



**NORTHERN
MIDLANDS
COUNCIL**

AGENDA

Ordinary Meeting of Council

Monday, 19 January 2015

**Des Jennings
General Manager**

QUALIFIED PERSONS ADVICE, etc.

The *Local Government Act 1993* provides (in part) as follows:

- A General Manager must ensure that any advice, information or recommendation given to the Council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- A Council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the General Manager certifies in writing such advice was obtained and taken into account in providing general advice to the Council.

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 PUBLIC QUESTIONS

AND STATEMENTS

AT COUNCIL MEETINGS

To assist in the efficient conduct of Council Meetings, the following guidelines have been adopted for the purpose of allowing individuals to ask questions and also present information on other matters such as development applications:

1. Session will commence at 6.45pm.
2. Person asking question must identify themselves and if more than one person wishes to ask a question, the Mayor will determine the order of questions and no more than **2 (two) questions** from each person will be accepted on any specific subject.
3. On agenda items, including planning issues, a **maximum of 4 persons per item** (2 for and 2 against) will be permitted to address Council and after the presentation, Councillors may ask questions.
4. Each speaker is limited to a maximum of **3 minutes and may only address Council on one occasion.**

RECORDING OF COUNCIL MEETINGS

For the information of the Community, proceedings of the Open Council Meeting are being recorded.

Council Policy No. 51 - Recording of Meetings Policy explains fully the details pertaining to the Recording of Meetings, however, the following should be noted:

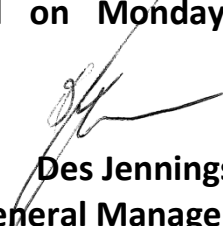
- ◆ The purpose of recording meetings of Council is to assist Council officers in the preparation of minutes of proceedings and it should be noted that Section 33(3) of the Act states that *"the minutes of a meeting, once confirmed, prevail over the audio recording of the meeting"*.
- ◆ A person may only use an audio recorder, or any other recording and/or transmitting device, to record the proceedings of a meeting of Council with the written permission of the General Manager for the express purpose proposed. The Northern Midlands Council reserves the right to revoke such permission at any time.

AGENDA – ORDINARY MEETING

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NOTICE is hereby given that the next meeting of the Northern Midlands Council will be held at the Council Chambers, Longford on Monday, 19 January 2015 at 5.00pm.


Des Jennings
General Manager

14 January 2015

4.00pm **Councillor Workshop – closed to the public**

GOV 1 ATTENDANCE

1 PRESENT

2 APOLOGIES

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GOV 3 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.

Council **RESOLVED** to accept the following declarations of interest:

GOV 4 CONFIRMATION OF MINUTES

1 ORDINARY COUNCIL MEETING – 8 DECEMBER 2014

DECISION

Cr

The Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 8 December 2014 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)	12/10/14	Campbell Town Football Club	AGM
ii)	14/10/14	Devon Hills Neighbourhood Watch and Devon Hills Residents Committee	Ordinary
iii)	27/11/14	Avoca, Royal George and Rossarden Local District Committee	Ordinary
iv)	01/12/14	NMC Audit Committee	Ordinary
v)	02/12/14	Perth Local District Committee	Ordinary
vi)	02/12/14	Evandale Advisory Committee	Ordinary
vii)	03/12/14	Longford Local District Committee	Ordinary
viii)	09/12/14	Campbell Town District Forum	Ordinary

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Date	Committee	Meeting
ix) 09/12/14	Devon Hills Neighbourhood Watch and Devon Hills Residents Committee	Ordinary

DECISION

Cr

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

3 RECOMMENDATIONS OF SUB COMMITTEES

That Council note the following recommendation/s of Committees:

Meeting Date	Committee	Recommendation
03/12/2014	Longford Local District Committee	That the Longford Local District Committee agrees with the principles of simplification of the signage system within Longford and that the standard white signs with black print be maintained outside of the heritage precinct area, and the heritage street signs be kept within the heritage area.
03/12/2014	Longford Local District Committee	The Longford Local District Committee recommends to the incoming committee that a Tourism Committee and a standalone Visitor Information Centre are of critical importance to Longford.

NOTE: Matters already considered by Council at previous meetings have been incorporated into INFO 15: Officer's Action Items.

DECISION

Cr

That Council note the following recommendations of the Longford Local District Committee:

1. That the Longford Local District Committee agrees with the principles of simplification of the signage system within Longford and that the standard white signs with black print be maintained outside of the heritage precinct area, and the heritage street signs be kept within the heritage area.
2. The Longford Local District Committee recommends to the incoming committee that a Tourism Committee and a standalone Visitor Information Centre are of critical importance to Longford.

GOV 5

DATE OF NEXT COUNCIL MEETING 16 FEBRUARY 2015

Mayor Downie advised that the next Ordinary Council Meeting would be held on Monday, 16 February 2015, at the Northern Midlands Council Chambers at Longford to commence at 5:00pm

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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 since the last Council meeting.

Date Held	Purpose of Workshop
19/01/2015	Council Workshop – prior to Council meeting

2 MAYOR'S COMMUNICATIONS

Mayor Downie's Communications for the period to 13 January 2015 are as follows:

Date	Activity
08/12/14	Met with Council Executive to decide winners of the Northern Midlands Council Australia Day Awards
08/12/14	Attended Council Meeting
09/12/14	Attended Campbell Town District Forum meeting
09/12/14	Attended Avoca, Royal George and Rossarden Local District Committee, Campbell Town District Forum and Ross Local District Committee Christmas dinner
12/12/14	Launched the Longford Revival Festival
17/12/14	Attended the Campbell Town District High School Leavers Assembly
18/12/14	Attended meeting at Bauxite mine site at Campbell Town with Minister Paul Harriss
18/12/14	Attended Longford Liberal Office End of Year Business Drinks
18/12/14	Attended Council Chambers
19/12/14	Met with the Examiner at the Campbell Town Court House
19/12/14	Attended the official opening of the Rural Alive and Well office and Christmas function
23/12/14	Attended morning tea with Police Commissioner
23/12/14	Attended Northern Midlands Council Works Department Christmas break up lunch
05/01/15	Attended Andrew Grey's funeral
07/01/15	Attended interview with ABC
13/01/15	Attended meeting with TasWater Chairman and CEO
Attended to numerous email, phone, media and mail inquiries.	

3 PETITION

Responsible Officer: Des Jennings; General Manager

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

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

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- (2) A person lodging a petition is to ensure that the petition contains –
- (a) a clear and concise statement identifying the subject matter; and
 - (b) a heading on each page indicating the subject matter; and
 - (c) 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) the full printed name, address and signature of the person lodging the petition at the end of the petition.

58. Tabling petition

- (1) A councillor who has been presented with a petition is to –
- (a) table the petition at the next ordinary meeting of the council; or
 - (b) forward it to the general manager within 7 days after receiving it.
- (2) A general manager who has been presented with a petition or receives a petition under subsection (1)(b) is to table the petition at the next ordinary meeting of the council.
- (3) A petition is not to be tabled if –
- (a) it does not comply with section 57; or
 - (b) it is defamatory; or
 - (c) any action it proposes is unlawful.
- (4) The general manager is to advise the lodger of a petition that is not tabled the reason for not tabling it within 21 days after lodgement.

3 PETITIONS RECEIVED

Nil.

4 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

1 PURPOSE OF REPORT

To provide an opportunity for Councillors and the General Manager to report on their attendance at recent conferences/seminars.

In accordance with Council's Strategic Plan 2007-2017 (2012/13 Revision), Part 1 – Governance, the core functions are:

- Support Council with governance advice and effective leadership, review and implement organisational values through day to day operations, effective communication, community consultation and advocacy, issues identification, strategic and corporate planning, annual reports, public and private resource sharing, induction of elected members, provision of legal advice, human resources management and liaise with representative bodies.
- Support Council with sound financial advice and management, and generate funds without burdening the community. Rates administration, budgeting and reporting, debt collection, taxation, asset registers and depreciation, receipts and payments, wages and salaries, loans and investments, records management, information technology, and customer service.

2 CONFERENCES AND SEMINARS

Nil.

5 WORKS & INFRASTRUCTURE REPORT

Attachments: Section 1 – Page 38

The Works & Infrastructure Report for the period to 6 January 2015 was circulated in the Attachments.

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6 BUILDING APPROVALS

The following table provides a comparison of the number and total value of building works for 2013 and 2014.

	YEAR - 2013				YEAR - 2014			
	DECEMBER		JAN – DEC		DECEMBER		JAN – DEC	
	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value
		\$		\$		\$		\$
New Dwellings	5	973,301	60	12,748,250	5	1,009,308	67	15,484,405
Dwelling Additions	1	5,986	36	2,115,304	1	120,000	20	931,405
Garage/Sheds & Additions	7	270,138	101	2,083,762	5	89,763	75	1,532,468
Commercial	0	0	20	5,870,200	1	42,000	26	9,375,256
Other (Signs)	0	0	0	0	0	0	0	0
Swimming Pools	0	0	6	77,000	0	0	0	0
Minor Works	0	0	20	52,600	1	0	5	10,600
Building Certificates	2	3,000	15	5,200	1	0	20	62,080
Amended Permits	2	0	3	0	0	0	11	0
TOTAL	17	1,252,425	261	22,952,316	14	1,261,071	224	27,396,214

Figures do not include Building Approvals processed under the Resource Sharing Agreements.

7 DEVELOPMENT APPLICATIONS

Planning decisions in December 2014:

Total Approved:	15	Total Refused:	2
Total Permitted:	1	Total Discretionary:	10
Average Days for Permitted:	5	Average Days for Discretionary:	30
Total Exempt under IPS:	6	Days allowed for approval under LUPAA:	42
Total Withdrawn:	2	Strata Plans Approved:	2

Project	Details	Address	Applicant	No of LUPAA days	Permitted/ Discretionary
DELEGATED DECISIONS					
P14-288	Bauxite Project - extraction of approximately 1.5 to 2 million tonnes of bauxite over 5 years (level 2 activity under EMPCA)	Macquarie Road & 'Meadowbank', 150 West St, CAMPBELL TOWN	Australian Bauxite Ltd	9	D
P14-295	Upgrade Lake Leake boat ramp, including tree removal & pontoon	Lake Road, LAKE LEAKE	Marine & Safety Tasmania	39	D
P14-310	Change of use to multiple dwellings - heritage precinct	27 Wellington Street, LONGFORD	S Chugg	41	D
P14-323	Signage for Campbell Town Museum - heritage area	75-77 High Street, CAMPBELL TOWN	Northern Midlands Council	28	D
P14-332	Verandah (12x3m) and widen carport posts (vary setback and site coverage) (heritage precinct)	4-4A Collins Street, EVANDALE	R Bennett	28	D
P14-338	Dwelling (vary front setback on internal lot)	54 Hobhouse Street, LONGFORD	Adams Building Design (obo Howard)	28	D
P14-341	Garage	59 Bulwer Street, LONGFORD	Adams Building Design	0	E

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DELEGATED DECISIONS

P14-346	Shed (14 x 8m) (including tree removal)	71 Main Street, CRESSY	M Emery	24	D
P14-355	Wifi access points on Library and Town Hall (heritage precinct)	55 & 67 Wellington Street, LONGFORD	Northern Midlands Council	29	D
P14-357	Carport	66 Burghley Street, LONGFORD	MD & EA Hodgetts	0	E
P14-360	Verandah - Awning for Building	200 Nile Road, EVANDALE	Tasmanian Gun Club	5	P
P14-367	Dwelling	74 Seccombe Street, PERTH	S Sellers	0	E
P14-368	Dwelling	6 Sheringham Court, PERTH	GJ Gardner Homes, Launceston	0	E
P14-369	Dwelling and carport	58a Pakenham Street, LONGFORD	G & T Developments	0	E
P14-378	Dwelling	3 Talisker Street, PERTH	D & M Smith	0	E

COUNCIL DECISIONS

P14-292	Re-subdivision between 2 lots to create 332m2 house lot & 406m2 internal lot (heritage precinct)	36 George Street, LONGFORD	Rowemac Pty Ltd	24	D
P14-287	Dwelling (vary [S] setback) & garage (vary rear [N] setback & vary side [W] setback) (less than 25% of site free of impervious surfaces)	Lot 9 - 66 Seccombe Street, PERTH	J Walsh & H Clayton	54	D

8 MATTERS AWAITING DECISION BY TPC & RMPAT

TPC	Tasmanian Planning Commission
IPS	Northern Midlands Interim Planning Scheme 2013 – effective date 1.6.13. Report on representations sent to TPC. TPC advised it is currently assessing the Launceston Interim Planning Scheme 2012. TPC has indicated that it won't commence assessing another interim scheme before completing the Launceston Interim Scheme. Planning Reform Taskforce established by State – the declared schemes will be used as a consistent platform for the transition to a single planning scheme.
	Gap Analysis
P14-319	Dispensation 01/14 - use and development of 'Equipment and Machinery Sales and Hire', 'Manufacturing and Processing', and 'Storage' (contractor's yard only) on 201 Pateena Road, Longford (CT 122423/2)
RMPAT	Resource Management & Planning Appeals Tribunal
P11-122	Section 64 order – earthworks at 18 Logan Road, Evandale adjourned pending outcome of planning application – dispensation regarding zoning of access to be sought
124/14P	P14-287 - Lot 9 - 66 Seccombe Street, Perth: Dwelling (vary [S] setback) & garage – appeal of Refusal Notice issued 12.12.14. Teleconference to be held 9.1.15.
Decisions received	
TPC	
-	-
RMPAT	
-	-

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9 USE OF COUNCIL SEAL: DECEMBER 2014

0	Final plans of subdivision
0	Part 5 Agreements under <i>Land Use Planning & Approvals Act</i>
0	Instruments of Approval for Planning Scheme Amendments
0	Draft Amendments to <i>Northern Midlands Planning Scheme 1995</i>
0	Other Agreements/Documents

10 132 & 337 CERTIFICATES ISSUED

	No. of Certificates Issued 2014/2015 year												Total	
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Total	2013/2014
132	67	47	50	84	54	44							346	634
337	33	28	29	53	35	23							201	353

11 ANIMAL CONTROL: DECEMBER 2014

Item	Income/Issues 2013/2014		Income/Issues for December 2014		Income/Issues 2014/2015	
	No.	\$	No.	\$	No.	\$
Dogs Registered	3,578	79,742	19	587	3,386	77,254
Dogs Impounded	94	5,430	7	277	35	1,968
Euthanized	5	-	-	-	1	-
Re-claimed	73	-	6	-	30	-
Re-homed/To RSPCA	16	-	2	-	4	-
New Kennel Licences	4	250	-	-	1	64
Renewed Kennel Licences	69	2,656	-	-	64	2,560
Infringement Notices (paid in full)	13	1,820	-	-	12	2,020
Legal Action	-	-	-	-	-	-
Livestock Impounded	1	58	-	-	-	-
TOTAL		89,956		4,093		83,866

12 HEALTH ISSUES

Immunisations

The *Public Health Act 1997* requires that Councils offer immunisations against a number of diseases. The following table will provide Council with details of the rate of immunisations provided through Schools. Monthly clinics are not offered by Council; however, parents are directed to their local General Practitioner who provides the service.

MONTH	2012/2013		2013/2014		2014/2015	
	Persons	Vaccination	Persons	Vaccination	Persons	Vaccination
July-September	90	121	32	32	65	68
October-December	88	119	23	23	66	68
January-March	-	-	-	-		
April-June	200	260	87	194		
TOTAL	378	500	142	249		

Other Environmental Health Services

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.

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Ensure safe standards of food offered for sale are maintained.

Investigations/Inspections	2012/2013	2013/2014	2014/2015
Notifiable Diseases	7	6	2
Inspection of Food Premises	132	126	28

Notifiable Disease investigations have been carried out by the Department of Health and Human Services from Hobart, with only significant outbreaks directed to Council to assist with investigations. However, due to the prompt and thorough investigating by Council Environmental Health Officers, the Department now directs more cases for Council to investigate.

Food premises are due for inspection from 1 July each year.

13 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Animal Control	1	1	-	-	-	1						
Building & Planning	4	-	1	2	-	1						
Community Services	-	-	1	-	-	-						
Corporate Services	-	-	-	-	1	-						
Governance	-	-	-	-	-	-						
Waste	3	3	-	1	-	-						
Works (North)	33	40	29	16	19	9						
Works (South)	5	2	3	9	10	4						

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

Date	Recipient	Purpose	Amount \$
21-Jul-14	Campbell Town District High School	Chaplaincy	\$1,500
21-Jul-14	Campbell Town District High School	Inspiring Positive Futures Program	\$8,000
5-Aug-14	P & S Williams	Donation - Family lost caravan in wind storm	\$100
18-Aug-14	Cressy District High School	Inspiring Positive Futures Program	\$8,000
12-Sep-14	Legacy Week	Donation	\$173
22-Oct-14	Campbell Town District High School	Donation - School Achievement Awards	\$90
22-Oct-14	Perth Primary School	Donation - School Achievement Awards	\$30
22-Oct-14	Evandale Primary School	Donation - School Achievement Awards	\$30
22-Oct-14	Longford Primary School	Donation - School Achievement Awards	\$30
22-Oct-14	Cressy District High School	Donation - School Achievement Awards	\$90
22-Oct-14	Avoca Primary School	Donation - School Achievement Awards	\$30
22-Oct-14	Perth Fire Brigade	Donation	\$50
28-Nov-14	Longford Fire Brigade	Donation	\$100
19-Nov-14	Red Cross Centenary Rose Planting	Catering	\$31
18-Nov-14	Helping Hand Associated	Donation	\$1,150
18-Nov-14	Longford Care-a-Car	Donation	\$1,000
	Council wages and plant	Assistance to Campbell Town SES	\$145
Planning/Building Applications Remitted			
2-Sep-14	Longford Mens Shed	Planning & Building Fees	\$2,319
30-Oct-14	P14/202 Brick Walls near footpaths	Planning & Building Fees	\$660
Sporting Achievements			
16-Jul-14	Ms T Morris	Australian Darts Championships	\$60
16-Jul-14	Mr I Chugg	National Schoolboy Football Championships	\$60

AGENDA – ORDINARY MEETING

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Date	Recipient	Purpose	Amount \$
18-Aug-14	Mrs H Farrow	Australian Indoor Bowls Titles	\$60
2-Sep-14	Ms Shenaye Zaporozec	Indoor Bowls Championships at Mt Gambier SA	\$60
2-Sep-14	Mrs Julie Zaporozec	Indoor Bowls Championships at Mt Gambier SA	\$60
2-Sep-14	Mr Simon Zaporozec	Indoor Bowls Championships at Mt Gambier SA	\$60
18-Nov-14	Miss Sophie Parkin	U15 National Cricket Carnival 2014	\$60
10-Dec-14	Mr Jakeb Morris	Junior Darts Championships 2014	\$60
10-Dec-14	Mr Bailey Groves	Junior World Shooting Cup in Germany	\$120
10-Dec-14	Mr Daniel Murfet	U19 National Cricket Championships	\$60
		TOTAL DONATIONS	\$24,187

15 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
8/12/2014	336/14	Review Of Policy 58 – Reduction In Planning Application Fees For Community Projects	That Council endorse Policy 58, without amendment	Executive Officer	Complete.	
10/11/2014	296/14	Richard Flanagan: Winner Of The 2014 Man Booker Prize	That i) Mayor Downie write to Mr Richard Flanagan and congratulate him as the winner of the prestigious 2014 Man Booker Prize. ii) the Council Executive consider arrangements for a civic reception for Mr Flanagan.	Executive Officer	Letter sent. Miss Mason to contact Mr Flanagan to progress arrangements for reception.	
8/12/2014	329/14	Economic Development	That Council facilitate meetings with the local businesses in each of the towns to explore business opportunities and other matters of interest.	General Manager	To be progressed.	
8/12/2014	319/14	Information Items - Perth Bypass	That 1. Council invite local members Mr Guy Barnett and Mr Mark Shelton to attend a meeting at Council the earliest possible convenience, and 2. Council's general manager contact the Minister; in order to seek clarification in relation to the Perth Bypass so that Council can allay some of the angst of the community in this regard.	General Manager	Minister Hidding to attend Council meeting.	
8/12/2014	328/14	Notice Of Motion: Tourism Industry	That i) the Northern Midlands Council notes the briefing paper and agrees with the basis of the discussion as per the recommendations; ii) it is then referred to the Tourism Sub-Committee of the Longford Local District Committee to prepare a business plan.	General Manager	Referred to sub-committee.	

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
15/09/2014	227/14	Perth Bypass Steering Committee	That: i) Council endorse the Terms of Reference for the Perth Bypass Steering Committee; ii) invite representation from interested committees from within Perth and the wider area; and iii) The representatives of Council include: The Mayor; Councillor Goss; Councillor Calvert; Councillor Lambert; General Manager; Planning and Development Manager; and Works & Infrastructure Manager.	General Manager	Minister Hidding has advised that once funding finalised, will meet with Council re the Steering Committee. Briefing document being prepared.	
8/12/2014	317/14	Recommendations Of Sub Committees - Cressy Local District Committee	That Council note and investigate the following recommendation of the Cressy Local District Committee: - That Council investigate the purchase of part/all of the land for sale at 94 Main Street, Cressy for increased community use.	General Manager	Report to Council.	
8/12/2014	331/14	Strategic Project Briefs	That Council A) review the briefs in early 2015, which include: i) Economic Development and Tourism Strategy; ii) Launceston Airport and TRANSlink Precinct Master Plan; iii) Longford Recreation Ground Master Plan; iv) Longford Traffic Study; v) Northern Midlands Health, Fitness & Sports Centre Master Plan; vi) Sport, Recreation and Open Space Strategy; and vii) Transport Master Plan viii) Perth Recreation Ground Master Plan; B) report to Council at the conclusion of the review process at which time Council will determine the items to be progressed.	General Manager	To be discussed at Council workshop.	
8/12/2014	331/14	Strategic Project Briefs	That concept plans, through stakeholder consultation, be prepared for the following facilities: Longford Recreation Ground Master Plan; Northern Midlands Health, Fitness & Sports Centre Master Plan; and Perth Recreation Ground Master Plan.	General Manager	In progress.	
15/09/2014	229/14	Strategic Projects	That management B) provide a list of relevant existing briefs and progress thereon.	General Manager	In progress.	
10/11/2014	289/14	Taswater – Pricing And Service Plan 2015-2018	That Council ii) invite Miles Hampton, Chairman of the TasWater Board and Michael Brewster, Chief Executive Officer of TasWater to meet with Council to discuss further iii) that, after the meeting with the TasWater Chair and CEO, Council devise a strategy, together with other Councils and concerned parties, to minimise increases to water and sewerage.	General Manager	Meeting planned for 4 February.	
13/10/2014	253/14	Wifi – Longford	That i) Council endorses the Longford Town Hall as the recommended location to house the WiFi hardware; and ii) Officers continue to investigate and implement the extension of the WiFi coverage within Longford and investigate a regional approach to the provision of WiFi facilities.	General Manager	In progress.	

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
26/05/2014	114/14	Confirmation Of Minutes - Cressy Local District Committee	That Council note and investigate the following recommendation of the Committee: That Council consider the installation of a dump site for motor homes at the Cressy Recreation Ground, with the installation of signs at the entrances to the town notifying campers of the dump site, and the provision of overnight camping at the Recreation Ground.	O/night Camping Sub Committee - Planning & Development Manager	Committee progressing matter in conjunction with preparation of draft policy.	31-Jan-15
8/12/2014	337/14	Planning Applications: Exhibition On Council Web Site	That Council display the plans and details of current discretionary planning applications on its website in addition to the statutory exhibition requirements and that a suitable advisory note regarding copyright be included.	Planning & Development Manager	In progress.	
13/10/2014	267/14	Policy Review: Policy 30 – Dog Management Policy	That Council endorse the proposed changes to Policy 30, as highlighted in the attached document, for public exhibition in accordance with s.7 of the Dog Control Act 2000.	Planning & Development Manager	To be advertised and letters to be sent to local kennel owners.	
16/09/2013	226/13 (3)	Recommendations of Sub Committees - Natural Resource Management Committee	That Council investigate the feasibility of a trial of cat management activities in a local community in the Municipality with a view to test the effectiveness of cat control in reducing populations of feral and unrestrained cats. It is suggested that the investigation consider approaches used in the Bellingham area as a model for use in NMC.	NRM Officer / Planning & Development Manager	Awaiting results of Meander Valley Council trials.	30-Jun-15
8/12/2014	335/14	Rural Processing Centre Project	That Council endorse the Northern Midlands Rural Processing Centre Draft Report November 2014 as being suitable for public exhibition for a period of six weeks, subject to the qualification and possible removal of comments relating to the unsuitability of Powranna Road and Burlington Road as industrial sites.	Planning & Development Manager		
8/12/2014	335/14	Rural Processing Centre Project	That an analysis of suitable sites, within the Northern Midlands municipality, for heavy industry be commissioned.	Planning & Development Manager		
10/11/2014	287/14	Appointment Of Council Representatives To Special Committees, Advisory Committees And Outside Bodies	Notify committees of appointments made in respect of the membership of Committees of Council and Outside Bodies	Executive Assistant	Letters sent.	

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
10/11/2014	288/14	Council Calendar - Schedule Of Council Meeting & Workshop Dates	Publish details of Ordinary Council Meetings and Workshops for the period January to December 2015	Executive Assistant	Complete.	
8/12/2014	317/14	Recommendations Of Sub Committees Evandale Advisory Committee	That Council approve the amendments to the Memorandum of Understanding of the Evandale Advisory Committee (as per the attachment to the AGM minutes), in accordance with the following recommendation of the Committee: That the Memorandum of Understanding be amended to provide for the ■ appointment of officers; and ■ holding of a Special Meeting; on a bi-annual basis.	Executive Assistant	Complete.	
8/12/2014	321/14	Campbell Town War Memorial Oval Precinct Development Plan	That Council: i) Accept the Campbell Town War Memorial Oval Precinct Development Plan Report in principle; ii) Table the Development Plan Report at the next meeting of the Campbell Town Local District Committee and advise the Committee that Council has accepted the Report in principle; iii) Approve the development of a business plan, with a statewide perspective, to assess the viability of the proposed multipurpose centre; iv) Authorise the Manager Economic and Community Development to progress the preparation of the project brief for the business plan, with the funding for the project to be identified within the next budget review.	Economic & Community Dev. Manager	Report accepted, in principle, by Council and tabled at Campbell Town District Forum meeting.	
23/06/2014	139/14	Confirmation Of Minutes - Longford Local District Committee - Visitor Information Centre	That Council note and investigate the following recommendation of the Longford Local District Committee: The Committee recommends to Council that they identify funding, location and implementation of a standalone visitor information centre as a matter of priority.	Economic & Community Dev. Manager	Consultant selected. Consultancy to commence early 2015.	
13/10/2014	252/14	Impending Changes To Youth Support Services In Tasmania	That Council 1. prepare a Motion for the next Local Government Association of Tasmania (LGAT) meeting lobbying for retention of the Youth Connection Program, the Partnership Brokers Program and Pathway Planners Service. 2. write to the Minister for Youth Services and other relevant Ministers requesting the retention of the Youth Connection Program, the Partnership Brokers Program and Pathway Planners Service; and 3. request funding for alternate youth support services if the retention of these programs is not going to be considered.	Economic & Community Dev. Manager	Letters sent to Ministers re requests. Responses received from Minister Pyne and Minister Rockliff. Information item included in January 2015 Council Meeting Agenda.	

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
8/12/2014	317/14	Recommendations Of Sub Committees - Northern Midlands Economic Development Committee	That Council note and investigate the following recommendation of the Northern Midlands Economic Development Committee: That Council: - undertakes work to underpin a funding application to Round Two of the National Stronger Region Fund for the Burlington Road upgrade - writes to the Federal Minister for Communications, and Ministers Hutchinson, Shelton and Hidding, expressing concern that the NBN rollout has stalled in Tasmania and there is no plan for the recommencement of the NBN rollout - Provide the Committee with the criteria, justification and detail that supports the individual proposals on the Council's priority project list - Appoint the Economic Development Committee Chair to the Perth Bypass Committee - Reconfirm the Economic Development Committee terms of reference - Include the Economic Development Committee minutes on Council agenda.	Economic & Community Development Manager	- Letters sent to Minister Turnbull, Minister Hidding, Eric Hutchinson MP and Mark Shelton MP. - Economic Development Committee to consider revised terms of reference at February 2015 meeting. - Economic Development Committee minutes now included on Council Agenda.	
15/09/2014	222/14	Information Items	Council write to i) the Valuation Department and request that the inspections are more detailed when undertaking valuations, in particular with regard to the inconsistencies that are reflected; and ii) to Mr Murfett to provide him with an update on Council's actions.	Corporate Services Manager	Letters drafted.	
8/12/2014	317/14	Recommendations Of Sub Committees - Longford Velodrome & Road Rules Park Committee	That Council note and investigate the following recommendation of the Longford Velodrome & Road Rules Park Committee: That the new track be named the Graham Kearney Cycling Centre.	Corporate Services Manager	Noted.	
8/12/2014	317/14	Recommendations Of Sub Committees - Morven Park Management & Development Association Inc	That Council note and investigate the following recommendation of the Morven Park Management & Development Association Inc: NMC purchase more outdoor exercise gym equipment to add to existing equipment at Morven Park.	Corporate Services Manager		
14/04/2014	94/14	Royal George Hall: Relinquish Of Lease	That Council i) undertake further consultation with the community ii) seek alternative uses; ii) undertake an audit of the assets and assess the cost of repair; and iv) report to a future Council meeting.	Property Committee	Consultation complete. Awaiting maintenance report.	31-Mar-15
8/12/2014	320/14	Stormwater: Translink/Western Junction Flooding	That Council increase the funding allocation for the TRANSlink drainage investigations and remedial works by \$15,000 in order to cover additional costs and identified upgrade works to meet the January 2015 Council meeting deadline.	Corporate Services Manager		

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
10/11/2014	283/14	Confirmation Of Minutes - Evandale Advisory Committee	That Council note and investigate the following recommendation of the Evandale Advisory Committee: That Council retain the dump site in Morven Park and provide appropriate screening.	Works & Infrastructure Manager		30-Jun-15
26/05/2014	114/14	Confirmation Of Minutes - Morven Park Management & Development Assoc. Inc	That Council note and investigate the following recommendation of the Committee: That the Waste Pit be moved from Morven Park to an alternative site located away from the village, due to the detrimental effect that it has on the ERSS, Sporting Events and OH&S concerns.	Works & Infrastructure Manager	Evandale Advisory Committee recommendation to maintain at Morven Park and provide suitable screening.	31-Oct-14
18/08/2014	206/14	Notice Of Motion: Line Marking On Local Roads	That a report to Council be prepared on the Campbell Town/ Poatina Road and Springbanks Road in which the risks are assessed (specifically in relation to corners and rises) and the requirements of the road are ascertained	Works & Infrastructure Manager	Referred to Traffic Management Committee for guidelines.	
8/12/2014	317/14	Recommendations Of Sub Committees - Cressy Local District Committee	That Council note the following recommendation of the Cressy Local District Committee: That the Cressy Local District Committee endorses the installation of a boat ramp at Cressy.	Works & Infrastructure Manager	To be discussed at Council workshop.	
8/12/2014	317/14	Recommendations Of Sub Committees - Morven Park Management & Development Association Inc	That Council note and investigate the following recommendation of the Morven Park Management & Development Association Inc: NMC to look into relocating Waste Pit from Morven Park to a suitable location.	Works & Infrastructure Manager		

LONG TERM ACTIONS

Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
15/10/2012	262/12 (3)	Sub Committee Recommendations - Cressy Local District Committee	That funding be sought for the establishment of a cycle way between Cressy and Longford or other areas that may be appropriate	General Manager	Awaiting suitable grant funding program.	Review 6 Monthly
10/12/2012	348/12	ANZAC Day Centenary	That Council provide in-principle support to community events throughout the municipal area to celebrate the ANZAC Centenary.	General Manager	Ongoing.	Ongoing
28/05/2012 (15/4/13)	121/12 (101/13)	Sealing of Nile Road	That Council actively seek special grant funding of approximately \$2.4M for the reconstruction and sealing of the 8.2km gravel section of Nile Road.	General Manager	Submission lodged for RDA funding under Forestry Agreement. Included in State Government Election Priority List.	Review 6 Monthly
23/01/2012	19-Nov	Draft Policy – Overnight Camping	That Council defer a decision on the Overnight Camping (self contained vehicles) Policy pending the advice of Council's solicitor.	Planning & Development Manager	Committee preparing policy.	31-Jan-15

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
16/09/2013	226/13 (3)	Recommendations of Sub Committees - Natural Resource Management Committee	To seek the support of Council in seeking interest from local Town Progress Committees, other community groups (e.g. RSL) and schools to participate in a coordinated Northern Midlands Avenue and Memorial Tree restoration program. This program would develop a program of works to reinvigorate and reinstate Pioneer Avenue and other memorial plantings in the lead up to the centenary of the ANZAC deployment in 2015.	NRM Officer / Planning & Development Manager	Consultation continuing.	31-Dec-14
23/06/2014	148/14	Policy: Use of Conferencing Technology to Attend Council Meetings and Workshops	That the matter be deferred until the technological issues have been addressed and a further demonstration be held at the next workshop.	Corporate Services Manager	Awaiting connection to NBN.	
15/09/2014	220/14	Confirmation of Minutes	That Council create an inventory of goods and chattels owned by Council.	Corporate Services Manager	Ongoing.	30-Jun-15
27/05/2013	128/13	Bureau of Meteorology Station – Flood Information Warning Station at Longford	That Council investigate the reinstatement and stabilisation of the riverbank on the southern side of the boat ramp at Longford.	Works & Infrastructure Manager	Met with BOM. BOM to apply for planning permit and proceed to relocate monitoring station. Council Officers to consider assistance to dismantle current monitoring station. BOM to reassess design to meet new requirements.	31-Dec-14
9/12/2013 20/01/2014 26/05/2014	347/13 04/15 116/14	Cressy Boat Ramp 1. Proposed Construction of a Boat Ramp at Macquarie Street, Cressy 2. Recommendations Of Sub Committees - Cressy Local District Committee	1. That Council officer's investigate the establishment of a boat ramp, with the retention of the concrete blocks, at Macquarie Street, Cressy. 2. That Council Officer's note and investigate the recommendation - that a boat ramp be constructed at Cressy to a minimum safe standard. 116/14 That an engineers report be requisitioned for the Cressy Boat Ramp;	Works & Infrastructure Manager	Listed for council Workshop.	30-Jun-15

Matters that are grey shaded have been finalised and will be deleted from this schedule

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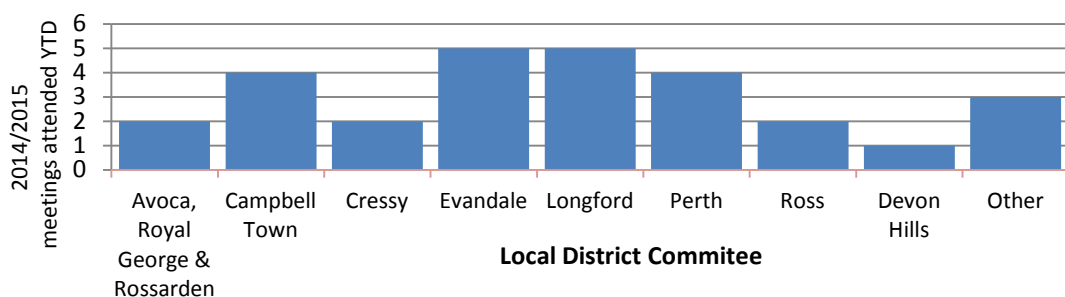
16 KEY ISSUES BEING CONSIDERED: MANAGERS' REPORTS

Activities from the 1 to 31 December 2014

1. GOVERNANCE UNIT –GENERAL MANAGER

a. Governance – Meetings/Conferences

- ◆ Council meetings:
 - Ordinary meeting 8 December
- ◆ Council Workshop:
 - Nil
- ◆ Community meetings:



- 2 December – Perth Local District Committee
- 2 December – Evandale Advisory Committee
- 3 December – Longford Local District Committee
- ◆ Executive Management Team:
 - 3 December
 - 10 December
 - 17 December
- ◆ Staff Meeting
 - 2 December
 - 16 December
- ◆ Other Meetings:
 - Meeting re Road Pavement – Conara
 - Meeting with Derek Le Marchant - NTD
 - Evandale Primary School End of Year Presentation Assembly
 - Subregional Alliance Meeting
 - Regional Futures Steering Committee Meeting
 - Met with Chris Colley and Cindy Hanson re Ben Lomond National Park
 - Met with Hans van Pelt re Ben Lomond National Park
 - Attended Risk Management meeting
 - Attended General Managers meeting
 - Attended Continuous Improvement Workshop
 - Met with James McKee NRM
 - Attended Traffic Management Committee meeting
 - Met with Cindy Hanson - State Growth
 - Attended meeting with Mill Dam Committee – on site

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- Teleconference with Vince Taskunas and Shane Gregory
- ◆ Meetings held with Councillors
 - Met with Cr Lambert and Mr Colin Smith on site at Perth

b. General Business:

- ◆ Health & Safety and Risk Management Review
- ◆ NBN Rollout
- ◆ Sub Regional Alliance
- ◆ Legal issues, leases and agreement reviews
- ◆ Interim Planning Scheme issues
- ◆ Road Construction
- ◆ Engineering Services
- ◆ Drainage issues & Translink stormwater
- ◆ Flood levee
- ◆ Road and Traffic issues
- ◆ Resource Sharing
- ◆ Animal Control
- ◆ Buildings
- ◆ Footpaths
- ◆ Tourism
- ◆ NRM North
- ◆ Staff issues/Employment
- ◆ Childcare issues
- ◆ Risk Management & WHS
- ◆ Management Agreements and Committee Administration
- ◆ Office improvements
- ◆ Media releases and news items
- ◆ Grant application administration and support letters
- ◆ Local District Committee project support
- ◆ Event management
- ◆ Governance Audit
- ◆ General correspondence.

c. Other Activities:

- ◆ Agenda
- ◆ Councillor requests, meetings, speeches, emails & phone enquiries
- ◆ Project support
- ◆ Newsletters:
 - Staff

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2. CORPORATE SERVICES BUSINESS UNIT

a. Customer Service

- ◆ Member of the National Local Government Customer Service Network.
- ◆ Service Tasmania contract for services in Campbell Town.

b. Finance

- ◆ Rates and dog licence issue & collection, valuation maintenance and adjustments, supplementary valuations, street numbering, electronic receipting & direct debit systems, interest and penalty.
- ◆ Pension rebates claims and maintenance, classification for two rebate maximums, verification of data.
- ◆ Sundry Debtors and reviewed account format.
- ◆ Creditor payments and enquiries.
- ◆ Payroll, ETP calculations, payroll tax, child support, maternity leave, PAYG & annual summaries, superannuation, salary sacrifice, Workplace Legislation changes, EB provisions, salary reviews, staff training, appointments, retirement & resignations issues, leave accrual adjustments, leave loading calculations, Councillor allowances, Workers Compensation claims, Award adjustments, and other HR issues, and childcare support issues.
- ◆ Property sales for unpaid rates, Debt Collection services, Debt summons/warrants.
- ◆ Budget adjustments, End of Year Financials, KPI return, Asset Management, Fleet Hire, Long Term Financial Planning and Audit and Annual Report.
- ◆ Sundry grant reporting and auditing. Committee financial management support and auditing.
- ◆ Property ownership, licences and leases, property committee, aged care unit tenancy, unclaimed monies register, Public Land Register, and sports centre management support.
- ◆ Records Management, archives, website and facebook, town and local committee web pages, sign design, new residents information, council policies.
- ◆ Banking & Investments, Ezidebit, BPay Billing etc and setup alterations.
- ◆ Rate System issues, 2014/15 Rating and Budget issues, General Finance, ABS Data Collection, and Grant Funding issues, Tax issues including GST & FBT, Fuel Tax, and Northern Finance committee.
- ◆ Cemetery management, onsite map display and website databases.
- ◆ Roads to Recovery Work schedules, mapping, Annual Report and quarterly reports.
- ◆ Childcare financial reporting, audit, budgets & fee schedule reconciliations. Service support and account issues.
- ◆ General accounting, customer service, correspondence and reports.
- ◆ Audit & Audit committee procedures, processes and support.
- ◆ Emergency Management meetings, EM Plans, Strategic Fire Plan meetings, and general administration issues.
- ◆ Waste Transfer Station Management issues, Kerbside waste collection contract issues and special clean-up service.
- ◆ General Office support and attendance of meetings, reports, emails & phone enquiries.
- ◆ Works & Infrastructure support.
- ◆ Tooms Lake & Lake Leake ownership transfers, caretaker support, licence fee review issues,

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and contract issues.

- ◆ Street lighting & aurora pole reporting and maintenance.
- ◆ Community events & Special Projects support.
- ◆ Risk Management, safety provisions, and contractor management.
- ◆ Fleet Management.

c. Insurance

- ◆ Insurance renewals and policy maintenance.
- ◆ Risk Register review and audits
- ◆ No claims during December.

d. Information Technology

- ◆ Server and desktop maintenance.
- ◆ Minor upgrades of other IT equipment.
- ◆ Open Office Software upgrade and enhancement requests.
- ◆ GIS maintenance and training.
- ◆ Information Management System maintenance and upgrade planning.
- ◆ Disaster Recovery & IT backup upgrade and maintenance.
- ◆ Council Web Site development, Town and Local District Committee site development, NMBA website and HH App maintenance.
- ◆ Infonet system re-written.
- ◆ ApproveTas maintenance.
- ◆ Office phone system upgrade & Mobile phone plan review.
- ◆ Sundry database creation and maintenance.
- ◆ Mobile device applications implementation, and remote access logins.
- ◆ Building security systems maintenance.
- ◆ Microsoft software maintenance.
- ◆ Upgrade and review access security systems.
- ◆ Maintain photocopiers and printers.
- ◆ New computer installations.
- ◆ Upgrade website hosting.
- ◆ WiFi hotspots.

