



**NORTHERN
MIDLANDS
COUNCIL**

AGENDA

ORDINARY MEETING OF COUNCIL

MONDAY, 16 SEPTEMBER 2019

Des Jennings
GENERAL MANAGER

QUALIFIED PERSONS ADVICE

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

- (1) *A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.*
- (2) *A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –*
 - (a) *the general manager certifies, in writing –*
 - (i) *that such advice was obtained; and*
 - (ii) *that the general manager took the advice into account in providing general advice to the council or council committee; and*
 - (b) *a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.*

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

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

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.

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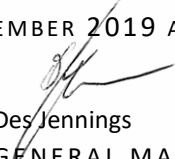
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Any request for authorisation, including authorisation for the use of recordings, should be directed to the General Manager, 13 Smith Street, Longford TAS 7301.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

NOTICE IS HEREBY GIVEN THAT THE NEXT MEETING OF THE NORTHERN MIDLANDS COUNCIL WILL BE HELD AT THE COUNCIL CHAMBERS, LONGFORD ON MONDAY, 16 SEPTEMBER 2019 AT 5.00PM.


Des Jennings
GENERAL MANAGER

11 September 2019

4.00pm Councillor Workshop – closed to the public

GOV 1 ATTENDANCE

1 PRESENT

In Attendance:

2 APOLOGIES

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GOV 3 ACKNOWLEDGEMENT OF COUNTRY

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

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

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

GOV 5 CONFIRMATION OF MINUTES

1 OPEN COUNCIL: ORDINARY COUNCIL MEETING MINUTES 19 AUGUST 2019

DECISION

Cr

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 19 August 2019 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)	02/04/2019	Perth Community Centre Management Committee	Ordinary
ii)	04/06/2019	Perth Community Centre Management Committee	Ordinary
iii)	25/07/2019	Avoca, Royal George & Rossarden Local District Committee	Ordinary
iv)	31/07/2019	Cressy Local District Committee	Ordinary
v)	11/08/2019	Devon Hills Neighbourhood Watch & Residents Committee	AGM
vi)	11/08/2019	Devon Hills Neighbourhood Watch & Residents Committee	Ordinary
vii)	13/08/2019	Evandale Community Centre & Memorial Hall Management Committee	Ordinary
viii)	13/08/2019	Liffey Hall Committee	AGM & Ordinary
ix)	03/09/2019	Evandale Advisory Committee	Ordinary
x)	03/09/2019	Campbell Town District Forum	Ordinary
xi)	03/09/2019	Ross Local District Committee	Ordinary

DECISION

Cr

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



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3 RECOMMENDATIONS OF SUB COMMITTEES

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

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

GOV 6 DATE OF NEXT COUNCIL MEETING: 21 OCTOBER 2019

Mayor Knowles advised that the next Ordinary Council Meeting would be held at the Northern Midlands Council Chambers at Longford at 5.00pm on Monday, 21 October 2019.



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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
02/09/2019	Council Workshop Discussion: - TasRacing – Longford Racecourse - TasNetworks: Project Marinus - LGAT
09/09/2019	Special Council Workshop Discussion: Draft Local Provisions Schedule and Land Use & Development Strategy
16/09/2019	Council Workshop Discussion: Council Meeting Agenda items

2 MAYOR'S COMMUNICATIONS

Mayor's Communications for the period 20 August 2019 to 16 September 2019 are as follows:

Date	Activity
20 August 2019	Attended meeting with Tasmanian Council of Churches Emergencies Ministry, Longford
20 August 2019	Attended meeting with Maree Tetlow (Northern Tasmanian Development Corporation), Longford
20 August 2019	Attended radio interview with ABC, Longford
22 August 2019	Attended meeting with Annette Barrett (Westbury Community Health Services), Launceston
22 August 2019	Attended radio interview with City Park Radio, Launceston
22 August 2019	Attended LGAT Waste Management Meeting, Launceston
23 August 2019	Attended Book Week Reading, Evandale
23 August 2019	Attended Tasmanian Women in Agriculture AGM, Longford
23 August 2019	Attended meeting with General Manager, Longford
24 August 2019	Attended Australian Local Government Women's Association AGM, Hobart
27 August 2019	Attended Hydro Tasmania Future Forum, Launceston
28 August 2019	Attended Fingal Valley Neighbourhood House AGM, Fingal
29 August 2019	Attended Men's Shed 10 th Anniversary Celebration, Longford
29 August 2019	Attended meeting with General Manager, Longford
30 August 2019	Attended meeting with Avoca Primary School, Avoca
30 August 2019	Attended meeting with Senator Chandler, Longford
2 September 2019	Attended meeting with Tasmania Police, Longford
2 September 2019	Attended meeting with Cr Jan Davis, Longford
2 September 2019	Attended Council Workshop, Longford
4 September 2019	Attended LGAT Breakfast with UTAS, Launceston
5 September 2019	Attended Heritage Highway AGM, Oatlands
9 September 2019	Attended meeting with ratepayer, Ross
9 September 2019	Attended Land Use Strategy Workshop, Longford
11 September 2019	Attended Probus luncheon, Longford
13 September 2019	Attended LGAT General Meeting, Launceston
13 September 2019	Attended meeting with Minister Barnett & Minister Shelton, Avoca
14 September 2019	Attended LGAT Workshop, Launceston



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16 September 2019	Attended UTAS Rural Week Official Welcome, Longford
16 September 2019	Attended meeting with Red Cross, Longford
16 September 2019	Attended Council Workshop and Meeting, Longford
Attended to email, phone, media and mail inquiries.	

3 PETITIONS

1 PURPOSE OF REPORT

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

2 OFFICER'S COMMENT

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

Section 57. Petitions

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

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

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

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

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

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

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

(e) at the end of the petition –

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

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

(3) In this section –

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

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

petition means a paper petition or electronic petition;

signatory means –

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

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

3 Petitions Received

No petitions received.

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.

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

- Lead –
 - Leaders with Impact
Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity
 - ♦ Manage – Management is efficient and responsive
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
 - ♦ Continuous improvement is embedded in staff culture



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2.1 Premiers Health + Wellbeing Forum, Hobart 14th August 2019

Report provided by: Mayor Mary Knowles

Graham Lynch, CEO Heart Foundation introduced the Premier who explained the Government's plan to have a wholistic approach to health and signed the Statement of Objectives 'Working Together for the Health and Wellbeing of Tasmanians'.

Prof Alan Shiell, economist, outlined the benefits of reducing the 6 biggest risk factors: tobacco, alcohol, obesity, fruit + veg consumption, lack of exercise and mental health issues. Benefits may not be visible – if action needs evidence, then what sort of evidence? What is the value of a year of full health? Can't measure 'wellbeing'. Until now health and wellbeing has been economically driven but the Government attitude is changing. Active transport = active health = consideration in whole of Government budget. Invest in early years = benefits later on (out of Justice system, work more, earn more). We have 40 years of data now showing a massive return on investment. A person should have substantive freedom to lead the life they have reason to value.

Prof Don Nutbeam The evidence is extraordinarily positive. Liveability = savings, socially cohesive, sustainable communities = affordable housing with public transport and access to basic amenities. We are building too low density to achieve this, particularly on the fringe of cities. Local Government data is needed eg. Employers that have breastfeeding areas – photograph areas and share. Lead by example. A long term lens is needed and climate change has to be included in preventative health.

Dewayne Everettsmith gave us a very moving Welcome to Country

Premier Will Hodgman set up the Health and Wellbeing Council in 2017, the Government is thinking differently and listening to advice, now have the first Minister dedicated to Mental Health & Wellbeing, Jeremy Rockliff and Health Minister Sarah Courtney. Health & Wellbeing = foundation for prosperity.

Dr Mark Veitch, Director of Public Health presented the State of Public Health Report 2018, stating that newer data doesn't change the picture much with a smaller number of people living in remote parts of Tasmania and there are 31,000 (14%) fewer 20 – 49y/o than expected from the national population data and 35,000 (18%) more 50-80y/o people than expected from national data. He spoke about life expectancy, death rates and causes, how healthy people thought they were, preventable diseases and the effects of psychological stress - 2,771 (2% of deaths) suicided. A whole of Government approach sharing data, health promotion and protection was needed so the population can age as healthily as possible with strong family and social connections.

Kym Goodes, TasCoss CEO, presented "What makes a Good Life?" What will be our selfie in 10 years? Sit and ask 'How is life?', don't assume. People need enough money to survive in a healthy way (pay bills and put food on the table), need a place to call home, need a healthy mind and body, need social connection, need to feel safe, need to have a say on the decisions made on their behalf. What gets in the way? 1. Stress caused by poverty 2. Stigma, judgement and disrespect 3. Instability (housing, employment, loss of services) 4. Powerlessness – lack of choice. It is an issue struggle because we don't live single issue lives.

Dr Siobhan Harpur, CEO Public Health, Chair Healthy Tasmania, introduced the Sli-do App whereby we could continually ask questions and complete polls. The slide show of healthy activities included many community activities across Tasmania such as community gardens, child activities, water fountains, sport, hikes etc building on the skills and capacities we already have. Gather evidence, use stories in combination with making sense of the data for the best life possible. There is no research on what are the common threads in community driven, place-based approach to wellbeing; we need a sustainable new model of funding for place-based community sustainable activities. People are living hard lives in this state – there are not single issue solutions.

Nettie Burr, Manager Neighbourhood House, Ravenswood – Look at what is important and invest in the next generation eg. Vegie gardens.

Prof Billie Giles-Corti talked about creating healthy, liveable communities. There is no point in affordable housing if there is no basic infrastructure and transport. Regional communities said the same things trouble people –alcohol domestic violence and access to gambling. Need LUP, infrastructure, housing and safety policies which include public open space, alternatives to driving, levels of density (suggesting higher density is better as more people can access public transport and are within walking distance), and desirable communities. Policies determine outcomes, traffic causes pollution, noise, social isolation and personal safety – it is a complex web. What gets measured gets done eg. Walkability – in Australian cities housing density is too low to create walkable communities. Only 13% of Hobart residents live 400m from public transport that travels every 30min. 85% use a car, 8% cycle and 7% use public transport.

David Allingham, Brighton Council, showcased the new Bridgewater Parkland which was established on an area that was a space for anti-social behaviour and the project has included kids planting and rehabilitating the creek and being involved throughout the planning and building. Improvements in physical health, tourism, beautification and destroying the negative stigma. The 'facebook



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warriors' warned that it 'will get destroyed'. We now need more for bigger kids; there is a plan for Stage 2. The project won a Heart Foundation Award. The State Planning Scheme does not focus on health and wellbeing.

Lynden Stevenson and Josh Madgwick, showcased Area Connect a community transport project that began for the frail and aged and now is a vibrant, sustainable community transport business contracting a local bus company as well as 400 volunteer drivers with 90 vehicles providing 180,000 services per year and has extended into the Derwent Valley, Sorell, Maydena, the West Coast, Central Highlands and Southern Midlands. The services are flexible and fit with school bus times so people can be back for their children. Month on month the demand is growing as they build trust in the service. Can have high impact with a low cost investment.

Felicity Edwards, Manager Environmental Health Hobart Council, showcased the achievements and challenges associated with establishing smoke free areas in the CBD and plans to establish new areas soon. It is up to councils to show leadership and to influence culture change and encourage people to take more responsibility for their own emissions and litter. Get out of silos and work together.

Gina Webster, Dept of Communities Tasmania, outlined the Tasmanian Child and Youth Wellbeing Framework 2018 which presents what individuals and families need to thrive:-

6 Domains:

- 1) Ask them "What do you need?" Child wellbeing affects their interaction with others, affects whole of life – can't solve this one agency at a time. Children are the State's most important asset. A new Advice and Referral line aracy.org.au/the-nest-in-action is addressing the long queues and waiting times = less numbers of serious notifications. The wellbeing and safety of children relies on 'others' to help; we all play a role and must work together for children to feel loved and safe.
- 2) Having material basics
- 3) Being healthy
- 4) Learning
- 5) Participating
- 6) Has positive sense of culture and identity.

All need to map our services under these headings and measure progress (reporting and budget) and reframe the conversation to focus on wellbeing rather than risk = better outcomes. We must use a common language and join up the work we do.

