



**NORTHERN
MIDLANDS
COUNCIL**

AGENDA

Ordinary Meeting of Council

Monday, 27 June 2016

**Des Jennings
General Manager**

QUALIFIED PERSONS ADVICE

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

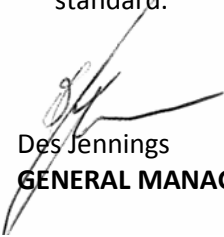
- ♦ A General Manager must ensure that any advice, information or recommendation given to the Council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- ♦ A Council is not to decide on any matter which requires the advice of a 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.

MEETING CONDUCT

- ♦ People attending Council Meetings are expected to behave in an appropriate manner.
- ♦ The following is not acceptable:
 - Offensive or inappropriate behaviour
 - Personal insults
 - Verbal abuse
- ♦ In the case of any inappropriate outburst or derogatory behaviour, an apology from the offending party or parties will be requested. Anyone at the meeting, if they feel offended in any way by any such behaviour specified above, should immediately bring the behaviour to the notice of the Chairperson by the way of a point of order.
- ♦ The Chairperson has the right to evict from a meeting any person who is not behaving to an appropriate standard.


Des Jennings
GENERAL MANAGER

GUIDELINES FOR COUNCIL MEETINGS

PUBLIC QUESTIONS AND STATEMENTS

PUBLIC QUESTION TIME:

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

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

- ♦ At each Council Meeting up to 20 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.
- ♦ A person seeking to ask a question must firstly identify himself or herself by stating their name and the town they reside in.
- ♦ If more than one person wishes to ask a question, the Mayor is to determine the order in which those questions are asked
- ♦ Questions must be directed to the Mayor who shall answer or direct the question to the appropriate Councillor or Council Officer. A question will be answered if the information is known otherwise taken on notice and responded to in writing within 10 working days. Questions should preferably be in writing and provided to the General Manager 7 days prior to the Council Meeting.
- ♦ A person is entitled to ask no more than 2 questions on any specific subject. If a person has up to two questions on several subjects, the Mayor may defer those questions until other questions have been asked and refer back to that person only if time permits.
- ♦ Each speaker is limited to a maximum of 3 minutes.

REPRESENTATIONS ON PLANNING ITEMS

A maximum of 4 persons per item (2 for and 2 against) will be permitted to address Council on a planning item. After the representation has been made, Councillors are permitted to ask questions of the party who made the representation.

Each speaker is limited to a maximum of 3 minutes.

PETITIONS

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

RECORDING OF COUNCIL MEETINGS

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

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

The provision of recording of Council meetings in this policy:

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

A member of the public 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.

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

The Recordings may not upload, display, print and/or reproduced without 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. Apart from uses permitted under the *Copyright Act 1968*, all other rights are reserved.

Any request for authorisation, including authorisation for the use of recordings, should be directed to the General Manager, 13 Smith Street, Longford TAS 7301.

AGENDA – ORDINARY MEETING

27 JUNE 2016



NOTICE is hereby given that the next meeting of the Northern Midlands Council will be held at the Council Chambers, Longford on Monday, 27 June 2016 at 5.00pm.


Des Jennings
General Manager

22 June 2016

4.00pm Councillor Workshop – closed to the public

GOV 1 ATTENDANCE

1 PRESENT

In Attendance:

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

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to request Councillors to indicate whether they have, or are likely to have a pecuniary interest in any item on the Agenda.

GOV 4 CONFIRMATION OF MINUTES

1 ORDINARY COUNCIL MEETING – 16 MAY 2016

DECISION

Cr

The Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 16 May 2016, 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)	03/03/2016	Elizabeth Macquarie Irrigation Trust	Ordinary
ii)	07/04/2016	Elizabeth Macquarie Irrigation Trust	Ordinary
iii)	13/04/2016	Cressy Hall Committee	AGM
iv)	13/04/2016	Cressy Hall Committee	Ordinary
v)	03/05/2016	Evandale Community Centre and Memorial Hall Management Committee	Ordinary
vi)	09/05/2016	Mill Dam Action Group	Ordinary
vii)	11/05/2016	Morven Park Management & Development Association Inc.	AGM
viii)	11/05/2016	Morven Park Management & Development Association Inc.	Ordinary
ix)	11/05/2016	Longford Local District Committee	Ordinary
x)	23/05/2016	Mill Dam Action Group	AGM
xi)	25/05/2016	Cressy Local District Committee	Ordinary
xii)	01/06/2016	Ross Local District Committee	Ordinary
xiii)	01/06/2016	Longford Local District Committee	Ordinary

DECISION

Cr

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

3 RECOMMENDATIONS OF SUB COMMITTEES

That Council note the following recommendation/s of Committees:

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Meeting Date	Committee	Recommendation
11/05/2016	Longford Local District Committee	1. The Longford Local District Committee requests as a matter of priority, the Northern Midlands Council and Department of State Growth conduct a feasibility study to determine alternate one-way vehicular exit from Browns Shopping complex via Union Street to Tannery Road, or an alternative route considered suitable. 2. The Longford Local District Committee requests the Northern Midlands Council investigate the following projects through the Longford CBD strategy: • A lookout for Longford; • Longford motor racing circuit historical stone markers; • Mill Dam conservancy plan. 3. That Council notes the suggestion of investigating a heritage building preservation fund for future budgetary considerations.
25/05/2016	Cressy Local District Committee	1. That the trout sign in the paddock next to the hotel be removed and Council investigate the installation of a community notice board in Cressy. 2. That Council investigate obtaining traffic movement data (speed and volume) for Main Street, Cressy.
01/06/2016	Ross Local District Committee	That Council note the issue of lack of internet services in the outlying areas of Ross and make enquiries regarding possible improvements.

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

DECISION

Cr

That Council **note and investigate** the following recommendation/s of the **Longford Local District Committee**:

1. *The Longford Local District Committee requests as a matter of priority, the Northern Midlands Council and Department of State Growth conduct a feasibility study to determine alternate one-way vehicular exit from Browns Shopping complex via Union Street to Tannery Road, or an alternative route considered suitable.*
2. *The Longford Local District Committee requests the Northern Midlands Council investigate the following projects through the Longford CBD strategy:*
 - *A lookout for Longford;*
 - *Longford motor racing circuit historical stone markers;*
 - *Mill Dam conservancy plan.*
3. *That Council notes the suggestion of investigating a heritage building preservation fund for future budgetary considerations.*

Cr

That Council **note and investigate** the following recommendation/s of the **Cressy Local District Committee**:

1. *That the trout sign in the paddock next to the hotel be removed and Council investigate the installation of a community notice board in Cressy.*
2. *That Council investigate obtaining traffic movement data (speed and volume) for Main Street, Cressy.*

Cr

That Council **note and investigate** the following recommendation/s of the **Ross Local District Committee**:

That Council note the issue of lack of internet services in the outlying areas of Ross and make enquiries regarding possible improvements.

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GOV 5 DATE OF NEXT COUNCIL MEETING
18 JULY 2016

Mayor Downie advised that the next Ordinary Council Meeting would be held at 5.00pm on Monday, 18 July 2016, at the Northern Midlands Council Chambers at Longford.

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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.

Date Held	Purpose of Workshop
14/06/2016	Council Workshop 2016/17 Budget - Local Government Act Review
27/06/2016	Council Workshop prior to Council meeting

2 MAYOR'S COMMUNICATIONS

Mayor Downie's Communications for the period 17 May 2016 to 27 June 2016 are as follows:

Date	Activity
17 May 2016	Attended meeting with representatives of the National Trust, Longford
18 May 2016	Attended meeting with Brian Mitchell, Federal Labor Candidate for Lyons re Launceston Airport rates issue
20 May 2016	Attended signing of letter of support for UTAS relocation, Inveresk
23 May 2016	Attended meeting with Council's legal advisor, Launceston
26 April 2016	Attended meeting with representatives from TFGA and DPIPWE re weed control, Longford
30 May 2016	Conducted citizenship ceremony, Longford
30 May 2016	Attended tour of Northern Midlands Council Strategic Projects with Brian Mitchell, Federal Labor Candidate for Lyons
31 May 2016	Attended tour of Northern Midlands Council Strategic Projects with Eric Hutchinson MP, Federal Liberal member for Lyons
1 June 2016	Met with Country Courier re Ross Town Square Master Plan, Ross
2 June 2016	Attended funding commitment announcement by the Labor Party with Senator Julie Collins MP and Brian Mitchell, Federal Labor Candidate for Lyons, Northern Midlands Health & Fitness Centre Longford
3 June 2016	Attended Local Government Committee meeting, Launceston
6 June 2016	Attended Council Workshop, Longford
9 June 2016	Attended TasWater Owner Representatives meeting, Riverside
20-22 June 2016	Attended ALGA Conference, Canberra
27 June 2016	Attended Council meeting and workshop, Longford
Attended to numerous email, phone, media and mail inquiries.	

3 PETITION

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.
- (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

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(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 16 June 2016 was circulated in the Attachments.

6 BUILDING APPROVALS

The following table provides a comparison of the number and total value of building works for 2015 and 2016.

	YEAR - 2015				YEAR - 2016			
	MAY		JAN –MAY		MAY		JAN –MAY	
	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value
		\$		\$		\$		\$
New Dwellings	5	899,451	37	8,073,413	3	425,864	17	5,287,742
Dwelling Additions	5	199,302	10	434,302	1	57,895	14	1,503,678
Garage/Sheds & Additions	7	206,939	26	1,183,023	9	162,000	39	2,086,097
Commercial	0	0	4	233,000	1	7000,000	8	7,219,122
Other (Signs)	0	0	0	0	0	0		
Swimming Pools	0	0	0	0	0	0		
Minor Works	1	0	6	9,010	1	4,800	2	6,600
Building Certificates	0	0	3	5,001	0	0		
Amended Permits	0	0	0	0	0	0		

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	YEAR - 2015				YEAR - 2016			
	MAY		JAN –MAY		MAY		JAN –MAY	
	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value
		\$		\$		\$		\$
TOTAL	18	1,305,692	86	9,928,749	15	1,350,559	65	\$16,103,239
Inspections								
Building	0				27		164	
Plumbing	0				20		143	

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

7 DEVELOPMENT APPLICATIONS

Planning decisions in May 2016:

Total Approved:	25	Total Refused:	1
Total Permitted:	0	Total Discretionary:	26
Average Days for Permitted	N/a	Average Days for Discretionary:	35
Days allowed for approval by LUPAA	28	Days allowed for approval under LUPAA:	42
Total Exempt under IPS:	1	Total Withdrawn:	0

Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
P15-385	2-lot subdivision in rural zone to create 2ha & 15.4ha lots (within attenuation distance)	637 Relbia Road, RELBIA	Woolcott Surveys (obo Shepherdson)	42	D
P16-048	Partial change of use of garage to remote dwelling extension - attenuation distance	23 Goderich Street, LONGFORD	R & R Baker	41	D
P16-051	Dwelling & outbuilding (at rear of existing dwelling) - within 50m of railway (Multiple Dwelling)	2/57 Youl Road, PERTH	M & N Gillie	39	D
P16-053	Pool (Attenuation Distance)	713 Hobart Road, BREADALBANE	Prime Design	42	D
P16-057	Cottage additions, carport & shed, & retaining wall, & change from visitor accommodation to residential use (heritage precinct)	'Hudson Cottage', 7 High Street, ROSS	Plans To Build	41	D
P16-058	Retaining wall & pool (vary N side setback)	3 Minerva Drive, PERTH	Prime Design (obo Goldsmith & Knowles)	42	D
P16-059	Resubdivision between 2 lots in rural zone	15587 Midland Highway, PERTH	PDA Surveyors (obo Frances Douglas)	42	D
P16-060	Covered deck (Attenuation distance)	39 Smith Street, LONGFORD	Bryce Duhig	42	D
P16-063	Dwelling addition (pergola) - vary rear setback to 1.5m	14 Elizabeth Street, PERTH	N & N Walker	42	D
P16-064	Shed for storage of agricultural machinery, & equipment storage shed (vary NE & S setbacks) - within 50m of railway	412 Leighlands Road, EVANDALE	C Denman	46	D
P16-066	Dwelling (within 50m of railway)	6 Rose Gold Court, PERTH	Garwood Homes	34	D
P16-069	Carport - vary rear setback to 600mm (heritage precinct)	39a Marlborough Street, LONGFORD	M Koning	40	D
P16-070	Dwelling (within 50m of railway)	117a Fairtlough Street, PERTH	N Wigg	24	D
P16-072	Shed (vary NE side setback in rural zone to 1.5m) & 2m-high front fence - Scenic corridor	268 Leighlands Road, EVANDALE	David Denman & Associates (obo M & S Warner)	23	D
P16-073	Equipment storage shed (vary total area of outbuildings - over 80m2 in Low Density Residential zone)	4 Collins Street, PERTH	P Berwick	38	D
P16-074	Earthworks for construction of dirt bike track adjacent to Symmons Plains Raceway (Scenic corridor)	14782 Midland Highway, SYMMONS PLAINS	Rhythm X Action Pty Ltd	19	D
P16-082	Dwelling alterations (enclosed porch) to heritage listed building and barn restoration	3 Blenheim Street, AVOCA	S Taylor	45	D

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Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
	(rebuild) - vary internal setback & outbuilding floor area				
P16-083	Dwelling & retaining wall (vary setbacks & within 50m of railway)	7 Rose Gold Court (Lot 11), PERTH	N Wigg	30	D
P16-084	Shed, pergola & relocated carport	962 Deddington Road, DEDDINGTON	M Smith	41	D
P16-086	2-lot subdivision	35-37 Malcombe Street (cnr Pakenham St), LONGFORD	Michell Hodgetts & Associates Pty Ltd	42	D
P16-088	Addition at rear of dwelling (vary access to sunlight provision), deck and pergola at front	30 Archer Street, CRESSY	Prime Design	27	D
P16-089	Verandah (vary front setback)	5 Mason Street, CAMPBELL TOWN	D&J Earley	29	D
P16-090	'Open' sign for Campbell Town Museum	75 High Street, CAMPBELL TOWN	About Campbell Town	29	D
P16-094	Garage	41 Main Road, PERTH	G&F Addicoat	0	E
COUNCIL DECISIONS					
-	-	-	-	-	-
COUNCIL DECISIONS - REFUSAL					
P16-055	17-lot subdivision & cul de sac (vary lot size in Low Density Residential zone; variation to Road Assets code provisions; creation of road and footpath in General Residential zone - performance criteria 10.14.15.5 P1; 10.4.15.6 P1; 10.4.15.7 P1)	80 Seacombe Street, PERTH	Shervan Developments Pty Ltd	-	D
RMPAT DECISIONS					
P14-213	Earthworks, storage of used materials & carparking for Evandale Market (retrospective)	18 Logan Road, EVANDALE	P Woof	-	-

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 held a meeting on 21 May 2015 with Council staff and representors to discuss representations to the Interim Scheme. No further action from TPC at this time.
TPS	Tasmanian Planning Scheme – State Planning Provisions (SPP) currently on exhibition by TPC. Closing date for comment 8.5.16.
07/15	Draft Amendment & Planning Permit P15-331 - 2 Hudson Fysh Drive, Western Junction: (CT 146537/2) – Carpark (variations to development standards). Council's recommendations forwarded to TPC 10.5.16
02/15	Draft Amendment 02/15 – revisions to heritage codes – on public exhibition until 28.6.16
RMPAT	Resource Management & Planning Appeals Tribunal
P15-157	Appeal 101/15P – Grain processing and distribution – 109 Auburn Road, Ross – J Bingley v NMC – hearing date set
P15-098	Appeal 114/15P – Shed (recycling and waste disposal) – 18 Logan Road, Evandale – Woof v NMC - teleconference held – consent agreement submitted to RMPAT - awaiting revised site plan with shed 50m from boundary
P16-055	Appeal 51/16S – subdivision, 80 Seacombe St, Perth – teleconference held 10.6.16
Decisions received	
TPC	
-	-
RMPAT	
P14-213	Appeal 113/15P – Earthworks, storage of used materials & carparking for Evandale Market – 18 Logan Road, Evandale – Woof v NMC - teleconference held – consent agreement ratified by RMPAT

9 USE OF COUNCIL SEAL: MAY 2016

2	Final plans of subdivision
1	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	Management Agreements

AGENDA – ORDINARY MEETING

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0	Other Agreements/Documents
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10 132 & 337 CERTIFICATES ISSUED

	No. of Certificates Issued 2015/2016 year												Total	
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Total	2014/2015
132	70	68	70	72	45	42	52	51	54	49	46		619	676
337	30	37	47	35	23	37	18	34	30	21	24		336	389

11 ANIMAL CONTROL

Item	Income/Issues 2014/2015		Income/Issues for May 2016		Income/Issues 2015/2016	
	No.	\$	No.	\$	No.	\$
Dogs Registered	3,801	88,126	11	230	3,761	92,030
Dogs Impounded	88	5,360	6	1,602	68	5,530
Euthanized	3	-	1	-	4	-
Re-claimed	73	-	6	-	55	-
Re-homed/To RSPCA	12	-	-	-	9	-
New Kennel Licences	8	518	1	68	11	748
Renewed Kennel Licences	62	2,480	-	-	61	2,501
Infringement Notices (paid in full)	35	5,307	6	924	47	8,260
Legal Action	-	-	-	-	-	-
Livestock Impounded	2	300	-	-	2	130
TOTAL		102,091		2,824		109,199

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	2013/2014		2014/2015		2015/2016	
	Persons	Vaccination	Persons	Vaccination	Persons	Vaccination
July-September	32	32	65	68	31	31
October-December	23	23	66	68	-	-
January-March	-	-	-	-		
April-June	87	194	85	163		
TOTAL	142	249	216	299	31	31

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.

Ensure safe standards of food offered for sale are maintained.

Investigations/Inspections	2013/2014	2014/2015	2015/16
Notifiable Diseases	6	2	4
Inspection of Food Premises	126	118	148

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.

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13 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Animal Control	3	-	2	1	-	-	-	-	2	-	-	
Building & Planning	6	1	4	-	2	4	5	2	5	4	-	
Community Services	-	-	-	-	-	-	-	-	1	-	-	
Corporate Services	4	1	16	-	6	4	-	1	-	-	-	
Governance	-	-	-	-	-	-	-	-	1	-	-	
Waste	1	-	-	-	-	1	1	1	1	-	-	
Works (North)	48	40	18	25	20	19	36	33	25	25	18	
Works (South)	2	8	5	4	6	3	3	5	11	3	5	

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

Date	Recipient	Purpose	Amount
22-Jul-15	Campbell Town District High School	Chaplaincy	\$1,500
22-Jul-15	Campbell Town District High School	Inspiring Positive Futures Program	\$8,000
4-Aug-15	Rural Alive & Well	Donation	\$5,000
11-Aug-14	Helping Hand Associated	Donation	\$1,000
11-Aug-14	Longford Care-a-car	Donation	\$1,000
15-Sep-15	Cressy District High School	Inspiring Positive Futures Program	\$8,000
21-Oct-15	Toosey Aged Care	Donation	\$150
22-Oct-15	Campbell Town District High School	Donation - School Achievement Awards	\$90
22-Oct-15	Perth Primary School	Donation - School Achievement Awards	\$30
22-Oct-15	Evandale Primary School	Donation - School Achievement Awards	\$30
22-Oct-15	Longford Primary School	Donation - School Achievement Awards	\$30
22-Oct-15	Cressy District High School	Donation - School Achievement Awards	\$90
22-Oct-15	Avoca Primary School	Donation - School Achievement Awards	\$30
2-Dec-15	Perth Fire Brigade	Donation	\$50
22-Dec-15	Longford Fire Brigade	Donation	\$100
	Campbell Town Medical Centre	Donation - re: late Mr L Triffitt	\$50
23-Feb-16	Holman Clinic	Donation - re: late Mr B Ellis	\$50
17-Feb-16	Swap Meet Tasmania	Donation	\$120
16-Mar-16	Mr B Murray-Skey	Donation - International Children's Games - Taiwan	\$120
23-Mar-16	Christ Church flower show	Donation - Flowers	\$36
	Council wages and plant	Assistance to Campbell Town SES	\$161
Planning/Building Applications Remitted			
14-Oct-15	Evandale Light Railway	Planning / Building Application fees	\$218
3-Feb-16	Evandale Light Railway	Planning / Building Application fees	\$402
3-Feb-16	NRM	Planning fees - Strathroy Riparian Reserve planting	\$231
Sporting/Academic Achievements			
22-Jul-15	Mr Bailey Groves	28th Summer Universiade South Korea	\$120
22-Jul-15	Ms Teresa Morris	Aust Darts Championships WA	\$60
5-Aug-15	Miss Kara Zaporozec	Indoor Bias Bowls Championships 2015	\$60
5-Aug-15	Mr Simon Zaporozec	Indoor Bias Bowls Championships 2015	\$60
5-Aug-15	Mrs Julie Zaporozec	Indoor Bias Bowls Championships 2015	\$60
5-Aug-15	Miss Kaitlyn Cawthen	Indoor Bias Bowls Championships 2015	\$60
5-Aug-15	Ms Narinda Cawthen	Indoor Bias Bowls Championships 2015	\$60
5-Aug-15	Mrs Helen Farrow	Indoor Bias Bowls Championships 2015	\$60
5-Aug-15	Miss Georgia Brown	2016 Aust Jamboree in Sydney - Cressy Scouts	\$60
11-Aug-15	Mr Chayce Jones	All Australian U15 Football Team	\$120
30-Sep-15	Ms M Barron	2016 Womens Fast Pitch Softball Team	\$60
30-Sep-15	Mr C Barron	2016 Mens Fast Pitch Softball Team	\$60
15-Sep-15	Ms Jenna Myers	Australian Club Championships - Weightlifting	\$60
15-Sep-15	Ms Alysha Verwey	Australian Equestrian Interschool Championships	\$60

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Date	Recipient	Purpose	Amount
10-Nov-15	Miss Emily Acheson	2016 Aust Jamboree in Sydney - Cressy Scouts	\$60
10-Nov-15	Miss Sophie Parkin	National U15 Girls Cricket Carnival 2016	\$60
18-Nov-15	Miss Kasman Murfet	Royal Edinburgh Military Tattoo - Virginia USA 2016	\$120
17-Feb-16	Ms K Earley	Bursary Program 2015	\$500
15-Mar-16	Mr L Hulme	Australian Youth Boxing Championships	\$60
16-Mar-16	Ms Ashley Blair	Bursary Program 2016	\$500
16-Mar-16	Ms Teneasha Latta	Bursary Program 2016	\$500
16-Mar-16	Ms A Ferrall	U17 National Netball Championships - Perth WA	\$60
05-Apr-16	Mr Cobey Evans	U13 State Team ASICS Little Athletics Championships	\$60
05-Apr-16	Ms Sharnee Johnstone	Bursary Program 2016	\$500
19-Apr-16	Mr Tobias Verhaegh	Bursary Program 2016	\$500
20-Apr-16	Mr Daniel McCullagh	Bursary Program 2016	\$500
19-Apr-16	Miss Emma Johnstone	Bursary Program 2016	\$500
27-Apr-16	Miss Olivia Harvey	Bursary Program 2016	\$500
27-Apr-16	Mr J Corban-Banks	Bursary Program 2016	\$500
27-Apr-16	Miss K Heaps	Bursary Program 2016	\$500
20-Apr-16	Mr Samual Evans	Bursary Program 2016	\$500
20-Apr-16	Ms K Hill	Aust Little Athletics Championships	\$60
2-May-16	Miss T Whitney	Bursary Program 2016	\$500
2-May-16	Thomas Langridge	Bursary Program 2016	\$500
9-May-16	Celeb Clifford	Bursary Program 2016	\$500
10-May-16	Kurtis Franklin	Bursary Program 2016	\$500
17-May-16	Brodie Parker	Bursary Program 2016	\$500
18-May-16	Robert Montagnor	Bursary Program 2016	\$500
18-May-16	Isaac Clifford	Bursary Program 2016	\$500
25-May-16	Mr Thomas Cogger	Northern Tasmanian Junior Soccer Association	\$60
25-May-16	Ms Ebony Warmisham	Northern Tasmanian Junior Soccer Association	\$60
TOTAL DONATIONS			\$37,048

15 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
16/05/2016	126/16	Code of Conduct for Elected Members	That Council revoke its existing Code of Conduct for Elected Members and adopt the Elected Member Code of Conduct incorporating the Model Code of Conduct as identified in attachment 12.2 of this report.	Governance & Community Dev Officer	Complete	
16/05/2016	127/16	Funding contribution request - Woolmer Bicentenary	That Council: i) Support event funding in principle for the Woolmers Bicentennial celebrations, and ii) recommend to Woolmers Foundation Inc. that they submit applications for financial assistance through Council's special event funding program for one or more specific events on the annual programme.	Governance & Community Dev Officer	Complete	
18/01/2016	07/16	Honeysuckle Banks Masterplan	That Council: i) Accept in principle, the draft Honeysuckle Banks masterplan; and ii) Release the draft Honeysuckle Banks masterplan for community consultation.	Governance & Community Dev Officer	Community consultation feedback collated. To be listed at next available workshop.	
18/04/2016	107/16	Implementation Of Place Activation Plan - Longford	That council officers, together with the committees, explore the development of an app.	Governance & Community Dev Officer	In progress.	
15/02/2016	31/16	Longford Destination Play Space And Playground	Council approves the placement of the order for stage one of the state of the art, electronic, destination play space, and the contemporary playground for younger children, on Longford	Governance & Community Dev Officer	Awaiting outcome of planning application	

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
			Village Green, with the full payment to be made in 2016/2017			
21/09/2015	252/14	Longford Destination Play Space: Proposed Stage Two Development	i) That Council support the inclusion of a Liberty Swing and Carousel in the planned Longford Play Space on the proviso that the funding for the purchase and installation of the Liberty Swing and fencing, and the associated additional rubber softfall is secured by Mrs Karen Bell; and ii) That Council contribute \$5,000 toward the purchase and installation of the Liberty Swing and Carousel; and iii) Should the funding application for the playspace not be successful, that Council continue to progress the installation of the liberty swing and carousel.	Governance & Community Dev Officer	Mrs Bell has reported that she is making steady progress with the fundraising.	
21/03/2016	60/16	Policy: Public Liability Insurance Requirement for Council Owned Facilities	That a decision on the matter be deferred to the 18 April 2016 Council meeting, pending the provision of further information.	Governance & Community Dev Officer	Not Available	
21/09/2015	249/15	Tom Roberts: Proposed Interpretation and Grave Upkeep	That Council: i) endorse the proposal for Tom Robert's interpretation at Longford and/or Christ Church Illawarra, and ii) enter into negotiations with Christ Church with regard to the upkeep of Tom Robert's grave.	Governance & Community Dev Officer	Negotiations underway with Dumaresq family & Tom Roberts descendants to also be consulted. Draft interpretation board design prepared.	
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.	
15/02/2016	32/16	Financial and Economic Analysis of the Campbell Town War Memorial Oval Precinct Development Plan	That i) Council officers call quotes for the design of the smaller clubrooms (incorporating change facilities and public toilets).	General Manager	In progress.	
17/08/2015	232/15	Heart FM Community Radio Station	That Council approve the allocation of \$11,000 to fund the conversion of the room in the Memorial Hall into HeartFM's studio and office, and in return Council will receive at no charge a Gold Level Sponsorship package with HeartFM across 2015-2018.	General Manager	Progress delayed by Telstra negotiations re use of their tower near Poatina.	Aug-16
15/02/2016	34/16	Lighting: Velodrome & Village Green Improvements To Christmas Lighting	That Council officers be authorised to investigate suitable lighting arrangements for i) the tree and other areas of interest within Village Green; and ii) Longford velodrome; and report back to Council.	General Manager	Proposal presented to May workshop. Awaiting final costings to then meet with interested parties and report to Council.	
21/03/2016	75/16	Longford Odour Emissions	That a report be tabled and the matter be discussed with TasWater at the May Council Workshop and listed for the May Council meeting.	General Manager	To be prepared.	
18/04/2016	106/16	Proposed Natural Gas Main Extension To Translink Industrial Precinct	That a fee offer be sought for the preparation of a business case to support the natural gas main extension to TRANSlink Industrial Precinct and reported to Council.	General Manager	Matter in progress.	

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
21/09/2015	266/15	Stokes Park: Concept Plan	That i) management meet with Mr Stokes to discuss the concept plan. ii) management be authorised to seek community comment on the previously prepared concept plans for Stokes Park. iii) the comments received be used as a basis for amending the concept plans and then presented to Council at a Workshop. iv) the horse trail be considered as part of the concept plans.	General Manager	To be progressed as a component of the Longford Township CBD Urban Design Strategy	
21/09/2015	272/15	West Perth Stormwater Assessment	That Council 1) initiate ongoing discussion with the State Government and TasRail to fully investigate opportunities to fund the required upgrade of Youl Main Road and Drummond Street and their associated drainage culverts, including culverts under the railway line; and 2) concurrently investigate the introduction of a stormwater head-works levy.	General Manager	Underway.	
16/05/2016	133/16	Draft Tasmanian Cat Management Plan	That The Northern Midlands Council makes a submission to the Draft Cat Management Plan advising that, whilst it supports, in principle the Plan and the introduction of tighter controls on cats, it is concerned: 1) By the lack of detail addressing the implementation of many of the proposed actions; 2) That the division of responsibility between State and Local Government, as well as the other identified stakeholders, has not been resolved; 3) That the implementation of many of the proposed actions will become a significant financial burden to Council and the community; 4) That the funding source for such actions has not been demonstrated; 5) That the inherent operational difficulties surrounding the capture of cats and their later handling have not been adequately addressed; 6) That consideration does not appear to have been given to training of operators for their safety and that of the cats; 7) That consideration does not appear to have been given to the financial and psychological impact of having to confine a mature cat that had previously been able to roam. 8) That there be a statewide register of cat breeders and the transfer of cats. and That Council put funding aside for cat management initiatives within the Northern Midlands which include microchipping and all cats not used for breeding purposes being neutered.	Planning & Development Manager	Submission sent. Complete.	
16/05/2016	137/16	Draft Amendments to Heritage Code	That the proposed amendments be accepted as identified in the report above.	Planning & Development Manager	On exhibition until 22 June 2016.	
21/03/2016	78/16	Land Use and Development Strategy	That Council i) endorse the attached Land Use and Development Strategy brief to allow tenders to be called; ii) that the tender be called as staged reports and as a whole, and reported back to council.	Planning & Development Manager	Progressing.	
19/10/2015	310/15	Planning Practice Quarterly Report: July – September 2015	future quarterly reports include trending information and be in an updated format	Planning & Development Manager	Format being addressed.	
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	Report to Council.	Jun-16
21/09/2015	265/15	Proposed By-Law: Animal Management	That management prepare, for Council's consideration, a draft Animal Management By-Law, inclusive of explanatory materials setting out what the by-law will cover and the impact it will have	Planning & Development Manager	In progress.	

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Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
18/04/2016	98/16	Perth Recreation Ground 2030 Masterplan	That Council: i) accept the Perth Recreation Ground 2030 Master Plan in principle; ii) release the plan for community consultation; iii) consider funding components of the Master Plan in forthcoming Council budgets, and request Council Officers to seek to secure external grants to assist with the implementation of the Master Plan; iv) seek a contribution from the state government; v) investigate options for the skate park; and vi) consider options for the scout hall.	Project Officer	Community consultation complete.	
16/11/2015	322/15	Recommendations Of Sub Committees - Nile Catchment and Landcare Group Inc.	That Council note and investigate the following recommendations of the Nile Catchment and Landcare Group Inc. - That Council investigate the possibility of extending the wheelie bin service from Winburn (where it currently ends), along the Deddington Road to Deddington, then back to the Nile Road via Bryants Lane.	Corporate Services Manager		
16/05/2016	130/16	Falls Park Evandale - Concerns with hawthorn hedge & infrastructure	That Council installs two additional entrances and gates at both western and eastern ends of Falls Park to cater for pedestrians entering the market from the east and west and minimise pedestrian use of the footpath at the frontage of Falls Park, and, that there be consultation with the Evandale Advisory Committee on the decision prior to moving forward.	Works & Infrastructure Manager	Included in 2016/17 budget.	
19/10/2015	287/15	Confirmation Of Minutes - Campbell Town District Forum	That Council note and investigate the following recommendation of the Campbell Town District Forum: 1. That the signs for the museum are re-hung so they are more visible for passing cars.	Works & Infrastructure Manager	Signs ordered.	
18/04/2016	95/16	Confirmation of Minutes - Recommendations Of Sub Committees - Ross Local District Committee	That Council note and investigate the following recommendation/s of the Cressy Local District Committee: 1. That Council relocate the Longford Village Green play equipment to the Cressy Trout Park when the Longford playground is upgraded. ...	Works & Infrastructure Manager	For future consideration.	
20/04/2015	102/15	Priority Project: Sealing of Nile Road	That Council authorises the preparation of an economic appraisal of road infrastructure investment for the sealing of the Nile Road, up to a maximum of \$10,000.	Works & Infrastructure Manager	Report to Council.	

