responsible Officer: *Des Jennings, General Manager*
Report prepared by: *Erin Miles, Development Supervisor*

1 INTRODUCTION

This report assesses an application for Evandale Road from Hobart Road to Hudson Fysh Drive, Western Junction to construct *Utilities - Evandale Road duplication (Road and Railway Assets Code, Flood Prone Areas Code, Water Quality Code, Airports Impact Management Code, Translink SAP).*

2 BACKGROUND

Applicant:
Department of State Growth (C/-Doug Fotheringham – Pitt & Sherry)

Owner:
Various

Zone:
General Industrial Zone, Rural Resource Zone, Utilities Zone

Codes:
Road & Railway Assets Code
Flood Prone Areas Code
Water Quality Code
Airport Impacts Management Code
Translink Specific Area Plan (SAP)

Classification under the Scheme:
Discretionary

Existing Use:
Utilities

Deemed Approval Date:
23.10.2020

Recommendation:
Approve

Discretionary Aspects of the Application

- Discretionary use
- Reliance on the performance criteria of the Road and Railway Assets Code
- Reliance on the performance criteria of the Flood Prone Areas Code
- Reliance on the performance criteria of the Water Quality Code
- Reliance on the performance criteria of the Airport Impacts Management Code
- Reliance on the performance criteria of the Translink Specific Area Plan

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 31, Effective from 27th August 2020.*

Preliminary Discussion

The Department of State Growth undertook consultation with Council prior to the preparation/lodgement of the development application, although matters raised relating to separated shared pathways were not included within the proposed design. The applicant, Pitt and Sherry also consulted with Council officers on timelines and processes around lodgement of the development application.

Subject site

3 STATUTORY REQUIREMENTS

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

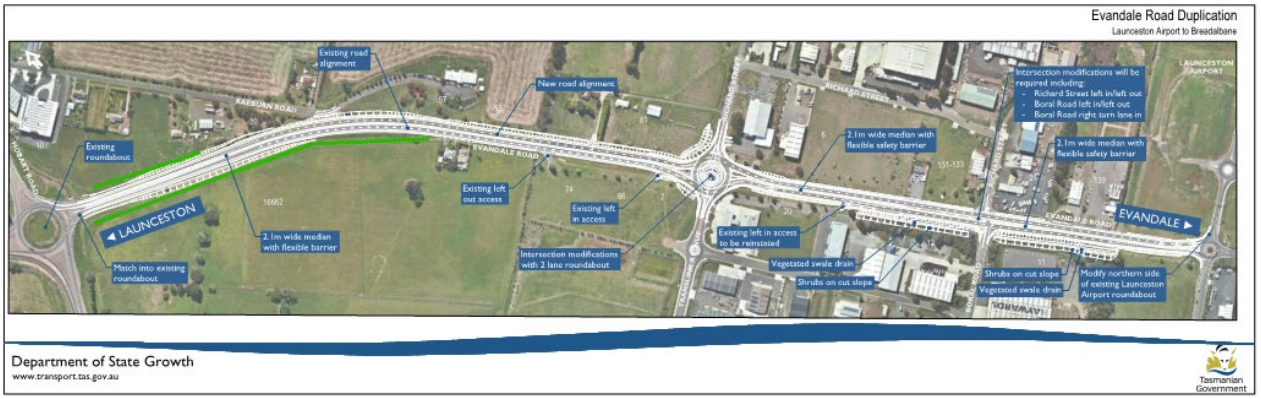
4 ASSESSMENT

4.1 Proposal

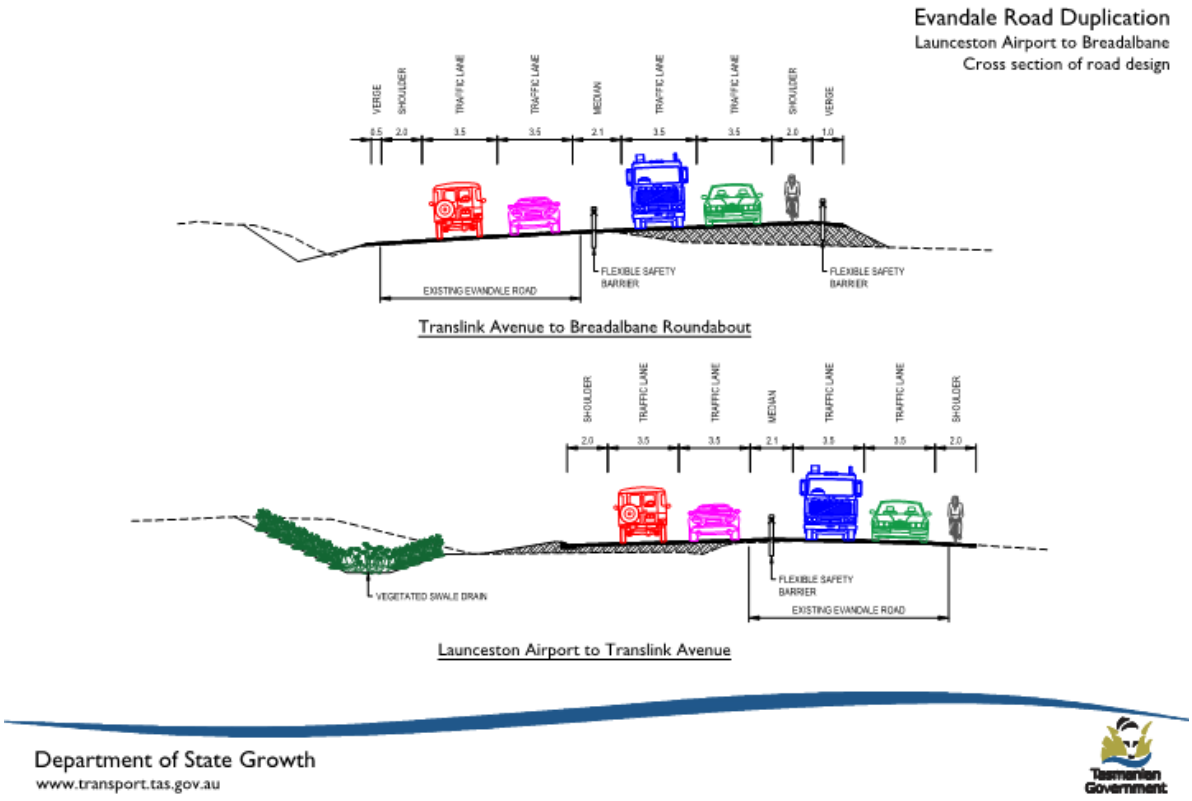
It is proposed to:

- Construct a duplication of Evandale Main Road by providing 4 lanes (2 in each direction) from the Breadalbane Roundabout to the Airport Roundabout (Hudson Fysh Drive).

Site Plan

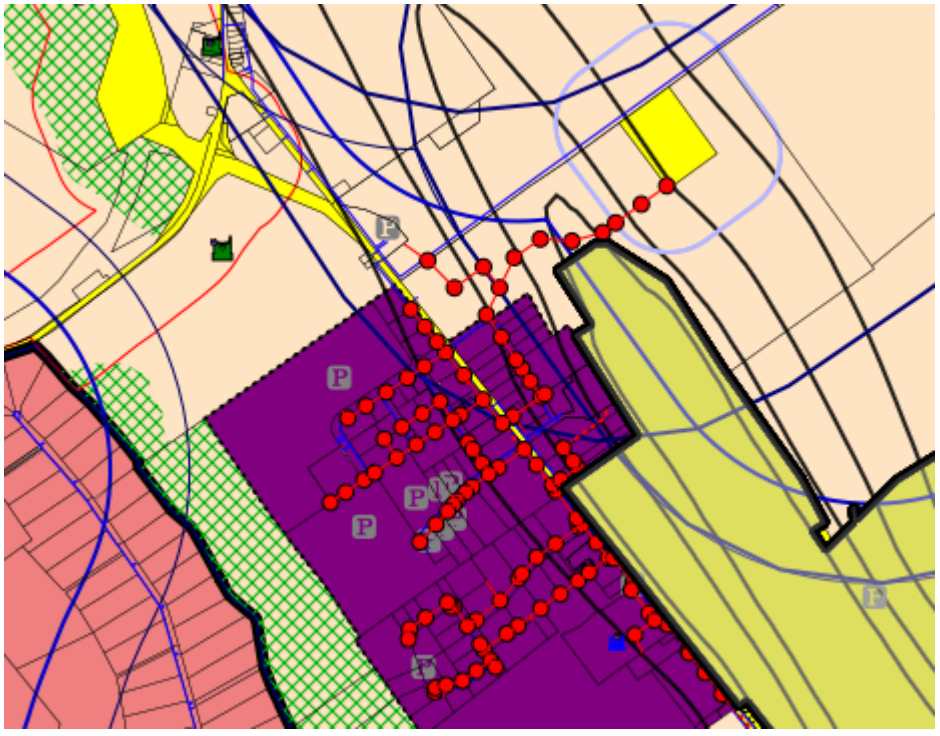


Elevations



4.2 Zone and land use

Zone Map – General Industrial Zone, Rural Resource Zone, Utilities Zone



The land is zoned General Industrial, Rural Resource and Utilities. The development is subject to the Road and Railway Assets Code, Water Quality Code and Airport Impacts Management Code. The development is also subject to the Translink Specific Area Plan – Areas 1, 2 & 6.

Utilities	*use of land for utilities and infrastructure including:* *(a) telecommunications;* *(b) electricity generation;* *(c) transmitting or distributing gas, oil, or power;* *(d) transport networks;* *(e) collecting, treating, transmitting, storing or distributing water; or* *(f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage.* *Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retarding basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.*
minor utilities	*means use of land for utilities for local distribution or reticulation of services and associated infrastructure such as a footpath, cycle path, stormwater channel, water pipes, retarding basin, telecommunication lines or electricity substation and power lines up to but not exceeding 110Kv.*

Major Utilities is a Permitted use in the:

- Utilities Zone;
- Area 1 of Translink Specific Area Plan
- Area 6 of Translink Specific Area Plan

Discretionary use in the:

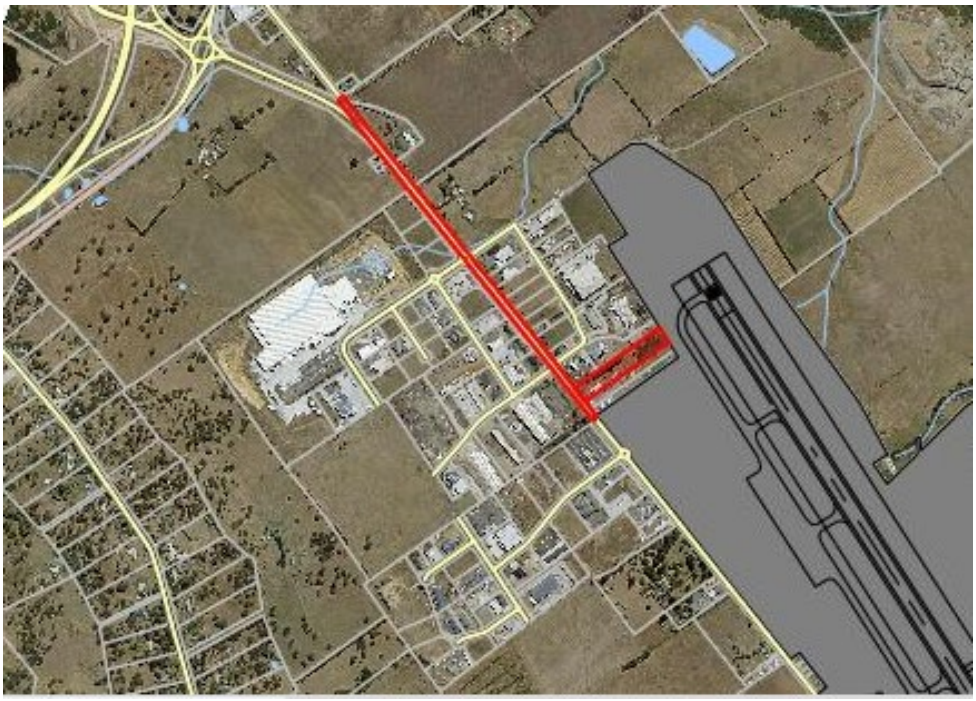
- Rural Resource Zone;
- General Industrial Zone;

Minor Utilities is a Permitted use in Area 2 of Translink Specific Area Plan (works within Area 2 classified as minor utilities due to the scale of being limited to minor widening/kerb and gutter.

4.3 Subject site and locality

The author of this report carried out a site visit on the 11th September 2020. The subject site consists of the existing roadway between the Breadalbane Roundabout (Hobart Road) and the Launceston Airport entrance (Hudson Fysh Drive), adjacent road reserves and some acquired land currently forming part of private property. The surrounding area consists of a mixture of residential, rural, and industrial uses, along with the Launceston Airport precinct.

Aerial photograph of area



Photographs of subject site

4.4 Permit/site history

Relevant permit history includes:

- N/a

4.5 Representations

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

- Anthony McCarthy, 30 Raeburn Road, Breadalbane
- Tahleah Hoyle, 24 Raeburn Road, Breadalbane.

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

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

Issue 1

- Retention of walking track along Evandale Main Road (rear of #30 Raeburn Road) road reserve and the connections it provides to wider Breadalbane-Perth walking/cycling track via accessible crossing point over Evandale Road.

Planner's comment:

Council raised the importance of providing for walking/cycling paths and connections with the Department of State Growth in the consultation phase of the project. In its submission, the Department of State Growth have stated: "*The proposal to add additional lanes will relieve traffic pressure along the road. This, together with the 2m-wide shoulders, will improve road safety for all cyclists using the road. In doing, so the proposed road upgrades will improve the connectivity of long-distance cycling routes in the area."* It does not appear that any consideration has been given to providing connectivity across Evandale Main road, from the existing walking/cycling path established past Devon Hills to future walking/cycling paths along Hobart Road into Youngtown; however, the Department has reviewed the proposed design and it confirms it will modify the design to allow at least a 2m wide mowing strip at the top of the cutting in the vicinity of 30 Raeburn Road. The *Northern Midlands Interim Planning Scheme 2013* does not allow for the consideration of the absence of such connections in its provisions. It is therefore recommended that Council pursue the matter of shared pathway connections with the Department of State Growth separately to the planning approval process.

Issue 2

- Installation of bunding for noise and headlight pollution mitigation.

Planner's comment:

Pitt and Sherry (obo Department of State Growth) have considered this matter and provided a response to the representation. Council Officers have advised the applicant that the works required by this request would trigger a new discretion due to the Scenic Management overlay, therefore, a separate planning application would need to be lodged for the works. Pitt & Sherry have advised they wish to wait for a decision on the current application before confirming a position on the request.

4.6 Referrals

The following referrals were required:

Council's Works Department

Summary: Council's Works & Infrastructure Department (Jonathan Galbraith) reviewed the application on the 14th September 2020 and advised: NO W&I comment.

TasWater

Summary: A Taswater Submission to Planning Authority Notice was issued on the 08.10.2020 (Taswater Ref: TWDA 2020/01447-NMC).

Department of State Growth

Precis: The application was referred to the Department of State Growth (DSG) on the 11.09.2020. DSG responded on the 22.09.2020 (ref D20/235381) that the Department have no comment to make on the proposal.

Launceston Airport

Precis: The application was referred to the Launceston Airport on the 11th September 2020. A response was received on the 12.10.2020, which did not allow for additional information to be requested of the applicant. It is understood the Launceston Airport have been liaising directly with the Department of State Growth regarding their concerns. The advice is as follows:

I refer to the above development application and after review of the proposal and prescribed airspace regulations, provide the following comments:
- The application is not affected by the ANEF contours as mapped and laid out in the Launceston Airport Masterplan 2015;
- The proposal does not infringe the Launceston Airport Obstacle Limitation Surfaces, and;
- Due to the potential for wildlife attractants such as standing water and new landscaping on site, the application could pose a risk of attracting wildlife to the airport precinct.