Ruth Davidson, Dept of Education. Schools are implementing the Safe Homes, Safe Families program but how do we know the investment is improving child and student wellbeing or where to put nurses? What data do we use? Previous student survey told the Dept that the Dept did didn't actually know – threw up surprises – should not make assumptions – students understood the link between learning and wellbeing. Another survey for yrs 4-12 starts Monday and will include 38,000 students in 28 schools, giving students a voice. Using the 6 Domains so that learning focuses on the needs of children and the environment they best learn in.

Leah Garvin 'Eat Well Tasmania' championed promoting enjoying seasonal Tasmanian food, noting that 8/10 Tasmanians use social media so it is a culturally important space. 49% decide what to eat using social media and will look up 'what is in season' as it is not about just taste, convenience and cost but they want what is good for the environment, how this impacts the environment and the livelihood of producers. 'Eat Well Tasmania' App engages with 80 producers, industry people interested in the data, chefs using it as a guide and educational tool, partnership with 'Brand Tasmania' = seasonality on the Portal = health by stealth adding value and cultural change.

Sam Cuff, Healthy Parks, Healthy People, showcased the 2,500 volunteers who help in parks with excursions, leadership programs for CALD communities, 'Gramping' and other events and are conservation ambassadors caring for and protecting the environment. Evidence shows that physical and mental health needs accessible green spaces.

Small group discussions about the next steps needed as seen by those present initiated numerous proposals around funding, values based leadership, climate change, all making a commitment, common language, leadership in the community, suicide prevention, consultation fatigue, living the model (healthy food canteens, use own foods, non-smoking), be flexible, lead by example

Minister Jeremy Rockliff in his closing addressed advised arguing with evidence and data, prevention and early intervention, education, small investments can leverage community funding, 3yr old initiative funding announcement, reduce barriers to learning, mental health trauma, value sporting clubs, build capacity in communities.



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5 132 & 337 CERTIFICATES ISSUED

	No. of Certificates Issued 2018/2019 year												Total 2018/2019 YTD	Total 2018/2019
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
132	96	50											146	934
337	48	25											73	462

6 ANIMAL CONTROL

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

Item	Income/Issues 2018/2019		Income/Issues for August 2019		Income/Issues 2019/2020	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,224	101,911	2300	51,252	3,001	64,781
Dogs Impounded	77	4,771	5	809	9	1,005
Euthanized	7	-	-	-	-	-
Re-claimed	56	-	4	-	7	-
Re-homed/To RSPCA	14	-	1	-	2	-
New Kennel Licences	8	576	7	504	7	504
Renewed Kennel Licences	70	3,080	1	44	74	3,256
Infringement Notices (paid in full)	54	10,773	3	616	5	1,115
Legal Action	-	-	-	-	-	-
Livestock Impounded	-	-	-	-	-	-
TOTAL		121,112		53,137		70,661

Registration Audit of the Municipality:

Dog registrations were due by 1st September reminders to be sent out and follow ups will start.

Kennel Licences

There have been 7 new applications for kennel licences.

Microchips:

5 dogs microchipped in August

Un-microchipped dogs are being followed up and letters have been sent to owners.

Infringements:

1 infringement issued in August.

Attacks:

1 attack on chickens – Dog not seen.

Impounded Dogs:

5 dogs were impounded.

7 HEALTH ISSUES

Prepared by: *Chris Wicks, Environmental Health Officer*

Immunisations

The *Public Health Act 1997* requires that Councils 'A council must develop and implement an approved program for immunisation in its municipal area'. 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.



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MONTH	2017/2018		2018/2019		2019/2020	
	Persons	Vaccination	Persons	Vaccination	Persons	Vaccination
July-September	82	82	64	99	72	42
October-December	39	31	41	41		
January-March	39	38	-	-		
April-June	39	37	62	45		

Northern Midlands Medical Services provide the school immunisation program for the Northern Midlands Council.

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	2016/2017	2017/18	2018/19	2019/20
Notifiable Diseases	4	4	5	0
Inspection of Food Premises	75	77	127	24

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

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

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

8 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Animal Control	1	-										
Building & Planning	1	-										
Community Services	-	-										
Corporate Services	-	-										
Governance	-	1										
Waste	-	-										
Works (North)	6	8										
Works (South)	-	-										

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

Date	Recipient	Purpose	Amount \$
	Council wages and plant	Assistance to Campbell Town SES	
	Council gifts and donations	Flowers and gifts	
19-Sep-18	Campbell Town District High School	Chaplaincy	\$1,500
19-Sep-18	Campbell Town District High School	Inspiring Positive Futures Program	\$8,000
23-Jul-19	Reptile Rescue	Reptile rescue	\$1,000
Sporting Achievements			
8-Jul-19	Lucy Johnston	Australian Interscholls Equestrian Championships	\$100
8-Jul-19	Jock Johnston	Australian Interscholls Equestrian Championships	\$100
8-Jul-19	Nick Smart	Australian U12 Boys AFL Football Championships	\$100
8-Jul-19	Sophie Cuthbertson-Cass	National Primary Athletics School Sports Competition	\$100



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Date	Recipient	Purpose	Amount \$
23-Jul-19	Hayden Scott	Junior World Darts Championships 2019 in Gibraltar	\$200
31-Jul-19	Katie Campbell	U12 Nth Tas Junior Soccer Assoc Oceania Cup NSW	\$100
31-Jul-19	Judy Gurr	Australian Senior Sides Bowls Championships	\$100
31-Jul-19	Celeste Nicholson	U12 Nth Tas Junior Soccer Assoc Oceania Cup NSW	\$100
31-Jul-19	Jonty Groves	Tasmanian School Sport Australia U12 Touch Football Team	\$100
31-Jul-19	Logan Groves	Tasmanian School Sport Australia U12 Touch Football Team	\$100
5-Aug-19	Narrinda Cawthen	Australian Indoor Bias Bowls Championships 2019	\$100
5-Aug-19	Ava Walker	U12 Girls School Sport Australia Touch Football Championships	\$100
22-Aug-19	Lucy Smith	NTJSA Girls Rep Team - Oceania Cup NSW	\$100
TOTAL DONATIONS			\$11,900

10 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status
24/06/2019	174/19	Draft By-Law: Placement of Shipping Containers By-Law	That Council proceed with the development of a Placement of Shipping Containers By-law; seek a solution to the issues, identify what measures are taken by other councils and that the matter be further workshopped.	Community & Development Manager	Meeting of officers to occur, and then report to Council.
22/07/2019	207/19	Policy – Bond Payment and Return	That the matter of bond payment consolidation be listed for discussion at a future workshop.	Community & Development Manager	Referred to Council workshop.
19/08/2019	244/19	Policy Review: Mobile Food Vendors	That the matter be deferred to a workshop	Community & Development Manager	Listed for workshop discussion.
22/07/2019	208/19	Policy Review: Public Open Space Contribution	That the matter be deferred pending further information.	Community & Development Manager	Listed for workshop discussion.
18/02/2019	047/19	Proposed Mural Installation: Perth	That Council supports the proposed mural installation in Perth and the following steps now be taken: a) Council officers, in conjunction with Ms Wrigley develop a draft implementation strategy for the project including: i) A series of suitable locations for the murals; ii) Suggested images for the murals; iii) An implementation plan for the project. iv) A suggested budget allocation. b) The draft implementation strategy be referred to the Perth Local District Committee for comment; c) The draft implementation strategy be advertised in the Northern Midlands Courier and on Council's Facebook page, inviting public comment. d) Upon receipt of feedback from the Perth Local District Committee and the community a final implementation strategy be presented to Council for approval.	Community & Development Manager	a) complete; b) complete - not supportive; c) community survey live; d) to be completed
18/03/2019	075/19	Public Notification to Adjoining Property Owners	That the matter be deferred to a future workshop	Community & Development Manager	Listed for workshop discussion.
17/09/2018	258/18	Initiation of Draft Planning Scheme Amendment 04/2018 Include Flood Risk Mapping in the Planning Scheme for Land Along Sheepwash Creek from Arthur Street to Cemetery Road, Perth	That Council, acting as the Planning Authority, pursuant to section 34 of the former provisions of the Land Use Planning and Approvals Act 1993 resolve to initiate Draft Planning Scheme Amendment 04/2018 to the Northern Midlands Interim Planning Scheme 2013 to include the flood risk mapping for land zoned General Residential and Future Residential, based on the mapping shown in the attachment, in the planning scheme maps.	Senior Planner	Certification Report to be tabled at future Council meeting, once Sheepwash Creek works finalised.
19/08/2019	232/19	Confirmation Of Minutes - Longford Local District Committee	Introduction of free waste transfer station vouchers: That Council be asked to give consideration to this in the next financial year similar to the West Tamar Council and that council liaise with them. - That Council receive the information	Corporate Services Manager	Listed for budget deliberations 2020/21.
22/07/2019	210/19	Monthly Financial Statement	That Council discuss the matter of budget alterations at a workshop.	Corporate Services Manager	Listed for workshop discussion.
19/08/2019	243/19	Request For Donation: Just Cats	That Council provide \$2,000 to Just Cats as provided for in the 2019/2020 municipal budget, and the request for an additional \$8,000 be considered in the mid-year budget review	Corporate Services Manager	Report to Council.
19/08/2019	247/19	Application To Purchase Road Reserve: Trafalgar Street, Ross	That Council advise the Department of Primary Industries, Parks, Water & Environment that it does not support the sale of the Crown land on the grounds that a lease over the land would be preferable	General Manager	Letter sent. Complete.
21/05/2018	128/18	Conara Park	That Council seek quotes for the development of a concept plan for the Panec Street site.	General Manager	Concept plan received. For future Council workshop discussion. Concept to be



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Date	Min. Ref.	Details	Action Required	Officer	Current Status
					costed with a report to Council.
21/01/2019	008/19	Establishment of Bendigo Bank Service in Longford	That Council proceed to Stage 1 of the Bendigo Bank process and organise a community meeting to gauge the support for the formation of a steering committee to investigate the establishment of a Community Bank/ Agency.	General Manager	Discussions with Bendigo Bank continuing.
19/08/2019	238/19	Local District Committees: Review Of Memorandum Of Understanding	That the matter be deferred to a workshop	General Manager	Listed for workshop discussion.
19/08/2019	256/19	Longford Recreation Ground – Complex Upgrade	That Council note the report and endorse procedural changes to Council's Building Construction process	General Manager	Processes implemented.
10/12/2018	361/18	Municipal Swimming Pools	That a decision be deferred subject to further information being available.	General Manager	Cressy Pool structure x-ray to assess integrity undertaken. Advice awaited.
19/08/2019	240/19	Request To Remove Name On Plaque From Eliza Forlong Sculpture In Campbell Town	That Mr Millwood's name be removed from the plaques identified in this report	General Manager	Plaques removed.
19/08/2019	237/19	South Esk River Parklands, Perth – Master Plan	That Council: i) Accept the South Esk River Parklands, Perth - Master Plan; ii) Consider funding the 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.	General Manager	Project to be listed for consideration during 2020/21 budget deliberations and as external funding opportunities arise.
19/08/2019	236/19	ALGA National Local Roads and Transport Congress Attendance	That Cr Brooks be authorised to attend the 2019 ALGA National Local Roads and Transport Congress in Hahndorf, South Australia from 18 to 20 November 2019.	Exec Assistant	
19/08/2019	232/19	Confirmation Of Minutes - Perth Local District Committee	PLDC Committee recommended immediate removal as deemed to be inappropriate & replaced with simplified rectangular versions similar to Longford (12 no. based upon pro rata equivalent allocation to Longford). - That the recommendation of the Perth Local District Committee be considered in conjunction with the Perth Main Street Flower Pots Survey 2019.	Exec Assistant	Report to Council.
24/06/2019	162/19	Perth Local District Committee - Train Park	That Council officers assess the appropriateness of the relocation of the shelter to the Train Park and report back to Council.	Exec Assistant	To be considered in mid-year budget review.
19/08/2019	242/19	Policy Review: Dog Management	That Council endorse the proposed changes to the Dog Management Policy, as highlighted in the attached document, for public exhibition in accordance with section 7 of the Dog Control Act 2000.	Exec Assistant	On public exhibition.
19/08/2019	257/19	Policy Review: Related Party Disclosure	That Council endorse the minor amendments to the Related Party Disclosure Policy	Exec Assistant	Complete.
19/08/2019	235/19	Policy Review: Youth	That Council adopt the amended Youth Policy.	Exec Assistant	Complete.
19/08/2019	232/19	Confirmation Of Minutes - Longford Local District Committee	That Council seek Federal funding for a feasibility study surrounding the proposed Longford Equestrian facility and that it be anchored at the Race Track to ensure the survival of the race track - That Council note this further request.	Project Officer	Included on project list for funding to be sought.
15/05/2017	149/17	Council's Social Recovery Plan	That Council adopt the Northern Midlands Social Recovery Plan and undertake a community education campaign to get the message about the Plan and its operation out widely across the Northern Midlands.	Project Officer	Community education campaign commenced with article in media.
19/11/2018	323/18	Tom Roberts Interpretation at Longford	That Council approve the proposal to develop a Tom Roberts interpretation panel for erection in the grounds of Christ Church Longford and a short Tom Roberts' video, and consider funding these items in the mid-year budget review process.	Project Officer	Pending.
19/08/2019	232/19	Confirmation Of Minutes - Longford Local District Committee	Stronger Communities Grant Program - Longford Legends park - That Council Officers provide information regarding the Grant Program to the Local District Committee to begin the Expressions of Interest process	Executive & Comms Officer	Complete.
19/08/2019	232/19	Confirmation Of Minutes - Longford Local District Committee	That the Committee ask the Council to advise how the budget priority allocated to those items listed e.g. What is the budget priority for the Consultancy budget items. - That Council officers advise the Committee	Executive & Comms Officer	Complete.
19/08/2019	232/19	Confirmation Of Minutes - Ross Local District Committee	That Council Officers contact the Police Minister and invite him to the next meeting.	Executive & Comms Officer	Complete.
21/01/2019	004/19	Longford Local District Committee – Levee Bank	That Council officers further investigate the use of the levee banks to allow for a public walking track.	Executive & Comms Officer	That the LLDC be advised that no funds were allocated in the 2019/2020 budget, but the matter be given priority consideration if Council is successful in receiving the grant funds for the Longford Urban Design Strategy. .