LONG TERM ACTIONS

Date	Min. Ref.	Details	Action Required	Officer	Current Status	Expected Date of Completion
20/04/2015	105/15	Northern Midlands Towns Entrance Statements	That Council authorises officers to investigate the cost to design and implement entrance statements for: a) Avoca; b) Campbell Town; c) Cressy; d) Evandale; e) Longford; f) Perth; g) Ross; and list within the draft 2015/2016 budget for consideration	Governance & Community Dev Officer	Quote received, awaiting second quote.	
18/01/2016	23/16	Tree Removal – Macquarie Road	Council accepts the information in the report and endorses the Statement of Reasons attached. (include damage caused to motor vehicles).	Governance & Community Dev Officer	Notice served. Extension of time sought from Foster to remove trees. Extension granted to 22 July 2016.	
18/05/2015	125/15	Glenorchy City Council Re: Council Reform	That Council defer any action on this request from Glenorchy City Council awaiting the outcome of current benchmarking project with neighbouring councils.	General Manager	Benchmarking project to be finalised.	
16/03/2015	63/15	Longford Horse Association	Approves expenditure of a maximum of \$2,000 from the Economic Development Committee budget to fund a consultant to review the proposed Longford Horse Trail to identify opportunities and restraints; and report back to Council.	General Manager	To be addressed as part of the Longford CBD Urban Design Plan.	

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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
15/09/2014	220/14	Confirmation of Minutes	That Council create an inventory of goods and chattels owned by Council.	Corporate Services Manager	Ongoing. Godfrey Rivers paintings restored.	30-Jun-16

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

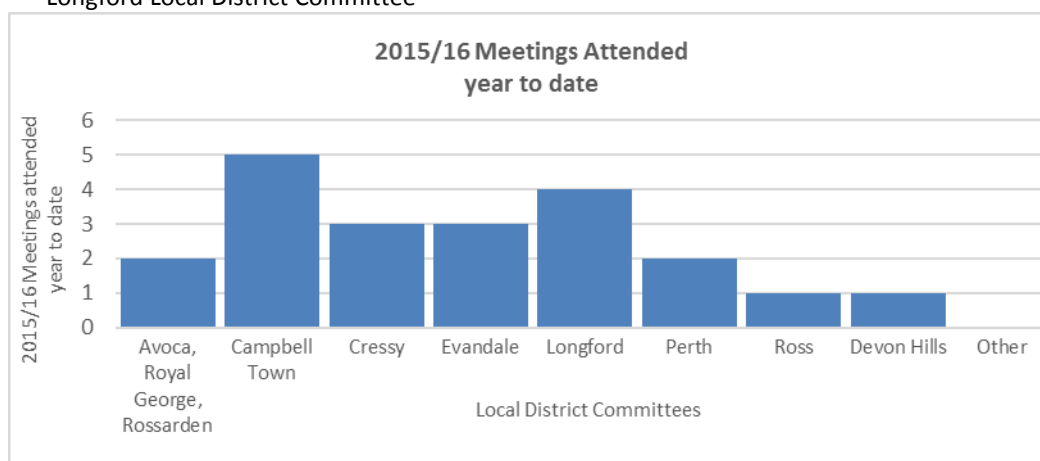
16 KEY ISSUES BEING CONSIDERED: MANAGERS' REPORTS

Activities from the 1 to 31 May 2016

1. GOVERNANCE UNIT –GENERAL MANAGER

a. Governance – Meetings/Conferences

- Council meetings:
 - Ordinary meeting 16 May
- Council Workshop:
 - 2 May
- Community meetings:
 - Longford Local District Committee



- Executive Management Team:
 - 11 May
 - 25 May
- Staff Meeting
 - 3 May
 - 17 May
 - 31 May
- Other Meetings:
 - Met with Hugh McKinnon
 - Met with officers from Department of State Growth - Ben Marquis, Michelle Riley and Greg House
 - Attended TasWater General Meeting
 - Met with Beacon Group
 - Met with Tim Chugg
 - Attended opening of Powranna Road Bridge
 - Met with John Berry JBS Swift
 - Met with Matt Smithies and Tom Perrigo re National Trust Project
 - Met with Phil Hodgen, Launceston Airport re ex-gratia rates matter
 - Met with Brian Mitchell, Labor candidate for Lyons to discuss Launceston Airport rates issue
 - Met with Michael Salhani
 - Met with Craig Plaisted, Meander Valley Council re LED Street Light project

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- Met with Alison Andrews re strategic project spread in the Country Courier
- Met with solicitor Shaun McElwaine
- Met with TFGA re weeds officer
- Met with Brian Mitchell, Labor candidate for Lyons
- Met with Eric Hutchinson, Liberal member for Lyons
- Met with Cr Goninon

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
- Road and Traffic issues
- Resource Sharing
- Animal Control
- Buildings
- Tourism
- NRM North
- Staff issues/Employment/Interviews
- Childcare issues
- 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. Tourism & Community Development Update

- Managing and progressing various strategic projects, strategies and master plans:
 - Campbell Town War Memorial Oval redevelopment – awaiting outcome of funding application to National Stronger Regions Fund (anticipated July 2016)
 - TRANSLink Precinct Renewal program – awaiting outcome of funding application to National Stronger Regions Fund (anticipated July 2016)
 - Longford CBD Urban Design Master Plan – work underway
 - Honeysuckle Banks Master plan – community feedback on Council workshop agenda
 - Perth Recreation Ground Master Plan – community feedback being collated
 - Campbell Town CBD Urban Design Master Plan – contract in place; assisting consultants with promotion of the business and community member drop-in consultative sessions
 - Ross Town Square Master Plan – expressions of interest received
 - Northern Midlands Health, Fitness & Sports Centre – funding application to Regional Revival Grants Program being prepared
 - Longford Play Space – on Council Meeting Agenda
 - Longford Recreation Ground Master Plan: work underway
 - Northern Midlands Economic Development Strategy: in planning phase
 - Northern Midlands Council Strategic Plan: input provided
 - Update of TRANSLink Prospectus: in collaboration with Department of State Growth
 - Perth's William Street Reserve Walkway Extension project: funding application to TCF being prepared
- Liaising with various organisations and community groups regarding holding events within the Northern Midlands
- Heritage Highway Tourism Region Association
 - Assisting with website upgrade, marketing activities, itineraries, newsletter and social media

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- campaigns
 - Updating event directory
 - Assisting with organisation of Voices from the Graves performance on 14 May 2016 at Christ Church, Longford
 - Participation in working group to develop convict themed self-guided tours of the Heritage Highway region
- Northern Midlands Business Association
 - Coordinating Northern Midlands Visitor & Information Centre
 - Assistance with application for Powranna Truck Wash facility funding – awaiting outcome of National Stronger Regions Fund (anticipated July 2016)
 - Assistance with transition to new structural arrangements
- Providing support and information for all Northern Midlands Visitor Centres and provision of information to Regional Tourism Organisations and tourism operators
- Tourism Infrastructure Audit - Northern Tasmania Review
- Attended a workshop by Tourism Tasmania on Australian Tourism Data Warehouse Events database
- Attended the Tasmanian Tourism Conference
- Development of Council pages in the Country Courier newspaper
- Development of weekly advert in Your Region of the Examiner newspaper
- Updating Council's online business directory
- Review of Community Development and Tourism pages on Northern Midlands Council website, updating website with news items and events
- Coordinating Northern Midlands Council participation in Blood25 Challenge
- Emergency Management
 - Updating Council's Social Recovery Plan
 - Attending Emergency Management meetings
 - Managed the evacuation centre at the Longford Town Hall during recent floods
- Coordinating Council's Further Education Bursary Program
- Participating in the quarterly Northern Midlands Health Service Providers Forums
- Member of the Northern Region Sport and Recreation Committee
- Progression of the Village Well Activation Plan with activation groups
- Participating in compilation of sport and recreation inventory (State Government initiative)
- Participation in Northern Midlands Business Partnership Group

d. Other Activities:

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

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.
- Policy reviews.

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 aging account review.
- 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, leave accrual adjustments, leave loading calculations, Councillor allowances and expenses, Workers Compensation claims and payments, Award adjustments, sundry HR and policy issues.

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- Property sales for unpaid rates, Debt Collection services, and Debt summons/warrants.
- Budget adjustments, End of Year Financials, KPI return, Asset Management, Fleet Hire, Long Term Financial Planning, Audit and Annual Report.
- Grants Commission information, 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, new resident's information, council information policies and procedures.
- Banking & Investments, Direct Debit, Ezidebit, BPay Billing etc. and setup alterations.
- Rate System issues, 2015/16 Rating and Budget issues, General Finance, ABS Data Collection, and Grant Funding issues, Tax issues including GST PAYG FBT Fuel & Land 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, feedback survey, correspondence and reports.
- Audit & Audit committee procedures, processes and support.
- Emergency Management meetings, EM Plan reviews, Emergency Risk Register, Strategic Fire Plan meetings, Emergency desktop exercise and general administration issues including new Devon Hills Community Fire Plan Development.
- 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, and contract issues.
- Street lighting contract & aurora pole reporting and maintenance.
- Community events and Special Projects support.
- Risk Management, safety management and reporting, drug & alcohol policy administration, and contractor and volunteer management.
- Light Fleet Management.

c. Insurance

- Insurance renewals and policy maintenance.
- Risk Register review and audits.
- Nil open Workers Compensation claims.
- 1 Windscreen Claim.

d. Information Technology

- Server and desktop maintenance.
- Minor upgrades of other IT equipment.
- Open Office Software upgrades and enhancement requests.
- GIS maintenance and training.
- IT Independent Audit, Disaster Recovery & IT backup maintenance.
- Council Web Site, Town and Local District Committee site maintenance, NMBA website and HH App maintenance.
- Infonet system maintenance.
- ApproveTas maintenance.
- Cemetery database maintenance.
- Installation of new Office telephone system & Mobile phone plan review.
- Sundry database creation and maintenance.
- Mobile device applications implementation, and remote access logins.
- Building security systems maintenance.
- Microsoft software maintenance.
- Maintain photocopiers and printers.

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- Advanced IT security implementation.
- WiFi network and hotspots.
- Fleet tracking.
- ECM Upgrade implementation & training.

3. PLANNING & DEVELOPMENT UNIT

a. Policy

- Continuing participation in NTD regional planning committee.
- Ongoing review of current policies.
- Ongoing review of work programs and standard operating procedures.
- Regular planning and building assessment unit meetings.
- Participation in the Economic Development Committee.
- Pursue development of tyre recycling facility.
- Participation in Launceston Gateway Project – Demand Analysis.
- Pursue preparation of Land Use and Development Strategy.
- Perth Strategy Plan

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 – pools and river swimming holes.
- 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.
- Ongoing review of potential asbestos issues (recent fire at Rossarden).
- Response and investigation of complaints – e.g. noise and odour.

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.
- Follow up and monitoring of reported weed infestations
- Regular articles in local newspapers.
- Coordination of Mill Dam bank stabilisation project.
- Maintenance of Mill Dam plantings.
- Facilitation of various Green Army projects.

e. Compliance

- Permit conditions – Structured 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.
- Election signage.

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- Follow up dog registrations and compliance with kennel and dangerous dog restrictions.
- Regular inspection visits to Mill Dam.
- Campaign re picking up after dogs.
- Active review of dogs not previously registered.
- Promote consistent processes across region.
- Fire Abatement inspections and notices.
- Overhanging tree inspections - Implementation of Policy.
- Overnight camping site in Campbell Town.

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.
- Brief for Heritage Streetscape project.
- Participation in Perth Structure Plan project.
- NMC Land Use Strategy.
- Active response to enquiries and development opportunities.
- Amendments to interim scheme.
- Assessment of development proposals.

g. Animal Control

- Continued follow up of dog registrations.
- Follow up of kennel licences
- After hours call outs for dog at large etc.
- Review of procedures.
- Dog attacks.
- Dangerous Dog declarations.
- Cat management.
- Service of related notices and infringements.
- Court attendance.

4. 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.

b. Traffic Management

- 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 final completion.
- 4 Lot Pegasus subdivision Ross at 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.
- 9 Lot Shervan Subdivision in Fairtlough Street, Perth has reached practical completion.

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d. Waste Management

- Input into regional waste management discussions – ongoing.

e. Tenders and Contracts

- Work commenced on site at Lake River Bridge, Macquarie Road.

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.
- Development of stormwater plans for all towns as required by the *Urban Drainage Act 2013* – ongoing.

h. Capital works

- 2015-16 Capital works program practically complete.

17 RESOURCE SHARING SUMMARY FROM 01 JULY 2015

Attachments: Section 1 – Page 45

Prepared by: *Martin Maddox, Accountant/Executive Officer*

Resource sharing summary for the period 1 July to 30 June 2016 was circulated in the Attachments.

18 VANDALISM

Prepared by: *Jonathan Galbraith; Engineering Officer*

Incident	Location	Estimated Cost of Damages		
		May 2016	Jan – May 2016	May 2015
Break into kiosk	Cressy Pool	\$ 800		
Broken glass in bus shelter	Scone St, Perth	\$ 500		
Recreation ground club rooms	Fairtlough St, Perth	\$ 0		
Graffiti at Waste Transfer Station	Longford	\$ 0		
TOTAL COST VANDALISM		\$ 1,300	\$ 6,970	\$ 1,000

19 YOUTH PROGRAMME UPDATE: MAY 2016

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

Youth Activity Programs

Council has contracted the Longford and Launceston PCYCs to continue to provide youth programs weekly across the second school year term. The Longford and Perth programs assist high school-aged students to learn life and interpersonal skills through physical activity-based programs.

The Perth Youth Program on Thursdays 6.30-8.30pm had four sessions in May, with an average of 6 participants at each session. A targeted promotion of this youth program is underway to attract further participants.

The Longford Friday evening Youth Program at the Sports Centre had 48 participants across the four May sessions: averaging 12 participants at each session.

The Evandale afterschool program for primary-aged students involves students in physical activity that encourages the learning and practise of appropriate social and interpersonal skills. There were four sessions in May; averaging 17 participants at each session.

Youth Mentoring Program

Council contracted National Joblink (NJL) to provide fortnightly mentoring sessions at Campbell Town and Cressy District High Schools for students referred by school staff for assistance with primarily managing behavioural and socialisation issues. These sessions commenced early in Term One and are continuing in Term Two.

At Cressy District High School, the NJL mentor is working with grade 7 and 8 students, and at Campbell Town District High School he is working with students from grades 7-12.

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20 MIDLAND HIGHWAY UPGRADE – SYMMONS PLAINS TO SOUTH OF PERTH

Prepared by: Paul Godier, Senior Planner

Council has received an application from the Department of State Growth for roadworks between Symmons Plains and the Forestry Tasmania access, before the Perth Bridge.

The proposal involves widening and upgrading the Midland Highway over 7.23km to provide lengths of “2 + 1” and “2 + 2” lane arrangements with central wire barriers, at an estimated cost of approximately \$10.5 million.

The proposal was placed on public exhibition from June 1st to June 15th 2016. No representations were received. As such the application will be assessed under delegation. The decision will be reported in the Development Applications section of the July Agenda.

21 NATURAL RESOURCE MANAGEMENT

Prepared by: Monique Case, NRM Facilitator

Mill Dam Action Group:

A meeting of the Mill Dam Action Group was held on 09 May 2016. Unfortunately, a quorum was not achieved. Notes of the informal discussion are included in this agenda. Despite there not being a quorum, the opportunity was taken to schedule the AGM for 23 May 2016.

The AGM was held on 23 May 2016 and the Group accepted the resignation of its long standing Chair, Mr Hugh Mackinnon and resolved to send a letter of appreciation. Mr Linus Grant was elected Chair with Mr Theo Hague elected as deputy chair. Minutes of the AGM are also included in the agenda.

Following the recent flood, the Group met informally, with Mr Webster from NRM North, at the Mill Dam on 20 June 2016 to review damage to the recent Hot Spot works.

The Group is pleased to note that the recent rock works and plantings withstood the flooding extremely well. The rocks have remained in place, although there has been some scouring behind them. Possibly as much as eighty percent of the recent planting has survived – many still with their tree guard in place. The fencing has also performed well, with the wires breaking as expected at their tension points, requiring relatively minor and inexpensive repair.

The Group is keen to review clean up and minor replanting and repair options, perhaps with some additional rock in the scour above the existing rock line. Any works will be funded through the existing stakeholder hot spot funding and will need to be coordinated with any remedial works proposed by Works and Infrastructure in the area.

22 LAUNCESTON CHAMBER OF COMMERCE – SUPPORT FOR NEW NTD MODEL

Attachments: Section 1 – Page 46

Prepared by: Amanda Mason, Governance and Community Development Officer

On 12 May 2016 the Launceston Chamber of Commerce wrote to Council seeking support for the new NTD Model proposed in the Bill Fox Report prepared for Northern Tasmania Development in January 2016. Council has already received a copy of the report.

Attached to this information item is a copy of the letter received from the Launceston Chamber of Commerce.

It is noted that a subcommittee has been formed to investigate the recommendations of the Bill Fox Report.

Attachment:

12 May 2016 Letter from Launceston Chamber of Commerce

23 GOOD GOVERNANCE GUIDE FOR TASMANIAN COUNCILS

Prepared by: Amanda Mason, Governance and Community Development Officer

Councillors are advised that the Minister for Planning & Local Government, Peter Gutwein MP on 19 May 2016 launched the *Good Governance Guide for Tasmanian Councils*. The guide provides key information in the following areas:

- Acting with the highest ethical standards;
- Understanding roles;
- Fostering trusting and respectful relationships;

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- Showing a commitment to risk management;
- Engaging in effective strategic planning;
- Following a transparent and accountable decision making process;
- Making decisions that promote the interests of the community they serve;
- Understanding and abiding by the law; and
- Committing to continuous improvement.

The Good Governance Guide will be kept updated by the Local Government Division in the Department of Premier and Cabinet. The Good Governance Guide can be accessed at www.dpac.tas.gov.au/divisions/local_government. A copy has also been uploaded to the Councillors secure website.

DECISION

Cr

That the Information items be received.

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GOV 6 FUNDING APPLICATION TO EXTEND PERTH'S WILLIAM STREET RESERVE WALKWAY

Responsible Officer: Amanda Mason, Governance and Community Development Officer

Report prepared by: Lorraine Green, Project Officer

1 PURPOSE OF REPORT

This report:

- i) provides Council with background on the Tasmanian Community Fund's targeted grant round focusing on Community Infrastructure;
- ii) briefs Council on the application for funding for the extension of Perth's William Street Reserve Walkway that has been submitted to the Community Infrastructure targeted grant round;
- iii) seek Council's approval of a funding allocation to this project subject to securing the Community Infrastructure grant.

2 INTRODUCTION/BACKGROUND

The Tasmanian Community Fund (TCF) has two general funding rounds each year, allocating around \$5 million. The TCF Board also sets aside a proportion of funding for targeted grant rounds to fund projects in areas which will make a significant difference to the Tasmanian community. On May 14th 2016 the TCF Board announced a targeted grant round for Community Infrastructure projects.

The funding round guidelines state the TCF is seeking community infrastructure projects that focus on improvements to existing or the development of new skate parks, bike tracks/parks, walking trails/tracks and/or playgrounds.

The Board has allocated up to \$2.5 million in grants for this funding round, with the maximum allocation to any one project being \$50,000 GST exclusive.

Council officers reviewed the funding round guidelines and identified the extension of Perth's William Street Reserve Walkway as the best fit with the guidelines and application information requirements.

The extension of the William Street Reserve walkway requires the installation of a 28 metre aluminium footbridge across a gully where a creek flows into the South Esk River, the construction of concrete footpath approaches and landscaping.

The funding round opened May 14th 2016 and closed June 22nd 2016. Given this tight timeframe, Council Officers were not in a position to bring this proposed funding application to Council for consideration prior to the application being submitted.

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" goal is relevant to this issue: 3.2 Health "To develop the health and well-being of Northern Midlands communities".

4 FINANCIAL IMPLICATIONS

The quotes received indicate the total cost of the project to be \$194,572 GST exclusive. The maximum grant available from the TCF grant round is \$50,000. Council's contribution to bring the project to fruition, if the TCF grant is secured, is \$144,572.

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5 RISK ISSUES

The application for TCF funding through the Community Infrastructure targeted grant funding round will need to be withdrawn if the Council funding allocation cannot be secured.

6 CONSULTATION WITH STATE GOVERNMENT

The Client Manager North, Sport and Recreation Tasmania provided a letter of support for the funding application.

7 COMMUNITY CONSULTATION

The suggestion to install the footbridge to enable the extension of the William Street Reserve Walkway came from the Perth community.

8 OPTIONS FOR COUNCIL TO CONSIDER

Council can either approve the allocation of \$144,572 to this project (subject to securing the TCF Community Infrastructure grant), or not approve the allocation of funds towards this project.

9 OFFICER'S COMMENTS/CONCLUSION

This project will provide Perth residents and visitors to the town with a 1.2km river reserve walkway that can be accessed from both the western and eastern ends of the walkway, and will enable walkers to complete a circuit walk that takes them from the town, along the walkway and back via streets to their starting point.

The extended walkway will enable more Perth residents and visitors to the town to experience and enjoy the many benefits of regular physical activity, thus assisting with the Tasmanian Government's Plan for a Brighter Future: AGENDA 16 ambitious goal of making Tasmania the healthiest state in the country by 2025.

10 ATTACHMENTS

N/A

RECOMMENDATION 1

That the matter be discussed by Council.

RECOMMENDATION 2

That Council allocate \$144,572 to the Perth William Street Reserve Walkway Extension project, subject to securing a Tasmanian Community Fund Community Infrastructure grant of \$50,000.

DECISION

Cr

Cr

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GOV 7 LAUNCESTON ART SOCIETY 125TH ANNIVERSARY SPONSORSHIP REQUEST

Attachments: Section 1 – Page 77

Responsible Officer: Amanda Mason, Governance and Community Development Officer
Report prepared by: Lorraine Green, Project Officer

1 PURPOSE OF REPORT

The purpose of the report is to:

- i) brief Council on Launceston Art Society's plans for celebrating its 125th anniversary including holding an historical art exhibition at the Eskleigh Gallery, Perth:
- ii) seek Council's response to Launceston Art Society's request for Council to be a sponsor for the art exhibition.

2 INTRODUCTION/BACKGROUND

Since its inception in 1891, the Launceston Art Society (LAS) has functioned continuously, making it the oldest art society in Australia. LAS is celebrating its 125th anniversary this year and plans to hold an anniversary art exhibition at Eskleigh across December 2016 and January 2017.

The anniversary art exhibition will enable members of LAS to exhibit and offer for sale many exceptional and diverse artworks.

Because of the significance of the anniversary celebration, LAS is hoping to offer the exhibiting artists the opportunity to win a range of awards; with the number and prize value of the awards dependent on the generosity of sponsors.

LAS has requested Council give consideration to sponsoring one of the awards.

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" goal has relevance to this issue:

- Part 2- Economic Development

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

LAS has requested Council give consideration to sponsoring one of the awards.

The award categories and associated sponsorship are:

Major prize	Naming rights of the award	\$3,000
Watercolour award	Sponsored by	\$1,000
Oil or Acrylic award	Sponsored by	\$1,000

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Pastel award	Sponsored by	\$1,000
Mixed Media or Print	Sponsored by	\$1,000
People's Choice	Sponsored by	\$500
Junior Exhibitor	Sponsored by	\$500

7 RISK ISSUES

There are a number of art exhibitions held in the Northern Midlands each year and sponsoring the LAS art exhibition maybe seen by the organisers of the other exhibitions as setting a precedence for Council sponsoring art exhibition awards.

Council sponsored the major prize in the Art of Norfolk Plains Exhibition that LAS organised (at the request of Council) in 2013 as part of the commemoration of two hundred years since the Norfolk Islanders arrived to settle on the Norfolk Plains. As is the case with the LAS 125th anniversary, this was an acknowledgement of the achievement of a highly significant milestone.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

Council is to consider whether it sponsors an award at the LAS 125th anniversary art exhibition as requested, or not.

11 OFFICER'S COMMENTS/CONCLUSION

125 years of continuous functioning of a not-for-profit organisation is a highly significant milestone. LAS has a proven track record for professional organisation of highly successful art exhibitions.

12 ATTACHMENTS

12.1 Letter from Launceston Art Society

RECOMMENDATION 1

That the matter be discussed by Council.

RECOMMENDATION 2

That Council provide sponsorship towards a Launceston Art Society 125th Anniversary Art Exhibition award to the value of \$.....

DECISION

Cr

Cr

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GOV 8 FUNDING APPLICATION FOR THE IMPLEMENTATION OF THE NORTHERN MIDLANDS COMMUNITY SPORTS CENTRE MASTER PLAN

Responsible Officer: Amanda Mason, Governance and Community Development Officer

Report prepared by: Lorraine Green, Project Officer

1 PURPOSE OF REPORT

This report:

- i) provides Council with background on the State Government's Regional Revival Fund Grant Program;
- ii) briefs Council on the application for funding for the implementation of the Northern Midlands Community Sports Centre Master Plan that has been submitted to the Regional Revival Fund Grant Program;
- iii) seek Council's approval of a funding allocation to this project subject to securing the Regional Revival Fund Grant.

2 INTRODUCTION/BACKGROUND

The Regional Revival Fund Grant Program (RRFGP) aims to create jobs in regional Tasmania by offering grants to assist local councils and private sector businesses to bring forward projects that would otherwise be delayed or not proceed. These projects must generate or sustain ongoing economic activity and jobs.

The Tasmanian Government has provided \$5 million to be distributed through the RRFGP in 2015-2016. To date the Tasmanian Government has allocated approximately \$2.8 million to support projects that were time-critical and an urgent commitment of funding was necessary. Approximately \$2.2 million remains to support additional projects through an expressions of interest process. One-off grants of between \$100,000 and \$2 million per project are available to eligible expression of interest applicants for projects that best advance the objectives of the fund.

Council officers reviewed the funding round guidelines and identified the implementation of the Northern Midlands Community Sports Centre Master Plan as the best fit with the guidelines and application information requirements.

The funding round opened May 14th 2016 and closed June 24th 2016. Given this tight timeframe, Council Officers were not in a position to bring this proposed funding application to Council for consideration prior to the application being submitted.

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" goal is relevant to this issue: 3.2 Health "To develop the health and well-being of Northern Midlands communities".

4 FINANCIAL IMPLICATIONS

The quotes received indicate the total cost of the project to be \$1,009,445 GST exclusive. The RRFGP guidelines state that it is generally expected that grants would be for no more than one half of the project's total capital expenditure.

A grant of \$504,722 has been requested from the RRFGP, with Council required to meet the balance of \$504,723.

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5 RISK ISSUES

The application for RRFGP funding will need to be withdrawn if the Council funding allocation cannot be secured.

6 CONSULTATION WITH STATE GOVERNMENT

The funding application was discussed with a representative of the Department of State Growth.

7 COMMUNITY CONSULTATION

Extensive community consultation was undertaken during the preparation of the Centre's Master Plan in 2015.

8 OPTIONS FOR COUNCIL TO CONSIDER

Council can either approve the allocation of \$504,723 to this project (subject to securing the RRFGP grant), or not approve the allocation of funds towards this project.

9 OFFICER'S COMMENTS/CONCLUSION

As documented in the Sports Centre Master Plan, a major upgrade of the Centre is warranted with the key features being:

- Construction of a new gym and weights room approximately 1.5 times the size of the existing gym, purpose built to accommodate modern hi-tech equipment and the growing number of users;
- Conversion of the existing gym into an aerobics and fitness room;
- Redevelopment of the office and amenities area to provide an appealing, functional entry foyer and office space, a training/meeting room with kitchenette, a therapy/massage room and fully access compliant toilet and shower facilities;
- Installation of solar panels on the Centre roof;
- Upgrading of the car park.

The upgraded community sports centre will enable more Northern Midlands residents to experience and enjoy the many benefits of regular physical activity, thus assisting with the Tasmanian Government's Plan for a Brighter Future: AGENDA 16 ambitious goal of making Tasmania the healthiest state in the country by 2025.

10 ATTACHMENTS

N/A

RECOMMENDATION 1

That the matter be discussed by Council.

RECOMMENDATION 2

That Council allocate \$504,723 to the Major Upgrade of the Northern Midlands Sports Centre project, subject to securing a Regional Revival Fund Grant Project grant of \$504,722.

DECISION

Cr

Cr

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GOV 9 CYCLING AUSTRALIA'S TOUR OF TASMANIA 2016

Responsible Officer: Amanda Mason, Governance and Community Development Officer

Report prepared by: Lorraine Green, Project Officer

1 PURPOSE OF REPORT

To brief Council on Cycling Australia's 2016 Tour of Tasmania Council Partnership Proposal and to seek Council's response to Cycling Australia's proposal that Council sponsor a stage of the tour in the Northern Midlands.

2 INTRODUCTION/BACKGROUND

Cycling Australia in partnership with Tourism Northern Tasmania will be hosting the elite Tour of Tasmania from Wednesday 5 October to Sunday 9 October 2016. The tour is part of the National Road Series where teams compete in 11 Tours across Australia.

Cycling Australia's broadcast partners the Nine Network and Fox Sports air two 30 minute highlight packages which includes racing action plus sponsor and tourism features. Cycling Australia also provide daily media releases, news packages, videos and photo galleries on all social media channels.

Cycling Australia is seeking to partner with councils to host a stage of the 2016 Tour of Tasmania.

The benefits cited by Cycling Australia include the dollar spend in the Northern Midlands by the cyclists, the Tour entourage and spectators; and the publicity generated for the Northern Midlands via the media and the videos.

The investment required by Council comprises:

- Financial: an investment of \$5,000 is required for each race start or finish hosted by Council (Cycling Australia has proposed a stage from Launceston to Poatina, however, a stage from Longford to Poatina is also an excellent option)
- Traffic management support: the development of traffic management plans for the Start and/or Finish location, and the implementation of road closures for Start and/or Finish location (signage and personnel)
- Assistance obtaining relevant authority approvals
- Community notifications as required by local authorities
- Waste management assistance
- Access to public toilets
- Repair of any road hazards on the course.

Cycling Australia made the same request of Council in 2015. Council considered a report in relation to this matter at the 22 June 2015 Council Meeting, at which time the following was the decision of Council:

DECISION

Cr Polley/Gordon

That the General Manager enter into negotiations, up to an amount of \$2,000, in relation to in-kind support with Cycling Australia to host a stage of the 2015 Tour of Tasmania in the Northern Midlands.

Carried unanimously

The stage in the Northern Midlands did not eventuate in 2015 as the requirements of Cycling Australia were not met.

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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" goal is relevant to this issue" 2.2. Tourism Industry Support: "To increase tourist visits, spend and length of stay, and enhance the visitor experience."

4 FINANCIAL IMPLICATIONS

The costs associated with Council hosting a stage of the tour between Launceston or Longford and Poatina include:

- financial payment to Cycling Australia: \$5,000 for a Poatina finish and a further \$5,000 if Council prefers to start to be held in Longford rather than Launceston
- traffic management: the cost will be dependent on the distance from the Start and Finish that Council is required to manage: further information is required from Cycling Australia
- advertising the street closures in the Examiner: estimated \$800

The extent and cost of the repair of any road hazards on the course is not known.

5 OPTIONS FOR COUNCIL TO CONSIDER

Council can either approve or not approve entering into a partnership with Cycling Australia to host a stage of the 2016 Tour of Tasmania.

6 OFFICER'S COMMENTS/CONCLUSION

Hosting a stage of the Tour of Tasmania has the potential to generate extensive media publicity for the Northern Midlands however, it requires a significant financial investment by Council.

7 ATTACHMENTS

N/A

RECOMMENDATION 1

That the matter be discussed.

RECOMMENDATION 2

Council can either:

- i) Resolve to enter into a partnership with Cycling Australia to host a stage of the 2016 Tour of Tasmania in the Northern Midlands; or
- ii) Resolve not to enter into a partnership with Cycling Australia to host a stage of the 2016 Tour of Tasmania in the Northern Midlands.

DECISION

Cr

Cr

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GOV 10 RESTORATION OF BL 15LB MARK I NO. 788 CANNON LOCATED AT WAR MEMORIAL ROSS

Attachments: Section 1 – Page 79

Responsible Officer: Des Jennings, General Manager
Report prepared by: Amanda Mason, Governance & Community Development Officer

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with an update as to the progress in investigation of the restoration of the BL 15lb Mark I No. 788 Cannon, located at the War Memorial, Ross.

2 INTRODUCTION/BACKGROUND

The BL 15lb Mark I No. 788 Cannon ("the Cannon") was gifted to the township of Ross. Over the years there have been a number of reports conducted in respect to the upkeep and restoration of the Cannon. There has also been restoration work conducted on the Cannon from time to time.

Recently, it has been identified that restoration works are required on the Cannon, to fix rusting and also warping in the wheels. Council received the attached report from Peter Maxwell (October 2015) which provided recommendations as to the work to be conducted on the Cannon.