3. ECONOMIC AND COMMUNITY DEVELOPMENT UNIT

a. Tourism/Economic Development focus

- ◆ Representing NMBA at the quarterly TCCI Chambers Alliance Forums.
- ◆ Organised meeting of Heritage Highway Tourism Region Association Board members with Tourism Tasmania Marketing Manager to discuss collaborative marketing opportunities.
- ◆ Researching the process for nominating the Ross Bridge for listing on the National Heritage List.
- ◆ Collaborating with HHTRA and NMBA to resolve issues regarding the upgrade of the Heritage Highway App.

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- ◆ Working with the Chair of the Economic Development Committee to investigate options for attracting equestrian events and clubs to the Longford Showgrounds.
- ◆ Prepared a funding application for a Sport and Recreation Minor Grant for the Longford Golf Club for a grant towards the development of a junior practice green to host My Golf Programs. Outcome awaited.
- ◆ Working with artists on an interactive exhibition at Longford as part of the 2015 Tasmanian International Arts Festival (formerly 'Ten Days on the Island').
- ◆ Working with Max Employment to identify and develop Work for the Dole placements across the Northern Midlands.
- ◆ Collaborating with UTAS Centre for Pathways and Partnerships to plan a campaign to market university courses to Northern Midlands residents.
- ◆ Promoting the 'Think Big: Shop Small' Campaign in the Northern Midlands.
- ◆ Assisting with driving the 'Snow Driven Economic Growth' project including onsite inspection and meeting with Ben Lomond Village operators, and Parks and Wildlife staff, participation on project scoping group and interviews with business operators in the Alpine Village.
- ◆ Coordinated Council's funding application for Bridges Renewal Programmes Round One Funding for Westmoor Bridge, Powranna Road Cressy. Outcome awaited.
- ◆ Collaborating with the Economic Development Committee Chair to develop a proposal for the establishment of a Longford Motor Racing Historic Society.
- ◆ Assisting Turners Blackwood Furniture to develop a Tassie Made Centre and Visitor Information display area in the Translink precinct.
- ◆ Collaborating with TNT on the Longford Visitor Appeal Study.
- ◆ Working with TCCI Workplace Health & Safety Adviser to promote this service in the Northern Midlands.
- ◆ Managed the consultancy for the development of the Campbell Town War Memorial Oval Precinct Development Plan.
- ◆ Working with new owners of the Longford Revival Festival on the 2015 event.
- ◆ Working with a film company on a feasibility study towards the making of a Norfolk Island – Norfolk Plains documentary: company currently applying for funding.
- ◆ Representing Council on the Northern Region Tourism Cycling Group.
- ◆ Facilitating the progressing of the agenda of the Northern Midlands Economic Development Committee.
- ◆ Promoting the Local History Award won by the 'The Norfolk Plains: A History of Longford, Cressy, Perth and Bishopsbourne, Tasmania' as an avenue for increasing sales of the book and managing the distribution of the book to bookshops across the state.
- ◆ Serving on a working group aiming to secure a sustainable future for Heart FM Radio Station.
- ◆ Member of Council's Signage subcommittee.
- ◆ Assisted with securing funds from Your Community Heritage Grants program to interpret convict stories at Woolmers and Brickendon Estates. Assisting with the introduction of the convict-themed tours.
- ◆ Assisting Woolmers/Brickendon Estates with leveraging off the World Heritage listing status.
- ◆ Representing the Heritage Highway Region at quarterly Tourism Northern Tasmania Local Tourism Association forums.

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- ◆ Managing the on-line promotion of the TRANSlinc precinct utilising the promotional video and facebook.

b. Community development focus

- ◆ Participated in the Council of the Ageing forum on age-friendly communities.
- ◆ Participating on the Christ Church tree restoration/management working group.
- ◆ Assisting Riverlands Centre to secure Food Handling Courses in 2015 for Northern Midlands community organisations and businesses.
- ◆ Coordinated Council's Further Education Bursary Program 2014.
- ◆ Assisting Health Revival with efforts to secure grant funding to expand the range of programs and equipment at the Northern Midlands Sports Centre.
- ◆ Participating on a state Equine Emergency Management working group and assisted with the holding of an equine emergency management forum for horse owners at Longford in December 2014.
- ◆ Working with Northern Midlands RSL Branch to plan the Northern Midlands ANZAC 2015 celebrations, including assisting with the preparation of funding applications for the Centenary of ANZAC Concert and assistance with the funding of IT for Longford ANZAC Day 2015 and the schools 'ANZAC Supreme Sacrifice' Project, and assisting with organising the launch of the ANZAC concert.
- ◆ Managing the risk register for the Economic and Community Development Unit.
- ◆ Working with Baptcare to publicise the National Disability Insurance Scheme in the Northern Midlands.
- ◆ Prepared the Helping Hand application for ongoing funding under the new Australian Government Department of Social Services Families and Communities Program. Outcome awaited.
- ◆ Worked with Riverlands Centre to prepare a Tasmanian Community Fund application for a Northern Midlands Youth Mental Health First Aid Program. Funding not secured.
- ◆ Member of the Northern Region Sport and Recreation Committee.
- ◆ Working with EPA officers on the Burning Brighter this Winter campaign in Longford.
- ◆ Working with Child Care Director to review staff position descriptions and to create a 2IC position for the service.
- ◆ Working with Volunteering Tasmania to implement options for strengthening volunteerism in the Northern Midlands.
- ◆ Assisting the Campbell Town Area Community Services Board to identify its future directions and providing interim administrative support.
- ◆ Member of the Working Group driving the implementation of the recommendations of the Health Needs Assessment (Part A Northern Midlands) project.
- ◆ Working with Road Safety Branch, DIER, to develop initiatives to improve road safety in the Northern Midlands.

4. PLANNING & DEVELOPMENT UNIT

a. Policy

- ◆ Continuing participation in Greater Launceston Plan.
- ◆ Continuing participation in Industrial Land Study,

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- ◆ Continuing participation in Housing Needs Study
- ◆ Continuing participation in Centres Classification project.
- ◆ Ongoing review of current policies.
- ◆ Duty of Care and legislative obligations – review of staff levels and procedures.
- ◆ WH&S assessment of applicability of specific codes
- ◆ Regular planning and building assessment unit meetings
- ◆ Participation in the Economic Development Committee
- ◆ Review of Dog Management Policy
- ◆ Redraft proposed Dilapidated Buildings Policy
- ◆ Pursue development of tyre recycling facility
- ◆ Participation on BLNP feasibility study
- ◆ Participation in Launceston Gateway Project - brief and presentations
- ◆ Participation in SGS consultancy re Rural Processing Centre Project

b. Health

- ◆ Ongoing issues requiring water samples etc.
- ◆ Liaise with Department of Health re. Royal George water quality issues.
- ◆ Liaise with Department of Health re. Avoca water quality issues.
- ◆ Ongoing testing of recreational water quality.
- ◆ Continue to support and administer the Immunisations programme.
- ◆ Licensing and inspection of food premises.
- ◆ Place of Assembly licence inspections and renewals is ongoing.
- ◆ Review of procedures for continuous improvement is ongoing.
- ◆ School Immunisation Programme
- ◆ EPA - Smoke Awareness campaign
- ◆ TPI - ongoing issues

c. Building

- ◆ Follow up of illegal works continuing.
- ◆ Assistant Building Surveyors attending ongoing professional development training seminars.
- ◆ Plumbing inspections and assessment are ongoing.
- ◆ Review of procedures for continuous improvement is ongoing.
- ◆ Amended Plumbing and Building regulations to be assimilated into ongoing practices.

d. NRM

- ◆ Participation with the Mill Dam Committee.
- ◆ Operation of NRM Committee of Council.
- ◆ National rainwater and grey water initiative of the Australian Government – opportunities to be investigated.
- ◆ Environmental Management Plan – review of implementation programme.
- ◆ Review of relevant development proposals is ongoing.
- ◆ Weed management and action plan implementation.

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- ◆ Follow up and monitoring of reported weed infestations
- ◆ Regular articles in local news papers.

e. Compliance

- ◆ Permit conditions – Periodic review of compliance with planning permit conditions – ongoing.
- ◆ Building audit - ongoing.
- ◆ Service of Building and Planning Notices.
- ◆ Prosecution for illegal buildings and works ongoing as required.
- ◆ Signage.
- ◆ Follow up dog registrations.
- ◆ Regular inspection visits to Mill Dam.
- ◆ Active review of dogs not previously registered.
- ◆ Promote consistent processes across region.
- ◆ Fire Abatement inspections and notices.
- ◆ Overhanging tree inspections - Devon Hills

f. Planning

- ◆ Participation in the TRANSlink working group
- ◆ Consideration of TRANSlink rail hub development concept
- ◆ Participation in Regional Planning Scheme issues.
- ◆ Consideration of Planning Directives
- ◆ Consideration of proposed planning legislative amendments.
- ◆ Ongoing review of procedures and physical office environment.
- ◆ Oversight of Powranna & Burlington Rd precinct project.
- ◆ Brief for Heritage Streetscape project.
- ◆ Resource Sharing - BODC.
- ◆ Heritage walls

g. Animal Control

- ◆ Continued follow up of dog registrations.
- ◆ After hours call outs for dog at large etc.
- ◆ Dangerous Dog declaration
- ◆ Alternative pound facility

5. WORKS & INFRASTRUCTURE UNIT

In conjunction with INFO 5 – Works & Infrastructure Report.

a. Asset Management

- ◆ New asset information collection and verifications– ongoing.
- ◆ Programmed inspections of flood levee and associated infrastructure – ongoing.
- ◆ Involvement in asset management working group with Councils in North and North West Region.

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b. Traffic Management

- ◆ Northern Midlands Traffic Committee – liaising with Department of State Growth to resolve traffic issues within municipality.
- ◆ Traffic counts on roads throughout the municipality – ongoing.

c. Development Work

- ◆ McShane subdivision, stage 2, (Seccombe Street, Perth) has reached practical completion.
- ◆ 4 Lot Pegasus subdivision Ross at practical completion.
- ◆ 3 lot Coenen subdivision, White Hills Road has reached practical completion.
- ◆ Stage 2 of Holliejett subdivision (3 lots) in Edward Street, Perth has reached practical completion.
- ◆ 3 lot Gadsby subdivision in Cromwell Street, Perth has reached practical completion.
- ◆ 5 lot Chugg subdivision in Malcombe Street, Longford has reached practical completion.
- ◆ 13 lot Shervan subdivision between Norfolk Street and Drummond Crescent, Perth has reached practical completion.
- ◆ Stage 2 of the Kerr/Bean/Shervan subdivision, Mulgrave and Seccombe Street, Perth has reached practical completion.

d. Waste Management

- ◆ Input into regional waste management discussions – ongoing.

e. Tenders and Contracts

- ◆ None to report.

f. Flood levee

- ◆ Programmed monthly/ bi-monthly inspections of flood levee carried out by Works and Infrastructure staff.

g. Engineering

- ◆ Input into Northern Regional Infrastructure group – ongoing.
- ◆ Hydraulic modelling of stormwater system in Western Junction Industrial Area – ongoing.

h. Capital works

- ◆ Roadworks on Burlington Road practically complete.
- ◆ Reconstruction works on Tooms Lake Road chainage 4.075 – 6.36.

17 RESOURCE SHARING SUMMARY FROM 01 JULY 2014

Attachments: Section 1 – Page 44

Prepared by: Martin Maddox, Accountant/Executive Officer

Resource sharing summary for the period 1 July to 30 June 2015 was circulated in the Attachments.

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18 VANDALISM: DECEMBER 2014

Prepared by: Jonathan Galbraith; Engineering Officer

Incident	Location	Estimated Cost of Damages		
		December 2014	Jan- Dec 2014	Dec 2013
Jumbo toilet roll holders removed and stolen	Old Bridge Rd, Perth	\$ 500		
TOTAL COST VANDALISM		\$ 500	\$ 13,700	\$ 3,400

19 YOUTH PROGRAMME UPDATE: DECEMBER 2014

Prepared by: Peter Mackenzie, Youth Development Officer

YASAG Program for part A (based at Longford)

- 2 sessions, total users 19

MYAP Activities Program Campbell Town (New Program)

- 3 sessions, total users 54

MYAP Activities Program Perth

- 3 sessions, total users 35

MYAP Junior Program Perth (New Program)

- 2 sessions, total users 4

MYAP Youth Activities Program Longford

- 2 sessions, total users 27

Girls Program Longford (New Program)

- 2 sessions, total users 12

Outreach

- 2 visits.

Meetings

- Meeting with Riverlands, Longford Primary School re possible parenting programs. (1)
- Meeting with Principal, Evandale Primary School re possible cooperative projects.
- Meeting with Youth Health Worker Westbury and "Drumbeat" mentoring project worker re potential mentoring project for Northern Midlands. (1)
- Meeting with "Eyes-Up Eric" road safety working Group (1)

Consultations

- 1 with Evandale students re possible BMX track.

Training/Conferences/Workshops

- Nil

Other Activities

- Participated as observer in Drumbeat mentoring session, Westbury Primary School.

20 INTERIM PLANNING SCHEME

Prepared by: Duncan Payton, Planning & Development Manager

On Tuesday 09 December 2014, the independent Panel, appointed by the Tasmanian Planning Commission (TPC) held a directions hearing into the submissions to the interim planning schemes for Northern Midlands, West Tamar, Meander Valley, George Town Dorset and Break O' Day Councils.

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The Panel is chaired by Mr Greg Alomes (executive chair of the TPC) and includes Mr Stewart Johnston (TPC, Director Strategic Projects) and Mr John Vandenberg (TPC, Senior Planning Consultant). The purpose of the directions hearing was to establish an agreed approach to streamline the hearing process whilst maintaining natural justice and ensuring all issues were considered.

The Panel advised that, to ensure an efficient and comprehensive process, it wished to:

- consolidate common issues across the different schemes;
- meet with council planning officers to identify similar issues;
- advise representors of all issues identified for consolidated consideration;
- All submissions not consolidated will be considered as local issues and the Panel would consider them and hold hearings, if required, in the local area.

Legislative change, required to enable this process in lieu of individual hearings into every submission, has passed both houses of State Parliament and commenced on 01 January 2015.

The Panel advised that the decision on the Launceston scheme is expected to be released by the Minister in early January. The proposed meeting with council officers will occur approximately ten days after the release of the Launceston decision. Similarly, all representors have until four weeks from the release of the decision to make further submission in regard to their issues if they wish.

Whilst the Panel did not specifically consider individual issues at the directions hearing, the matter of Council's decision to support the continued subdivision prohibition in Devon Hills was raised and will be the matter of further formal submission.

21 NRM ACTIVITIES

Prepared by: Monique Case, NRM Facilitator

Mill Dam

The first stakeholder briefing by the consultants, JMG McGee, for the hydrological and geomorphologic assessment project was scheduled for Monday 19 January 2015. This meeting, facilitated by Ms Carmel Miller (JMG), sought to clarify, with all parties, outcome expectations, information needs and timelines.

Whilst the Mill Dam Committee is comprised of a group of volunteers dedicated to preserving and improving the Mill Dam area for the benefit of the community, the ongoing issues relating to riverbank erosion are beyond their immediate scope. Consequently, the Major Stakeholder Group (MSG - a 2013 initiative of the Mill Dam Committee, driven by the Chair, Mr Mackinnon and the then Northern Midlands Council General Manager, Mr Wilson) was created as an adjunct to the Committee to specifically investigate the erosion issue. The MSG is chaired by the Committee Chair, Mr Mackinnon and comprises representatives of Council, State Growth, TasRail, Hydro Tasmania, JBS Swift and NRM North.

The MSG identified the need for a formal hydrological and geomorphologic assessment of the river and its banks at the Mill Dam area to establish a baseline and recommend appropriate solutions. The assessment project is funded collaboratively by the members of the MSG.

Rossarden Broom:

Broom is listed in the Weed Management Act 2009, with control expectations in the Northern Midlands. The spread of broom from the municipality must be prevented. The spread of English broom to the Zone

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B landholdings listed must be prevented.

Zone B landholdings requiring protection from English broom:

- a) *Any Zone B property sharing a border with a Zone A municipality*
- b) *Any English broom free property within Zone B.*
- c) *Any group of properties within Zone B for which the owners have developed and are implementing a local integrated Weed Management Plan for English broom.*
- d) *Any property within Zone B where English broom is impacting negatively upon any community or flora or fauna species listed under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 and/or the Tasmanian Threatened Species Protection Act 1995*
(English Broom Weed Management Plan DPIPWE 2011).

With Rossarden being joined on one side by Forestry land and on the other by P&WS land some of the properties in Rossarden could be contravening both b) and d)

Broom is also identified as a fire risk by the Australian Weeds Committee (2012) *“Well established and dense broom infestations can increase fire risk and intensity in extreme bushfire conditions, especially in open woodland and grassland communities not normally associated with a dense mid storey shrub layer”* (Weeds of National Significance, Brooms Strategic Plan. Australian Weeds Committee, Canberra).

In 2014 the Rossarden Progress Association (RPA) approached the NRM Facilitator for assistance with Broom management issues. The Facilitator attended an RPA meeting along with Weed Coordinator Greg Stewart of NRM North, to discuss management options. Some initial mapping of township infestation has been undertaken as well as landholder identification. Forestry and Parks have been approached for permission and support to build on their effective north western controlled burn in 2014 and further burns planned for 2015.

RPA have joined Landcare Tas and registered with Tas Landcare’s bulk insurance scheme to cover outdoor activities. The NRM Facilitator in collaboration with the RPA worked on 2 “Broom Busting” workings bees in November and December 2014. It quickly became apparent that the vast infestation was too much for a small group of volunteers with further management actions required to support any on-ground action.

Support from Council is being sought to be proactive in its support for Broom control in Rossarden by working with DPIPWE weed officers, community members and neighbouring landholders to implement a Broom management plan that includes:

- Leading by example – Active control of Broom incursions on Council managed land in Rossarden;
- Seeking support and permissions to control broom along shared boundaries of town landholders and PWS and Forestry;
- Driving an initial information mail out to all Rossarden landholders seeking their assistance with control prior to possible future issue of notices.

Challenges include:

- Absentee landholders – quite a number of private landholders identified thus far either live, out of the region, interstate or internationally;
- Works Maintenance;
- Co-ordinating works/ timing;
- Securing support and permissions to work on Forestry and PWS land.

Costs: There will be costs associated with Broom control on Council owned/managed land and would be dependent upon process chosen and maintenance schedule. Additionally there will be administrative costs associated with the proposed mail out to land owners.

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Benefits: Controlling Broom in the Rossarden township could assist in improving public safety by reducing fire risks within township, limiting impacts to adjacent vegetation communities in neighbouring Forestry and PWS land improving ecological health, strengthening relationships between managing agencies and improving the public perception of the town, possibly leading to increased tourism opportunities.

22 PARTNERSHIP BROKERS AND YOUTH CONNECTIONS PROGRAMS

Attachments: Section 1 – Page 45

Prepared by: *Lorraine Green, Economic and Community Development Manager*

Council received a report from Council's Youth Development Officer, Mr Peter Mackenzie, at the Council's October 13, 2014 Meeting. The report detailed a number of key supports assisting young Tasmanians that were facing funding cessation at the end of 2014. Two of these supports were the Partnership Brokers and Youth Connections Programs. Mr Mackenzie's report highlighted the significantly negative impact of the loss of these support services on Northern Midlands' high school students, and in particular, the more disadvantaged and at-risk students.

Council unanimously resolved to write to the relevant Minister, the Hon. Christopher Pyne MP, requesting either the retention of these services or funding for alternate youth support services if the retention of these programs cannot be achieved.

ATTACHMENT:

- Letter dated 2 December 2014 received from Senator Scott Ryan for Minister Pyne
- Letter dated 22 December 2014 received from Tasmania's Deputy Premier and Minister for Education and Training, Jeremy Rockliff MP

DECISION

Cr

That the Information items be received.

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W&I 1 LONGFORD FLOOD PROTECTION SCHEME: PROGRESS REPORT

Report prepared by: Terry Eaton, Engineer

Responsible Officer: Wayne Chellis; Works & Infrastructure Manager

1 PURPOSE OF REPORT

This report serves to provide a quarterly update to Council in regard to ongoing matters related to the Longford Flood Protection Scheme.

2 BACKGROUND

Update reports in relation to this matter have been tabled in closed council on a monthly basis since 23 April 2012 and in accordance with the following timetable for progressing outstanding issues associated with the Longford Flood Protection Scheme. Since April 2012 work has progressed with the present status of the action items:

Priority	Action Item	Status
High	Flood Modelling	NDR Funding for 2014/15 approved
High	Paton Street inlet drainage works	Complete
High	Discharge Pumps	Complete
High	Union Street Detention inlet/outlet pipe connections	Complete
Medium	Update Longford Flood Protection Plan	Complete
Medium	Paton Street Detention Basin	In progress
Medium	Develop Flood Evacuation Plan	Complete
Medium	Finalise levee permit	Complete

Note: The priority of the "Flood Modelling" item has been lifted to "High" and is seen as an issue which should be advanced as soon as funds can be made available.

3 STRATEGIC PLAN 2007-2017

The Strategic Plan 2007/2017 (2012/2013 revision) provides the guidelines within which Council operates. The goals identified in, "Volume 1 – Mapping Our Direction", 3.1 Individual and Community Safety, 5.2 Hydraulic Infrastructure and 5.4 Emergency Management are applicable to this report.

4 STATUTORY REQUIREMENTS

Consistent with Council's "Duty of Care", to ensure flood protection measures and event management plans are in place in compliance with the *Tasmanian Emergency Management Act 2006*.

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5 POLICY IMPLICATIONS

Statutory requirements to have in place a flood protection facility and flood management plan to protect the Longford community.

6 FINANCIAL IMPLICATIONS

Description	2013/14 Budget \$	Current Status
Stormwater Detention Basin Paton Street - Manholes and Pipe Connections	11,330	Complete
Stormwater Detention Basin Drain Hobhouse to Malcombe	181,385	Achieved Practical Completion
Flood Levee Purchase of land adjacent to Union Street levee	25,000	Complete
Preparation of updated Maintenance and Operations Manuals	7,000	Complete
Flood Levee - Flood Pumps Set Up Paton Street	10,000	Complete
Flood Levee Stormwater Improvements Union Street	25,000	Complete
Stormwater Detention Basin Paton Street	100,000	In Progress
Flood Modelling - Longford Flood Mitigation	20,000	Application for NDR Funds approved
Flood Levee Clay/Concrete Interface Works	20,000	Complete
Gravelling of Levee Top	20,000	Works not yet commenced
	<u>\$348,385</u>	

7 RISK ISSUES

Management of Longford flood scheme to minimise flood risks to the Longford community.

8 STATE GOVERNMENT CONSULTATION

Consultation with relevant government departments will be undertaken for the relevant stages of the work, Department of Primary Industries, Parks, Water and Environment (DPIPWE) for the levee permit and State Emergency Services (SES) for the management plans.

9 COMMUNITY CONSULTATION

Consideration to develop information to circulate to residents outlining issues, responses and contacts for a flood emergency including evacuation details.

10 PROGRESS

10.1 Paton Street Detention

Hobhouse Street Drain Connection

Contract finalised \$7,000 defects deposit now available to Council for maintenance.

10.2 Discharge Pumps

Pumps and fittings provided and tested with Paton Street wet well connection installed – action complete. Pump installed at Paton Street for most recent flood event, drainage satisfactory.

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10.3 Finalise Levee Permit and Comprehensive Safety Inspection

Action complete.

10.4 Update Longford Flood Protection Plan

Action complete.

10.5 Develop Flood Evacuation Plan

Completed.

10.6 Flood Modelling

Work is proceeding to assemble the background flood data and land form information as required inputs to the flood modelling assessment. Model assembly to proceed when inputs available.

10.7 Penstock Valves

Penstock Valves: Tender recommendation provided by Council's consultant JMG, awaiting advancement of project by Council management.

10.8 National Disaster Resilience (NDR) Grant

Application complete, refer 10.6 above.

10.9 Levee Maintenance Works Program

10.9.1 *Batter Slopes, Crest Levels and Concrete Levee Interface*

Installation of permanent marks on levees and undertake surface profile survey. Survey data provided and existing levee profile details forwarded to JMG, council authorised Dam Engineers for comment. Report from Dale Luck indicates levee profile generally complies with design requirements. Some minor deficiencies noted, referred to Works & Infrastructure Manager to program remedial action.

10.9.2 *Cracking*

- (i) Arrange for cracking assessment and crack filling.
 - (ii) Levee CH2344-2400 – arrange partial rework.
 - (iii) Movement between levee to be crack filled.
- Work complete.

10.9.3 *Levee Crest, Grass & Vegetation, Vehicle & Stock Damage*

Program for levee topping with gravel to provide vehicle access, removal of weeds, topsoil and re-sow embankments; next stage of work proceeding.

10.9.4 *Concrete Caulking*

Replace and repair as per 1.5.8 of JMG Report
Work complete.

10.9.5 *Railway Crossings*

Replace flexible inserts between rail and concrete.

Progress – Alternative mastic fill at gate installation adopted.

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10.9.6 *Concrete Levee Interface*

Work complete with 12 month maintenance period in progress.

10.9.7 *Stormwater Outfalls*

Update maintenance manual to include flood flap activation assessment.

Timing – ongoing maintenance.

10.9.8 *Drafting*

Complete.

10.10 Audit Report – Tasmanian Community Flood Resilience Project Stage 1

A copy of an “Audit Report – Tasmanian Community Flood Resilience Project Stage 1” received. Advice sought from Mr Dale Luck with fee proposal to consider any implications of this document to the “Longford Flood Protection Action Plan” and comments on the audit report, awaiting response.

RECOMMENDATION 1

That Council receive the report.

DECISION

Cr

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GOV 6 LAUNCESTON AIRPORT AND TRANSLINK PRECINCT MASTER PLAN PROPOSAL

Responsible Officer: Des Jennings – General Manager

Report prepared by: Des Jennings – General Manager

1 PURPOSE

The purpose of this report is to inform Council of the progress of preparing a draft brief for the development of the Launceston Airport and TRANSlink Precinct Master Plan along with advice of an initial meeting with a number of stakeholders to determine if support exists for the project.

2 INTRODUCTION

Identified within the Priority Projects 2014 State Election document Council has listed:

- Study into development of an integrated rail, road, air and sea transport system, including the development of a Western Junction Rail Hub;
- TRANSlink Avenue missing link construction; and
- National Broadband Network to TRANSlink precinct.

Subsequently Officer's, within the Planning and Development department, have prepared a draft brief for the preparation of the Launceston Airport and TRANSlink Precinct Master Plan encapsulating the items identified.

2.1 Background

The Greater Launceston Plan (GLP) acknowledges the significance of this gateway precinct for tourism and freight and includes a major project for the precinct (refer to project C.2 of the GLP).

The GLP seeks to produce an integrated Master Plan for the Launceston Airport and the TRANSlink industrial precinct.

A number of issues currently influencing the development of the Master Plan include, but are not limited to:

- Launceston Airport:
 - Increased passenger numbers, now consistently over 1 million each year.
 - Availability of spare containerised freight capacity.
- Significant ongoing development in the TRANSlink area, particularly in logistics.
- TasRail:
 - Recently introduced new rolling stock.
 - Recently commenced ongoing programme of rail upgrades including extensive sleeper replacement.
- TasPorts:
 - Consolidating operations in Burnie.

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- o Continued efforts to maintain Bell Bay.
 - o Recent push for container port development.
- Linkage to Midland and Bass Highways:
 - o Direct road routes to all major sea ports (Hobart, Burnie, Devonport, Bell Bay).
- Central location to major agricultural production.
- Potential for a number of freight/ logistics companies to relocate from central and suburban Launceston to free up land for commercial/ retail and residential development.

2.2 Objectives

The objective is the preparation of a Master Plan for the Launceston Airport and Translink Precinct to encompass:

- A long term plan to meet the optimal future requirements of the Launceston Airport;
- A coordinated plan for the sustainable consolidation of the TRANSlink precinct as Tasmania's pre-eminent logistics precinct;
- Coordinated access planning to link air and rail access to the national highway network;
- A rail modal interchange project at the junction of the western and main lines;
- A plan for the phased upgrading of Evandale Road south from the Midland Highway junction to Leighlands Road, and the upgrading of Leighlands Road from Evandale Road south to the Midland Highway.

3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following "*Volume 1 – Mapping Our Direction*" goals have relevance to this issue:

Part 1: Governance

- 1.1 Governance
- 1.3 Community Dialogue
- 1.6 Risk Management
- 1.7 Planning Practice
- 1.8 Regional/State/Federal/International Relations
- 1.9 Financial Management.

Part 2: Economic Development

- 2.1 Long term Economic Development
- 2.2 Tourism Industry Support
- 2.3 Business Support.

4 POLICY IMPLICATIONS

There are no policy implications.

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5 STATUTORY REQUIREMENTS

Use and development of land throughout the municipal area is regulated by the *Interim Planning Scheme 2013* pursuant to the *Land Use Planning and Approvals Act 1993*.

It is anticipated that the Master Plan will be incorporated into the Planning Scheme through the introduction of a Specific Area Plan.

Preparation of the Master Plan will have regard to the *Airports Act 1996* (Commonwealth), the *Rail Infrastructure Act 2007*, *Roads and Jetties Act 1935* and the *Highways Act 1951*.

6 FINANCIAL IMPLICATIONS

An assessment of cost implications would be necessary once Council has formally agreed to progress the project and stakeholders have been identified who may also be financial contributors.

7 RISK ISSUES

Risk issues identified:

- Council does not have a clearly defined and articulated master plan that is supported by stakeholders and meets the optimal future requirements of the Launceston Airport.
- A series of priority projects and key initiatives are not identified.
- No coordinated plan for the sustainable consolidation of TRANSlink precinct as Tasmania's preeminent logistics precinct with an integrated access plan linking air and rail access to the national highway network.

8 CONSULTATION WITH STATE GOVERNMENT

The preparation of the Master Plan would necessitate discussion with various state and Australian Government Agencies and requires linkages to be made to the relevant State and Australian government Plans.

9 COMMUNITY CONSULTATION

Community consultation will involve direct contact with stakeholders, local committees, Economic Development Committee, Northern Midlands Business Association and any other relevant committees as well as the community at large.

10 OPTIONS FOR COUNCIL TO CONSIDER

At this time the report is an information report, with exploratory discussions occurring with a number of possible stakeholders, to gauge possible support for the project, which may include financial contributions.

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11 OFFICER'S COMMENTS/CONCLUSION

The preparation of the Launceston Airport and TRANSlinc Precinct Master Plan, was identified within the Priority Projects list as a *"Study into development of an integrated rail, road, air and sea transport system, including the development of a Western Junction Rail Hub"*, clearly a priority of Council.

To progress this project, Council's Senior Planner (Paul Godier) and Planning Development Manager (Duncan Payton) have prepared a draft brief for the project to promote discussion and identify what support, if any, exists external to Council to progress the development of the Master Plan.

Initial discussions have been occurring with possible interested stakeholders to gauge the interest that may exist.

During discussions it has been clearly articulated that Council has made no decision at this time to prepare the Master Plan and that, as Officer's, we are merely seeking to ascertain interest external to Council in working up the proposal.

To this end, Council's Planning and Development Manager, along with the General Manager, will be meeting to discuss the Launceston Airport and TRANSlinc Precinct Master Plan proposal with the following representatives at a joint meeting:

- General Manager, Launceston Airport
- General Manager, Launceston City Council
- Regional Manager North, Department of State Growth
- Executive Officer, Northern Tasmania Development
- Chief Executive Officer, Regional Development Australia (Tasmania)
- Community and Strategic Development, Regional Development Australia (Tasmania)
- Director Aviation Access and Development, Tourism Tasmania.

The meeting will take place at the Launceston Airport on 23 January 2015, with a report to be presented to Council on the outcome of the discussions.

RECOMMENDATION 1

That the matter be discussed.

RECOMMENDATION 2

That the information report be received.

DECISION

Cr

Cr

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GOV 7 LOCAL GOVERNMENT ASSOCIATION OF TASMANIAN (LGAT) – NOMINATIONS FOR NATIONAL PLAN TO REDUCE VIOLENCE AGAINST WOMEN AND THEIR CHILDREN

Attachments: Section 1 – Page 48

Responsible Officer: *Des Jennings –General Manager*
Report prepared by: *Gail Eacher – Executive Assistant*

1 PURPOSE OF REPORT

This report considers correspondence received from the Local Government Association of Tasmania (LGAT), in relation to nominations for a representative to the *National Plan to Reduce Violence against Women and their Children 2010-2022 (the National Plan)* and the implementation of its *Second Action Plan – Moving Ahead 2013-2016*.

2 INTRODUCTION/BACKGROUND

The Local Government Association of Tasmania (LGAT) has been requested to put forward nominations for a representative to support the Tasmanian Government's commitment to the *National Plan to Reduce Violence against Women and their Children 2010-2022 (the National Plan)* and the implementation of its *Second Action Plan – Moving Ahead 2013-2016*.

The Group was established to advise and provide input into the Tasmanian Implementation Plan; and enable sharing of information and advice between government agencies and key non-government organisations; and in June 2012 Council nominated Cr Knowles as the Local Government Association of Tasmania representative to be appointed to the *National Plan to Reduce Violence against Women and their Children Tasmanian Implementation Plan Consultative Group*. Cr Bernadette Black from Kingborough Council is the current LGAT representative on this group.

The National Plan focuses on stopping violence before it happens in the first place, supporting women who have experienced violence, stopping men from committing violence and building the evidence base so that we learn more about 'what works' in reducing domestic and family violence and sexual assault. The Second Action Plan builds on the First Action Plan to channel efforts towards ongoing and new priorities and broaden communication and consultation mechanisms to engage a more diverse range of sectors, groups and communities. An integral part of focusing efforts in the right direction is ensuring that the Tasmanian community has a voice in the implementation of the National Plan.

Membership of the Consultative Group is reviewed annually to ensure members expertise aligns with the priorities of the current three-year Action Plan, with Membership of the Consultative Group undertaken on a voluntary basis.

The Consultative Group comprises both government and non-government members and meets

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up to three times each year and some out of session work may be required by Members.

Nominations, together with a completed Statement in Support of Nomination form (attached), and a current Curriculum Vitae should be forwarded to LGAT by Friday, 6 February 2015.

3 STRATEGIC PLAN 2007-2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following “Volume 1 – Mapping Our Direction” goals have relevance to this issue:

Part 1: Governance

1.8 Regional/State/Federal/International Relations.

4 ATTACHMENTS

4.1 LGAT Correspondence dated 23 December 2014.

4.2 Statement in Support of Nomination.

RECOMMENDATION

That

- a) Council notes the report; and
- b)
 - i) Council supports the Tasmanian Government’s commitment; and
 - ii) Council supports the nomination of Cr as representative to the *National Plan to Reduce Violence against Women and their Children 2010-2022 (the National Plan)* and the implementation of its *Second Action Plan – Moving Ahead 2013-2016*.

OR

- iii) should Cr Knowles wish to nominate, Council supports the nomination of Cr Knowles as representative to the *National Plan to Reduce Violence against Women and their Children 2010-2022 (the National Plan)* and the implementation of its *Second Action Plan – Moving Ahead 2013-2016*.

DECISION

Cr

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GOV 8

BEN LOMOND NATIONAL PARK: ECONOMIC GROWTH IN NORTHERN TASMANIA

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

Deputy Mayor Richard Goss has requested that the item Ben Lomond National Park – Economic Growth in Northern Tasmania, considered by Council at its December Council meeting be brought to the January Council meeting for reconsideration.

The report is similar to that presented to the December meeting.

2 INTRODUCTION/BACKGROUND

Council at its meeting in September 2014 resolved:

That

1. *a Feasibility Study be funded by potential future stakeholders;*
2. *during the next budget review, Council's portion of funding for the Study be identified; and*
3. *a draft consultant's brief be prepared for Council's consideration prior to commencement of the study.*

Since that meeting, the following progress has been made:

- Feasibility Study Steering Committee met to scope the project, with representatives from:
 - Department of State Growth - Cindy Hanson
 - Tasmanian Parks & Wildlife Service - Chris Colley
 - Northern Tasmania Development - Derek Le Marchant
 - Tourism Northern Tasmania - Chris Griffin
 - Northern Midlands Council - Duncan Payton
 - Northern Midlands Council - Lorraine Green
 - Northern Midlands Council - Amanda Mason
 - Northern Midlands Council - Des Jennings
 - RDA Tasmania - Kevin Turner (apology)
 - Ben Lomond Committee - Tony Gray – President (apology)
- The outcomes from the meeting are detailed below:

The following key components were identified:

 - Development of the beginners' slope, and snow play area;
 - Associated requirements for infrastructure upgrades;
 - Marketing;
 - Complimentary summer activities (with the focus being on winter/ snow driven activities).

The following actions were identified:

 - NTD to provide a summary of the existing reports and studies and categorise the issues;

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- Each party will choose an issue and draft questions to be included in the consultant's brief specific to that issue;
 - Focus will be on winter-based attraction, and potential for building on current activity, with complimentary activities in the summer considered;
 - Approach the President of the Ben Lomond Committee and enquire whether data available in respect to current visitation to the mountain;
 - Council to write to Premier Hodgman and Minister Groom seeking contribution to fund feasibility study (noting the following benefits of project – generation of jobs, co-contributions by stakeholders, regional collaboration, distinguish from other and previous projects and level of strategic planning);
 - Scope for the brief to be developed in a fortnight.
- In order to seek funding for the project, Mayor Polley wrote to The Hon. Will Hodgman MP, Premier and Minister for Tourism; and The Hon. Matthew Groom MP, Minister for State Growth, Minister for Energy and Minister for Environment, Parks and Heritage. A response was received on the 25th November 2014 confirming a contribution of \$5,000.
 - The General Manager has written to Mr Tony Gray, President of the Ben Lomond Committee seeking a financial contribution to the study. Advice has been received from Mr Gray committing \$2,500 to the study.
 - A questionnaire has been drafted for existing businesses at the ski village to establish the current commercial situation, and better understand the aspirations of business owners. The questionnaire covers four themes, namely:
 - i) Profitability and associated trends
 - ii) Jobs at the ski village
 - iii) Customers and marketing
 - iv) Aspirations, and perceived opportunities and risksA copy of the questionnaire is attached.
 - The background information will inform consultant's brief and help gain greater benefit from the estimated \$20,000 for the project.
 - Council at its meeting in October 2014 resolved the following:
That Council:
 - i) Endorse the draft Consultant's Brief for a Feasibility Study for the project;
 - ii) Actively seek funding to further the study;
 - iii) Report to the next meeting on the progression in relation to funding promised.
 - Council at its meeting in December 2014 resolved the following:
Cr Polley/Cr Goss
That:
 - i) Council acknowledge the confirmed financial contributions from:

<i>State Growth</i>	<i>\$ 5,000</i>
<i>Ben Lomond Committee</i>	<i>\$ 2,500</i>
<i>RDA Tas</i>	<i>\$ 2,500</i>
<i>NTD</i>	<i>\$ 2,000</i>
<i>Launceston City Council</i>	<i>\$ 2,000</i>
<i>Kate Williams</i>	<i>\$ 1,000</i>
<i>Private Individual</i>	<i>\$ 1,000</i>

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- ii) Council agree to fund the project to a maximum of \$4,000.

Lost

Voting for the motion:

Deputy Mayor Goss, Cr Gordon, Cr Knowles, Cr Polley

Voting against the motion:

Mayor Downie, Cr Adams, Cr Goninon, Cr Lambert

The report is presented to the January Council Meeting to seek approval to progress the project.

Funding position:

Northern Midlands Council	\$ 4,000	Approval sought
Launceston City Council	\$ 2,000	(confirmed by email)
Northern Development Tasmania	\$ 2,000	(confirmed by email)
State Growth	\$ 5,000	(confirmed by letter)
Ben Lomond Committee	\$ 2,500	(confirmed by email)
RDA Tas	\$ 2,500	(confirmed by email)
Kate Williams	\$ 1,000	(confirmed by email)
Private Individual	\$ 1,000	(confirmed by email)
TOTAL	\$ 20,000	

3 STRATEGIC PLAN

The Strategic Plan 2007/2017 (2012/2013 revision) provides the guidelines within which Council operates. The following, “Volume 1 – Mapping Our Direction” goals identified have relevance to this issue:

- **Part 1: Governance**
 - 1.6 Risk Management
 - 1.9 Financial Management
- **Part 2: Economic Development**
 - 2.1 Long Term Economic Development
 - 2.2 Tourism Industry Support
 - 2.3 Business Support

4 POLICY IMPLICATIONS

May set a precedent for Council funding studies on non-council owned land; however, the project has the potential to yield significant economic returns for the region.

5 STATUTORY REQUIREMENTS

Ben Lomond National Park is administered by the Tasmanian Parks & Wildlife Service in accordance with the approved management plan.

Development of dams for snow machines will need approval from the Assessment Committee for Dam Construction (ACDC).

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Development of additional facilities and structures will also require planning approval from Northern Midlands Council.

Buildings and structures will require building and plumbing approval from Northern Midlands Council.

6 FINANCIAL IMPLICATIONS

The cost to fund the proposed Feasibility Study is estimated to be \$20,000.

The amount of the contribution from the State Government is confirmed to be \$5,000. Contributions from the private stakeholders total \$4,500 and RDA contributions \$2,500. Financial contributions from the Launceston City Council (\$2,000), and Northern Tasmania Development (\$2,000) have also been confirmed.

A key part of the proposal is to identify if sufficient economic merit exists to support potential private investment, funding applications to the Commonwealth and State, and Council's contribution.

The participation of all parties has demonstrated a commitment to the initiative and as such it is opportune to make a decision to endorse the project and accept the cost of the feasibility study.

For 2014/2015 Council has received \$15,986.97 in rate income from 27 assessed property owners within the Ben Lomond National Park.