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Date	Min. Ref.	Details	Action Required	Officer	Current Status
19/08/2019	239/19	Spirit Of Tasmania – Tour Of Tasmania: Request For Financial Assistance	That a Major Festivals, Events and Promotions funding application form be forwarded to the organisers of the 2019 Spirit of Tasmania Tour of Tasmania event	Executive & Comms Officer	Complete.
19/08/2019	232/19	Confirmation Of Minutes - Longford Local District Committee	Why aren't all motions from the LLDC to Council listed on their agenda for discussion and if they are vetted, what is the criteria? - That Local District Committees be advised regarding the protocol in relation to the submission of motions.	Executive Officers	Complete.
19/08/2019	246/19	Proposed Bus Turning Circle Pateena Road	That Council i) accept the offer and enter into a lease agreement with Mr Hugh Mackinnon to lease the portion of land located on Pateena Road at a nominal fee, payable on demand, on which to relocate the bus shelter and construct a bus turning facility; and ii) allocate \$14,800 from the budget to carry out these works	Engineering Officer	Funds allocated and planning permit submitted.
20/05/2019	148/19	Concerns Relating to Upgrade Works on State Roads: Evandale Main Road & Woolmers Lane/Midland Highway Intersection	That Council request the State Government to review: i) road reconstruction works on Evandale Main Road; ii) the safety of the Woolmers Lane intersection; iii) the safety of Leighlands Road intersection; iv) the appropriateness of the give way sign on the underpass at Breadalbane (needs to be Stop sign); v) the guard rails on Brumby's Creek bridge; and vi) the Bridge at Bowthorpe on Pateena Road.	Works Manager	Letter sent, response awaited.
19/08/2019	245/19	Proposal To Relocate The Fred Davies Grandstand	That the matter be deferred to a Council workshop.	Works Manager	Listed for future workshop.
18/09/2017	291/17	State Roads Maintenance	That Council meet with StateRoads i) to initiate discussion on the possibility of Council taking-up emergency maintenance works on State road infrastructure. And ii) to ascertain the possibility of Council providing road and other maintenance services on a contract basis in the future.	Works Manager	Council pursuing with State Growth. Meeting to be arranged.
24/06/2019	185/19	Street Tree Bonds	That ... ii) a Council Policy be developed in relation to the responsibility of developers/designers to plan and plant trees in new subdivisions.	Works Manager	Investigations underway.

LONG TERM ACTIONS

Date	Min. Ref.	Details	Action Required	Officer	Current Status
10/04/2017	120/17	Perth Structure Plan	That Council endorse the Perth Structure Plan and draft amendments to the planning scheme be prepared.	Senior Planner	To be listed for Workshop discussion.
18/09/2017	293/17	Nomenclature – Naming of New Street: Effra Court, Perth (Off Edward Street)	That Council ii) develop guidelines for the naming of streets with links to indigenous and old family names favoured.	Corporate Services Manager	Tas Place Naming Guidelines introduced list of local suggested names - listed for workshop.
17/09/2018	262/18	Nomenclature: Rescind Town Name "Lymington"; and Gazette Town Name "Nile"	That Council request assistance and proceed in proclaiming a new Town boundary of Nile.	Corporate Services Manager	Awaiting electoral office for procedure and process for elector poll.
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	Community sessions held in June 2019 in Longford and Campbell Town. Report to Council meeting once finalised.
15/04/2019	101/19	Recommendations Of Sub Committees - Longford Local District Committee - 6.11 Cycling in Longford	That Council consider the request of the Committee.	General Manager	Master Plan to be developed when funding available.
18/09/2017	279/17	Historical Records and Recognition: Service of Councillors	That Council, ...and ii) progress the following when the glass enclosed area at the front of the Council Chambers is nearing completion: Photograph/photographs of current Councillors – professional printing and framing; Archiving of historic photographs; Production of a photo book of historic photographs for display.	Exec Assistant	To be undertaken following completion of Council office extension.

Matters that are grey shaded have been finalised and will be deleted from these schedules

11 KEY ISSUES BEING CONSIDERED: MANAGERS' REPORTS

1. GOVERNANCE

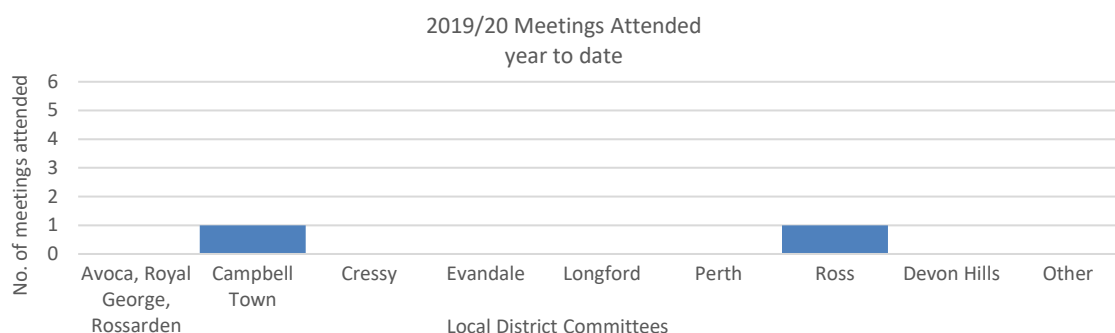
a. Meetings/Conferences

- Council meetings:
 - Ordinary Meeting 19 August
- Council Workshops:
 - 5 August



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

- 12 August – Land Use Strategy
- 19 August
- Executive Management Team:
 - 1 August
 - 13 August
 - 27 August
- Staff Meeting
 - 6 August
 - 20 August
- Community meetings:



- Meetings:
 - Met with property owner re rezoning of land, Breadalbane
 - Met with representative of Department of Police & Emergency Services
 - Attended TasWater quarterly meeting
 - Met with Commissioner for Children and Young People Tasmania
 - Met with Catherine Murdoch of the Coordinator General's office re Smart Cities
 - Met with representatives of Helping Hand, Longford
 - Met with JMG re Land Use Strategy
 - Attended NMBA meeting at Longford
 - Attended Local Government Review Session for Council Officer's
 - Attended Regional General Manager's meeting
 - Met with Dr Jo Fearman, NRM North
 - Met with Maree Tetlow, CEO, Northern Tasmania Development Corporation
 - Met with developers re potential developments – Evandale, Longford and Perth
 - Met with representatives of Perth Tennis Club
 - Meeting with Northern Council General Managers re Regional Transport Study
 - Met with Landscape Architect re Wellington Street, Longford streetscape
 - Attended teleconference with Terry Harper, Cat Management Working Group
 - Met with Senator Claire Chandler

b. General Business:

- Health & Safety and Risk Management Review
- Legal issues, leases and agreement reviews
- Interim Planning Scheme matters
- Road Construction
- Engineering Services
- Drainage issues & TRANSLink stormwater
- Road and Traffic matters
- Resource Sharing
- Animal Control matters
- Buildings
- Tourism
- Management Agreements and Committee Administration



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- Office improvements
- Media releases and news items
- Grant application administration and support letters
- Local District Committee project support
- Event management
- Emergency Management
- Strategic Plan
- Local Government Reform
- Citizenship ceremonies
- Newsletters
- General correspondence.

c. Human Resources

- Recruitment
 - Planning Officer (Part-time) – applications extended and now close on 6 September 2019
 - Early Childhood Educators (Part-Time and Casuals) – appointed
 - Pool Lifeguards – applications close on 8 September 2019
 - 2nd or 3rd year Engineering Student – Summer work placement as part of university degree requirements
- Corporate Services Department review – meeting held with Corporate Services Manager to discuss and go through review. Summary document to be prepared for the Corporate Services team who participated
- EBA negotiations – EBA lodged with the Fair Work Commission on 23 July 2019 for approval. EBA listed for hearing with the Fair Work Commission on 26 September 2019
- Uniform Provider – alternate provider confirmed and communicated to indoors staff
- HR Workplace Behaviour Policy Suite – now all complete and uploaded to LivePro and hard copies made available to the works depot and childcare services
- Family and Domestic Violence Policy – complete in draft format. With General Manager for his review
- Corporate voice branding and organisational branding workshop – confirmed for 10 September 2019. This will incorporate the stationary branding templates to ensure professionalism and consistency across the organisation
- All staff end of year dinner confirmed for 20 December 2019. Invitation distributed to all staff and their partners
- General human resource matters – ongoing
- Performance management and disciplinary matters – as required
- Employee learning and development – as required
- Development and implementation of new Human Resources Policies and Procedures – as required

d. Media and communications

- Preparation of Council pages in Northern Midlands Courier
- Preparation of articles for the LGAT newsletter and Local Government Focus Magazine
- Preparation of media releases, speeches and communications for website, newsletters and Facebook page

e. Council Volunteer committees and projects

- Attendance at Local District Committee meetings and provide secretarial support
- Liaising with Council's Management Committees
- Maintaining Council's Volunteer Register
- Requesting bi-monthly risk checklists be completed by facility committees of management
- Liaising with booking officers regarding booking of Council facilities

f. NRM

- On-going facilitation of Mill Dam Action Group and partnership relationships.
- Customer Requests response, including but not limited to: Local District Committee's, weed complaint support requests.
- On-going collaboration with Department of Primary Industries Parks Water and Environment, with particular focus on bio-security regarding reported weed infestations.