It is a priority of both the Council and the Ross RSL Sub-branch that the Cannon be restored and protected. Council officers have been in regular contact with the Ross RSL Sub-branch in recent months regarding the process.

The Cannon believed to be one of the only two surviving examples of this type in the world, and it is imperative that it be protected.

As a consequence of the Peter Maxwell report, and after numerous enquiries Ms Michelle Berry, Heritage Conservator was contacted to provide a quote for the restoration and overseeing of the restoration of the Cannon.

Ms Berry has conducted an inspection of the Cannon and her recommendation is that Council cover the Cannon prior to commencing any restorative works. The primary reason for this is that much of the rust problems are caused by water pooling in the trail of the Cannon. The best way to prevent this from continuing to occur is to cover the Cannon.

The purpose of this report is to seek Council approval to proceed with the investigation of the design and location of a cover for the Cannon.

There has been no suggestion that the Cannon should be removed from the War Memorial at Ross.

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 5 – Physical assets

4 POLICY IMPLICATIONS

N/A

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5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

The cost of restoration of the Cannon is unknown. Council officers, in conjunction with the RSL will seek to apply for grant moneys to assist with the cost of the restoration process.

It has been identified that a solution to prevent ongoing deterioration of the Cannon would be to place a cover over it, thus, saving repeated ongoing costs for restoration in the future, caused by water damage.

An allocation in the 2016/17 Council budget to go toward the restoration of the Cannon will be considered.

7 RISK ISSUES

Being such a unique item, it is important Council take action to protect the item by restoration and proper weather protection.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

Council officers have been meeting regularly with the Ross RSL Sub-branch regarding the Cannon. It is the position of the RSL that the Cannon be protected, if the recommendation is that it be covered then this will be considered.

It is understood that covering the Cannon has been raised previously, however, there lacked community support for the proposal.

It is suggested that community consultation occur in respect to the design and specific location of a cover for the Cannon, should Council wish to proceed down this course.

10 OPTIONS FOR COUNCIL TO CONSIDER

There are three options for Council to consider:

- a) Proceed with obtaining a design and specific location for a cover for the Cannon; or
- b) Proceed with obtaining quotes to repair the Cannon; or
- c) Do nothing.

11 OFFICERS COMMENTS

This is an opportunity for Council, the RSL and the community to work together on the protection of a significant historical asset within the Northern Midlands Community.

The advice Council has received is that restorative work on the Cannon would be until a protective cover has been installed, preventing contact with weather and continuing deterioration caused by water pooling.

12 ATTACHMENTS

- 12.1 Report by Peter Maxwell
- 12.2 Report by Michelle Berry

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RECOMMENDATION

That Council authorise Council officers to progress with seeking a design for the cover of the BL 15lb Mark I No. 788 Cannon at Ross, and consult with the community and the RSL Sub-Branch regarding the design and location of the cover for the cannon.

DECISION

Cr

Cr

GOV 11 NORTHERN MIDLANDS COUNCIL REPORTING POLICY

Attachments: Section 1 – Page 86

File: 44/001/001
Responsible Officer: Des Jennings, General Manager
Report prepared by: Amanda Mason, Governance & Community Development Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to review the need for its Reporting Policy.

2 INTRODUCTION/BACKGROUND

Council's Reporting Policy was adopted on 20 November 2006. The objective of the policy is to provide Council with relevant information covering external reports sought by Council Officers.

The policy also identifies the objectives and functions of the Councillors and its staff.

It is the view of Council officers that this policy is not required as the reporting and responsibility functions identified in the policy are covered in existing legislation, and in other documentation prepared by the Local Government Division of the Department of Premier and Cabinet.

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 1A:
Section 1.1 – Governance

4 POLICY IMPLICATIONS

There are no policy implications for rescinding this policy.

5 STATUTORY REQUIREMENTS

5.1 Local Government Act 1993

Section 27

- (1) *The functions of a mayor are–*
- (aa) *to act as a leader of the community of the municipal area; and*
 - (a) *to act as chairperson of the council; and*
 - (b) *to act as the spokesperson of the council; and*
 - (ba) *to liaise with the general manager on the activities of the council and the performance of its functions and exercise of its powers; and*
 - (c) *to oversee the councillors in the performance of their functions and in the exercise of their powers.*
- (1A) *The mayor or deputy mayor is to represent accurately the policies and decisions of the council in performing the functions of mayor or deputy mayor.*
- (2) *The deputy mayor is to act in the position of mayor and exercise the powers and perform the functions of mayor if–*
- (a) *the mayor is absent; and*
 - (b) *the mayor or the council, by notice in writing, appoints the deputy mayor to act in the position.*
- (2A) *The mayor, by notice in writing, may delegate for a specified period –*
- (a) *the function referred to in subsection (1)(b) to the deputy mayor, a councillor or the general manager; and*
 - (b) *any other power or function of the mayor, other than the function referred to in subsection (1)(a), to the deputy mayor.*

Section 28

- (1) *A councillor, in the capacity of an individual councillor, has the following functions:*
 - (a) *to represent the community;*
 - (b) *to act in the best interests of the community;*
 - (c) *to facilitate communication by the council with the community;*
 - (d) *to participate in the activities of the council;*
 - (e) *to undertake duties and responsibilities as authorised by the council.*
- (2) *The councillors of a council collectively have the following functions:*
 - (a) *to develop and monitor the implementation of strategic plans and budgets;*
 - (b) *to determine and monitor the application of policies, plans and programs for –*
 - (i) *the efficient and effective provision of services and facilities; and*
 - (ii) *the efficient and effective management of assets; and*
 - (iii) *the fair and equitable treatment of employees of the council;*
 - (c) *to facilitate and encourage the planning and development of the municipal area in the best interests of the community;*
 - (d) *to appoint and monitor the performance of the general manager;*
 - (e) *to determine and review the council's resource allocation and expenditure activities;*
 - (f) *to monitor the manner in which services are provided by the council.*
- (3) *In performing any function under this Act or any other Act, a councillor must not –*
 - (a) *direct or attempt to direct an employee of the council in relation to the discharge of the employee's duties; or*
 - (b) *perform any function of the mayor without the approval of the mayor.*
- (4) *A councillor is to represent accurately the policies and decisions of the council in performing the functions of councillor.*

Section 62

- (1) *The general manager has the following functions:*
 - (a) *to implement the policies, plans and programs of the council;*
 - (b) *to implement the decisions of the council;*
 - (c) *to be responsible for the day-to-day operations and affairs of the council;*
 - (d) *to provide advice and reports to the council on the exercise and performance of its powers and functions and any other matter requested by the council;*
 - (e) *to assist the council in the preparation of the strategic plan, annual plan, annual report and assessment of the council's performance against the plans;*
 - (f) *to coordinate proposals for the development of objectives, policies and programs for the consideration of the council;*
 - (g) *to liaise with the mayor on the affairs of the council and the performance of its functions;*
 - (h) *to manage the resources and assets of the council;*
 - (i) *to perform any other function the council decides.*
- (2) *The general manager may do anything necessary or convenient to perform his or her functions under this or any other Act.*

Section 65

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

6 FINANCIAL IMPLICATIONS

N/A

7 RISK ISSUES

Existing legislation covers much of what is addressed in Council's Reporting Policy. Legislation takes precedent over a Council policy. There is a risk that over regulating an area creates confusion.

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8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

There are two options for Council to consider:

- i) Rescind the Reporting Policy; or
- ii) Keep the Reporting Policy.

11 OFFICER'S COMMENTS/CONCLUSION

The existing reporting policy gives a detailed overview and purpose of the policy. The policy goes on to identify the functions of Council and the General Manager. The functions of Council and the General Manager are defined in sections 27, 28 and 62 of the *Local Government Act 1993*. It is not considered necessary to have a Council policy identifying functions that are defined in legislation.

The policy also defines the functions of senior management. Senior management positions are appointed by the General Manager and according to the position description for the specific role. It is inherent in a senior management position that the person should provide leadership and ensure the department meets its requirements and the targets under Council's Strategic Plan. It is not considered necessary, or appropriate, to define the functions of senior management in a Council policy.

The last section of the policy relates to procedures for information sharing between Council officers and Councillors, and the preparation of Council reports.

Council has in place a standard reporting format for the preparation of reports to Council. The General Manager has a statutory obligation, pursuant to section 65 of the *Local Government Act 1993* to "ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation." It is not considered necessary to have a policy specifying reporting requirements when the General Manager's overall obligation is defined within the *Local Government Act 1993*.

For the reasons specified above, it is not considered necessary for Council to have a Reporting Policy.

12 ATTACHMENTS

12.1 Reporting Policy

RECOMMENDATION 1

That Council rescinds the Reporting Policy.

DECISION

Cr

Cr

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GOV 12 LOCAL DISTRICT COMMITTEE MEMBERSHIP

Responsible Officer: Des Jennings, General Manager

Report prepared by: Amanda Mason, Governance & Community Development Officer, and
Gail Eacher, Executive Assistant

1 PURPOSE OF REPORT

The purpose of this report is to notify Councillors and seek ratification of the members of the Northern Midlands Council Local District Committees for the 2016-2018 term.

2 INTRODUCTION/BACKGROUND

The Northern Midlands Council has 7 local district committees throughout the municipality. The purpose of the committees is to:

- Provide a focal point for information between the Northern Midlands Council and the community;
- Identify and prioritise needs of the local community;
- Consider and provide feedback to the Northern Midlands Council in respect to key strategic issues for the community.

The membership of the Committees is limited to 10 members. Each Committee is appointed one Councillor as the Council representative. The term of membership is 2 years.

The Committees are governed by a Memorandum of Understanding with the Council.

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:

- 1.3 – Community Dialogue

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

N/A

7 RISK ISSUES

N/A

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

Advertisements were placed in the Examiner newspaper on Wednesday, 4 May and Saturday, 7 May 2016. Notice was also published in the Your Region section of the Examiner on Tuesday, 24 May and Tuesday, 7 June 2016.

A total of 51 nominations across the 7 committees were received.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council has the option to accept, or reject the following as members of the respective local district committee:

Avoca, Royal George & Rossarden Local District Committee:

- Jacinta Allen
- Claudia Freeman
- Shirley Freeman
- Susanne Jones
- Helen Reynolds
- Shirley Squires

Campbell Town District Forum

- John Ashman
- Jill Clarke
- Jill Davis
- Owen Diefenbach
- Sally Hills
- Judith Lyne
- Bevis Perkins ESM
- Rob Rakich
- Michael Roach

Cressy Local District Committee

- Fae Cox
- Ann Green
- Helen Howard
- Angela Jenkins
- Helen Williams

Evandale Advisory Committee

- Kathryn Heathcote
- Adrian Jobson
- John Lewis
- Craig Plaisted
- Robert von Bibra
- Carol Brown

Longford Local District Committee

- Linus Grant
- Dee Alty
- Inga Apostol

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- John Cauchi
- Terry Goldsworthy
- Lesley McKenzie
- Michael Salhani
- Neil Tubb

Perth Local District Committee

- Jan Davis
- Philip Dell
- Graeme Eberhardt
- John Stagg
- Tony Purse

Ross Local District Committee

- Jill Bennett
- Debra Cadogan-Cowper
- Allan Cameron
- Keith Draper
- Tim Johnson
- Margaret Langridge
- Christine Robinson
- Arthur Thorpe
- Anthony Thorogood
- Helen Davies

11 OFFICER'S COMMENTS

In regard to membership, the following are the requirements of the Memoranda of Understanding (MOU) for Local District Committees:

- Membership shall comprise of a minimum of five (5) members and a maximum of ten (10) members.
- Members are appointed for a term of two (2) years (term of membership). The term of membership is to commence in July and conclude in June.
- Members are to comprise of residents of the local area and representatives of community organisations.
- Membership is to be advertised at least 6 weeks, but no more than 8 weeks prior to the expiration of a term of membership.
- Should the number of nominations for membership exceed the number of vacancies, Council's Executive will determine the successful members.
- In the event that insufficient nominations are received to fill the number of vacancies, Council will, periodically, re-advertise the positions in the Country Courier Newspaper and the Examiner Newspaper.
- Nominations to Committees with less than 10 members can be made at any time.
- In the event that less than 5 nominations for membership are received the Committee is to go into recess until a sufficient number of nominations are received.
- Membership is to be ratified by the Northern Midlands Council at an ordinary Council meeting prior to the commencement of the term of membership.

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- At the conclusion of their terms of office, members are eligible to re-nominate to the Committee.

In regard to the membership of the Ross Local District Committee a total of 12 nominations were received. Council's Executive met on 16 June to determine the successful nominees. Nominations for all other Local District Committees fell within the required parameters for membership as per the requirements of the MOU.

RECOMMENDATION

That Council accept the above listed members of the local district committees.

DECISION

Cr

Cr

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GOV 13 NORTHERN MIDLANDS COUNCIL CUSTOMER SERVICE CHARTER

Attachments: Section 1 – Page 89

File: 44/001/001
Responsible Officer: Des Jennings, General Manager
Report prepared by: Amanda Mason, Governance & Community Development Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to review and endorse proposed changes to its Customer Service Charter.

2 INTRODUCTION/BACKGROUND

Pursuant to section 339F of the Local Government Act 1993 Council must have a Customer Service Charter.

Regulation 31 of the *Local Government (General) Regulations 2015* specifies the matters a Customer Service Charter is to include.

The Charter must be reviewed every two years. Council's Customer Service Charter was last reviewed in May 2014. The Customer Service Charter is due for review.

Upon close reading of the current Customer Service Charter it has been identified that there is much duplication within the document. The document has been redrafted to remove the identified duplication and create a one page, user friendly and easy to navigate document for Council's customers.

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 1A:
 - Section 1.1 – Governance
 - Section 1.6 – Risk Management

4 POLICY IMPLICATIONS

It is a statutory requirement that Council have in place a Customer Service Charter and that it be reviewed every two years.

5 STATUTORY REQUIREMENTS

5.1 *Local Government Act 1993*

Section 339F

- (1) *A council must adopt a customer service charter on or before 1 January 2006.*
- (2) *The customer service charter is to –*
 - (a) *specify the principles relating to services provided by the council; and*
 - (b) *specify a procedure for dealing with complaints relating to services provided by the council; and*
 - (c) *include any prescribed matter.*
- (3) *The general manager is to make the customer service charter available –*
 - (a) *for public inspection at the public office during ordinary office hours; and*
 - (b) *on the council's internet site free of charge; and*

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- (c) *for purchase at a reasonable charge.*
- (4) *A council is to review its customer service charter at least once every 2 years.*
- (5) *The general manager is to provide the council with a report at least once a year of the number and nature of complaints received.*

5.2 Local Government (General) Regulations 2015

Regulation 31

For the purposes of section 339F of the Act, a customer service charter adopted under that section is to include the following matters:

- (a) *the manner in which a complaint referred to in section 339E of the Act may be made;*
- (b) *the manner in which a response to a complaint is to be made;*
- (c) *opportunities for a review of a response by the general manager;*
- (d) *the periods within which complaints are to be dealt with;*
- (e) *other actions that may be taken if a complainant is dissatisfied by the response;*
- (f) *reporting of the complaints received.*

6 FINANCIAL IMPLICATIONS

N/A

7 RISK ISSUES

Failure to have a Customer Service Charter and review within the prescribed timeframes will result in Council being in breach of section 339F of the *Local Government Act 1993*.

If Council's Customer Service Charter does not contain the identified matters in regulation 31 of the *Local Government (General) Regulations 2015*, Council is in breach of that regulation.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

There are two options for Council to consider:

- i) Adopt the revised Customer Service Charter; or
- ii) Amend the revised Customer Service Charter.

11 OFFICER'S COMMENTS/CONCLUSION

A Customer Service Charter should be a brief but informative, user friendly document. The proposed changes to the document achieve this by removing duplication.

If approved by Council, the Customer Service Charter Policy will be updated in the Council Policy Manual. If the revised charter is approved by Council, attachment 12.2 will be displayed on our website and at the Council offices.

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12 ATTACHMENTS

- 12.1 Northern Midlands Council Customer Service Charter – marked up revision
- 12.2 Proposed new Northern Midlands Council Customer Service Charter

RECOMMENDATION 1

That Council adopt the amendments to the Northern Midlands Council Customer Service Charter as show in attachment 12.1 of this report.

DECISION

Cr

Cr

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GOV 14 SEALING OF NILE ROAD

Attachments: Section 1 – Page 95

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

1 PURPOSE OF REPORT

The purpose of the report is to present to Council the cost benefit analysis for the sealing of Nile Road.

2 INTRODUCTION/BACKGROUND

Council at its meeting 11 April 2015 authorised the preparation of an economic appraisal of road infrastructure investment for the sealing of Nile Road.

3 STRATEGIC PLAN 2007/2017

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

- Part 1A: Governance
 - 1.1 Governance
 - 1.8 Regional/State/Federal/International Relations
- Part 1B: Finance
 - 1.9 Financial Management
 - 1.13 Asset Management
- Part 2: Economic Development
 - 2.1 Long Term Economic Development
 - 2.2 Tourism Industry Support
 - 2.3 Business Support
- Part 5: Physical Assets
 - 5.1 Transport Infrastructure Operations

4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

Nile Road is a municipal road.

6 FINANCIAL IMPLICATIONS

The estimated capital cost of constructing and sealing 8.21kms of Nile Road is \$2.463m.

The estimated re-seal interval is 12.5 years at an approximate cost of \$197,040.

Additional maintenance costs are estimated at \$21,165 per annum.

7 RISK ISSUES

A number of risks are evident:

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- The upgrade of Nile Road will provide an economic cost rather than an economic benefit. This economic cost would be reduced if grant funding were sourced.
- Greater meritorious projects to stimulate tourism benefit the region would go unfunded if Council was to upgrade Nile Road.
- The number of tourist vehicles using the road would not increase, as it would not be sealed allowing hire vehicles.
- Loss of reduced vehicle operating costs to local residents and visitors if the road is not up-graded.
- Tourists continue to by-pass Clarendon House due to the unsealed section of Nile Road.
- the sealing of the gravel section is likely to cause more accidents with vehicles colliding with Forester kangaroos due to increased speed and more traffic, unless a speed limit is introduced.

8 CONSULTATION WITH STATE GOVERNMENT

The preparation of the cost benefit analysis will necessitate discussion with the Department of State Growth.

9 COMMUNITY CONSULTATION

Community consultation will be necessary with stakeholders, for example, adjacent property owners and business beneficiaries.

10 OPTIONS FOR COUNCIL TO CONSIDER

The options for Council to consider include:

- i) to take no further action
- ii) to continue to pursue external funding sources
- iii) to consider funding the up-grade and sealing of the Nile Road as internal funds become available.

11 OFFICER'S COMMENTS/CONCLUSION

As Council is aware access to Clarendon from the South is hindered by an 8km un-sealed section of the Nile Road, it is the most direct route from the Midlands Highway. To visit the heritage estate, visitors coming from Hobart pass through and have to "double back" to find sealed road access.

Tourists are exposed to \$9,000 extra liabilities, for permission to use hired cars on unsealed roads. If the Southern end of Nile Road was sealed, they could leave the highway and experience the history of Clarendon, Nile, Deddington and Evandale.

At this time purely the economic rationale would be to take no further action.

Though as Tourism is a focus of the State Government and that of the Northern Midlands Council, Council may wish to continue to explore external funding opportunities and funding a progressive program of sealing Nile Road over a 4 year period.

It is an important link in the chain of the local economy, subsequently, visitation to the Clarendon area with its surrounding heritage and villages needs to be maximised and attracts as much attention as possible compared to other colonial estates.

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12 ATTACHMENTS

12.1 SGS Economics & Planning – Cost Benefit analysis for the Sealing of Nile Road – Final Report May 2016

RECOMMENDATION 1

That the matter be discussed.

RECOMMENDATION 2

That Council

1. continue to pursue external funding sources for the sealing of Nile Road.
2. consider in its 2017/2018 Budget the implementation of a four (4) year funding program to seal Nile Road.

DECISION

Cr

Cr

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W&I 1 PROPOSED BOUNDARY ADJUSTMENT: 19 YOUL ROAD, PERTH

Attachments: Section 1 – Page 109

Responsible Officer: Wayne Chellis, Works & Infrastructure Manager
Report prepared by: Wayne Chellis; Works & Infrastructure Manager

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider an enquiry from Craig and Petrana Stokell, the owners of 19 Youl Road, Perth.

2 INTRODUCTION

Craig and Petrana Stokell are the owners of 19 Youl Road Perth. The property is on two titles, a house with about 10,000 sq. m of land and a vacant paddock that covers an area of approximately 6,000 sq. The owners are considering a boundary adjustment to allow them to sell the vacant paddock and reduce the amount of land on the house lot. The proposed boundary adjustment would reduce the size of the house lot to 6,549 sq.m and allow the paddock to be sold as a larger 9,696 sq. m. lot.

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:

- 4.7 Land use planning

4 FINANCIAL IMPLICATIONS

There are no financial implications for Council associated with this project.

5 RISK ISSUES

There are no significant risk issues associated with this project.

6 OFFICER’S COMMENTS/CONCLUSION

Council generally requires infrastructure such as kerb and channel to be constructed along the full frontage of all lots whenever subdivisions or boundary adjustments are carried out. In the case of this particular proposal this would require a total of 290m of kerb and channel to be constructed on the Youl Road side of the property and also the frontage on Main St. The cost of constructing this amount of kerb and channel and widening the road to suit would add a significant amount to the cost of the property and it is not likely that the area could be further subdivided because there are stormwater drainage problems in the area. The area is likely to remain an open paddock under any future owner and kerb and channel what not be considered necessary. Should a future owner present a satisfactory stormwater drainage plan in the future kerb and channel would then be requested at that time.

7 OPTIONS FOR COUNCIL TO CONSIDER

- Require the owner to construct approximately 120m of new kerb and channel by extending the existing kerb and channel north along the frontage of the house lot to the proposed new boundary on both the Youl Road and Main Street frontages of the property and upgrade the existing gravel driveway to the house to a concrete driveway from the edge of the road to the property boundary.

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- ii) Require the owner to construct approximately 60m of new kerb and channel by extending the existing kerb and channel north along the frontage of the house lot to the proposed new boundary on both the Youl Road frontage of the property only and upgrade the existing gravel driveway to the house to a concrete driveway from the edge of the road to the property boundary.
- iii) Require the owner to construct approximately 290m of kerb on both frontages of the two proposed lots and construct concrete driveways to both lots.

8 ATTACHMENTS

8.1 Proposal Plan from 60ty Degrees.

RECOMMENDATION

That Council require the owner to construct approximately 120m of new kerb and channel by extending the existing kerb and channel north along the frontage of the house lot to the proposed new boundary on both the Youl Road and Main Street frontages of the property and upgrade the existing gravel driveway to the house to a concrete driveway from the edge of the road to the property boundary.

DECISION

Cr

Cr

AGENDA – ORDINARY MEETING

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W&I 2 NORTHERN MIDLANDS COUNCIL ILLAWARRA ROAD SIGNS ADVERTISING POLICY

Attachments: Section 1 – Page 110

File: 44/001/001
Responsible Officer: Des Jennings, General Manager
Report prepared by: Jonathan Galbraith Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to adopt a policy for a sign to be installed on Illawarra Road for the purpose of advertising events in Longford.

2 INTRODUCTION/BACKGROUND

There are a number of information and direction signs on Illawarra Road to direct motorists to Longford. Some of these signs are in poor condition and others are out of date. Council is in discussion with the Department of State Growth regarding the upgrade of these signs and as part of the upgrade it is proposed to install a sign with slide in panels for community organisations to advertise events in the Town. The Department of State Growth has requested that Council adopt an Advertising Signs Policy before they proceed with any works on the new signs.

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 1A:
Section 2.2 – Economic Development

4 POLICY IMPLICATIONS

There are no policy implications for rescinding this policy.

5 FINANCIAL IMPLICATIONS

It is anticipated that the cost of the sign will be funded by the Department of State Growth. There will be no significant financial costs to Council.

6 RISK ISSUES

It is important that any advertising placed on the new signs is put up in accordance with the requirements of the Traffic Management Standard AS1742.3 and other appropriate standards and codes. A location has been selected for the sign in consultation with the Department of State Growth where advertising boards can be placed on the sign safely and this must only be done by Council staff who have completed the Traffic Management at Worksites Training.

7 CONSULTATION WITH STATE GOVERNMENT

Council has consulted with the Department of State Growth.

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8 COMMUNITY CONSULTATION

The design for the sign has been endorsed by the Longford District Committee.

9 OFFICER'S COMMENTS/CONCLUSION

The Illawarra Road Signage Policy is based on policies used by other Councils who have similar signs on roads owned by the Department of State Growth and has been prepared with assistance from the Department of State Growth. The aim of the policy is to assist community organisations to advertise events that will be of benefit to the town and attract visitors to the area.

10 ATTACHMENTS

10.1 Illawarra Road Advertising Signs Policy

RECOMMENDATION

That Council adopts the Illawarra Road Advertising Signs Policy.

DECISION

Cr

Cr

AGENDA – ORDINARY MEETING

27 JUNE 2016



CORP 1 MONTHLY FINANCIAL STATEMENT

Attachments: Section 1 – Page 112

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 May 2016.

2 INTRODUCTION/BACKGROUND

The Corporate Services Manager circulated a copy of the Monthly Financial Statements for the period ended 31st May 2016.

SUMMARY FINANCIAL REPORT

For Month Ending: 31-May-16 11

A. Operating Income and Expenditure						
	Budget	Year to Date Budget	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$9,430,961	-\$9,430,961	-\$9,290,657	-\$140	98.5%	
Recurrent Grant Revenue	-\$2,411,421	-\$2,210,469	-\$2,412,395	\$202	109.1%	
Fees and Charges Revenue	-\$1,721,334	-\$1,577,890	-\$1,629,286	\$51	103.3%	
Interest Revenue	-\$397,000	-\$363,917	-\$373,471	\$10	102.6%	
Reimbursements Revenue	-\$102,076	-\$93,570	-\$157,383	\$64	168.2%	
Other Revenue	-\$1,879,939	-\$1,723,277	-\$1,319,446	-\$404	76.6%	
	-\$15,942,731	-\$15,400,084	-\$15,182,638	-\$217	98.6%	
Employee costs	\$5,116,977	\$4,690,562	\$4,459,691	\$231	95.1%	
Material & Services Expenditure	\$4,796,638	\$4,396,918	\$3,951,567	\$445	89.9%	
Depreciation Expenditure	\$5,047,850	\$4,627,196	\$4,302,420	\$325	93.0%	
Government Levies & Charges	\$662,620	\$607,402	\$532,475	\$75	87.7%	
Councillors Expenditure	\$187,332	\$171,721	\$152,735	\$19	88.9%	
Other Expenditure	\$1,169,035	\$1,104,820	\$733,112	\$372	66.4%	
Plant Expenditure Paid	\$658,420	\$603,552	\$452,396	\$151	75.0%	
	\$17,638,872	\$16,202,171	\$14,584,396	\$1,618	90.0%	
	\$1,696,141	\$802,087	-\$598,242			
Gain on sale of Fixed Assets	-\$60,000	-\$55,000	-\$134,563	\$80	0.0%	
Loss on Sale of Fixed Assets	\$630,000	\$577,500	\$339,673	\$238	58.8%	Conara land sale
Underlying (Surplus) / Deficit	\$2,266,141	\$1,324,587	-\$393,132			
	\$0		\$0			
Capital Grant Revenue	-\$3,163,550	-\$2,899,921	-\$3,222,243	\$322	111.1%	
Subdivider Contributions	-\$350,000	-\$320,833	0	-\$321	0.0%	No new assets recognised at this stage
Capital Revenue	-\$3,513,550	-\$3,220,754	-\$3,222,243			
	-		-			
Budget Alteration Requests						
- For Council authorisation by absolute majority						
Lake River Bridge replacement (defer 2016/17)	-\$700,000					A/c 747350
Fleet 30 - Flocon (deferred to 2016/17)	-\$200,000					A/c 700030
Grant - Lake River Bridge (defer to 2016/17)	-\$719,500					A/c 326211
Grant - Council Marquee	\$5,000					A/c 707827
Grant - Child Care Transition assistance	\$5,000					A/c 747350
Grant - Roads to Recovery	\$2,137,758					A/c 325010
Grant - Black Spot Fore Street Perth	\$38,500					A/c 326028

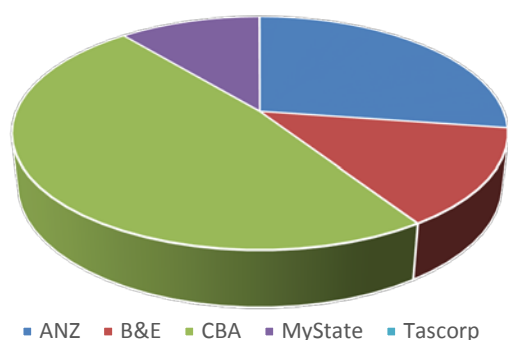
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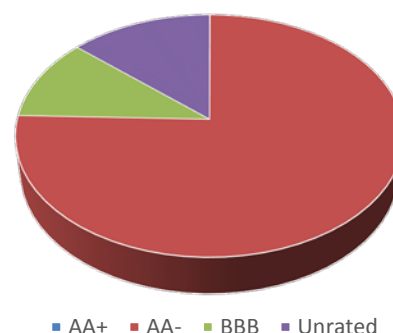


B. Balance Sheet Items					
	Year to Date Actual		Monthly Change		Same time last year
Cash & Cash Equivalents Balance					
- Opening Cash balance	\$11,389,501		\$11,977,079		
- Cash Inflow	\$19,285,122		\$1,667,007		
- Cash Payments	-\$18,944,224		-\$1,913,687		
- Closing Cash balance	\$11,730,399		\$11,730,399		
	-		-		
Account Breakdown					
- Trading Accounts	\$1,291,773				
- Investments	\$10,438,625				
	\$11,730,399				
	-				
Summary of Investments					
	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value
Tasmanian Public Finance	3/05/2016	31/05/2016	1.75	\$5,101	\$5,108
Corporation Call Account	18/05/2016	31/05/2016	1.65	\$30,580	\$30,598
CBA Call Account	2/03/2016	2/06/2016	2.90	\$1,500,000	\$1,510,964
CBA	16/03/2016	14/06/2016	2.95	\$2,000,000	\$2,014,548
CBA	3/05/2016	2/08/2016	2.83	\$1,500,000	\$1,510,583
ANZ	2/04/2016	2/10/2016	3.05	\$1,533,691	\$1,557,144
Bass & Equitable	23/05/2016	23/11/2016	3.00	\$1,409,734	\$1,431,054
My State Financial	25/12/2015	25/12/2016	3.75	\$1,146,152	\$1,189,250
ANZ	14/05/2016	14/05/2017	2.70	\$1,313,367	\$1,348,828
Total Investments	0/01/1900	0/01/1900	0.00	\$10,438,625	\$10,598,078

Investments by Institution



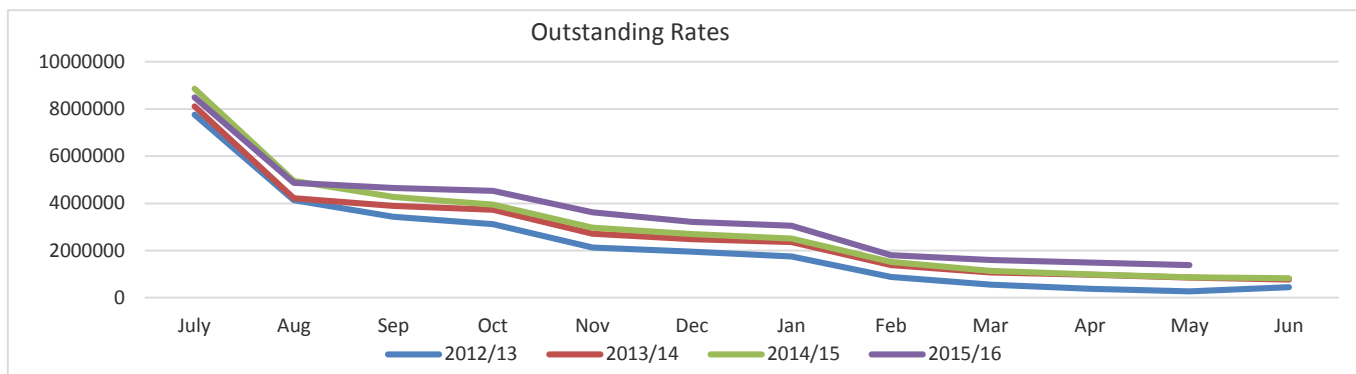
Total Investments by Rating (Standard & Poor's)



Rate Debtors	2015/16	% to Raised	Same Time Last Year	% to Raised	
Balance b/fwd	\$1,017,753	11.2%	\$933,431		
Rates Raised	\$9,416,724		\$9,096,312		
	\$10,434,477		\$10,029,742		
Rates collected	\$8,843,505	92.4%	\$8,636,177	93.6%	
Pension Rebates	\$410,211	4.4%			
Discount & Remissions	\$25,832	0.5%	\$526,287	5.8%	
	\$9,279,548		\$9,162,463		
Rates Outstanding	\$1,383,330	15.9%	\$1,052,616	12.7%	
Advance Payments received	-\$228,400	2.1%	-\$185,337	1.8%	
					\$1,154,930

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Trade Debtors

Current balance	\$87,361		
- 30 Days	\$44,985		
- 60 Days	\$4,008		
- 90 Days	\$3,424		
- More than 90 days	\$34,943		
Summary of Accounts more than 90 days:			
- Norfolk Plains Book sales	-	0	
- Hire/lease of facilities		1,305	
- Removal of fire hazards		5,997	
- Dog Registrations & Fines		2,554	
- Sales		16,294	
- Building Plumbing Engineering Fees		6,500	
- Private Works		636	
		1,658	
		0	

Paid by outlet as sold
 Sent to Fines Enforcement
 Arrangement to pay
 Arrangement to pay

C. Capital Program

	Budget	Actual (\$,000)	Target 92%	Comments
Renewal	\$7,367,240	\$4,696,438	64%	
New assets	\$3,631,731	\$2,886,184	79%	
Total	\$10,998,970	\$7,582,621	69%	
Major projects:				
- Powranna Bridge	\$1,922,000	\$1,997,117	104%	Complete
- Lake River Bridge	\$1,250,000	\$262,190	21%	Tender awarded to commence shortly
- Ross Toilet Block Replacement	\$150,000	\$5,067	3%	Planning & Building Permit stage
- Glenelg Street K&G and Reconstruction	\$420,000	\$404,417	96%	Complete
- Bond Street K&G and Reconstruction	\$115,000	\$127,416	111%	Complete
- Wilmores Lane reconstruction	\$642,000	\$426,576	66%	Complete
- Delmont Road reconstruction	\$390,000	\$354,160	91%	Complete

* Full year to date capital expenditure for 2015/16 provided as an attachment.