It is understood that in previous years a Ben Lomond Infrastructure Committee existed which received a refund in rates of approximately \$6,000 to assist with infrastructure improvements.

7 RISK ISSUES

Identified risk issues include:

- Council funds a project without an understanding of the advantages and disadvantages of the proposal, inclusive of cost benefit findings.
- The funds allocated for the Feasibility Study are insufficient.
- The scope of the project is deficient

8 CONSULTATION WITH GOVERNMENT

Council's officers are working closely with officers from Department of State Growth, the Tasmanian Parks and Wildlife Service, and Regional Development Australia (Tasmania).

9 COMMUNITY CONSULTATION

State Growth/ Parks & Wildlife/ Council representatives will initiate the collection of information on current commercial activity, via in-person survey of individual commercial operators. NTD will assemble a summary of previous reports and studies. The information

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collected will be made available to the consultant as part of a background paper.

The consultant will be expected to undertake separate, additional community consultation.

10 OPTIONS FOR COUNCIL TO CONSIDER

There are two options for Council to consider:

- i) Take no action
- ii) Endorse the Project Brief

11 OFFICER'S COMMENTS/CONCLUSION

The proposal is not new to Council, but for Council and the State to consider a greater commitment to the project, a Feasibility Study is necessary to give Council the confidence or otherwise to support a funding application and a financial contribution to the project.

The commitment of Parks & Wildlife and State Growth has been significant with the provision of resources to Council with the preparation of the brief; time allocated to preparing the questionnaire; the actual collection; and compilation of the data.

Tony Gray, President of the Ben Lomond Committee, has provided the following comment dated 1 December 2014:

The Ben Lomond Committee (BLC) believes that greater awareness of Ben Lomond at a local, state and federal level and the benefits from some targeted infrastructure spending and maintenance will have sound economic and social benefits for the region.

We expect that the Northern Midland Council's feasibility study will quantify the benefits and costs to a degree that will justify greater public investment in snow-related infrastructure and assist with the necessary private sector spending to improve the visitation rate, quality of experience and economics of operating a winter resort. Specifically, we expect the study will build on the already significant work undertaken by Parks & Wildlife's Ski Slopes Plan 2010 and help prioritise future spending. An improved snow experience and expanded capacity to handle larger numbers on the slopes leverages the existing significant infrastructure developed over the years by the lodges and commercial operators. We also expect the benefits will spill over to greater year-round visitation to the Ben Lomond National Park - which has the potential to become an iconic destination in Northern Tasmania.

Confirmed stakeholder funds from the State, Launceston City Council, Northern Tasmania Development, RDA Tas and private partners totals \$16,000. The contribution sought from council is up to \$4,000.

The study will identify whether there are options for enhancing ski and year round activity at Ben Lomond National Park, with sufficient economic merit to support potential private investment and funding applications to the Commonwealth and State.

The 2010 Ski Slope Plan, Parks & Wildlife Report is a key strategic document and contains significant technical detail which would be critical to this project. However, the Ski Slope Plan does not include cost estimates for recommended activity or likely benefit arising from these

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activities. The aim of this project is to quantify and/or qualify these costs and benefits to inform public and private investment decision making. Without this it is difficult to see how the Ski Slope Plan will be progressed.

The Ski Slope Plan is a strategic document while the proposed Feasibility Study will examine whether it is worthwhile investing in actions identified in that strategy.

Support by the Northern Midlands Council is paramount for the following reasons:

- Advice from a number of the agreed funding partners confirms that they would not continue to support the project if Council does not recognise the merits of the project.
- This project is of regional significance which is borne out by the partners who have agreed to contribute financially, recognising that the Northern Midlands Council is a significant contributor to the region and State.
- Council is establishing workable relationships with a number of significant parties.
- The project may promote significant economic development in the region.
- Future funding from the Commonwealth or State would only be successful if the applicant can demonstrate how a project contributes to economic growth in the region.

A particular fund source that has been identified is the National Stronger Regions Fund, which has a number of criteria that must be met when applying for funds, whereby, the applicant must demonstrate how the project contributes to economic growth in the region.

Economic benefit relates to those benefits generated by new or improved infrastructure and can be described in terms of the ability to generate additional income through more efficient use of resources and improved trade opportunities. Including:

- More efficient use of resources;
- Increases to productivity or capacity;
- Creation of direct and indirect employment beyond the construction phase of the project; and
- The extent to which the project halts a mooted or foreseen decline in a region, or otherwise stems a decline in employment, operating businesses, output or populations.

The above criteria support the need for a Cost-Benefit Analysis, identifying if sufficient economic merit exists to support potential private investment, funding applicants to the Commonwealth and State.

The Northern Midlands Council is a regional leader. Regional leaders demonstrate resourcefulness and resilience, and build and maintain strong networks of support. This project demonstrates a commitment to the local community, the region and the state, identified by the partners that are prepared to participate with time and funds.

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RECOMMENDATION 1

That the matter be discussed by Council.

RECOMMENDATION 2

That:

i) Council acknowledge the confirmed financial contributions from:

Launceston City Council	\$ 2,000
Northern Tasmania Development	\$ 2,000
State Growth	\$ 5,000
Ben Lomond Committee	\$ 2,500
RDA Tas	\$ 2,500
Kate Williams	\$ 1,000
Private Individual	\$ 1,000

ii) Council agree to fund the project to a maximum of \$4,000.

DECISION

Cr

Cr

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GOV 9 WEST PERTH DRAINAGE STUDY: REQUEST FOR UPGRADE TO THE DRAINAGE SYSTEM AS IDENTIFIED

Attachments: Section 1 – Page 51

Responsible Officer: Des Jennings – General Manager
Report prepared by: Amanda Mason – Executive Officer,
Wayne Chellis – Works & Infrastructure Manager,
Terry Eaton – Engineer

1 PURPOSE OF REPORT

The purpose of the report is to consider correspondence received by Colin Smith, Registered land Surveyor, agent for Holliejet Investments Pty Ltd, who are seeking the implementation of the upgrade to the drainage system identified in the West Perth Drainage Study. A copy of the correspondence is attached.

2 INTRODUCTION/BACKGROUND

Council at its meeting on the 16th of May 2011 adopted the Perth Drainage Study Report, April 2011.

The actual resolution adopted on the 16th of May 2011 is detailed below:

Cr Calvert/Deputy Mayor Downie

That Council:

- i) Adopt the report.*
- ii) Approve of the advancement of the administrative and consultative processes to provide for the reduction of the flood risk in the west Perth drainage area.*
- iii) Approve of listing the required improvements for budget consideration, prioritised as follows:*
 - (1) Drummond Street culvert – DIER contribution to be sought;*
 - (2) Upgrade channel – remove old bridge structure and reshape channel at Norfolk Street.*
 - (3) Install new culvert at rail line – DIER/ Rail authority contribution to be sought, with channel improvements between Norfolk Street and rail line.*
 - (4) Install culvert at Youl Main Road with channel to new rail line culvert.*
 - (5) Install additional culvert at Edward Street with channel to new Youl Main Road culvert.*
 - (6) Upgrade channel between Edward Street and Phillip Street, this work to proceed consistent with legal advice as to the most effective means to achieve and provide the ongoing maintenance of the drain.*

Carried unanimously

3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following “Volume 1 – Mapping Our Direction” goals have relevance to

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this issue:

- Part 1 – Governance
 - 1.5 – Risk Management
 - 1.8 – Regional / State relations
 - 1.9 – Financial Management
 - 1.13 – Asset Management
- Part 2 – Economic Development
 - 2.1 – Long Term Economic Development
- Part 5 – Physical Assets
 - 5.2 – Hydraulic Infrastructures (Stormwater)

4 POLICY IMPLICATIONS

Provide guidance for development controls for an area subject to some flooding.

Provides guidance to Council to prioritise stormwater facility upgrades.

5 STATUTORY REQUIREMENTS

Consistent with Council's "duty of care" and the provisions of the Urban Drainage Act 2013 to minimise the impact of flooding on urban properties.

6 FINANCIAL IMPLICATIONS

Guide costs for the assessed upgrades and suggested upgrade priority is:

			Total
Drummond Street Culvert			
◆ Construction Costs	\$	106,000	
◆ Design and Documentation	\$	8,200	
◆ Contingency Allowances	\$	25,000	\$ 139,200
Old Cemetery Road			
◆ Construction Costs	\$	21,600	
◆ Design and Documentation	\$	1,500	
◆ Contingency Allowances	\$	5,000	\$ 28,100
Western Rail Culvert			
◆ Construction Costs	\$	57,000	
◆ Design and Documentation	\$	4,500	
◆ Contingency Allowances	\$	12,600	\$ 74,100
Youl Road			
◆ Construction Costs	\$	72,000	
◆ Design and Documentation	\$	5,600	
◆ Contingency Allowances	\$	16,000	\$ 93,600

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Edward Street

◆ Construction Costs	\$	53,000	
◆ Design and Documentation	\$	4,000	
◆ Contingency Allowances	\$	11,800	\$ 68,800

Channel Upgrade (Edward Street to Norfolk Street)

◆ Construction Costs	\$	44,800	
◆ Design and Documentation	\$	1,500	
◆ Contingency Allowances	\$	11,900	\$ 58,200

Total	\$	462,000
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7 RISK ISSUES

Identified risk issues include:

- At present there is a risk to public safety during times of major flood events when roadways are submerged. Upgrading of the drainage facilities will minimise the likelihood of road surface flooding.
- Council takes no action to minimise the likelihood of road surface flooding and the development of parcels of land for residential subdivision purpose are lost.
- The improvements to the stormwater infrastructure are made and the area is hit with events greater than what it was designed for.
- The Council does not equitably distribute the cost of the stormwater improvements to the individuals that receive a direct benefit.

8 CONSULTATION WITH STATE GOVERNMENT

Discussion will be necessary with TasRail and the Department of State Growth (DIER).

9 COMMUNITY CONSULTATION

Affected property owners will be consulted.

10 OPTIONS FOR COUNCIL TO CONSIDER

There are three options for Council to consider:

- i) Take no action;
- ii) Progress the adopted resolution from May 2011 and receive a report back;
- iii) Review the costings and assess the various options for the distribution of those costs proportionally to Council and the properties directly impacted within the catchment area.

11 OFFICER'S COMMENTS/CONCLUSION

The site has been viewed by Mr Cameron Oakley (Hydrodynamica); Mr Oakley is preparing the TRANSlink Stormwater Management reports.

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Mr Oakley is also in the process of preparing a study/design brief to review previous hydraulic analysis and to design the culvert upgrades. Some variation is expected in the previous costings and possible changed drainage works. Mr Oakley has given priority to the TRANSlink works but has indicated that a brief will be provided in the near future and is likely to have a report to the February Council meeting.

12 ATTACHMENTS

- 12.1 Letter from Woolcott Surveys to the Mayor and Councillors dated 18 November 2014.
- 12.2 Letter from Woolcott Surveys to the General Manager dated 6 January 2014.
- 12.3 Perth Development Plan (May 2012).

RECOMMENDATION 1

That the matter be discussed.

RECOMMENDATION 2

That Council receive a further report on the upgrade of the Drainage System at West Perth no later than the March Council meeting.

DECISION

Cr

Cr

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GOV 10 LAUNCESTON AIRPORT PRELIMINARY DRAFT MASTER PLAN 2015

Attachments: Section 1 – Page 106

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

1 PURPOSE OF REPORT

This report provides Council with the executive summary of the Master Plan (attachment), and seeking comments/feedback so that a submission can be made prior to 30 January 2015.

2 INTRODUCTION/BACKGROUND

The Launceston Airport's 2015 Preliminary Draft Master Plan outlines their vision and strategic intent for Launceston Airport's future for the next 20 years.

3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following "*Volume 1 – Mapping Our Direction*" goals have relevance to this issue:

Part 1: Governance

- 1.3 Community Dialogue
- 1.4 Community Agenda
- 1.7 Planning Practice
- 1.8 Regional/State/Federal/International Relations

Part 2: Economic Development

- 2.1 Long term Economic Development
- 2.2 Tourism Industry Support
- 2.3 Business Support.

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

Airport Act 1996

Environmental Protection and Biodiversity Conversation Act 1999

Launceston Airport must also comply with State environmental legislation to the extent that its activities impact surrounding Tasmanian land and waterways.

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6 FINANCIAL IMPLICATIONS

No financial implications have been identified as comment is sought on the draft master plan.

7 RISK ISSUES

Council fails to take up an opportunity to comment on a master plan of significant importance for a facility and service of regional, state and national importance.

Council fails to acknowledge the linkages between the airport and its expansion and freight facility, with the need to integrate those plans into the proposed Launceston Airport and TRANSLink Precinct Master Plan.

8 CONSULTATION WITH STATE GOVERNMENT

N/A/

9 COMMUNITY CONSULTATION

N/A.

10 OPTIONS FOR COUNCIL TO CONSIDER

- To take no action.
- To provide comment on the master plan.

11 OFFICER'S COMMENTS/CONCLUSION

There are five key differences between the 2015 Launceston Airport Preliminary Master Plan and the 2009 Launceston Airport Master Plan. Those differences are:

- the 2015 Master Plan includes, for the first time, a Ground Transport Plan;
- the 2015 Master Plan is, for the first time, incorporating the Airport's Environment Strategy;
- the 2015 Master Plan includes an Australian Noise Exposure Forecast, including an updated Long Range noise forecast and noise N contours;
- an Operational Support and Long Term Freight Precinct is included in the 2015 Master Plan which looks at decommissioning the grass runway to facilitate increased provision of land for operational support and long term freight; and
- the 2015 Master Plan also looks at the creation of a precinct to protect the requirements of terminal expansion.

The Northern Midlands Council was given the opportunity to make submissions in respect to the 2009 Launceston Airport Preliminary Master Plan. In a letter dated 10 August 2009 Mayor Polley advised Launceston Airport that the Northern Midlands Council fully supported the plan.

It is noted that plans to expand the freight facilities at the Launceston Airport is positive development for the area.

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12 ATTACHMENTS

12.1 Executive Summary from Launceston Airport Master Plan 2015 – Preliminary Draft.

RECOMMENDATION 1

That the matter be discussed.

RECOMMENDATION 2

That Council

- i) supports the Launceston Airport Plan; and
- ii) recognises that the Launceston Airport is an integral stakeholder in the proposed Launceston Airport and TRANSLink Precinct Master Plan.

DECISION

Cr

Cr

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CORP 1 MONTHLY FINANCIAL STATEMENT

Attachments: Section 1 – Page 109

File: Subject 24/023

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 31st December 2014.

2 INTRODUCTION/BACKGROUND

The Corporate Services Manager circulated a copy of the Monthly Financial Statements for the period ended 31st December 2014.

Council's bank balance as at 31st December 2014 totals \$10,248,797 including \$9,874,646 investments which has earned \$152,736 interest to date.

Rates raised in 2014-15 amounts to \$9,015,374 there has been \$7,249,296 collected during the year (including some arrears) leaving 27.13 percent unpaid which compares to 27.25 percent at the same time last year.

3 ALTERATIONS TO 2014-15 BUDGET

The following alteration to the 2014-15 Budget is provided for Council consideration and approval (by absolute majority).

- No items for December 2014.

The following alteration has been approved by the General Manager under delegation:

- No items for December 2014.

4 OFFICERS COMMENTS

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

5 ATTACHMENTS

- 5.1 Bank Reconciliation to 31st December 2014
- 5.2 Schedule of Investments to 31st December 2014
- 5.3 Summary of Rates & Charges to 31st December 2014
- 5.4 Income & Expenditure Summary to 31st December 2014
- 5.5 Account Management Report to 31st December 2014.

RECOMMENDATION

That Council receive and note the Monthly Financial Report for the period ending 31 December 2014.

DECISION

Cr

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CORP 2 POLICY REVIEW: POLICY 1 – ACCOUNTING

Report prepared by: Maree Bricknell – Corporate Services Manager

1 PURPOSE OF REPORT

The purpose of this report is to review Council's Accounting Policy.

2 INTRODUCTION/BACKGROUND

Council last amended its Accounting Policy in September 2009.

In summary the Accounting Policy sets out the parameters for the preparation of the general purpose financial report which is prepared in accordance with Australian Accounting Standards, including Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board and the Local Government Act 1993 (as amended).

Council's Audit Committee endorse the proposed changes to the Accounting Policy.

3 STRATEGIC/OPERATIONAL PLAN

The Strategic Plan states that Council will pursue on-going development of policies and programs directed at improving performance in strategic direction, leadership, engagement, efficiency, viability and sustainability.

4 POLICY IMPLICATIONS

The policy implementation has financial and reputation effects on Council.

5 STATUTORY REQUIREMENTS

The Local Government Act and Accounting Standards regulate the majority of the annual financial report and therefore this policy review.

6 FINANCIAL IMPLICATIONS

The accurate disclosure of Council's financial situation is of high importance to all stakeholders.

7 CONSULTATION WITH STATE GOVERNMENT

The financial report is audited by the Tasmanian Audit Office.

8 COMMUNITY CONSULTATION

There are provisions under the Local Government Act for Council to hold an Annual General Meeting to present the financial report to all stakeholders.

9 RISK ISSUES

The risk issues are minimised by the Tasmanian Audit Office providing an independent audit opinion on its implementation.

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10 OFFICERS COMMENTS

The policy reflects the notes to the annual financial statements for 2013/14.

At the last meeting the following decision was made to allow for further information.

Cr Knowles/Cr Goninon

That the matter be deferred to January 2015.

Carried unanimously

RECOMMENDATION

That Council endorse the amended Policy 1, as follows.

DECISION

Cr

Policy 1 ACCOUNTING

POLICY NUMBER	1
OBJECTIVE	The general purpose financial report will be prepared in accordance with Australian Accounting Standards, including Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board and the Local Government Act 1993 (as amended).
STATUTORY AUTHORITY	Section 84 of the Local Government Act 1993.
POLICY	Adopted 30 June 1994, Amended 12 March 2002 Amended 24 April 2006 – Minute No. 137/06 Amended 21 September 2009 – Minute No. 255/09 Amended 19 January 2015 – Minute No.

POLICY

1. Basis of Accounting

Council's financial report is a general purpose financial report that consists of the Statements of Comprehensive Income, Financial Position, Changes in Equity, Cash Flows, and notes accompanying the financial statements. The general purpose financial report will comply with Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board, and the Local Government Act 1993 (as amended).

The general purpose financial reports of Council will be prepared under the historical cost convention, as modified by the revaluation of certain classes of property, plant and infrastructure.

Management is required to make judgements, estimates and assumptions about carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and various other factors that

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are believed to be reasonable under the circumstance, the results of which form the basis of making the judgements. Actual results may differ from these estimates.

The estimates and underlying assumptions will be reviewed on an ongoing basis. Revisions to accounting estimates will be recognised in the period in which the estimate is revised if the revision affects only that period or in the period of the revision and future periods if the revision affects both current and future periods.

Judgements made by Council that have significant effects on the Financial Report will be disclosed in the relevant notes as follows:

- *Fair Value of Property Plant & Infrastructure*
Assumptions and judgements are utilised in determining the fair value of Council's property, plant and infrastructure including useful lives and depreciation rates. These assumptions are discussed at Points 5 and 6.
- *Defined benefit superannuation fund obligations*
Actuarial assumptions will be utilised in the determination of Council's defined benefit superannuation fund obligations.
- *Employee entitlements*
Assumptions will be utilised in the determination of Council's employee entitlement provisions. These assumptions are discussed at Point 11.
- *Investment in Water Corporation*

Assumptions utilised in determination of Council's valuation of its investment in TasWater are discussed at Point 9.

2. Local Government Reporting Entity

All funds through which Council controls resources to carry out its functions have been included in the financial report.

In the process of reporting on the Northern Midlands Council as a single unit, all transactions and balances between those funds (e.g. loans and transfers) have been eliminated. The recording of transactions and balances for internal borrowings has been eliminated.

3. Defining Activities

Activities of Council are classified into the following functions:

i) Governance

The provision of elected representation, executive support, emergency management, strategic planning and public relations.

ii) Infrastructure & Works

The provision of engineering, waste management, maintenance and construction works of Council infrastructure and facilities.

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iii) Corporate Services

The provision of financial and information management to other functional areas of Council.

iv) Planning & Development

The provision of:

- Land Use Planning
- Building Services
- Public and Environmental Health
- Urban Design
- Environmental & Natural Resources

v) Economic & Community Development

The provision of:

- Economic & Tourism Development
- Education
- Social (Human) Services
- Recreation

4. Revenue Recognition

Revenue is measured at the fair value of the consideration received or receivable. Revenue is measured on major income categories as follows:

i) Rates, grants and contributions

Rates, grants, donations and other contributions (including developer contributions) will be recognised as revenues when Council obtains control over the assets comprising these receipts.

Control over assets acquired from rates will be obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

Control over granted assets will be normally obtained upon their receipt or upon prior notification that a grant has been secured.

Donations and other contributions that are not subject to accompanying conditions that they be expended in a particular manner or for a particular purpose will be recognised as revenue in the reporting period when Council obtains control over the assets comprising the contributions and donations.

Non-monetary contributions (including developer contributions) with a value in excess of the recognition thresholds, will be recognised as revenue and as non-current assets. Non-monetary contributions below the thresholds will be recorded as revenue.

ii) User charges

User charges and fines will be recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs. A provision for impairment of debts is recognised when collection in full is no longer probable.

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iii) Sale of property, plant and Infrastructure

The profit or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer.

iv) Interest and rents

Interest and rents will be recognised as revenue on a proportional basis when the payment is due, the value of the payment is notified, or the payment is received, whichever first occurs.

5. Expense Recognition

Expenses will be recognised in the Statement of Comprehensive Income when a decrease in future economic benefits related to a decrease in asset or an increase of a liability has arisen that can be measured reliably.

(i) Employee benefits

Employee benefits include, where applicable, entitlements to wages and salaries, annual leave, sick leave, long service leave, superannuation and any other post-employment benefits.

ii) Depreciation of Property, Plant & Infrastructure

Buildings, land improvements, plant, infrastructure and other assets having limited useful lives will be systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values will be made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods will be reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are to be assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not to be depreciated on the basis that they are assessed as not having a limited useful life.

Land is not depreciated.

Straight line depreciation will be charged based on the residual useful life as determined each year.

Major depreciation periods to be used are listed below:

Asset	Life (Years)
Land	Unlimited
Land Under Roads	Unlimited
Buildings	100
Flood Levee Infrastructure - Depreciable Component	100
- Non-Depreciable Component	Unlimited
Furniture, Fittings, Office Equipment & Computers	2 – 20
Fleet	2 – 20
Heritage Assets - Depreciable Component	20 - 100
- Non-Depreciable Component	Unlimited
Plant	10

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Asset		Life (Years)
Roads Infrastructure	- Depreciable Component	10 – 100
	- Non-Depreciable Component	Unlimited
Bridges		30 – 100
Stormwater & Drainage		80 – 100

iii) Repairs & Maintenance

Routine maintenance, repair costs, and minor renewal costs will be expensed as incurred. Where repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

6. Recognition and Measurement of Assets

i) Assets

The Council controls and owns assets that are required to provide the services for which it has responsibility. These assets include:

- land,
- buildings,
- fleet,
- plant and infrastructure; i.e. roads, bridges and stormwater.

ii) Land Under Roads

Council has elected not to recognise land under roads prior to the 1st of July 2008 as an asset in accordance with AASB 1051 Land under Roads. Council has accounted for land under roads acquired subsequent to 1 July 2008 at fair value and will continue to recognise newly acquired land under road assets on the same basis.

iii) Acquisition and Recognition

The cost method of accounting will be used for the initial recording of all acquisitions of assets.

'Cost' represents the fair value of these assets given as consideration plus costs incidental to their acquisition (including architects fees, engineering design fees, and administration charges and all other costs incurred) in getting the asset ready for use.

Property, infrastructure, plant and equipment received in the form of contributions, will be recognised as assets and revenues at fair value by Council valuation where that value exceeds the recognition thresholds for the respective asset class. Fair value is the price that would be received to sell the asset in an orderly transaction between market participants at the measurement date.

In determining the cost of non-current assets constructed by the Council, 'Cost' includes all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overheads. The cost of all materials includes all consulting and engineering fees.

Non-monetary assets received in the form of grants or donations will be recognised as

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assets and revenues at their fair value at the date of receipt.

'Fair value' means the amount for which an asset could be exchanged between a knowledgeable, willing buyer and a knowledgeable, willing seller in an arms length transaction. In relation to infrastructure assets it is represented by depreciated replacement cost.

Council applies a capitalisation threshold and assets purchased or constructed with a value less than this threshold will be charged to the Statement of Comprehensive Income in the year of purchase (Other than where they form part of a group of similar items which are material in total).

The following classes of assets are to be recognised in the general purpose financial reports of Council, the threshold limits detailed below will be applied when recognising assets within an applicable asset.

Asset	Threshold \$
Land	Nil
Land Under Roads	Nil
Buildings	5,000
Flood Levee Infrastructure	5,000
Furniture, Fittings, Office Equipment & Computers	1,000
Fleet	1,000
Plant	1,000
Roads Infrastructure	5,000
Bridges	5,000
Stormwater & Drainage	5,000
Heritage Assets	1,000

iv) Valuation of Non-Current Assets

Subsequent to the initial recognition of assets, non-current physical assets, other than asset categories listed in the table below as at cost, will be measured at their fair value in accordance with AASB 116 Property, Plant and Equipment and AASB 13 Fair Value Measurement. At balance date, Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset class materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date the class of asset will be revalued.

In addition, Council undertakes a formal revaluation of land, buildings and infrastructure assets on a regular basis to ensure valuations represent fair value. The valuation is performed either by experienced Council officers or independent experts.

Where the assets are revalued, the revaluation increments will be credited directly to the asset revaluation surplus except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements will be recognised as an expense except where prior increments are included in the asset revaluation surplus for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets,

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revaluation increments and decrements within the year are to be offset.

Land under roads acquired after 30 June 2008 brought to account at cost and subsequently revalued on a fair value basis. Council does not recognise land under roads that it controlled prior to that period.

Council has adopted the following valuation basis for its non-current assets:

Asset	Valuation basis
Land	Fair value
Land Under Roads	Fair value
Buildings	Fair value
Flood Levee Infrastructure	Cost
Furniture, Fittings, Office Equipment & Computers	Cost
Fleet	Cost
Plant	Cost
Roads Infrastructure	Fair value
Bridges	Fair value
Stormwater & Drainage	Fair value
Heritage Assets	Cost

v) Impairment of Assets

At each reporting date, Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the asset's carrying value. Any excess of the asset's carrying value of its recoverable amount is expensed to the Statement of Comprehensive Income, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation reserve in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

Assets that have an indefinite useful life will not be subject to amortisation and will be tested annually for impairment. Assets that are subject to amortisation will be reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use.

For non-cash generating assets of Council such as roads, bridges, stormwater & drainage and the like, value in use is represented by the deprival value of the asset approximated by its written down replacement cost.

vi) Maintenance vs Capitalisation

Officers of the Council will determine at the occurrence of an event whether to capitalise or expense costs incurred in property, plant and infrastructure. The following formula is provided as a guide, "maintenance, repair costs and minor renewals will be charged as expenses as incurred unless their total value exceeds 10% of the written down current value and increases the economic life by more than 10%".

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7. Cash & Cash Equivalents

Cash and cash equivalents includes cash on hand, deposits at call with financial institutions, other short-term, highly liquid investments with maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of change in value. Cash equivalents are held for the purpose of meeting short-term cash commitments rather than for investment or other purposes.

8. Inventories

Inventories held for distribution will be measured at cost adjusted when applicable for any loss of service potential.

9. Investment in Water Corporation

Council's investment in TasWater will be valued at its fair value at balance date. Fair value will be determined by using Council's ownership interest against the water corporation's net asset value at balance date based on the Final Treasurer's Allocation Order in 2011. Council has an ownership interest of 2.52% in the corporation.

Any unrealised gains and losses on holdings at balance date will be recognised through the Statement of Comprehensive Income to a Financial assets available for sale Reserve each year

Council classifies this asset as an Available-for-Sale financial asset as defined in AASB 139 Financial Instruments: Recognition and Measurement and follows AASB 132 Financial Instruments: Presentation and AASB 7 Financial Instruments: Disclosures to value and present the asset in the financial report.

10. Trust Funds

The financial reports of the Council will incorporate only those items over which the Council has control.

Amounts received as tender deposit and retention amounts controlled by Council will be included in the amount disclosed as creditors with current liabilities until they are refunded or forfeited.

11. Employee Benefits

i) Short Term Obligations

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulating sick leave expected to be wholly settled within 12 months after the end of the period in which the employees render the related service will be recognised in respect of employees' services up to the end of the reporting period and will be measured at the amounts expected to be paid when the liabilities are settled. The liability for annual leave will be recognised in the provision for employee benefits. All other short-term employee benefit obligations will be presented as payables.

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ii) Other long term employee benefit obligations

The liability for long service leave and annual leave which is not expected to be wholly settled within 12 months after the end of the period in which the employees render the related service will be recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the end of the reporting period using the projected unit credit method. Consideration is to be given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments will be discounted using market yields at the end of the reporting period on national government bonds with terms to maturity and currency that match, as closely as possible, the estimated future cash outflows.

The obligations will be presented as current liabilities in the statement of financial position if Council does not have an unconditional right to defer settlement for at least twelve months after the reporting date, regardless of when the actual settlement is expected to occur.

iii) Retirement benefit obligations

All employees of the Council are entitled to benefits on retirement, disability or death. Council contributes to various defined benefit plans and defined contribution plans on behalf of its employees.

Defined benefit plans

A liability or asset in respect of defined benefit superannuation plans would ordinarily be recognised in the statement of financial position, and measured as the present value of the defined benefit obligation at the reporting date plus unrecognised actuarial gains (less unrecognised actuarial losses) less the fair value of the superannuation fund's assets at that date and any unrecognised past service cost. The present value of the defined benefit obligation is based on expected future payments which arise from membership of the fund to the reporting date, calculated annually by independent actuaries using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. However, when this information is not reliably available, Council accounts for its obligations to defined benefit plans on the same basis as its obligations to defined contribution plans i.e as an expense when it becomes payable.

Council makes superannuation contributions for a number of its employees to the Quadrant Defined Benefits Fund, which is a sub fund of the Quadrant Superannuation Scheme. The Quadrant Defined Benefits Fund has been classified as a multi-employer sponsored plan. As the Fund's assets and liabilities are pooled and are not allocated by employer, the Actuary is unable to allocate benefit liabilities, assets and costs between employers. As provided under paragraph 32(b) of AASB 119 Employee Benefits, Council does not use defined benefit accounting for these contributions.

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Defined contribution plans

Contributions to defined contribution plans will be recognised as an expense as they become payable. Prepaid contributions will be recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

iv) Sick Leave

Council does not recognise a liability for sick leave because such leave is non-vesting and because it is probable that sick leave expected to be taken in future reporting periods will be less than entitlements which are expected to accrue in those periods. Employees receive 10 days sick leave per year.

v) Rostered Days Off

A liability for accrued rostered days off is recognised at the current rates of pay including related oncosts, for expected future payments to be made in respect of accruals by employees of the Council.

12. Accruals/Prepayments

Accruals and Prepayments will be recognised in accordance with generally accepted accounting practices with materiality a major factor in determining their applicability.

13. Net Fair Values of Financial Assets & Liabilities

Net fair values of financial instruments will be determined on the following basis:

- *Monetary financial assets and liabilities* - carrying amounts of trade debtors, trade creditors and accruals (which approximates net market value).
- *Interest bearing loans* – will be carried at their principal amount, which represents the present value of future cash flows associated servicing the debt. Interest is accrued.

14. Significant Business Activities

The Local Government Act requires the reporting of operating capital and competitive neutrality in respect of each significant business activity undertaken by Council

Council has determined, based upon materiality, that Road Infrastructure is Council's only significant business.

15. Leases

Operating leases as lessee

Leases in which a significant portion of the risks and rewards of ownership are not transferred to Council as lessee will be classified as operating leases. Payments made under operating leases (net of any incentives received from the lessor) will be charged to the income statement on a straight-line basis over the period of the lease.

Council leases several parcels of Crown land under lease agreements with the State Government. These leases, in general, do not reflect commercial arrangements, are long-term and have minimal lease payments. Crown land is recognised as an asset in the

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Statement of Financial Position and carried at fair value when Council establishes that (i) it has control over the land and (ii) it will derive economic benefits from it.

Operating leases as lessor

Council is a lessor and enters into agreements with a number of lessees. These include commercial and non-commercial agreements.

Where leases are non-commercial agreements, these are generally with not for profit, such as sporting, organisations. In these cases subsidised or peppercorn rents are charged because Council recognises part of its role is community service and community support. In these situations, Council will record lease revenue on an accruals basis and the associated properties as part of land and buildings within property, plant and equipment. Buildings will be recognised at depreciated replacement cost.

Where leases are commercial agreements, but properties leased are part of properties predominantly used by Council for its own purposes, Council will record lease revenue on an accruals basis and will record the associated properties as part of land and buildings within property, plant and equipment. Buildings will be recognised at depreciated replacement cost.

16. Taxation

Council is exempt from all forms of taxation except Fringe Benefits Tax, Payroll Tax and Goods and Services Tax.

Revenues, expenses and assets will be recognised net of the amount of goods and services tax (GST), except where the amount of GST incurred is not recoverable from the Australian Tax Office (ATO). In these circumstances the GST will be recognised as part of the cost of acquisition of the asset or as part of an item of the expense.

Receivables and payables will be stated with the amount of GST included.

The net amount of GST recoverable or payable to the ATO will be included as a current asset or current liability in the statement of financial position.

Cash flows will be included in the statement of cash flows on a gross basis. The GST components of cash flows arising from investing and financing activities which are recovered from, or paid to, the ATO will be classified as operating cash flows.

17. Contingent Assets, Contingent Liabilities and Commitments

Contingent assets and contingent liabilities will not be recognised in the Statement of Financial Position, but will be disclosed by way of a note and, if quantifiable, will be measured at nominal value. Contingent assets and liabilities will be presented inclusive of GST receivable or payable respectively.

Commitments will not be recognised in the Statement of Financial Position. Commitments will be disclosed at their nominal value inclusive of the GST payable.

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CORP 3 ANNUAL GENERAL MEETING: MOTION WITHOUT NOTICE – ANNUAL FINANCIAL STATEMENTS: TRADE & OTHER RECEIVABLES

Report prepared by: Maree Bricknell - Corporate Services Manager

1 PURPOSE OF REPORT

At the Annual General Meeting Mr Michael Salhani of 5 William Street at Perth presented a motion without notice as follows:

My question concerns the statement made on page 37 of the financial report for 2013-2014 indicating there is a substantial outstanding debtor of NMC and yet council has made no provision in the accounts for this item.

It is common knowledge although not confirmed officially by council that:

- this item is disputed by the debtor i.e. Launceston Airport operator/owners and that to-date council has failed to recover the debt.*
- this item/debt is also incurred in this financial year accounts and will in the next financial year accounts an also possibly with no prospect of recovery.*
- this item/debt will have a significant impact on council's future operating cash flows.*

Will council confirm the amount outstanding in the annual report, what legal or other action has it taken to recover the debt and what is the status of future obligations of Launceston Airport in respect of this item? ...

Mayor Downie advised at the AGM that Council was unable to publically confirm the amount outstanding, what legal or other action had been taken to recover the debt and the future obligations of the debtor in respect of the item queried.

It is now further advised that

- Council has referred the motion to the Tasmanian Audit Office for comment.
- Council is provided ongoing legal advice from lawyer Shaun McElwaine regarding the recovery of debts.
- Commercial leased property has an obligation to make rate equivalent payments to Council.

The Tasmanian Audit Office has provided the following comment on this matter:

...

***Recoverability of debts** – the fact that there is a significant exposure to an individual rate debtor doesn't necessarily mean that the debtor needs to be provided for, or impaired. The Note clearly states that the council has not done this because it is confident of full recovery. AASB 136 Impairment is only triggered if there are indicators of impairment which would then force you to assess the recoverable amount. Being a large amount isn't in itself a trigger. Para 12 of AASB 136 provides some possible indicators.*

...We also have accepted that Northern Midlands management expects the amount to be fully recoverable under this premise. While this sort of dispute represents a trigger, it doesn't automatically result in a provision. As we have completed the audit and issued an unqualified

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opinion we have concurred with councils judgement. We will however keep this under review in future audits...

RECOMMENDATION

That the information be noted.

DECISION

Cr

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P&D 1 MIDLANDS HIGHWAY SIGNAGE: WOOLMERS ESTATE

Attachments: Section 1 – Page 124

Responsible Officer: Duncan Payton, Planning & Development Manager

Report prepared by: Duncan Payton, Planning & Development Manager

1 PURPOSE OF REPORT

This report brings to Council's attention the ongoing desire of Woolmers Estate to provide additional advertising signage adjacent to the Midland Highway in the vicinity of the Woolmers lane junction, notwithstanding its prohibited status in the Northern Midlands Interim Planning Scheme 2013.

2 INTRODUCTION/BACKGROUND

Woolmers Estate and the neighbouring Brickendon are jointly World Heritage listed properties and are significant tourism features within the Northern Midlands and Tasmania as a whole. Woolmers is solely a heritage estate reliant upon tourism and philanthropy for its upkeep and survival. Brickendon is a privately owned and operated farm in conjunction with its role as a significant heritage attraction.

Such tourism operations, located only a few kilometres off the main highway, often experience difficulty in enticing spur of the moment decisions to leave the highway and visit and also in providing adequate advice or notice to intending visitors searching for the site.

Signage alongside the Midland highway is governed by both the Interim Planning Scheme and where located on road reserve, by the Tasmanian Roadside Signs Manual (Department of State Growth). The relevant section of this manual is attached.

Currently, both Woolmers and Brickendon display the heritage signage in accordance with the manual:



The Northern Midlands Interim Planning Scheme 2013 would classify advertising signage for Woolmers, or any other such site, as one of the following:

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Large Billboard Sign	A sign fixed to any wall of a building or on its own structure, having an area greater than 3m ² advertising any subject not related to the building or the subject site.
Small Billboard Sign	A sign fixed to any wall of a building or on its own structure, being an area less than 3m ² advertising any subject not related to the building or the subject site.

In each case, the interim scheme limits their location to the Village, Local Business and General Business zones. Consequently, signage on the adjoining farmland, not part of the property being advertised, is prohibited

3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following “*Volume 1 – Mapping Our Direction*” policies have relevance to this issue:

- 2.1 Long Term Economic Development
- 2.2 Tourism Industry Support
- 4.5 Built Heritage

4 POLICY IMPLICATIONS

None applicable.

5 STATUTORY REQUIREMENTS

Use and development of land is regulated by the *Land Use Planning and Approvals Act 1993* which is given effect through the Northern Midlands Interim Planning Scheme 2013.

Section 48 of the Act requires Council to observe and enforce the observance of its planning scheme.

6 FINANCIAL IMPLICATIONS

There are no specific financial implications to Council in regard to this matter. Some staff time may be required subject to Council's determined action.

7 RISK ISSUES

There is no specific risk to Council with regard to this matter.

8 CONSULTATION WITH STATE GOVERNMENT

No formal consultation has been undertaken at this time.

9 COMMUNITY CONSULTATION

This matter has not been specifically raised for community consultation.

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10 OPTIONS FOR COUNCIL TO CONSIDER

Council could:

1. Note the report and do nothing further; or
2. Instigate specific discussions with the operators of Woolmers to identify specific needs and desires and then meet with representatives of State Growth (change the manual) and the Tasmanian Planning Commission (change the scheme) to identify solutions and report back to Council.
3. Instigate specific discussions with the operators of Woolmers and other heritage tourism venues (e.g. Brickendon and Clarendon) to identify specific needs and desires and then meet with representatives of State Growth (change the manual) and the Tasmanian Planning Commission (change the scheme) to identify solutions and report back to Council.

11 OFFICER'S COMMENTS/CONCLUSION

Whilst this matter is currently being raised by the operators of Woolmers Estate, clearly any change or exception provided would have implications for and raise the expectations of, other similar tourism operators.

It is relevant that the Northern Midlands Council has, since its inception, specifically provided planning scheme provisions restricting the proliferation of billboards throughout the municipal area. Essentially, no new billboards have been approved in its twenty-two year history.

If Council, is of a mind to relax these provisions to enable promotion of heritage tourism venues, perhaps on the grounds that enabling the continued viable use of a heritage property is the best way of ensuring its on-going maintenance, it is essential to be clear and explicit in regard to the limitations of such relaxation.

12 ATTACHMENTS

12.1 Extract from Tasmanian Roadside Signs Manual

RECOMMENDATION 1

That the report be discussed.

RECOMMENDATION 2

That Council officers instigate specific discussions with the operators of Woolmers and other heritage tourism venues (e.g. Brickendon and Clarendon) to identify specific needs and desires and then meet with representatives of State Growth and the Tasmanian Planning Commission to identify solutions and report back to Council.

DECISION

Cr

Cr

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P&D 2 TASMANIAN BUILDING REGULATORY FRAMEWORK REVIEW

Attachments: Section 1 – Page 131

Responsible Officer: Duncan Payton, Planning & Development Manager

Report prepared by: Duncan Payton, Planning & Development Manager

1 PURPOSE OF REPORT

This report brings to Council's attention the Tasmanian Building Regulatory Framework Review - Position Paper, released for comment in December 2014.

The Minister for Planning and Local Government, Mr Peter Gutwein MP, provided a copy of the 100 page position paper and response paper (attached) and invites Council's response to the fifty-nine recommendations contained in the paper.

2 INTRODUCTION/BACKGROUND

Following the Ministers request, that the Director of Building Control, Mr Dale Webster, undertake a comprehensive review of the building regulatory framework, an issues paper was prepared and released in July 2014.

Concurrently, the Director created four reference groups to provide advice and input (from the perspectives of consumers, industry, building practitioners and local government) to assist in the preparation of both the issues paper and the current position paper. The Northern Midlands Council's Building Administration Officer, Mrs Cotton, was invited to participate as a member of the local government reference group.