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2. COMMUNITY & DEVELOPMENT

a. Animal Control

- Respond and investigate complaints in respect to dog management, including issuing notices and fines
- Respond and investigate reported dog attacks
- Conduct routine dog patrols within the municipality
- Review and renew kennel licenses within the municipality
- Conduct dog microchipping service
- Progressing municipal wide dog registration audit
- Chairing Cat Management Working Group meetings (NRM North, surrounding Councils and other relevant groups)
- Taking complaints regarding cat management and other animal related issues, including livestock matters
- Working with work experience student
- Review of Dog Management Policy
- Investigating development of Dog Management Plan for municipality
- Working with work experience student from Campbell Town District High School

b. Building/Plumbing

- Plumbing and building inspections and assessments, as required
- Permit authority assessments
- Meeting with developers to discuss requirements, as required
- Attendance at Consumer, Building & Occupation Services Permit authority forums
- Participation in Planning & Building Portal
- Ongoing review of Building for Bushfire Bulletins
- Plumbing Surveyor appointed as Vice Chair of Tasmanian Plumbing Surveyors Association

c. Planning

- Preparation of Local Provisions Schedules for incorporation into statewide Planning Scheme
- Northern Midlands Land Use Strategy
- Participation in the Launceston Gateway Precinct Master Plan project working group
- Participation in Regional Planning Scheme issues
- Attendance at State Planning Provisions hearings
- Attendance at forums regarding State Planning Portal development
- Consideration of Planning Directives
- Consideration of proposed planning legislative amendments
- Ongoing review of procedures
- Management of Perth Structure Plan project
- Preparation of Perth Recreation Strategy brief
- Response to enquiries and development opportunities
- Amendments to Interim Scheme
- Assessment of development proposals
- Liaison with appellants and RMPAT regarding Planning Appeals
- Review of policies, by-laws and procedures

d. Compliance

- Ongoing review of all outstanding and arising compliance issues
- Undertake scheduled inspections and inspections arising from complaints regarding overhanging trees, issuing reminders and notices and engaging contractors to complete works, where required
- Conduct inspections of Council's free overnight camping facilities, following up on complaints and feedback and sharing information about the permit requirements
- Audit of On Street Dining within the municipality, issuing reminders and notices where licences have not been applied for
- Reviewing Council's Display of Goods on Highway By-Law, On Street Dining By-Law, Freestanding Sign By-Law which expire in 2020 and working to consolidate into one by-law
- Inspection and issue of Fire Abatement notices (seasonal)



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e. Environmental Health

- Monitoring air, noise and water quality as required
- Advising in respect to development applications, as required
- Investigating reported breaches of environmental health matters
- Issuing food licences and conducting inspections
- Responding to general enquiries from the public on health matters
- Issuing Place of Assembly licences for events, as required
- Investigating environmental incidents, as required
- Investigating notifiable diseases, as required
- Use of drone for investigations, as required
- Facilitation of School Immunisation Program 2019

f. Policy

- Review and update Council's Policy Manual as required
- Delegations register – review and update as required
- *Public Interest Disclosures Act* procedures
- Ongoing review of work programs and standard operating procedures
- Regular planning and building assessment unit meetings
- By-Law preparation

g. Events

- Liaising with various organisations and community groups regarding holding events within the Northern Midlands
- Advertising events through Council's web and social media publications
- Planning for Northern Midlands Business and Volunteer Expo
- Reviewing and improving Council's Event Management Guide
- Participation in MAV Insurance forums relating to events

h. Health & wellbeing

- Participating in the quarterly Northern Midlands Health Service Providers Forums
- Member of the Northern Region Sport and Recreation Committee
- Council's End Men's Violence Against Women Campaign

i. Tourism

- Heritage Highway Tourism Region Association
 - Marketing activities, itineraries, newsletter and social media campaigns
 - Updating event directory
- Providing support and information for all Northern Midlands Visitor Centres and provision of information to Regional Tourism organisations and tourism operators
- Research and update of information signage, including information plaques in Campbell Town, various interpretation panels/signage opportunities throughout the municipality
- Attendance at Destination Action Plan workshops for region
- Northern Midlands Business Association
- Coordinating Northern Midlands Visitor & Information Centre
- Research and investigate various Tourism opportunities for the Northern Midlands
- Attendance at Tourism related forums and conferences
- Working with work experience student from Campbell Town District High School

3. CORPORATE SERVICES

a. Customer Service

- Member of the National Local Government Customer Service Network.
- Member of the State Local Government Rating Network.
- Administer the Service Tasmania contract for customer services in Campbell Town.
- Customer Service Charter and Policy reviews and survey feedback review.
- Telephone system and on-hold messages administration.



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b. Finance

- Issue and collection of Rates and Animal registration and sundry fees and charges.
- Municipal revaluation 2019 tender process, valuation maintenance and adjustments, and supplementary valuations.
- Street numbering, address allocation and road and street naming.
- Cash, electronic receipting, and direct debit system administration.
- Rate interest and penalty calculations and administration.
- Pension rebates claims and maintenance, classification for two rebate maximums, verification of Centrelink data.
- Sundry Debtors, and aging account review.
- Creditor payments and enquiries. ABN administration. Electronic Ordering and committals.
- 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.
- Debt Collection and issue Debt summons. Manage Agency Debt Collection contracted services.
- Municipal Budget and adjustments, End of Year Financials, KPI return, Asset Management, Fleet Hire, Long Term Financial Planning, Audit and Annual Report. Related Party Disclosures.
- Grants Commission administration, sundry grant reporting and auditing. Committee financial management support and auditing.
- Stimulus loan funding applications, administration and repayment procedures.
- Property ownership, licences and leases, and aged care unit tenancy.
- Unclaimed monies register and Public Land Register.
- Records Management, archives, scanning and disposal process, new resident's information, council information policies and procedures.
- Banking & Investments, borrowings administration. Direct Debit, Ezidebit, BPay Billing etc. and setup alterations.
- Rate System issues, 2018/19 Rating, coding and maintenance.
- General Finance issues, Grant Funding issues, Tax issues including GST, PAYG, FBT, Fuel & Land Tax, ATO Creditor information.
- Cemetery management, onsite map display and website databases.
- Roads to Recovery work schedules, mapping, quarterly and annual reports.
- General accounting, correspondence and reports.
- Audit & Audit committee procedures, processes and support.
- Waste Transfer Station Management issues, kerbside waste collection contract issues and special clean-up service.
- 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/funding.
- Light Fleet Management.
- Master plan development assistance where required.
- General Office support and attendance of meetings, reports, emails & phone enquiries.

c. Risk Management

- Risk Management register review.
- Safety management and reporting.
- Drug & alcohol testing administration.
- Contractor and volunteer management/induction/audits.
- SDS Register and database.
- Plant risk assessments.
- Swimming pool risk management.
- Incident reporting.
- Emergency Management meetings, EM Plan reviews, Emergency Risk Register, Strategic Fire Plan meetings, Emergency desktop exercise and general administration issues.

d. Insurance

- Insurance renewals and policy maintenance.



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- Claims maintenance and review.

e. Information Technology

- Server and desktop maintenance, and server upgrade.
- New computer setup and minor upgrades of other IT equipment.
- Open Office Software upgrades and enhancement requests incl One-Touch Payroll.
- GIS maintenance and training.
- Disaster Recovery & IT backup maintenance.
- Council Website, and Town / Local District Committee website maintenance and upgrades.
- Livepro System setup and development
- Support Open Office Town Planning & Development system
- Cemetery and Convict Brick database developed and ongoing maintenance.
- Office telephone system maintenance & mobile phone plan review.
- Sundry database creation and maintenance – incl Outgoing Mail Register.
- Mobile device applications implementation, and remote access logins.
- Building security systems maintenance.
- Microsoft software maintenance.
- Maintain photocopiers and printers.
- Advanced IT security implementation and training.
- WiFi network and hotspots & CCTV camera setup and maintenance.
- Fleet tracking.
- ECM maintenance & training.
- Delegations software maintenance.
- Audio system improvements in community facilities
- Sundry IT reports, audits and analysis.

f. Childcare

- Childcare management and support.
- Childcare financial reporting, audit, budgets & fee schedule reconciliations.
- Additional Perth School After School Care service reference group.
- Cressy School After School Care service.
- Longford After School Care service.
- Review funding of replacement of BBF funding in 2018/19.
- Administer capital funding projects to improve services.

4. WORKS & INFRASTRUCTURE

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

- 3 Lot Dixon Subdivision, Anstey Street, Longford has reached practical completion.
- 9 Lot Youl Road Subdivision, Perth at practical completion

d. Waste Management

- Input into Regional Waste Management discussions – ongoing.
- Input into discussions on the format of a statewide waste authority – ongoing.
- Regular safety audits of all sites – ongoing.

e. Tenders and Contracts

- Tender for Campbell Town Main Street Urban Design and Traffic Management in progress.



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- Tender for Sportsground Lighting – at practical completion.
- f. Flood levee**
- Programmed monthly/bi-monthly inspections of flood levee carried out by Works and Infrastructure staff.
- g. Engineering**
- 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.
 - Input into heavy vehicles and bridge working group with Department of State Growth and other Councils – ongoing.
- h. Capital works**
- None to report

12 RESOURCE SHARING SUMMARY: 01 JULY 2019 TO 30 JUNE 2020

Resource Sharing Summary 1/7/19 to 30/6/20 As at 31/8/19	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts	-	-
Street Sweeper - Plant Hire Hours	-	-
Total Services Provided by NMC to Meander Valley Council		-
Service Provided by Meander Valley Council to NMC		
Wages and Oncosts		
Plumbing Inspector Services	63.20	4,719.32
Total Service Provided by MVC to NMC		4,719.32
Net Income Flow		- 4,719.32
Total Net		- 4,719.32
Private Works and Council Funded Works for External Organisations	Hours	
Economic & Community Development Department		
Northern Midlands Business Association		
Promotion Centre Expenditure		Not Charged to Association Funded
- Tourism Officer		12.00 from Council Budget A/c 519035
Works Department Private Works Carried Out	3.50	
	15.50	

13 VANDALISM

Prepared by: Jonathan Galbraith; Engineering Officer

Incident	Location	Estimated Cost of Damages		
		August 2019	Total 2019/20	August 2018
Break-in at Football Clubrooms	Perth	\$ 1,000		
Break-in at Bishopsbourne Hall	Bishopsbourne	-		
Vandalism at Victoria Square toilets	Longford	\$ 300		
TOTAL COST VANDALISM		\$ 1,300	\$ 1,600	\$ 3,000

14 YOUTH PROGRAM UPDATE

Prepared by: Billie-Jo Lowe, Youth Officer

Council contracts Launceston PCYC to provide youth programs in Evandale and Perth.



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PCYC sessions were held in Evandale and Perth during August with the following attendance:

Session Venue	Date of Session	Attendees	Total Sessions	Total Attendance
Perth	1/8	9	5	44
	8/8	8		
	15/8	10		
	22/8	8		
	29/8	9		
Evandale	2/8	9	4	36
	9/8	5		
	16/8	9		
	23/8	*0		
	30/8	16		
	1/8	9		

**No attendees due to weather conditions*

Free2B girls program

The Free2B girls program is facilitated on Wednesdays from 3pm to 4.30pm during school term at the Longford Town Hall. There has been a change of day to Thursdays as of 15 August. Attendance for the month of August as follows:

Date of Session	Attendance
7/8	9
15/8	7
22/8	11
29/8	11

Billie-Jo is currently applying for a Tasmanian Community Fund grant to support the longevity of the Longford group and extension of the program to Campbell Town.

The girls have met with the coordinators of the Longford Art Exhibition to be held in the Town Hall in October and will be involved in some of the activities such as art workshops being facilitated at the exhibition.

Cressy District High School

Billie-Jo is supporting the school to facilitate the school's Drop in Zone ("The Laid Back Shack") held each Friday during lunchtime and involve youth services in the provision of activities and information to students who attend.

Billie-Jo is liaising with Beacon Foundation who are facilitating a mentoring program with Cressy District High School students towards improving job readiness and successful transition from school to employment/ training.

Billie-Jo is supporting the school to facilitate a Mini Mental Health Expo on Friday 13th September 1.30-2.40 as part of Mental Health Week. Services such as Youth Health North, YMCA, City Mission and Relationships Australia will be showcasing services and information available on mental health.

Avoca Primary School

Billie-Jo is working with the Avoca Primary School to support in the school closure and the transition of students to Campbell Town. Planning has commenced for an end of year event to be held on 30 November. Billie-Jo is liaising with YMCA, Bravehearts and University of Tasmania who have committed to delivering activities for students to be involved in during terms 3 and 4 which will be attended by peer students from Campbell Town.

YMCA

Billie-Jo is in discussion with YMCA Launceston who are interested in facilitating programs in schools throughout the municipality. There will be a need to identify sources of funding to enable YMCA to provide regular programs in the region.