D. Financial Health Indicators

	Target	Actual	Variance	Trend
Financial Ratios				
- Rate Revenue / Total Revenue	59.2%	61.1%	-2.0%	↑
- Own Source Revenue / Total Revenue	85%	84.1%	0.8%	↘
Sustainability Ratio				
- Operating Surplus / Operating Revenue	-14.2%	2.6%	-16.8%	↘
- Debt / Own Source Revenue	0.0%	0.0%	0.0%	↔
Efficiency Ratios				
- Receivables / Own Source Revenue	10.9%	11.5%	-0.6%	↘
- Employee costs / Revenue	32.1%	29.4%	2.7%	↗
- Renewal / Depreciation	145.9%	109.2%	36.8%	↗
Unit Costs				

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- Waste Collection per bin	\$9.80	\$11.18	↔
- Employee costs per hour	\$42.64	\$36.34	↗
- Rate Revenue per property	\$1,370.98	\$1,368.91	↔
- IT per employee hour	\$3.17	\$2.39	↘



E. Employee & WHS scorecard

	YTD	This Month
Number of Employees	89.2	103
New Employees	26	2
Resignations	2	0
Total hours worked	122713	15347
Lost Time Injuries	0	0
Lost Time Days	146	0
Safety Incidents Reported	20	1
Hazards Reported	38	18
Risk Incidents Reported	9	1
Insurance claims - Public Liability	4	0
Insurance claims - Industrial	3	0
Insurance claims - Motor Vehicle	13	1
IT - Unplanned lost time	1	0



3 ALTERATIONS TO 2015-16 BUDGET

The following alterations to the 2015-16 Budget is provided for Council consideration and approval (by absolute majority).

Item details

- Lake River Bridge replacement (defer part to 2016/17)
- Fleet 30 - Flocon (deferred delivery to 2016/17)
- Grant - Lake River Bridge (defer receiving to 2016/17)
- Grant - Council Marquee
- Grant - Child Care Transition assistance
- Grant - Roads to Recovery (additional allocation revision)
- Grant - Black Spot for Fore Street Perth

Budget \$

-\$700,000
-\$200,000
-\$719,500
 \$5,000
 \$5,000
 \$2,137,758
 \$38,500

4 VALUATION OF ASSETS

Council has undertaken an annual review of the currency and accuracy of asset registers and valuation adjustments have been assessed and undertaken on the following basis:

Asset Category	Valuation Methodology	Last Revaluation	2014/15 Valuation Adjustments	Next Scheduled Revaluation
Land	Fair Value	2013/14	Indexed based on Land Tax adjustment factors	2018/19
Land Under Roads	Fair Value	2013/14	No adjustment	2018/19
Buildings	Fair Value	2015/16	Revalued by Murray Bugg Independent Valuer	2020/21
Roads Infrastructure	Fair Value	2009/10	Revalued by Moloney Asset Management condition assessment	2019/20
Bridges	Fair Value	2014/15	Indexation adjustment based on application of a Road & Bridge Construction Index Factor obtained from the ABS 1/7/2015	2016/17
Stormwater & Drainage	Fair Value	2015/16	Indexation adjustment based on application of a Road & Bridge Construction Index Factor obtained from the ABS 1/7/2015	2016/17
Flood Levee Infrastructure	Cost		No revaluation required	
Furniture Equip. & Computers	Cost		No revaluation required	
Fleet	Cost		No revaluation required	
Plant	Cost		No revaluation required	
Heritage Assets	Cost		No revaluation required	

5 OFFICERS COMMENTS

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

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6 ATTACHMENTS

- 6.1 Income & Expenditure Summary to end May 2016
- 6.2 Account Management Report to end May 2016.

RECOMMENDATION

That Council

- i) receive and note the Monthly Financial Report for the period ending 31 May 2016.
- ii) approve the 2015-16 Budget alterations as detailed in section 3 above.
- iii) endorse the valuation adjustments as detailed in section 4 above.

DECISION

Cr

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CORP 2 MUNICIPAL BUDGET

Attachments: Separate Attachments

File: Subject 24/023
Prepared by: Maree Bricknell, Corporate Services Manager

1 PURPOSE OF REPORT

The purpose of this report is for Council to present the Municipal Budget for the financial period from 1 July 2016 to 30 June 2017 to the community.

2 INTRODUCTION/BACKGROUND

2.1 BUDGET

It is proposed to increase general rate revenue by 2.4 percent in the 2016/17 which includes some compensation for reduction in airport rate equivalents received in recent years. The general rate revenue increase is slightly higher than the projected Local Government annual projected cost indexation factor of 1.87 percent, and in line with expected expenditure increases to allow us to largely maintain existing service levels, fund a small number of new initiatives, continue to allocate funds to renew municipal infrastructure, and aim to achieve a balanced underlying operating result.

Base financial assumptions used in the 2016/17 Budget calculations are in accordance with principles adopted by Council in March 2016.

The assumptions included:

- 1.87 percent allowance for cost adjustments on operational expenditure
- contract payments increased as per agreement provisions
- interest on investments calculated at 2.5 percent
- no increase in base and other annual grant funding
- fees & charges increased with inflation or to market levels
- service levels closely maintained at 2015/16 standard with emphasis on innovation and efficiency
- minimization of asset renewal shortfalls
- new operating revenues and expenses arising from new capital projects included.

This year a number of external influences were taken into consideration due to their significant impact to the service level of Council during the budget period, including:

- Federal Election/budget opportunities for external funding
- Freeze on indexation of Government Financial Assistance Grants
- Freeze on rate of return for TasWater forecasted dividends
- Low Bank Interest rate environment
- New EBA negotiations for 2016-2019
- Potential changes in operations for Building/Planning legislation
- Resource Sharing arrangements
- Roads to Recovery additional grant funding allocations
- Development trends in area (including Perth Road Bypass implications).
- Doubtful Debts and ability of ratepayers to pay.

In 2016/17 budgeted operating revenue is \$19.7 million and budgeted operating expenditure is \$17.0 million which results in an operating surplus of \$2.7 million, or an underlying surplus of \$7,198 after

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eliminating capital grants and developer contributions.

Included in the operating expenditure is \$5.3 million depreciation which represents approximated 31% of operating expenditure. Due to a large capital works program Council will reduce cash holdings during 2016/17 by approximately \$6.0 million.

Operating Statement	Budget	
Underlying Surplus/(Deficit) Calculation	2016/17	%
Revenue		
Rates & Charges	9,798,545	49.6
Grants & Subsidies	6,451,426	32.6
Fees & Charges	1,787,851	9.0
Interest	435,842	2.2
Reimbursements	96,867	0.5
Other	1,193,321	6.0
	<u>19,763,852</u>	
Expenditure		
Employee Costs	5,165,838	30.3
Materials & Services	5,052,164	29.6
Government Levies & Charges	685,419	4.0
Depreciation	5,327,234	31.2
Other Expenditure	828,323	4.9
	<u>17,058,978</u>	
Operating Surplus (Deficit)	2,704,874	
Adjustments :		
Less Capital Grants	(2,267,676)	
Less Subdivisions & contributed assets	(430,000)	
Less Debtors Raised Not Paid		
Underlying Surplus/(Deficit)	7,198	

In addition to recurring base grants, Council expect special purpose grant funds during 2016/17 for Roads to Recovery \$1,548,176, Lake River Bridge replacement \$719,500, Child Care services \$255,220, Heavy Vehicle registrations \$68,421, Pension Rate rebates \$407,480, and Australia Day event contribution of \$1,600.

Council's financial position has been strong due to the substantial level of cash reserves held and the maintained level of asset renewal funding over the last 10 year period. Council expects to hold approximately \$12 million cash as at 30 June 2016 which is forecast to decrease by \$6 at the end of the year with completion of all programmed capital works.

The majority of the cash reserve funds are committed to specific projects including road and bridge programs, plant replacement, building maintenance, contractual commitments and employee entitlements.

Council proposes to remain debt free during 2016/17.

A 2016/17 Fees and Charges Schedule has been reviewed, the main changes this year being:

- Increased cemetery fees by 10%,
- Tooms Lake and Lake Leake shack site leases increased by 2.4%,
- Increased waste management fees not increased until 1 January 2017 following review,
- residential unit rentals by CPI adjustment,
- increased fees for land information certificates as prescribed,
- update of facility hire with committee recommendations,

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- other corporate fees increased by 1.87%.

Council's estimated Employee wages have been increased by 1.75 percent but is subject to current negotiations with the Workplace Bargaining Agreement Committee. In dollar terms, wages have increased \$49,000 below the cost of indexation compared to last year due to deletion of the allocation for one additional approved Works employee.

Council has built into its budget during 2016/17 resource sharing services from:

- George Town Council for the provision of Environmental Health services, and
- Meander Valley Council for the provision of Plumbing Inspector Services.

Council has set a large capital works budget of \$13 million including the following programs for 2016/17:

• Road Program of	\$	3,851,000
• Footpath Program of	\$	393,376
• Bridge Replacement of	\$	4,590,000
• Stormwater Program of	\$	715,000
• Community Building Improvements of	\$	2,632,233
• Recreation Improvements	\$	389,000
• Fleet Replacement Program (net cost of)	\$	517,000
• Plant & Equipment (incl. new recycle bins)	\$	680,000
• Information Technology & other equipment	\$	143,750

Management Committee Grants amount to \$57,305, Special Community Grants to \$44,206, Special Event Grants to \$52,055 and other Donations are allocated to community groups for \$39,000 in 2016/17.

Ratepayers are encouraged to obtain Council's 2016/17 Annual Plan which outlines specific projects, capital works and other tasks/targets to be achieved over the next twelve months.

2.2 RATES

Total rate revenue in 2016/17 is estimated at \$9,798,545 which represents 49.6 percent of Council's total revenue, including a General Rate increase of approximately \$252,000 from last year budget.

All properties within the Northern Midlands area were revalued in 2013. Bi-annual Adjustment Factors were applied to that revaluation last year, but no valuation adjustments have been applied for the 2016/17 rating period.

Council will continue to use Differential Rating for different land use categories to raise the same amount of revenue as the previous year within each land use category (plus indexation and development). Minimum rates have been increased by 2.4 percent for occupied land and 10 percent for unoccupied land. Minimum rates now apply to approximately 14 percent of all rateable properties.

As at 1 July 2016 Assessed Annual Value is expected to amount to \$136,956,529 which represents a change of \$956,332 attributable to development before revaluation adjustments over the last twelve months.

Under the differential rating system the following general revaluation rates are raised in the individual land use categories, and demonstrating the movements in the share of the rates between the land use categories.

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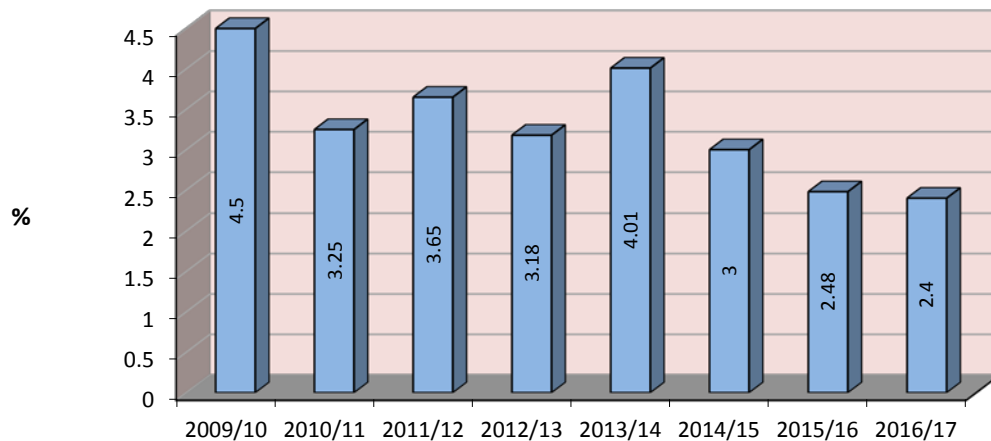
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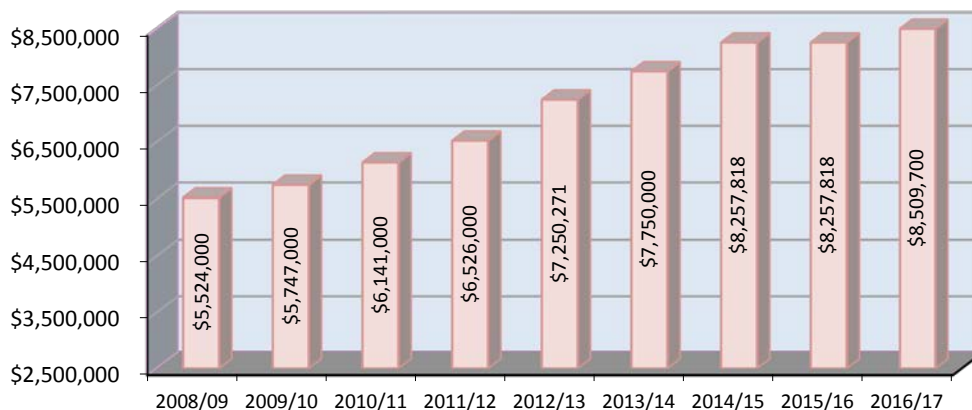
Land Use Code (LUC)	No. of Properties	Rates 2016-17	LUC %	Rates 2015-16	LUC %	Inc/Dec \$	Inc/Dec %
Commercial	250	922,374	10.8%	899,893	10.9%	2.5%	-0.1%
Industrial	161	1,122,653	13.2%	1,087,723	13.2%	3.2%	0.0%
Rural	846	2,007,756	23.6%	1,959,101	23.7%	2.5%	-0.1%
Low Density Residential	375	411,631	4.8%	402,829	4.9%	2.2%	0.0%
Public Purpose	108	145,303	1.7%	141,745	1.7%	2.5%	0.0%
Quarry	4	19,738	0.2%	19,277	0.2%	2.4%	0.0%
Residential	4,130	3,291,033	38.7%	3,180,126	38.5%	3.5%	0.2%
Rural Residential	418	417,078	4.9%	405,985	4.9%	2.7%	0.0%
Sport	40	26,973	0.3%	26,371	0.3%	2.3%	0.0%
Vacant	564	144,915	1.7%	134,768	1.6%	7.5%	0.1%
	6896	8,509,453	100.0%	8,257,818	100.0%	3.0%	0.0%

In order to meet wages growth, maintain service levels, retain a robust capital works program, and strive to a balanced operating result, the general rate revenue is recommended to increase by 2.4 percent in 2016/17 raising a total rate of \$8,509,700 during the year.

Percentage Increase



General Rate Revenue \$'s



The following rates will apply for 2016/17:

- 9.74 cents in the \$AAV for land used for industrial purposes
- 9.74 cents in the \$AAV for non used (vacant) land zoned industrial
- 8.33 cents in the \$AAV for land used for public purpose

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- 7.55 cents in the \$AAV for land used for commercial purposes
- 7.55 cents in the \$AAV for land used for quarries and mining
- 7.06 cents in the \$AAV for land used for residential purposes
- 6.70 cents in the \$AAV for land zoned low density residential
- 6.70 cents in the \$AAV for land zoned primary production used for residential purposes
- 6.35 cents in the \$AAV for land used for sport and recreation
- 4.80 cents in the \$AAV for other non used (vacant) land
- 4.48 cents in the \$AAV for land used for primary production.

It is recommended that in 2016/17 the minimum rates be increased by 2.4 percent or \$10 to \$442 for land used for residential, commercial and industrial/quarry/ mining purposes, and increase by 10 percent or \$21 to \$232 for land used for rural, vacant, public purpose and sport and recreation purposes.

The State Fire Commission has increased the State Fire Levy to be collected by \$28,077 to \$520,478 which represents a 6.9 percent increase from last year. The minimum charge will remain at \$38 in 2016/17, but to raise the remainder of funds the rate in \$AAV for the Volunteer Districts of Cressy, Campbell Town, Longford, Perth and Evandale will need to be adjusted from 0.355 cents to 0.378, and in all other areas will decrease from 0.34 cents to 0.36 cents.

In 2016/17 the recommended cost of the

- 140 litre waste and 240 litre recycling collection service will increase \$2.00 to \$107, and
- 240 litre waste and 240 litre recycling collection service will increase \$4.00 to \$157.

An additional waste collection service will again be provided between Christmas and New Year to all properties receiving the kerbside collection service.

The waste management charge only applies to the Rossarden, Lake Leake and Kalangadoo areas and will increase from \$49 to \$50 in 2016/17. The Avoca Waste Transfer Station is now operated similar to other supervised sites and gate fees apply.

The On-site Disposal System charge will remain at \$612.

A Lake River Water Levy of \$200 per kilometre of river frontage was not levied last year but will be levied in 2016/17.

The following table shows examples of overall rate bills compared to last year:

Category/Location	Average Property Value \$	Rates 2015-16 \$	Rates 2016-17 \$	Increase \$	Increase %
Longford	\$252,000	\$990	\$1,015	\$25	2.5%
Perth	\$294,000	\$1,017	\$1,043	\$26	2.5%
Evandale	\$269,500	\$1,008	\$1,035	\$26	2.6%
Campbell Town	\$141,700	\$738	\$754	\$16	2.2%
Cressy	\$190,000	\$817	\$835	\$18	2.2%
Devon Hills	\$367,500	\$1,070	\$1,098	\$28	2.6%
Ross	\$183,700	\$748	\$765	\$17	2.2%
Avoca	\$141,700	\$574	\$587	\$13	2.2%
Conara	\$99,700	\$575	\$587	\$12	2.1%
Epping	\$131,200	\$575	\$587	\$12	2.1%
Vacant Land	\$273,000	\$515	\$527	\$12	2.3%
Vacant Land	\$90,000	\$249	\$270	\$21	8.4%
Low Density Residential	\$367,500	\$1,070	\$1,098	\$28	2.6%
Residential in Rural Zone	\$687,500	\$1,829	\$1,877	\$49	2.7%

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Category/Location	Average Property Value \$	Rates 2015-16 \$	Rates 2016-17 \$	Increase \$	Increase %
Rural					2.8%
Commercial					2.6%
Industrial					2.6%
GENERAL RATE INCREASE		2.4%			

Council has retained a percentage early payment discount to encourage up-front rate payments for cash flow advantages of 1.0 percent.

A three (3) instalment payment system is again offered in 2016/17.

A daily interest of 0.0205 percent (7.5% p.a.) will be imposed on all overdue Rate Instalments, and a penalty of 5 percent will also be imposed on all outstanding amounts as at 1 April 2017.

During 2016/17 ratepayers have the option to pay Rates & Charges via Bpay, Bpay View, CBA, Australia Post, Service Tasmania at Campbell Town, Direct Debit and at Council Chambers at Longford.

3 STRATEGIC/OPERATIONAL PLAN

The Strategic Plan states that Council will provide practical, viable, sustainable financial management policies and procedures.

4 POLICY IMPLICATIONS

The Budget is drafted in accordance with base and financial parameters adopted by Council.

5 STATUTORY REQUIREMENTS

The 2016/17 Municipal Budget prepared in accordance with Section 82 of the Local Government Act 1993 was submitted for adoption by absolute majority prior to 31 August 2016.

Under Section 90 of the Local Government Act 1993 Council may make one general rate on all rateable land in its municipal area, based on value of land, and a minimum or fixed component may apply. Although Council can only make one general rate under Section 107 of the LGA it can vary the rate by use or non-use, locality, planning zone, or any other prescribed factor.

6 FINANCIAL IMPLICATIONS

As detailed above.

7 CONSULTATION WITH STATE GOVERNMENT

There is some requirement to consult with the State Grants Commission, the State Fire Service and the Department of Treasury and Finance in relation to revenue and expenditure that has impact on Council's budget.

8 COMMUNITY CONSULTATION

There is community input into the budget process of drafting the budget via councillors, local district committees, asset management committees and direct input from members of the public.

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9 OPTIONS

Council has the option to change components of the budget as required, and also an opportunity each month to review its budget and add/delete items.

10 OFFICERS COMMENTS

Section 82 (7) of the LGA requires the General Manager to report any budget adjustment and an explanation of the adjustment at the first ordinary meeting of the council following the adjustment.

11 ATTACHMENTS

The full 2016/17 Budget Summary, Budget Report including Capital Works Program, Rates Report, Rates & Charges Policy, Fees & Charges Schedule and Annual Plan are included as a separate attachment.

RECOMMENDATION 1

That the matter be discussed.

RECOMMENDATION 2

- A. That Council receive and discuss the 2016/2017 Annual Budget; 2016/2017 Annual Plan; Rates & Charges Policy, Budget Summary Report and the Fees and Charges Schedule.
- B. That Council approve and adopt the 2016/2017 Annual Plan pursuant to Section 71 of the Local Government Act 1993.
- C. That Council approve and adopt the 2016/2017 Rates & Charges Policy pursuant to Section 86B of the Local Government Act 1993.
- D. That Council:
 - i) approve and adopt the 2016/2017 revenue and expenditure estimates pursuant to Section 82 of the Local Government Act 1993.
 - ii) make rates and charges for the period 1 July 2016 to 30 June 2017 pursuant to the provisions of the Local Government Act 1993 in accordance with the following resolutions:
 - 1. **General Rate**
 - a) That pursuant to Section 90 of the Local Government Act 1993 Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provision of Section 87) within the municipal area of Northern Midlands for the period commencing 1 July 2016 and ending on 30 June 2017, namely a rate of 9.74 cents in the dollar on the assessed annual value of the land.
 - b) Pursuant to Section 107, by reason of the use or predominant use of any land, the non-use of any land or land being within a planning zone, Council by absolute majority declares that the general rate shall be varied as follows:
 - i) Land used for primary production purposes a general rate of 4.48 cents in the dollar on the assessed annual value of the land;
 - ii) Land zoned as “residential low density and rural living zones” under the Northern Midlands Interim Planning Scheme 2013 a general rate of 6.70 cents in the dollar on the assessed annual value of the land;
 - iii) Land used for sport and recreation purposes a general rate of 6.35 cents in the dollar on the assessed annual value of the land;
 - iv) Land used for residential purposes (not being land within subparagraphs (ii) or (viii)) a

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- general rate of 7.06 cents in the dollar on the assessed annual value of the land;
- v) Land used for quarries or mining purposes a general rate of 7.55 cents in the dollar on the assessed annual value of the land;
 - vi) Land used for commercial purposes a general rate of 7.55 cents in the dollar on the assessed annual value of the land;
 - vii) Land used for public purposes a general rate of 8.33 cents in the dollar on the assessed annual value of the land;
 - viii) Land used for residential purposes (not being land within subparagraphs (ii) or (iv)) and zoned in the Rural Resource zone under the Northern Midlands Interim Planning Scheme 2013 a general rate of 6.70 cents in the dollar on the assessed annual value of the land;
 - ix) Land which is vacant a general rate of 4.80 cents in the dollar on the assessed annual value of the land;
 - x) Land which is vacant and which is zoned industrial under the Northern Midlands Interim Planning Scheme 2013 a general rate of 9.74 cents in the dollar on the assessed annual value of the land.
- c) That pursuant to Section 90(4) of the Local Government Act 1993 Council sets a minimum amount payable in respect of the general rate of \$442.
- d) Pursuant to section 107 Council declares by absolute majority the minimum amount is varied to \$232 by reference to land use as follows:
- i) Land used for public purposes;
 - ii) Land used for sport and recreation facilities;
 - iii) Land used for primary production;
 - iv) Land used for quarries or mining;
 - v) Vacant land which is not used for any purpose.

2. Service Rates and Services Charges

That pursuant to Sections 93A, 94 and 95 of the Local Government Act 1993, Council makes the following service rates and service charges on all rateable land within the municipal area of Northern Midlands (including land which is otherwise exempt from rates pursuant to Section 87 but excluding land owned by the Crown to which Council does not supply the following services) for the period on the 1 July 2016 and ending on the 30 day of June 2017 namely:

1. Service Charge Waste Management

- a) A service charge for waste management (garbage removal) in respect of all land to which Council makes available a garbage removal service of:
 - i) \$107 for one 140 litre mobile garbage bin and 240 litre mobile recycling bin
 - ii) \$157 for one 240 litre mobile garbage bin and one 240 litre mobile recycling bin; and
 - iii) \$79 for each additional recycle bin.
- b) A service charge of \$49 for waste management in respect of all land which is identified as being in any of the following areas in the valuation list prepared under the Valuation of Land Act 2001, namely Rossarden, Kalangadoo, Lake Leake and/or Storeys Creek, for the making available by the Council of waste transfer facilities for use by the owners/occupiers of land in those areas.

2. Fire Service Contribution

- 2.1 Pursuant to section 93A of the Local Government Act 1993 Council makes the following service rates in respect of the Fire Service Contributions it must collect under the Fire Service Act 1979 for the rateable parcels of land within the municipal area as follows;
- a) Cressy, Campbell Town, Longford, Perth & Evandale Volunteer Brigade rating district 0.378 cents in the dollar of assessed annual value of such land;
 - b) for general land 0.36 cents in the dollar of assessed annual value of such land.

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- 2.2 Pursuant to section 93(3) Council sets a minimum amount payable in respect of the service rate for fire protection of \$38.

3. Separate Land

For the purposes of these resolutions the rates and charges shall apply for each parcel of land which is shown as being separately valued in the valuation list prepared under the Valuation of Land Act 2001.

4. Payment

Pursuant to Section 124 of the Act, Council:

- a) permits all ratepayers to pay rates by instalments instead of by one payment, if ratepayers so elect
- b) determines that if all rates are paid by one payment, then the date by which the rates are due to be paid shall be 30 September 2016
- c) decides that where rates are payable by instalments, then they shall be paid by three instalments of approximately equal amounts and determines that the dates by which such instalments are to be paid shall be as follows:
 - i) the first instalment on or before 31 August 2016
 - ii) the second instalment on or before 30 November 2016
 - iii) the third instalment on or before 28 February 2017

5. Discount for Early Payment

Pursuant to Section 130 of the Act, Council offers to all ratepayers who pay the whole of the rates specified in the rates notice in one payment on or before 31 August 2016, a discount of 1.0% upon the current rates and charges.

6. Penalty & Interest

That pursuant to Section 128 of the Act, if any rate or instalment is not paid on or before the date it falls due then:

- a) there is payable a penalty of 5% of the unpaid rate or instalment imposed from 1 April 2017; and
- b) there is payable a daily interest charge of 0.0205% in respect of the unpaid rate or instalment for the period during which it is unpaid.

7. Adjusted Values

That for the purposes of each of these resolutions, any reference to assessed annual value includes a reference to that value as adjusted pursuant to Section 89 of the Local Government Act 1993.

8. Words Used

Words and expressions used both in these resolutions and in the Local Government Act 1993 or the Fire Service Act 1979 have in these resolutions the same respective meanings as they have in those Acts.

RECOMMENDATION 3

- E. That Council approve and adopt special project assistance funding, with the exception of allocations

RECOMMENDATION 4

- F. That Council approve and adopt special event funding, in regard to allocations to

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RECOMMENDATION 5

- G.** That Council pursuant to Section 205 of the Local Government Act 1993;
- i) Imposes fees and charges as specified in the Fees and Charges Schedule 2016/2017; and
 - ii) In addition to any other fee, charge, rate or service charge, Council imposes a \$612 charge for the service of bio-cycle sewer disposal systems for the period 1 July 2016 to 30 June 2017.
 - iii) Each of the fees and charges referred to in these resolutions are payable within 30 days of receipt by the person who is liable to pay rates in respect of the land to which the fees and charges relate, of a notice of those fees and charges from the Council.
 - iv) If any fee or charge is not paid to Council on the date that it is due for payment then interest is payable at a rate of 7.50% from the due date of payment until the date of payment.

DECISION

Cr

Cr

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P&D 1 MAKING OF BY LAW: STORAGE / SHIPPING CONTAINERS

Attachments: Section 1 – Page 126

Responsible Officer: Duncan Payton, Planning & Development Manager
Report prepared by: Duncan Payton, Planning & Development Manager

1 PURPOSE OF REPORT

The purpose of this report is to discuss the potential for making a by-law to regulate and provide guidance for the use of storage containers within the municipal area of the Northern Midlands.

2 INTRODUCTION/BACKGROUND

With a combination of easier access and reduced regulation, the use of storage containers as permanent outbuildings, often in a residential setting, has become more common.

Changes to planning provisions, driven by the State, and to the building legislation and regulations have effectively exempted many such containers from the approval process. This has resulted in a number of containers being located in prominent locations with little or no effort to reduce their visual impact.

One way to resolve this ongoing issue, although not able to be applied retrospectively, is the introduction of a by-law to provide some guidance and regulation in regard to where such shipping containers may be used, what measures might be taken to minimise visual impact and penalties for non-compliance.

However, the making of a by-law is not a simple process and is regulated by the Local Government Act 1993. Attached are the six Good Practice Guidelines, provided by the Local Government Division of the Department of Premier and Cabinet, to assist in the making of by-laws.

The following steps in the by-law process are identified in Guideline 2:

- 1) Consider the need for regulation, in the context of existing regulation, and with regard to the alternatives to making a by-law.
- 2) Prepare a draft by-law.
- 3) Undertake initial consultation on the by-law with key stakeholders. This may include inviting comments or submissions and holding meetings or workshops;
- 4) Adjust the by-law to reflect comments received during the initial consultation process.
- 5) Council passes a formal resolution (by an absolute majority) of its intention to make a by-law. This can occur at any stage in the process up to this point. However, at this point the by-law consultation draft should be finalized and the council may wish to see it.
- 6) Council prepares a draft Regulatory Impact Statement (RIS) if required.
- 7) The RIS and by-law are referred to the Director of Local Government for consideration.
- 8) If satisfied that the RIS meets all statutory requirements, the Director will issue a certificate of approval to the council.
- 9) Council gives notice of the proposed by-law and carries out its public consultation.
- 10) Notice of the proposed by-law is advertised in print media.
- 11) Copies of the RIS and by-law are to be made available for public inspection/purchase, and displayed

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on the council's website, as required under Section 158 of the Act.

- 12) Submissions are invited from the community and key stakeholders. Section 159 of the Act requires that all submissions are to be considered by the council.
- 13) If required, alterations to the draft by-law are to be made only by an absolute majority. If the alteration substantially changes the purpose of the proposed by-law, or its effect on the public, the council will provide public notice.
- 14) Council makes the by-law under its common seal.
- 15) The by-law is certified by a legal practitioner and the general manager of the council.
- 16) The by-law must be published in the *Tasmanian Government Gazette* within 21 days of being made by the council and be titled with reference to the municipal area, subject matter and the year in which it is made.
- 17) The general manager of the council is to make the by-law available for purchase and should put it on the council's website.
- 18) The by-law is submitted to the Subordinate Legislation Committee as required within seven working days of publication in the Gazette.
- 19) The by-law is tabled in parliament within 10 sitting days of publication in the Gazette, as required under Section 47 of the *Acts Interpretation Act 1931*.
- 20) Council sends the Director of Local Government a sealed copy of the by-law, the certifications under Section 162 of the Act and a statement explaining:
 - The purpose and effect of the by-law
 - The outcomes of public consultations in respect of the by-law

A by-law cannot:

- a) Apply retrospectively;
- b) Shift the burden of proof unless specifically provided for in an Act;
- c) Be contrary to law, or conflict with a planning scheme in the municipal area;
- d) Restrict competition or have a significant impact on business, unless the outcome is justified in the public interest;
- e) Exempt a person from prosecution for nuisance under common law;
- f) Exempt a council from any liability; or
- g) Permit rates, charges, fees or fines to be set, altered or substituted other than by amending the by-law.