Launceston Airport has concerns with the development application at Evandale Road from Hobart Road to Hudson Fysh Drive, Western Junction TAS 7212, relating to the following:

• Wildlife Hazard Management

The development application includes areas for standing water. These areas (frog ponds and water retention areas) are possible wildlife attracting zones. The design as it currently stands does not meet the requirements of wildlife hazard management within proximity of the airport. Engagement with the proponent has identified measures that could be implemented to reduce the risk. Launceston Airport position is that these measures must be implemented as a minimum.

• Drainage Design

The open drain proposed in the development application will utilise land leased and commercially operated by Launceston Airport. The current land use in the area proposed for the open drain is designated for future commercial use. Launceston airport proposes a change to the design to allow for future commercial development on the drainage site.

The proposed drainage network distributes water flow an alternative way, redirecting more stormwater flow closer to the airfield taxiway. Previous flood events on site have resulted in the airfield taxiway being affected by flood water. Launceston Airport requires clarification on the increased flooding impacts of the stormwater redirection towards the airfield.

• Water Quality

The development application has not sufficiently detailed the measures to be implemented to manage the contamination ingress onto the airport site.

• Excavated Material

Excavated material management on the airport site will need Launceston Airport and Department of Infrastructure approval.

• Airport Approvals

The works undertaken within the airport boundary requires Launceston Airport and Airport Building Controller approval (through an Airport Building Controller Works Permit).

In addition:

• Due to the proximity to the prescribed airspace surfaces (OLS) for Launceston Airport, any plant or equipment that extends to a height greater than 15m from existing ground level including during construction may infringe the OLS and must be referred to Launceston Airport for written approval prior to use. Approval from Airservices Australia may be required, this process may take 6 weeks or longer to obtain.

Minister administering Crown Lands

Precis: Application signed by the Minister.

4.7 Planning Scheme Assessment

GENERAL INDUSTRIAL ZONE
ZONE PURPOSE
25.1.1 Zone Purpose Statements *25.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.* *25.1.1.2 To focus industrial use and development into appropriate areas suitable for its needs.* *25.1.1.3 To provide for 'non-industrial' uses that either support, supply or facilitate industrial development.*
Assessment: The proposal meets the zone purpose. The development will support industrial development through improved road networks.

LOCAL AREA OBJECTIVES
There are no desired local area objectives.

RURAL RESOURCE ZONE
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.*
Assessment: The proposal meets the zone purpose as the works will not constrain or conflict with resource development uses.

LOCAL AREA OBJECTIVES
a) Primary Industries: *Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.* *The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.* *Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.* *b) Tourism* *Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.* *The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.* *c) Rural Communities* *Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.*
Assessment: The proposal is consistent with the local area objectives.

26.1.3 Desired Future Character Statements
The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.
Assessment: The proposal meets Desired Future Character Statements. The road widening will have minimal impact on the rural landscape due to alignment of the roadway being consistent with the existing position in a built-up area.

UTILITIES ZONE
ZONE PURPOSE
28.1.1 Zone Purpose Statements *28.1.1.1 To provide land for major utilities installations and corridors.*

28.1.1.2	*To provide for other compatible uses where they do not adversely impact on the utility.*
Assessment: The proposal meets the zone purpose.	

LOCAL AREA OBJECTIVES
There are no desired local area objectives.

The General Industrial Zone, Rural Resource and Utilities Zone provisions are overridden by the Translink Specific Area Plan, as detailed below:

7.4	**Operation of Specific Area Plans**
7.4.1	Part F sets out specific area plans, which plans identify areas either within a single zone or covered by a number of zones, and set out more detailed planning provisions for use or development in those areas.
7.4.2	Where there is a conflict between a provision in a specific area plan and a provision in a zone or a code, the specific area plan provision prevails.

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/a
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	Complies – see code assessment below.
E5.0 FLOOD PRONE AREAS CODE	Complies – see code assessment below.
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	No changes to existing parking allocations. No requirement set for utilities use.
E7.0 SCENIC MANAGEMENT CODE	N/a – exempt under clause E7.4.1 (c) for road widening.
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	Complies – see code assessment below.
E13.0 LOCAL HISTORIC HERITAGE CODE	N/a
E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a – existing signage to be relocated as required.

ASSESSMENT AGAINST E4.0 ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	**Performance Criteria**
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
N/a – non sensitive use.	N/a – non sensitive use.
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.
N/a – 80km/h speed limit.	N/a – 80km/h speed limit.
A3 For roads with a speed limit of more than 60km/h the use must not increase the annual	P3 For limited access roads and roads with a speed limit of more than 60km/h:

average daily traffic (AADT) movements at the existing access or junction by more than 10%.	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.
Complies with A3 – the proposed works will accommodate incremental growth and do not result in a direct increase in any vehicle movements.	N/a

E4.7 Development Standards

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

Objective

To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:

a) ensure the safe and efficient operation of roads and railways; and

b) allow for future road and rail widening, realignment and upgrading; and

c) avoid undesirable interaction between roads and railways and other use or development.

Acceptable Solutions	**Performance Criteria**
A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h: a) new road works, buildings, additions and extensions, earthworks and landscaping works; and b) building areas on new lots; and c) outdoor sitting, entertainment and children's play areas	P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to: 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 b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and 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.
Relies on P1, due to location of works within the Evandale Main Road precinct, which consists of a category 2 road with an 80km/h speed limit.	Complies with P1 as follows: a) The purpose of the works to Evandale Main Road is to improve traffic flows, resulting in efficiencies in travel times while maintaining or improving safety outcomes. b) The proposal was accompanied by a Traffic Impact Assessment and Noise Assessment, which indicated additional measures are not required to mitigate the impacts of noise, vibration or air quality. The proposal will not result in any direct increase in traffic movements and although the alignment of the road will be slightly closer to some residential uses, the results of the noise modelling indicate that the upgrade will have a negligible impact on the traffic noise levels in adjoining areas. c) N/a – no buildings proposed. d) Complies – The Department of State Growth is the applicant as well as the road authority and controls the placement of temporary buildings or works as part of the development.