The Director advises in the position paper that *the key features of the Building Regulatory Framework in 2015 and beyond need to include:*

1. *Clear objectives;*
2. *Coherent policy development and consultation with the community;*
3. *A practitioner registration system;*
4. *Quality assurance;*
5. *A strong regime for building surveyors;*
6. *A strong building approval process;*
7. *A simple to use building permit appeals process;*
8. *Equal protection for practitioners and consumer (property owners); and*
9. *Clear contractual relationships.*

(see Chapter 1 - Directors Overview)

Based on these guiding principles and having regard to the issues paper response and the advice of the reference group, the Director is proposing fifty-nine recommendations to the Minister.

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3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following “*Volume 1 – Mapping Our Direction*” policies have relevance to this issue:

- 4.1 Building Services

4 POLICY IMPLICATIONS

None applicable.

5 STATUTORY REQUIREMENTS

Building and plumbing services are regulated through the Building Act 2000 and associated regulations.

Many of the Directors recommendations, if given effect, would be achieved through regulation.

6 FINANCIAL IMPLICATIONS

Given the broad nature of the recommendations, there are various potential financial implications to Council in regard to increased process costs and reduced income.

7 RISK ISSUES

There is no specific risk to Council with regard to this matter.

8 CONSULTATION WITH STATE GOVERNMENT

This position paper is part of an ongoing consultation process for the review.

9 COMMUNITY CONSULTATION

This position paper is part of an ongoing consultation process for the review.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may elect to respond to all, some or none of the proposed recommendations.

11 OFFICER’S COMMENTS

The Directors recommendations are listed and briefly discussed below:

Recommendation 1:

Update objectives and include in legislation

Supported. The inclusion of clear objectives promotes clarity and accountability.

Recommendation 2:

Legislation provides for Director Building Control to make determinations in areas of innovation and emerging technologies

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Supported to allow for rapid recognition of innovation and technological change.

Recommendation 3:

Legislation be separated into its components, namely undertaking building work, licensing, warranties and disputes including contracts and security of payment

Supported as a logical step to make the legislation clearer and more readable.

Recommendation 4:

Introduce reporting requirements for Building Surveyors

Supported. Like most things the devil is in the details and without a clear understanding of precisely what data is to be reported and in what format, the administrative impact upon Council cannot be determined. Over recent years, regulatory changes have significantly increased the administration burden on Councils and it is a concern that additional reporting requirements will increase this burden, potentially resulting in increased application fees with very little measurable improvement.

Recommendation 5:

Introduce reporting requirements for Permit Authorities

Supported. Similar to the above. However, some benchmarking of permit authorities could prove useful.

Recommendation 6:

The Director Building Control to report annually to Parliament on regulatory cost and regulatory timeliness by municipal area

Supported. However, this should not become simply a ranking of one councils performance against the others. Private sector timelines are also relevant and municipal area may not be applicable to this.

Recommendation 7

Increase penalties for illegal building works including additional fees for certificates of substantial compliance and certificate to proceed

Supported - however, the risk is that if the penalties become too high many councils will be reluctant to issue the infringement notices. The problem of illegal works is likely to have multiple causes, not least of which is the expectation that councils do not follow up illegal works and the cost of the permit process now which has increased significantly following the introduction of competition and regulatory demands such as the cost of exemption from bushfire reports.

Recommendation 8

Allow for Builder certification of certain low risk building work

Supported, provided the determination of low risk is genuinely low risk.

Recommendation 9

Define Building Work in such a way as to exclude low risk work and exclude work which is subject to other regulatory or certification processes

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Not supported. Ultimately this is likely to use time savings as justification for a lowering of standards. The discussion paper refers to class 10 prefabricated structures related to a residential use. This could include substantial sheds erected on substantial slabs, who will take responsibility to ensure that the work is done by a suitably qualified builder and that it is done properly?

Recommendation 10

Allow for builder certification for a range of non-inhabited farm buildings

Not supported. There seems no rational foundation for the purported benefits listed in the discussion paper. For example, why would a self certified building be safer than one inspected by a building surveyor throughout its construction? Why should a garage not attached to a farm dwelling be treated differently to a garage not attached to any other dwelling?

Option 11a

Increase the threshold for minor alterations or minor repairs not subject to the building permit process to \$20,000 and index the threshold

Not supported. The State's Building Levy cuts in at \$12,000, yet it is proposed to exempt minor alterations worth significantly more from the building approval process. \$20,000 of minor alterations or repairs could include substantial structural changes. This may also lead to significant sheds being attached to other buildings and claimed as minor alterations.

Option 11b

Remove the threshold for minor alterations or minor repairs and introduce clear determination for scope of the exemption

Supported. This overcomes issues with fluctuations of pricing and ensures - subject to detail - that minor repairs or minor alterations are indeed minor in nature rather than simply below a certain dollar value.

Recommendation 12

Increase awareness of Planning Directive 4

Supported. Education throughout the building community to clarify the benefits of staying within the prescribed residential building envelope is beneficial.

Option 13

Introduce a Building Directive which allows for a standard pre-approved residential design

Supported. Although it is uncertain to what extent a standard pre-approved residential design would be adopted in the market place. Similarly, the detail of how such a process would work need further consideration. Perhaps kit homes, for example, could have pre approved status with further approval only required to address individual site constraints.

Option 14

Reduce need for plumbing permits, increase risk-based auditing, replace with notification process

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Not supported. The system already allows for up to 80% of applications to be self certified. It may be useful to introduce a form of risk based assessment in determining which developments will fall into the 20%.

Recommendation 15

Promote awareness of the scope of the certifiable works provision.

Supported

Recommendation 16

Remove requirement for most on-site waste water treatment systems to be approved for sale by the Director

Supported. The Director will still approve types of systems. Installation will still be subject to special plumbing permit issued by Council.

Option 17a

Retain the current system of certification and separate permits with improvements, OR

Supported. The current system of permit authorities supplied by councils is working well.

Option 17b

Reduce the number of permit authorities, improve auditing, documentation requirements, clarification of roles, OR

Not Supported. The creation of regional approval bodies has been seen in the past to result in increases in both costs and time delays.

Option 17c

Introduce fully contestable building certification (including permits)

Not Supported. Ultimately there has to be accountability in the issue of building permits, follow up of conditions and of illegal works. This would lead to greater inconsistencies in approval processes and simply impose the unpopular functions onto councils who would find it difficult to remain in the building approval process. The losers would be those with small building projects removed from urban centres.

Option 18

The Director set minimum schedule of fees for building surveying services

Not supported. Northern Midlands Council already sets its fees based on full cost recovery. Setting minimum fees will ultimately represent an increase of fees to the one-off project and will not prevent competitive discounting amongst some practitioners.

Recommendation 19

Clarify the essential maintenance requirements for Class 2–9 Buildings

Supported.

Recommendation 20

Clarify role and responsibilities of Building Surveyors and protections for Building Surveyors through the Building Act

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Supported. Clarity of roles and responsibilities, particularly liabilities is essential when disputes arise.

Recommendation 21

Strengthen provisions allowing for the property owners to appoint Building Surveyors and excluding the Building Surveyor from having contractual relationship with builders

Supported. There should be separation between the parties. However, in most cases the owner may not be aware of relationships and may tend to accept the recommendation of the designer or builder as the case may be.

Option 22

Performance-based solutions are outside the scope of work of Building Surveyors unless the Building Surveyor undertakes additional specific qualifications in performance-based solutions

Not supported. Firstly not all performance based solutions will be difficult or complex and many experienced building surveyors are quite capable of dealing these. Secondly, if this is seen as an issue then Building Control should ensure that suitable training is made readily available through Continuous Professional Development opportunities.

Recommendation 23

Make current mandatory building notifications mandatory inspection points

Supported

Option 24

Every council must appoint a Municipal Building Surveyor

Not Supported. There is already a shortage of Building Surveyors in Tasmania. Such a requirement will only add significant cost burden to councils and ultimately developers. The permit authorities already operate within legislative requirements and are subject to audit by the Director of Building Control.

Option 25

Introduce a new “inspector” level of building certifier

Supported. This provides a potentially attractive entry level to the building surveying profession.

Recommendation 26

Use regular reporting and targeted audits to drive compliance

Supported. Similar to recommendations 4 and 5 in that the devil is in the details and that the level of reporting and targeted audits should not be allowed to overwhelm any potential benefits.

Recommendation 27

Mandatory component of Continuing Professional Development for Building Surveyors

Supported. As suggested at option 22, the Director should ensure reasonably priced and appropriate CPD opportunities are made readily available across the state. Perhaps the training levy could be utilised here.

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Recommendation 28

Include strengthened code of conduct for Building Surveyors in legislation

Supported

Recommendation 29

Allow for corporations/partnerships to obtain contracting licence

Supported

Recommendation 30

Licensing scheme (formerly Accreditation scheme) be modified to ensure that every practitioner licensed meet the requirements of the industry

Supported

Option 31a

*Set time limit for “grandfathered” practitioners to bring their skills up to scratch, **OR***

Not supported. If only one option can be selected, option (b) is preferred as it clarifies what is expected.

Option 31b

Set once-off mandatory CPD for grandfathered practitioners to bring their skills up to scratch

Supported. However, this presumes that the Director prescribes appropriate CPD and makes courses readily available. Opportunities to redo failed courses should be made available. A time limit (despite being option a) should be imposed for the successful completion of the prescribed CPD.

Option 32

Explore licensing process for Engineers which is similar to current process for Architects in the Building Act.

Supported.

Recommendation 33

Clarify role of roof plumber

Supported.

Recommendation 34

No owner builder status for class 2 to 9 buildings

Supported. Dwellings are class 1 and outbuildings are class 10 and both would retain the opportunity for owner builders.

Recommendation 35

An owner builder can register but not self-certify

Supported. Owner builders are not typically qualified to self certify.

Option 36

Replace the number of projects rule by specifying the length of time before an owner builder can sell

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Supported. Provided an appeal mechanism is in place for exceptional circumstances where it is necessary to sell earlier.

Recommendation 37

Statutory warranties given to future owners and a compulsory inspection prior to sale

Supported. However a compulsory inspection prior to sale, given that normal statutory inspections have already been undertaken simply imposes a further cost on the owner builder. Such an inspection should be required on all buildings or none. Presently a prospective purchaser can commission such an inspection as part of their due diligence.

Recommendation 38

Definition of project is limited to one building permit per owner builder licence

Not supported. Having met the requirements to be an owner builder, it is unreasonable to have to prove this again to alter or extend the building. Definition of project should allow for some future works to the project.

Recommendation 39

Owner builders will be subject to increased inspections

Supported. Whilst this will increase the costs to the owner builder slightly, it is noted that the owner builder is not a qualified builder and is likely to benefit from additional inspections at significant stages (e.g flashings, wet areas and insulation)

Option 40

Add "owner builder" to title

Not Supported. This information is already available from the permit authority and recording it on the title implies that despite the additional inspections there is something wrong with the building.

Recommendation 41

Owner Builder to pay licence fees and have correct insurances

Supported.

Recommendation 42

Introduce CPD for plumbers, electricians and other occupations under the Occupational Licensing Act

Supported. The relevant professional bodies should be required to ensure appropriate CPD opportunities are readily available.

Recommendation 43

Limit CPD to genuine learning activities pre-approved by Director Building Control or Administrator of Occupational Licensing

Supported.

Recommendation 44

The Director Building Control may mandate certain activities

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Supported. This will assist in ensuring practitioners are up to date with relevant technological changes.

Recommendation 45

Strengthen code of conduct for building practitioners

Supported.

Recommendation 46

Move building practitioners to the occupational licensing regime therefore adopting sanctions of that regime

Supported. This promotes the maintenance of high standards throughout the industry.

Recommendation 47

Infringement regime if builder does not comply with Rectification Order

Supported. Rectification of sub-standard work in a timely manner is important for the client and the industry's reputation.

Recommendation 48

Director Building Control to provide a sample best practice contract and guide for residential building projects

Supported. This will be useful for many consumers who are unfamiliar with contracts and the requirements of the building industry.

Recommendation 49

Mandate clauses that must be included in a contract for residential building projects over the value of <\$15,000>

Supported. Although it is noted that the proposed \$15,000 trigger is less than that proposed for exempt minor additions and alterations at option 11a.

Recommendation 50

Variations to a contract must be in writing and signed by both parties

Supported.

Recommendation 51

Introduce mediation as first step in dispute resolution

Supported.

Recommendation 52

Establish Disputes Process by Director's Determination

Supported. Provides a clear process with the ability to adapt over time.

Recommendation 53

Review penalties and who should have the power to order them

Supported. A review aiming to simplify the process is supported

Recommendation 54

Adopt a risk-based approach to auditing

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Supported. This will direct limited resources to areas of most need.

Recommendation 55

Identify particular categories and do 100% inspections

Supported.

Recommendation 56

Implement a user-pays auditing regime for repeat inspections

Supported. This is effectively what happens now.

Recommendation 57

Specify the powers available to a Building Surveyor, Council officers or Delegate of the Director

Supported. This provides clarity and certainty.

Recommendation 58

A party may seek review of a Rectification Order within specified time

Supported. It is reasonable to provide an avenue of appeal against orders that relate to alleged sub-standard works.

Recommendation 59

Streamline Appeal and Review Processes

Supported.

12 ATTACHMENTS

Tasmanian Building Regulatory Framework Review - Position Paper

RECOMMENDATION 1

That the report be discussed.

RECOMMENDATION 2

That Council the response to the Minister as set out below:

Recommendation	Description	Response	
		Support	Don't Support
Recommendation 1	Update objectives and include in legislation	☒	☐
Recommendation 2	Legislation provides for Director Building Control to make determinations in areas of innovation and emerging technologies	☒	☐
Recommendation 3	Legislation be separated into its components, namely undertaking building work, licensing, warranties and disputes including contracts and security of payment	☒	☐

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Recommendation	Description	Response	
		Support	Don't Support
Recommendation 4	Introduce reporting requirements for Building Surveyors <i>Subject to a clear understanding and agreement on the details and purpose additional reporting.</i>	☒	☐
Recommendation 5	Introduce reporting requirements for Permit Authorities <i>Basically as for R4 however would be a simpler and more beneficial imposition.</i>	☒	☐
Recommendation 6	The Director Building Control to report annually to Parliament on regulatory cost and regulatory timeliness by municipal area <i>Should not be simply a ranking and should also include all providers.</i>	☒	☐
Recommendation 7	Increase penalties for illegal building works including additional fees for certificates of substantial compliance and certificate to proceed <i>There are multiple causes for illegal works. Simply increasing penalties may not resolve this, particularly if they are not uniformly applied.</i>	☒	☐
Recommendation 8	Allow for Builder certification of certain low risk building work <i>This is supported provided that the determination of low risk is appropriate</i>	☒	☐
Recommendation 9	Define Building Work in such a way as to exclude low risk work and exclude work which is subject to other regulatory or certification processes <i>More likely to result in a lowering of standards.</i>	☐	☒
Recommendation 10	Allow for builder certification for a range of non-inhabited farm buildings <i>The justification is without foundation.</i>	☐	☒
Option 11a	Increase the threshold for minor alterations or minor repairs not subject to the building permit process to \$20,000 and index the threshold <i>\$20,000 is a substantial minor alteration.</i>	☐	☒
Option 11b	Remove the threshold for minor alterations or minor repairs and introduce clear determination for scope of the exemption <i>This should ensure that minor is actually minor.</i>	☒	☐
Recommendation 12	Increase awareness of Planning Directive 4	☒	☐
Option 13	Introduce a Building Directive which allows for a standard pre-approved residential design	☒	☐
Option 14	Reduce need for plumbing permits, increase risk-based auditing, replace with notification process <i>Up to 80% of applications can already be self-certified. A risk based audit could be used to assess which applications need to be in the 20%</i>	☐	☒

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Recommendation	Description	Response	
		Support	Don't Support
Recommendation 15	Promote awareness of the scope of the certifiable works provision.	☒	☐
Recommendation 16	Remove requirement for most on-site waste water treatment systems to be approved for sale by the Director	☒	☐
Select one option:			
Option 17a	Retain the current system of certification and separate permits with improvements, OR	☒	
Option 17b	Reduce the number of permit authorities, improve auditing, documentation requirements, clarification of roles, OR	☐	
Option 17c	Introduce fully contestable building certification (including permits) The current system of Permit Authorities being held within local government provides sound oversight and accountability.	☐	
Option 18	The Director set minimum schedule of fees for building surveying services NMC already sets fees at full cost recovery.	☐	☒
Recommendation 19	Clarify the essential maintenance requirements for Class 2–9 Buildings	☒	☐
Recommendation 20	Clarify role and responsibilities of Building Surveyors and protections for Building Surveyors through the Building Act	☒	☐
Recommendation 21	Strengthen provisions allowing for the property owners to appoint Building Surveyors and excluding the Building Surveyor from having contractual relationship with builders	☒	☐
Option 22	Performance-based solutions are outside the scope of work of Building Surveyors unless the Building Surveyor undertakes additional specific qualifications in performance-based solutions	☐	☒
Recommendation 23	Make current mandatory building notifications mandatory inspection points	☒	☐
Option 24	Every council must appoint a Municipal Building Surveyor This would be an unnecessary cost burden. Permit Authorities are required to operate within the Act and are currently overseen by the DBC through an audit process.	☐	☒
Option 25	Introduce a new “inspector” level of building certifier	☒	☐
Recommendation 26	Use regular reporting and targeted audits to drive compliance	☒	☐

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Recommendation	Description	Response	
		Support	Don't Support
Recommendation 27	Mandatory component of Continuing Professional Development for Building Surveyors The Director must ensure there are readily available CPD opportunities across the state.	☒	☐
Recommendation 28	Include strengthened code of conduct for Building Surveyors in legislation	☒	☐
Recommendation 29	Allow for corporations/partnerships to obtain contracting licence	☒	☐
Recommendation 30	Licensing scheme (formerly Accreditation scheme) be modified to ensure that every practitioner licensed meet the requirements of the industry	☒	☐
Select one option:			
Option 31a	Set time limit for “grandfathered” practitioners to bring their skills up to scratch, OR		☐
Option 31b	Set once-off mandatory CPD for grandfathered practitioners to bring their skills up to scratch Opportunity to redo failed CPD should be provided. A time limit (despite being option A) should also be imposed.	☒	
Option 32	Explore licensing process for Engineers which is similar to current process for Architects in the Building Act.	☒	☐
Recommendation 33	Clarify role of roof plumber	☒	☐
Recommendation 34	No owner builder status for class 2 to 9 buildings	☒	☐
Recommendation 35	An owner builder can register but not self-certify	☒	☐
Option 36	Replace the number of projects rule by specifying the length of time before an owner builder can sell Provided an appeal mechanism is in place for exceptional circumstances.	☒	☐
Recommendation 37	Statutory warranties given to future owners and a compulsory inspection prior to sale Do not support compulsory inspection.	☒	☐
Recommendation 38	Definition of project is limited to one building permit per owner builder licence	☐	☒
Recommendation 39	Owner builders will be subject to increased inspections	☒	☐
Option 40	Add “owner builder” to title This implies there is something wrong with the building despite the statutory inspections.	☐	☒
Recommendation 41	Owner Builder to pay licence fees and have correct insurances	☒	☐
Recommendation 42	Introduce CPD for plumbers, electricians and other occupations under the Occupational Licensing Act	☒	☐

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Recommendation	Description	Response	
		Support	Don't Support
Recommendation 43	Limit CPD to genuine learning activities pre-approved by Director Building Control or Administrator of Occupational Licensing	☒	☐
Recommendation 44	The Director Building Control may mandate certain activities	☒	☐
Recommendation 45	Strengthen code of conduct for building practitioners	☒	☐
Recommendation 46	Move building practitioners to the occupational licensing regime therefore adopting sanctions of that regime	☒	☐
Recommendation 47	Infringement regime if builder does not comply with Rectification Order	☒	☐
Recommendation 48	Director Building Control to provide a sample best practice contract and guide for residential building projects	☒	☐
Recommendation 49	Mandate clauses that must be included in a contract for residential building projects over the value of <\$15,000>	☒	☐
Recommendation 50	Variations to a contract must be in writing and signed by both parties	☒	☐
Recommendation 51	Introduce mediation as first step in dispute resolution	☒	☐
Recommendation 52	Establish Disputes Process by Director's Determination	☒	☐
Recommendation 53	Review penalties and who should have the power to order them	☒	☐
Recommendation 54	Adopt a risk-based approach to auditing	☒	☐
Recommendation 55	Identify particular categories and do 100% inspections	☒	☐
Recommendation 56	Implement a user-pays auditing regime for repeat inspections	☒	☐
Recommendation 57	Specify the powers available to a Building Surveyor, Council officers or Delegate of the Director	☒	☐
Recommendation 58	A party make seek review of a Rectification Order within specified time	☒	☐
Recommendation 59	Streamline Appeal and Review Processes	☒	☐

DECISION

Cr

Cr

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PUBLIC QUESTIONS & STATEMENTS

In accordance with a decision made by Council at the meeting held on 16 October 2006, "The existing policy for public questions/ representations was examined and it was agreed that this part of the meeting should become the only opportunity for members of the public to make a representation on a matter in which they have an interest on an item which is before the Council for decision e.g. development applications. Other than with approval of the Mayor, individuals will not be allowed to address Council on agenda related matters at any other time during the meeting."

Public Question and Statements Time will commence at 6.45pm.

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 items PLAN 1 – PLAN 6.

2 STATEMENTS

- | | |
|--------|---|
| PLAN 1 | P14-337: 38 MARLBOROUGH STREET, LONGFORD |
| PLAN 2 | P14-317: 372 NORWICH DRIVE, LONGFORD |
| PLAN 3 | P14-235: 115 FAIRTLOUGH STREET, PERTH |
| PLAN 4 | P14-048: 643 RELBIA ROAD, RELBIA |
| PLAN 5 | NORTHERN MIDLANDS INTERIM PLANNING SCHEME 2013 – EVANDALE
RESIDENTIAL SPECIFIC AREA PLAN |
| PLAN 6 | DRAFT CONSENT AGREEMENT - PLANNING APPEAL - 66 SECCOMBE STREET,
PERTH |

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PLAN 1 PLANNING APPLICATION P14-337 38 MARLBOROUGH STREET, LONGFORD

Attachments: Section 1 – Page 233

Responsible Officer: Duncan Payton, Planning & Development Manager

Report prepared by: Claire Gregg, Planning Consultant

File Number: 109301.25; CT 117432/1

1 INTRODUCTION

This report assesses an application for 38 Marlborough Street, Longford to allow the use of Education and Occasional Care, as a dance school.

2 BACKGROUND

Applicant: Julie Argent

Zone: General Business Zone

Owner: Julie Argent

Special Areas: Local Historic Heritage Code (Heritage Precinct) ; Heritage Precincts Specific Area Plan

Classification under the Scheme:

Education and Occasional Care

Existing Use: Temporary Permit (3 year) for a Dance School (Educational Facility)

Deemed Approval Date: 23 January 2015

Recommendation: Approve

Discretionary Aspects of the Application

- Use of Education and Occasional Care is a discretionary use within the zone; and
- Variation to the Car Parking and Sustainable Transport Code

Planning Instrument: Northern Midlands Interim Planning Scheme 2013

Photo 1: Looking South



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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.

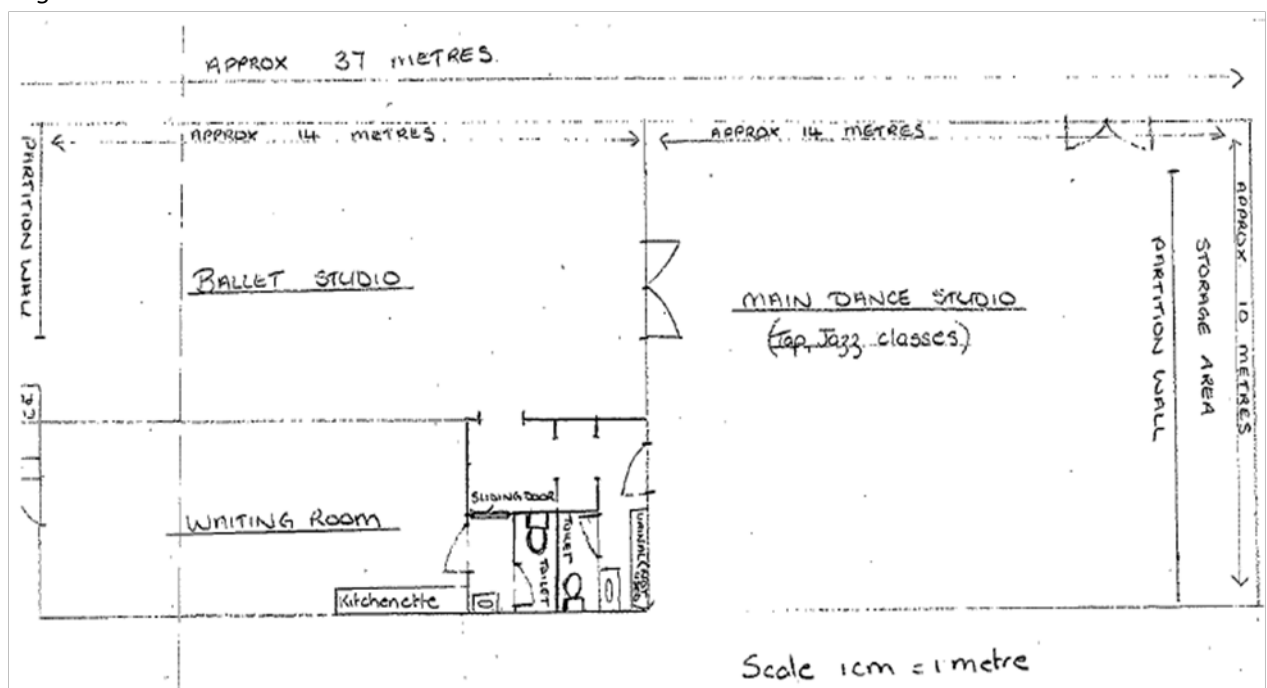
Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

4 ASSESSMENT

4.1 Proposal

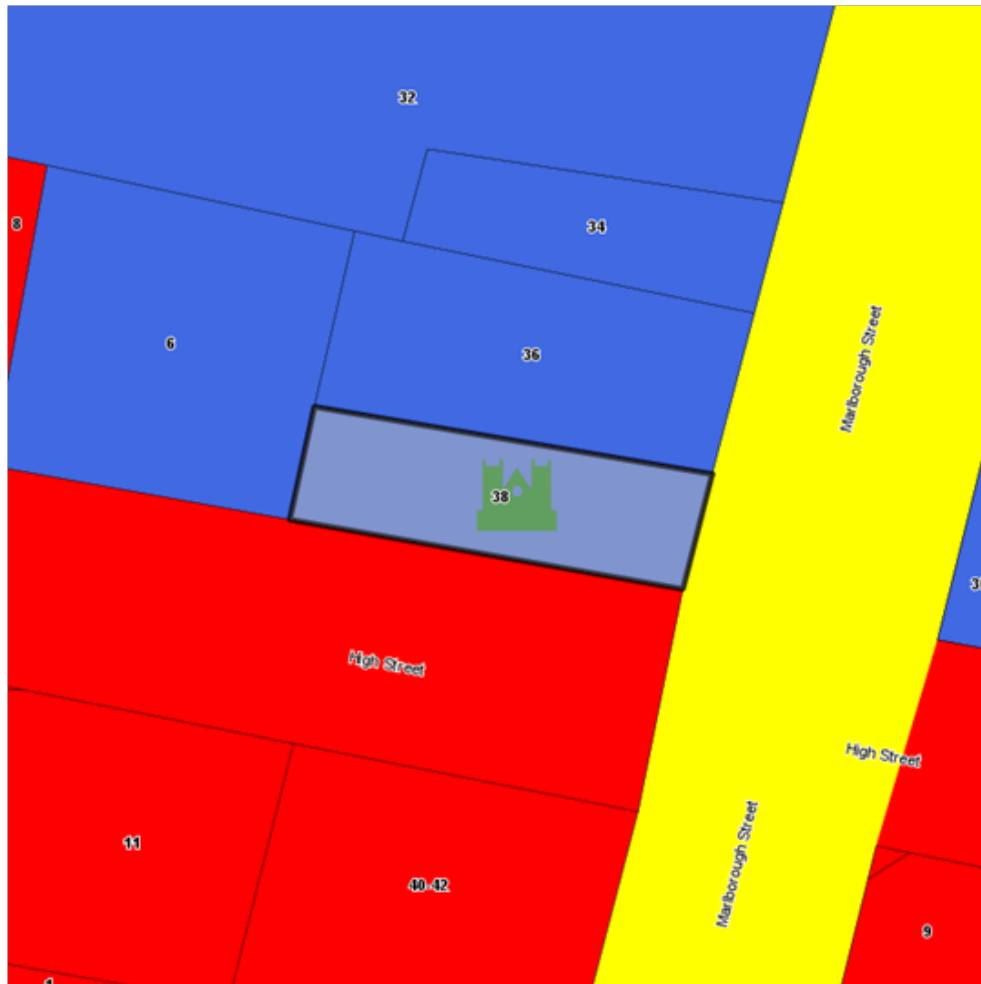
It is proposed to allow the use of the existing building for a dance school.

Figure 1 – Site Plan



4.2 Zoning and land use

Figure 2 - Zone Map –General Business Zone, Heritage Precinct



The land is zoned General Residential, and is within the Heritage Precinct of Longford.

4.3 Subject site and locality

A site visit was undertaken on 21.November 2014 between 5.30pm and 6pm by Claire Gregg.

38 Marlborough Street is located on the corner of Marlborough Street and High Street. The subject site contains the former Druids Hall. The hall is listed on the Tasmanian Heritage Register. The site adjoins a residential dwelling to the north and to the west. The hall has previously been used as an antique shop and most recently has been a dance school under a temporary planning permit. This application seeks to make permanent that use.

Figure 3 - Aerial photo of area



4.4 Permit/site history

Relevant permit history includes:

- Used as CWA Hall – building permit 66/76 for additions
- Used as antiques shop with the rear area used as antiques workshop (prior to LUPAA).
- Planning Permit P11-343 – Temporary Permit (3 year) for a Dance School (Educational Facility)

4.5 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*, including notifications being mailed to adjoining owners/occupiers on Monday 24 November 2014. A review of Council's Dataworks system after completion of the public exhibition period revealed that a representation (Attachment B) was received from:

- Mr Gavin Seymour, owner 36 Marlborough Street.

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

Issue 1

- Detail of the varied parking proposal

Planner's comment:

The car parking code requires one space per employee and one space per 6 tertiary or training students. The applicant has advised that the maximum number of

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students enrolled in any one class is 17 and only 1 teacher is present, therefore, 4 car parking spaces should be provided.

The proposal allows for 1 car parking space, for the use of the dance teacher. The applicant seeks discretion to provide 3 less car parking spaces than the Scheme requires to meet the Acceptable Solution.

Issue 2

- Clarification of the applicable scheme and status of the use.

Planner's comment:

The proposal is assessed against the Northern Midlands Interim Planning Scheme 2013. The use of Education and Occasional Care is a discretionary use within the General Business Zone.

Issue 3

- Noise Levels.

Planner's comment:

The applicant has provided a noise report prepared by Vipac, which includes testing on the northern side of the building. The applicant has already installed a self-monitoring noise system, which alerts the teacher when decibel levels reach 70dB(A), which would equate to 50db(A) at the boundary. Day time is considered to be from 7am to 10pm and night time from 10pm to 7am. The applicant states that the operating hours are:

- Monday & Friday: 3.30pm to 8.30pm
- Tuesday & Wednesday: 3pm to 8pm
- Saturday: 9am to 5pm.

The information provided by the applicant indicates that they meet the Acceptable Solution.

Issue 4

- Privacy – Privacy and screening are not adequate between the dance school and the adjoining residential property.

Planner's comment:

There are no relevant clauses in the Planning Scheme that deals with issues of privacy in this instance. I did note from my site visit that the applicant has applied opaque film to the windows, preventing overlooking and that a fence of approximately 1.8m is erected on the boundary between 38 and 36 Marlborough Street from the corner of the dwelling on 36 Marlborough Street to the entry way of the dance studio. This was a condition of the previous planning permit. It appears that the fence between the two properties after that point has been replaced with a wire netting fence. The opaque window treatment and the high fencing at the entrance do provide a reasonable level of privacy for 36 Marlborough Street.

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4.6 Referrals

Council's Works & Infrastructure Department

Council's Works and Infrastructure Department had no comment to make on this application.

TasWater

Not applicable to this application

Heritage Adviser

Council's Heritage Adviser, Mr Denman, advised that he had no objections to the proposal.

Tasmanian Heritage Council

The property is listed on the Tasmanian Heritage Register. THC advised that they had no interest in the proposal.

Department of State Growth (road authority)

Precis: DSG advised of no objections to the proposal

Launceston Airport

Not applicable to this application

Tasrail

Not applicable to this application

Environmental Health Officer

Not applicable to this application

Natural Resource Management Facilitator

Not applicable to this application

Environment Protection Agency (level 2 under EMPCA)

Not applicable to this application

Local District Committee

Precis: No response received.

General Manager

Not applicable to this application

Minister administering Crown Lands

Not applicable to this application

4.7 Planning Scheme Assessment

GENERAL BUSINESS ZONE

ZONE PURPOSE

To provide for business, community, food, professional and retail facilities serving a town or group of suburbs.

To create through good urban design:

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- a) *An attractive and safe environment; and*
- b) *Activity at pedestrian levels with active road frontages offering interest and engagement to shoppers and;*
- c) *Appropriate provisions for car parking, pedestrian access and traffic circulation.*

Assessment: The proposal is in accordance with the purpose of the zone.

LOCAL AREA OBJECTIVES

To consolidate growth within the existing urban land use framework of the towns of Campbell Town, Longford and Perth.

To manage development in the General business zone so as to conserve and enhance the quality of the Heritage Precincts in the Campbell Town, Longford and Perth Town Centres.

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

Assessment: The proposal is in accordance with the local area objectives, the proposal meets the objectives of the Heritage Precincts Specific Area Plan. The proposal allows for the adaptive reuse of a heritage building.

21.2 Use Table

The use of Education and Occasional Care is a discretionary use within the General Business Zone.

21.3 Use Standards

21.3.1 Amenity

Objective: To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.

Acceptable Solutions		Performance Criteria	
A1	<i>Commercial vehicles (except for visitor accommodation and recreation) must only operate between 6.00am and 10.00pm Monday to Sunday.</i>	P1	<i>Commercial vehicles (except for visitor accommodation and recreation) must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, odour, dust and illumination.</i>
A2	<i>Noise levels at the boundary of the site with any adjoining land must not exceed: a) 50dB(A) day time; and b) 40dB(A) night time; and c) 5dB(A) above background for intrusive noise.</i>	P2	<i>Noise must not cause unreasonable loss of amenity to nearby sensitive uses.</i>

Planner's Comment

A1 – Complies with the Acceptable Solution

The proposed use does not involve commercial vehicles. The vehicle of the dance teacher will be parked on site during operating hours. The operating hours of the dance school are within the hours specified by the Acceptable Solution.

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A2 – Complies with the Acceptable Solution

A report into noise emissions was prepared on behalf of the applicant by Vipac. The noise sampling undertaken found that during certain classes a spike in noise levels could occur above 50dB(A). It was recommended by the noise consultant that an internal noise monitoring system be installed to alert the dance teacher to noise emissions and allow for corrective action to be taken.

This noise monitoring system has been installed by the applicant.

The dance school will not be operating at night time (Night time is accepted as being after 10pm and before 7am)

21.4 Development Standards

21.4.1 Siting, Design and Built Form

<i>Objective: To ensure buildings are visually compatible with surrounding development.</i>	
Acceptable Solutions	Performance Criteria
A1 The entrance of a building must be: a) Clearly visible from the road or publically accessible areas on the site; b) Provide a safe access for pedestrians	P1 No performance criteria.
A2 Building height must not exceed: a) 8m; or b) 1m greater than the average of the heights of buildings on immediately adjoining lots.	P2 Building heights must: a) be consistent with the local area objectives if any; and b) have regard to the streetscape and the desirability of a greater setback for upper floors from the frontage; and c) avoid unreasonable levels of overshadowing to public places or adjoining properties.
A3.1 Buildings must be setback the same as or less than the setback of an immediately adjoining building; A3.2 Extensions or alterations to existing buildings must not reused the existing setback	P3 Building setbacks must: a) provide for enhanced levels of public interaction or public activities; b) ensure the efficient use of the site; and c) be consistent with the established setbacks within the immediate area and the same zone; and d) be consistent with the local area objectives, if any; and e) provide for emergency vehicle access.

Comment

A1 – Not relevant as no alterations to the building is proposed;

A2 – Not relevant as no alterations to the building is proposed;

A3 – Not relevant as no alterations to the building is proposed.

21.4.2 Subdivision

Not relevant.

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CODES	
BUSHFIRE PRONE AREAS CODE	N/A
POTENTIALLY CONTAMINATED LAND	N/A
LANDSLIP CODE	N/A
ROAD AND RAILWAY ASSETS CODE	N/A
FLOOD PRONE AREAS CODE	N/A
CAR PARKING AND SUSTAINABLE TRANSPORT CODE	See code assessment below
SCENIC MANAGEMENT CODE	N/A
BIODIVERSITY CODE	N/A
WATER QUALITY CODE	N/A
RECREATION AND OPEN SPACE CODE	N/A
ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/A
AIRPORTS IMPACT MANAGEMENT CODE	N/A
LOCAL HISTORIC HERITAGE CODE	See code assessment below and Heritage Adviser's review
COASTAL CODE	N/A
SIGNS CODE	N/A

ASSESSMENT AGAINST E6.0 (CAR PARKING & SUSTAINABLE TRANSPORT CODE)

Comment

The code is applicable.

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Educational and Occasional Care	1 space per employee + 1 space per 6 tertiary or training student.	1 space per 5 staff and students

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

Comment

4 car parking spaces are required and 4 bicycle space. The subject site has provision for one car parking spaces and can accommodate the required number of bicycle spaces. Access is available in accordance with Table E6.2.

6.6.1 Car Parking Numbers

<i>Objective: To ensure that an appropriate level of car parking is provided to service use.</i>			
Acceptable Solutions		Performance Criteria	
A1	The number of car parking spaces must not be less than the requirements of: a) Table E6.1; or	P1	The number of car parking spaces provided must have regard to: a) The provisions of any relevant location specific car parking plan; b) The availability of public car parking spaces within

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<i>b) A parking precinct plan contained in Table E6.6 Precinct Parking Plans .</i>	<i>reasonable walking distance; and</i> <i>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</i> <i>d) The availability and frequency of public transport within reasonable walking distance of the site; and</i> <i>e) Site constraints such as existing buildings, slope, drainage, vegetation and landscaping and</i> <i>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</i> <i>g) An empirical assessment of the car parking demand; and</i> <i>h) The effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience, and</i> <i>i) The recommendations of a traffic impact assessment prepared for the proposal; and</i> <i>j) Any heritage values of the site; and</i> <i>k) For residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</i> <i>i) The size of the dwelling and the number of bedrooms; and</i> <i>ii) The pattern of parking in the locality; and</i> <i>iii) Any existing structure on the land.</i>
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Comment

The proposal relies upon the Performance Criteria. The subject is site constrained from providing further on site car parking. As the subject site is within one of the main commercial streets of Longford there is sufficient on street parking to meet demand. It is noted that the on street car parking in both Marlborough Street and High Street is controlled through time limitations. Opposite the site is a bus stop. Many students arrive for class directly from the school bus stop. The proposal meets the relevant Performance Criteria of this clause.

ASSESSMENT AGAINST E13.0 (LOCAL HISTORIC HERITAGE CODE)

E13.1 Purpose

E13.1.1 The purpose of this provision is to:

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

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E13.2 Application of the Code

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

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

E13.3 Use or Development Exempt from this Code

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

- a) works required to comply with an Emergency Order issued under Section 162 of the Building Act 2000;
- b) electricity, optic fibre and telecommunication cables and gas lines to individual buildings which connect above ground or utilise existing service trenches;
- c) internal alterations to buildings if the interior is not included in the historic heritage significance of the place or precinct;

Comment:

The subject site is within a Heritage Precinct. The subject place is also listed on the Tasmanian Heritage Register.

E13.5 Use Standards

E13.5.1 Alternative Use of heritage buildings

Comment:

N/a

E13.6 Development Standards

E13.6.1 Demolition

Objective: To ensure that the demolition or removal of buildings and structures does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions		Performance Criteria	
A1	No acceptable solution.	P1.1	Existing buildings, parts of buildings and structures must be retained except: a) where the physical condition of place makes restoration inconsistent with maintaining the cultural significance of a place in the long term; or b) the demolition is necessary to secure the long-term future of a building or structure through renovation, reconstruction or rebuilding; or c) there are overriding environmental, economic considerations in terms of the building or practical considerations for its removal, either wholly or in part; or d) the building is identified as non-contributory within a precinct identified in Table E13.1: Heritage Precincts, if any; and
		P1.2	Demolition must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

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Comment:

N/a

E13.6.2 Subdivision and development density

Comment:

N/a

E13.6.3 Site Cover

Comment:

N/a

E13.6.4 Height and Bulk of Buildings

Comment:

N/a

E13.6.5 Fences

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

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

Comment:

N/a

E13.6.6 Roof Form and Materials

Comment:

N/a

E13.6.7 Wall materials

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

Acceptable Solutions		Performance Criteria	
A1	Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct identified in	P1	Wall material for new buildings and structures must: a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and b) not detract from meeting the management

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<i>Table E13.1: Heritage Precincts, if any.</i>	<i>objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</i>
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Comment:

N/a

E13.6.8 Siting of Buildings and Structures

Comment:

N/a

E13.6.9 Outbuildings and Structures

Comment:

N/a

E13.6.10 Access Strips and Parking

Comment:

N/a

E13.6.11 Places of Archaeological Significance

Comment:

N/a

E13.6.12 Tree and Vegetation Removal

Comment:

N/a

E13.6.13 Signage

Comment:

N/a

Table E13.1: Local Heritage Precincts

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

Heritage Precincts –
1. Evandale Heritage Precinct
2. Ross Heritage Precinct
3. Perth Heritage Precinct
4. Longford Heritage Precinct
5. Campbell Town Heritage Precinct
Existing Character Statement - Description and Significance
4 LONGFORD HERITAGE PRECINCT CHARACTER STATEMENT <i>The Longford Heritage Precinct is unique because it is the core of an intact nineteenth century townscape, rich with significant structures and the atmosphere of a centre of trade and commerce for the district. Traditional commercial buildings line the main street, flanked by two large public areas containing the Christ Church grounds and the War Memorial. The street</i>

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then curves gently at Heritage Corner towards Cressy, and links Longford to the surrounding rural farmland, creating views to the surrounding countryside and a gateway to the World Heritage listed Woolmers and Brickendon estates. Heritage residential buildings are tucked behind the main street comprising traditional styles from the mid nineteenth century to the early twentieth century, including significant street trees, picket fences and cottage gardens. The rural township feel is complemented by a mix of businesses serving local needs, tourism and historic interpretation. Longford's heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the town.