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:

- 1.4 – Community Agendas;
- 4.5 – Built Heritage.

4 POLICY IMPLICATIONS

Council does not currently have a formal policy dealing with the use and location of shipping containers, nor is this considered to be a matter that can be resolved by policy rather than regulation.

5 STATUTORY REQUIREMENTS

The introduction of a by-law is regulated by the *Local Government Act 1993*.

6 FINANCIAL IMPLICATIONS

The preparation and implementation of a by-law to regulate the use of shipping containers will require a relatively significant input of staff hours over the coming months plus a relatively minor cost for review by a legal practitioner.

The operation of the by-law will seek to be cost neutral with licence fees set to achieve nominal cost recovery. There will be initial costs associated with the identification and registration of all existing containers,

7 RISK ISSUES

It is noted that a by-law cannot be retrospective. Therefore, the benefits of the by-law will be somewhat diluted by the pre-existence of shipping containers in relatively prominent areas.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable at this time. Referral to the Director of Local Government and tabling in Parliament are stipulated in the Act.

9 COMMUNITY CONSULTATION

The Act recommends early consultation with stakeholder groups and requires formal consultation once certified by the Director of Local Government.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may consider:

- Endorse the proposal to prepare a draft by-law and draft Regulatory Impact Statement based on the outline discussed below;
- Require the removal or addition of matters to be addressed by the by-law; or
- Elect not to pursue the by-law.

11 OFFICER'S COMMENTS/CONCLUSION

As detailed above, the preparation of a by-law is not a simple process.

In considering the need for a by-law, Council should have regard to the frequent comments made by local committees, expressing their concerns in regard to the visual impact of many shipping containers and their inappropriate and highly visible locations, often within, or close to, heritage precincts.

Added to this is consideration of recent regulatory changes:

- The introduction of PD4 requiring many residential developments to be permitted, often without permit, means that in many cases an outbuilding – which could be a shipping container – must be viewed as part of the residential development and be likewise permitted, subject only to some very basic provisions.
- Changes to the Building Act 2000, increasing the size of exempt outbuildings to 18m² has made many shipping containers exempt from the need for building approval.

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The effect of these changes is that, in many cases, Council has no opportunity to guide the placement of such shipping containers to protect streetscapes and the visual amenity for neighbours and visitors to the area. Given that Council will be unable to alter the mandatory State Planning Provisions, the only practical solution available is likely to be the introduction of a by-law.

It is noted above that a by-law cannot conflict with the planning scheme and it is not proposed that such a by-law would conflict. Rather, for example, it would not seek to prohibit outbuildings, however it would provide some guidance as to where the use of shipping containers for those outbuildings would be appropriate.

It is proposed that a draft by-law be prepared for Council's consideration that would:

- Regulate the use of shipping containers throughout the Northern Midlands other than:
 - ◆ Containers in transit;
 - ◆ Containers held in transport and distribution depots; or
 - ◆ Containers located wholly within a building;
- Require the issue of a licence for all containers located on private or public property;
- Distinguish between temporary and permanent containers;
- Require licences to be renewed annually;
- Provide for applications to be on a prescribed form;
- Set appropriate application and renewal fees;
- Require registration of all shipping containers existing on private or public land at the time the by-law comes into effect – such registration and annual renewal to be exempt of fees. [The ability to do this without becoming retrospective will need confirmation];
- Provide for the display of an annual registration sticker;
- Provide for licence conditions to specify location, colour, markings and landscaping or other means of minimising potential visual impact;
- Provide the ability to refuse the issue of a licence based on visual impact on the streetscape or surrounding amenity;
- Provide certainty that containers not visible from public streets will be granted a licence;
- Establish penalties for non-compliance with the provisions of the by-law or any licence condition.

12 ATTACHMENTS

12.1 Making By-Laws, Good Practice Guidelines.

RECOMMENDATION 1

That the item be discussed.

RECOMMENDATION 2

- A. That officers prepare a draft by law for Council consideration to:
- Regulate the use of shipping containers throughout the Northern Midlands other than:
 - ◆ Containers in transit;
 - ◆ Containers held in transport and distribution depots; or
 - ◆ Containers located wholly within a building;

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- Require the issue of a licence for all containers located on private or public property;
- Distinguish between temporary and permanent containers;
- Require licences to be renewed annually;
- Provide for applications to be on a prescribed form;
- Set appropriate application and renewal fees;
- Require registration of all shipping containers existing on private or public land at the time the by-law comes into effect – such registration and annual renewal to be exempt of fees. [The ability to do this without becoming retrospective will need confirmation];
- Provide for the display of an annual registration sticker;
- Provide for licence conditions to specify location, colour, markings and landscaping or other means of minimising potential visual impact;
- Provide the ability to refuse the issue of a licence based on visual impact on the streetscape or surrounding amenity;
- Provide certainty that containers not visible from public streets will be granted a licence;
- Establish penalties for non-compliance with the provisions of the by-law or any licence condition.

And

B That officers prepare a draft Regulatory Impact Statement applicable to the draft by-law.

DECISION

Cr

Cr

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P&D 2 REVIEW OF DOG MANAGEMENT POLICY

Attachments: Section 1 – Page 161

Responsible Officer: Duncan Payton, Planning & Development Manager

Report prepared by: Duncan Payton, Planning & Development Manager & Tammi Axton, Animal Control Officer

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with information regarding a proposed review of Northern Midlands Council Policy Dog Management Policy

2 INTRODUCTION/BACKGROUND

Section 7 of the *Dog Control Act 2000* requires Council to develop and implement a policy relating to dog management in its municipal area. Further, Council is required to review its dog management policy at least once every five years.

In reviewing the policy, the Act requires Council to:

- invite public submissions;
- consult with any appropriate body or organisation; and
- consider any submissions and results of any consultation.

The Dog Management Policy was last amended/reviewed on 15 December 2010 – Min Ref 351/10.

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: 1.2 – Human Resource Management, and 1.6 – Risk Management.

4 POLICY IMPLICATIONS

This report recommends additions to the existing Dog Management Policy.

5 STATUTORY REQUIREMENTS

Council is required pursuant to the *Dog Control Act 2000* to have a dog management policy and to review it at least once every five years.

6 FINANCIAL IMPLICATIONS

The review of the Dog Management Policy will incur advertising costs in the call for public submissions and allocation of staff resources for consultation and consideration of any submissions. Additional budgetary allocation is not anticipated.

The proposed changes to the notification requirements associated with Kennel Licence applications will result in savings to Council in the order of around two hundred dollars per application.

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7 RISK ISSUES

The proposed amendments to Policy 30 seek to provide clarity, particularly with regard to declared off-lead areas, and to provide consistency in dealings with dogs at large and dog attacks.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

The Act requires an opportunity for community comment as part of the review process following the adoption by Council.

10 OPTIONS FOR COUNCIL TO CONSIDER

There are two options for Council to consider:

- Endorse the proposed changes to the Dog Management Policy for public exhibition as part of the review; or
- Require further or other alteration prior to exhibition.

11 OFFICER'S COMMENTS/CONCLUSION

The existing Dog Management Policy is considered to be generally satisfactory, albeit somewhat lacking in clarity and detail. The proposed changes are intended to provide more detail regarding objectives and declared off-lead areas and greater clarity and certainty in dealings with dog attacks that may warrant the declaration of a dog as dangerous.

The proposed changes seek to highlight the duty of owners to ensure dogs are under appropriate control and where a failure to ensure this results in an incident, an investigation will be conducted by the Animal Control Officer and a report and recommendations presented to the General Manager.

Additionally, it is proposed to remove the extra kennel licence notification obligation imposed in the 2007 review. Notification of kennel licence applications is specified in the legislation, which requires an applicant to advertise the licence application, number of dogs and proposed breed(s) the newspaper. In 2007, Council expanded this to impose an obligation on Council to write to all residents and owners within two hundred metres of the proposed kennel to advise of the application. (This equates to approximately two hours of the Animal Control Officer's time plus postage. In the last year there have been nine new applications.) Council has previously been advised by its solicitor, Mr McElwaine, not to vary from the provisions stipulated in the legislation – whilst that advice related to planning applications, its applicability here is clear.

12 ATTACHMENTS

- 12.1 Dog Management Policy with proposed deletions shown as ~~strikethrough~~ and proposed additions shown as **highlight**.
- 12.2 Information pamphlet.

RECOMMENDATION 1

That Council discuss this matter.

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RECOMMENDATION 2

That Council endorse the proposed changes to the Dog Management Policy 30, as highlighted in the attached document, for public exhibition in accordance with s.7 of the *Dog Control Act 2000*.

DECISION

Cr

That the

Cr

That the

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PUBLIC QUESTIONS & STATEMENTS

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* relates to the provision of Public Question Time during a Council meeting. Regulation 31(7) of the Regulations stipulates that “a Council is to determine any other procedures to be followed in respect of public question time at an ordinary council meeting.”

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

- At each Council Meeting up to 20 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.
- A person seeking to ask a question must firstly identify himself or herself by stating their name and the town they reside in.
- If more than one person wishes to ask a question, the Mayor is to determine the order in which those questions are asked
- Questions must be directed to the Mayor who shall answer or direct the question to the appropriate Councillor or Council Officer. A question will be answered if the information is known otherwise taken on notice and responded to in writing within 10 working days. Questions should preferably be in writing and provided to the General Manager 7 days prior to the Council Meeting.
- A person is entitled to ask no more than 2 questions on any specific subject. If a person has up to two questions on several subjects, the Mayor may defer those questions until other questions have been asked and refer back to that person only if time permits.
- Each speaker is limited to a maximum of 3 minutes.

1 PUBLIC QUESTIONS

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COUNCIL ACTING AS A PLANNING AUTHORITY

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

DECISION

Cr

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda item PLAN 1 - 4.

2 STATEMENTS

PLAN 1	P16-018 : 7-21 Paton Street, LONGFORD
PLAN 2	P16-065 : 1 Edward Street, PERTH
PLAN 3	P16-068 : 530 White Hills Road, EVANDALE
PLAN 4	P16-087 : Victoria Square, 53 Wellington Street, LONGFORD

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PLAN 1 PLANNING APPLICATION P16-018 7-21 PATON STREET, LONGFORD

Attachments: Section 1 – Page 170

Responsible Officer: Duncan Payton, Planning & Development Manager
Report prepared by: Melissa Cunningham, Planner
File Number: 111300.08; s27/003/745 CT16822/1,220850/1,140396/1

1 INTRODUCTION

This report assesses an application for a 23-lot subdivision in 3 stages & cul de sac (from 3 lots) (Bushfire prone area & attenuation distance) at 7-21 Paton Street, Longford.

2 BACKGROUND

Applicant: PDA Surveyors (obo Structured Finance Corp P/L)	Owner: Structured Finance Corp P/L
Zone: General Residential	Special Areas: Bushfire Hazard Code Potentially Contaminated Land Code Road and Railway Assets Code Environmental Impacts & Attenuation Code
Classification under the Scheme: Subdivision	Existing Use: Vacant lot (ex-sawmill)
Deemed Approval Date: 01.07.2016	Recommendation: Approve

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.
- Partly within attenuation area (Environmental Impacts & Attenuation code)
- Variation to clauses 10.4.4.5-10.4.4.7 for creation of road and footpath in General Residential zone.
- Creation of new junction generating more than 40 vehicle entry and exit movements per day.

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013*

Preliminary Discussion

Prior to the application becoming valid / being placed on public exhibition, further information was requested from the applicant – copies of outgoing correspondence attached.

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.

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4 ASSESSMENT

4.1 Proposal

It is proposed to:

- subdivide the land into 23 lots and cul de sac in 3 stages (from the existing 3 lots)

Figure 1 – Subdivision Plan



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The land is zoned *General Residential*, and is in a bushfire-prone area and partly within the Attenuation Distance of the Longford Abattoirs.

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>
--------------------	--

Extract from Planning Scheme

Part C Special Provisions

9.3 Adjustment of a Boundary (Not applicable)

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 in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on 16 June 2016. The subject site is located on the western side of Longford at 7-21 Paton Street, Longford (CT 16822/1,220850/1,140396/1). The titles have an area of 2.66Ha, with the majority of the lot contained of the title in CT 16822/1 (2.627ha). The property has 113m of road frontage to Paton Street, which is a no-through road. There is a hawthorn hedge approximately 20m long on the eastern side of the road frontage, and half a dozen gum and wattle trees towards the western frontage.

The site is currently vacant. To the west of the site is Council's 1.382Ha detention basin, flood levee wall, Back Creek and agricultural land. Land to the north, east and south is mainly developed residential land. The lot is relatively flat on the eastern half and on the western half, slopes towards the west.

Aerial photograph of area



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OZAerial 2013 Photograph



Photographs of subject site



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4.4 Permit/site history

Relevant permit history includes:

- November 2011 – Advice that property contains a declared weed, Patterson’s Curse
- P11-317 - Construction of detention basin; & 2-lot subdivision to facilitate detention basin
- P09-065 - R1-7/09: Rezone - Rural General to Residential Serviced
- P04-279 - Rezoning Application 43A - Amendment 05/04 Paton Street Sawmill Site (Residential Development) (Withdrawn)
- The site was previously used for sawmilling from c.1935-c.2005.

Planning permit P11-317: Construction of detention basin; & 2-lot subdivision included the filling of the current proposed subdivision lot) to RL 138 level, which allows some of the proposed western lots to be filled.

4.5 Representations

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

- D Alty, 19 Pakenham Street, Longford & member of the LLDC
- S & K Gray, 58 Malcombe St, Longford
- D Chugg, 56 Malcombe St, Longford

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was written, Planning Scheme provisions have changed and the application now meets the acceptable solutions for bushfire requirements.

Issue 3

- Traffic report

Planner's comment:

One representor was concerned with the increase in traffic flows to and from Paton Street and Burghley Street, which has a school further up the road. Traffic Engineer, Terry Eaton has concluded that Paton Street is a local residential street, which currently has an estimated 70 to 90 vehicle movements per day. The proposed subdivision is expected to generate an additional 230 vehicle movements per day. The development indicates compliance with the requirements of the Road and Railway Assets Code, provided that all road infrastructure is installed to Council's standard and guidelines. Council's Works & Infrastructure Department have required a bond to be paid for the construction of Paton Street, including the footpath, kerb and channel, and hotmix seal.

Issue 4

- TasWater

Planner's comment:

One representor raised the issue of availability of water and sewage. TasWater issued a *Submission to Planning Authority Notice*, dated 27/04/2016 for approval to connect into TasWater's water and sewage assets. TasWater imposed a number of conditions to be placed upon the permit. The application is considered to meet the acceptable solutions of clause 10.4.2.15.2 A1 for connection to reticulated water supply and reticulated sewage system.

Council's Works & Infrastructure Department reported that the site can be connected into Council's existing stormwater system and a number of conditions are required to be place upon the permit. Application is considered to meet the acceptable solutions of clause 10.4.2.15.2 A2 for connection to a reticulated stormwater system.

The application meets all the Planning Scheme acceptable solutions for provision of services; therefore, Council cannot refuse the application on provision of services, it may only place conditions on the permit.

Issue 5

- Contamination report

Planner's comment:

One representor was concerned over the previous use of the site as a sawmill and that there would have been substantial chemical and natural leaching, also the issues of dwellings being so close together would not allow natural cleaning process to work. The site went through an amendment process in 2009 to rezone the site from Rural General to Residential Serviced. Part of this process was to ensure that the site was safe for residential use. The Environmental Protection Authority signed off on the property, which allowed the property to be considered for rezoning. As part of this rezoning, there were three recommendations to manage the site: restrictions on domestic ground-water use, any buried refuse to be disposed of off-site and future excavations to be inspected and, if any suspect materials/smells identified, advice to be sought from a qualified environmental scientist.

These conditions are included in Coffey Environments Australia Pty Ltd's 'Construction Environmental Management Plan' (CEMP) for the site, dated 12 April 2016. The CEMP's

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objective is to facilitate a standard set of guidelines for implementation in relation to: groundwater, measures to minimise hazards and impacts during site excavation works, procedures to follow during excavation, construction or maintenance works, information for off-site disposal of buried refuse and potentially-contaminated soils. A condition of the permit should be that the CEMP forms part of a Part V Agreement on all new titles issued, to alert potential purchasers of the lots of their responsibilities of potentially contaminated site.

As the property has been signed-off by the EPA, the application meets all the acceptable solutions of the Potentially Contaminated Land Code and Council cannot refuse the application on these grounds.

Issue 6

- Future units on larger lots (8 – 11)

Planner's comment:

Such a proposal will require planning approval and will have to be assessed against the provisions of the Planning Scheme at that time. The application meets the requirements for lot sizes and servicing with the residential zone; therefore, there are no provisions to restrict the construction of multiple dwellings on any of the lots.

4.6 Referrals

The only referrals required were as follows:

Council's Works & Infrastructure Department

Precis: Council's Works & Infrastructure Department (Jonathan Galbraith) reported that the subdivision could be adequately serviced, and their recommended conditions are included in the conditions of approval.

TasWater

Precis: The application was referred to Taswater on 18.4.16, and a Submission to Planning Authority Notice was issued on 27.4.16 (Taswater Ref: TWDA 2016/00481-NMC).

Natural Resource Management Facilitator

Precis: Natural Resource Management Facilitator, Monique Case, confirmed verbally that the Patterson's Curse infestation had been dealt with and ongoing monitor of the site has been undertaken.

Local District Committee

Precis: At the time of writing this report, no comment had been received.

Councils Environmental Health Officer

Precis: Council's Environmental Health Officer, Chris Wicks, commented that, in his opinion, any developments at the site should be subject to diligent adherence to the recommendations in the Coffey report.

4.7 Planning Scheme Assessment

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

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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.

DEVELOPMENT STANDARDS FOR SUBDIVISIONS IN GENERAL RESIDENTIAL ZONE
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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: 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.	P1 Each lot for residential use must provide sufficient useable area and dimensions to allow for: a) a dwelling to be erected in a convenient and hazard free location; and b) on-site parking and manoeuvrability; and c) adequate private open space.
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: Application complies with Acceptable Solutions. Proposed lots range from 779m² to 1578m², with the majority of lots over 900m².

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 the Acceptable Solutions. The application was referred to TasWater regarding water and sewer infrastructure. Their certificate of consent is included as Attachment B to this report and will be included as an attachment if a permit is issued. The application was referred internally to the Council's Works & Infrastructure Department, who advised that the subdivision can be serviced by Council infrastructure.

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10.4.4.3 Solar Orientation of Lots

Objective: To provide for solar orientation of lots and solar access for future dwellings.

Acceptable Solutions	Performance Criteria
A1 At least 50% of lots must have a long axis within the range of: 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 500m², must be within 30 degrees east and 20 degrees west of north.	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. P2 Lots less than 500 m² 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. All lots have adequate solar access.

10.4.4.5 Integrated Urban Landscape

Objective: To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:

- a) character and identity of new neighbourhoods and urban places; or
- b) to existing or preferred neighbourhood character, if any.

Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road, public open space or other reserves.	P1 For subdivision that creates roads, public open space or other reserves, the design must demonstrate that: 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: Complies with Performance Criteria.

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: Complies with Performance Criteria.

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The 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: Complies with Performance Criteria.

The application meets the acceptable standards, except for:

- 10.4.4.5: Integrated Urban Landscape
- 10.4.4.6: Walking and Cycling Network
- 10.4.4.7: Neighbourhood Road Network

The creation of a new *cul-de-sac* does not impact on the road hierarchy, it connects into the existing road network and will provide a footpath within the *cul-de-sac* and in Paton Street. The creation of the four lots along Paton Street will increase surveillance along Paton Street. The site is within easy walking distance of the town centre, public facilities, public transport stops and public open space. Service and emergency vehicles will be able to safely turn at the end of the *cul-de-sac*. As part of the development, to enhance the streetscape, Council will require a contribution of \$250 per lot to be provided for nature-strip trees. These trees will help soften the development and tie it in with other similar subdivision developments within the municipal area. The development will enhance the visual amenity and attractiveness of the urban environment by developing the site from an unattractive piece of disused land into residential development.

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	Complies
E2.0 POTENTIALLY CONTAMINATED LAND	Complies
E3.0 LANDSLIP CODE	N/A
E4.0 ROAD AND RAILWAY ASSETS CODE	Complies
E5.0 FLOOD PRONE AREAS CODE	N/A
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	N/A
E7.0 SCENIC MANAGEMENT CODE	N/A
E8.0 BIODIVERSITY CODE	N/A
E9.0 WATER QUALITY CODE	N/A
E10.0 RECREATION AND OPEN SPACE CODE	Complies

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E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	Complies
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

E1.0 BUSHFIRE-PRONE AREAS CODE

A bushfire report was submitted by the applicant from Scott Livingston of AK Consultants. Mr Livingston is accredited to *Certify a Bushfire Hazard Management Plan meets the Acceptable Solutions for large subdivisions (minimum of 10 lots or multiple stages) (Clause E1.6.1 of the Bushfire-Prone Areas Code)*. Mr Livingston's report showed that only parts of the western lots 10-13, 16, 19 & 20 were considered to have a BAL-Low rating and the only requirement for these lots were that all accesses to these lots were constructed to a Class 4C Standard. Mr Livingston's report, dated 02 February 2016, was written prior to the Draft Interim Planning Directive No. 1 Bushfire-Prone Areas Code. The Interim Planning Directive was issued by the Minister for Planning under s.12A (2) of the *Land Use Planning and Approvals Act 1993* and came into effect on 23 February 2016.

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.

E1.6.1.1 Subdivision: Provision of hazard management areas

Objective: Subdivision provides 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 area; and - provide protection for lots at any stage of a staged subdivision.	
Acceptable solutions	Performance criteria
A1. (a) TFS or an accredited person certifies 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; ii) shows the building area for each lot; iii) 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 <i>AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas</i>; and iv) is accompanied by a bushfire hazard management plan for each individual lot, certified by the TFS or accredited person, showing hazard management areas greater than the separation distances required for BAL 19 in Table 2.4.4 of <i>AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas</i>; and v) 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 shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area taking into consideration: a) the dimensions of hazard management areas; b) a bushfire risk assessment of each lot at any stage of staged subdivision; c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; d) the topography, including site slope; e) any other potential forms of fuel and ignition sources; f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development; and g) any advice from the TFS.

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Comment: Application complies with A1.

E1.6.1.2 Subdivision: Public and fire fighting access

Objective: Access roads to, and the layout of roads, tracks and trails, in a subdivision: - allow safe access and egress for residents, firefighters and emergency service personnel; - provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken; - are designed and constructed to allow for fire appliances to be manoeuvred; - provide access to water supplies for fire appliances; and - are designed to allow connectivity, and where needed, offering multiple evacuation points.	
Acceptable solutions	Performance criteria
A1. (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the 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 property access to building areas, and which complies to the extent necessary with Tables E3, E4 & E5, is included in a bushfire hazard management plan certified by the TFS or accredited person.	P1. A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires having regard to: (a) appropriate design measures, including: i) two way traffic; ii) all weather surfaces; iii) height and width of any vegetation clearances; iv) load capacity; v) provision of passing bays; vi) traffic control devices; vii) geometry, alignment and slope of roads, tracks and trails; viii) use of through roads to provide for connectivity; ix) limits on the length of cul-de-sacs and dead-end roads; x) provision of turning areas; xi) provision for parking areas; xii) perimeter access; and xiii) fire trails; and (b) the provision of access to i) bushfire-prone vegetation to permit the undertaking of hazard management works; and ii) fire fighting water supplies; and (b) any advice from the TFS.

Comment: The application complies with acceptable solution A1 (b). The proposed subdivision complies to the extent necessary with Tables E3, E4 & E5. A certified bushfire hazard management plan has been submitted with the application.

Table E3: Standards for Roads require that dead-end or *cul-de-sac* over 200m in length have a carriageway that is 7 metres in width, and turning circle with a minimum 12 metres outer radius. The proposed subdivision has a carriageway width of 8m and an outer radius of approximately 10 metres, a condition on the permit is required for the outer radius of the turning head to be increased to 12 metres.

Table 3: Standards for Roads

Unless the development standards in the zone require a higher standard, the following apply:

- Two-wheel drive, all-weather construction;
- Load capacity of at least 20 tonnes, including for bridges and culverts;

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- Minimum carriageway width is 7 metres for a through road, or 5.5 metres for a dead-end or cul-de-sac road;
- Minimum vertical clearance of 4 metres;
- Minimum horizontal clearance of 2 metres from the edge of the carriageway;
- Cross falls of less than 3 degrees (1:20 or 5%);
- Maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads;
- Curves have a minimum inner radius of 10 metres;
- Dead-end or cul-de-sac roads are not more than 200 metres in length unless the carriageway is 7 metres in width;
- Dead-end or cul-de-sac roads have a turning circle with a minimum 12 metres outer radius; and
- Carriageways less than 7 metres wide have 'No Parking' zones on one side, indicated by a road sign that complies with *AS1743-2001 Road signs - Specifications*.

Table 4: Standards for Property Access has no requirements for accesses under 30 metres. Accesses of 30 metres or greater (which applies to lots 16 and 19) requires the access to be designed and constructed as per Column 2 requirements. A condition of the permit shall be the access to lots 16 and 19 is designed and constructed to these conditions, prior to the final plan sealed.

Table 4: Standards for Property Access

Column 1		Column 2
Element		Requirement
A.	Property access length is less than 30 metres; or access is not required for a fire appliance to access a water connection point.	There are no specified design and construction requirements.
B.	Property access length is 30 metres or greater; or access for a fire appliance to a water connection point.	The following design and construction requirements apply to property access: • All-weather construction; • Load capacity of at least 20 tonnes, including for bridges and culverts; • Minimum carriageway width of 4 metres; • Minimum vertical clearance of 4 metres; • Minimum horizontal clearance of 0.5 metres from the edge of the carriageway; • Cross falls of less than 3 degrees (1:20 or 5%); • Dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; • Curves with a minimum inner radius of 10 metres; • Maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and • Terminate with a turning area for fire appliances provided by one of the following: a) A turning circle with a minimum inner radius of 10 metres; or b) A property access encircling the building; or c) A hammerhead "T" or "Y" turning head 4 metres wide and 8 metres long.
C.	Property access length is 200 metres or greater.	The following design and construction requirements apply to property access: • The Requirements for B above; and • Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.

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D. Property access length is greater than 30 metres, and access is provided to 3 or more properties.	The following design and construction requirements apply to property access: - Complies with Requirements for B above; and - Passing bays of 2 metres additional carriageway width and 20 metres length must be provided every 100 metres.
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Table E5: Standards for Fire Trails is not applicable as no fire trails proposed.

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

Objective: 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.

Acceptable solutions	Performance criteria
A1. In areas serviced with reticulated water by the water corporation: (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes; or (b) 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 to manage the risks to property and lives in the event of a bushfire; or (c) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E6.	P1. No performance criteria
A2. In areas that are not serviced by reticulated water by the water corporation: (a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes; or (b) 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 to manage the risks to property and lives in the event of a bushfire; or (c) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E7.	P1. No performance criteria

Comment: Application complies with A1 – reticulated water supply.

E2 Potentially Contaminated Land Code

E2.5 Use Standards

E2.5.1 Use of Potentially Contaminated Land

Objective: To ensure that the use of contaminated land does not adversely impact on human health.	
Acceptable Solutions	Performance Criteria
A1.1 Use must not be located on potentially contaminated land; or A1.2 Use of potentially contaminated land must be accompanied by sign off of the Environment Protection Authority pursuant to EPA Bulletin 112, that the land: a) is not contaminated; or	P1 Use of potentially contaminated land must demonstrate that human health and safety and the environment are not at risk as a result of the use through: a) a site investigation report by a person who meets the competencies established under Schedule B (10) of the National Environment Protection (Assessment of Site Contamination) Measure 1999; and b) where the site investigation report indicates the presence of contaminants that require management a:

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b) has been remediated appropriate to the use.	i) contaminant management plan; and ii) remediation action plan; by a person who meets the competencies established under Schedule B (10) of the National Environment Protection (Assessment of Site Contamination) Measure 1999; and e) completion of the decontamination process prior to the commencement of the use.
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Comment: Not applicable. The application is for s subdivision that is not a use. The rezoning was the trigger to allow the sensitive use to be undertaken at the property.

E2.6 Development Standards

E2.6.1 Development of Potentially Contaminated Land

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

Comment: The property was rezoned in May 2012 as part of the planning scheme review P09-065 - R1-7/09: *Rezone - Rural General to Residential Serviced*. This lot, and lots to the south and north, were rezoned due to the completion of the levee bank and the removal of the flood overlay from the properties. The process for the rezoning started in 2009, but, as the property had not had EPA sign off, it took until 2012 for the rezoning to be completed. As the property has been signed off by the Environment Protection Authority, it is deemed to comply with the acceptable solution and cannot be refused on potentially-contaminated-land issues; however, Council can, and should, place conditions on the permit to ensure that any future development or use of the land is accordance with the Construction Environmental Management Plan provided by Coffey Environments Australia Pty Ltd dated 12 April 2016. Council's Environmental Health Officer, Chris Wicks, reviewed the CEMP and advised that any development at the site should be subject to diligent adherence to the recommendations in the Coffey report.

Table E2.1 Potentially Contaminating Activities

- Sawmills and joinery works

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E4

ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards - NA

E4.7 Development Standards

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

E4.7.2 Management of Road Accesses and Junctions

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

Acceptable Solutions	Performance Criteria
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	P2 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.

Comment: Traffic assessment has been provided and shows compliance with P1. Conditions required to be placed upon permit to ensure development is in accordance with Council standards.

E4.7.3 Management of Rail Level Crossings - NA

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

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

Acceptable Solutions	Performance Criteria
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.

Comment: Development complies with the acceptable solution.

E10

RECREATION AND OPEN SPACE CODE

E10.6.1 Provision of Public Open Space

Objective:

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- a) To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity and health of the community; and
- b) To ensure that the design of public open space delivers environments of a high quality and safety for a range of users, together with appropriate maintenance obligations for the short, medium and long term.

Acceptable Solutions	Performance Criteria
A1 The application must: 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.	P1 Provision of public open space, unless in accordance with Table E10.1, must: 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 to the existing or desired future character statements, if any.

Comment: General Manager has consented to a cash payment in lieu of land instead of public open space.

E11

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

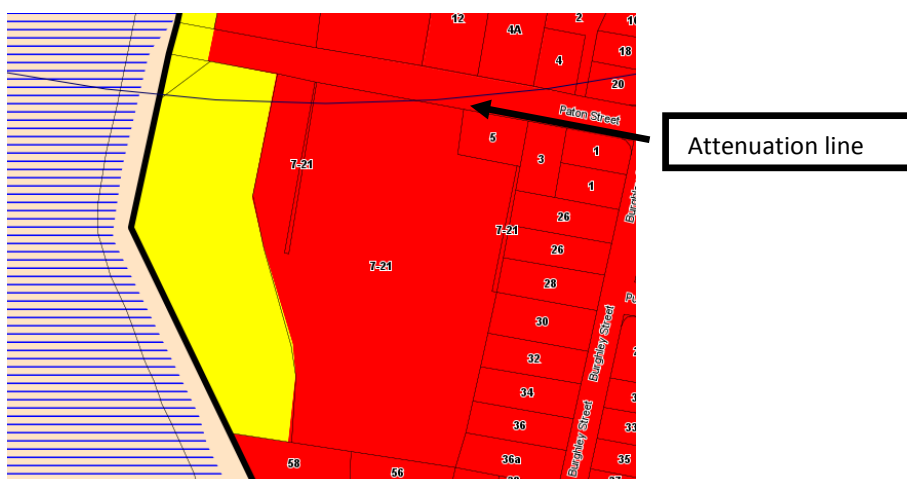
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	d) the measures within the proposal to mitigate impacts of the emitting activity to the sensitive use.
A2 Uses listed in Tables E11.1 and E11.2 must be set back from any existing sensitive use, or a boundary to the General Residential, Low Density 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 <i>National Health and Medical Research Council Guidelines</i>.

Comment: As the northern most part of the property is within the 1000m attenuation area of Longford Meatworks, the applicant provided a submission regarding the encroachment. As the property is only marginally within the attenuation area, and there is a substantial proportion of the Longford township between the property and the meatworks, it is unlikely that there will be any noise or odour issues at the site and no measures are required. The applicant's submission is supported: it is nearly a kilometre between the edge of the abattoir and the subject site, the rendering plant is over 1000 metres from the site and it is not within main wind direction of the abattoir site. The development is not detrimental to the use of the abattoir and is deemed to meet the performance criteria requirements.



E11.7 Development Standards - Not used in this Scheme.