E4.7.2 Management of Road Accesses and Junctions

Objective

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	**Performance Criteria**
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
N/a	N/a
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	P2 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the 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 with A2 – the development does not include any new accesses or junctions.	N/a

E4.7.3 Management of Rail Level Crossings

Objective To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.	
Acceptable Solutions	**Performance Criteria**
A1 Where land has access across a railway: a) development does not include a level crossing; or b) development does not result in a material change onto an existing level crossing.	P1 Where land has access across a railway: a) the number, location, layout and design of level crossings maintain or improve the safety and efficiency of the railway; and 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 c) it is uneconomic to relocate an existing use to a site that does not require a level crossing; and d) an alternative access or junction is not practicable.
N/a	N/a

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

Objective To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	**Performance Criteria**
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with *AS1742.7 Manual of uniform traffic control devices - Railway crossings*, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Complies with A1 - The proposed development will not create any new junctions or accesses. All existing accesses have sufficient sight distance in accordance with Table E4.7.4.	N/a

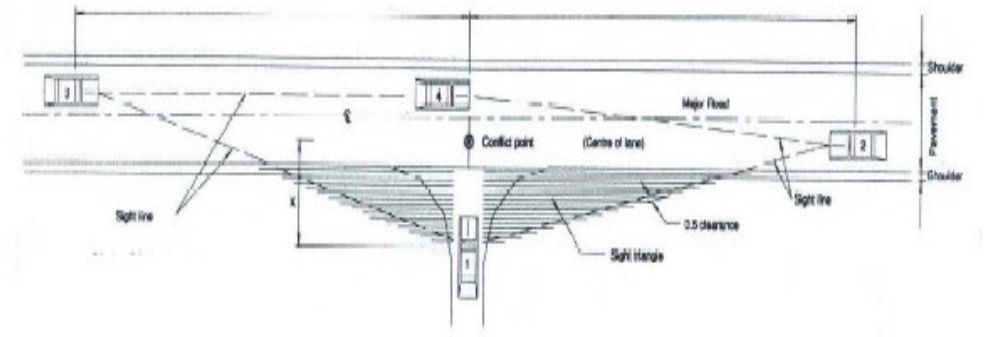


Figure E4.7.4 Sight Lines for Accesses and Junctions

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

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

Table E4.7.4 Safe Intersection Sight Distance (SISD)

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

Notes:

(a) Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.

(b) For safe intersection sight distance (SISD):

(i) All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;

(ii) These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;

(iii) A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.7.4;

(iv) A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and

(v) A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

ASSESSMENT AGAINST E5.0
FLOOD PRONE AREAS CODE

E5.5 Use Standards

E5.5.1 Use and flooding

Objective To ensure that use does not compromise risk to human life, and that property and environmental risks are responsibly managed.	
Acceptable Solutions	**Performance Criteria**
A1 The use must not include habitable rooms.	P1 Use including habitable rooms subject to flooding must demonstrate that the risk to life and property is mitigated to a low risk level in accordance with the risk assessment in E5.7.
Complies with A1.	N/a
A2 Use must not be located in an area subject to a medium or high risk in accorance with the risk assesment in E5.7.	P2 Use must demonstrate that the risk to life, property and the environment will be mitigated to a low risk level in accordance with the risk assessment in E5.7.

Complies with A2 – Low risk.	N/a

E5.6 Development Standards

E5.6.1 Flooding and Coastal Inundation

Objective
To protect human life, property and the environment by avoiding areas subject to flooding where practicable or mitigating the adverse impacts of inundation such that risk is reduced to a low level.

Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1.1 It must be demonstrated that development: a) where direct access to the water is not necessary to the function of the use, is located where it is subject to a low risk, in accordance with the risk assessment in E5.7 a); or b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is mitigated to a medium risk level in accordance with the risk assessment in E5.7. P1.2 Development subject to medium risk in accordance with the risk assessment in E5.7 must demonstrate that the risk to life, property and the environment is mitigated through structural methods or site works to a low risk level in accordance with the risk assessment in E5.7. P1.3 Where mitigation of flood impacts is proposed or required, the application must demonstrate that: a) the works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and b) the works will not result in an increase in the extent of flooding on other land or increase the risk to other structures; c) inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials; and d) where mitigation works are proposed to be carried out outside the boundaries of the site, such works are part of an approved hazard reduction plan covering the area in which the works are proposed.
Relies on P1.1.	Complies with P1.1 (a) – Low risk. P1.2 – N/a P1.3 – Complies – refer Stormwater Management Plan prepared by Pitt& Sherry, ref HB19503H001, dated 7/8/2020, rev 00.

ASSESSMENT AGAINST E9.0
WATER QUALITY CODE

E9.5 Use Standards

Not used in this Scheme.

E9.6 Development Standards

E9.6.1 Development and Construction Practices and Riparian Vegetation

Objective
To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.