Management Objectives

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

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

Comment:

The proposal is consistent with the Heritage Precinct Character Statement and satisfies the Management Objectives. No physical work is proposed to the building. The use of the building as a dance school provides for the ongoing use of a heritage place. Continued use of heritage places is recognized as the best way to ensure the survival of such buildings.

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/A
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/A - see below

ASSESSMENT AGAINST F2.0 (HERITAGE PRECINCTS SPECIFIC AREA PLAN)

F2.1 Purpose of Specific Area Plan

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

F2.2 Application of Specific Area Plan

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

F2.3 Definitions

F2.3.1 Streetscape

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

F2.3.2 Heritage-Listed Building

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

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F2.4 Requirements for Design Statement

F2.4.1 In addition to the requirements of clause 8.1.3, a design statement is required in support of the application for any new building, extension, alteration or addition, to ensure that development achieves consistency with the existing streetscape and common built forms that create the character of the streetscape.

F2.4.2 The design statement must identify and describe, as relevant to the application, setbacks, orientation, scale, roof forms, plan form, verandah styles, conservatories, architectural details, entrances and doors, windows, roof covering, roof plumbing, external wall materials, paint colours, outbuildings, fences and gates within the streetscape. The elements described must be shown to be the basis for the design of any new development.

F2.4.3 The design statement must address the subject site and the two properties on both sides, the property opposite the subject site and the two properties both sides of that.

Comment:

The subject site is within the Heritage Precincts Specific Area Plan, however no physical work is proposed.

SPECIAL PROVISIONS	
9.1	Changes to an Existing Non-conforming Use N/A
9.2	Adjustment of a Boundary N/A
9.3	Demolition N/A
9.4	Subdivision N/A
STATE POLICIES	
The proposal is consistent with all State Policies.	
OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993	
The proposal is consistent with the objectives of the <i>Land Use Planning & Approvals Act 1993</i> .	
STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES	
<i>Strategic Plan 2007-2017</i> <i>4.3 Development Control.</i>	

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 consideration of the use which is discretionary and the noncompliance with the car parking code.

The proposal has met the performance criteria of the aforementioned Clauses.

The proposal is a balance between ensuring reasonable amenity of the adjoining residential uses and allowing for appropriate development in the General Business Zone.

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An additional consideration is allowing a heritage-listed building to be adaptively re-used. The continued use of heritage buildings is the best way to ensure that routine maintenance is carried out.

It is noted that the dance school classes are conducted within the operating hours specified in the Acceptable Solution of Clause 21.3.1. The applicant has previously taken steps to limit noise emissions from the dance school by installing a monitoring system that allows immediate action to be taken if internal noise reaches a level to result in the emission of 50dB(A) at the boundary.

Therefore, the application is recommended for approval. Conditions that relate to any aspect of the application can be placed on a permit. It is considered that no additional conditions are required.

8 ATTACHMENTS

- A Application & plans
- B Response from referral agencies
 - DSG, no objections
- C Representation
- D Heritage Adviser's review
- E Applicant's response to representation

RECOMMENDATION

That land at 38 Marlborough Street Longford be approved for the use of Educational and Occasional Care (Dance School) in accordance with application P14-337, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans

2 Hours of Operation

- Monday to Friday 9am to 9pm
- Saturday 9am to 5pm.
- Sunday 10am to 5pm.

3 Noise Emissions

Noise emissions are limited to 50dB(A) at the boundary at all times.

DECISION

Cr

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PLAN 2 PLANNING APPLICATION P14-317 372 NORWICH DRIVE, LONGFORD

Attachments: Section 1 – Page 272

Responsible Officer: Duncan Payton, Planning & Development Manager

File Number: 110600.1; CT 12087/11

1 INTRODUCTION

This report assesses an application for the 21.1 hectare lot at 372 Norwich Drive, Longford, to be subdivided into two lots of 1.0ha and 20.1ha.

2 BACKGROUND

Applicant: DJ McCulloch Surveying obo Robert Armstrong

Owner: Robert Armstrong

Zone: Rural Living

Codes: Bushfire Hazard.

Classification under the Scheme:

Residential

Subdivision

Existing Use:

Vacant - pasture and native bush

Deemed Approval Date: 23 January 2015

Recommendation: Refuse

Discretionary Aspects of the Application

- Pursuant to clause 9.5.1, the planning authority has the discretion to approve or refuse an application for subdivision.
- Reliance on performance criteria at clause 13.4.2 to reduce size on minimum lot.

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013*

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 subdivide the existing 21.1 hectare lot at 372 Norwich Drive, Longford into two lots (1.0ha and 20.1ha).

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The site does not currently contain a dwelling. The applicant advises that the purpose of the subdivision is to create a one hectare title to be transferred to the owners daughter for the construction of a residence for her and her family.

Figure 1 – Site Location

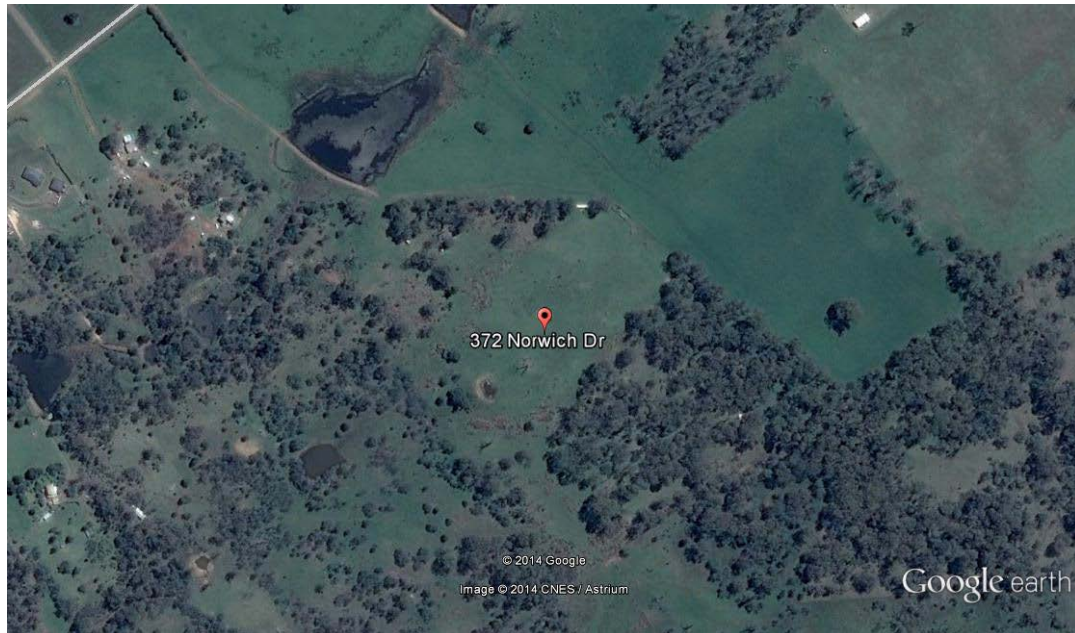
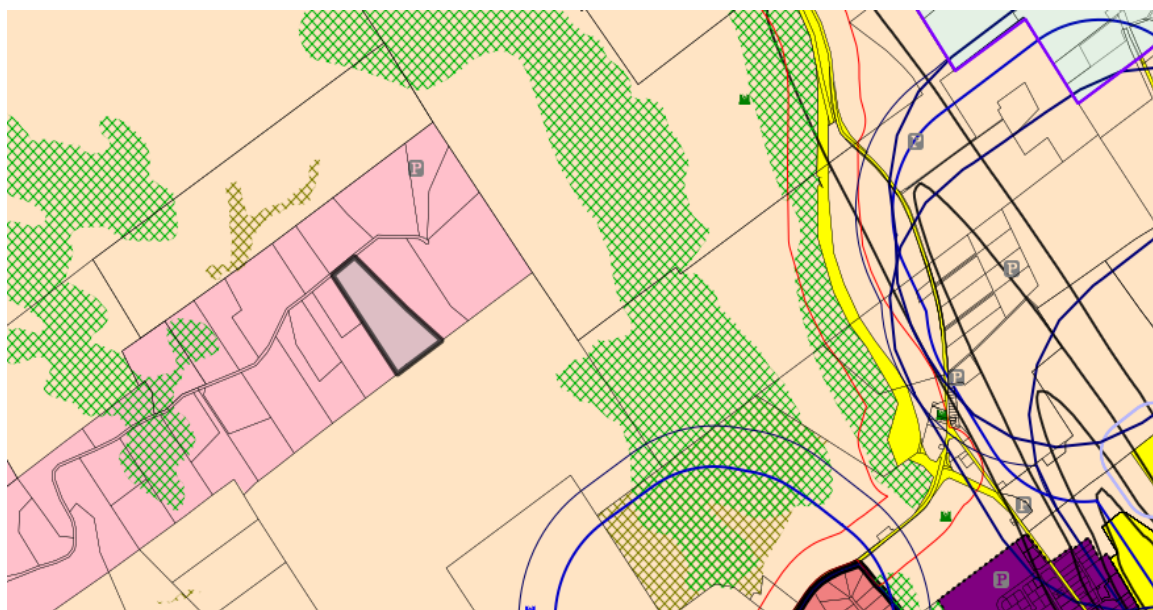


Figure 2 –Proposal Plan



4.2 Zoning and land use

Figure 4 - Zone Map – Rural Living



The land is zoned Rural Living and the proposed subdivision is for residential purposes. The relevant Planning Scheme definitions are:

Residential	use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.
Subdivide	means to divide the surface of a lot by creating estates or interests giving separate rights of occupation otherwise than by: (a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building; (b) a lease of airspace around or above a building; (c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years; (d) the creation of a lot on a strata scheme or a staged development scheme under the Strata Titles Act 1998; or (e) an order adhering existing parcels of land.
Subdivision	means the act of subdividing or the lot subject to an act of subdividing.

Residential use, if for a single dwelling or a home based business is permitted within the Rural Living zone. (Clause 13.2)

Subdivision is discretionary by virtue of clause 9.5.1:

9.5.1 Notwithstanding any other provisions of this planning scheme, with the exception of sub clause 9.3.1, all applications for subdivision may be refused or approved at the

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

Consequently, whilst the purpose of the subdivision is permitted, the subdivision itself is discretionary.

4.3 Subject site and locality

A site visit was undertaken on 06 January 2015. The site is located on the south-eastern side and almost at the end of Norwich Drive, some four kilometres in from Pateena Road.

The relevant portion of the site is cleared pasture sloping south easterly towards an existing dam. The land then rises south easterly and becomes natural bush land.



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4.4 Permit/site history

There are no relevant applications for 372 Norwich Drive prior to the current 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 Dataworks system after completion of the public exhibition period revealed that representations (Attachment B) were received from:

- H Mackinnon, "Mountford"
- B Grubb, Strathroy Pastoral
- P Tubb, 359 Norwich Drive
- C Lyne (obo P Hughes, Jessiefield; B Grubb, Strathroy; and T Gardiner, 443 Norwich Drive)
- T & P Cotton, 346 Norwich Drive

The representations are included with the attachments to this report. The relevant issues raised by the representations are listed and addressed in the following table.

1 ha. lot size is not consistent with Norwich Drive and is a significant variation from the standard.	Norwich drive contains some 33 lots ranging in size from six hectares to around thirty four hectares. The vast majority of lots are greater than ten hectares - the minimum lot size sought by the acceptable solution. Creation of a one hectare lot is a significant variation.
The proposal is not consistent with the zone purpose: 13.1.1.1 To provide for residential use or development on large lots in a rural setting where services are limited. 13.1.1.2 To provide for compatible use and development that does not adversely impact on residential amenity. 13.1.1.3 To provide for rural lifestyle opportunities in strategic locations to maximise efficiencies for services and infrastructure. 13.1.1.4 To provide for a mix of residential and low impact rural uses.	Agreed. The creation of a one hectare lot in a residential setting could be considered a large lot. However, in a rural setting, surrounded by lots more than six times bigger, one hectare is a small lot. The proposal provides for the creation of a lot for residential purposes and is not expected to impact upon the residential amenity of other properties. As a stand-alone proposal this is not completely inconsistent with the zone purpose. However, the provision of a rural lifestyle opportunity on one hectare is limited. The proposal provides for a residential use amongst existing low impact rural uses.
Creates a precedent for further 1 ha. subdivision.	Whilst the concept of precedent is not generally supported in planning assessment, it is inevitable that approval of this proposal would have some influence on future proposals.
Creates a precedent that is opposed to the purpose of the adjoining Rural Resource zone,	Relevantly, zone purpose statement 26.1.1.2 states: "To provide for other use or development that does not constrain or conflict with resource development uses."

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	This proposal does not, of itself, conflict with this purpose statement as the proposed small lot is some 700 metres from the rural zone boundary.
Increases potential for zone conflict.	Similarly to the above, the potential for increased conflict between the zones is linked to the extent this proposal may be seen to further additional proposals and thus see a marked increase in residential uses adjacent to the established farming practices.
Reduces the diversity of available lots for lifestyle rural operations.	Again, this single proposal will have no impact. However, the cumulative impact of multiple small lots created over time will result in the loss of these larger lots and thus reduce future options.
Does not satisfy the Bushfire Hazard Code, specifically E1.6.1.2 (see below) In that Norwich Drive is a no through road and there is no suitable escape strategy; as the proposed egress does not have the consent of the land owners; is not constructed to a suitable standard and contains multiple gates.	The objective below clearly indicates an expectation that where needed there will be multiple evacuation points. A1(C)(iii) provides that a road longer than 200m should be a through road. Norwich Drive at this point is some 4000m long. The bushfire report provided by the applicants asserts that Norwich Drive has an alternative access/egress point through the privately owned properties at 443 Norwich Drive and Strathroy. The issues raised by the owners of these properties in the representations establishes that such alternative access/egress is not available.

E1.6.1.2 Subdivision: Public access

Objective:

Access roads to, and the layout of roads, tracks and trails, in a subdivision:

- allow safe access for occupants, fire fighters and emergency service personnel;
- provide access to the bushfire-prone vegetation that enables both property to be defended when under attack and hazard management procedures to be undertaken;
- are designed and constructed to allow for fire fighting vehicles to be manoeuvred;
- provide access to water supplies for fire-fighting vehicles; and
- are designed to allow connectivity, and where needed, offering multiple evacuation points.

Acceptable Solutions	Performance Criteria
A1 (a) The TFS or an accredited person certifies, having regard to the objective, that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in subdivision for the purposes of fire fighting; or (b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of private access to building areas, is included in a bushfire hazard management plan approved by the TFS or	P1 A proposed plan of subdivision must show the road layout and demonstrate that safe access and egress for occupants, fire-fighting vehicles and emergency service personnel is achieved through the use of appropriate design measures, including:

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accredited person as being consistent with the objective; or (c) A proposed plan of subdivision: (i) shows that, at any stage of a staged subdivision, all building areas are within 200m of a road that is a through road; and (ii) shows a perimeter road, private access or fire trail between the lots and bushfire-prone vegetation, which road, access or trail is linked to an internal road system; and (iii) shows all roads as through roads unless: a. they are not more than 200m in length and incorporate a minimum 12m outer radius turning area; or b. the road is located within an area of vegetation that is not bushfire-prone vegetation; and (iv) shows vehicular access to any water supply point identified for fire fighting.	(i) two-way traffic; (ii) provision of passing bays; (iii) geometry, alignment and slope; (iv) use of through roads to provide for connectivity; (v) limits on the length of cul-de-sacs and provision of turning areas; (vi) access to water supply points for fire fighting vehicles; (vii) perimeter access; (viii) fire trails.
A2 Unless the development standards in the zone require a higher standard, construction of roads must meet the requirements of Table E3.	P2 No performance criteria

4.6 Referrals

Council's Works & Infrastructure Department

Council's Works and Infrastructure Officer, Mr Galbraith, advises that all storm-water must be contained on site and that a new driveway must be constructed in accordance with Council standards.

If approved, the recommended W&I conditions will be included in the permit.

Environmental Health Officer

Council's Environmental Health Officer, Mr Wicks, advised that both proposed lots were likely to be able to satisfactory effluent disposal.

4.7 Planning Scheme Assessment

Relevantly, the proposed subdivision must meet the applicable development standards of the Rural Living zone and the Bushfire Code contained in the Interim Planning Scheme 2013.

13.4.2 Subdivision

Objective

To ensure that subdivision:

- Provides for appropriate wastewater disposal, and stormwater management in consideration of the characteristics or constraints of the land; and
- Provides area and dimensions of lots that are appropriate for the zone; and
- Provides frontage to a road at a standard appropriate for the use; and
- Further the local area objectives and desired future character statements for the area, if any.

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Acceptable Solutions	Performance Criteria						
A1.1 Each lot must: a) have a minimum area in accordance with Table 13.5.1.1 below; or Table 13.5.1.1 – Lot Size <table border="1"> <tr> <td>Blackwood Creek, Deddington,</td><td>10 ha</td></tr> <tr> <td>Norwich Drive, Pateena Road</td><td></td></tr> <tr> <td>Caledonia Drive, Kalangadoo</td><td>2 ha</td></tr> </table> b) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or c) be for the provision of utilities; or d) be for the consolidation of a lot with another lot with no additional titles created; or e) be to align existing titles with zone boundaries and no additional lots are created. A1.2 Each lot must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.	Blackwood Creek, Deddington,	10 ha	Norwich Drive, Pateena Road		Caledonia Drive, Kalangadoo	2 ha	P1 Each lot must: a) be to facilitate protection of a place of Aboriginal, natural or cultural heritage; or b) provide for each lot, sufficient useable area and dimensions to allow for: i) a dwelling to be erected in a convenient, appropriate and hazard free location; and ii) appropriate disposal of wastewater and stormwater; and iii) on-site parking and manoeuvrability; and iv) adequate private open space; and v) vehicular access from the carriageway of the road to a building area on the lot, if any; or c) be consistent with the local area having regard to: i) the topographical or natural features of the site; and ii) the ability of vegetation to provide buffering; and iii) any features of natural or cultural significance; and iv) the presence of any natural hazards; and v) local area objectives, if any; and d) not create lots less than 1.0ha.
Blackwood Creek, Deddington,	10 ha						
Norwich Drive, Pateena Road							
Caledonia Drive, Kalangadoo	2 ha						
A2 Each lot must have a frontage of at least 4.0m.	P2 No performance criteria.						

Whilst the proposed subdivision does not meet the requirements of A1, it does satisfy the applicable performance criteria at P1(b). A2 is met.

With regard to the Bushfire Code and notwithstanding the Bushfire Report prepared by an accredited person, it is considered that the proposal fails to satisfy either of the acceptable solution or performance criteria at clause **E1.6.1.2 Subdivision: Public access**.

Mr Mark Chladil of the Tasmania Fire Service has confirmed that in this regard the bushfire report was inadequate and that multiple access/egress are not achieved for this site.

Consequently, the proposal is found not to meet the planning scheme requirements.

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

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6 OPTIONS

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

7 DISCUSSION

Discretion to refuse an application is usually limited to those specific discretions relied upon in meeting the relevant zone or code provisions. However, where an application is for a subdivision, the subdivision itself is discretionary by virtue of clause 9.5. Therefore, had the proposal satisfied all relevant zone and code provisions (which it has failed to do in this case) the Planning Authority would still have the discretion to approve or refuse the application.

In such a case it is expected that a greater emphasis will be placed on the purpose and objective statements rather than the individual standards. In this way it is reasonable to further consider the zone purpose statements, particularly in regard to the representors concerns about lot sizes and the potential impact of further small lots being created.

Relevantly, the purpose of the rural living zone is to provide for a mix of residential and low impact rural uses. The residential uses are intended to be on large lots providing rural lifestyle opportunities in a rural setting. The low impact rural uses are those rural lifestyle opportunities not adversely impacting on the residential dwellings contained on the large lots.

One hectare is not a large lot in the context of Norwich Drive and there is no compelling reason offered to justify why this proposed lot is not closer to ten hectares and thus providing each proposed lot with rural lifestyle opportunities.

Whilst every application must be treated on its own merits, the creation of this one hectare lot will influence later decisions and the concept of larger rural lifestyle lots, within the Norwich Drive context will be eroded with each additional lot created. So too, potential conflict with existing rural uses is likely to increase.

Given these concerns and the failure to satisfy clause E1.6.1.2, approval of the proposed subdivision is not supported.

8 ATTACHMENTS

- A Application & plans
- B Representations

RECOMMENDATION

That the proposed two lot subdivision of land at 372 Norwich Drive, Longford, be refused on the grounds that:

- 1) The bushfire report fails to have adequate regard to the objective of Clause E1.6.1.2 for the provision of multiple evacuation points;
- 2) That the proposed subdivision fails to meet the acceptable solutions and performance criteria at clause E1.6.1.2. to provide a through road.

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- 3) That the creation of a one hectare lot is inconsistent with the purpose statements of the Rural Living zone within the context of Norwich Drive.

DECISION

Cr

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PLAN 3 PLANNING APPLICATION P14-235 115 FAIRTLOUGH STREET, PERTH

Attachments: Section 1 – Page 312

Responsible Officer: Duncan Payton, Planning & Development Manager

Report prepared by: Erin Boer, Cadet Planner

File Number: 104900.07;s712 CT 207804/1

1 INTRODUCTION

This report assesses an application for a 9-lot subdivision including cul de sac (within 50m of railway) & dwelling demolition at 115 Fairtlough Street, Perth.

2 BACKGROUND

Applicant: 6ty° (obo Shervan)

Owner: Shervan Developments Pty Ltd

Zone: General Residential

Special areas/provisions:

Bushfire-prone area

Road and Rail Code

Classification under the Scheme: Subdivision

Existing Use: Single Dwelling

Deemed Approval Date: 26-Dec-2014.

Recommendation: Approve

Extension of time received to 23-Jan-2015

Discretionary Aspects of the Application

- Reliance on the performance criteria of clauses 10.4.4.5 (P1), 10.4.4.6 (P1) & 10.4.4.7 (P1) of the General Residential Zone.
- Reliance on the performance criteria of clauses E4.6.1 (P2) & E4.7.1 (P1).

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013*

3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (ie 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:

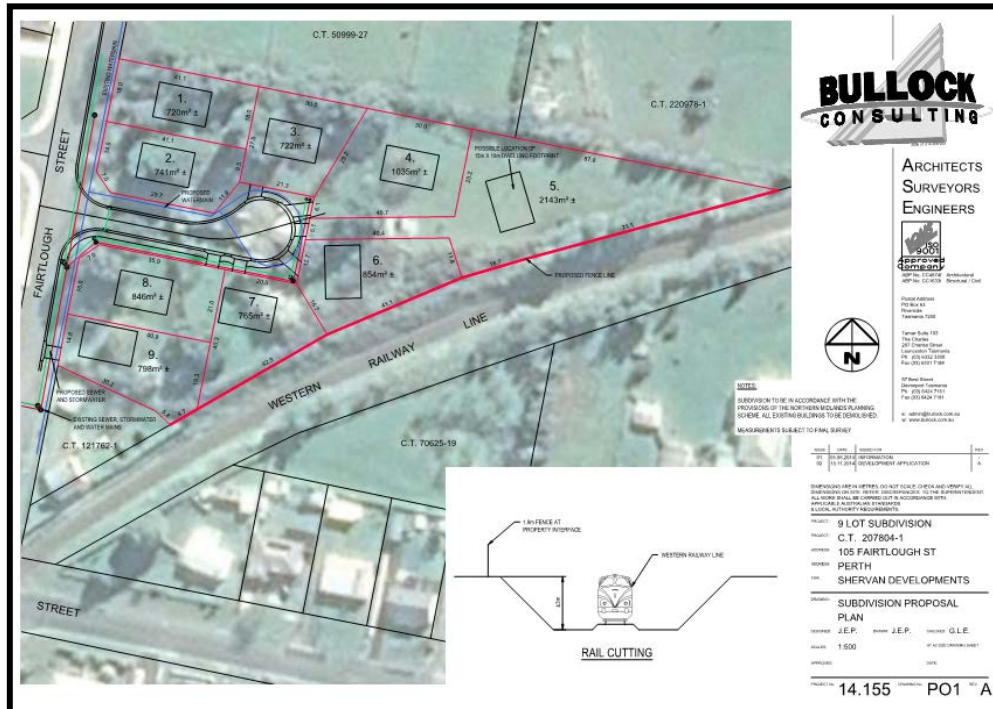
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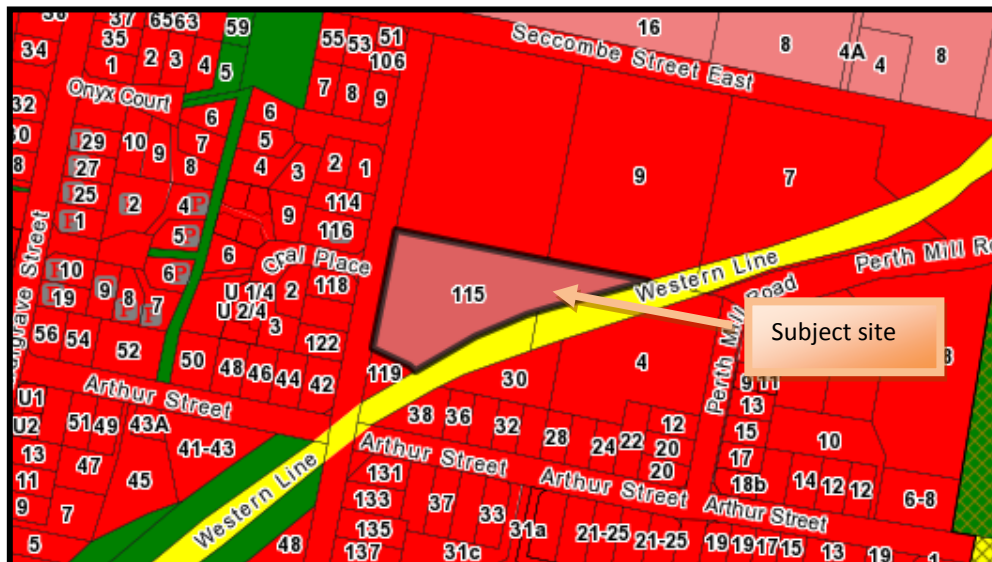
- Subdivide an existing 9800m² lot into 9 residential lots varying in size from 720m² to 2143m². The subdivision will include a sealed cul de sac and relevant services.

Figure 1 – Subdivision Plan



4.2 Zoning and land use

Zoning Map –General Residential



The land is zoned General Residential, and is subject to the provisions of the Bushfire-prone areas Code, Road and Railway Assets Code, Car Parking and Sustainable Transport Code and the Recreation and Open Space Code.

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The relevant Planning Scheme definition is:

<i>subdivision</i>	<i>means the act of subdividing or the lot subject to an act of subdividing.</i>
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Extract from Planning Scheme

Part C Special Provisions

9.5 Subdivision

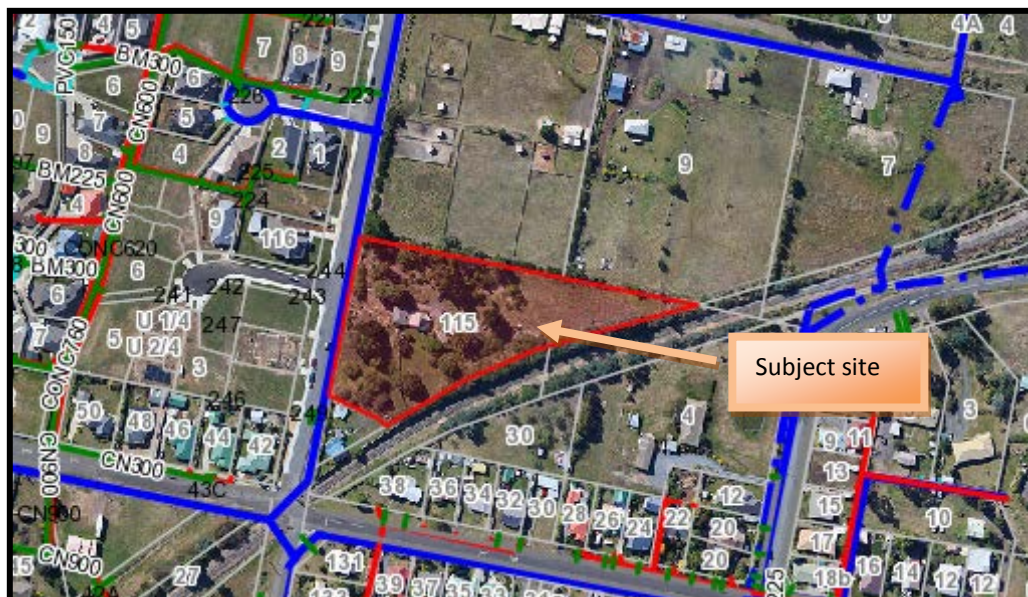
9.5.1 Notwithstanding any other provisions of this planning scheme, with the exception of sub clause 9.2.1, all applications for subdivision may be refused or approved at the discretion of the planning authority, unless the application is for a subdivision that cannot be approved under any applicable development standard or must not be approved under section 84 of the Local Government (Building and Miscellaneous Provisions) Act 1993.

Subdivision is discretionary within the zone.

4.3 Subject site and locality

A site visit was undertaken on the 18th November 2014 by Erin Boer, Cadet Planner. The lot is a triangular shaped parcel of land with a total area of approximately 9800m². The site currently contains a single dwelling and outbuildings; however, all existing buildings on site are proposed to be demolished as part of the application. The site is located within the Perth urban growth boundary and the surrounding area to the west, east and south is characterised by residential lots consisting of single dwellings interspersed with multiple dwellings. Immediately north of the site are large general residential zoned lots; while further north the properties are zoned low density residential. The Western Line Railway bounds the southern boundary of the site.

Aerial photograph of area



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Photographs of subject site



^Existing dwelling on site to be demolished.



^ Existing access and site notice.



^South western corner of lot – looking north east

4.4 Permit/site history

Relevant permit history includes:

BA (unknown #) 1959 - Dwelling & Sheds (5)

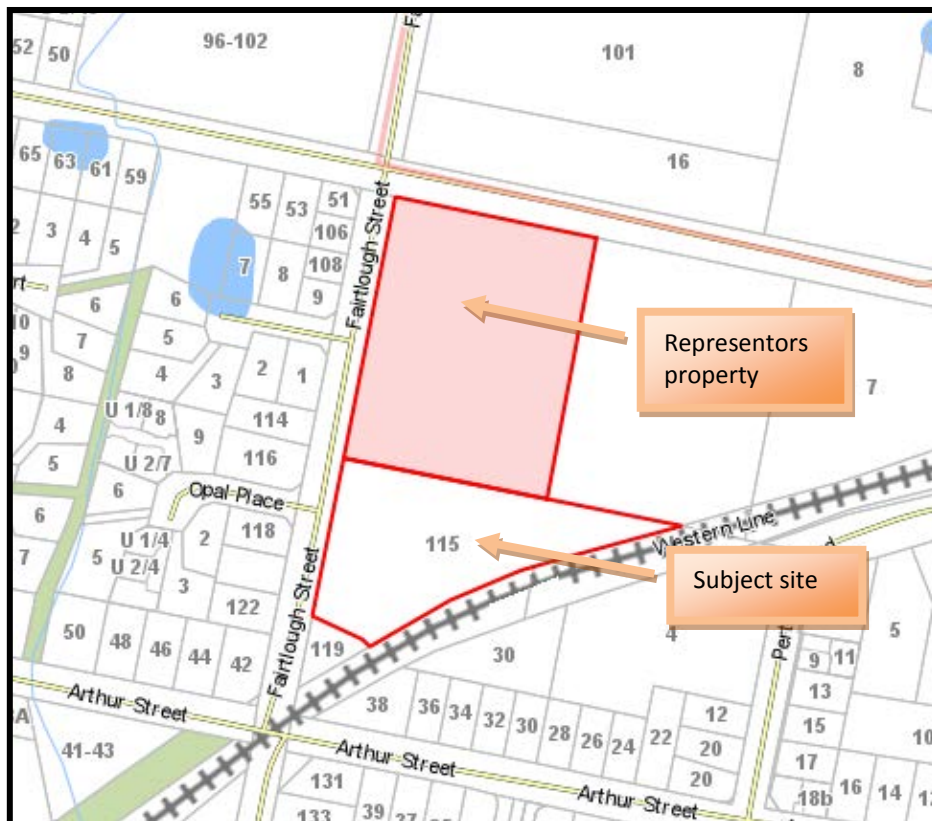
BA 46/92 - shed

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 Dataworks system after completion of the public exhibition period revealed that a representation (Attachment B) was received from:

- B & M Calder, 13-15 Seccombe Street, Perth 7300

Map showing location of representor properties in relation to subject site



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

Issue 1

- Fence removal on common boundary between representor's property at 13-15 Seccombe Street and 115 Fairtlough Street.

Construction of a timber or Colorbond boundary fence at the developer's expense was requested to mitigate:

- Dogs and people gaining access to representor's property;
- Noise during construction works;

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- Rubbish from contractors blowing into property; and
- Assist privacy.

Planner's comment:

The erection and repair of boundary fences in Tasmania is a civil matter, as set out by the *Boundary Fences Act 1908*.

"The *Boundary Fences Act 1908* ('the Act') sets out the law in Tasmania relating to erecting and repairing boundary fences. If neighbouring properties are not divided by a 'sufficient or rabbit-proof' fence, or the fence needs repairing, the neighbours are legally required to erect or repair the fence.

The provisions of the Act will not apply to you if your property boundary adjoins unoccupied Crown land, a public reserve, land owned by the Forestry Corporation, or any unsold land adjoining land already owned by one person (e.g. land in a subdivision which has not yet been sold separately) [s.71B *Conveyancing and Law of Property Act 1884*]." (Legal Aid Tasmania, *Boundary Fences Self Help Kit* – available at:

<https://www.legalaid.tas.gov.au/Publications/SelfHelpKits/BoundaryFences.PDF>)

Accordingly, Council does not have jurisdiction to enforce the construction of a fence as requested. A private agreement may be arranged between the developer and the representor to the satisfaction of both parties.

Issue 2

- Notification of tree felling required 24 hrs prior to works commencing.

Planner's comment:

Notification of tree removal is not a planning concern and conditioning the permit to require such notification would result in a legally unenforceable condition. The developer and representor have discussed the proposal privately and should come to a private agreement to the satisfaction of both parties.

The representor noted that they have no other issues with the development of the land for a subdivision.

4.6 Referrals

Council's Works & Infrastructure Department

Precis: Council's Works & Infrastructure Department (Jonathan Galbraith) reviewed the application on the 20th November 2014 and Mr Galbraith's recommended conditions are included in the conditions of approval.

TasWater

Precis: The application was referred to Taswater on the 17th November 2014. A Taswater Submission to Planning Authority Notice was issued on the 1st December 2014 (Reference: TWDA2014/01279-NMC).

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Tasrail (adjoining landowner)

Precis: The application was referred to Tasrail on the 17th November 2014. A standard response from Tasrail was received on the 4th December 2014 (dated 27th November 2014) stating that Tasrail had no objections to the proposal, provided that a number of factors were adhered to. If approved, the permit will be conditioned to be in accordance with Tasrail's requirements as detailed in their response.

Local District Committee

Precis: Not applicable as the application did not involve an application that was industrial, commercial, within the main street precinct, a subdivision of greater than 10 allotments and/or any other that may impinge on the town streetscape.

4.7 Planning Scheme Review

GENERAL RESIDENTIAL ZONE
ZONE PURPOSE
<i>To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</i> <i>To provide for compatible non-residential uses that primarily serve the local community.</i> <i>Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off site impacts.</i> <i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i>
Assessment: The subdivision will provide for 9 residential lots of a range of sizes that will accommodate a range of fully serviced dwellings. The subdivision is consistent with the urban density to the western side of Fairtlough Street and will provide for a range of serviced lots within the town boundary. As such, the proposal meets the zone purpose.
LOCAL AREA OBJECTIVES
<i>To consolidate growth within the existing urban land use framework of the towns and villages.</i> <i>To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.</i> <i>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</i>
Assessment: The proposal meets the local area objectives as it allows for a consolidation of growth within the urban growth boundary in a serviced location. The site is not located within the Heritage Precinct.
DEVELOPMENT STANDARDS FOR SUBDIVISIONS IN GENERAL RESIDENTIAL ZONE

10.4.4 Subdivision

10.4.4.1 Lot Area, Building Envelopes and Frontage

Objective: *To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, private open space, vehicle access and parking, easements and site features.*

Acceptable Solutions	Performance Criteria
A1 Lots must: a) have a minimum area of at least 450m² which:	P1 Each lot for residential use must provide sufficient useable area

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i) is capable of containing a rectangle measuring 10m by 15m; and ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or b) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or c) for the provision of utilities; or d) for the consolidation of a lot with another lot with no additional titles created; or e) to align existing titles with zone boundaries and no additional lots are created.	a) and dimensions to allow for: 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.
A2 Each lot must have a frontage of at least 3.6m.	P2 Each lot must have appropriate, permanent access by a Right of Carriageway registered over all relevant titles.

Comment:

Complies with Acceptable Solution A1 (a) (i) and (ii). All lots are greater than 450m² and are able to contain a rectangle measuring 10 x 15m which meet the acceptable solutions for setback requirements. All existing buildings are proposed to be demolished.

Complies with Acceptable Solution A2. Each lot has frontage to a road of greater than 3.6m.

10.4.4.2 Provision of Services

Objective: To provide lots with appropriate levels of utility services.	
Acceptable Solutions	Performance Criteria
A1 Each lot must be connected to a reticulated: a) water supply; and b) sewerage system.	P1 Each lot created 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.
A2 Each lot must be connected to a reticulated stormwater system.	P2 Each lot created must be capable of disposal of stormwater to a legal discharge point.

Comment:

Complies with acceptable solution A1 (a) and (b). Each lot proposed will have a connection to both a reticulated water supply and sewerage system.

Complies with acceptable solution A2. Each lot will be connected to a reticulated stormwater system.

10.4.4.3 Solar Orientation of Lots

Objective: To provide for solar orientation of lots and solar access for future dwellings.
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Acceptable Solutions		Performance Criteria	
A1	At least 50% of lots must have a long axis within the range of:	P1	Dimensions of lots must provide adequate solar access, having regard to the likely dwelling size and the relationship of each lot to the road.
a)	north 20 degrees west to north 30 degrees east; or		
b)	east 20 degrees north to east 30 degrees south.		
A2	The long axis of residential lots less than 500m ² , must be within 30 degrees east and 20 degrees west of north.	P2	Lots less than 500 m ² must provide adequate solar access to future dwellings, having regard to the:
		a)	size and shape of the development of the subject site; and
		b)	topography; and
		c)	location of access way(s) and roads.

Comment:

Complies with acceptable solution A1 (b). Greater than 50% of lots have a long access within the range of east 20 degrees north to east 30 degrees south.

Acceptable solution A2 is not applicable. All lots have an area greater than 500m².

10.4.4.5 Integrated Urban Landscape

<i>Objective: To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:</i>			
<i>a) character and identity of new neighbourhoods and urban places; or</i>			
<i>b) to existing or preferred neighbourhood character, if any.</i>			
Acceptable Solutions		Performance Criteria	
A1	The subdivision must not create any new road, public open space or other reserves.	P1	For subdivision that creates roads, public open space or other reserves, the design must demonstrate that:
		a)	it has regard to existing, significant features; and
		b)	accessibility and mobility through public spaces and roads are protected or enhanced; and
		c)	connectivity through the urban environment is protected or enhanced; and
		d)	the visual amenity and attractiveness of the urban environment is enhanced; and
		e)	it furthers the local area objectives, if any.

Comment:

Relies on Performance Criteria P1 (a-e) for compliance.

- a) The proposed cul de sac will allow accessibility to the rear of the lot, and provide a connection to the greater road network. There are no significant features on the lot.
- b) The proposed cul de sac will allow for access to the greater road network via Fairtlough and Arthur Streets. The nearby level crossing is signposted with lights.

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- c) The connectivity through the urban environment will be protected through a network of roads and pedestrian walkways which are already established in the area.
- d) The subdivision will result in four lots having street frontage to Fairtlough Street, creating an attractive urban environment once new developments are established.
- e) The proposal is consistent with the local area objectives, as it proposes to consolidate growth within the existing urban growth boundary.

10.4.4.6 Walking and Cycling Network

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

Comment:

Relies on Performance Criteria P1 (a-d) for compliance.

- a) The proposed footpath will provide a link between the proposed lots and existing footpaths already established in the residential development to the west of the subject site.
- b) The proposed cul de sac and footpath will create a direct link between the proposed lots and the existing road and footpath networks.
- c) The cul de sac's connection with Fairtlough Street ensures a safe and accessible connection to the greater road and footpath networks. This allows a continuous connection to the main retail area of Perth via all modes of transport.