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	Discretionary

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

STATE POLICIES
The proposal is consistent with all State Policies.

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OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993

The proposal is consistent with the objectives of the *Land Use Planning & Approvals Act 1993*.

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan 2007-2017

- *The proposal is consistent with the strategic plan*

5 SERVICES

Sewer & Water

The application was referred to TasWater regarding water and sewer infrastructure. Their certificate of consent is included as Attachment B to this report and will be included as an attachment if a permit is issued.

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.

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8 DISCUSSION

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

Discretion to refuse the application is limited to:

- Pursuant to clause 9.5.1, the planning authority has the discretion to approve or refuse an application for subdivision.
- Likely impacts from attenuation area
- Creation of road and footpath in General Residential zone.
- Creation of new junction generating more than 40 vehicle entry and exit movements per day.

The proposal is unlikely to be impacted by the attenuation distance from the abattoir.

The proposed road layout is considered to suitably provide for connection to open space and the town centre by use of the current and proposed footpath in Paton Street, Burghley Street and adjoining street network.

The new road junction is acceptable as it provides for adequate sight distances, and Paton Street is able to accommodate the additional traffic generated by this subdivision. Council will take a bond for the future construction of Paton Street; this includes footpath, kerb and channel, and hotmix seal. Taking a bond for future roadworks is common where Council proposes to complete roadworks within the street. Council has previously done this for subdivision developments in Burghley Street and Malcombe Street, Longford and Cromwell Street, Perth.

Contamination

The site was signed off by the Environment Protection Authority as part of the rezoning application in 2012. Coffey Environments P/L have provided a Construction Environmental Management Plan for the site and, as a condition of approval, this report shall be attached to each lot created via a Part V Agreement.

Land filling

As Council's records indicate that the site has been previously filled, and there are a number of holes on the lot that will require filling, prior to the sealing of any stage, certification must be provided to Council to show that the site has been filled and compacted in accordance with Australian Standards, and certification provided that works are in accordance with Australian Standard AS3798-2007 - Guidelines on Earthworks for Commercial and Residential Development. This certification must include certified test results by a NATA accredited facility.

Weeds

David Lane, DPIPWE Weed Management Officer, advised Council in November 2011 of Patterson's Curse on the site. The weeds have been sprayed. As recommended by Natural Resource Management Facilitator, any soil removed from the site shall be managed in accordance with the *Weed Management Act 1999* to prevent the spread of the weed 'Patterson's Curse'.

9 CONCLUSION

The proposal complies with the Scheme provisions and it is recommended that the application be approved with the conditions below.

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10 ATTACHMENTS

- A Application & plans, correspondence with applicant
- B Responses from referral agencies
 - TasWater
 - NMC Works & Infrastructure Department
- C Representations & applicant's response
- D Tasmanian Planning Commission Amendment Series R1-7/09 – Rezoning Rural General to Residential Serviced & Environment Protection Authority sign-off letter dated 4.4.12

RECOMMENDATION

That land at 7-21 Paton Street, Longford be approved to be developed and used for a 23-lot subdivision in 3 stages & cul de sac (from 3 lots), in accordance with application P16-018, 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: 27715-P03 Dated: 17.12.15*), **D1** (*Environmental Management Plan dated 12.4.16*), **D2** (*Traffic Assessment dated December 2015*), and **D3** (*Bushfire Hazard Management Report dated 2.2.16*).

2 COUNCIL'S WORKS & INFRASTRUCTURE DEPARTMENT CONDITIONS

2.1 Stormwater

- 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.
- All stormwater on the site shall be connected to the existing main on the northern side of Paton Street.
- 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.
- Calculations shall be provided to demonstrate that the system is of sufficient capacity to drain the road and all lots to be created.

2.2 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.

2.3 Roadworks

- A bond of \$58,470 shall be paid for the future construction of Paton St, including footpath, kerb and channel and hotmix seal.
- Kerb and channel and hotmix sealed road and a 1.8m wide concrete footpath shall be constructed to service all lots in the cul de sac.
- An engineering design of the road footpath and drainage system including pavement long sections and cross sections is to be approved by Council before the commencement of works on site

2.4 Filling of land

- All land shall be appropriately filled to prevent ponding of surface water taking into account the level of existing detention basin.
- Fill levels shall be shown on design plan for approval by Council.

2.5 As constructed information

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

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2.6 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.

2.7 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.

2.8 Hydraulic separation

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

2.9 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.

2.10 Pollutants

- The developer/property owner shall be responsible for ensuring pollutants such as mud, silt or chemicals are not released from the site.
- Prior to the commencement of the development works the developer/property owner must install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. 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.

2.11 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.

2.12 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.

3 FILLED LAND SUITABLE FOR RESIDENTIAL DEVELOPMENT

- Before the final plan of any stage is sealed, the holes on Lots 1, 2, 3/4, 17/18, 21/22 and 23 must be filled in and the land reinstated to surrounding ground levels, in accordance with Australian Standard AS3798-2007 - Guidelines on earthworks for commercial and residential development.
- Before the final plan of any stage is sealed, certification of the fill quality of the site, including certified test results by a NATA accredited facility, must be provided to Council.
- Filling must comprise only uncontaminated excavated natural material.

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4 NAME OF NEW ROAD

- Before the final plan of stage two is sealed, Council must be supplied with a preferred name for the road created by the subdivision, including background information on why that name has been chosen, as well as a second preference if the first is not accepted by Council.
- Before the final plan of stage two is sealed, the developer must install new street signage where required, including any required regulatory signage.

5 TRANSFER OF ROAD RESERVATION

The title for road reservation shown on the final plan must be transferred to Council prior to takeover of the roadworks by Council.

6 STREET LIGHTING

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

7 WEED MANAGEMENT

Any soil removed from the site shall be managed in accordance with the *Weed Management Act 1999* to prevent the spread of the weed 'Patterson's Curse'.

8 PUBLIC OPEN SPACE CONTRIBUTION

A cash contribution must be paid in lieu of land for public open space in accordance with Council policy, currently:

- \$1,200 per new lot; or
- The applicant may obtain a valuation not less than one month old by a registered land valuer, of the subject land, less one of the proposed lots. The Public Open Space Rate shall total 5% of that value.

9 LANDSCAPING CONTRIBUTION

A contribution of \$250 per lot must be provided for provision of nature-strip trees.

10 ELECTRICITY AND TELEPHONE

Underground electricity and telephone services are to be connected to each lot.

11 NATIONAL BROADBAND NETWORK

The applicant shall liaise with the National Broadband Network provider and allow the installation of conduit to each lot in the subdivision. Written confirmation of the outcome of discussions shall be provided to Council.

12 RETICULATED NATURAL GAS

The applicant shall liaise with the reticulated gas provider and allow the installation of conduit to each lot in the subdivision. Written confirmation of the outcome of discussions shall be provided to Council.

13 TASWATER CONDITIONS

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2016/00481-NMC).

14 FIRE HYDRANTS

Fire hydrants must be designed and constructed in accordance with TasWater Supplement to Water Supply Code of Australia WSA 03-2011-3.1 MRWA Edition 2.0.

15 AGREEMENT UNDER PART 5 OF THE LAND USE PLANNING APPROVAL ACT 1993

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

- The owners of all lots recognise that the lots were previously the site of a sawmill and that all lots may contain potentially contaminated substances.
- The owners of the site are responsible for the compliance of the Construction Environment Management Plan, prepared by Coffey Environments Australia Pty Ltd dated 12 April 2016.

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This agreement shall be prepared by the applicant and forwarded to the Council (with a cheque for the Recorder of Titles for the fee for the registration of the Agreement) and shall be forwarded to the Land Titles Office with the final plan of survey.

16 TIME FOR STARTING AND COMPLETING A SUBDIVISION

This permit will expire if one of the following circumstances applies:

- the subdivision is not substantially commenced within two (2) years of the date of this permit;
- stage one titles are not issued within four (4) years of the date of this permit;
- stage two titles are not issued within four (2) years of the date of stage one titles;
- the subdivision is not completed (final plan lodged with Council) within eight (8) years of the date of this permit.

The Planning Authority may extend the periods referred to if a request to amendment planning permit is made before the permit expires.

17 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 2 PLANNING APPLICATION P16-065 1 EDWARD STREET, PERTH

Attachments: Section 1 – Page 254

Responsible Officer: Duncan Payton, Planning & Development Manager
Report prepared by: Paul Godier, Senior Planner
File Number: P16-065

1 INTRODUCTION

This report assesses an application for an 18-lot subdivision, filling of lots 1-15 & 201, and removal of 34 trees, at 1 Edward Street, Perth.

2 BACKGROUND

Applicant:
Woolcott Surveys

Owner:
Holliejett Investments Pty Ltd

Zone:
General Residential

Codes:
Road & Railway Assets Code;
Flood Prone Areas Code.

Classification under the Scheme:
Subdivision

Existing Use:
Vacant

Deemed Approval Date:
Extension of time granted until July 1st 2016

Recommendation:
That the application be refused due to lack of connection to Cromwell Street

Discretionary Aspects of the Application

- Subdivision is discretionary;
- Development of a subdivision within 50m of a railway;
- Creation of a new road and footpath in the General Residential zone;
- Creation of a new junction generating more than 40 vehicle entry and exit movements per day;
- Subdivision of land potentially subject to flooding at a 1% annual exceedance probability.

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013*

Preliminary Discussions

Prior to lodging the application, the applicant held discussions with Council officers regarding flooding issues. On receipt of the application, Council officers held discussions with the applicant regarding public open space and drainage reserves.

Prior to the application being placed on public exhibition, further information was requested from the applicant as follows:

- An amended application form showing Holliejett Investments Pty Ltd as the owner of the subject site.
- A plan showing the proposed filling of the land.
- A plan showing water, sewer and stormwater connections for each lot.
- Practitioner's name inserted into Part 5 of the Certificate of Insufficient Increase in Risk.
- For those lots within 50m of the railway, a report from a suitably qualified person addressing clause E4.7.1 P1 b).

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- To address clause E5.6.1 P1.3, Lot 16 shown as for “drainage purposes, transfer to Council”.
- Written consent from the General Manager that no land is required for public open space but instead that there is to be a cash payment in lieu (clause E10.6.1 A1) or an amended plan showing public open space in accordance with clauses E10.6.1 P1, 10.4.15.5 and 10.4.15.6.

Figure 1 – subject site from the corner of Youl Main Road and Edward Street



3 STATUTORY REQUIREMENTS

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

4 ASSESSMENT

4.1 Proposal

It is proposed to:

- Create 15 lots accessed from a new cul-de-sac off Edward Street;
- fill lots 1-15 and 201 (cul-de-sac);
- create a lot for drainage purposes;
- retail lot 16 as the balance lot;
- remove 34 trees.

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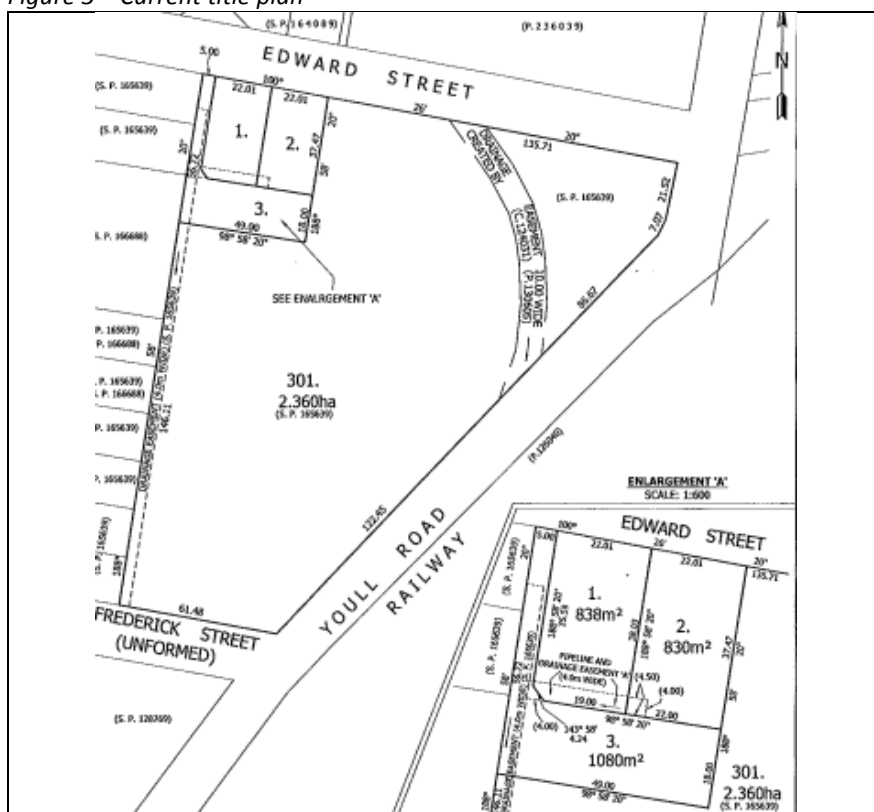
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Figure 2 – proposed subdivision plan



Figure 3 – Current title plan



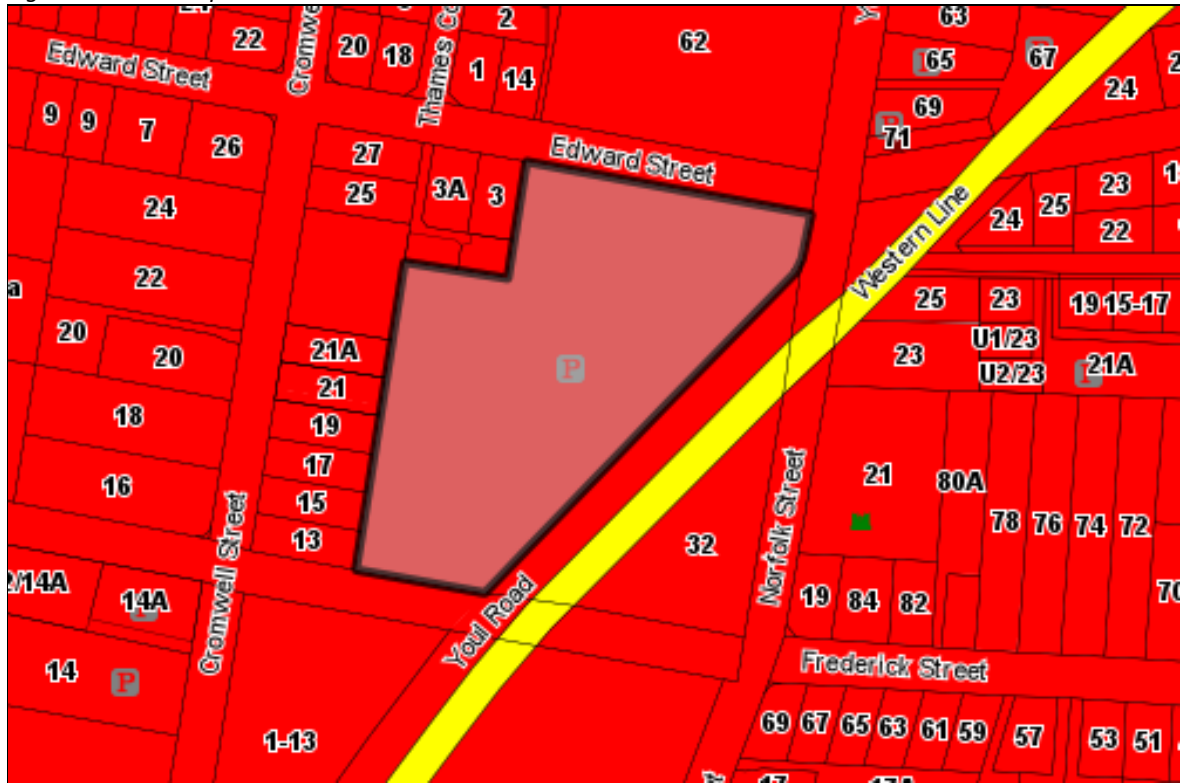
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4.2 Zone and land use

Figure 4 - Zone Map – General Residential



The land is zoned General Residential. Subdivision is Discretionary in accordance with clause 9.5 of the Planning Scheme.

4.3 Subject site and locality

The author of this report carried out a site visit on 14 June 2016.

The site consists of a title of 2.36 hectares with a drainage easement between Edward Street and Youl Road. The site is grassed and contains a number of trees along the Youl Road frontage. To the west the site adjoins land developed with single dwellings. Edward Street bounds the land to the north, Youl Road runs along the south-eastern boundary, and there is an unmade section of Frederick Street along the southern boundary.

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Figure 5 - Aerial photograph of area showing services



Figure 6 - Subject site from Edward Street



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Figure 7 - Subject site from Edward Street



Figure 8 - Subject site from Frederick Street road reserve



4.4 Permit/site history

Relevant permit history includes:

The subject site is the balance land of previous subdivisions:

- P11-280 – 7 lots on Cromwell Street.
- P14-037 – 3 lots on Edward Street.

4.5 Representations

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

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- R Henley, 1 William Street, Longford

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

Issue 1

The application wrongly assumes the trees identified for removal are well past maturity, ie. at the end of their life. These trees have not yet reached maturity and could be considered quite young. No real justification has been given for their removal except the possibility of dropping debris. Removal is not a suitable option as these trees form part of a landscape that is visually important to surrounding properties.

Planner's comment:

Trees in this location provide a visual buffer between Youl Road and the subject site. It is recommended that the applicant provide a landscape plan showing the replacement of these trees with a suitable alternative.

Issue 2

The block of land concerned in this application is part of a larger area of undeveloped land which is home to native bird species, including the Masked Lapwing (plover), Striated Pardalote and Bush Duck. Masked Lapwings are fully protected under the Nature Conservation Act 2002, meaning that any interference with the bird, nest or egg is not permitted. These three species of bird breed in and around the area, and in the case of the ducks and pardalotes, could even use the trees marked for removal, as nesting sites. I note that the development application mentions the site does not "contain any unique or special eco systems". I believe that it does, and suggest that a proper assessment should be required and a conservation management plan prepared considering the large number of birds using this ground.

Planner's comment:

These matters are not provided for in the planning scheme. It is the landowner and developer's responsibility to comply with relevant legislation regarding these species.

Issue 3

The site has been subject to a noise assessment report because of the proximity to the railway line. The report identifies that blocks 6, 7, 8 and 9 as particularly problematic, and while solutions have been suggested it would be inappropriate to approve a sub-division where noise will be a problem and require special building conditions for prospective purchasers.

Planner's comment:

The noise assessment report shows that houses are able to be developed on lots 6 – 9 in compliance with the performance criteria. It is recommended that a part 5 agreement be placed on the titles to these lots, recognising the additional constraints due to the proximity of the railway.

4.6 Referrals

The only referrals required were as follows:

Council's Works & Infrastructure Department

Precis: Cameron Oakley, Consulting Engineering, Hydrodynamica, undertook a review of the applicant's hydrology report, on behalf of Council. Mr Oakley advises:

Given the small size of the proposed subdivision relative to the overall catchment and floodplain I agree with the findings in the report that the proposed changes will not adversely affect flooding downstream

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or upstream of Edward Street during the 100 year event. The subdivision will be at no greater risk than existing properties to flooding, nor will it increase the risk of flooding or any properties.

It should be noted that Lot 16 will continue to flood and approval should not be given to develop this lot based on the current proposal. Lot 16 is adjacent to the low point in Edward Street near the Youl Road intersection which will flood when the Edward Street culverts over-top.

It is noted that:

- a) There is no predicted/modelled difference in behaviour and extent of flooding due to development; and*
- b) Downstream blockages/restrictions were not modelled, however the nominated development ground level (and min. floor level) accommodates for uncertainty surrounding the study.*

TasWater

Precis: Taswater provided a Submission to Planning Authority Notice (attached) imposing conditions on any permit issued for this application.

Department of State Growth

Precis: The Department advised:

In reference to the abovementioned Planning Application I can advise that State Growth do not object to the proposal subject to the below points. Access to Lot 16 must be via the Edward Street frontage, no direct access to Youl Road is permitted.

Please ensure that the Developer is aware that the Department of State Growth will not be responsible for any future issues relating to current or further increases in traffic noise arising from Youl Road. This is inclusive of funding and / or providing any form of sound mitigation or attenuation treatments and signage.

It is recommended that the Developer considers the impacts from traffic noise including potential increases that may occur from future traffic volume growth. Provision and associated costs of any appropriate sound mitigation measures are the responsibility of the Developer.

Tasrail

Precis: The application was referred to TasRail on May 2nd 2016. At the time of writing this report, no comment had been received.

Local District Committee

Precis: The application was referred to the Perth Local District Committee on May 2nd 2016. At the time of writing this report, no comment had been received.

4.7 Planning Scheme Assessment

See Attachment D for an assessment of the proposal against the planning scheme provisions.

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

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

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Discretion to refuse the application is limited to:

- Subdivision generally;
- Development of a subdivision within 50m of a railway;
- Creation of a new road and footpath in the General Residential zone;
- Creation of a new junction generating more than 40 vehicle entry and exit movements per day;
- Subdivision of land potentially subject to flooding at a 1% annual exceedance probability.

Flooding

Council officers expressed concern that the proposed subdivision and filling of lots will impact on the available storage during rainfall events, and may result in additional flooding of Youl Road (and flooding of filled lots).

The applicant's hydrology report found that with some modification to the open drain and to the subdivision footprint the subdivision development does not generate any additional flooding of the area compared to the existing flooding condition, and does not pose any risk in intensifying the flooding of the area. Youl Road will still flood under heavy rainfall events due to downstream infrastructure being under capacity. However, the proposed fill level of RL160.9 for the subdivision lots ensure that the flood risk of the development is low, as Youl Road will flood prior to the subdivision.

The proposal is considered to satisfy the scheme requirements with regard to flooding as outlined below.

E5.5.1 Use and flooding

<i>Objective</i>	
<i>To ensure that use does not compromise risk to human life, and that property and environmental risks are responsibly managed.</i>	
Performance Criteria	
P1	<i>Use including habitable rooms subject to flooding must demonstrate that the risk to life and property is mitigated to a low risk level in accordance with the risk assessment in E5.7.</i>
Comment: The lots are to be filled to above the 1% AEP flood level, resulting in a low risk level assessment. With a likelihood of 'rare' and a consequence of 'minor', the risk level is 'low'. The proposal complies.	
P2	<i>Use must demonstrate that the risk to life, property and the environment will be mitigated to a low risk level in accordance with the risk assessment in E5.7.</i>
Comment: The lots are to be filled to above the 1% AEP flood level, resulting in a low risk level assessment. With a likelihood of 'rare' and a consequence of 'minor', the risk level is 'low'. The proposal complies.	

E5.6 Development Standards

E5.6.1 Flooding and Coastal Inundation

<i>Objective</i>	
<i>To protect human life, property and the environment by avoiding areas subject to flooding where practicable or mitigating the adverse impacts of inundation such that risk is reduced to a low level.</i>	
Acceptable Solutions	Performance Criteria
P1.1 <i>It must be demonstrated that development:</i>	
a) <i>where direct access to the water is not necessary to the function of the use, is located where it is subject to a low risk, in accordance with the risk assessment in E5.7 a); or</i>	
b) <i>where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is mitigated to a medium risk level in accordance with the risk assessment in E5.7.</i>	
Comment: Direct access to the water is not necessary. The lots are to be filled to above the 1% AEP flood level, resulting in a low risk level assessment. With a likelihood of 'rare' and a consequence of 'minor', the risk level is 'low'. The proposal complies.	
P1.2 <i>Development subject to medium risk in accordance with the risk assessment in E5.7 must demonstrate that the risk to life, property and the environment is mitigated through structural methods or site works to a low risk level in accordance with the risk assessment in E5.7.</i>	

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The lots are to be filled to above the 1% AEP flood level, resulting in a low risk level assessment. With a likelihood of 'rare' and a consequence of 'minor', the risk level is 'low'. The proposal complies.

- P1.3 Where mitigation of flood impacts is proposed or required, the application must demonstrate that:*
- the works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and*
 - the works will not result in an increase in the extent of flooding on other land or increase the risk to other structures;*
 - inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials; and*
 - where mitigation works are proposed to be carried out outside the boundaries of the site, such works are part of an approved hazard reduction plan covering the area in which the works are proposed.*

Comment: Cameron Oakley, Consulting Engineering, Hydrodynamica, undertook a review of the applicant's hydrology report, on behalf of Council. Mr Oakley advises:

Given the small size of the proposed subdivision relative to the overall catchment and floodplain I agree with the findings in the report that the proposed changes will not adversely affect flooding downstream or upstream of Edward Street during the 100 year event. The subdivision will be at no greater risk than existing properties to flooding, nor will it increase the risk of flooding or any properties.

It should be noted that Lot 16 will continue to flood and approval should not be given to develop this lot based on the current proposal. Lot 16 is adjacent to the low point in Edward Street near the Youl Road intersection which will flood when the Edward Street culverts over-top.

It is noted that:

- There is no predicted/modelled difference in behaviour and extent of flooding due to development; and*
- Downstream blockages/restrictions were not modelled, however the nominated development ground level (and min. floor level) accommodates for uncertainty surrounding the study.*

It is considered that the proposal has demonstrated compliance with points a) – c). Point d) is not applicable.

E5.7 Risk Assessment

- Where an assessment of risk under the risk assessment table for a use or development is required, it is to be classified through the determination of consequence contained in the criteria in b) together with the likelihood of flood occurrence contained in c).*

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

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

b) Consequence Criteria

Catastrophic Loss of life, loss of significant environmental values due to a pollution event where there is not likely to be recovery in the foreseeable future.

Major Extensive injuries, complete structural failure of development, destruction of significant property and infrastructure, significant environmental damage requiring remediation with a long-term recovery time.

Moderate Treatment required, significant building or infrastructure damage i.e. loss of minor outbuildings such as car ports, public park shelters and the like. Replacement of significant property components such as cladding, flooring, linings, hard paved surfaces. Moderate environmental damage with a short-term natural or remedial recovery time.

Minor Medium loss – seepage, replacement of floor/window coverings, some furniture, repair of building components of outbuildings and repair and minor replacement of building components of buildings where direct access to the water is required. Minor environmental damage easily remediated.

Insignificant No injury, low loss – cleaning but no replacement of habitable building components, some repair of garden beds, gravel driveways etc. Environment can naturally withstand and recover without remediation.

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Inundation of the site, but ground based access is still readily available and habitable buildings are not inundated, including incorporated garages.

c) Likelihood – Annual Exceedance Probability

1:25 (4%) Moderate

1:50 (2%) Unlikely

1:100 (1%) Rare

Creation of Road and Footpath

The application proposes to create a new road (cul-de-sac) and footpath. As such the following provisions apply.

10.4.15.5 Integrated Urban Landscape

Objective: To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:

a) *character and identity of new neighbourhoods and urban places; or*

b) *to existing or preferred neighbourhood character, if any.*

Acceptable Solutions

A1 *The subdivision must not create any new road, public open space or other reserves.*

Does not comply – the proposal creates a new road and drainage reserve.

Performance Criteria

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*

Comment: The application seeks to remove a row of trees along Youl Road. It is recommended that these be replaced with suitable trees to continue to provide screening from Youl Road. It also seeks to place an existing watercourse within a drainage reserve.

b) *accessibility and mobility through public spaces and roads are protected or enhanced; and*

Comment: The proposed layout does not impact on accessibility and mobility through public spaces. It does not impact on existing accessibility and mobility through roads, **but could enhance it by connecting to Cromwell Street via the unmade section of Frederick Street to the south.**

c) *connectivity through the urban environment is protected or enhanced; and*

Comment: The proposed layout does not impact on existing connectivity through the urban environment, **but could enhance it by connecting to Cromwell Street via the unmade section of Frederick Street to the south.**

d) *the visual amenity and attractiveness of the urban environment is enhanced; and*

Comment: It is recommended that the trees to be removed along Youl Road be replaced with suitable alternatives, and that a bond be taken for the planting of street trees along the new cul-de-sac as determined by council.

e) *it furthers the local area objectives, if any.*

Comment: The proposal furthers the local area objectives of the zone to consolidate growth within the existing urban land use framework of Perth.

10.4.15.6 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

A1 *The subdivision must not create any new road, footpath or public open space.*

Does not comply – the subdivision creates a new road and footpath.

Performance Criteria

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P1	<i>Subdivision that creates new roads, footpaths, or public open spaces must demonstrate that the walking and cycling network is designed to:</i>
a)	<i>link to any existing pedestrian and cycling networks; and</i>
Comment:	A footpath is to be provided on the western side of the cul-de-sac, linking to the existing footpath on the northern side of Edward St. However, the proposal does not link to the existing pedestrian and cycling network in Cromwell Street, which could be achieved through the unmade section of Frederick St to the south of the site.
b)	<i>provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces; and</i>
Comment:	Providing a road, and footpath to the existing footpath in Edward St satisfies this performance criteria.
c)	<i>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</i>
Comment:	The proposal fails to satisfy this criteria, as it does not provide connection to Cromwell Street through the unmade section of Frederick Street to the south of the site.
d)	<i>promote surveillance along roads and from abutting dwellings.</i>
Comment:	Houses will be able to be built fronting the new cul-de-sac, promoting surveillance along roads and from abutting dwellings

The 10.4.15.7 Neighbourhood Road Network

<i>Objective:</i>	
a)	<i>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</i>
b)	<i>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.</i>
Acceptable Solutions	
A1	<i>The subdivision must not create any new road.</i>
Does not comply.	
Performance Criteria	
P1	<i>The neighbourhood road network must:</i>
a)	<i>take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and</i>
Comment:	The proposed cul-de-sac intersecting with Edward St, provision of footpath to the existing footpath in Edward St, and avoidance of access to Youl Road, takes into account the network of arterial roads and neighbourhood roads.
b)	<i>provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and</i>
Comment:	The proposed cul-de-sac provides a distinction between the arterial and neighbourhood road types.
c)	<i>provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport; and</i>
Comment:	The Traffic Impact Assessment demonstrates compliance with this criteria.
d)	<i>provide safe and efficient access to activity centres for commercial and freight vehicles; and</i>
Comment:	The Traffic Impact Assessment demonstrates compliance with this criteria.
e)	<i>ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and</i>
Comment:	A connector road is not proposed.
f)	<i>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</i>
Comment:	The proposed cul-de-sac is not considered to satisfy this performance criteria, given the location of an unmade section of Frederick Street adjoining the lot to the south, which could provide connection to Cromwell Street.
g)	<i>provide for service and emergency vehicles to safely turn at the end of a dead-end road; and</i>
Comment:	The proposal complies, with the provision of a turning head at the end of the cul-de-sac.
h)	<i>take into account of any identified significant features.</i>

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Comment: The proposed road has not impacted on the watercourse on site.

8 CONCLUSION

It is recommended that the application be refused on the grounds given below.

9 ATTACHMENTS

- A Application & plans, correspondence with applicant
- B Responses from referral agencies
 - TasWater
 - NMC Works & Infrastructure Department
 - Department of State Growth
- C Representation & applicant's response
- D Planning scheme assessment

RECOMMENDATION

That application P16-065 for an 18-lot subdivision, filling of lots 1-15 & 201, and removal of 34 trees (within 50m of railway) at 1 Edward Street, Perth be refused on the following grounds:

1. By not connecting to Cromwell Street via the unmade section of Frederick Street to the south, the proposed subdivision does not enhance accessibility and mobility through roads, contrary to clause 10.4.15.5 P1 b).
2. By not connecting to Cromwell Street via the unmade section of Frederick Street to the south, the proposed subdivision does not enhance connectivity through the urban environment, contrary to clause 10.4.15.5 P1 c).
3. By not connecting to Cromwell Street via the unmade section of Frederick Street to the south, the proposed subdivision does not satisfy the requirement of clause 10.4.15.6 P1 a), that subdivision that creates new roads or footpaths must demonstrate that the walking and cycling network is designed to link to any existing pedestrian and cycling networks.
4. By not connecting to Cromwell Street via the unmade section of Frederick Street to the south, the proposed subdivision does not satisfy the requirement of clause 10.4.15.6 P1 c), that subdivision that creates new roads or footpaths must demonstrate that the subdivision provides 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.
5. By not connecting to Cromwell Street via the unmade section of Frederick Street to the south, the proposed subdivision does not satisfy the requirement of clause 10.4.15.7 P1 f) that neighbourhood road network must 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.

DECISION

Cr

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PLAN 3 PLANNING APPLICATION P16-068 530 WHITE HILLS ROAD, EVANDALE

Attachments: Section 1 – Page 396

Responsible Officer: Duncan Payton, Planning & Development Manager
Report prepared by: Erin Boer, Planning Officer
File Number: 202900.26; CT136174/1

1 INTRODUCTION

This report assesses an application for 530 White Hills Road, Evandale for retrospective approval for use of a converted bus as visitor accommodation.