Acceptable Solutions	Performance Criteria
A1 Native vegetation is retained within: a) 40m of a wetland, watercourse or mean high water mark; and b) a Ben Lomond Water catchment area - inner buffer.	P1 Native vegetation removal must submit a soil and water management plan to demonstrate: a) revegetation and weed control of areas of bare soil; and b) the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and c) that disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.
Relies on Performance Criteria P1.	Complies with P1 – A Stormwater Management Plan was submitted with the proposal that demonstrates ongoing water management of the site. A condition may be applied to the permit if issued to require a dedicated Soil and Water Management Plan for the construction phase.
A2 A wetland must not be filled,	P2 Disturbance of wetlands must minimise loss of hydrological and

drained, piped or channelled.	biological values, having regard to: (i) natural flow regimes, water quality and biological diversity of any waterway or wetland; (ii) design and operation of any buildings, works or structures on or near the wetland or waterway; (iii) opportunities to establish or retain native riparian vegetation; (iv) sources and types of potential contamination of the wetland or waterway.
Complies with A2 – no piping of wetlands.	N/a
A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposes.	P3 A watercourse may be filled, piped, or channelled: a) within an urban environment for the extension of an existing reticulated stormwater network; or b) for the construction of a new road where retention of the watercourse is not feasible.
Relies on P3 – small amount of watercourse piping required to allow for road widening.	Complies with P3 (b) – due to the alignment of the duplication adjacent to the existing road network.

E9.6.2 Water Quality Management

Objective To maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses.	
Acceptable Solutions	**Performance Criteria**
A1 All stormwater must be: a) connected to a reticulated stormwater system; or b) where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) meet emission limit guidelines from the Board of the Environment Protection Authority in accordance with the *State Policy for Water Quality Management 1997*.	P1 Stormwater discharges to watercourses and wetlands must minimise loss of hydrological and biological values, having regard to: (i) natural flow regimes, water quality and biological diversity of any waterway or wetland; (ii) design and operation of any buildings, works or structures, on or near the wetland or waterway; (iii) sources and types of potential contamination of the wetland or waterway; (iv) devices or works to intercept and treat waterborne contaminants; (v) opportunities to establish or retain native riparian vegetation or continuity of aquatic habitat.
Relies on Performance Criteria.	Complies with P1 – as noted in the DSG submission, stormwater discharges will be treated by via vegetated swales, bio-retention and new wetlands (frog ponds) prior to discharge to existing watercourses. The pollutant reductions from treatment of total suspended solids, total phosphorus and total nitrogen are 82%, 68% and 31% respectively. Additional vegetated drains, and wetlands and box culverts are included in the design and will help establish and retain vegetation or any fauna in the existing watercourse vicinity.
A2.1 No new point source discharge directly into a wetland or watercourse. A2.2 For existing point source discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existed at the effective date.	P2.1 New and existing point source discharges to wetlands or watercourses must implement appropriate methods of treatment or management to ensure point sources of discharge: a) do not give rise to pollution as defined under the *Environmental Management and Pollution Control Act 1994*; and b) are reduced to the maximum extent that is reasonable and practical having regard to: i) best practice environmental management; and ii) accepted modern technology; and c) meet emission limit guidelines from the Board of Environmental Management and Pollution Control in accordance with the *State Policy for Water Quality Management 1997*. P2.2 Where it is proposed to discharge pollutants into a wetland or watercourse, the application must demonstrate that it is not practicable to recycle or reuse the material.

Complies with A2.1 and A2.2 as noted in the DSG submission, peak discharge will not increase by more than 10% when considering the 1% AEP catchment peak flows. The new drains, including large open drains attenuate flow.	N/a
A3 No acceptable solution.	P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.
N/a	N/a

E9.6.3 Construction of Roads

Objective To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.	
Acceptable Solutions	**Performance Criteria**
A1 A road or track does not cross, enter or drain to a watercourse or wetland.	P1 Road and private tracks constructed within 50m of a wetland or watercourse must comply with the requirements of the *Wetlands and Waterways Works Manual*, particularly the guidelines for siting and designing stream crossings.
Relies on P1.	Complies with P1 – condition required.

E9.6.4 Access

Objective To facilitate appropriate access at suitable locations whilst maintaining the ecological, scenic and hydrological values of watercourses and wetlands.	
Acceptable Solutions	**Performance Criteria**
A1 No acceptable solution.	P1 New access points to wetlands and watercourses are provided in a way that minimises: a) their occurrence; and b) the disturbance to vegetation and hydrological features from use or development.
N/a	Complies with P1 (condition required) – works to be undertaken in accordance with *Wetlands and Waterways Works Manual* (particularly the guidelines for siting and designing stream crossings) and Soil and Water Management Plan (to be conditioned if permit issued).
A2 No acceptable solution.	P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.
N/a	See response to P1.

E9.6.5 Sediment and Erosion Control

Objective To minimise the environmental effects of erosion and sedimentation associated with the subdivision of land.	
Acceptable Solutions	**Performance Criteria**
A1 The subdivision does not involve any works.	P1 For subdivision involving works, a soil and water management plan must demonstrate the: a) minimisation of dust generation from susceptible areas on site; and b) management of areas of exposed earth to reduce erosion and sediment loss from the site.
N/a- No subdivision proposed.	N/a

E9.6.6 Ben Lomond Water Catchment Areas

Objective To address the effects of use and development within defined buffer areas for water catchments.	
Acceptable Solutions	**Performance Criteria**
A1 Development located within a Ben Lomond Water catchment area - outer buffer must be developed and managed in accordance with a soil and water management plan approved by Ben Lomond Water.	P1 No performance criteria.
N/a	N/a
A2 Development located within a Ben	P2 Development located within a Ben Lomond Water catchment