Northern Midlands Youth Camp

Billie-Jo has submitted an application for a Heywire Youth Innovations grant which has been approved for \$3000 towards a youth camp. The camp will target young people who are at risk of mental health issues across the municipality. The camp is set to be held in the April 2020 school holidays.



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Youth Mental Health Project

There has been an announcement that the Royal Flying Doctors Tasmania will appoint a Youth Mental Health Worker on a 0.5 basis to cover the Northern Midlands.

Discussions are also being held regarding preventative and early intervention initiatives for youth mental health across the municipality.

Billie-Jo has met with the Director of Teen Challenge who facilitate a Youth Mentoring program to train mentors in local communities to work 1:1 with children and youth. Teen Challenge also provide Drug Education workshops and seminars such as the “Not Even Once” school-based drug education program. Billie-Jo will support Teen Challenge to implement these programs in the Northern Midlands.

Evandale Primary School – Junior Action Group

Billie-Jo is supporting the JAG group with their next fundraising event for the purchase of wheelchairs for disabled children in overseas communities and the development of the schools’ kitchen garden.

Longford Skate Park Art project

Billie-Jo is currently liaising with Cressy High School and artists Fakington Wilde and Sam Shand who were involved in the painting of the George Town and Sheffield skate parks. The project will involve art students from Cressy District High School to work with the artists to design and paint the cement with anti-graffiti paint.

Meetings

Billie-Jo represents Council on the Northern Youth Coordinating Committee and the Northern Midlands Interagency Group. She has recently attended a Rural Youth in Agriculture Focus group meeting with Rural Business Tasmania to improve pathways for youth to pursue careers in Agriculture.

15 STRATEGIC PLANS UPDATE

Prepared by: Lorraine Green, Project Officer

CURRENT AS OF 3 SEPTEMBER 2019

Strategic Plans By Location & Consultant	Start Date	Completion Date	Current Status
Blessington			•
Feasibility Study: Investment in Ben Lomond Skifield Northern Tasmania (TRC Tourism)	Jun-15		- Ongoing collaboration with Parks and Wildlife Services and other key stakeholders to progress implementation of report recommendations. - Ben Lomond Committee received \$60,000 election commitment to assist with improving the water supply of the ski fields - State Government budget included commitment of \$400,000 to upgrade the shuttle bus carpark below Jacob’s Ladder. Project completed June 2019 - Jan 2019: Application submitted nominating Ben Lomond as the state’s next iconic walk. Nomination unsuccessful. To be discussed with Tourism Northern Tasmania
Campbell Town			
War Memorial Oval Precinct Cenotaph redevelopment			- Dec 2016: Request to Philp Lighton Architects for a layout plan & concept sketches for improvements around the cenotaph & a display area in entrance to the Multi-Function Centre. Plans received Jan 2017 and state budget submission made for \$158,000 to fund the cenotaph precinct upgrade. - Feb 2018: State liberal election commitment of \$70,000 towards the redevelopment of the cenotaph precinct. Grant deed signed. First progress report submitted Dec 2018: second submitted June 2019. Final report due 31 Dec 2019. - Work due for completion Sept – Oct 2019.
Tennis/multi-purpose courts			September 2017: Funding application submitted to TCF for \$55,000 towards the development of a tennis court and a multi-purpose court at the Oval precinct. Notified 28 November that application was successful. Grant deed executed and funds received. Final report due date extended to 31 Dec 2019.



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Strategic Plans By Location & Consultant	Start Date	Completion Date	Current Status
			- November 2017: Funding application submitted to Sport & Recreation Tas for \$80,000 to assist with the courts development. Notified January 2018 the funding has been secured. Grant deed executed. Final report due 31 Dec 2019. - Courts due for completion Sept-Oct 2019.
CBD Urban Design and Traffic Management Strategy (GHD) (Lange Design and Rare Innovations)	May-16		- GHD presented to Council 28 Nov 2016 Workshop on outcome of community consultation: discussed changes required to draft strategy: draft master plan due 6 April 2017 - Feb 2017: State Government budget submission made for matching funding for the implementation of the Main Street component of the urban design strategy - Strategy adopted for consultation purposes at May 2017 meeting. Public consultation session held 13 September 2017 Final report accepted at November 2017 Council Meeting. - Council secured \$1 million loan through the Northern Economic Stimulus package towards the implementation of the main street component of the strategy. 20.11.17; Lange Design and Rare Innovations Design contracted to prepare the design and construction tenders. Stage 1 concept plan received April 2018. - State Liberal 2018 election commitment of \$1.5million for Midland Highway underpass near War Memorial Oval precinct. - Main Street Tree Planting Report received Feb 2018.
Cressy			
Swimming Pool Master Plan (Loop Architecture)	Dec 15		- Draft Master Plan received May 2016: structural assessment approved Aug 2016 - Final report accepted at October 2017 Council meeting. Report requested on the integrity of the pool structure. - Liberal election commitment of \$100,000 to upgrade the kiosk, install a shade structure and a playground. Grant deed signed. Agreed completion date 30.11.19 - Funding applications to Tasmanian Community Fund and Stronger Communities Program for the children's playground submitted. Funding secured from both sources. Playground installation completed May 2019. Acquittal reports submitted to funding bodies July 2019. - Nationals in Government funding commitment of \$400,000 made March 2019. Documentation to secure funds required by 4 Oct 2019.
Recreation Ground Master Plan (Lange Design & Loop Architecture)	Feb-17		17 Jan 2017: confirmation that the state govt has approved \$220,000 for the ground upgrade through the Northern Economic Stimulus Package. - Feb 2017: Lange Design and Loop Architecture contracted to develop the master plan. Draft Master Plan accepted at October 2017 Council Meeting – released for public comment. Council accepted the 2030 Master Plan at April 2018 Council Meeting. - April 2018: option study for changerooms and club facilities being undertaken by D Denman & Associates. - May 2019: Expression of Interest to Levelling the Playing Field grant program for inclusive changerooms submitted. Changeroom cost \$708,153 – total project cost \$1.2m. Advised July 2019 that EOI was to be progressed to Stage 2 application. Stage 2 application submitted 29 July 2019. Outcome anticipated October 2019.
Evandale			
Honeysuckle Banks			At May 2017 Council meeting, Council i) accepted in principle the Honeysuckle Banks Plan; ii) consider funding the minor works components of the plan in future Council budgets, and iii) request Council Officers to seek to secure external grants to assist with the implementation of the full plan.
Morven Park Master Plan (Lange Design)	Nov-16	April 18	- Nov 2016 Lange Design contracted to develop master plan - Draft Master plan accepted at October 2017 Council Meeting – released for public comment. - Council accepted 2030 Master Plan at April 2018 Council Meeting.
Clubhouse	April 18		- State Liberal election commitment of \$158,000 towards facilities' upgrades. Progress reports submitted Dec 2018 and March 2019. Next report due Sept 2019. - Feb 2019: funding of 50% matching grant by Council (\$430,300) secured under Levelling the Playing Field State Government Grant Program. Grant deed signed and



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Strategic Plans By Location & Consultant	Start Date	Completion Date	Current Status
			tax invoice submitted. Progress report due 30 Sept 2019. Final report due 30 June 2020. - AFL Tas funding commitment of \$60,000 secured – to be paid upon project completion. - September 2019: tender documents being prepared.
Longford			
Community Sports Centre Master Plan (RT & NJ Construction Services)	Feb-15	Jun-15	- June 2016: application requesting \$504,722 GST excl. lodged with State Government Regional Revival Program including a business plan. Advised Sept 2016 application was unsuccessful. 17 Jan 2017: Council advised State Govt has approved \$1,000,000 for the centre upgrade through the Northern Economic Stimulus Package - March 2018: Tender for new gym and amenities shed awarded to RT & NJ Construction Services. Work underway. - Funding application to TCF for funds towards the fitness room, meeting rooms, entrance, amenities and external services upgrade submitted August 2018. Outcome unsuccessful. - Sept 2019: work progressing.
CBD Urban Design Strategy (Lange Design and Loop Architecture)	May-16	Oct-17	- Site Investigation Report completed October 2016. - Community Information Gathering Workshop held 7 December 2016. Draft Urban Design Strategy received. - Parklet design & plans approved June 2017. - Draft Urban Design Strategy adopted May, for further consultation. - Draft urban design guidelines developed. - Strategy and Guidelines manual accepted at the October 2017 Council Meeting. - Negotiations underway February 2018 with State Growth towards development of a deed regarding the future maintenance of the Illawarra Road roundabout. - Nationals in Government funding commitment of \$4 million made in March 2019. Documentation to secure funds required by 4 October 2019.
Memorial Hall & Village Green Infrastructure			- Sept 17: Philp Lighton Architects contracted to undertake the study of the Council Offices, Memorial Hall, Town Hall and Library facilities. Study underway October 2017 and presentation made to November 2017 Council Workshop. Community engagement process closed 18 July 2018. Only 1 written response received from Helping Hand Association, requesting that showers be incorporated for the use of homeless people. - March 19: Nationals in Govt commitment of \$4m to Longford Urban Design Project memorial hall redevelopment and village green infrastructure upgrade are components of the project. Application being prepared to secure the funding commitment – due 4 October 19. - July 19: Loop Architecture contracted to prepare hall redevelopment and infrastructure upgrade concept plans, BBQ shelter and new toilets, and cost estimates.
Perth			
Community Centre Development Plan/Perth Early Learning Centre Redevelopment (Loop Architecture)	Oct-15		- Draft concept plans submitted to Council and draft concepts directed to future workshop - Application for upgrade and expansion of child care centre submitted for the Building Better Regions Fund. Outcome unsuccessful. - March 2019: Nationals in Government funding commitment of \$2.6million for the redevelopment of the Early Learning Centre. Documentation to secure funds due 4 Oct 2019.
Ross			
Swimming Pool Master Plan (Loop Architecture)	Dec-15		- Draft Master Plan received May 2016: structural assessment approved August 2016 - Final plan received June 2017 - Final report to be presented to workshop September 2017 - Council resolved at October 2017 Meeting to undertake a survey of the use of the pool across the 2017-2018 swimming season. Pool usage data received May 2018.
Village Green Master Plan (Lange Design, Loop Architecture)	Jun-16	Dec-16	- Master Plan accepted in principle at Council 12 December 2016 Meeting. - Jan 2017: cost estimate for design and documentation, tender process and project



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Strategic Plans By Location & Consultant	Start Date	Completion Date	Current Status
			management received from JMG. 17 Jan 2017: Council advised State Government has approved \$300,000 loan through the Northern Economic Stimulus Package for the implementation of the Master Plan. - Feb 2017: Application lodged with Building Better Regions Fund for \$237,660 to enable the Master Plan to be implemented in its entirety. Application unsuccessful. - Feb 2017: Lange Design and Loop Architecture contracted to manage the implementation of the master plan. Concept design presented to Council workshop on 8 May. Planning approval with conditions to be met passed at January 2018 Council Meeting. - March 2018: Lange Design submitted full project package for Village Green, ready for planning application to be prepared by Council officers. - July 2018: costings being reviewed. - Feb 2019: Work underway.
Western Junction			
Launceston Gateway Precinct Master Plan Freight Demand Analysis Report (SGS) Master Plan	Oct-15	May-16	- Council approved the preparation of a brief for the precinct master plan at the Sept 2016 Council Meeting. - Liberal election commitment of \$5.5million upgrade of Evandale Main Road between the Breadalbane roundabout and the airport, and \$1million for edge-widening and other works to improve safety along Evandale Main Road from the airport to Evandale. - March 2018: Council seeking meeting with Dept of State Growth to discuss planning for the Evandale Main Road upgrade, Breadalbane roundabout to Airport roundabout. State Government budget papers state this planning is to commence in the first quarter 2019.
TRANSLink Stormwater Upgrade Project			- Applications lodged with National Stronger Regions Fund 2015/ 2016: unsuccessful. - Application submitted Feb 2017 to the Building Better Regions Fund for \$2,741,402 (total project cost is \$5,482,805: council's contribution is \$1,525,623 and the Woolstons \$1,215,780). Application unsuccessful. - Application submitted December 2017 for Round Two Building Better Regions Fund: notified July 2018 unsuccessful. - Continuing with purchase of parcel of land for stormwater detention purpose.