2 BACKGROUND

Applicant:

S Burston

Owner:

S Burston

Zone:

Rural Resource

Codes:

Road and Railway Assets Code

Flood Prone Areas Code

Car Parking and Sustainable Transport Code

Water Quality Code

Classification under the Scheme:

Visitor accommodation

Existing Use:

Small scale grazing (Resource Development)/Hobby block

Deemed Approval Date:

24.5.16

Recommendation:

Approve

Discretionary Aspects of the Application

- Discretionary use (Visitor accommodation);
- Reliance on the performance criteria of the Rural Resource Zone (vary setbacks);
- Reliance on the performance criteria of the Flood Prone Areas Code, Car Parking and Sustainable Transport Code and Water Quality Code.

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013*

Preliminary Discussion

Council was initially made aware of the development after receiving a complaint from a member of the public. The application was submitted as a result of a Notice of Intention to Issue Enforcement Notice, which required the owner of the property to:

- Make a valid planning application for development and use of the land; **OR**
- Remove, or cause the removal of, the motor home and all other stored items from the Land by 31st March 2016.

The owner of the property lodged an application and paid fees on 31st March 2016.

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

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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:

- Use a converted bus (10.5m x 2.4m) for occasional accommodation for the owner's family to spend a day and sometimes a night at their property (similar to a shack). The site includes infrastructure such as a portable toilet, cooking facilities and hot water heating on a gas barbecue, and water tanks on site for clean water. It is unclear if the bus is able to be driven; however, the owner does not wish to periodically remove it from the site. Access to the eastern side of the property is via an existing gateway which has been in place prior to current owner purchasing the property in November 2012 from the Northern Midlands Council.

Figure 1 – Site Location



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Figure 2 – Site Plan

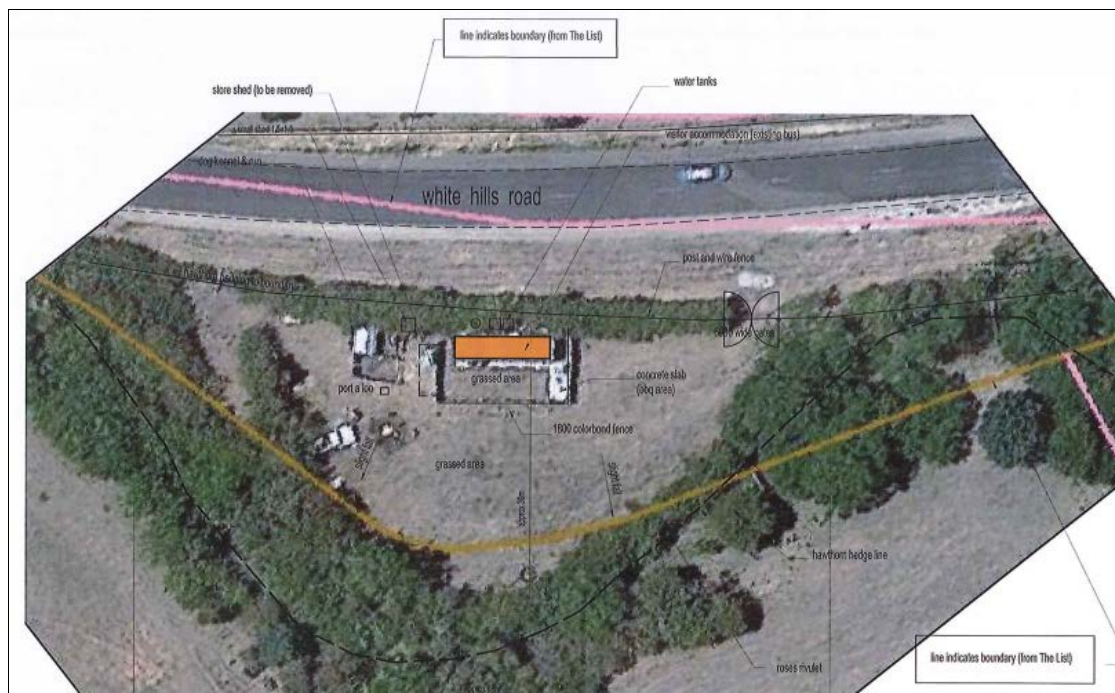
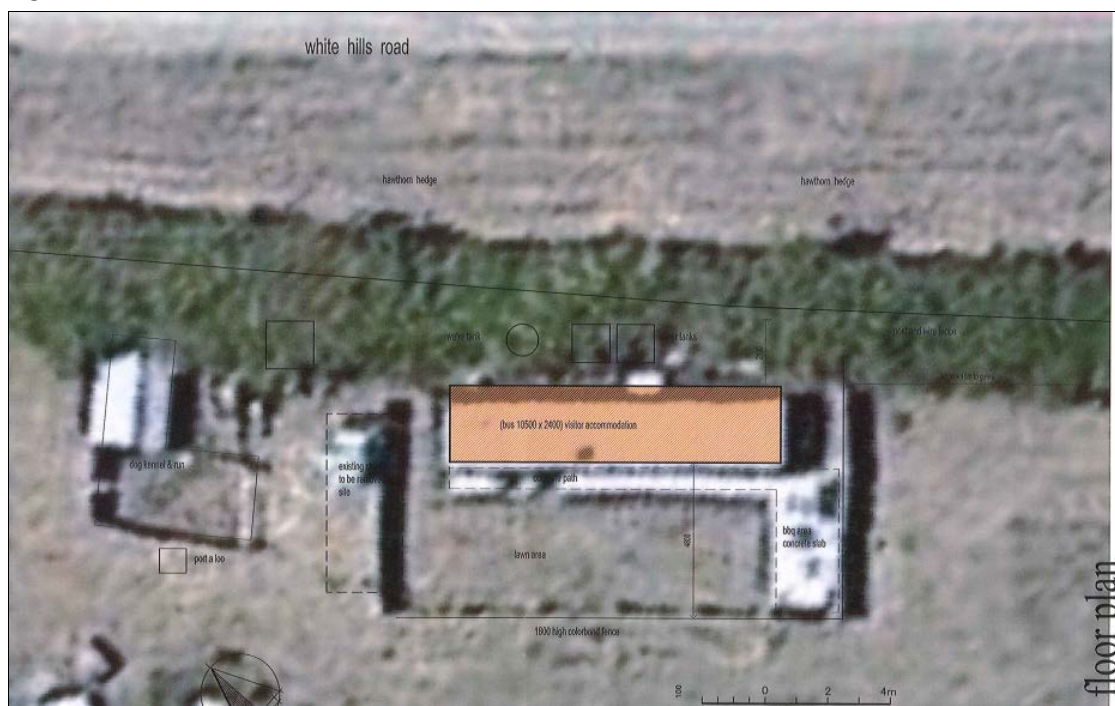


Figure 3 – Floor Plan



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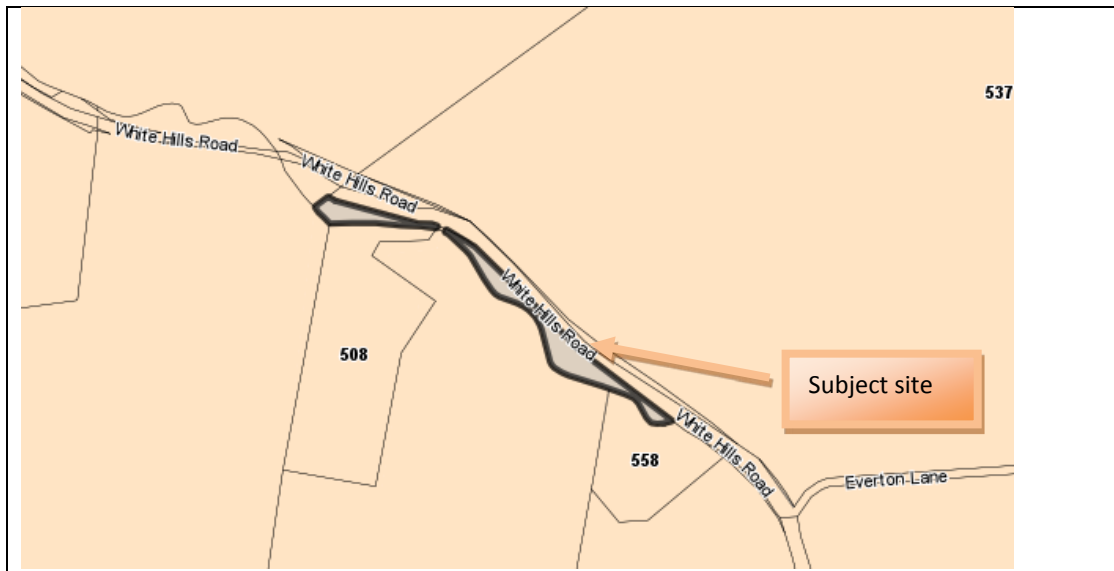
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Figure 4 –Elevations



4.2 Zone and land use

Zone Map –Rural Resource



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

Visitor accommodation	use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.
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Visitor accommodation is Discretionary (Permit Required) in the zone.

The *Land Use Planning and Approvals Act 1993* (Tas) defines a building as follows:

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building includes –

- (a) a structure and part of a building or structure; and*
- (b) fences, walls, out-buildings, service installations and other appurtenances of a building; and*
- (c) a boat or a pontoon which is permanently moored or fixed to land;*

4.3 Subject site and locality

The author of this report carried out a site visit on the 19th April 2016 when placing a site notice on the property boundary. The development is located on the eastern portion of the block which is effectively divided into three small sections due to its location between Rose's Rivulet and White Hills Road. The lot has a total area of approximately 6700m². The block is largely screened from the road by hawthorn hedges which follow the property boundary.

Aerial photograph of area



Photographs of subject site



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4.4 Permit/site history

Relevant permit history includes:

- The lot was created when White Hills Road was realigned
- P13-051 – Rural storage shed – Refused

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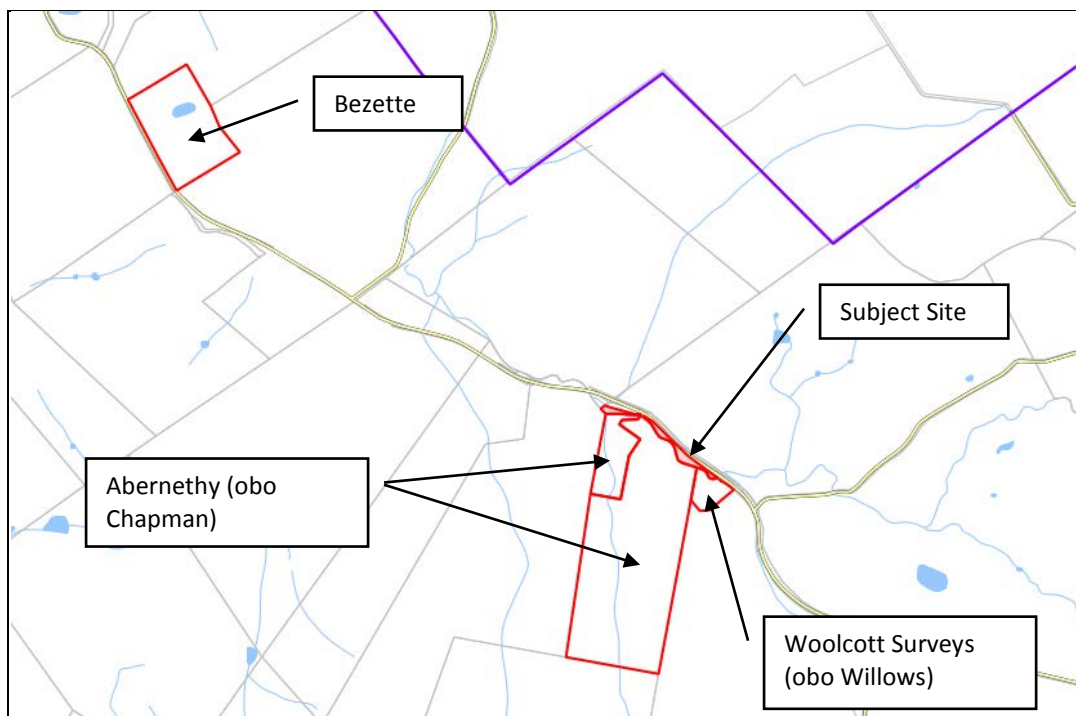
- P15-352 – Planning Notice for illegal use (permanent motor home)
- P16-061 - Artist studio & mobile bus for office – not yet valid

4.5 Representations

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

- I Abernethy, Planning Development Services (obo M & L Chapman) - 508 White Hills Rd, Relbia
- C Smith, Woolcott Surveys (obo P Willows) - 558 White Hills Rd, Relbia
- S Bezette, 735 Relbia Road, Relbia

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.

Abernethy (obo Chapman) Representation

Issue 1

- Classification of visitor accommodation – more than occasional use and works not embracing tourism market.

Planner's comment:

In relation to the categorisation of development, the Planning Scheme states:

8.2 Categorising Use or Development

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

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

The closest definition of the owner's occasional use of the property, which may be likened to that of a 'shack', is visitor accommodation, which is defined as:

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Visitor accommodation	use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.
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The owner does not intend to hire the use of the bus/property to service the tourism industry.

Issue 2

- Conflict with surrounding rural uses.

Planner's comment:

The impact of the development on surrounding rural uses is fully assessed through clauses' 26.3.1 and 26.4.1. Two dwellings sit approximately 80m to the south of the site. To the north is White Hills Road and farm land used prominently for grazing. A large hedge screens the development from the road. The development is not used on a permanent basis and the site features other residences within close proximity.

Issue 3

- Visual impact of development due to reduced setback.

Planner's comment:

The development is located behind a large hedge and is difficult to see from the road. Site photographs provide a visual representation of the level of visibility when viewed from the road. In any case, the relevant performance criteria do not relate to visual impacts, rather, the impact of the development on surrounding primary industry operations.

Issue 4

- Flooding

Planner's comment:

No Council records or flood mapping indicate that the site will be inundated, with Council's Works and Infrastructure Department Officer, Jonathan Galbraith indicating that flooding in the area had been mitigated since the installation of a new culvert where the rivulet passes under White Hills Road. Council Officers also inspected the site on the 10.06.2016, after a significant rainfall event in the northern region, and it was evident that the water height reached in the rivulet was well short of that needed to inundate the block.

Nevertheless, the code applies under section E5.2.1 which states:

E5.2.1 This code applies to use or development of land:

b) even if not mapped under subparagraph (a) if it is:

i) potentially subject to flooding at a 1% annual exceedance probability

Accordingly, an assessment against the code has been undertaken to identify the risk level of the property. The proposal relies on a mixture of acceptable solutions and performance criteria for compliance with the code.

Issue 5

- Access (compliance with Road and Railway Assets Code).

Planner's comment:

Access to the eastern side of the property is via an existing gateway which has been in place prior to current owner purchasing the property in November 2012 from the Northern Midlands Council. Adequate information has been supplied by the applicant to assess the proposal against the Road and Railway Assets Code.

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Issue 6

- Car parking plan

Planner's comment:

As the development is intended for informal, private accommodation purposes, no car parking is explicitly detailed on the proposal plan, although the dimensions of the lot allow for ample room to establish parking. The provision of car parking and surface treatments can be conditioned by the permit to ensure compliance with the code.

Issue 5

- Water Quality Management

Planner's comment:

As the development is within 50m of a water course, the Water Quality Code applies. The development does not propose to remove native vegetation or direct storm water into the waterway; therefore, the development meets the provisions of the code. A full assessment against the code is provided within part 4.7 of this report.

Woolcott Surveys (obo Willows) Representation

Issue 1

- Insufficient information

Planner's comment:

Application requirements are detailed within the *Northern Midlands Interim Planning Scheme 2013* as follows:

8.1.2 An application must include:

- details of the location of the proposed use or development;*
- a copy of the current certificate of title for the site to which the permit sought is to relate, including the title plan and any schedule of easements;*
- a full description of the proposed use or development; and*
- a description of the manner in which the proposed use or development will operate.*

Clause 8.1.3 also states: *"In addition to the information that is required by clause 8.1.2 to be included in an application, a planning authority may, in order to enable it to consider an application, request such further or additional information as the planning authority considers necessary or desirable to satisfy it that the proposed use or development will comply with any relevant standards and purpose statements in the zone, codes or specific area plan, applicable to the use or development."*

The application was reviewed by Council Planners prior to placing the application on public exhibition, to ensure the proposal provided adequate information to undertake assessment.

Issue 2

- Flooding

Planner's comment:

No Council records or flood mapping indicate that the site will be inundated, with Council's Works and Infrastructure Department Officer, Jonathan Galbraith indicating that flooding in the area had been mitigated since the installation of a new culvert where the rivulet passes under White Hills Road. Council Officers also inspected the site on the 10.06.2016, after a significant rainfall event in the northern region, and it was evident that the water height reached in the rivulet was well short of that needed to inundate the block.

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Nevertheless, the code applies under section E5.2.1 which states:

E5.2.1 This code applies to use or development of land:

- b) even if not mapped under subparagraph (a) if it is:*
- i) potentially subject to flooding at a 1% annual exceedance probability*

Accordingly, an assessment against the code has been undertaken to identify the risk level of the property. The proposal relies on a mixture of acceptable solutions and performance criteria for compliance with the code.

Issue 3

- Setback from public road

Planner's comment:

The application proposes to vary the zone setbacks, due to the widest portion of the block being approximately 40m. The corresponding performance criteria requires buildings to be setback so as to not constrain adjoining primary industry operations. Two dwellings sit approximately 80m to the south of the site. To the north is White Hills Road and farm land used prominently for grazing. A large hedge screens the development from the road.

Issue 4

- Inadequate title

Planner's comment:

The title is a valid title, purchased by the owner in 2012. Whether the title should have been created in the first place is not relevant to this proposal.

Bezette Representation

Issue 1

- Visual Pollution (mismatched gate, bus, shed, vehicles and portaloo).

Planner's comment:

The following responds to the representor's concerns:

- Regarding the gate – as the development is not in a residential zone or heritage precinct, there are no provisions within the planning scheme in which to limit the colour or materials used in fencing.
- The bus is the subject of this application and although a variation to the setback is sought, the relevant performance criteria looks at the impact of the development on surrounding agricultural uses, not visual impacts.
- Vehicles are parked on the property are not the subject of this application and do not require planning approval.
- A portaloo is a portable item and does not require planning approval.

Issue 2

- Setbacks to the road

Planner's comment:

The proposal does seek to vary the zone setbacks and this report provides an assessment against the corresponding performance criteria which looks at the impact of the setback variation of surrounding agricultural uses.

Issue 3

- Setback to the creek

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Planner's comment:

As previously noted, the potential impact of flooding has been taken into consideration in the assessment of the proposal against the Flood Hazard Code. The site has been identified as having a Low Risk level, and was recently inspected by Council Officers soon after a significant rainfall event, after which there was no evidence of flooding.

4.6 Referrals

The application did not require any referrals.

4.7 Planning Scheme Assessment

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: Complies –see code assessment.
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 – although for visitor accommodation, the development will be used privately.
LOCAL AREA OBJECTIVES	
a)	<i>Primary Industries:</i> <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 does not conflict with the local area objectives.
b)	<i>Tourism</i> <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: The proposal does not conflict with the local area objectives.
c)	<i>Rural Communities</i> <i>Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.</i> Assessment: The proposal does not conflict with the local area objectives.

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DESIRED FUTURE CHARACTER STATEMENTS

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

Assessment: The site is screened from the road by existing vegetation and is not easily visible from public viewpoints.

USE STANDARDS

26.3.1 Discretionary Uses if not a single dwelling

Objective

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

Acceptable Solutions

Performance Criteria

- | | |
|--|---|
| A1 <i>If for permitted or no permit required uses.</i> | P1.1 <i>It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</i>
P1.2 <i>Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m² over the site.</i> |
|--|---|

Comment:

Performance criteria P1.1 is not applicable in this instance, as the local area objectives do not align with the development proposed. Nevertheless, the proposed development does not prevent the local area objectives from being achieved.

P1.2 is not applicable.

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| A2 <i>If for permitted or no permit required uses.</i> | P2.1 <i>Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</i>
i) <i>amount of land alienated/converted is minimised; and</i>
ii) <i>location is reasonably required for operational efficiency; and</i>
P2.2 <i>Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of <u>prime agricultural land</u> to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</i> |
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Comment: P2.1 is not applicable to this proposal.

P2.2 is also not applicable, as there will be no conversion of prime agricultural land as a result of this proposal, as the subject site is not classed as prime agricultural land.

- | | |
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| A3 <i>If for permitted or no permit required uses.</i> | P3 <i>The conversion of non-prime agricultural to non-agricultural use must demonstrate that:</i>
a) <i>the amount of land converted is minimised having regard to:</i>
i) <i>existing use and development on the land; and</i>
ii) <i>surrounding use and development; and</i>
iii) <i>topographical constraints; or</i>
b) <i>the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:</i> |
|--|--|

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	i) limitations created by any existing use and/or development surrounding the site; and ii) topographical features; and iii) poor capability of the land for primary industry; or c) the location of the use on the site is reasonably required for operational efficiency.
Comment: The proposal complies with P3 (b) as follows: i) The site is highly constrained in its ability to support an agricultural use, as the site is bounded on one side by a rivulet, and on the other by a road and has a total area of approximately 6700m². ii) As above. iii) The site is class four (non-prime agricultural land) which is normally suitable for grazing and occasional cropping; however, due to the size of the lot, this would not be possible.	
A4 If for permitted or no permit required uses.	P4 It must demonstrated that: a) emissions are not likely to cause an environmental nuisance; and b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and c) the capacity of the local road network can accommodate the traffic generated by the use.
Comment: The proposal complies with P4 as follows: a) The proposal will not result in any emissions from the site greater than a residential use; b) The site is proposed to be used for occasional overnight stays within the bus parked on the owner's land. Two other residences are located nearby, with one approximately 160m to the south east and the other approximately 200m to the west. Van Dieman's Brewery is located on the property on to the northern side of White Hills Road, with the remainder of the property used for grazing. It is unlikely that the occasional use of a bus located centrally between these existing uses will unreasonably confine or restrain adjoining primary industries from conducting normal operations. c) The proposed use will not substantially increase the traffic generated from the site and White Hills Road is a sealed Council maintained road which is adequate to accommodate the traffic generated.	
A5 The use must: a) be permitted or no permit required; or b) be located in an existing building.	P5 It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to: a) the impacts on skylines and ridgelines; and b) visibility from public roads; and c) the visual impacts of storage of materials or equipment; and d) the visual impacts of vegetation clearance or retention; and e) the desired future character statements.
Comment: The proposal complies with P5 as follows: a) The development is located in a gully and does not impact on skylines or ridgelines. b) The development is barely visible from the road or public viewpoints due to its location behind an existing hedgerow. c) As above, all equipment associated with the development (porta-loo, BBQ etc) is also located behind the hedgerow. d) It is intended that all vegetation will be retained on the site, other than the trimming/shaping and general maintenance of the hedgerow. e) Desired future character statements for the zone refer to the visual impact of the development, which is largely mitigated by the existing hedgerow.	

26.3.2 Dwellings

Objective: To ensure that dwellings are: a) incidental to resource development; or b) located on land with limited rural potential where they do not constrain surrounding agricultural operations.	
Acceptable Solutions	Performance Criteria
A1.1 Development must be for the alteration, extension or replacement of existing dwellings; or	P1.1 A dwelling may be constructed where it is demonstrated that: a) it is integral and subservient to resource development, as demonstrated in a report prepared by a suitably qualified person, having regard to:

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A1.2 Ancillary dwellings must be located within the curtilage of the existing dwelling on the property; or	i) scale; and
A1.3 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.	ii) complexity of operation; and
	iii) requirement for personal attendance by the occupier; and
	iv) proximity to the activity; and
	v) any other matters as relevant to the particular activity; or
	b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, having regard to:
	i) limitations created by any existing use and/or development surrounding the site; and
	ii) topographical features; and
	iii) poor capability of the land for primary industry operations (including a lack of capability or other impediments); and
	P1.2 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
	P1.3 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.

Comment: Not applicable

26.3.3 Irrigation Districts

<i>Objective: To ensure that land within irrigation districts proclaimed under Part 9 of the Water Management Act 1999 is not converted to uses that will compromise the utilisation of water resources.</i>	
Acceptable Solutions	Performance Criteria
A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.	P1 Non-agricultural uses within an irrigation district proclaimed under Part 9 of the Water Management Act 1999 must demonstrate that the current and future irrigation potential of the land is not unreasonably reduced having regard to:
	a) the location and amount of land to be used; and
	b) the operational practicalities of irrigation systems as they relate to the land; and
	c) any management or conservation plans for the land.
<u>Comment:</u> The subject site is not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.	

26.4 Development Standards

26.4.1 Building Location and Appearance

<i>Objective: To ensure that the:</i>	
a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and	
b) development of buildings is unobtrusive and complements the character of the landscape.	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed:	P1 Building height must:
a) 8m for dwellings; or	a) be unobtrusive and complement the character of the surrounding landscape; and
b) 12m for other purposes.	b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal.
<u>Comment:</u> Complies with A1 (b).	
A2 Buildings must be set back a minimum of:	P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to:

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a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or b) 200m where a sensitive use is proposed; or c) the same as existing for replacement of an existing dwelling.	a) the topography of the land; and b) buffers created by natural or other features; and c) the location of development on adjoining lots; and d) the nature of existing and potential adjoining uses; and e) the ability to accommodate a lesser setback to the road having regard to: i) the design of the development and landscaping; and ii) the potential for future upgrading of the road; and iii) potential traffic safety hazards; and iv) appropriate noise attenuation.
Comment: The proposal relies on the performance criteria to meet this provision due to the setback variation. The proposal complies as follows: a) The topography of the land in terms of natural and artificial elements (river and road) assist in creating buffers between the subject site and the adjoining properties. In addition to this, two other residences are located nearby, with one approximately 160m to the south east and the other approximately 200m to the west. Van Diemen's Brewery is located on the property on to the northern side of White Hills Road, with the remainder of the property used for grazing. b) The rivulet to the south and the road to the north of the subject site, create a buffer between the proposed use and surrounding agricultural uses (used mostly for grazing). c) See response to (a). d) The adjoining property over the road to the north of the site contains Van Diemen's Brewery, with the remainder used primarily for grazing. The land to the south contains two farms with a dwelling each. These properties consist of a mixture of class four and five land, and have sections of steep terrain, limited their potential future use. They are currently used for grazing. e) A lesser setback to the road may be accommodated as per part (i) The hedgerow and other vegetation provides good screening of the development and a buffer to adjoining agricultural uses, (ii) The block was sold as it was determined that it was not needed for road widening purposes. The site also has a large verge/road reserve on the northern side which would accommodate upgrades to the road, (iii) as the development is screened from the road, the development is unlikely to cause traffic safety hazards, and (iv) The site will only be used occasionally, and road usage is relatively low, particularly at non-peak times, such as during the night. Therefore, noise attenuation is not considered to be an issue.	

26.4.2 Subdivision – Not applicable.

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

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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.
Comment: N/a	
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Comment: N/a	
A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	P3 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
Comment: Complies with acceptable solution A3. The subject site has previously been used by the applicant as a hobby block, periodically accessed to maintain and occasionally camp on the site. The formalised camping set up within the bus does not result in an increase in the annual average daily traffic movements at the site. The applicant does not proposed that there will be any visitors to the site and the site will be used only for the private accommodation of the applicant and associated family members etc.	

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

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A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h: a) new road works, buildings, additions and extensions, earthworks and landscaping works; and b) building envelopes on new lots; and c) outdoor sitting, entertainment and children's play areas	P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to: a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.
Comment: Complies with acceptable solution A1.	

E4.7.2 Management of Road Accesses and Junctions

Objective To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Comment: N/a	
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	P2 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
Comment: Complies with acceptable solution A1. No new access points are proposed. The existing access point will continue to be utilised.	

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:

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

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

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

Acceptable Solutions	Performance Criteria
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with AS1742.7 <i>Manual of uniform traffic control devices - Railway crossings</i> , Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Comment: Complies with acceptable solution A1 (a).	

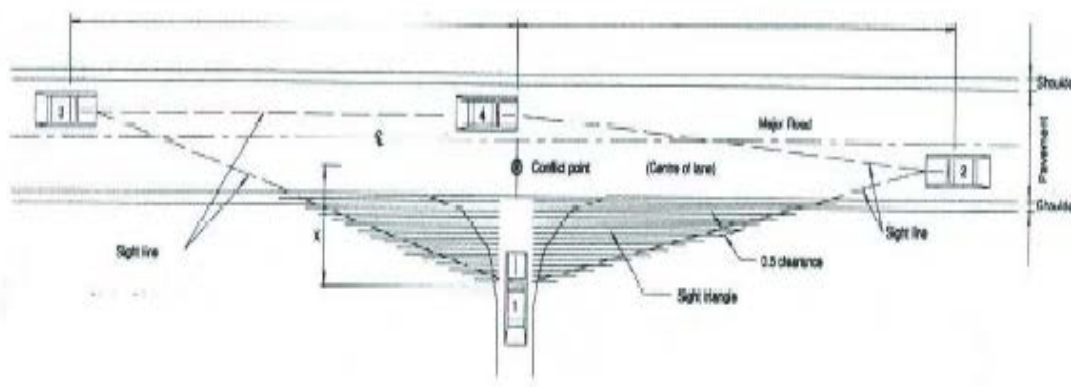


Figure E4.7.4 Sight Lines for Accesses and Junctions

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

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

Table E4.7.4 Safe Intersection Sight Distance (SISD)

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

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Notes:

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

ASSESSMENT AGAINST E5.0 FLOOD PRONE AREAS CODE

E5.5 Use Standards

E5.5.1 Use and flooding

Objective: To ensure that use does not compromise risk to human life, and that property and environmental risks are responsibly managed.

Acceptable Solutions	Performance Criteria
A1 The use must not include habitable rooms.	P1 Use including habitable rooms subject to flooding must demonstrate that the risk to life and property is mitigated to a low risk level in accordance with the risk assessment in E5.7.
Comment: The proposal relies on performance criteria P1, as the development proposes that the bus will be used for habitable purposes. In a worst case scenario, the development could be considered to have a consequence criteria of 'Minor', based on the type of infrastructure and level of investment proposed. Observance of the site during significant rainfall events would indicate that the likelihood of a flood event is 'unlikely' or 'rare'. Using the AS/NZS 4360:2004 Risk Consequence and Likelihood Matrix Table, it can be determined that the proposal achieves a low risk level and complies with performance criterion P1.	
A2 Use must not be located in an area subject to a medium or high risk in accordance with the risk assessment in E5.7.	P2 Use must demonstrate that the risk to life, property and the environment will be mitigated to a low risk level in accordance with the risk assessment in E5.7.
Comment: The proposal complies with acceptable solution A2.	

E5.6 Development Standards

E5.6.1 Flooding and Coastal Inundation

Objective: To protect human life, property and the environment by avoiding areas subject to flooding where practicable or mitigating the adverse impacts of inundation such that risk is reduced to a low level.

Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1.1 It must be demonstrated that development: a) where direct access to the water is not necessary to the function of the use, is located where it is subject to a low risk, in accordance with the risk assessment in E5.7 a); or b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is mitigated to a medium risk level in accordance with the risk assessment in E5.7. P1.2 Development subject to medium risk in accordance with the risk assessment in E5.7 must demonstrate that the risk to life, property and the environment is mitigated through structural methods or site works to a low risk level in accordance with the risk assessment in E5.7.

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	P1.3 Where mitigation of flood impacts is proposed or required, the application must demonstrate that: a) the works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and b) the works will not result in an increase in the extent of flooding on other land or increase the risk to other structures; c) inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials; and d) where mitigation works are proposed to be carried out outside the boundaries of the site, such works are part of an approved hazard reduction plan covering the area in which the works are proposed.
Comment: The proposal relies on performance criteria for compliance, as there is no relevant acceptable solution. The proposal complies as follows: P1.1 a) Complies. Direct access to the water is not required and the development achieves a low risk level in accordance with the AS/NZS 4360:2004 Risk Consequence and Likelihood Matrix Table. b) N/a – the development does not propose direct access to the water. P1.2 N/a – the development achieves a low risk level. P1.3 N/a – the development does not propose to mitigate flood impacts.	

E5.7 Risk Assessment

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

Table E5.1

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

b) Consequence Criteria

~~Catastrophic – Loss of life, loss of significant environmental values due to a pollution event where there is not likely to be recovery in the foreseeable future.~~

~~Major – Extensive injuries, complete structural failure of development, destruction of significant property and infrastructure, significant environmental damage requiring remediation with a long term recovery time.~~

~~Moderate – Treatment required, significant building or infrastructure damage i.e. loss of minor outbuildings such as car ports, public park shelters and the like. Replacement of significant property components such as cladding, flooring, linings, hard paved surfaces. Moderate environmental damage with a short term natural or remedial recovery time.~~

Minor Medium loss – seepage, replacement of floor/window coverings, some furniture, repair of building components of outbuildings and repair and minor replacement of building components of buildings where direct access to the water is required. Minor environmental damage easily remediated.

Insignificant No injury, low loss – cleaning but no replacement of habitable building components, some repair of garden beds, gravel driveways etc. Environment can naturally withstand and recover without remediation.