Lomond Water catchment area – inner buffer must not involve disturbance of the ground surface.	area - inner buffer that involves disturbance of the ground surface must not have a detrimental effect on water quality for the reticulated water intakes.
N/a	N/a

ASSESSMENT AGAINST E12.0
AIR IMPACTS MANAGEMENT CODE

E12.5 Use Standards

E12.5.1 Noise Impacts

Objective To ensure that noise impacts on use within the ANEF contours from aircraft and airports are appropriately managed.	
Acceptable Solutions	**Performance Criteria**
A1 No acceptable solution.	P1 All new buildings must comply with the *Australian Standard 2021-2000 Acoustics - Aircraft Noise Intrusion - Building Siting and Construction.*
Relies on P1.	N/a – no new buildings are proposed.
A2 Sensitive use (whether ancillary to other use or development or not) must not occur within the 25 ANEF contour.	P2 No performance criteria.
N/a – no sensitive use proposed.	N/a

E12.6 Development Standards

E12.6.1 Obstacles to Aircraft

Objective To ensure that development does not impact on the safety of prescribed airspace.	
Acceptable Solutions	**Performance Criteria**
A1 Development must be approved pursuant to the *Airports Act 1996* and the *Airport (Protection of Airspace) Regulations 1996* and the Manual of Standards.	P1 No performance criteria.
Complies with A1 – Referral response provided by Launceston Airport in accordance with the Act and Regulations, which notes: The application is not affected by the ANEF contours as mapped and laid out in the Launceston Airport Masterplan 2015; The proposal does not infringe the Launceston Airport Obstacle Limitation Surfaces, and; Due to the potential for wildlife attractants such as standing water and new landscaping on site, the application could pose a risk of attracting wildlife to the airport precinct. It is recommended a condition be applied to the permit that the final design of any bodies of water within the development, including any bird deterrent measures, be approved to the satisfaction of the General Manager in consultation with the Launceston Airport, prior to the commencement of works. In addition, any works undertaken within the airport boundary requires Launceston Airport and Airport Building Controller approval (through an Airport Building Controller Works Permit).	N/a

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

F1.3 Use Tables

F1.3.1 Area 1 (see Figure F.1.1)

Permitted	
Use Class	**Qualification**
Utilities	If not minor utilities

F1.3.2 Area 2 (see Figure F.1.1) – relates to minor widening/kerb and gutter.

No Permit Required	
Use Class	**Qualification**
Utilities	If for minor utilities.

F1.3.6 Area 6 (see Figure F.1.1)

Permitted	
Use Class	**Qualification**
Utilities	If not minor utilities.

F1.4 Standards for Use or Development

Use and development must be undertaken in accordance with the following standards.

F1.4.1 Subdivision – N/a

F1.4.2 Height of Buildings – N/a

F1.4.3 Materials and Presentation – N/a

F1.4.4 Site coverage – N/a

F1.4.5 Stormwater

Objective: To ensure that full utility services are available to new development.	
Acceptable Solutions	Performance Criteria
A1 The flow rate of stormwater outside the boundaries of the title shall be no greater than if the land was used for rural purposes. On-site detention devices shall be incorporated in the development.	P1 Stormwater may only be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any waterways, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to: a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the pre-development levels of the subdivision; and c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.
Relies on Performance Criteria.	Complies with P1 – refer Stormwater Management Plan included with proposal. Peak stormwater discharge to the Launceston Airport Runway culvert has been maintained at existing 1% AEP levels by including new culverts and a new large open drain. The proposal documents note: This project will include best practice Water Sensitive Urban Design, that will mitigate the harmful environmental impacts of stormwater discharge and provide attractive habitats to enhance biodiversity including: ▪ two permanently fenced frog ponds (wetlands) on either side of the road, connected by an underground box culvert (to allow the passage of small fauna e.g. frogs); ▪ a bioretention swale drain, which will be connected by an underground box culvert to land on the other side of the road; and ▪ open roadside swale drains.

F1.4.6 Building Setbacks – N/a

F1.4.7 Open Space and Landscaping – N/a

F1.4.8 Outdoor Storage Areas – N/a

F1.4.9 Fencing – N/a

F1.4.10 Parking and Internal Circulation – N/a

F1.4.11 External Lighting

Objective: To ensure that external lighting does not impact on the operational safety of the Launceston Airport.	
Acceptable Solutions	Performance Criteria
A1 External lighting must be hooded and directed so as not to cause nuisance, threat or hazard to the operation of Launceston Airport.	P1 No performance criteria
Complies – condition required to ensure compliance.	N/a

F1.4.12 Environmental Quality

Objective: (a) To ensure that development does not result in environmental harm to the local area (b) To ensure that development does not impact on the operational safety of the Launceston Airport.	
Acceptable solution	Performance Criteria
A1 Emissions must not cause a hazard to the safe operation of Launceston Airport.	P1 No performance criteria
A2 Emissions must not cause a hazard to the residents in the Devon Hills Low Density Residential Zone.	P2 No performance criteria
Complies with A1 & A2 – the proposed development will not result in any increase in emissions from that experienced by the current road network.	N/a

F1.4.13 Heritage – N/a – not within 100m of Clairville.