16 STATE GOVERNMENT ELECTION COMMITMENTS 2018

Prepared by: *Lorraine Green, Project Officer*

CURRENT AS OF 3 SEPTEMBER 2019

Election Commitment	Estimated Completion Date	Current Status
Ben Lomond		
Assisting to improve water supply to Ben Lomond Village and ski fields (\$60,000 commitment to Ben Lomond Committee)		Informal report May 2019 that the stakeholders are working to reach agreement with the way forward for this project.
Campbell Town		
Redevelopment of Cenotaph (\$70,000)	31/12/2019	13 June 2018: signed grant deed returned with tax invoice for the funds. Progress reports submitted Dec 2018 and June 2019. Final report due Dec 2019. Work due for completion Sept-Oct 2019.
Midlands Highway pedestrian underpass (\$1.5million)		Project listed in the State Government 2019 Budget.
Cressy		
Infrastructure upgrade at Cressy Swimming Pool (\$100,000)	30/11/2019	13 June 2018: signed grant deed returned with tax invoice for the funds. July 2018: Loop Architecture preparing concept plans for kiosk upgrade and toddler's pool shade structure. Sept 2018: \$5,000 of these funds committed to the playground project Dec 2018: first progress report submitted. June 2019: completion extended to 30 Nov 2019 – acquittal report due 31 Dec 2019.



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Election Commitment	Estimated Completion Date	Current Status
		March 2019: Nationals in Government funding commitment of \$400,000 towards the facility upgrade. Documentation to secure funds required by 4 Oct 2019.
Evandale		
Morven Park Recreation Ground Upgrades (\$158,000)	30/6/2020	Recipient information form submitted 16 July 2018. Grant deed signed Sept 2018. Election commitment first progress report submitted March 2019. May 2019: commitment of \$13,573 of these towards the electronic scoreboard Second progress report submitted June 2019: next report due 30 Sept 2019.
Western Junction		
Duplication of road from Breadalbane roundabout to Airport roundabout (\$5.5million)		March 2018: Council wrote to State Growth to initiate participation in the design for the road duplication. State Government 'Building Your Future: First Year Agenda' document states planning for this work will commence in the quarter Jan-March 2019.

17 STRATEGIC PROJECTS OUTCOMES AND DELIVERY 2017-2027

Prepared by: Departmental Managers

Progress Report:

Not Started (obstacles)
On Hold
On Track
Completed

	Under way	2017 - 2020	2020 - 2027	Ongoing	Status	Comments
GOVERNANCE						
Local Government Reform	✓	Review	Review	✓		Minister Gutwein advised that Council has received the study. GM to report to Council on progress. Expressions of Interest sought for the role of Project Manager, Shared Services Implementation Project. NOA Group engaged. Workshops arranged with Senior Managers of participating councils. NOA Group report finalised, GM's meeting to be arranged to finalise. Legal Services tender submissions being considered. NOA workshops on 5 priority Council functions: IT, Regulatory Services (Planning/Building Compliance), Payroll/Rates, Risk Management/WH&S. Completed, report being reviewed by GMs. Legal Services project considered by GMs, contract being finalised. Joint IT platform to be investigated.
Elected Members Development and Annual Plans		✓	Review	✓		Policy and Annual Plan to be prepared.
People and Culture Plan	✓	✓	Update	✓		Framework utilised for recruitment is best practice - Building & Compliance Officer – appointed - Planning Officer – applications extended to 6/9/19 - Pool Lifeguards - applications close 8/9/19 2nd or 3rd year Engineering Student – Summer placement Corporate Services Department review – preparing summary document for Corporate Services team EBA – lodged with Fair Work Commission on 23/7/19. Hearing currently listed for 26/9/19 Uniform Provider –alternate provider sought, and new order process communicated to indoors staff HR Workplace Behaviour Policy Suite – review all completed Reviewing Employee Handbook Developing Family and Domestic Violence Policy – complete and with General Manager before going to future Council meeting OHS Committee member training confirmed for 16/9/19 Corporate Voice and Organisational Branding workshop scheduled for 10/9/19 General human resource matters - ongoing Performance management and disciplinary matters – ongoing (as required) Employee learning and development - ongoing Development and implementation of Human Resources Policies and Procedures – ongoing.



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	Under way	2017 - 2020	2020 - 2027	Ongoing	Status	Comments
People and Culture Plan	✓	✓	Update	✓		Framework utilised for recruitment is best practice - Casual Animal Control Officers – appointed, both commence early July 2019 - Facilities Officer (Campbell Town) – appointed, commences 18/7/19 - Building & Compliance Officer – re-advertised. Applications close on 21/7/19 Employer of Choice – NMC successful in being inducted into the Employer of Choice honour roll on 27/6/19 Corporate Services Department review – now with the Corporate Services Manager EBA negotiations – 5 negotiations meetings in total held. Review period from 28/6/19 to 4/7/19 – employees provided with proposed Enterprise Agreement, key summary changes document and letter detailing voting process and timeframes. Employees voting on 9 and 10 July and votes to be counted on 10/7/19 2019 Performance Appraisals are now all completed Uniform Provider – alternate provider sought, aim to have this completed and ready for staff to order from by end of July 2019 HR Workplace Behaviour Policy Suite – in progress Developing Family and Domestic Violence Policy – to be put forward at July Council meeting. This will be a new policy to be incorporated into the HR Policy Suite Developing branding templates to ensure professionalism and consistency across the organisation General human resource matters - ongoing Performance management and disciplinary matters – ongoing (as required) Employee learning and development - ongoing Development and implementation of Human Resources Policies and Procedures – ongoing.
Best Business Practice, Governance and Compliance	✓	Update	Update	✓		Legislative Audit, Delegations Review and Policy Manual update ongoing.
Media and Marketing		Update	Update	✓		Communications Strategy and Framework to be developed. Expanding Council's communications through social media and other publications. Marketing Plan to be prepared.
CORPORATE SERVICES						
Asset Management Plan Annual Review	✓	✓	Review	2017 - 2027		Building Asset Management Plan updated for building componentisation, adopted by Council at May 2017 meeting. Road and Building revaluation currently being undertaken, review of Asset Plans to be completed upon receipt of review.
Annual Budget and Quarterly Review	✓	✓	Review	2017 - 2027		Long Term Financial Plan updated, and annual budget adopted by Council at 24 June 2019 meeting.
Information Technology Upgrade Program	✓	✓	Review	2017 - 2027		Planning/Building software upgrade implemented July 2018. Security review Sept 2018. Livepro implemented December 2018. Security penetration testing report Feb 2019 and recommendations implemented by end of May 2019. One-Touch Payroll implemented from June 2019.
Emergency Management	✓	✓	Review	2017 - 2027		Next municipal emergency meeting scheduled in Oct 2019, updated Emergency Recovery Plan adopted May 2017 by Council, revision of Emergency Management Plan approved by State Govt April 2018.
Workplace Health and Safety Action Plan Annual Review	✓	✓	Review	2017 - 2027		Risk Register reviewed. WHS audit assessment complete Nov 2018. Asbestos – individual registers for all properties completed. 1 WorkSafe Tasmania notifiable incident Feb 2019.
Customer Service Standards	✓	Review	Review	Review		LGAT state-wide community satisfaction annual survey was complete early 2019. Attending the National Local Government Customer Service Network state meetings on regular basis. Implemented Live-Pro customer service system early 2019.
COMMUNITY & DEVELOPMENT						
Land Use and Development Strategy		✓	Review	2017 - 2019		Special Workshop 9 September 2019. Aiming for endorsement at Council meeting 16 September 2019.
Tasmanian Planning Scheme Integration	✓	✓	Review	2017 - 2020		Special Workshop 9 September 2019. Aiming for endorsement at Council meeting 16 September 2019.
Strategic Projects Team						
Economic Development Master Plan - Prepare,	✓	✓	Review	✓		1) Council and NMBA are collaborating on a small-scale project to identify opportunities to grow the number of businesses in the TRANSlink precinct.



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	Under way	2017 - 2020	2020 - 2027	Ongoing	Status	Comments
Prioritise, Implement						Council accepted in principle the TRANSLink Pilot Project: Consultation, Analysis and Recommendations for Growing and Enhancing the TRANSLink Business Precinct in Northern Tasmania Report, August 2018. NMBA contracted April 2019 to implement the TRANSLink Engagement Project. Project underway. 2) Community and business consultation sessions on the draft Economic Development Framework held June 2019. Preliminary report received July 2019.
Strategic Infrastructure Projects						
Launceston Gateway Precinct Master Planning	✓			2017 - 2020		Listed as a component of the Municipal Land Use & Development Strategy. Options for southern expansion prepared.
Northern Midlands Rural Processing Centre	✓	✓	✓	2017 - 2020		Combined with Launceston Gateway Precinct component of the Municipal Land Use & Development Strategy.
Perth Town Structure Plan	✓			2017 - 2018		Council has endorsed the plan and draft amendments to planning scheme to be prepared.
Perth Community & Recreation Centre & Primary School Integrated Master Plan	✓			2017 - 2018		Funding committed from Federal Government toward expansion of Perth Childcare Centre. Pursuing funding commitment.
Sense of Place Planning - all villages and towns	✓	✓	✓	✓		Master planning for townships underway.
Longford CBD Urban Design Strategy	✓	✓				Commitment of \$4million from National Party prior to federal election being called. Documentation to secure funds due 4 October 2019.
Longford Place Activation Plan	✓	✓				Complete.
Campbell Town CBD Urban Design and Traffic Management Strategy	✓	✓	✓	✓		Awaiting detailed design. Allocation in 2018/2019 budget to commence works. State Liberal election commitment of \$1.9 million for underpass between War Memorial Oval and School/Multipurpose Centre
Ross Town Centre Park Development Master Plan	✓			2017 - 2020		Planning approval received. Stormwater and footpath works commenced.
Ross Swimming Pool Master Plan	✓			2017 - 2020		Plan complete. No funding committed for implementation.
Cressy Recreation Ground Master Plan		✓		2017 - 2020		Council accepted Cressy Recreation Ground 2030 Master Plan at April 2018 Council meeting. Levelling the Playing Field expression of interest for \$354,076 invited to progress to Stage 2 application – due 26 July 2019. Final plans being prepared.
Cressy Swimming Pool Master Plan		✓		2017 - 2020		State election funding grant of \$100,000 received. \$400,000 commitment from National Party prior to federal election being called. Documentation to secure funds due 4 October 2019.
Evandale Morven Park Master Plan		✓		2017 - 2020		Council accepted Morven Recreation Ground 2030 Master Plan at April 2018 Council meeting. State Government levelling the Playing Field grant: \$430,300 secured towards development of inclusive changerooms.
Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania	✓	✓		✓		Study being driven by external stakeholders, Council support provided when requested. Included in NMC Priority Projects 2019 document.
Sheepwash Creek WSUD Open Space Corridor						July 2018: WSUD space corridor concept plan and concepts – Phillip to Drummond streets – received from consultants. Land acquisition has commenced.
Economic Development						
Economic Development Master Plan Strategy Delivery		✓	✓	✓		NMBA contracted to undertake community consultations. - See <i>Strategic Projects Team</i> above.
Economic Development (incl. Tourism) Strategy Delivery		✓	✓	✓		
Tourism Strategy Implementation		✓	✓	✓		Augmented Reality Project - For the northern part of the Heritage Highway, Ross is the first town to come on board. Work commenced June 2019. Northern Midlands Business and Volunteer Expo – planning underway for March 2020 expo.