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- d) Passive surveillance of the road network will be enhanced with four lots fronting Fairtlough Street, and the remainder being accessed via the cul-de-sac. Only one of the 9 lots is internal and will have reduced surveillance of the road; however, abutting dwellings will satisfy this role.

10.4.4.7 Neighbourhood Road Network

Objective:	
a) To provide for convenient, safe and efficient movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood road network; and	
b) To design and construct road carriageways and verges so that the road geometry and traffic speeds provide an accessible and safe neighbourhood road system for all users.	
Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road.	P1 The neighbourhood road network must: a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and c) provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport; and d) provide safe and efficient access to activity centres for commercial and freight vehicles; and e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and f) provide an interconnected and continuous network of roads within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles and minimise the provision of cul-de-sacs; and g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and h) take into account of any identified significant features.

Comment:

Relies on Performance Criteria P1 (a-d) for compliance.

- a) The proposed cul de sac will allow for access to the greater road network including the Midland Highway, via Fairtlough and Arthur Streets. The proposed footpath will provide connection to the established footpath network.
- b) The heirachy of roads in the area are clearly distinguishable. The proposed cul de sac will be identifiable as residential road.
- c) As the cul de sac is a no through road, servicing 5-7 lots and with a total length of approximately 45m, traffic speed and movements will be minimal.
- d) N/a

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- e) N/a – a connector road is not proposed.
- f) Due to the small nature of the subdivision, a cul-de-sac provides the most efficient form of connectivity between the proposed lots and the existing road network.
- g) The cul de sac has a 12m radius, as required by the Bushfire Code – E1.6.1.2 Subdivision: public access.
- h) N/a – no identified significant features.

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	Complies. Bushfire Report provided by Scott Livingston (AK Consultants) dated 22/8/2014. See code assessment below.
E2.0 POTENTIALLY CONTAMINATED LAND	N/A
E3.0 LANDSLIP CODE	N/A
E4.0 ROAD AND RAILWAY ASSETS CODE	Complies. Noise report provided by Vipac dated 12/11/2014 and Traffic Impact Assessment provided by 6ty° dated 21/10/2014. See code assessment below.
E5.0 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 – tree removal covered by exemption under clause 6.3.2 (f) and (j) of the Planning Scheme.
E9.0 WATER QUALITY CODE	N/A
E10.0 RECREATION AND OPEN SPACE CODE	Complies. See code assessment below.
E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/A
E12.0 AIRPORTS IMPACT MANAGEMENT CODE	N/A
E13.0 LOCAL HISTORIC HERITAGE CODE	N/A
E14.0 COASTAL CODE	N/A
E15.0 SIGNS CODE	N/A

ASSESSMENT AGAINST E1.0 (BUSHFIRE-PRONE AREAS CODE)

E1.6 Development Standards

E1.6.1 Development standards for subdivision

This standard applies to a development consisting of a subdivision where any part of that subdivision is in a bushfire-prone area.

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E1.6.1.1 Subdivision: Provision of hazard management areas

Objective:

Subdivision provides, where appropriate, for hazard management areas that:

- facilitate an integrated approach between subdivision and subsequent building on a lot;
- provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building site;
- provide protection for lots at any stage of a staged subdivision.

Acceptable Solutions	Performance Criteria
A1 (a) The TFS or an accredited person certifies, having regard to the objective, that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or (b) The proposed plan of subdivision - (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivisions; and (ii) shows the building area for each lot; and (ii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas. The proposed plan of subdivision must be accompanied by a bushfire hazard management plan certified by the TFS or accredited person demonstrating that hazard management areas can be provided; and (iv) applications for subdivision requiring hazard management areas to be located on land that is external to the proposed subdivision must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.	P1 A proposed plan of subdivision must show that there are adequate hazard management areas in relation to the building areas shown on all lots within or partly within a bushfire-prone area. In determining the dimensions of hazard management areas, it must be demonstrated that the following have been taken into consideration: (i) the nature of the bushfire-prone vegetation including the type, structure and flammability; (ii) topography, including slope; (ii) other potential forms of fuel and ignition sources; (iv) the risk of bushfire to lots at any stage of staged subdivision; (v) separation distance from the bushfire-prone vegetation does not unreasonably restrict subsequent development. Applications must demonstrate that hazard management areas can be provided.

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Comment:

Complies with acceptable solution A1 (a). Refer to Bushfire Report provided by Scott Livingston (AK Consultants) dated 22/8/2014.

E1.6.1.2 Subdivision: Public access

Objective:

Access roads to, and the layout of roads, tracks and trails, in a subdivision:

- *allow safe access for occupants, fire fighters and emergency service personnel;*
- *provide access to the bushfire-prone vegetation that enables both property to be defended when under attack and hazard management procedures to be undertaken;*
- *are designed and constructed to allow for fire fighting vehicles to be manoeuvred;*
- *provide access to water supplies for fire-fighting vehicles; and*
- *are designed to allow connectivity, and where needed, offering multiple evacuation points.*

Acceptable Solutions	Performance Criteria
A1 (a) <i>The TFS or an accredited person certifies, having regard to the objective, that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in subdivision for the purposes of fire fighting; or</i> (b) <i>A proposed plan of subdivision showing the layout of roads and fire trails, and the location of private access to building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being consistent with the objective; or</i> (c) <i>A proposed plan of subdivision:</i> (i) <i>shows that, at any stage of a staged subdivision, all building areas are within 200m of a road that is a through road; and</i> (ii) <i>shows a perimeter road, private access or fire trail between the lots and bushfire-prone vegetation, which road, access or trail is linked to an internal road system; and</i> (iii) <i>shows all roads as through roads unless:</i> a. <i>they are not more than 200m in length and incorporate a minimum 12m outer radius turning area; or</i> b. <i>the road is located within an area of vegetation that is not bushfire-prone vegetation; and</i> (iv) <i>shows vehicular access to any water supply point identified for fire fighting.</i>	P1 <i>A proposed plan of subdivision must show the road layout and demonstrate that safe access and egress for occupants, fire-fighting vehicles and emergency service personnel is achieved through the use of appropriate design measures, including:</i> (i) <i>two-way traffic;</i> (ii) <i>provision of passing bays;</i> (iii) <i>geometry, alignment and slope;</i> (iv) <i>use of through roads to provide for connectivity;</i> (v) <i>limits on the length of cul-de-sacs and provision of turning areas;</i> (vi) <i>access to water supply points for fire fighting vehicles;</i> (vii) <i>perimeter access;</i> (viii) <i>fire trails.</i>
A2 <i>Unless the development standards in the zone require a higher standard, construction of roads must meet the requirements of Table E3.</i>	P2 <i>No performance criteria</i>

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Comment:

Complies with acceptable solution A1 (c). Refer to Bushfire Report provided by Scott Livingston (AK Consultants) dated 22/8/2014.

Complies with A2. Refer to Bushfire Report provided by Scott Livingston (AK Consultants) dated 22/8/2014.

Table E3: Standards for roads, private access and fire trails in bushfire-prone areas.

Road type	Standard
Roads	Not less than a Class 4A or Class 4B road under Australian Road and Research Board (ARRB) <i>Unsealed Roads Manual – Guidelines to Good Practice</i> 3 rd Edition
Private access	Not less than a modified 4C access road under ARRB <i>Unsealed Roads Manual – Guidelines to Good Practice</i> 3 rd Edition as specified in the <i>Building Code of Australia</i>
Fire trails	Not less than a modified 4C access road under ARRB <i>Unsealed Roads Manual – Guidelines to Good Practice</i> 3 rd Edition as specified in the <i>Building Code of Australia</i>

E1.6.1.3 Subdivision: Provision of water supply for fire fighting purposes

Objective: <i>Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>In areas serviced with reticulated water by a Regional Corporation:</i> <i>the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or</i> <i>a proposed plan of subdivision shows that all parts of a building area are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa in accordance with Table 2.2 and clause 2.3.3 of AS 2419.1 2005 - Fire hydrant installations.</i>	P1 <i>No performance criteria</i>
A2 <i>In areas that are not serviced by reticulated water by a Regional Corporation or where the requirements of A1 (b) cannot be met:</i> <i>the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures being provided; or</i> <i>a bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient, consistent with the objective, to manage the risks to property and lives in the event of a bushfire; or</i> <i>it can be demonstrated that:</i> <i>a static water supply, dedicated to fire fighting, will be provided and that the water supply has a minimum capacity</i>	P2 <i>No performance criteria</i>

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of 10000 litres per building area and is connected to fire hydrants; and (ii) a proposed plan of subdivision shows all building areas to be within reach of a 120m long hose connected to a fire hydrant, measured as a hose lay, with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa; or d) it can be demonstrated that each building area can have, or have access to, a minimum static water supply of 10000 litres that is: (i) dedicated solely for the purposes of fire fighting; and (ii) accessible by fire fighting vehicles; and (iii) is within 3m of a hardstand area.	
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Comment:

Complies with A1 (b). Refer to Bushfire Report provided by Scott Livingston (AK Consultants) dated 22/8/2014. Note: recommendation to install fire plug at the end of cul de sac to provide firefighting water supply to all lots, even those which are not considered to be 'bushfire prone'.

ASSESSMENT AGAINST E4.0 (ROAD AND RAILWAY ASSETS CODE)

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

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

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	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.
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Comment:

A1 – N/a

A2 – Does not comply. Relies on Performance Criteria P2 for compliance. The Traffic Impact Assessment provided with the application identifies that an acceptable level of safety for all road users, including pedestrians and cyclists, will be maintained. The application has also been referred to Council's Works and Infrastructure Department who have not identified any major traffic concerns. Any additional road upgrade requirements will be conditioned by the permit.

A3 – N/a – Speed limit is less than 60km/h.

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:	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)	new road works, buildings, additions and extensions, earthworks and landscaping works; and	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)	building envelopes on new lots; 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)	outdoor sitting, entertainment and children's	c)	ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future

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<i>play areas</i>	d) <i>road or railway; and 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.</i>
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Comment:

A1 – Does not comply. Relies on Performance Criteria.

P1 a) As the Western Line Railway is cut to a depth of approximately 3m below the level of the proposed lots, the subdivision will not impact on the safety and efficiency of the railway line, including sight lines. The nearby level crossing at the intersection of Arthur and Fairtlough Streets has existing signage and lights.

b) A Noise, vibration and air quality impact assessment was undertaken by Vipac Engineers, and the report forms part of the application documents. The report noted that no mitigation recommendations were required.

E4.7.2 Management of Road Accesses and Junctions

<i>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.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>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.</i>	P1 <i>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.</i>
A2 <i>For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</i>	P2 <i>For limited access roads and roads with a speed limit of more than 60km/h:</i> a) <i>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</i> b) <i>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</i> c) <i>an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</i>

Comment:

A1 – Complies. Each lot is proposed to have a single access.

A2 – N/a – less than 60km/h

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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:	P1	Where land has access across a railway:
a)	development does not include a level crossing;	a)	the number, location, layout and design of level crossings maintain or improve the safety and efficiency of the railway; and
b)	or	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
b)	development does not result in a material change onto an existing level crossing.	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.

Comment:

A1 – N/a – the land is not accessed across a railway.

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	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.
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.		

Comment:

A1 a) Complies. The development has sufficient site distances as demonstrated by the Traffic Impact Assessment provided.

b) N/a.

c) N/a.

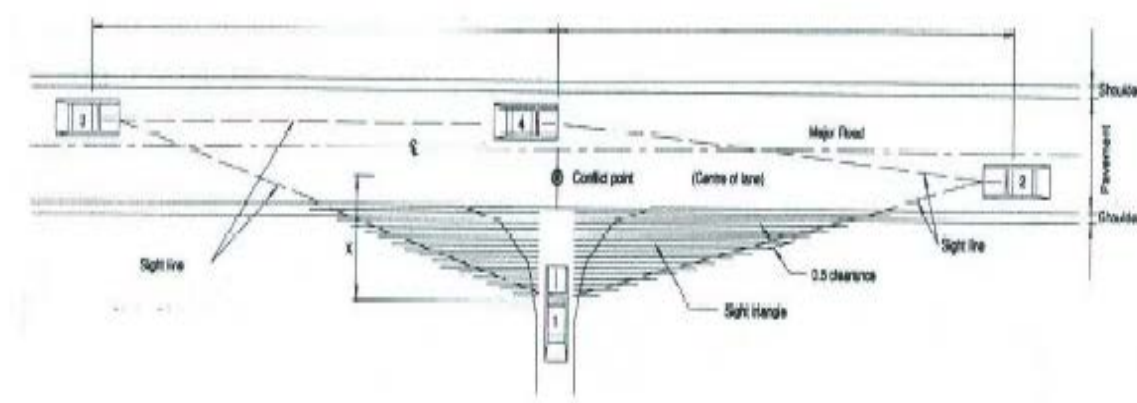


Figure E4.7.4 Sight Lines for Accesses and Junctions

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 km/h	Safe Intersection Sight Distance (SISD) metres, for speed limit of:	
	60 km/h or less	Greater than 60 km/h
50	80	90
60	105	115

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.

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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		Comment
A1	The number of car parking spaces must not be less than the requirements of:	Complies with the requirements of Table E6.1 – each lot has sufficient area to allow for parking in accordance with the table.
a)	Table E6.1; or	
b)	a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	

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		Comment
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	Complies with the requirements of Table E6.1 – each lot has sufficient area to allow for bicycle parking in accordance with the table.
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	

E6.6.3 Taxi Drop-off and Pickup

Not applicable

E6.6.4 Motorbike Parking Provisions

Not applicable

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

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

Acceptable Solutions		Comment
A1	All car parking, access strips manoeuvring and circulation spaces must be:	To be re-assessed upon development of the lots. The proposed road will be constructed to Council standards and each lot will be provided with a concrete crossover.
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.	

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E6.7.2 Design and Layout of Car Parking

<i>Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.</i>		
Acceptable Solutions		Comment
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	A1.1 – To be re-assessed upon development of the lots.
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	A1.2 – To be re-assessed upon development of the lots.
A2.1	Car parking and manoeuvring space must:	A2.1
a)	have a gradient of 10% or less; and	A) To be re-assessed upon development of the lots.
b)	where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	B) To be re-assessed upon development of the lots.
c)	have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and	C) To be re-assessed upon development of the lots.
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.	A2.2 – To be re-assessed upon development of the lots.

E6.7.3 Car Parking Access, Safety and Security

Not applicable

E6.7.4 Parking for Persons with a Disability

Not applicable

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

Not applicable

E6.8 Provisions for Sustainable Transport

E6.8.2 Bicycle Parking Access, Safety and Security

Not applicable – not required for customers or visitors - Private use only.

E6.8.5 Pedestrian Walkways

Not applicable

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Residential	1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space for every 5 dwellings	1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation

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Table E6.2: Access Widths for Vehicles

<i>Number of parking spaces served</i>	<i>Access width (see note 1)</i>	<i>Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)</i>
1 to 5	3.0m	Every 30m
6 to 20	4.5m* for initial 7m from road carriageway and 3.0m thereafter	Every 30m
21 and over	5.5m	Not applicable

ASSESSMENT AGAINST E10.0 (RECREATION AND OPEN SPACE CODE)

E10.6 Development Standards

E10.6.1 Provision of Public Open Space

<i>Objective</i>		
a) To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity and health of the community; and b) To ensure that the design of public open space delivers environments of a high quality and safety for a range of users, together with appropriate maintenance obligations for the short, medium and long term.		
<i>Acceptable Solutions</i>	<i>Performance Criteria</i>	
A1 The application must:	P1	Provision of public open space, unless in accordance with Table E10.1, must:
a) include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu.	a)	not pose a risk to health due to contamination; and
	b)	not unreasonably restrict public use of the land as a result of:
		i) services, easements or utilities; and
		ii) stormwater detention basins; and
		iii) drainage or wetland areas; and
		iv) vehicular access; and
	c)	be designed to:
		i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and
		ii) reasonably contribute to the pedestrian connectivity of the broader area; and
		iii) be cost effective to maintain; and
		iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and
		v) provide for public safety through Crime Prevention Through Environmental Design principles; and
		vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and
		vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and
		ix) create attractive environments and focal points that contribute

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	<i>to the existing or desired future character statements, if any.</i>
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Comment:

Complies with acceptable solution A1 (a). Consent from the General Manager given on the 17th November 2014.

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

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

9.5 Subdivision

- 9.5.1** Notwithstanding any other provisions of this planning scheme, with the exception of sub clause 9.3.1, all applications for subdivision may be refused or approved at the discretion of the planning authority, unless the application is for a subdivision that must not be approved under section 84 of the Local Government (Building and Miscellaneous Provisions) Act 1993.

Comment:

The application is able to be assessed as discretionary application and is in accordance with section 84 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

STATE POLICIES
The proposal is consistent with all State Policies.

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
Strategic Plan 2007-2017 <i>The proposal is consistent with the strategic plan</i>

5 SERVICES

Sewer & Water

The application was referred to TasWater regarding water and sewer infrastructure. Their Submission to Planning Authority Notice is included as Attachment C to this report and will be included as an attachment if a permit is issued.

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Stormwater & Access

The application was referred internally to the Council's Works & Infrastructure Department, who advised as follows:

- The subdivision can be serviced by Council infrastructure.

Their recommended conditions of approval will be included if a permit is issued.

Provision of Services

Prior to the sealing of the final Plan of Subdivision, the applicant would be required to provide water services, sewer and stormwater services to the property boundaries of all lots (as required by TasWater/Works & Infrastructure Section's conditions).

Public Open Space Contribution

In addition, it is considered appropriate to apply the public open space contribution to additional lots created as specified in the *Local Government (Building & Miscellaneous Provisions) Act 1993* as this subdivision is in a township area, in accordance with Council's Policy.

The Public Open Space Rate

- 1 *The Public Open Space Rate shall be \$1200 per additional lot created (ie. A subdivision that turns one lot into four has created three additional lots and will attract a public open space contribution/fee of \$3,600.)*

OR

- 2 *The applicant may, at his or her discretion, obtain a current (not less than one month old) valuation, by a registered land valuer, of the subject land, less one of the proposed lots (or strata units). The Public Open Space Rate shall total 5% of that value.*

6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

7 OPTIONS

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

8 DISCUSSION

Council has discretion to refuse the application, based on the discretionary use of the proposal and reliance on the performance criteria of the General Residential Zone and Road and Railway Assets Code.

The development proposes a subdivision which will consolidate growth within the existing urban growth boundary, at lot sizes which are consistent with the surrounding area. The risk of bushfire hazard has been assessed by an accredited bushfire practitioner as low. Transport and

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noise related concerns have been addressed through a Traffic Impact Assessment and independent Noise/Vibration report by Vipac Engineers and Scientist Ltd.

Relevant referral bodies have been consulted and the responses will form conditions of the permit in addition to standard conditions of approval.

9 CONCLUSION

The proposal meets the requirements of the *General Residential Zone* and the *Bushfire-Prone Areas Code, Road and Railway Assets Code, Car Parking and Sustainable Transport Code and the Recreation and Open Space Code*.

It is recommended that the application be approved with the conditions below.

10 ATTACHMENTS

- A Proposal plans and reports
- B Representation
- C TasWater consent
- D Works & Infrastructure referral
- E TasRail submission

RECOMMENDATION

That land at 115 Fairtlough Street, Perth be approved to be developed and used for a 9-lot subdivision including cul de sac (within 50m of railway) & dwelling demolition in accordance with application P14-235, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1** (*Drawing No. 14-155, Sheet No's: P01 Rev. A*) & **D1** (*Supporting submission by 6ty° dated Nov 2014, Project Number 14.155, Issue 01*) & **D2** (*Traffic Impact Assessment by 6ty° dated 21st October 2014, Project Number 14.155*) & **D3** (*Bushfire Hazard Management Report by Scott Livingston (AK Consultants) dated 22nd August 2014*) & **D4** (*Noise, Vibration and Air Quality Assessment by Vipac Engineers and Scientists Ltd dated 12th November 2014*).

2 Bushfire and firefighting safety and water supply

The use and development of the land shall be in accordance with the endorsed Bushfire Hazard Management Report by Scott Livingston (AK Consultants) dated 22nd August 2014, including the installation of a fire plug at the head of the cul-de-sac to provide fire fighting water supply to all lots.

3 Council's Works & Infrastructure Department conditions

3.1 Stormwater

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

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- ii A stormwater design plan including long sections and the depth, size and grade of all mains is to be provided to Council prior to the commencement of any works on site.
- iii Calculations shall be provided to demonstrate that the system is of sufficient capacity to drain the road and all lots to be created.

3.2 Access (Urban)

A concrete driveway crossover and concrete apron shall be constructed for each lot from the edge of the street to the property boundary in accordance with Council standards.

3.3 Roadworks

- i Road widening shall be carried out in Fairtlough Street in accordance with Tasmanian Standard Drawing TSD-R06 and kerb and channel shall be installed at the frontage of each lot.
- ii A 1.8m wide concrete footpath shall be constructed on one side of the Cul de Sac to service all lots.
- iii An engineering design of the road and drainage system including pavement long sections and cross sections is to be approved by Council before the commencement of works on site

3.4 As constructed information

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

3.5 Municipal standards & certification of works

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

3.6 Works in road reserve

No works shall be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works & Infrastructure Manager. Twenty-four hours (24) notice shall be given to the Works & Infrastructure Department to inspect works within road reserve and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.

3.7 Hydraulic separation

- i Any existing pipes and stormwater connections shall be located where required pipes are to be rerouted to provide an independent system for each lot.
- ii Certification shall be provided that hydraulic separation between the all lots has been achieved.

3.8 Easements to be created

Easements shall be created over all Council-owned services in favour of the Northern Midlands Council. Such easements shall be created on the final plan to the satisfaction of the Planning & Development Manager.

3.9 Pollutants

- i The developer/property owner shall be responsible for ensuring pollutants such as mud, silt or chemicals are not released from the site.

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- ii Prior to the commencement of the development works the developer/property owner must install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. No material or debris is to be transported onto the road reserve (including the naturestrip footpath and road pavement). Any material that is deposited on the road reserve shall be removed by the applicant. Should Council be required to clean or carry out works on any of their infrastructure as a result of pollutants being released from the site the cost of these works may be charged to the developer/property owner.

3.10 Bonds

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

3.11 Naturestrips

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

4 TasWater conditions

Sewer and water services shall be provided in accordance with the Taswater Submission to Planning Authority Notice, dated 1st December 2014 (Reference: TWDA2014/01279-NMC) – Appendix A.

5 TasRail conditions

The use and development shall be in accordance with the TasRail Submission, dated 27 November 2014 (Reference: 2014–TR/NMC–222) – Appendix B.

6 Public open space contributions

A contribution shall be paid towards the cost of providing public open space infrastructure in accordance with Council policy (currently \$1200 per new lot).

7 Sealing of plans

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

DECISION

Cr

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PLAN 4 PLANNING APPLICATION P14-048 643 RELBIA ROAD, RELBIA

Attachments: Section 1 – Page 382

Responsible Officer: Duncan Payton, Planning and Development Manager

Report prepared by: Erin Boer, Cadet Planner

File Number: 202900.13 CT 13034/4

1 INTRODUCTION

This report assesses an application for 643 Relbia Road, Relbia to construct a dwelling - vary [S&E] setbacks (within Environmental Impacts & Attenuation zone), relocation of shed & shipping containers, demolition of buildings & new access.

2 BACKGROUND

Applicant:

AJ & LM Shepherdson Pty Ltd

Owner:

AJ & LM Shepherdson Pty Ltd

Zone:

Rural Resource

Special Areas:

Environmental impacts & attenuation area
Bushfire-prone area

Classification under the Scheme:

Residential (Single Dwelling)

Existing Use:

Illegal use of buildings

Deemed Approval Date:

6-Jan-2015

EOT to 23-Jan-2015

Recommendation:

Approve

Discretionary Aspects of the Application

- Discretionary use; and
- Reliance of performance criteria of clauses 26.3.2, 26.4.1, E4.7.4 & E11.6.1 of the Planning Scheme.

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013*



3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (ie 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 single dwelling on existing shed slab.
- Relocate existing shed.
- Relocate and gain approval for existing illegal shipping containers.
- Demolish and remove all other illegal structures from the site.
- Relocate existing access.

NORTHERN
MIDLANDS
COUNCIL

PROPOSED RESIDENCE

EXISTING ABSORPTION TRENCH

EXISTING SEPTIC TANK

GARAGE

GARDEN SHED

NEW DRIVEWAY TO BE INSTALLED

10 000 L WATER TANK FOR PREFRIGTING PURPOSES ONLY

SITE PLAN BLOW-UP

SCALE 1:1000

Exhibited

LOCAL COUNCIL	LANDERSTON CITY COUNCIL
ACQUISITION COMPLIANCE NUMBER	10-100-2
TITLE PROPOSED NEW RESIDENCE AT 643 RELBIA ROAD RELBIA FOR MR & MRS SHEPHERDSON	
FOLIO REFERENCE: 13034/4	

DESIGNER	R.Hall
DRAWN	M.L.Hall
CHECKED	R. HALL
DATE	22-04-14
REVISED DATE	11-11-14
SCALE	1:1000
JOB NO.	UA-5422
DRAWING NO.	04

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EAST ELEVATION
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SOUTH ELEVATION
SCALE 1:200

WEST ELEVATION
SCALE 1:200

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LOCAL COUNCIL : LANCASTER CITY COUNCIL
ACCOMMODATION COMPLIANCE NUMBER : LC-269-2

TITLE : PROPOSED NEW RESIDENCE
 AT 643 RELBIA ROAD RELBIA
 FOR MR & MRS SHEPHERDSON

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Lateral ARCHITECTURE

DESIGNED BY
R.Hall

DRAWN BY
A.Morris

CHECKED BY
M.L.Hall

DATE
22-04-14

REVISED DATE
11-11-14

SCALE
1: 200

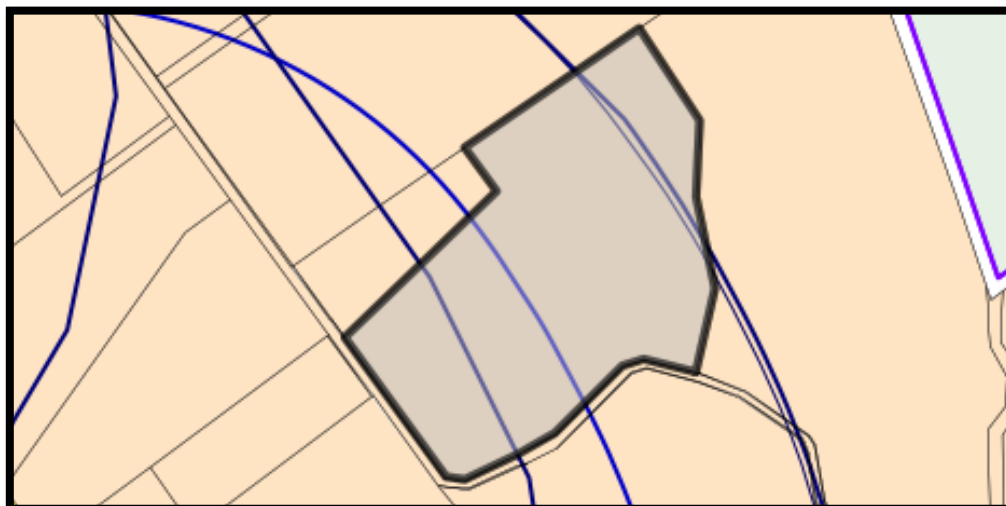
JOB NO.
LA-14-22

DRAWING NO.

10

4.2 Zoning and land use

Zoning Map –Rural Resource



The land is zoned Rural Resource, and is within the environmental impacts & attenuation distance of the Breadalbane quarries. The site is also within a Bushfire-prone area. The development is also subject to assessment against the Car Parking and Sustainable Transport Code and the Road and Railway Assets Code. The Planning Scheme defines *Residential (Single Dwelling)* as:

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.
Single Dwelling	means a dwelling on a lot on which no other dwelling is situated; or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.

Residential (Single Dwelling) is a discretionary use within the zone for new dwellings.

4.3 Subject site and locality

A site visit was undertaken on the 24th November 2014 by Erin Boer, Cadet Planner. The site is a 17.4ha parcel of rural land which currently contains a number of illegal works including a shed addition, bungalow, shipping containers and garden sheds. The property also has a history of being illegally used for residential purposes. A small run-down vineyard is located on the western side of the lot and the block is effectively split into two sections by a steep gully that runs north – south through the center of the lot (Rose Rivulet – also known as Kelly’s Creek).

The site is surrounded by similar sized parcels of land; however, due to the topography of the area, the dwelling on the neighbouring lot to the east is located approximately 20m from its western boundary, placing it approximately 38m from the proposed dwelling site. Another dwelling on the neighbouring lot to the south is located approximately 250m south of the proposed dwelling site. The surrounding uses, although zoned rural resource,

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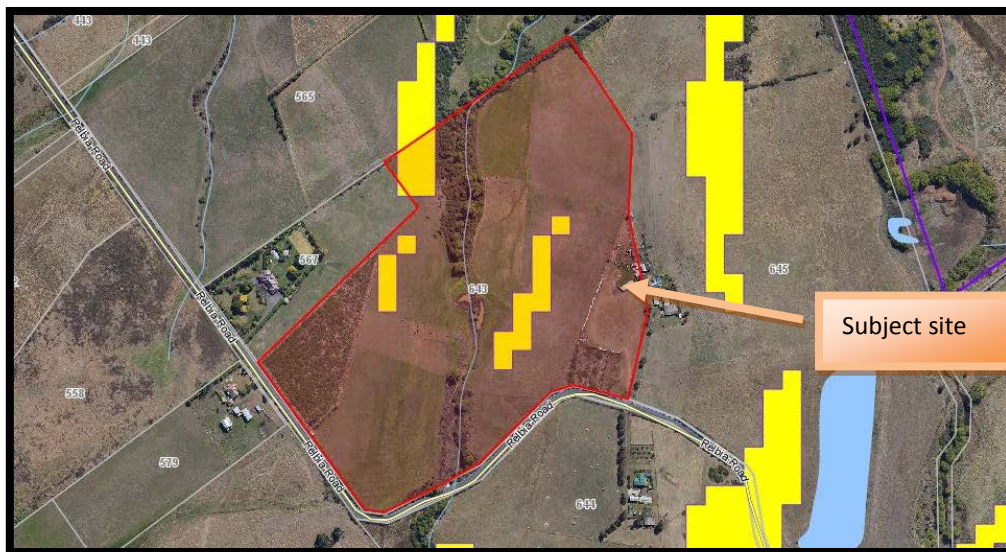
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mainly consist of hobby farms and vineyards. The topography of the area is a significant limitation to the types of agricultural enterprises that can be pursued.

The subject site is located within the attenuation distances of the Breadalbane quarries and the proposed dwelling site is located within the 1000m attenuation distance of the nearby BIS Quarry. Some quarry operations are visible from the site; however, these are approximately 1200m from the proposed dwelling location.

Aerial photograph of area including landslip hazard overlay



Aerial photograph of area



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Photographs of subject site



^BIS Quarry from 643 Relbia Road Driveway



^ View of Relbia Road Looking West from Proposed Access

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^ View of Relbia Road Looking East from Proposed Access



^ View of Existing Access



^ View of Relbia Road looking west from Existing Access

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^ View of Subject Site looking east from Relbia Road



^ View of Relbia Road looking east to Proposed Access



^ Proposed Driveway – looking north



^ Existing Driveway and Site Notice

4.4 Permit/site history

Relevant permit history includes:

BA 105/2000 – Shed

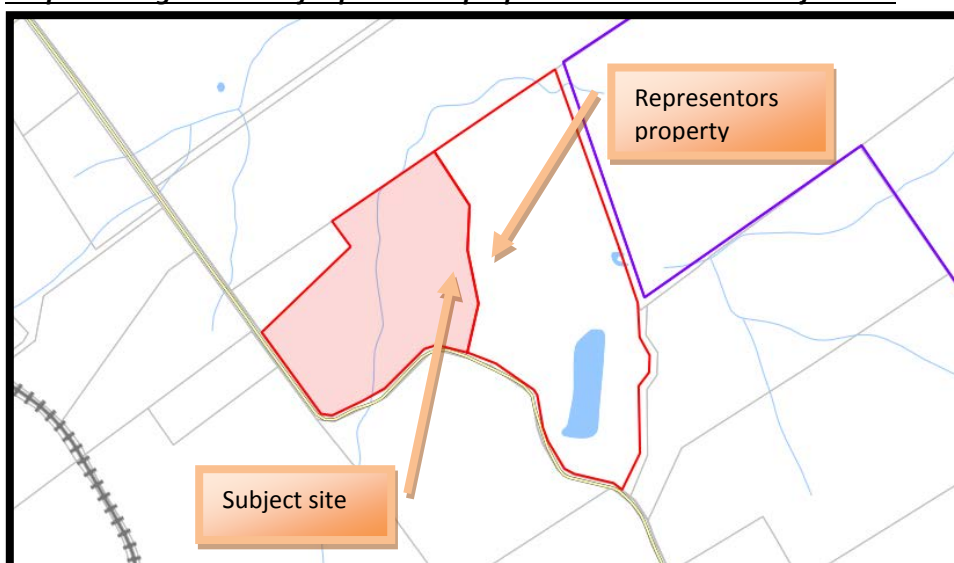
4/12/2001 – Special Connection Application (septic tank for shed).

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 Dataworks system after completion of the public exhibition period revealed that a representation (Attachment B) was received from:

- John and Judy Bowman, 645 Relbia Road, Relbia.

Map showing location of representor properties in relation to subject site



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

Issue 1

- Loss of privacy due to reduced boundary setback of dwelling and sheds.

Planner's comment:

The application proposes to vary the setback of the dwelling from 200m as required by the planning scheme, to approximately 12.5m. The relocated outbuilding and shipping containers will also have a reduced setback from 50m to 1.5m and 6.5m respectively. This is largely owing to the limited dwelling sites available due to the topography of the land. The main issue with reduced boundary setbacks on rural land is the potential for the dwelling to constrain adjoining agricultural operations. In this case, the reduced setback consolidates the residential uses on rural land. The applicant proposes to plant screening trees along the eastern boundary to assist in the privacy needs of both properties. A landscape plan and associated planting of screening trees will be a condition of the permit if approved.

Issue 2

- Visual impact of proposed containers.

Planner's comment:

The containers are proposed to be located in front of the building line of the dwelling and will be visible from the neighbouring dwelling to the east. The Desired Future Character Statement of the Zone states: *the visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive*. As such, the site would benefit from additional screening and the containers being painted to be consistent with the natural environment. If approved, the permit shall be conditioned accordingly.

Issue 3

- Impact of proposed dwelling on future agricultural use of 645 Relbia Road (neighbouring property to the east).

Planner's comment:

The proposed dwelling location is within the curtilage of existing buildings on site as well as the dwelling and outbuildings of the neighbouring property to the east. This assists in reducing the potential for a conflict between residential uses and agricultural activities. The scope for intensification of existing agricultural activities is also limited by the steep terrain that characterises the area. This issue is further discussed in response to the performance criteria (P2) of clause 26.4.1.

4.6 Referrals

Council's Works & Infrastructure Department

Precis: Council's Works & Infrastructure Department (Jonathan Galbraith) reviewed the application on the 7th November 2014 reported that: *"I have looked at this on site. It is a significant improve in sight distance to the north and sight distance is slightly improved to the*

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south, so we have no problems with them moving the access. However it is important that they submit a driveway crossover before doing the works. If one is not submitted, this should be a planning permit condition."

TasWater

Not applicable to this application

Heritage Adviser

Not applicable to this application

Tasmanian Heritage Council

Not applicable to this application.

Department of State Growth (DSG)

Precis: Council's Works and Infrastructure Department have been liaising with the Department of State Growth regarding the installation of concealed entrance signs. Council's Works and Infrastructure Officer, Jonathan Galbraith, made the following comments:

"I have already looked at the access and it is acceptable. We are getting some concealed entrance signs put up there once they are approved by DSG."

Launceston Airport

Not applicable to this application

Tasrail (adjoining landowner)

Not applicable to this application

Environmental Health Officer

Precis: A septic tank has previously been installed at the site and is proposed to be reused for the proposed dwelling. It should be noted that the existing tank is small and may have insufficient capacity for the proposed dwelling. As such, an appropriate design is required. Council's Environmental Health Officer, Chris Wicks reviewed the application on the 13-1-2015 and made the following comments:

"In relation to an application for special plumbing permit for the proposed development, a design plan created by a suitably qualified person is to be provided for an on-site wastewater management system. The design is to include all documents as required by the Director of Building Controls Specified List."

Natural Resource Management Facilitator

Not applicable to this application.

Environment Protection Agency (level 2 under EMPCA)

Not applicable to this application.

Local District Committee

Not applicable to this application.

General Manager

Not applicable to this application.

Minister administering Crown Lands

Not applicable to this application.

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4.7 Planning Scheme Review

RURAL RESOURCE ZONE	
ZONE PURPOSE	
26.1.1	<i>To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.</i> Assessment: N/a
26.1.2	<i>To provide for other use or development that does not constrain or conflict with resource development uses.</i> Assessment: See assessment against zone clause 26.3.2.
26.1.3	<i>To provide for economic development that is compatible with primary industry, environmental and landscape values.</i> Assessment: N/a
26.1.4	<i>To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.</i> Assessment: N/a
26.1.5	Local Area Objectives
a)	Primary Industries: <i>Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.</i> <i>The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.</i> <i>Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.</i> Assessment: The proposal is not considered to have an unreasonable impact on the opportunities for primary industry operations or rural processing in the area. The largest constraint on such opportunities is the topography of the land and existing residential uses in the area.
b)	Tourism <i>Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.</i> <i>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.</i> Assessment: N/a
c)	Rural Communities <i>Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is</i>

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	<i>not undermined and primary industries are not unreasonably confined or restrained.</i>
	Assessment: N/a – the proposal does not contain any rural services.
26.1.6	Desired Future Character Statements
26.1.4	<i>The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.</i>
	Assessment: The development will largely improve the rural outlook through the removal of unapproved buildings and replacement with a single dwelling and ancillary outbuildings. A significant amount of screening is proposed and will be conditioned by the permit, in addition to ensuring the buildings are of a colour scheme that that is compatible with the rural landscape.

USE STANDARDS	
26.3.1	DISCRETIONARY USES IF NOT A SINGLE DWELLING
	a) <i>To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.</i> b) <i>To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.</i> c) <i>To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.</i> d) <i>Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.</i> e) <i>Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.</i> f) <i>The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.</i>
A1	<i>If for permitted or no permit required uses.</i> NA -The application is for a single dwelling and ancillary outbuildings
A2	<i>If for permitted or no permit required uses.</i> NA -The application is for a single dwelling and ancillary outbuildings
A3	<i>If for permitted or no permit required uses.</i> NA -The application is for a single dwelling and ancillary outbuildings
A4	<i>If for permitted or no permit required uses.</i> NA -The application is for a single dwelling and ancillary outbuildings
A5	<i>The use must:</i> a) <i>be permitted or no permit required; or</i> b) <i>be located in an existing building.</i> NA -The application is for a single dwelling and ancillary outbuildings
26.3.2	DWELLINGS
	<i>To ensure that dwellings are:</i> a) <i>incidental to resource development; or</i> b) <i>located on land with limited rural potential where they do not constrain surrounding agricultural operations.</i>
A1.1	<i>Development must be for the alteration, extension or replacement of existing dwellings; or.</i>

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	NA
A1.2	<i>Ancillary dwellings must be located within the curtilage of the existing dwelling on the property; or</i>
	NA
A1.3	<i>New dwellings must be within the resource development use class and on land that has a minimum current capital value of \$1 million as demonstrated by a valuation report or sale price less than two years old.</i>
	Does not comply. Relies on performance criteria P1.1 (b).
P1.1	<i>A dwelling may be constructed where it is demonstrated that:</i> <i>a) it is integral and subservient to resource development, as demonstrated in a report prepared by a suitably qualified person, having regard to:</i> <i>i) scale; and</i> <i>ii) complexity of operation; and</i> <i>iii) requirement for personal attendance by the occupier; and</i> <i>iv) proximity to the activity; and</i> <i>v) any other matters as relevant to the particular activity; or</i> <i>b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, having regard to:</i> <i>i) limitations created by any existing use and/or development surrounding the site; and</i> <i>ii) topographical features; and</i> <i>iii) poor capability of the land for primary industry operations (including a lack of capability or other impediments); and</i> Assessment Complies with P1.1 (b). (i) The surrounding lots are utilised as hobby farms. All contain single dwellings and are in separate private ownership. The opportunity for the site to be included with other land for agricultural or other primary industry operations is severely limited due to the lack of such operations in the area. (ii) The topography of the area further limits the potential for a viable agricultural operation to run from the site. The site is effectively split into two sections by the gully of Rose Rivulet – also known as ‘Kelly’s Creek’ with a ridge along the eastern side of the lot containing some of the only level ground on lot. While the remainder of the lot may be used for grazing, viticulture or horticulture, the impact on the proposed dwelling is likely to be similar to that of the existing dwelling on the neighbouring property to the east. In other words, the use proposed is very similar to that which is established in the surrounding area – single dwellings on hobby farm sized lots. (iii) The land contains mainly class four land with class five land located in the gully which forms Kelly’s Creek. The low land capability, combined with bi-section of the already small lot and steep topography of the site, results in poor capability of the land for the majority of viable primary industry operations.
P1.2	<i>A dwelling may be constructed where it is demonstrated that wastewater treatment for the proposed dwelling can be achieved within the lot boundaries, having regard to the rural operation of the property and provision of reasonable curtilage to the proposed dwelling; and</i> Assessment: Complies with P1.2. An existing septic tank, installed in 2001, will be

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P1.3	utilised for the proposed dwelling, subject to an appropriate waste water design. <i>A dwelling may be constructed where it is demonstrated that the lot has frontage to a road or a Right of Carriageway registered over all relevant titles.</i> Assessment: Complies. The site has an existing access; however, a new access that allows for improved site distances is proposed to be installed.
26.3.2	IRRIGATION DISTRICTS <i>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.</i>
A1	<i>Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.</i> Complies.