F1.4.14 Buffer Areas – N/a

F1.4.15 Residential use and development – N/a

F1.4.16 Liquid and Solid Fuel Depot – N/a

F1.5.17 General retail and hire – 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 Access and Provision of Infrastructure Across Land in Another Zone	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 *Land Use Planning & Approvals Act 1993.*

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
Strategic Plan 2017-2027 *Statutory Planning*

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Discretionary use

- Reliance on the performance criteria of the Road and Railway Assets Code
- Reliance on the performance criteria of the Flood Prone Areas Code
- Reliance on the performance criteria of the Water Quality Code
- Reliance on the performance criteria of the Airport Impacts Management Code
- Reliance on the performance criteria of the Translink Specific Area Plan

Two representations were received, noting concerns regarding a potential loss of walking/cycling path connectivity and a request for additional bunding to assist in mitigating vehicle noise and light intrusion.

The application was referred to relevant stakeholders including Taswater, Department of State Growth, Council's Works and Infrastructure Department and the Launceston Airport.

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

8 ATTACHMENTS

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

RECOMMENDATION 1

That land at Evandale Road from Hobart Road to Hudson Fysh Drive, Western Junction be approved to be developed and used for a Utilities - Evandale Road duplication (Road and Railway Assets Code, Flood Prone Areas Code, Water Quality Code, Airports Impact Management Code, Translink SAP) in accordance with application PLN-20-0189, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with **D1** Evandale Main Road Duplication Planning Application Supporting Report, prepared by Pitt & Sherry obo Department of State Growth, dated August 2020, inclusive of endorsed plans numbered **P1-P140** (Project (registration) Number A1109.001, sheet numbers 1000, 1001, 1005-1010, 1016, 1017, 1021, 1023-1034, 1101-1111, 1201-1211, 1216, 1217, 1221-1224, 1226, 1229-1234, 1239-1244, 1250-1259, 1301-1312, 1401-1411, 1416-1417, 1421-1423, 1451, 1701-1718, 1751-1763, 1771, 1775-1776, dated 23.09.2020 & P7 & P8, dated 03.08.2020, & **D2** Natural Values Assessment, prepared by Northbarker Ecosystem Services, ref DSG033, dated 7/11/2020, & **D3** Stormwater Management Plan, prepared by Pitt & Sherry, ref HB19503H001, dated 7/8/2020, rev 00, & **D4** Noise Assessment, prepared by Pitt & Sherry, ref HB19503H009, dated 4/8/2020, Rev 01, & **D5** Traffic Impact Assessment, prepared by Pitt & Sherry, ref HB19503H001, dated 22/06/2020, Rev 00

2 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2020/01447-NMC, dated 08/10/2020).

3 Launceston Airport

3.1 Prior to the commencement of works, the final design of any bodies of water within the development, including any bird deterrent measures required for airport safety, must be approved to the satisfaction of the General Manager, in consultation with the Launceston Airport. When approved, the plans will be endorsed and will then form part of the permit.

3.2 Prior to any works undertaken within the airport boundary, Launceston Airport and Airport Building Controller approval (through an Airport Building Controller Works Permit) is required.

3.3 External lighting must be hooded and directed so as not to cause nuisance, threat or hazard to the operation of Launceston Airport.

3.4 Due to the proximity to the prescribed airspace surfaces (OLS) for Launceston Airport, any plant or equipment that extends to a height greater than 15m from existing ground level including during construction may infringe the OLS and must be referred to Launceston Airport for written approval prior to use. Approval from Airservices Australia may be required and this process may take 6 weeks or longer to obtain.

4 Soil and Water Management Plan

Prior to the commencement of works, a soil and water management plan must be submitted demonstrating:

a) revegetation and weed control of areas of bare soil; and

b) the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and

c) that disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.

5 Watercourse Management

Works within 50m of a watercourse must comply with the requirements of the Department of Primary Industries, Parks, Water and Environment *Wetlands and Waterways Works Manual*, particularly the guidelines for siting and designing stream crossings, available at https://dpipwe.tas.gov.au/conservation/flora-of-tasmania/tasmanias-wetlands/wetlands-waterways-works-manual

6 Stormwater Management

6.1 All stormwater works must be carried out in accordance with the Stormwater Management Plan, prepared by Pitt & Sherry (endorsed document D3).

6.2 The drainage design must ensure that the peak 1% AEP flow arriving at the airport runway culvert is not increased above pre-development levels.

RECOMMENDATION 2

That Council contact the Department of State Growth independently of the planning approval process to request investigation of the options for shared path connections across Evandale Road from the existing shared path adjacent to Devon Hills to the Breadalbane settlement.

DECISION

Cr

Cr

COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

RECOMMENDATION

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

DECISION

Cr

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

CON ITEMS FOR THE CLOSED MEETING

DECISION

Cr

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

CON 1 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Table of Contents

CON 2 CONFIRMATION OF CLOSED COUNCIL MINUTES: ORDINARY & SPECIAL COUNCIL MEETINGS

Confirmation of the Closed Council Minutes of Ordinary and Special Council Meetings, as per the provisions of Section 34(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

CON 3 APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE

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

CON 4(1) PERSONNEL MATTERS

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

CON 4(2) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Management Meetings

CON 4(3) MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

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

Correspondence Received

CON 4(4) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Action Items – Status Report

CON 4(5) MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

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

Compliance matter

CON 4(6) PERSONNEL MATTERS

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

CON 5 MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

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

Correspondence Received

CON 6 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Project proposal

CON 7 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Northern Midlands Local Recycling Committee membership

CON 8 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Further Education Bursary Program

CON 9 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Lease

CON 10 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Local District Committee membership

CON 11 PERSONNEL MATTERS

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

DECISION

Cr

That Council move out of the closed meeting.

Mayor Knowles closed the meeting at ...