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	Under way	2017 - 2020	2020 - 2027	Ongoing	Status	Comments
Community Development						
Youth and Ageing Strategy		✓	Review	✓		Youth programs and services being pursued.
Discrimination Strategy		✓	Review	✓		Officers investigating development of strategy
Family Violence Strategy		✓	Review	✓		Council continues to support <i>End Men's Violence Against Women</i> campaign. Officers investigating development of strategy
Supporting Health and Education Programs	✓	✓	Review	✓		Participating in the Northern Health Providers Networks meetings. Further Education Bursary Program.
Supporting Employment Programs	✓	✓	Review	✓		Participate in LGAT special interest groups on a quarterly basis. Support Work for the Dole program. Participate in work experience and University placements.
Supporting Sport and Recreation Programs	✓	✓	Review	✓		Participation in quarterly northern Sport & Recreation meetings. Planning and implementation of upgrade to Council owned sporting facilities underway. Support provided to participants in sporting activities on a state and national level.
Social Recovery Plan	✓			✓		Review complete
Disability Action Plan	✓			✓		Review complete
Cohesive Communities and Communities at Risk		✓	Review	✓		Not yet commenced.
Regulatory						
Legislative Audit	✓			✓		Review of legislation ongoing.
Delegations Reviews	✓			✓		Review as new staff commence and legislation changes. Regulatory software purchased to assist.
Council Policy Manual Review	✓			✓		Policies due for review, relevant managers and officers notified, schedule for review in place. Ongoing.
WORKS & INFRASTRUCTURE						
TRANSLink Precinct Renewal - Stormwater	✓	✓		2017 - 2020		Seeking grant assistance to fund planned works. Included in NMC Priority Projects 2019 document.
Campbell Town War Memorial Oval	✓			2017 - 2020		Multi-function centre and ancillary works being finalised.
Longford NM Sport and Fitness Centre		✓	✓	2017 - 2020		Internal framing commenced.
Evandale Honeysuckle Banks				2017 - 2020		Masterplan complete. Only minor works being undertaken. Included in NMC Priority Projects 2019 document. Table and bench seating replaced.
Nile Road Upgrade		✓	✓			Included in Roads 5-year Capital Works program. Included in NMC Priority Projects 2019 document.
Stormwater Management Plans	✓	✓	Review	2017 - 2027		Model build for all Towns in progress.
Waste Management 2017 - 2020		✓	Review	2017 - 2027		Member of the Northern Waste Management Committee. WTS disposal and supervision contracts tendered for long term provision of services. Concrete material being collected, to be crushed at a later date.
NRM Program Collaboration	✓	✓	Review	✓		Collaborating with NRM North on the WSUD Master Plan for Sheepwash Creek.
Longford Recreation Ground Master Plan	✓	✓				Building and ancillary works being finalised. Car park works commenced.
Sheepwash Creek	✓	✓				Stage 2 planning commenced.

DECISION

Cr

That the Information items be received.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

GOV 7 PERTH MAIN STREET FLOWER POTS

Attachments: Section 1 – Page 42

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

To review the trial of the flower pots installed in Perth, particularly the survey results and the comments from the Local District Committee.

2 INTRODUCTION/BACKGROUND

Council at its workshop of 1 October 2018 discussed a trial relating to the installation of a small number of flower pots in Perth. The Perth Local District Committee were provided with information and advised of the proposed installation of the pots at a subsequent committee meeting.

Council proceeded with the installation of 2 flower pots planted with colourful annuals in the main street where the adjoining property owner agreed to water the plantings.

The idea was first promoted in Longford where the Local District Committee agreed on the site and finish of the pots, sought agreement from local business owners in the main street in regard to location and watering of the potted plants.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Leaders with Impact
Core Strategies:
 - ♦ Lead – Councillors represent honestly with integrity
 - ♦ Manage – Management is efficient and responsive
 - Economic Development – Supporting Growth & Changes
 - ♦ Towns are enviable places to visit, live & work
- People –
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
- Place –
 - Environment – Cherish & Sustain our Landscapes
Core Strategies:
 - ♦ Cherish & sustain our landscapes
 - History – Preserve & Protect our Built Heritage for Tomorrow
Core Strategies:
 - ♦ Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

Council has supported the placement of the flower pots in Longford and now trialled in Perth.

The initiative in Longford was promoted and supported by the Longford Local District Committee who in turn sought the approval for placement of the pots and agreement to water from adjacent business owners, if Council replaced the plantings as necessary.

5 STATUTORY REQUIREMENTS

Discretionary planning approval is required if the flower pots are in a heritage precinct.

6 FINANCIAL IMPLICATIONS

The costs associated with the Longford flower pots:

- Number: 11
- Size: 500mm x 500mm
- Finish: Concrete
- Cost: \$200 each



The costs associated with the Perth flower pots:

- Number: 2
- Size: 1100mm x 1100mm
- Finish: Composite Plastic (Nally Bins)
- Cost: \$500 each



There are many different types of pots available. The most cost-effective option is a concrete planter similar to those used in the Longford Main Street. A 500x500mm planter the same size as those in Longford will cost \$200 or a larger 1000x500 planter will cost \$350.

Other options include the “frame planter” from Street furniture Australia which is constructed from aluminum and is available in a variety of colours. Prices including freight are approximately \$2,200 for a 500 x 1000mm size or \$3000 for 1000 x 1000mm.



7 RISK ISSUES

The risk issues include:

- Council has now trialled the placement of the flower pots which has generally been well received, an expectation now exists that placement of flower pots will continue with an increase in the number of pots to be placed.
- The flower pot type and choice of colourful flowers planted needs to be in-keeping with the views of the community.
- Identifying suitable locations within the streetscape where adjoining property owners are prepared to water the flowers
- It is important that the flowers are watered daily. Council does not have the resources to do this so volunteers will need to be found who are prepared to water the plants. A self-watering pot may reduce the amount of watering required but the plants would still need to be watered regularly.

8 CONSULTATION WITH STATE GOVERNMENT

N/a

9 COMMUNITY CONSULTATION

9.1 Development Application Approval process:

If the flower pots are placed in a heritage precinct, the Development Approval must be placed on public notification for 14 days.

9.2 Perth Local District Committee

At a special meeting of the Perth Local District Committee held on 2 July 2019, the Committee moved the following recommendation for Council's consideration:

Main Road Flower Pots

PLDC Committee recommended immediate removal as deemed to be inappropriate & replaced with simplified rectangular versions similar to Longford (12 no. based upon pro rata equivalent allocation to Longford).

The recommendation was considered at the 19 August 2019 Council meeting at which the following was the decision of Council (minute 232/19):

DECISION

Cr Goss/Cr Adams

That the recommendation of the Perth Local District Committee be considered in conjunction with the Perth Main Street Flower Pots Survey 2019.

Carried unanimously

9.3 Perth Flower Pot Survey

An on-line survey was conducted from 24 July to 14 August 2019, seeking comment in relation to the following:

Q1.	Do you like the current size of the existing flower pots in Perth?	170 responses	57.65% positive responses	35.88% negative responses	6.47% undecided
Q2.	Do you like the current material of the exiting flower pots in Perth?	168 responses	46.43% positive responses	45.24% negative responses	8.33% undecided
Q3.	What sort of flowers/ shrubs would you like in the flower pots?	166 responses	68.67% colourful flowers	5.42% shrubbery	25.9% permanent plantings



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Q4	Do you want flower pots in the main street of Perth	170 responses	76.47% positive responses	23.53% negative responses
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Additional comments and the full survey are included in the attachments to this report.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can opt to continue with the existing pots, with exterior improvement to bins or have purpose made concrete or metal finished pots.

The current bins, are easily moved with a forklift and may have the external finish readily improved.

11 OFFICER'S COMMENTS/CONCLUSION

The survey clearly identifies that the current size of flower pots is well supported and the current material of the flower pots is generally 50/50.

Overwhelmingly, colourful flowers was the choice of plantings and actual support for flower pots in the main street.

12 ATTACHMENTS

12.1 Perth Flower Pot Survey

RECOMMENDATION

That Council

- i) maintain the current flower pots in Perth Main Street.
- ii) in the 2020/2021 budget allow for an increased number of flower pots with a suitable external finish to be determined.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

GOV 8 LOCAL GOVERNMENT PARTICIPATION IN THE NATIONAL REDRESS SCHEME

Attachments: Section 1 – Page 47

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

The purpose of the report is to seek Council's endorsement to execute the Memorandum of Understanding regarding the participation of local councils in the National Redress Scheme for Institutional Child Sexual Abuse.

2 INTRODUCTION/BACKGROUND

Council at its meeting on 24 June 2019 (min. ref. 165/19) endorsed its support for Local Government to participate in the National Redress Scheme.

At the Local Government Association of Tasmania General meeting on 2 July 2019, all councils agreed to join the National Redress Scheme with the Tasmanian Government as a 'State Institution' with support from the Tasmanian Department of Justice administrative arrangements undertaken by the Child Abuse Royal Commission Response Unit.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Leaders with Impact
 - Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity
- People –
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
 - Core Strategies:
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service

4 POLICY IMPLICATIONS

The Memorandum of Understanding is very clear and concise, no policy implications have been identified at this time.

The National Redress Scheme concurs with the objectives of Council's Youth Policy: *Council is committed to developing, supporting and promoting initiatives which positively contribute to the safety and well-being of young people, their families and the communities within the Northern Midlands municipality.*

5 STATUTORY REQUIREMENTS

National Redress Scheme for Institutional Child Sexual Abuse Act 2018

6 FINANCIAL IMPLICATIONS

No financial implications have been identified at this time.



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7 RISK ISSUES

If Council does not participate in the National Redress Scheme it risks access to

- A clear mechanism to provide redress for any child sexual abuse that has occurred within a council in the past, which may reduce potential civil litigation;
- Participation under the auspice of the State Government without the need to undertake individual steps to join the Scheme. Practically, Local Government claims will be received like claims against any another Tasmanian Government Agency and the processing, coordination and management of claims will be supported and coordinated by the Department of Justice; and
- The Tasmanian Government will underwrite the redress liability for Local Government as calculated by the Scheme Operator for individual claims for payment by Local Government in arrears.

8 CONSULTATION WITH STATE GOVERNMENT

Each State Government has been asked to engage with Local Government by the Scheme Operator (the Commonwealth Department of Social Services) to provide information to assist the sector in considering whether to participate in the National Redress Scheme and how that may occur. Staff from the Tasmanian Royal Commission Response Unit in the Department of Justice are currently meeting with councils to progress this discussion and recently presented at the General Managers' Workshop.

The State Government is offering Local Government the opportunity to join the Scheme as a 'State Institution'.

9 COMMUNITY CONSULTATION

N/a

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may either support/or not support the signing of the Memorandum of Understanding.

11 OFFICER'S COMMENTS/CONCLUSION

Following the Royal Commission into Institutional Responses to Child Sexual Abuse, on 4 November 2016, the Australian Government announced its intention to establish a National Redress Scheme for individuals who experienced institutional sexual abuse as children. In May 2018, the Tasmanian Government committed to joining the National Scheme.

The National Redress Scheme provides support to people who experienced institutional childhood sexual abuse and includes three key components for individuals deemed eligible for redress:

- A monetary payment (up to \$150,000);
- A direct personal response (such as a meeting with a senior institutional official and an apology); and
- Access to counselling consistent with National Service Principles (with the method of delivery to be determined by the relevant jurisdiction).

The Scheme started on 1 July 2018 and will run for 10 years.

The State Government is offering Local Government the opportunity to join the Scheme as a 'State Institution'.



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There is no cost for Local Government to join the Scheme or for the State Government to administer responses to the Scheme (this is handled by the State Government). However, the Scheme operates on a 'responsible entity pays' basis for the monetary payment. This means that councils who receive a claim via the Scheme are liable for that claim, but the claim is limited to that council, not all councils.

It is important to note that a claimant who has not been able to progress an application for abuse against a non-participating institution may pursue civil law options against that institution. Unlike the redress scheme, payments determined through civil law processes are not capped, however the burden of proof is likely higher.

The State Government has indicated a preference for all councils to join the scheme. The difficulty that arises if a whole of sector approach is not taken is that administrative and legal complexity that would result. While the Tasmanian Government has not made a formal decision that it would not support individual councils, there are some legal complexities that they would need to liaise with the Commonwealth further about before indicating whether it is feasible.

12 ATTACHMENTS

- 12.1 2019-07-03 LGAT General Meeting Agenda Item
- 12.2 Correspondence dated 28 June 2019 from the Department of Justice sent to LGAT
- 12.3 Correspondence addressed to Council (undated)
- 12.4 Memorandum of Understanding

RECOMMENDATION

That Mayor Mary Knowles OAM be authorised to sign the Memorandum of Understanding on the participation of local councils in the National Redress Scheme for Institutional Child Sexual Abuse.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

GOV 9 REVIEW OF LOCAL GOVERNMENT LEGISLATION FRAMEWORK

Attachments: Section 1 – Page 64

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

This report provides an overview of the major policy reform under consideration by the government, particularly in response to the three issues raised in Phase 1 of the Review (an overview of the Review Process as provided in Appendix 1 of the attached document). The Government sectors feedback on the level of support or otherwise for the proposed reforms which will then be considered by Government in determining its final position.