Inundation of the site, but ground based access is still readily available and habitable buildings are not inundated, including incorporated garages.

c) Likelihood – Annual Exceedance Probability

1:25 (4%) Moderate

1:50 (2%) Unlikely

1:100 (1%) Rare

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

Comment: Although no formal parking is shown on the proposal plans, sufficient space is available for one parking space and associated access and turning, in accordance with acceptable solution A1. The planning permit may be conditioned accordingly to provide a car parking layout plan.

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Residential:		
Visitor accommodation (bed and breakfast, camping, caravan park, unit/cabin, backpacker hostel, motel, serviced apartments)	1 space per unit or 1 space per 4 beds whichever is greater	1 space per 10 beds

E6.6.2 Bicycle Parking Numbers

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

Acceptable Solutions		Performance Criteria	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
		a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
A1.2	The number of spaces must be in accordance with a parking precinct plan		

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contained in Table E6.6: Precinct Parking Plans.	c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
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Comment: Sufficient space is available on site to accommodate the bicycle parking requirements of one space per 10 beds, as per Table E6.1. The planning permit may be conditioned accordingly to provide a bicycle parking layout plan.

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

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

Comment: N/a

E6.6.4 Motorbike Parking Provisions

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

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

Comment: N/a

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

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

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

Comment: Relies on performance criteria P1. The permit may be conditioned to ensure that the car parking/bicycle parking layout plans provides for parking which satisfies the performance criteria P1. As the site will be used infrequently, and for personal use only, impervious all weather sealed driveways and parking areas are considered unreasonable, although the applicant may upgrade parking areas to meet the acceptable solutions if they wish.

E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.

Acceptable Solutions	Performance Criteria
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to: a) the layout of the site and the location of existing buildings; and b) views into the site from the road and adjoining public spaces; and c) the ability to access the site and the rear of buildings; and d) the layout of car parking in the vicinity; and e) the level of landscaping proposed for the car parking.

Comment:

A1.1 – N/a – less than 4 parking spaces required.

A1.2 – N/a – the site is not zoned General Residential.

A2.1 Car parking and manoeuvring space must:	P2 Car parking and manoeuvring space must:
--	--

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a) have a gradient of 10% or less; and	a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and	
A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .	

Comment: The proposal may be conditioned to prepare a car parking lay out plan and subsequent construction of the car parking areas in accordance with Performance Criteria P2. The parking will be for private use only.

Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

Objective:

To ensure adequate access, safety and security for car parking and for deliveries.

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

Comment: N/a

E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.

Acceptable Solutions	Performance Criteria
A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1 No performance criteria.
A2 One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with <i>Australian Standards AS/NZ 2890.6 2009</i> .	P2 No performance criteria.

Comment: N/a – private use only.

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

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.

Acceptable Solutions	Performance Criteria
A1 For retail, commercial, industrial, service industry or warehouse or storage uses:	P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.
a) at least one loading bay must be provided in accordance with Table E6.4; and	
b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.	

Comment: N/a

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E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
A1.1 Bicycle parking spaces for customers and visitors must: a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
Comment: Due the unlikely scenario that the site will be accessed by a bicycle, the proposal will rely on performance criteria P1 and will be conditioned accordingly.	
A2 Bicycle parking spaces must have: a) minimum dimensions of: i) 1.7m in length; and ii) 1.2m in height; and iii) 0.7m in width at the handlebars; and b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
Comment: Due the unlikely scenario that the site will be accessed by a bicycle, the proposal will rely on performance criteria P2 and will be conditioned accordingly.	

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment: Complies with acceptable solution A1.	

Table E6.5: Pedestrian Access

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

Notes

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

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ASSESSMENT AGAINST E9.0 WATER QUALITY CODE

E9.6 Development Standards

E9.6.1 Development and Construction Practices and Riparian Vegetation

Objective: To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.

Acceptable Solutions	Performance Criteria
A1 Native vegetation is retained within: a) 40m of a wetland, watercourse or mean high water mark; and b) a Ben Lomond Water catchment area - inner buffer.	P1 Native vegetation removal must submit a soil and water management plan to demonstrate: a) revegetation and weed control of areas of bare soil; and b) the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and c) that disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.
Comment: Complies with acceptable solution A1 (a). No native vegetation is proposed to be removed.	
A2 A wetland must not be filled, drained, piped or channelled.	P2 No performance criteria.
Comment: Complies with acceptable solution A2. No wetland will be filled, drained, piped or channelled.	
A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposes.	P3 A watercourse may be filled, piped, or channelled: a) within an urban environment for the extension of an existing reticulated stormwater network; or b) for the construction of a new road where retention of the watercourse is not feasible.
Comment: Complies with A3. No watercourse will be filled, piped or channelled.	

E9.6.2 Water Quality Management

Objective: To maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses.

Acceptable Solutions	Performance Criteria
A1 All stormwater must be: a) connected to a reticulated stormwater system; or b) where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) diverted to an on-site system that contains stormwater within the site.	P1 No performance criteria.
Comment: Not applicable. The proposed bus does not generate concentrated stormwater. The small shed will be removed. There are no sealed areas proposed to generate ground surface runoff.	
A2.1 No new point source discharge directly into a wetland or watercourse. A2.2 For existing point source discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existed at the effective date.	P2.1 New and existing point source discharges to wetlands or watercourses must implement appropriate methods of treatment or management to ensure point sources of discharge: a) do not give rise to pollution as defined under the <i>Environmental Management and Pollution Control Act 1994</i> ; and b) are reduced to the maximum extent that is reasonable and practical having regard to: i) best practice environmental management; and ii) accepted modern technology; and c) meet emission limit guidelines from the Board of Environmental Management and Pollution Control in

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	accordance with the <i>State Policy for Water Quality Management 1997</i> .
	P2.2 Where it is proposed to discharge pollutants into a wetland or watercourse, the application must demonstrate that it is not practicable to recycle or reuse the material.
Comment: Complies with A2.1. A2.2 is not applicable.	
A3 No acceptable solution.	P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.
Comment: N/a	

E9.6.3 Construction of Roads

Objective: To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 Road and private tracks constructed within 50m of a wetland or watercourse must comply with the requirements of the <i>Wetlands and Waterways Works Manual</i> , particularly the guidelines for siting and designing stream crossings.
Comment: The construction of any roads/tracks within the site will be conditioned by the permit to ensure compliance with the requirements of the <i>Wetlands and Waterways Works Manual</i> .	

E9.6.4 Access

Objective: To facilitate appropriate access at suitable locations whilst maintaining the ecological, scenic and hydrological values of watercourses and wetlands.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 New access points to wetlands and watercourses are provided in a way that minimises: a) their occurrence; and b) the disturbance to vegetation and hydrological features from use or development.
Comment: N/a - No access to the waterway is proposed.	
A2 No acceptable solution.	P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.
N/a – No access to the waterway is proposed.	

E9.6.5 Sediment and Erosion Control

Objective: To minimise the environmental effects of erosion and sedimentation associated with the subdivision of land.	
Acceptable Solutions	Performance Criteria
A1 The subdivision does not involve any works.	P1 For subdivision involving works, a soil and water management plan must demonstrate the: a) minimisation of dust generation from susceptible areas on site; and b) management of areas of exposed earth to reduce erosion and sediment loss from the site.
Comment: N/a – no subdivision proposed.	

E9.6.6 Ben Lomond Water Catchment Areas

Objective: To address the effects of use and development within defined buffer areas for water catchments.	
Acceptable Solutions	Performance Criteria
A1 Development located within a Ben Lomond Water catchment area - outer buffer must be developed and managed in accordance with a soil and	P1 No performance criteria.

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water management plan approved by Ben Lomond Water.	
Comment: N/a	
A2 Development located within a Ben Lomond Water catchment area - inner buffer must not involve disturbance of the ground surface.	P2 Development located within a Ben Lomond Water catchment area - inner buffer that involves disturbance of the ground surface must not have a detrimental effect on water quality for the reticulated water intakes.
Comment: N/a	

SPECIFIC AREA PLANS	
TRANSLINK SPECIFIC AREA PLAN	N/a
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 4.3 – Development Control Comment: The proposal is consistent with the Strategic Plan.

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

As the application was a discretionary use, Council has discretion to refuse the application. The proposal also relies on the performance criteria of the zone due to a variation to the setbacks, and relies on the performance criteria of the Flood Prone Areas Code, Car Parking and Sustainable Transport Code and Water Quality Code.

Three representations were received to the proposal – two from neighbouring property owners and one from a nearby property owner. The matters raised in these representations are addressed by this report. The primary issues raised were visual, impact on agricultural land, flooding, parking, access, proximity to the road and river, and whether the block should have been created in the first instance.

The block has been owned by the applicant for many years and has primarily been used as a hobby block, with occasional grazing of horses. More recently, a bus has been located on the site to allow the applicant to

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camp overnight. It should be noted that this is not the applicant's permanent place of residence. Although a slightly unusual installation, assessment of the proposal against the *Northern Midlands Interim Planning Scheme 2013*, as detailed in this report, indicates that the proposal complies with all relevant provisions of the scheme. A car and bicycle plan is required to show full compliance with the Car Parking and Sustainable Transport Code. It is considered that the provision of parking can be adequately dealt with by conditioning the permit.

8 ATTACHMENTS

- A Application & plans, correspondence with applicant
- B Representations
- C Applicant's response to representations

RECOMMENDATION

That land at 530 White Hills Road, Evandale be approved to be developed and used for visitor accommodation (converted bus), in accordance with application P16-068, and subject to the following condition:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P5** (*Drawings: Kel Clark – 5 pages - Dated: 25.3.16*).

2 Car and bicycle parking

2.1 Parking Plan

Prior to the commencement of use and construction of parking areas, the applicant shall provide, to the satisfaction of Council's Planning Department, a car and bicycle layout plan which provides for a minimum of one (1) car parking space and (1) bicycle parking space. The layout plan should identify the location and dimensions of parking spaces, access strips and manoeuvring spaces and surface treatments (eg. Compacted gravel).

2.2 Construction of parking areas

Upon approval of the car and bicycle layout plan by Council's Planning Department and prior to the commencement of use, all car parking, access strips, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.

2.3 Layout

Car parking and manoeuvring spaces must:

- a) be convenient, safe and efficient to use; and
- b) provide adequate space to turn within the site to enable vehicles to exit in a forward direction.

2.4 Bicycle Parking

- a) The bicycle parking space must be safe, secure, convenient and located where it will encourage use.
- b) The bicycle parking space and access must be of dimensions that provide for convenient, safe and efficient use (recommended 1.7m in length; 1.2m in height; 0.7m in width at the handlebars; and unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed).

3 Roads and tracks near waterways

Road and private tracks constructed within 50m of a wetland or watercourse must comply with the requirements of the *Wetlands and Waterways Works Manual*, particularly the guidelines for siting and designing stream crossings.

DECISION

Cr

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PLAN 4 PLANNING APPLICATION P16-087 VICTORIA SQUARE, 53 WELLINGTON STREET, LONGFORD

Attachments: Section 1 – Page 422

*Responsible Officer: Duncan Payton, Planning & Development Manager
Report prepared by: Rebecca Green, Rebecca Green & Associates, Planning Consultant
File Number: 113600.2*

1 INTRODUCTION

This report assesses an application for Victoria Square, 53 Wellington Street, Longford to install a replacement playground at the Longford Village Green.

2 BACKGROUND

Applicant:
Northern Midlands Council

Owner:
Northern Midlands Council

Zone:
Open Space

Codes:
Heritage code

Classification under the Scheme:
Passive recreation

Existing Use:
Passive recreation (Playground)

Deemed Approval Date:
Extension of time granted until 1 July 2016

Recommendation:
Approve

Discretionary Aspects of the Application

- Development within Heritage Precincts Special Area
- Development at heritage-listed place

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013*

Preliminary Discussion

Additional information was not required of the applicant prior to the application being placed on public exhibition.

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Figure 1 – Photograph of Subject Site



3 STATUTORY REQUIREMENTS

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

4 ASSESSMENT

4.1 Proposal

It is proposed to replace the playground at the Longford Village Green with an interactive and contemporary play space. The play space is aimed at engaging children more than traditional playground equipment, and making children move. The system allows for individual play but also foster cooperative and competitive play. The playground equipment is installed with integrated electronics, which combines outdoor play with digital, interactive gaming.

All sounds can be turned off, and also turned down if needed. The sounds are very minimal and are not designed to allow audible noise to emit beyond the boundary of the site.

Rocky and Nova components of the play space only have lights in the top mechanism, which cannot be seen from the side of the facility.

Space component of the play space has a light at the top of the control panel, just like Rocky component and Nova component, but the Space component playground has lights on the structure, being approximately 11 or more.

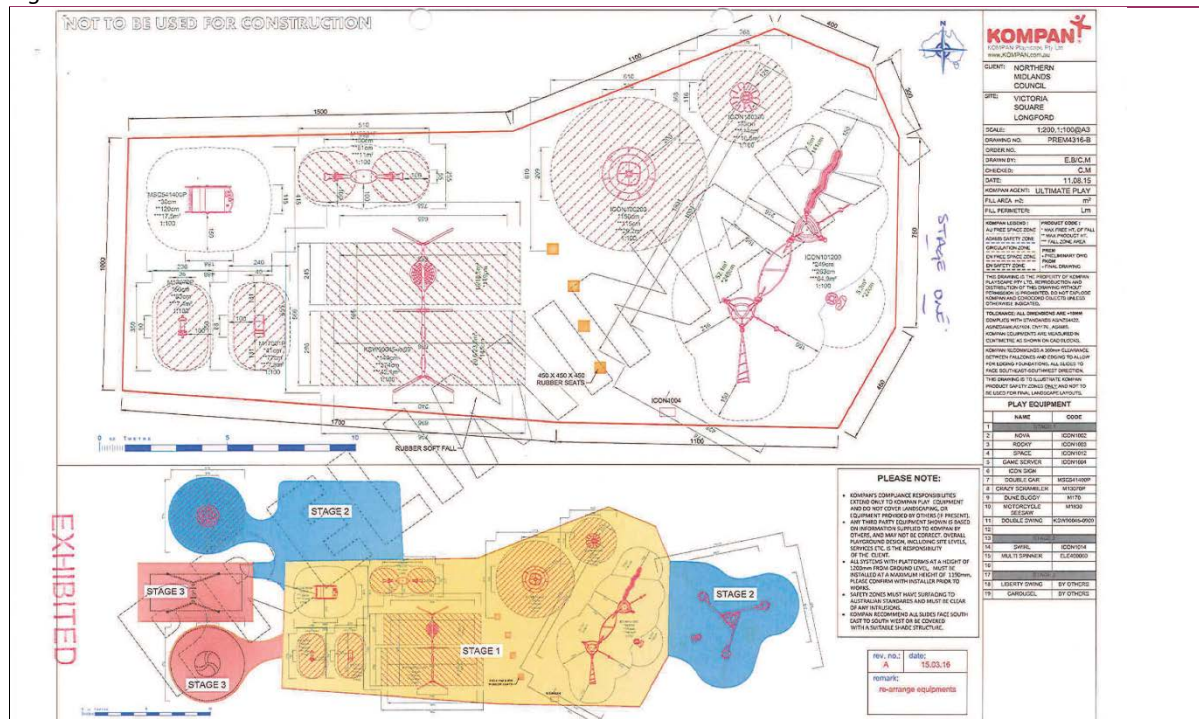
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Figure 2 – Site Plan



Figure 3 –Detailed Site Plan



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Figure 4 – Description of play equipment

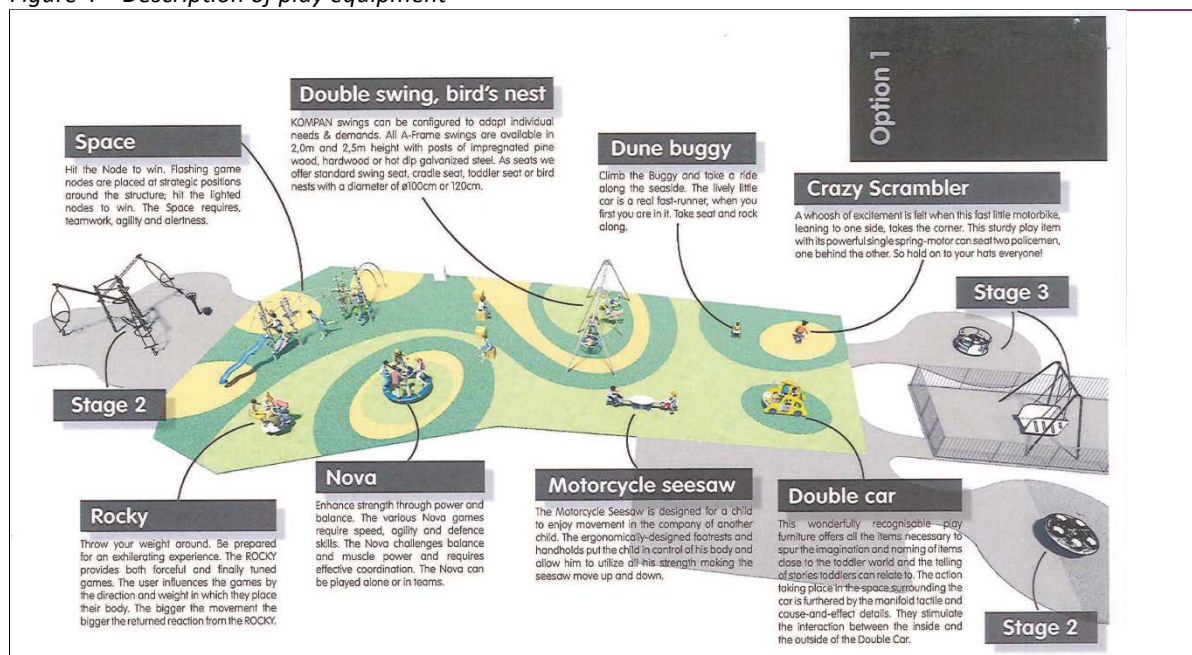


Figure 5 – Lighting of play equipment



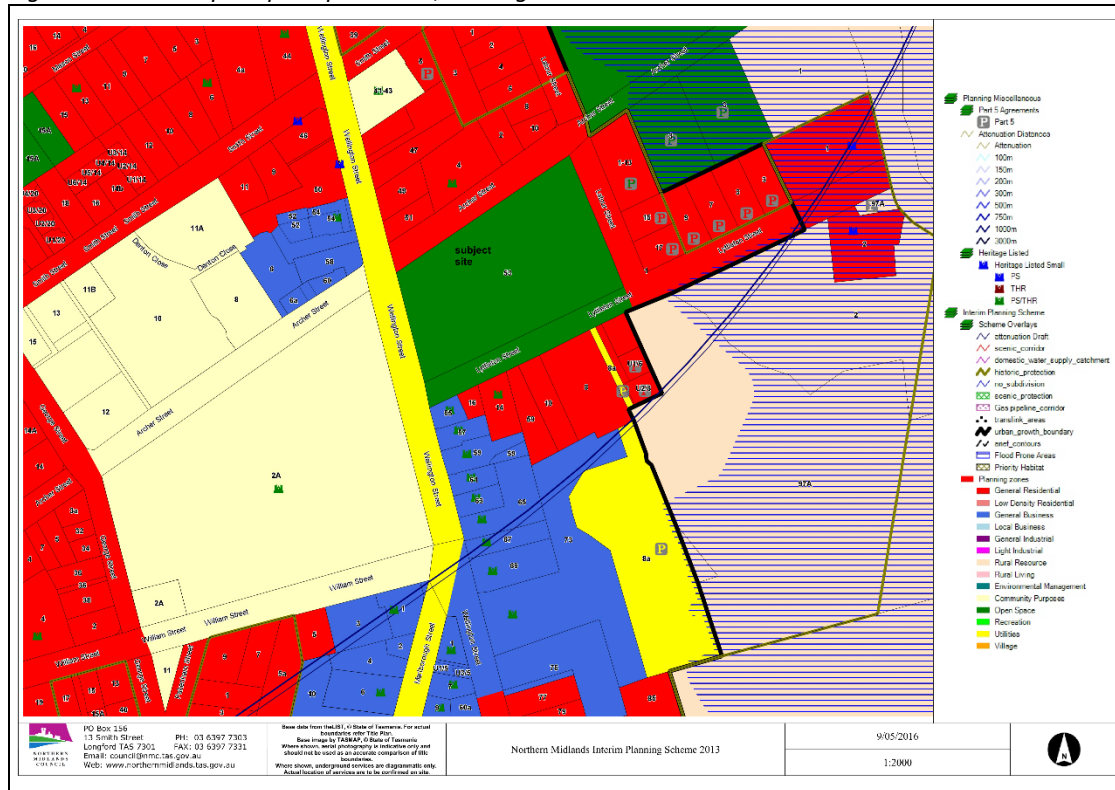
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4.2 Zone and land use

Figure 6 - Zone Map – Open Space zone; Heritage Precinct



The land is zoned Open Space and is within the Heritage Precinct of Longford. The relevant Planning Scheme definition is:

<i>Passive recreation</i>	<i>use of land for informal leisure and recreation activities principally conducted in the open. Examples include public parks, gardens and playgrounds, and foreshore and riparian reserves.</i>
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Passive recreation is Permitted (No Permit Required) in the zone.

19.2 Use Table – Open Space zone

No Permit Required	
Use Class	Qualification
<i>Passive recreation</i>	

The application is Discretionary due to being in the Heritage Precinct.

4.3 Subject site and locality

The author of this report carried out a site visit on 25 May 2016.

The locality of the proposal is the Longford Village Green, which is used as a multi-purpose public space. The site is located within the township of Longford and contains an existing playground space, war memorial and memorial hall, rotunda and picnic facilities.

The site is relatively flat land, with road frontage on all four boundaries.

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Figure 7 - Aerial photograph of area



4.4 Permit/site history

None relevant to this application.

4.5 Representations

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

- D Alty, 19 Pakenham Street, Longford
- R Henley, Longford Antiques, 1 William Street, Longford

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

Issue 1

- *The proposal does not reflect the heritage values of its surrounds, regarding the design, layout and colour scheme.*

Planner's comment:

The proposal is for replacement of existing playground equipment. The Longford Village Green is a multi-purpose public space that makes an important contribution to the social and cultural activities within the community. It is not a static place and has changed over the years to reflect the community needs. The proposed replacement of the playground is a further response to the changing needs and expectations within the community. The play equipment is not a permanent structure and will be subject to replacement in time.

Council's heritage advisor has considered the proposal and it is noted that the proposal will not detract from meeting the management objectives of a precinct identified in Table E13.1:

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Heritage Precincts. Although the subject site is within the Heritage Precincts Specific Area Plan, there are no relevant standards of development in relation to playground equipment.

The Tasmanian Heritage Council has provided a Certificate of Exemption for the development. The Tasmanian Heritage Register entry for 'Victoria Square' describes "an obelisk shaped war memorial on a stepped base". The Heritage Management System further notes that "the park and hall are not included". The works, to install a replacement playground has been assessed by the Tasmanian Heritage Council to have "no physical impact on the war memorial, or its immediate surround".

Issue 2

- *The planning application makes a comment that this is stage 1, and there is not apparently any information regarding subsequent stages. Concerns in relation to assessing one stage in isolation to other stages. No information provided in relation to stages 2 and 3.*

Planner's comment:

Stages 2 and 3 were indicated upon the exhibited public information (see below and highlighted in blue and red). Stages 2 and 3 are not proposed at this point in time, and would be subject to a further development application.



Issue 3

- *It is understood that the equipment is electronic and may have flashing lights and sounds. Concern raised on how that may affect surrounding properties, given this is a permanent structure, and considered detrimental to the quiet enjoyment of the surrounding residential properties.*

Planner's comment:

The proposal is not considered to be a permanent structure, as this will be replaced in time. However, the concerns raised have been considered, the noise can be turned off, and noise is not expected at all to be audible beyond the property boundary. Lighting is not expected to highlight beyond the property boundary. It is reasonable though to place appropriate conditions on any approval, pertaining to the requirement that the noise is to be inoperable outside daylight hours, and that the light and noise should not extend beyond the property boundary.

Issue 4

- *Safety concerns, relating to proximity to a busy major road and no inclusion of fencing.*

Planner's comment:

Fencing does not form a part of the proposal. The existing playground has been operational for a number of years, and there has been no known reported traffic versus pedestrian safety concerns noted. The playground is to be replaced in the same locality, approximately 14 metres from the closest boundary. Any fencing will be subject to a separate development application.

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Issue 5

- Concern regarding the inaccessibility and participation for all members of the community.

Planner's comment:

The subject application is not required to comply with the *Disability Discrimination Act 1992*. The Council does take accessibility seriously, and although not a planning consideration, further community consultation would be suggested for stages 2 and 3 that may result in greater accessibility to the play space for all member of the community.

Issue 6

- Concern regarding the proposed playground, in that it would promote anti-social and competitive behavior, and concern that this will actively promote such behavior.

Planner's comment:

The behaviour of users is not a planning consideration.

4.6 Referrals

Council's Works & Infrastructure Department

Not applicable to this application

TasWater

Not applicable to this application

Heritage Adviser

Council's Heritage Adviser, David Denman, has no objections to the proposal.

Tasmanian Heritage Council

Precis: The Tasmanian Heritage Council issued a Certificate of Exemption, commenting that:

The Tasmanian Heritage Register entry for 'Victoria Square' describes "an obelisk shaped war memorial on a stepped base". The Heritage Management System further notes that "the park and hall are not included".

The works, to install a replacement playground will have no physical impact on the war memorial, or its immediate setting. The works have no appreciable impact on the ability to interpret the open space and planning of Victoria Square as an important aspect of Longford's nineteenth century commercial development.

Department of State Growth

Not applicable to this application

Launceston Airport

Not applicable to this application

Tasrail (adjoining landowner)

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

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Local District Committee

Precis: The application was referred to the Longford Local District Committee on the 26th April 2016. At the time of writing this report, no comment had been received.

General Manager

Precis: Application signed by the General Manager.

Minister administering Crown Lands

Not applicable to this application

4.7 Planning Scheme Assessment

OPEN SPACE ZONE
ZONE PURPOSE
<i>To provide land for open space purposes including for passive recreation and natural or landscape amenity.</i>
Assessment: The proposal is for replacement of an existing passive recreation use. The proposal furthers to zone purpose by installing new contemporary play space and younger children's playground. The proposed replacement of the playground is a further response to the changing needs and expectations within the community.

19.3 Use Standards

19.3.1 Amenity

Objective <i>To ensure that uses do not adversely impact upon the occupiers of adjoining and nearby uses.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>Operating hours must be between:</i> a) <i>8.00 am and 10.00 pm where adjoining residential use; and</i> b) <i>6.00 am and 12.00 am midnight where not adjoining residential use.</i>	P1 <i>The amenity of residential uses within the surrounding area must not be unduly impacted upon by operating hours and vehicle movements.</i>
A2.1 <i>The proposal must not include flood lighting where it adjoins the General residential, Low density residential, Rural living or Village zone; and</i> A2.2 <i>External security lighting must be contained within the boundaries of the site.</i>	P2 a) <i>floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and</i> b) <i>all direct light will be contained within the boundaries of the site.</i>
A3 <i>If for permitted or no permit required uses.</i>	P3 <i>Discretionary uses must not cause or be likely to cause an environmental nuisance through emissions including noise, smoke, odour and dust.</i>

Planners Comment:

- A1 – The hours of operation of the use is not to change. The proposal is for development only, the use is existing.
- A2 – No flood lighting is proposed, the lighting proposed is not expected to extend beyond the boundaries of the site.
- A3 – Passive Recreation is a permitted (no permit required) use within the Open Space Zone.

19.3.2 Open Space Character

Objective: <i>To ensure that uses are of an appropriate scale and type for the zone, and to support the local area objectives, if any.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>The use must:</i> a) <i>be for natural and cultural values management or passive recreation; or</i>	P1.1 <i>The size and appearance of the use must:</i>

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Objective: To ensure that uses are of an appropriate scale and type for the zone, and to support the local area objectives, if any.

Acceptable Solutions	Performance Criteria
b) not exceed a combined gross floor area of 250m ² over the site.	a) not dominate the character of the area; and b) be consistent with the local area objectives for visual character, if any; and P1.2 The use is not within the classes of General retail and hire or Tourist operation.
A2 Commercial vehicles for discretionary uses must be: a) parked within the boundary of the property; and b) in locations that are not visible from the road or public land.	P2 No performance criteria.
A3 Goods or materials storage for discretionary uses must not be outside in locations visible from adjacent properties, the road or public land.	P3 Storage of materials or equipment must be consistent with the local area objectives for visual character, if any.

Planners Comment:

- A1 – The use is existing - Passive Recreation.
- A2 – The use is permitted (no permit required).
- A3 – The use is permitted (no permit required).

19.4 Development Standards

19.4.1 Building Design and Siting

Objective: To ensure that the design and siting of buildings:

- a) responds appropriately to the open space and natural values of the site; and
- b) has minimal disturbance to the environment and any adjoining sensitive uses.

Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 5m.	P1 Building height must: a) not be a dominant feature in the streetscape or landscape when viewed from a road; and b) protect the amenity of adjoining dwellings and sensitive uses are protected from unreasonable impacts of overshadowing and overlooking.
A2 Buildings must be set back 10m from all boundaries.	P2 Building setbacks must: a) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking; and b) conserve the open space and natural values of the area, having regard to existing uses and developments on the site and in the area.
A3 The site coverage must not exceed 20%.	P3 No performance criteria.

Planners Comment:

- A1 – The proposal is not considered a ‘building’. The height is not to exceed 5m.
- A2 – The proposal is not considered a ‘building’. The proposal is at least 14 metres from the closest boundary.
- A3 – The site coverage is not to exceed 20% by the replacement of the existing playground.

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19.4.2 Landscaping

Objective: To ensure that the open space and natural values of the site are retained in a manner that contributes to the broader landscape of the area.

Acceptable Solutions	Performance Criteria
A1 If for natural and cultural values management or passive recreation.	P1 Applications must demonstrate how the open space, natural and landscape values of the site and area will be managed by a landscape and site management plan that sets out: a) any retaining walls; and b) retaining any existing native vegetation where it is feasible to do so or required to be retained by another provision of this scheme; and c) the locations of any proposed buildings, driveways, car parking, storage areas, signage and utility services; and d) any fencing; and e) vegetation plantings to be used and where; and f) any pedestrian movement paths; and g) ongoing treatment of the balance of the lot, if any, including maintenance of plantings, weed management and soil and water management.

Planners Comment:

A1 – The use is existing - Passive Recreation.

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	N/a No changes proposed.
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.
COASTAL CODE	N/a
SIGNS CODE	N/a

SPECIFIC AREA PLANS	
TRANSLINK SPECIFIC AREA PLAN	N/a
HERITAGE PRECINCTS SPECIFIC AREA PLAN	See assessment below

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> .

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STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan 2007-2017

4.3 – Development Control

5 FINANCIAL IMPLICATIONS TO COUNCIL

There are purchase, installation and maintenance costs to Council.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to Development within Heritage Precincts Special Area and/ or Development at heritage-listed place. Conditions that relate to any aspect of the application can be placed on a permit.

8 ATTACHMENTS

- A Application & plans
- B Responses from referral agencies
- C Representations
- D Assessment against Heritage Code and Heritage Precincts Specific Area Plan

RECOMMENDATION

That land at Victoria Square, 53 Wellington Street, Longford be approved to be developed and used for a replacement playground at the Longford Village Green with contemporary destination play space & children's playground, in accordance with application P16-087, and subject to the following condition:

- 1 Development must accord with the Development Application P16-087 received by Council 19 April 2016, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
- 2 All necessary safety precautions i.e. signage, barricades, must be applied during the process of installation of the playground equipment.
- 3 Any damage that may occur to any Council or State owned infrastructure during the installation of the playground equipment must be reinstated to the satisfaction of responsible authority.
- 4 The playground equipment noise effects must only operate within daylight hours, and must be turned off outside daylight operating hours. The noise effects must not be audible beyond the site boundaries during daylight operating times.
- 5 The playground lighting effects must be contained within the site boundaries, and shall not cause a nuisance to adjacent residential uses.

DECISION

Cr

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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.

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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, Governance & Community Development Officer and Executive Assistant.

CON 1 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
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CON 2 APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE

As per provisions of Section 15(2)(h) of the *Local Government (Meeting Procedures) Regulations 2015*.

CON 3 (1) PERSONNEL MATTERS

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015*.

CON 3 (2) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
Management Meetings

CON 3 (3) MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

As per provisions of Section 15(2)(i) of the *Local Government (Meeting Procedures) Regulations 2015*.
Correspondence Received

CON 3 (4) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
Action Items – Status Report

CON 3 (5) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
Compliance

CON 3 (6) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
Compliance

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CON 4 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Sections 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.
Proposed event

CON 5 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Sections 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.
Rates Matter

CON 6 MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

As per provisions of Section 15(2)(i) of the *Local Government (Meeting Procedures) Regulations 2015*.
Correspondence Received

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