DEVELOPMENT STANDARDS	
26.4.1	BUILDING LOCATION AND APPEARANCE <i>To ensure that the:</i> a) <i>ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and</i> b) <i>development of buildings is unobtrusive and complements the character of the landscape.</i>
A1	<i>Building height must not exceed:</i> a) <i>8m for dwellings; or</i> b) <i>12m for other purposes.</i> Complies
A2	<i>Buildings must be set back a minimum of:</i> a) <i>50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or</i> b) <i>200m where a sensitive use is proposed; or</i> c) <i>the same as existing for replacement of an existing dwelling.</i> Does not comply. Both the proposed dwelling and relocated outbuilding required a variation to the eastern side setback. The proposed dwelling also requires a variation to the front (southern) setback.
P2	<i>Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to:</i> a) <i>the topography of the land; and</i> b) <i>buffers created by natural or other features; and</i> c) <i>the location of development on adjoining lots; and</i> d) <i>the nature of existing and potential adjoining uses; and</i> e) <i>the ability to accommodate a lesser setback to the road having regard to:</i> i) <i>the design of the development and landscaping; and</i> ii) <i>the potential for future upgrading of the road; and</i> iii) <i>potential traffic safety hazards; and</i> iv) <i>appropriate noise attenuation.</i> Assessment Complies with performance criteria P2. a) The topography of the land provides an extensive buffer for the proposed dwelling to the west, as this land contains the Kelly's Creek gully and forms part of the subject site. b) It is proposed that a substantial vegetation buffer will be established between

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	the proposed dwelling and the neighbouring property to the east. The proposed relocated shed will also provide a physical buffer between the proposed dwelling and the existing shearing shed and sheep yards on the neighbouring property to the east. c) The existing dwelling on the neighbouring property to the east will provide a buffer between the proposed dwelling and any primary industry operations to the east, while Relbia Road and another dwelling are located to the south of the site. d) Currently the immediately surrounding area does not contain any primary industry operations beyond small hobby farms. Should any surrounding properties intensify, the proposed dwelling is largely buffered by the topography of the land and surrounding developments. e) The reduced setback to the road is unlikely to cause an unreasonable loss of amenity to the proposed dwelling, as a setback of approximately 150m has been retained. This is a similar setback to the neighbouring dwelling to the east. Additional screening will be conditioned to ensure the proposed development does not intrude on the rural outlook when viewed from the road. The road carries mostly local traffic and is unlikely to undergo substantial changes in the foreseeable future. The existing access will be replaced with a new access to improve the safety and efficiency of ingress and egress from the site.
26.4.2	SUBDIVISION <i>To ensure that subdivision is only to:</i> a) <i>improve the productive capacity of land for resource development and extractive industries; and</i> b) <i>enable subdivision for environmental and cultural protection or resource processing where compatible with the zone; and</i> c) <i>facilitate use and development for allowable uses by enabling subdivision subsequent to appropriate development.</i>
A1	<i>Lots must be:</i> a) <i>for the provision of utilities and is required for public use by the Crown, public authority or a municipality; or</i> b) <i>for the consolidation of a lot with another lot with no additional titles created; or</i> c) <i>to align existing titles with zone boundaries and no additional lots are created.</i> NA

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

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	Complies. See code assessment below. Bushfire Assessment Report & Bushfire Hazard Management Plan, prepared by Ian Abernethy, dated: Nov 2014. BAL 19.
E2.0	POTENTIALLY CONTAMINATED LAND	N/A
E3.0	LANDSLIP CODE	N/A – although the site does contain some areas of landslip, this is not in the location of the proposed dwelling.
E4.0	ROAD AND RAILWAY ASSETS CODE	See code assessment below

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E.5.0	FLOOD PRONE AREAS CODE	N/A
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	See code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/A
E8.0	BIODIVERSITY CODE	N/A
E9.0	WATER QUALITY CODE	N/A
E10.0	RECREATION AND OPEN SPACE CODE	N/A
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	See code assessment below.
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 E1.0 (BUSHFIRE PRONE AREAS CODE)

E.1.6.3 Development standards for new habitable buildings on pre-existing lots

These standards apply to habitable buildings located within a bushfire-prone area on a pre-existing lot.

E1.6.3.1 Pre-existing lots: Provision of hazard management areas for habitable buildings

Objective: <i>Hazard management areas, as appropriate, for new habitable buildings on pre-existing lots: provide sufficient separation from bushfire-prone vegetation, taking into consideration the nature and scale of the hazard; reduce the radiant heat levels, direct flame attack and ember attack likely to be experienced at the site of habitable buildings in the event of a bushfire; provide an area which offers protection to fire fighters and occupants exposed to bushfire while defending property; and are maintained in a minimum fuel condition.</i>	
Acceptable Solutions	Performance Criteria
A1 a) The TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to habitable buildings to warrant the provision of hazard management areas; or b) Plans for habitable buildings, showing the location of hazard management areas, are accompanied by a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or c) There are, in relation to habitable buildings, hazard management areas that-	P1 There must be, in relation to habitable buildings, hazard management areas that provide adequate separation from the bushfire-prone vegetation. In determining the dimension of hazard management areas, it must be demonstrated that the nature of the hazard has been considered, including: (i) vegetation type, structure and flammability; (ii) other potential forms of fuel and ignition sources; (iii) slope; (iv) any fire shielding structures or features and that the dimensions, given the

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(i) have widths equal to, or greater than, the separation distances required for BAL 29 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas ; and (ii) will be managed in accordance with a bushfire hazard management plan that is certified by the TFS or an accredited person and that demonstrates how hazard management areas will be managed consistent with the objective.	nature of the construction, provide adequate protection for the building and to fire fighters and occupants defending property from bushfire.
A2 If hazard management areas in relation to a habitable building are to be on land external to the lot where the building is located, the application must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with a bushfire hazard management plan certified by the TFS or an accredited person.	P2 Applications must demonstrate how hazard management areas will be maintained in a minimum fuel condition.

Comment:

Complies with acceptable solution A1 (c) (i) & (ii). The proposed dwelling has achieved a BAL 19 rating with the proposed management areas. A condition on the permit is required for a revised Bushfire Hazard Management Plan to be supplied by an accredited practitioner to the satisfaction of the Planning and Development Manager to achieve compliance with E1.6.3.1 A1 (c) (ii). Refer to Bushfire Assessment Report by Ian Abernethy, dated: Nov 2014 for further details.

E1.6.3.2 Pre-existing lots: Private access

Objective: Private access on pre-existing lots: allows safe access to and from the road network for occupants, fire fighters, and emergency service personnel; provides access to ensure that fire fighting equipment can reach all parts of habitable buildings; is designed and constructed to allow for fire fighting vehicles to be manoeuvred; and provides access to water supply points, including hardstand areas for fire-fighting vehicles.	
Acceptable Solutions	Performance Criteria
A1 It must be demonstrated in one of the following ways that private access provides safe access to habitable buildings: a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to	P1 Private access to habitable buildings must demonstrate that: (i) private access will enable fire-fighting vehicles to access the buildings safely and efficiently (including by providing access to through roads or alternative access),

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	warrant specific measures for private access for the purposes of fire fighting; or b) plans showing private access to habitable buildings are included in a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or c) plans demonstrate that private access will be provided to within 30m of the furthest part of a habitable building measured as a hose lay.	and to be manoeuvred safely and efficiently; and, (ii) private access is in close proximity to habitable buildings to allow access by fire fighting equipment to all parts of the building.
A2	Private access to all static water supply points must be provided: a) as included in a bushfire hazard management plan certified by the TFS or an accredited person as being in accordance with the objective of the standard; or b) to a hardstand area within 3m of the static water supply point.	P2 No performance criteria
A3	Construction of private access, if required to provide access to habitable buildings and static water supply points, must as appropriate to the circumstances meet the requirements of Table E3 as follows: (a) single lane private access roads less than 6m carriageway width must have 20m long passing bays of 6m carriageway width, not more than 100m apart; (b) a private access road longer than 100m must be provided with a driveway encircling the building or a hammerhead "T" or "Y" turning head 4m wide and 8m long, or a trafficable circular turning area of 10m radius; (c) culverts and bridges must be designed for a minimum vehicle load of 20 tonnes; (d) vegetation must be cleared for a height of 4m, above the carriageway, and 2m each side of the carriageway.	P3 Construction of private access required to access habitable buildings and any water supply point must be all weather road sufficient to carry fully loaded fire fighting vehicles, including consideration of: (i) slope, gradient and cross-fall; (ii) geometry and alignment; (iii) culverts and bridges; (iv) height and width of any vegetation clearance; (v) travel speed, sight lines and passing bays; (vi) turning areas.

Comment:

Complies with E1.6.3.2 A1 (c) as shown on the endorsed plans.

Complies with E1.6.3.2 A2 (b) as shown on the endorsed plans.

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Complies with E1.6.3.2 A3 (a-d) as shown on the endorsed plans. Further conditioning required to ensure compliance.

E1.6.3.3 Pre-existing lots: Provision of water supply for fire fighting purposes

<i>Objective: Adequate, accessible and reliable water supply for fire fighting purposes on pre-existing lots is available to allow for the protection of life and property from the risks associated with bushfire.</i>	
Acceptable Solutions	Performance Criteria
A1 It must be demonstrated in one of the following ways that access to a water supply for fire fighting purposes is provided: a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or b) a bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of the water supply is consistent with the objective; or c) all external parts of habitable buildings that are at ground level, are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200kPa; or d) a minimum static water supply of 10 000 litres per habitable building is provided and that connections for fire fighting purposes are included.	P1 There must be, in relation to habitable buildings, a water supply for fire fighting purposes that: (i) may be accessed by fire fighting equipment, fire fighters and occupants of the habitable buildings; and (ii) contains water that may be delivered in a quantity, and at a pressure, sufficient to manage the risk of bushfire, depending on the nature of the surrounding bushfire-prone vegetation; and; (iii) stores water in a manner that ensures adequate and reliable quantities may be provided for fire-fighting purposes if there is a bushfire; and enables effective delivery of water if there is a bushfire.

Comment:

Complies with E1.6.3.3 A1 (d) as shown on endorsed plan. Further conditioning required to ensure compliance.

ASSESSMENT AGAINST E4.0 (ROAD AND RAILWAY ASSETS CODE)

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

<i>Objective</i> <i>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.</i>	
Acceptable Solutions	Performance Criteria
A1 Sensitive use on or within 50m of a	P1 Sensitive use on or within 50m of a

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<i>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%.</i>	<i>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.</i>
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Comment:

N/a

A2 <i>For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day</i>	P2 <i>For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</i>
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Comment:

Complies with Acceptable Solution A2.

A3 <i>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%.</i>	P3 <i>For limited access roads and roads with a speed limit of more than 60km/h:</i> a) <i>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</i> b) <i>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</i> c) <i>an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</i>
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Comment:

Complies with acceptable solution A3. The AADT will not increase as a result of the existing access being replaced.

E4.7 Development Standards

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

Objective <i>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:</i> a) <i>ensure the safe and efficient operation of roads and railways; and</i> b) <i>allow for future road and rail widening, realignment and upgrading; and</i>
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c) <i>avoid undesirable interaction between roads and railways and other use or development.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>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:</i> a) <i>new road works, buildings, additions and extensions, earthworks and landscaping works; and</i> b) <i>building envelopes on new lots; and</i> c) <i>outdoor sitting, entertainment and children's play areas</i>	P1 <i>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:</i> a) <i>maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</i> b) <i>mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</i> c) <i>ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</i> d) <i>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.</i>

Comment:

Complies with acceptable solution A1.

E4.7.2 Management of Road Accesses and Junctions

Objective <i>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.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>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.</i>	P1 <i>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.</i>
A2 <i>For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</i>	P2 <i>For limited access roads and roads with a speed limit of more than 60km/h:</i> a) <i>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</i> b) <i>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</i>

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	<i>locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</i> c) <i>an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</i>
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Comment:

Acceptable solution A1 is not applicable. The road has a speed limit greater than 60km/h.

Complies with acceptable solution A2. A new access is proposed to replace the existing access, resulting in one access for both entry and exit, as per the existing situation, albeit in a new location.

E4.7.3 Management of Rail Level Crossings

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

Comment:

Acceptable solution A1 is not applicable.

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

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

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of the relevant authority has been obtained.

Comment:

Does not comply with acceptable solution A1 (a). A1 (b) & (c) are not applicable. Relies on Performance Criteria P1 for compliance. The proposed access provides a significant improvement in the site distances, when compared to the existing access that services the lot. To the west, the site distance will increase from approximately 64m at the existing access to 300m at the proposed access. To the east, the site distance will increase from approximately 55m at the existing access to approximately 100m at the proposed access. The replacement access has been assessed by Traffic Engineer, Shivani Jordan (refer to Traffic Statement dated 11th November 2014), who considered that the proposed access provides adequate sight distances to ensure the safe movement of vehicles.

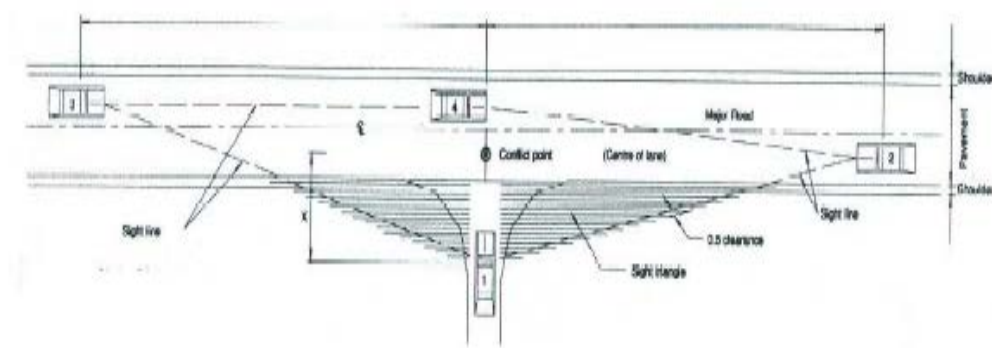


Figure E4.7.4 Sight Lines for Accesses and Junctions

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
80	165	175

Notes:

- 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.
- For safe intersection sight distance (SISD):
 - 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;
 - 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;
 - 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;

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- (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

<i>Objective: To ensure that an appropriate level of car parking is provided to service use.</i>	
Acceptable Solutions	Comment
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.	Complies with the requirements of Table E6.1 – 2 car parking spaces are provided within the garage and parking bay beside the dwelling.

E6.6.2 Bicycle Parking Numbers

<i>Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.</i>	
Acceptable Solutions	Comment
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.	Complies with the requirements of Table E6.1 – sufficient space for 1 bicycle park is available within the garage.

E6.6.3 Taxi Drop-off and Pickup

Not applicable

E6.6.4 Motorbike Parking Provisions

Not applicable

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

<i>Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.</i>	
Acceptable Solutions	Comment
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	Complies. a) The driveway to the garage and parking area will be sufficiently formed and drained. b & c) Not applicable – the application is

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provided with other clear physical means to delineate car spaces.

for a single dwelling.

E6.7.2 Design and Layout of Car Parking

<i>Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.</i>	
Acceptable Solutions	Comment
A1.1 <i>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</i>	A1.1 – N/a
A1.2 <i>Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</i>	A1.2 – N/a – Rural Resource Zoned.
A2.1 <i>Car parking and manoeuvring space must:</i> a) <i>have a gradient of 10% or less; and</i> b) <i>where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</i> c) <i>have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and</i>	A2.1 A) Complies B) N/a C) Complies. A 6m access to the garage and parking bay is provided. A passing bay is not required as the access is of sufficient width for the entire length.
A2.2 <i>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.</i>	A2.2 – Complies.

E6.7.3 Car Parking Access, Safety and Security

Not applicable

E6.7.4 Parking for Persons with a Disability

Not applicable

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

Not applicable

E6.8 Provisions for Sustainable Transport

E6.8.2 Bicycle Parking Access, Safety and Security

Not applicable – not required for customers or visitors - Private use only.

E6.8.5 Pedestrian Walkways

Not applicable

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Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Residential	1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space for every 5 dwellings	1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation

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

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.
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 attenuation distance listed in Tables E11.1 and E11.2 for that activity.	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 d) use of land irrigated by effluent must comply with National Health and Medical Research Council Guidelines.

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Comment:

Relies on performance criteria P1 for compliance. A Site Specific Study and assessment against the relevant performance criteria of the Environmental Impacts and Attenuation Code was provided as part of the application and demonstrates that there will not be an environmental nuisance or environmental harm to the proposed dwelling as a result of the emitting operation. A Noise Report was also provided.

P1

- a) The closest operating quarry is the BIS quarry which has an operating front approximately 1.2km from the proposed house site. The proposed house site is just within the 1000m attenuation from the edge of the BIS title boundary. Stornoway quarry has operational front approximately 1.6km from the proposed house site; however, it is anticipated that expansion of the Stornoway site will be to the south east, creating a greater separation distance.
- b) The emissions from the quarries are predominately noise, vibration and dust. The predominate wind direction assists in reducing these impacts. A noise report conducted by Senior Mechanical Engineer/Noise specialist, Douglas Ford, concluded that the 'predicted combined noise level from the quarries is less than the ambient noise level,' therefore, the noise created by the quarries would not be considered as intrusive.
- c) The impact of quarry emissions at the proposed house site is likely to be minimal given the proposed dwelling is only 25m short of the recommended 1000m attenuation distance, and greater than 1000m from the operational face. The impact of emissions is further reduced by predominate winds directing emissions away from the proposed dwelling site.
- d) No additional measures are considered necessary to mitigate impacts of the emitting activity.

A2 – Not applicable.

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/A
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/A
SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	N/A
9.2 Development for Existing Discretionary Uses	N/A
9.3 Adjustment of a Boundary	N/A
9.4 Demolition	N/A
9.5 Subdivision	N/A
STATE POLICIES	
The proposal is consistent with all State Policies.	
OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993	
The proposal is consistent with the objectives of the <i>Land Use Planning & Approvals Act 1993</i> .	
STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES	
Strategic Plan 2007-2017 The proposal is consistent with the Strategic Plan.	

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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 the discretionary use of the proposal and reliance on the performance criteria of the Rural Resource Zone, Road and Railway Assets Code and Environmental Impacts and Attenuation Code. The development proposes to reduce the boundary setbacks of both the dwelling and outbuildings, does not meet the acceptable solution for sight distances for the replacement access and the house site is located within the Attenuation Distance of the BIS Quarry.

The reduced boundary setback will assist in consolidating residential developments in the area.

Although the proposed new access does not achieve the required site distances of the planning scheme, the new location substantially increases the site distances when compared to the existing access which is located on a blind hill. The proposed location offers the best site distances available for the site.

The proposed dwelling site is located just within the attenuation distance of the existing BIS quarry. The attenuation distance is measured from the property boundary; therefore, any increase in production will have minimal impact on the proposed dwelling. The proposed dwelling is approximately 1.2km from the closest quarry operational face (ie. greater than the 1000m attenuation distance).

The concerns of the representor relate largely to privacy and the visual impact of the proposed dwellings. The majority of these concerns may be alleviated by conditioning the permit to ensure additional screening and colour schemes are established.

8 ATTACHMENTS

- A Proposal Plans and Reports
- B Representations & applicant's response

RECOMMENDATION

That land at 643 Relbia Road, Relbia be approved to be developed and used for a dwelling - vary [S&E] setbacks (within Environmental Impacts & Attenuation zone), relocation of shed & shipping containers, demolitions of buildings & new access in accordance with application P14-048, and subject to the following conditions:

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1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P15** (**Drawing No: LA-14-22 Sheet No's: 01-15 Dated: 11-11-2014**) & **D1** (*Planning Report by FJA Solutions, dated Oct 2014*) & **D2** (*Traffic Statement by Shivani Jordon (Pitt & Sherry), dated 11-Nov-2014*) & **D3** (*Noise Assessment by Douglas Ford (Pitt & Sherry), dated 10-Nov-2014*) & **D4** (*Bushfire Assessment Report and Bushfire Hazard Management Plan by Ian Abernethy, dated Nov 2014*).

2 Council's Works & Infrastructure Department conditions

2.1 Access (Rural)

- i A driveway crossover and hotmix sealed apron shall be constructed from the edge of Relbia Road to the property boundary in accordance with Council standards.
- ii Prior to the commencement of any access works, a vehicular crossing application form shall be completed and approved by Council prior to commencement of any works.

2.2 Municipal standards & certification of works

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

2.3 Works in road reserve

No works shall be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works & Infrastructure Manager. Twenty-four hours (24) notice shall to be given to the Works & Infrastructure Department to inspect works within road reserve and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.

2.4 Pollutants

The developer/property owner shall be responsible for ensuring pollutants such as mud, silt or chemicals are not released from the site. Any material that is deposited on the road reserve shall be removed by the applicant. Should Council be required to clean or carry out works on any of their infrastructure as a result of pollutants being released from the site the cost of these works may be charged to the developer/property owner.

3 Access

Upon completion of the new access, the existing (eastern) access shall be closed off to all traffic with a permanent barricade. At no point shall both access points be in operation simultaneously.

4 Waste Water Treatment

Prior to the issue of a building permit, a design plan created by a suitably qualified person is to be provided for an on-site wastewater management system. The design is to include all documents as required by the Director of Building Controls Specified List.

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5 Colours & Finishes

5.1 All buildings

The external walls, roof, paving and other large surface areas of the buildings, shall be finished in non-reflective materials and in muted colours and tones sympathetic to the rural landscape. The colour schedule shall be submitted to and approved by the Planning & Development Manager, prior to the issue of building permit.

5.2 Shipping Containers

The shipping containers (x 4) shall be re-painted or re-clad in muted colours and tones sympathetic to the rural landscape. The colour schedule shall be submitted to and approved by the Planning & Development Manager, prior to the issue of building permit.

6 Landscaping

6.1 Landscape Plan

Prior to the issue of a building permit, the applicant shall provide a landscape plan to the satisfaction of the Planning & Development Manager. Once approved, the plan shall be endorsed and will form part of the planning permit. The landscaping plan shall address:

- i A permanent screen of fast growing trees and shrubs along the eastern boundary to provide screening between the proposed dwelling and the neighbouring property to the east.
- ii A permanent screen of fast growing trees and shrubs along the southern and eastern sides of the proposed containers to provide screening when viewed from Relbia Road and the neighbouring property to the east.

6.2 Landscaping Timeframe

Landscaping works as shown on the landscape plan shall be completed within six months from date of the Certificate of Completion for the works and then maintained for the duration of the use.

6.3 Landscaping Bond

A bond of \$500 must be provided prior to the issue of a building permit and will be refunded if the landscape works are completed within the timeframe mentioned in this permit.

7 Removal of unapproved structures

All unapproved structures must be removed from the site within three (3) months of the date of this planning permit.

8 Bushfire Safety

8.1 Use and development

The use and development of the site must accord with the Bushfire Assessment Report and Hazard Management Plan endorsed by this permit.

8.2 Bushfire Hazard Management Plan

Prior to the issue of a building permit, a revised Bushfire Hazard Management Plan that clearly satisfies the provisions of the Bushfire Prone Areas Code of the Planning Scheme and Schedule 2 of the Approved Form of a Bushfire Hazard Management Plan shall be submitted. Once approved, the plan shall be endorsed and will form part of the planning permit, superseding the previous plan.

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8.3 Private Access

- i Private access must be provided to within 30m of the furthest part of a habitable building measured as a hose lay;
- ii Private access to all static water supply points must be provided to a hardstand area within 3m of the static water supply point.
- iii Single lane private access roads less than 6m carriageway width must have 20m long passing bays of 6m carriageway width, not more than 100m apart;
- iv A private access road longer than 100m must be provided with a driveway encircling the building or a hammerhead “T” or “Y” turning head 4m wide and 8m long, or a trafficable circular turning area of 10m radius;
- v Culverts and bridges must be designed for a minimum vehicle load of 20 tonnes; and
- vi Vegetation must be cleared for a height of 4m, above the carriageway, and 2m each side of the carriageway.

8.4 Water Supply

A minimum static water supply of 10 000 litres must be provided with appropriate connections as required for fire-fighting purposes.

DECISION

Cr

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PLAN 5 NORTHERN MIDLANDS INTERIM PLANNING SCHEME 2013 – EVANDALE RESIDENTIAL SPECIFIC AREA PLAN

Attachments: Section 1 – Page 438

File: 13/026/003/003
Responsible Officer: Duncan Payton, Planning & Development Manager
Report prepared by: Paul Godier, Senior Planner

1 PURPOSE OF REPORT

This report presents a draft specific area plan to guide greenfield residential subdivision and subsequent residential development for Evandale.

2 INTRODUCTION/BACKGROUND

The following motion was put to the October 2013 Council meeting:

That the Interim Scheme be modified by the inclusion of a Specific Area Plan to guide the future residential development of 43 Cambock Lane, 894 White Hills Road, & 67 Logan Road, and properties along Cambock Lane and Glover Court.

Carried unanimously

3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following “Volume 1 – Mapping Our Direction” goals have relevance to this issue:

- 4.4 Planning Practice
- 4.5 Built Heritage

4 POLICY IMPLICATIONS

The proposal supports policy 4.5 regarding the protection of built heritage, in that it seeks to ensure that new residential subdivision and development surrounding Evandale is sympathetic to the existing built heritage.

5 STATUTORY REQUIREMENTS

5.1 Section 30J of the Land Use Planning & Approvals Act 1993

The Council may provide the Planning Commission with its recommendations in respect of the operation of the interim planning scheme.

6 FINANCIAL IMPLICATIONS

This matter is provided for within the existing budget.

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7 RISK ISSUES

None identified for this matter.

8 CONSULTATION WITH STATE GOVERNMENT

The draft specific area plan will be provided to the Tasmanian Planning Commission for consideration during the interim scheme assessment.

9 COMMUNITY CONSULTATION

Public exhibition of the interim scheme resulted in representations regarding the need for design guidelines for Evandale.

10 OPTIONS FOR COUNCIL TO CONSIDER

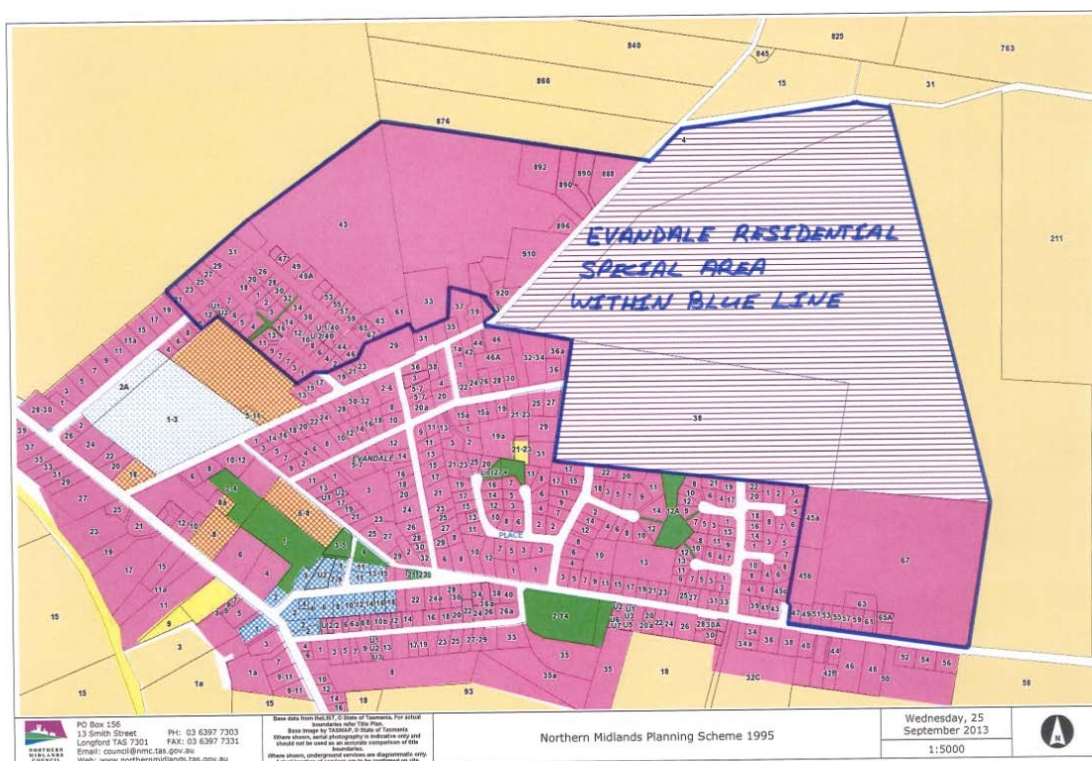
Council can approve the draft plan, or move changes to the draft plan.

11 OFFICER'S COMMENTS/CONCLUSION

The previous 1995 planning scheme applied the Cambock Lane Design Guidelines to the area marked Evandale Residential Special Area below.

Properties 1-19 and 2-8 Cambock Lane were developed in accordance with the Cambock Lane Guidelines by way of a covenant on the titles.

Figure 1 – previous 1995 planning scheme showing Evandale Residential Special Area



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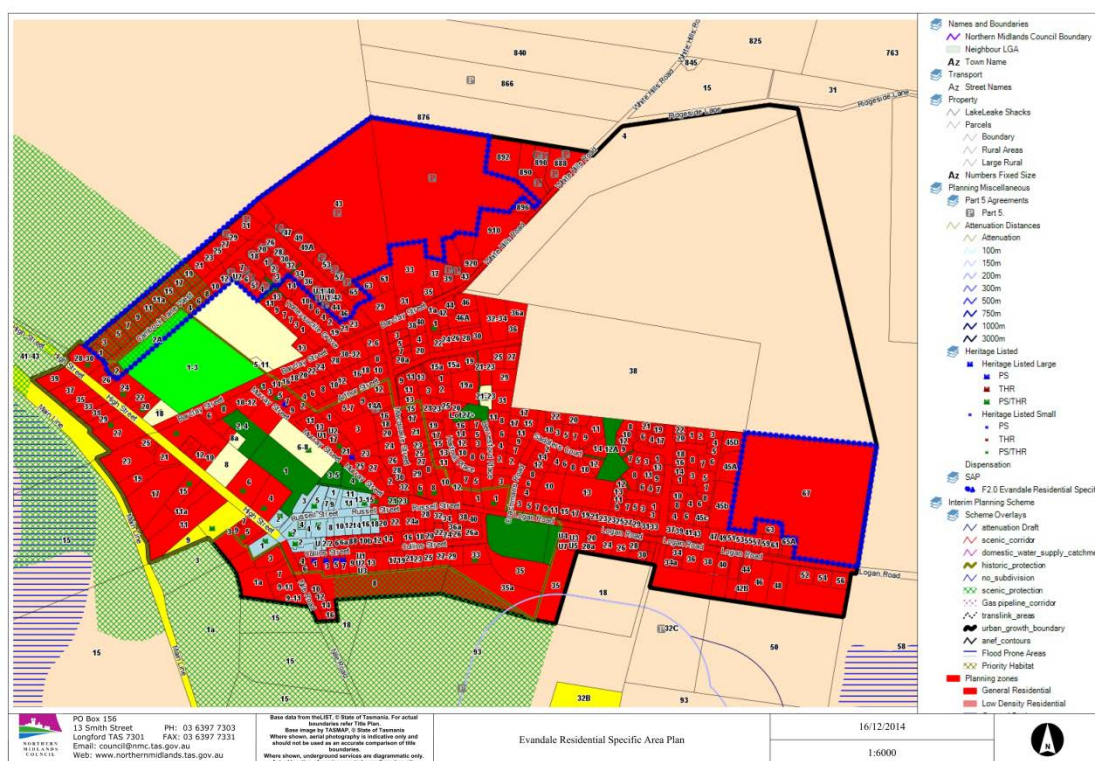
The Cambock Lane Guidelines contained provisions relating to siting, garages, built form, roofs, facades, materials, windows, colours and fences.

The draft Specific Area Plan contains provisions relating to these matters, consistent with the Cambock Lane Guidelines.

Council's planning staff have been working with Council's heritage adviser, David Denman, on the specific area plan. The draft plan is supported by Mr Denman.

As per Council's motion of October 2013, it is recommended that the specific area plan applies to 43 Cambock Lane, 894 White Hills Road, & 67 Logan Road, and properties along Cambock Lane and Glover Court, as indicated in the plan below.

Figure 2 – Current 2013 interim planning scheme showing proposed extent of Evandale Residential Specific Area Plan



The draft Specific Area Plan has been prepared in accordance with Council's motion, and in conjunction with Council's heritage adviser. It is consistent with the previous Cambock Lane Guidelines and is recommended that its adoption into the interim scheme be supported.

12 ATTACHMENTS

Cambock Lane Guidelines
Area Plan / Guidelines comparison table

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RECOMMENDATION 1

That the matter be discussed.

RECOMMENDATION 2

That Council endorses, pursuant to section 30J of the Land Use Planning and Approvals Act 1993, the view that the Northern Midlands Interim Planning Scheme 2013 should be modified by the inclusion of the following Specific Area Plan:

F2.0 Evandale Residential Specific Area Plan

F2.1 Purpose

- F2.1.1 The purpose of this provision is to ensure that development within the Specific Area is undertaken in a manner that is sympathetic to the Evandale Heritage Precinct.

F2.2 Application of the Specific Area Plan

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

F2.3 Development Standards

F2.3.1 Subdivision and Development Density

Objective To ensure that subdivision is sympathetic to the Evandale Heritage Precinct.	
Acceptable Solutions	Performance Criteria
A1 If for an adjustment of a boundary in accordance with clause 9.2.	P1 Subdivision must be consistent with, and reflect the historic development pattern of, the Evandale Heritage Precinct, including that described in the Evandale Heritage Precinct Existing Character Statement in Table F2.1.

F2.3.2 Height and Bulk of Buildings

Objective To ensure that the height and bulk of buildings are sympathetic to the Evandale Heritage Precinct.	
Acceptable Solutions	Performance Criteria
A1 New building must, in the written opinion of Council's Heritage Adviser, be in accordance with the acceptable development criteria for Height and Bulk of Buildings in Table F2.1.	P1 The height and bulk of any proposed buildings must not detract from meeting the management objectives identified in Table F2.1.

F2.3.3 Fences

Objective To ensure that fences are designed to be sympathetic to the Evandale Heritage Precinct.	
Acceptable Solutions	Performance Criteria
A1 New fences must, in the written opinion of Council's Heritage Adviser, be in accordance with the acceptable development criteria for Fences in Table F2.1.	P1 New fences must not detract from meeting the management objectives identified in Table F2.1.

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F2.3.4 Roof Form and Materials

Objective To ensure that roof form and materials are designed to be sympathetic to the Evandale Heritage Precinct.	
Acceptable Solutions	Performance Criteria
A1 Roof form and materials must, in the written opinion of Council's Heritage Adviser, be in accordance with the acceptable development criteria for Roof Form and Materials in Table F2.1.	P1 Roof form and materials must not detract from meeting the management objectives identified in Table F2.1.

F2.3.5 Wall Materials

Objective To ensure that wall materials are designed to be sympathetic to the Evandale Heritage Precinct.	
Acceptable Solutions	Performance Criteria
A1 Wall materials must, in the written opinion of Council's Heritage Adviser, be in accordance with the acceptable development criteria for Wall Materials in Table F2.1.	P1 Wall materials must not detract from meeting the management objectives identified in Table F2.1.

F2.3.6 Siting of Buildings and Structures

Objective To ensure that the siting of buildings is sympathetic to the Evandale Heritage Precinct.	
Acceptable Solutions	Performance Criteria
A1 The front setback for new buildings and structures must, in the written opinion of Council's Heritage Adviser, be in accordance with the acceptable development criteria for Siting of Buildings and Structures in Table F2.1.	P1 The front setback for new buildings and structures must: a) be consistent with the setback of surrounding buildings; and b) not detract from meeting the management objectives identified in Table F2.1.
A2 The side setback for new buildings and structures must, in the written opinion of Council's Heritage Adviser, be in accordance with the acceptable development criteria for Siting of Buildings and Structures in Table F2.1.	P2 The side setback for new buildings and structures must: a) be consistent with the setback of surrounding buildings; and b) not detract from meeting the management objectives identified in Table F2.1.
A3 The orientation to the road for new buildings and structures must, in the written opinion of Council's Heritage Adviser, be in accordance with the acceptable development criteria for Siting of Buildings and Structures in Table F2.1.	P3 The orientation to the road for new buildings and structures must: a) be consistent with the setback of surrounding buildings; and b) not detract from meeting the management objectives identified in Table F2.1.

F2.3.7 Outbuildings and Structures

Objective

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To ensure that the siting of outbuildings and structures is sympathetic to the Evandale Heritage Precinct.

Acceptable Solutions	Performance Criteria
A1 Outbuildings and structures must be in the written opinion of Council's Heritage Adviser, be: a) in accordance with the acceptable development criteria for Outbuildings and in Table F2.1; and b) in accordance with the acceptable development criteria for Roof Form, Wall Material and Site Coverage in Table F2.1.	P1 Outbuildings and structures must be designed and located; a) to be subservient to the primary buildings on the site; and b) to not detract from meeting the management objectives identified in Table F2.1.

F2.3.8 Plan Form

Objective

To ensure that the plan form of buildings is sympathetic to the Evandale Heritage Precinct.

Acceptable Solutions	Performance Criteria
A1 Plan form for new buildings, alterations, additions and extensions must, in the written opinion of Council's Heritage Adviser, be in accordance with the acceptable development criteria for Plan Form in Table F2.1.	P1 Plan form for new buildings, alterations, additions and extensions must not detract from meeting the management objectives identified in Table F2.1.

F2.3.9 Front Entrances and Doors

Objective

To ensure that front entrances and doors are designed to be sympathetic to the Evandale Heritage Precinct.

Acceptable Solutions	Performance Criteria
A1 Front entrances and doors must, in the written opinion of Council's Heritage Adviser, be in accordance with the acceptable development criteria for Front Entrances and Doors in Table F2.1.	P1 Front entrances and doors must not detract from meeting the management objectives identified in Table F2.1.

F2.3.10 Windows

Objective

To ensure that window form and details are sympathetic to the Evandale Heritage Precinct.

Acceptable Solutions	Performance Criteria
A1 Windows must, in the written opinion of Council's Heritage Adviser, be in accordance with the acceptable development criteria for Windows in Table F2.1.	P1 Windows must not detract from meeting the management objectives identified in Table F2.1.

F2.3.11 Gutters and Downpipes

Objective

To ensure that guttering and downpipe materials are sympathetic to the Evandale Heritage Precinct.

Acceptable Solutions	Performance Criteria
A1 Gutters and downpipes must, in the written	P1 Gutters and downpipes must not detract

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opinion of Council's Heritage Adviser, be in accordance with the acceptable development criteria for Gutters and Downpipes in Table F2.1.	from meeting the management objectives identified in Table F2.1.
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F2.3.12 Verandahs, Porticos, Pergolas, and Window Hoods

Objective To ensure that verandahs and other forms of sun and weather protection are designed to be sympathetic to the Evandale Heritage Precinct.	
Acceptable Solutions	Performance Criteria
A1 Verandahs, Porticos, Pergolas, and Window Hoods must, in the written opinion of Council's Heritage Adviser, be in accordance with the acceptable development criteria for Verandahs, Pergolas, Porticos and Window Hoods in Table F2.1.	P1 Verandahs, Porticos, Pergolas, and Window Hoods must not detract from meeting the management objectives identified in Table F2.1.

F2.3.13 External Paint Colours

Objective To ensure that colour schemes are sympathetic to the Evandale Heritage Precinct.	
Acceptable Solutions	Performance Criteria
A1 Colour schemes must, in the written opinion of Council's Heritage Adviser, be in accordance with the acceptable development criteria for External Paint Colours in Table F2.1.	P1 No Performance Criteria.

Table F2.1: Evandale Residential Specific Area Plan Character Statement, Acceptable Development Criteria, and Management Objectives

1 Evandale Heritage Precinct Existing Character Statement
The architecture of Evandale's heritage precinct is most commonly characterised by fairly simple dwellings of the Georgian period with more elaborate public buildings of the Georgian and Victorian periods. The most common building materials are painted weatherboard, painted brickwork, or rendered and painted brickwork. When face brickwork is used, the tones are orange/red, such as in the Post Office, the Community Centre (formerly the Council Chambers & state school) and 'Blenheim'. Although building setbacks vary, building fronts are generally parallel to the street. Front property boundaries are defined by hedges, or fences of simple design. Fences reflect the character of the house and are principally of vertical members of timber, metal or wire. Gates are of similar style to the fence. Fences and hedges form a boundary between the property and the road yet are generally of a scale that allows a visual transition from public to private property and provide continuity along the street. The streets are straight, occasionally with a gentle bend. They are on a variety of angles, with the angled intersections sometimes creating remnant islands.

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These islands are used as open space and simply landscaped, or planted with large, European trees. The larger areas of public open space generally have roads on at least two sides and are also planted with large trees.

Lots are highly variable in size and depth. While the frontage is variable, it is generally 15-20m. Many lots are skewed to the street. Lots sides rarely match across the rear boundary.

Approaching from the north-west along Evandale Main Road towards High Street, the precinct is characterised as being within a rural setting on a gently rising escarpment. The principal views from the north-western approach include the Water Tower, Cambock Lane, and the South Esk River.

The principal view from the south-eastern approach along Nile Road even more clearly shows Evandale's rural setting on the escarpment, with the townscape characterised by houses set amongst European trees, with the most obvious buildings being the Prince of Wales Hotel, the Post Office and the St Andrews Church spire.

The dominance of the church spire is an important feature of many historic villages and towns throughout Australia, as is the landscape setting of numerous mature European trees.

The eastern approach along Logan Road towards Russell Street provides a more urban village character with a mixture of cottages, houses, commercial buildings and small parks.

2 ACCEPTABLE DEVELOPMENT CRITERIA	3 MANAGEMENT OBJECTIVES
The purpose of the Acceptable Development Criteria is to ensure that development is sympathetic to the Evandale Heritage Precinct.	The Management Objectives are to ensure that development in the heritage precincts does not adversely impact on the historic heritage significance of the precinct, but contributes positively to maintaining the existing character, as described in the relevant precinct's Existing Character Statement.
2.2 Subdivision and Development Density	3.2 Subdivision and Development Density
A1 No Acceptable Development Criteria.	P1 No management objectives.
2.4 Height and Bulk of Buildings	3.4 Height and Bulk of Buildings
A1.1 Single storey developments must have a maximum height from floor level to eaves of 3 metres (refer Figure E13.3). A1.2 Where a second storey is proposed, it must be incorporated into the roof space using dormer windows, or roof windows, or gable end windows, so as not to detract from original two storey heritage-listed buildings (refer Figure E13.4).	P1 Development must respect the established scale of buildings in the Evandale Heritage Precinct, and adhere to a similar scale.
2.5 Fences	3.5 Fences
A1 Front fences and gates must be: a) vertical pickets with a maximum	P1 To recognise that fences and gates are important to the style and character of the

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height of 1.2m; or b) heritage-style wire; or c) in accordance with sections 3, 5, or 7 of Technical Bulletin 8.1, A Guide to Identification, Conservation & Restoration of Historic Fences & Gates c. 1840-1925, National Trust of Australia (Victoria).	Evandale Heritage Precinct. To ensure that the design and materials of new fences and gates complements those of the Evandale Heritage Precinct.
A3 Side and rear fences, if prominent from the street, must be vertical timber palings to a maximum height of 1.8m.	P3 To recognise that side and rear fences were traditionally utilitarian.
A4 Screen fences, if prominent from the street, used to separate the front garden from the rear of the house, must be of timber or lattice.	P4 To ensure that the design and materials of new screen fences and gates complements those of the Evandale Heritage Precinct.
2.6 Roof Form and Materials	3.6 Roof Form and Materials
A1.1 The roof form for new buildings, extensions, alterations, and additions must, if prominent from the street, be in the form of hip or gable, with a pitch between 27.5 – 40 degrees, or match the existing, or A1.2 Lower-pitched traditional-style skillion extensions to the main roof form may be constructed at the rear of the building, or where it has less visual impact than a pitched roof. A1.3 Eaves overhang, if prominent from the street, must be a maximum of 300mm excluding guttering, or match the existing. A1.4 Where there is a need to use the roof space, dormer windows are acceptable and must be in a style that is sympathetic to the Evandale Heritage Precinct, if prominent from the street, (refer Figure E13.4). A1.5 Chimneys, if prominent from the street, must be in a style that reflects the period setting of the Evandale Heritage Precinct.	P1 In recognition of the following, to ensure that the design of roof form and materials of roofs complements those of the Evandale Heritage Precinct: • Roofs are often the most crucial aspect of the design of new buildings in heritage precincts. • Although many other elements of a new building can be disguised or screened by planting, roofs remain dominant. • Roofscape is an important visual element of historic villages, where the roofs of some buildings may be seen as prominently as the front walls. • Massive roof forms are not acceptable. • A multi-hipped roof is a traditional technique to reduce the height of hipped roofs and maintain a uniform ridge line, reducing roof mass. • Most buildings constructed prior to 1900 have simple roof forms, with hips or gables. Another hip, gable or skillion was added rather than raising the ridge line and trying to span a greater distance under one roof. • Lower pitched traditional style extensions to the main roof form sometimes have less heritage impact than an extension using the same roof form as the main roof. • Traditional elements such as dormer

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		windows and chimneys help to punctuate the expanse of a roof.
A2	Metal cowls must not be used where they will be prominent from the street.	P2 No management objectives
A3	Roof coverings must be: a) corrugated iron sheeting in grey tones, brown tones, dark red, or galvanised iron; or b) slate or modern equivalents, shingle and low profile tiles, where compatible with the style and period of the main building on the site and the setting., and tile colours must be: • grey tones, brown tones; or dark red; or • traditional metal tray tiles where compatible with the style and period of the main building on the site.	P3 No management objectives
2.7 Wall Materials		3.7 Wall Materials
A1.1	Materials used in additions must match or be sympathetic with the existing construction, except in subservient additions to stone or brick buildings where weatherboard may be used.	P1 Second-hand bricks may be acceptable in some circumstances, although the use of early bricks in short supply should be restricted to alterations and additions to heritage places.
A1.2	External walls must be clad in: a) traditional timber weatherboards. Treated-pine boards used to replace damaged weatherboards must be painted; or b) concrete blocks specifically chosen to blend with local dressed stone, or rendered and painted; or c) brickwork, with mortar of a natural colour and struck flush with the brickwork (must not be deeply raked), including: • painted standard size bricks; or • standard size natural clay bricks that blend with the colour and size of the traditional local bricks; or • standard brickwork rendered in traditional style.	Acrylic paints reduce the period required for repainting weatherboards when applied properly.
2.8 Siting of Buildings and Structures		3.8 Siting of Buildings and Structures
A1	New carports and garages, attached to or part of the house, must be set back a	P1 To maintain the predominant front setback of buildings in the immediate part of the

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	minimum of 3 metres behind the line of the front wall of the house (refer Figure E13.8 & E13.9).		Specific Area Plan (refer Figure E13.10 & E13.11).
A2	Side setback reductions, if prominent from the street, must be to one boundary only.	P2	To maintain a traditional streetscape spacing.
A3	All new buildings, extensions, alterations or additions, if prominent from the street, must be orientated: a) perpendicular to the street frontage (refer Figure E13.10 & E13.11); or b) where the predominant orientation of buildings within the immediate part of the Specific Area Plan is other than perpendicular to the street, to conform to the established pattern.	P3	To maintain the predominant orientation of buildings in the immediate part of the Specific Area Plan.
2.9 Outbuildings and Structures		3.9 Outbuildings and Structures	
A1	Garages, carports and sheds must be setback a minimum of 3 metres behind the line of the adjacent front wall (refer Figure E13.8 & E13.9).	P1	To maintain a traditional siting of outbuildings.
A2.1	Garages, carports and sheds, including those conjoined to the main building, must be designed in the form of an outbuilding, with an independent roof form.	P2	To ensure that garages, carports and sheds do not detract from the main building.
A2.2	If prominent from the street, the eaves height of garages, carports and sheds must not exceed 3m, and the roof form and pitch must be the same as that of the main house.		
A2.3	If prominent from the street, the roof form and pitch of garages, carports and sheds must be the same as that of the main house.		
A2.4	Garages, carports and sheds must be designed, in both scale and appearance, to be subservient to the primary buildings on the site.		
A2.5	Outbuildings, other than garages and carports, must not be located between the front boundary and the rear wall of the primary building on the site.		

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2.10 Plan Form	3.10 Plan Form
A1.1 If prominent from the street, the plan form of additions must be consistent with the existing house design and dimensions. A1.2 If prominent from the street, the plan form of new buildings must be rectilinear (refer Figure E13.14).	P1 To encourage traditional plan forms taking into account the following: Heritage houses normally present a simple front wall to the street. Where there is a variation it is usually filled in by a verandah, thereby producing basic rectangular or square plan forms. The main entry is usually located in the centre of the house with front rooms both sides. The choice of plan form directly affects the roof shape. Complex plan forms usually result in multiple ridge lines of varying heights and are unsympathetic with the simple roof form common to most heritage buildings. Equal squares and rectangles in the plan can achieve this satisfactorily.
2.11 Front Entrances and Doors	3.11 Front Entrances and Doors
A1 The front entrance location of dwellings must be in the front wall facing the street, and be located within the central third of the front wall of the house.	P1 To recognise that front entrances and doors are an important design element, and that building in the Evandale Heritage Precinct normally have entrance doors located in the front wall of the building facing the street.
A2 New front doors must be in appropriate heritage style (refer Figure E13.15).	P2 It is important that the styles of entrance doors are sympathetic with the Evandale Heritage Precinct.
2.12 Windows	3.12 Windows
A2.1 Window heads, if prominent from the street, must be a minimum of 300mm below the eaves line. A2.2 Window sashes, if prominent from the street, must be double hung, casement, awning or fixed appropriate to the period and style of the building (refer Figure E13.19 & E13.20). A2.3 Traditional-style multi-pane sashes, when used, must conform to the traditional pattern of six or eight vertical panes per sash with traditional size and profile glazing bars.	P2 To encourage traditional window forms in recognition of the following: Windows are an important design element and to ensure that care is taken in the selection and design of windows. Heritage buildings have windows with a strong vertical orientation and to have this repeated in new buildings or extensions.

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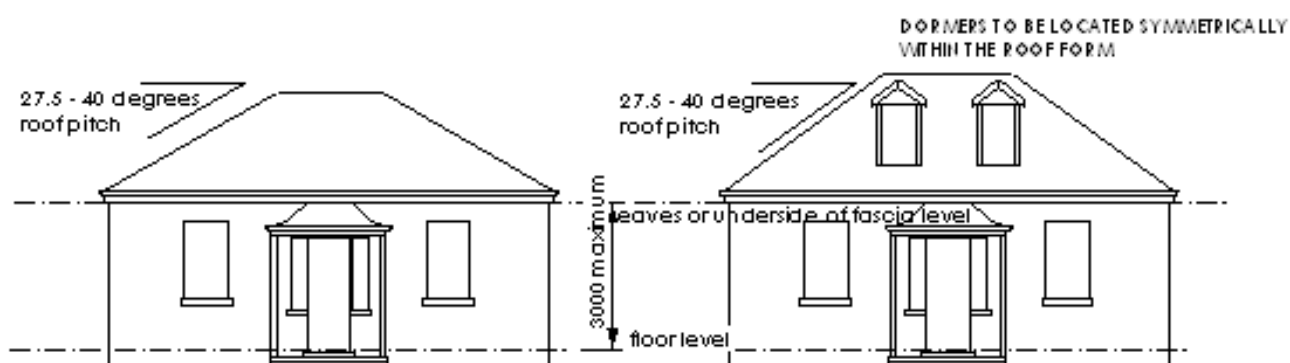
A2.4 Clear glass must be used, if prominent from the street, and reflective and tinted glass and coatings must not be used where prominent from public places. A2.6 Painted aluminium window frames may only be used in new buildings, and where it is not prominent from the street. A2.8 Glazing bars must be of a size and profile appropriate for the period of the building. A2.8 All windows in brick or masonry buildings must have projecting brick or stone sills A2.9 French doors and bay windows must be of a design sympathetic to the Evandale Heritage Precinct. A2.10 Where two bay windows are required, they must be symmetrically placed. A2.11 Large areas of glass panelling must be divided by large vertical mullions to suggest a vertical orientation	
2.13 Gutters and Downpipes	3.13 Gutters and Downpipes
A1.1 Gutters must be OG, D-mould, or Half Round profiles (refer Figure E13.21); and A1.2 Downpipes must be zincalume natural, colorbond round, or PVC round painted.	P1 To recognise that traditional forms of guttering and downpipes are desired, but that it is preferable to match the existing.
2.14 Verandahs, Porticos, Pergolas, and Window Hoods	3.14 Verandahs, Porticos, Pergolas, and Window Hoods
A1 Verandahs, porticos, pergolas and window hoods if prominent from the street, must be consistent with the design and period of construction of those of the dominant design and period within the precinct (refer Figure E13.23).	P1 The use of traditional forms of sun and weather protection such as verandahs, entrance porticos, pergolas and window hoods is supported.
2.15 External Paint Colours	3.15 External Paint Colours
A1.1 Colour schemes must be drawn from local heritage places within the precinct; or A1.2 Colour schemes must be drawn from the following, with a contrast between the wall and trim colours: a) Walls – off-white, creams, beige, tans, fawn, ochre. b) Window & door frames – white, off-	P1 To ensure that colour schemes maintain a sense of harmony with the heritage precinct,

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- white, Indian red, light browns, tans, olive green, deep Brunswick green.
- c) Fascia & barge boards - white, off-white, Indian red, light browns, tans, olive green, deep Brunswick green.
- d) Roof & gutters – deep Indian red, light and dark grey.

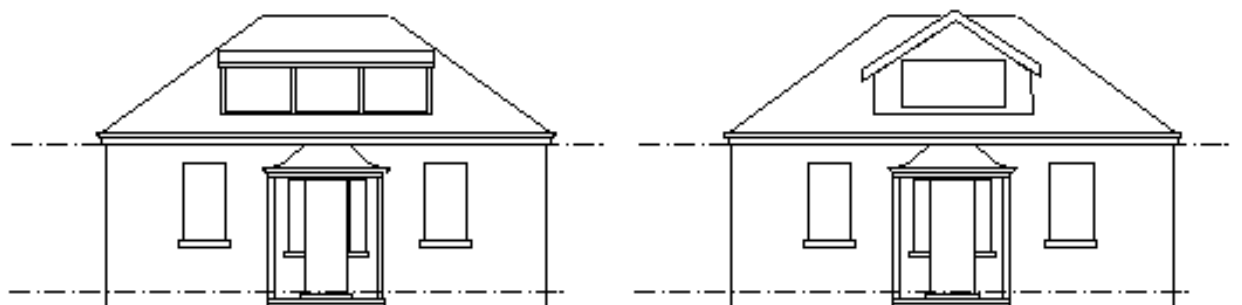


APPROPRIATE HEIGHT & ROOF PITCH

Figure: E13.3
SINGLE STOREY

APPROPRIATE DORMER WINDOW SCALE & STYLE

Figure: E13.4
TWO STOREY



INAPPROPRIATE DORMER WINDOW SCALE & STYLE

Figure: E13.5
TWO STOREY

INAPPROPRIATE DORMER WINDOW SCALE & STYLE

Figure: E13.6
TWO STOREY

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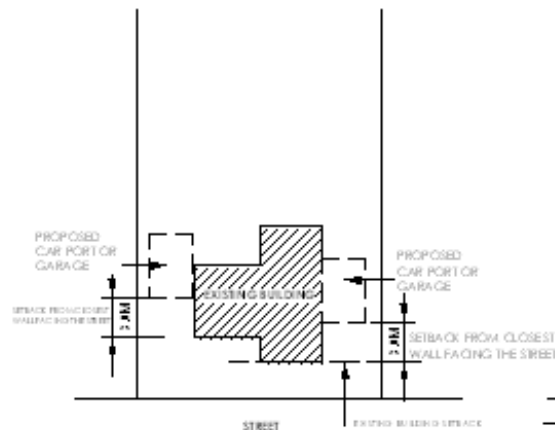


Figure: E13.8
APPROPRIATE GARAGE & CARPORT FRONTSETBACKS

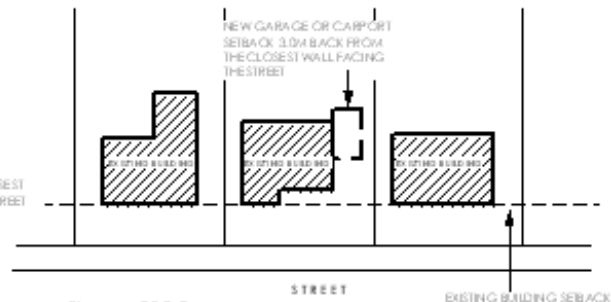


Figure: E13.9
APPROPRIATE GARGE & CARPORT FRONTSETBACKS

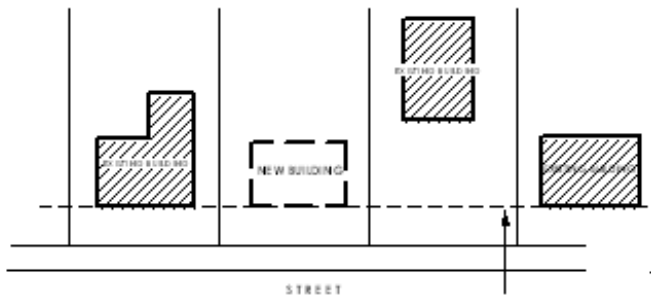


Figure: E13.10
APPROPRIATE BUILDING SETBACKS, ORIENTATION & PLAN FORM



Figure: E13.11
APPROPRIATE BUILDING SETBACKS, ORIENTATION & PLAN FORM

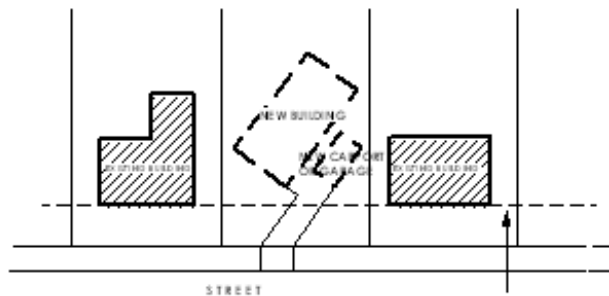


Figure: E13.12
INAPPROPRIATE BUILDING ORIENTATION

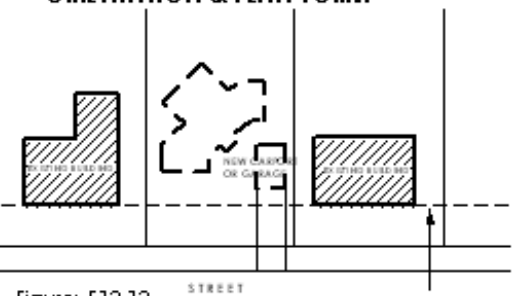


Figure: E13.13
INAPPROPRIATE BUILDING SETBACK, ORIENTATION & PLAN FORM



Figure: E13.14
EXAMPLES OF APPROPRIATE BUILDING PLAN FORMS

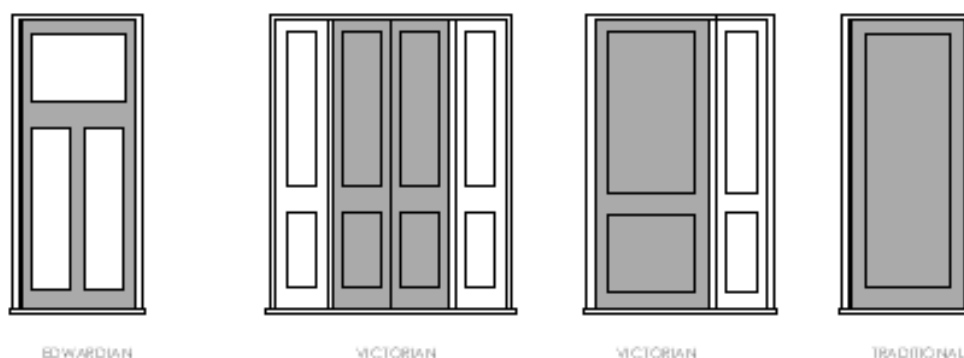
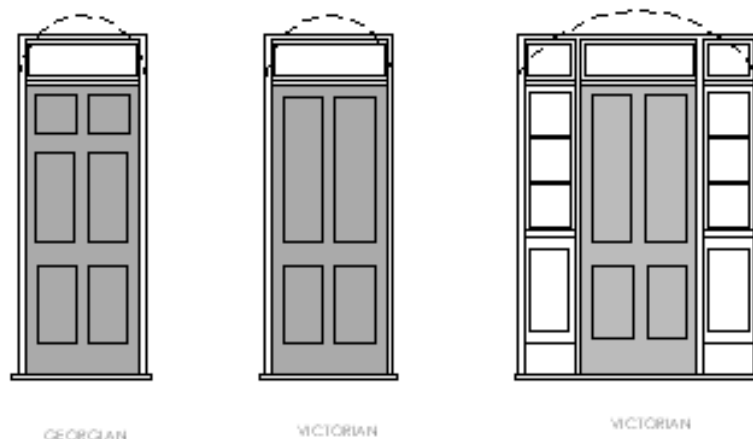


Figure: E13.15

EXAMPLES OF APPROPRIATE ENTRY DOOR STYLES AND COMPOSITIONS

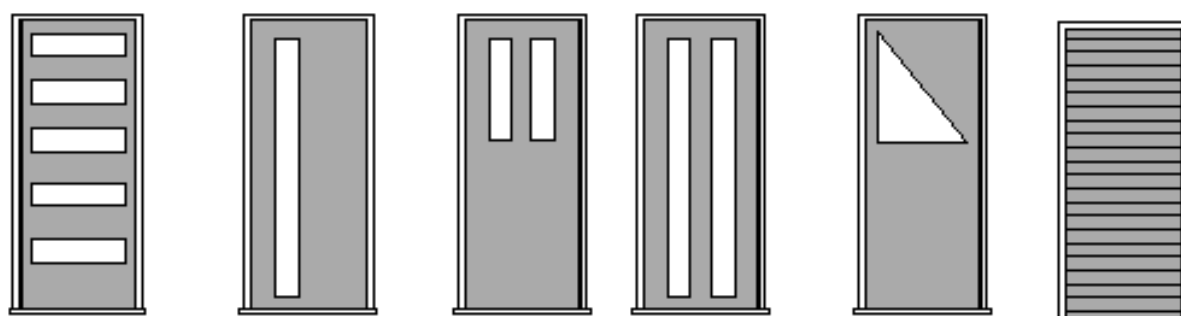


Figure: E13.16

EXAMPLES OF INAPPROPRIATE ENTRY DOOR STYLES AND COMPOSITIONS

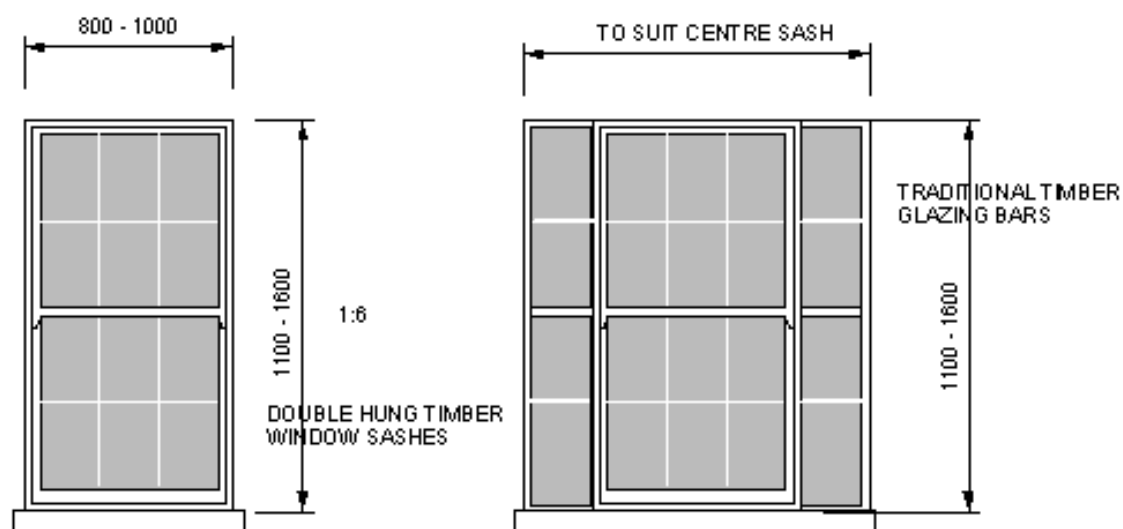


Figure: E13.19

APPROPRIATE WINDOW SIZES FOR FRONT FACADES

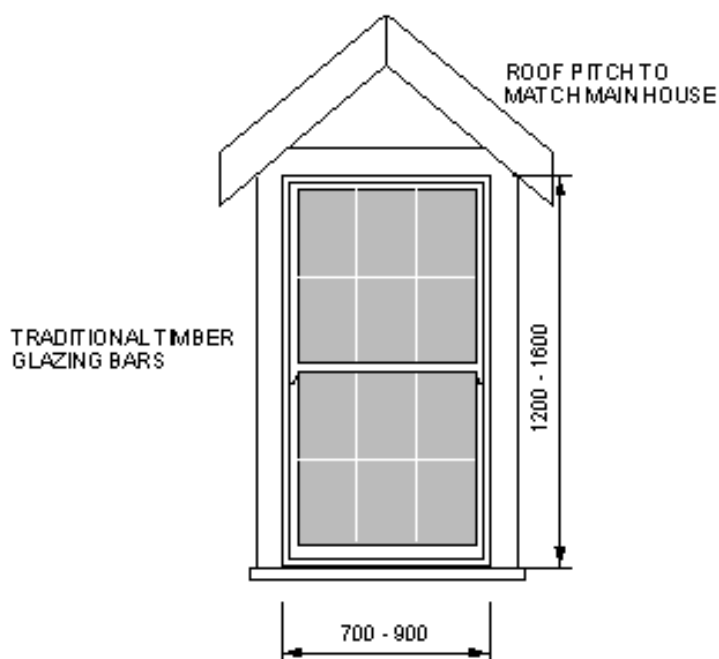


Figure: E13.20

APPROPRIATE DORMER WINDOW SIZES

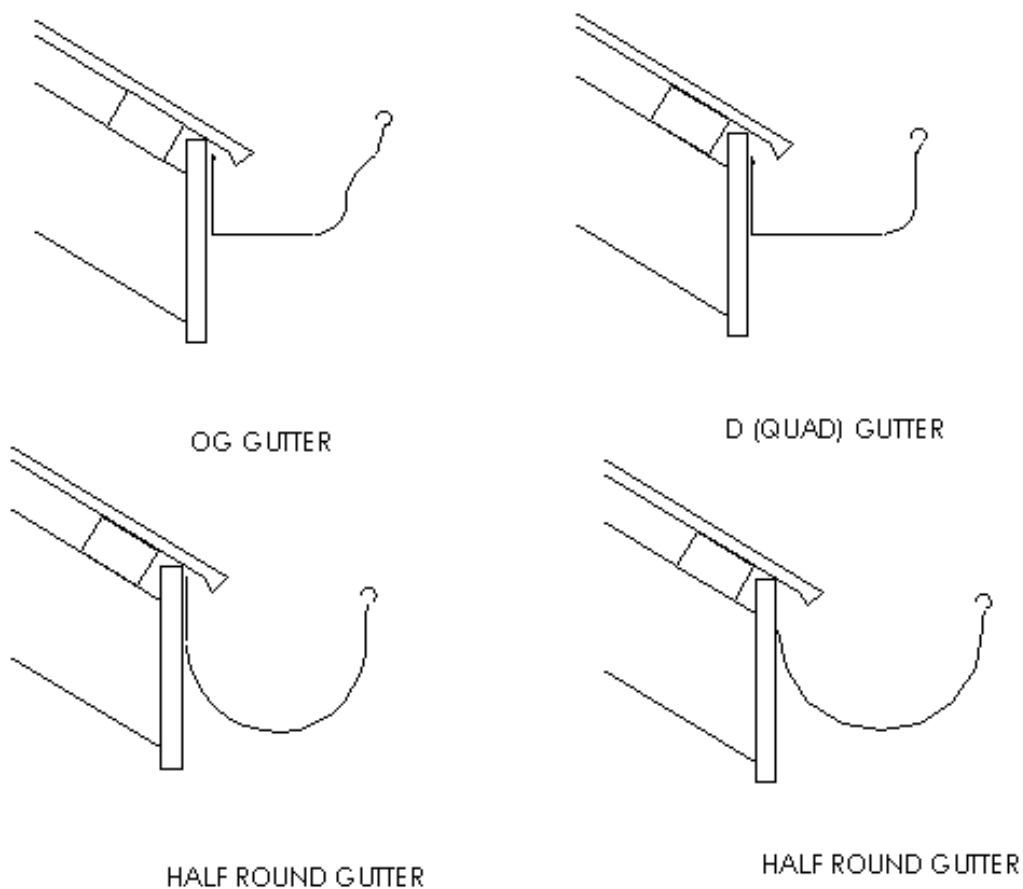


Figure: E13.21
APPROPRIATE FASCIA GUTTER STYLES

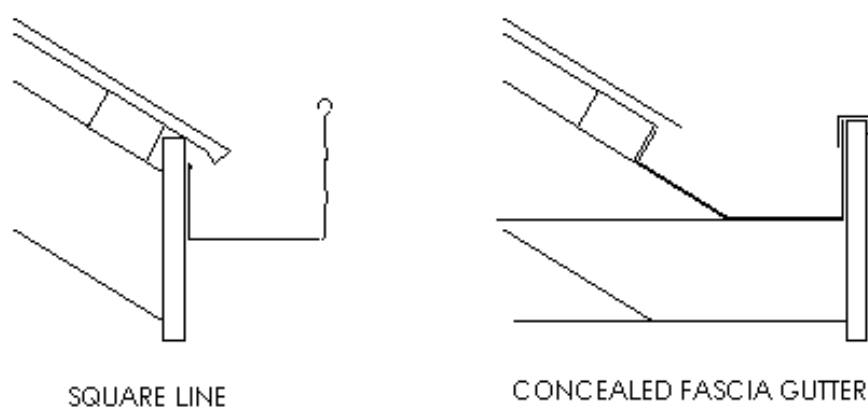
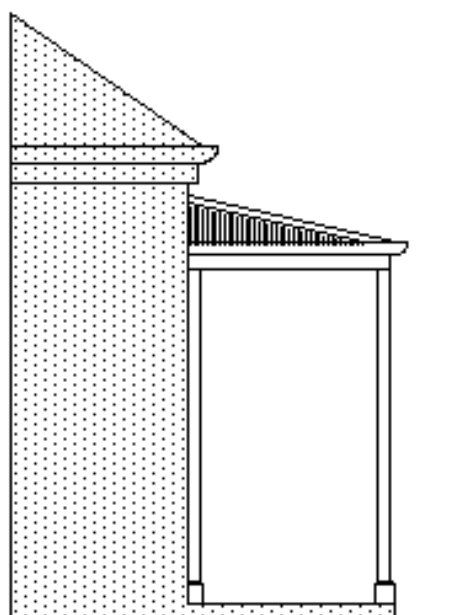
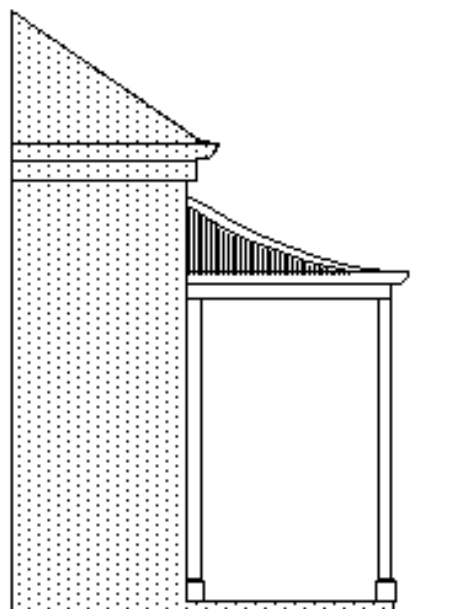


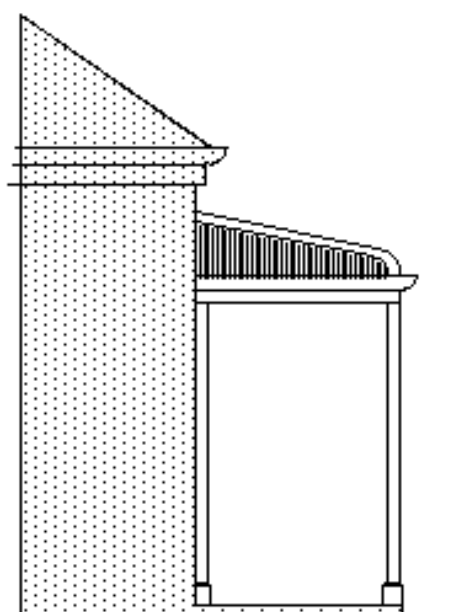
Figure: E13.22
INNAPPROPRIATE FASCIA GUTTER STYLES



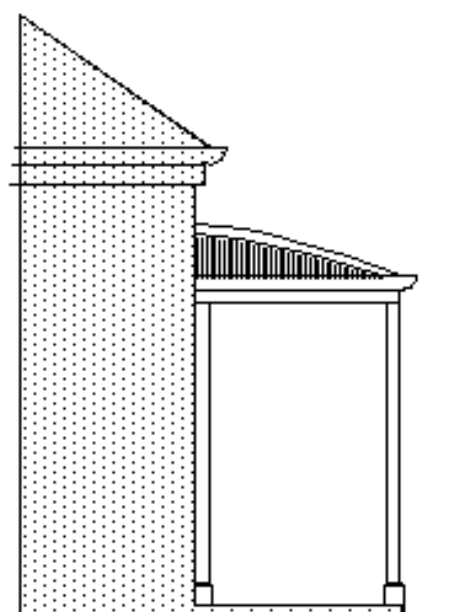
SIMPLE STRAIGHT PITCHED



CONCAVED



BULLN OSED



CONVENED

Figure: E13.23
APPROPRIATE VERANDAH ROOF STYLES

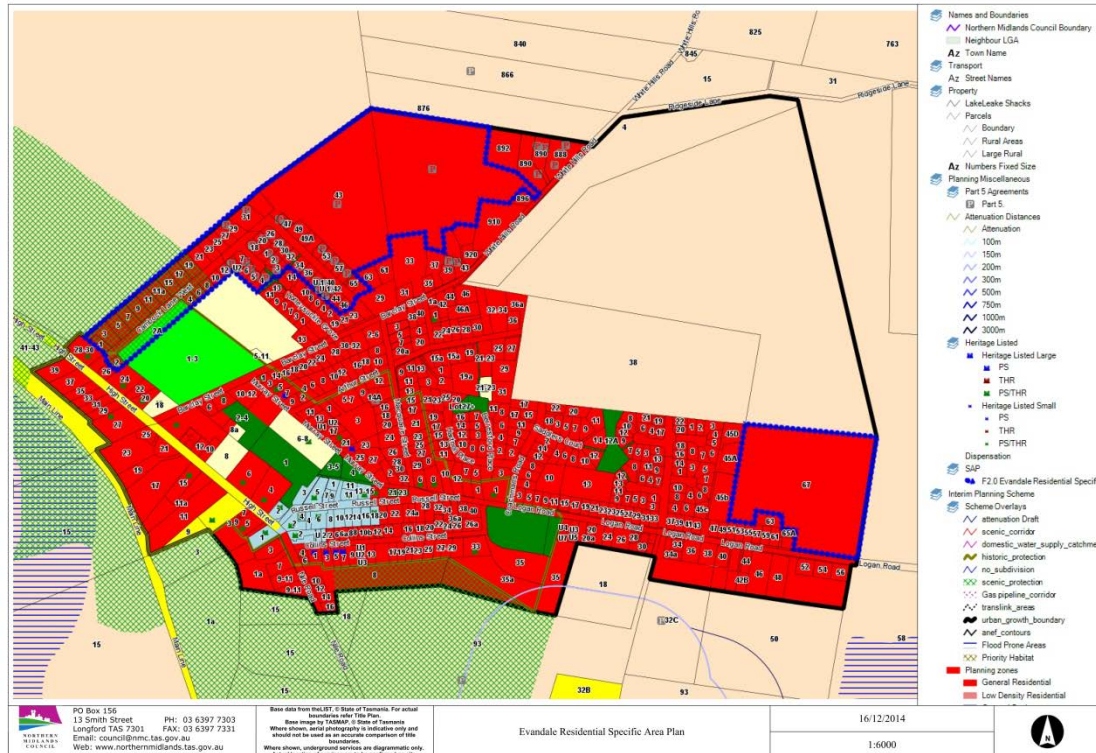
AGENDA – ORDINARY MEETING

19 JANUARY 2015



RECOMMENDATION 3

That the scheme maps be amended to reflect the Specific Area Plan as depicted below.



DECISION

Cr

Cr

AGENDA – ORDINARY MEETING

19 JANUARY 2015



PLAN 6 DRAFT CONSENT AGREEMENT: PLANNING APPEAL – 66 SECCOMBE STREET, PERTH

Attachments: Section 1 – Page 462

Responsible Officer: Duncan Payton, Planning & Development Manager

Report prepared by: Duncan Payton, Planning & Development Manager

1 PURPOSE OF REPORT

This report seeks Council endorsement of the proposed consent agreement to resolve the planning appeal against Council's refusal of the proposed house and garage at 66 Seccombe Street, Perth.

2 INTRODUCTION/BACKGROUND

At its December meeting, Council, acting as the Planning Authority, considered and application to develop and use a dwelling and garage at 66 Seecombe Street, Perth.

After considering the planning report and the issues raised by the representor, Council determined to refuse the application on the grounds of its visual impact on the adjoining residents:

Min Ref: 324/14:

Cr Polley/Cr Adams

That application P14-287 for a dwelling (vary [S] setback) & garage (vary rear [N] setback & vary side [W] setback) (less than 25% of site free of impervious surfaces) at Lot 9 - 66 Seecombe Street, Perth be refused on the following grounds:

1. The proposed shed causes an unreasonable loss of amenity by visual impacts caused by apparent scale, bulk and proportions, when viewed from an adjoining lot, contrary to clause 10.4.2 P3 (a) (iv) of the Planning Scheme.

Carried

Following this refusal, the applicants lodged an appeal with the Resource Management and Planning Appeals Tribunal seeking to have the decision overturned.

The Tribunal held a directions hearing on 09 January 2015 to determine the issues, possible opportunities for mediation and to set hearing dates.

Following the directions hearing the applicant, Mr Walsh and the representor Mr Rice discussed the proposal and possible modifications that might meet both their needs.

On Monday 12 January 2015, the applicants consultant, Ms Green, provided Council with a draft consent agreement proposing to replace Council's refusal with an approval subject to the garage being 200mm lower in the ground and the roof pitch reducing from 22% to less than 11.5%.

Mr Walsh and Mr Rice have signed the draft agreement.

AGENDA – ORDINARY MEETING

19 JANUARY 2015



3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 (2012/2013 Revision) provides the guidelines within which Council operates. The following “*Volume 1 – Mapping Our Direction*” policies have relevance to this issue:

- 4.3 Development Control
- 4.4 Planning Practice

4 POLICY IMPLICATIONS

None applicable.

5 STATUTORY REQUIREMENTS

Use and development of land is regulated by the *Land Use Planning and Approvals Act 1993* which is given effect through the Northern Midlands Interim Planning Scheme 2013.

Section 48 of the Act requires Council to observe and enforce the observance of its planning scheme.

The planning appeal process is governed by the Resource Management and Planning Appeals Tribunal Act 1993

6 FINANCIAL IMPLICATIONS

Resolution of the appeal by consent exposes Council to no additional costs. If the matter goes to hearing, subject to the outcome, costs to Council could be in the range of \$2,000 - \$10,000

7 RISK ISSUES

Council risks greater exposure to costs if it rejects a consent agreement.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable

9 COMMUNITY CONSULTATION

Not applicable

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may or may not enter into the consent agreement.

11 OFFICER’S COMMENTS/CONCLUSION

The refusal by Council was based on the concerns raised by the representor, Mr Rice, in regard to the potential adverse affect the proposed garage will have on the visual amenity of his residence, given its size.

AGENDA – ORDINARY MEETING

19 JANUARY 2015



Mr Rice and the applicant, Mr Walsh, have reached an agreement whereby each is satisfied that their needs have been addressed. Consequently they have signed a consent agreement to replace Council's refusal with an approval subject to the garage being 200mm lower in the ground and the roof pitch being reduced to below 11.5%.

Given that both affected parties are now satisfied, it is reasonable for Council to also sign the consent.

If Council signs the consent agreement, this will be forwarded to the Tribunal and if they are satisfied, an order consistent with the consent will be issued and the appeal will be resolved without the need for hearing.

12 ATTACHMENTS

Consent agreement.

RECOMMENDATION 1

That the matter be discussed.

RECOMMENDATION 2

That Council resolves to enter into the consent agreement.

DECISION

Cr

Cr

AGENDA – ORDINARY MEETING

19 JANUARY 2015



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.

AGENDA – ORDINARY MEETING

19 JANUARY 2015



CON – ITEMS FOR THE CLOSED MEETING

DECISION

Cr

That Council move into the “Closed Meeting” with the General Manager, Corporate Services Manager, Planning and Development Manager, Works & Infrastructure Manager and Executive Assistant.

CON 1 APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE

As per provisions of Section 15(2)(i) of the *Local Government (Meeting Procedures) Regulations*.

CON 2 (1) PERSONNEL MATTERS

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations*.

CON 2 (2) INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(f) of the *Local Government (Meeting Procedures) Regulations*.
Management Meetings

CON 2 (3) MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

As per provisions of Section 15(2)(h) of the *Local Government (Meeting Procedures) Regulations*.
Correspondence Received

CON 2 (4) INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(f) of the *Local Government (Meeting Procedures) Regulations*.
Action Items – Status Report

CON 2 (5) INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(f) of the *Local Government (Meeting Procedures) Regulations*.
Risk Issue

CON 2 (6) PROPOSALS FOR THE COUNCIL TO ACQUIRE LAND OR AN INTEREST IN THE LAND OR FOR THE DISPOSAL OF LAND

As per provisions of Section 15(2)(e) of the *Local Government (Meeting Procedures) Regulations*.
Land Issues/Property Review

AGENDA – ORDINARY MEETING

19 JANUARY 2015



CON 2 (7) INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(f) of the Local Government (Meeting Procedures) Regulations.
Australia Day Awards

CON 3 PROPOSALS FOR THE COUNCIL TO ACQUIRE LAND OR AN INTEREST IN THE LAND OR FOR THE DISPOSAL OF LAND

As per provisions of Section 15(2)(e) of the *Local Government (Meeting Procedures) Regulations*.
Land at Cressy

CON 4 INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(f) of the Local Government (Meeting Procedures) Regulations.
LGAT Bi-election

CON 5 INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(f) of the Local Government (Meeting Procedures) Regulations.
Stormwater issues

CON 6 INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(f) of the Local Government (Meeting Procedures) Regulations.
Rates Matter

CON 7 PERSONNEL MATTERS

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations*.

DECISION

Cr

That Council move out of the closed meeting and make the following decision(s) available to the public:

- ...

Mayor Downie closed the meeting at