2 INTRODUCTION/BACKGROUND

At its August 2018 meeting Council considered correspondence from the then Minister for Local Government Minister Peter Gutwein.

At that time, the Tasmanian Government identified a need to improve the efficiency and effectiveness of local government in Tasmania. The intent of the review is to develop, in close collaboration with the local government sector, a best practice, 21st century legislative framework that:

- supports greater innovation, flexibility and productivity;
- minimises red tape;
- enhances accountability and transparency; and
- increases community engagement, participation and confidence.

A further report was tabled for consideration at the 18 February 2019 (min. ref. 035/19) Council meeting, at which time the following was the decision of Council:

Cr Goninon/Cr Davis

That Council submit the following matters for consideration by the Local Government Legislation Review Project Team as part of the Local Government legislation review:

- Council Elections – Compulsory Voting*
- Election Caretaker Period*
- Legislated prudential requirements – a Council must develop and maintain prudential management policies, practices and procedures for the assessment of projects*
- Annual business plans, budgets, annual reports*
- Calling of Special Meetings*
- Voting of non-Australian citizens*
- Newspaper advertising*
- Standing for election mayor/deputy mayor simultaneously*
- Annual general meetings*
- Rating exemptions for statutory bodies and charitable organisations*

Carried unanimously

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Leaders with Impact
- Core Strategies:



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- ♦ Lead – Councillors represent honestly with integrity
- ♦ Manage – Management is efficient and responsive
- Money Matters
Core Strategies:
 - ♦ Budgets are responsible yet innovative
 - ♦ Efficiency in resource sharing and Council reform
 - ♦ Improve community assets responsibly and sustainably
- Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
 - ♦ Continuous improvement is embedded in staff culture
 - ♦ Effective and efficient marketing, communications & IT
 - ♦ Excellent standards of customer service
- Workforce Standards
Core Strategies:
 - ♦ People & Culture Framework generates professionalism
 - ♦ Workplace Health & Safety is fully compliant
 - ♦ Emergency Management & Safety Plans work well

4 POLICY IMPLICATIONS

The review of the *Local Government Act 1993* may have implications on the numerous policies and procedures that Council have adopted and implemented.

5 STATUTORY REQUIREMENTS

The review will have a direct impact on the *Local Government Act 1993*.

6 FINANCIAL IMPLICATIONS

No financial implications have been identified at this time.

7 RISK ISSUES

The risk to local government is the lack of engagement in a process whereby local government has no say in its future and does not look to reviewing and enhancing the legislation to:

- Support greater innovation, flexibility and productivity in the sector, to improve the overall efficiency and effectiveness of the services that councils provide to the Tasmanian community;
- Minimise the red tape burden on councils, business and the broader community; and
- Enhance accountability and transparency across the sector.

8 CONSULTATION WITH STATE GOVERNMENT

In a statement released on 26 June 2018 the then Minister for Local Government, Minister Peter Gutwein advised

The Government will work closely with LGAT and will release a Public Discussion Paper in coming months, inviting community and stakeholder contributions on ideas and options to modernise the Tasmanian legislative framework, starting from 'first principles' basis. This will be the first step in a significant, ongoing consultation process, and will include engagement with the local government sector. I would encourage everyone with a view about the future of local government in Tasmania to engage with this process and have their say.



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9 COMMUNITY CONSULTATION

The Government consulted on the discussion paper with the period open until 1 March 2019.

Additionally, an Expression of Interest process took place seeking applications from persons interested in participating in a Review Reference Group. The period for the lodgement of Expressions of Interest closed on 25 January 2019.

The Reform Directions Paper Phase Two was released by the Minister for Local Government, the Hon. Mark Shelton MP on 3 July 2019 with submissions to be lodged by close of business on 30 September 2019.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may agree to provide comment or take no action.

11 OFFICER'S COMMENTS/CONCLUSION

Submissions are invited on the proposed Reform Directions discussed in the Paper.

A survey supports the Paper which allows participants to rate their support or otherwise for the proposed reforms. Council may wish to individually complete the survey as well as support a formal submission <https://www.surveymonkey.com/r/lgreview2>

The *Reform Directions Paper Phase Two* is provided under separate cover which includes a copy of the online survey, fact sheets which cover all reform areas and the Local Government Reform Briefings Paper.

For ease of reference, all Reform Directions are listed below:

REFORM DIRECTIONS		
PART A: A flexible, innovative and future-focused legislative framework		
Reform	Details	Officer Comments
1. Principles-based legislation	To the greatest extent possible, create legislation that sets principles for the governance and operations of local government. These principles are: good governance, community engagement and financial management. Some prescription will be necessary and appropriate in a new Act to protect the rights of both the community and councils. For example, a council's power to sell public land may require a minimum level of prescription to ensure community views are considered. Greater detail on processes to support the Act will generally be set in Regulations. This allows amendments to be made in a timely manner where processes or technology changes over time and legislation must accommodate this. This structure allows for legislation that can be flexible to move with changes over time without the need for constant changes to the Act.	The identified Reform Directions outline the proposed new local government legislation framework.
2. Accessible, easy-to-read legislation	A new Act will be structured logically, be easy to read and understand, while still being legally effective.	
3. A new Act for electoral provisions	Electoral provisions are typically used every four years or when a by-election is called. Separating out these provisions in a separate Act will make it easier to understand and administer these provisions. It may also help in aligning local	

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REFORM DIRECTIONS

PART A: A flexible, innovative and future-focused legislative framework

Reform	Details	Officer Comments
	government electoral provisions with the <i>State Electoral Act 2004</i> to create greater consistency in election processes in Tasmania.	
4. Consolidating related local government legislation	Related local government legislation will be examined, such as the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> , to identify where provisions intersect and overlap with the current Act. Duplication will be removed and provisions consolidated, where necessary. This will be managed throughout the technical drafting stages of the Review in Phase 3.	

REFORM DIRECTIONS

PART B Representative and Democratic Councils

1. Elections

Area	Reform	Details	Officer Comments
Eligibility to vote	5. Reform eligibility for the General Manager's Roll	Currently, a person is entitled to vote in a local government election if they are on the State House of Assembly roll, or if they are on what is known as the 'General Manager's Roll'. The General Manager's Roll generally allows persons to vote that are not on the House of Assembly roll but own or occupy a property (residential or business) in the municipality. No changes are proposed with regard to eligibility to vote based on enrolment on the House of Assembly roll. However, the following criteria are proposed to apply to the General Manager's Roll: Criteria 1: A person must be an Australian citizen to be eligible to vote in local government elections. This is consistent with the voting rights at a State level and with most other jurisdictions' local government voting rights. Non-citizens would no longer be entitled to vote. Criteria 2: Individuals who meet criteria 1 and also own or occupy property in a municipal area where they are not a resident, are eligible for enrolment. Criteria 3: A person is eligible for enrolment as the (sole) nominated representative of a corporation operating from a property in the municipal area, ONLY if the representative meets criteria 1 and is not already enrolled under any other entitlement in that municipal area.	The recommendation is consistent with voting rights at State level and should be supported. Supported. Supported.
	6. Reform the voting franchise to reflect 'one person, one vote' principle in any one municipality	No individual owner, occupier or corporation (or their delegate) will get more than one vote per municipality. Owners of corporations will no longer be entitled to a potential second vote within the same municipal area elections.	Supported, on the principle of one person, one vote.
Increasing voter participation	7. Simplify the election process for the positions of mayor and deputy mayor	Currently, mayors and deputy mayors must also be concurrently elected as councillors. This requires voters to complete a ballot paper for all councillor candidates and then a second ballot paper for candidates also standing as mayor or deputy mayor, meaning these candidates must be voted for twice, once as councillor and once as mayor/deputy mayor. This process can be confusing and at times, can result in a candidate being elected as mayor or deputy mayor but not as councillor, meaning they are unable to accept the position of mayor or deputy mayor. The confusion can also increase informal voting.	

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REFORM DIRECTIONS

PART B Representative and Democratic Councils

1. Elections

Area	Reform	Details	Officer Comments
		Several options have been identified that seek to assist in simplifying the voting process for the mayor, which are outlined below. It is acknowledged that there is no perfect solution to this challenge and therefore retaining the status quo is also an option. Mayoral Election Mayors have been popularly elected in all councils in Tasmania since 2000. Prior to this, the position of mayor was voted on by council, 'around the table'. 7A: Retain the status quo as outlined above. If the status quo option is retained, a higher nomination fee would be charged in accordance with proposed Reform Direction 13. 7B: Popularly elected - voters will popularly elect the mayor at the same time as the council elections are held. A successfully elected mayor will automatically be elected as councillor, removing the requirement to be concurrently elected as councillor. Candidates will be able to stand either for mayor or councillor but not both. Unsuccessful mayoral candidates will not be eligible for election as councillor. This process is in place in Queensland and South Australia. 7C: Popularly elected - simplify the voting process for the position of mayor by providing that the candidate who is elected first, from the ballot for candidates, would automatically be elected as mayor. This reform retains the concept of a popularly elected mayor, without the necessity of voting twice. The Tasmanian Electoral Commission advises that this form of voting would be simple to administer and would reduce costs as there would only be one ballot. 7D: Council votes - all candidates stand and are elected as councillors. Mayors are then elected 'around the table' by the council. This is an option in New South Wales, Western Australia, Victoria and for councils in regional Northern Territory. Deputy Mayor Election The deputy mayor would be voted on by the council 'around the table'. This would simplify the process for voters and allow the council to choose an appropriate person to support the mayor. This is consistent with deputy mayor processes in every other jurisdiction in Australia.	Retain the Status Quo that Mayors are popularly elected. No objection can be seen to a higher nomination fee, Councillors may have a differing view. This item needs a clear direction for Council, as unsuccessful Mayoral candidates will not be eligible for election as Councillor. Supported. Not supported. This item needs a direction from Council, as the suggestion is the Mayor is elected from around the table. Not supported. This item needs a direction from Council, as the suggestion is the Deputy Mayor is elected from around the table.
	8. Make alternative voting methods available	Enabling electronic voting when the technology becomes viable, as well as postal voting. The most appropriate voting method would be chosen by the Minister 12 months prior to the local government elections. This allows flexibility for election methods to adjust to social and technological changes over time, and to choose the most appropriate method as it becomes available. It improves accessibility for all voters, to increase voter participation.	Supported, enabling of electronic voting as well as postal voting provides alternatives for the voter.
	9. Simplify the voting process to reduce informal voting rates	The voting process will be amended to require a minimum ballot of 1-5 preferences to constitute a formal vote. This would remove the requirement to mark a preference for every available councillor position and/or candidate. This simplifies the process for voters and aligns formal vote requirements	Supported, simplified voting process , and aligns voting process with State elections.

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REFORM DIRECTIONS

PART B Representative and Democratic Councils

1. Elections

Area	Reform	Details	Officer Comments
		with State elections. Advice from the Tasmanian Electoral Commission is that a minimum of 1-5 preferences would not have a material impact on election results, as in most cases later preferences are not required during counting. The level of legislated prescription for ballot papers will be reduced. As with State elections, the Tasmanian Electoral Commission could then determine the best layout of the ballot paper. This will allow necessary changes to occur over time to ensure voting is as clear, simple and accessible as possible for voters.	
Electoral Integrity	10. Introduce caretaker provisions to reduce major policy and contractual decisions that may bind an incoming council, and avoid the inappropriate use of ratepayer resources during an election	Caretaker provisions are commonplace in other levels of government and local government in other jurisdictions. Caretaker provisions would apply to all councils from the time candidate nominations open. They would limit councils making major policy or contractual decisions during an election period. The operational business of councils must still continue and caretaker provisions would provide for this, including where councils have to meet statutory timeframes and obligations. Caretaker provisions would also limit the use of council resources from being used to promote or support candidates, including sitting councillors. This is consistent with the notion that public funds should not be used to unfairly support one or more candidates over others.	Supported, Councils should be allowed to continue to operate as normal, if financial decisions are in accord with the approved budget. Supported, Council funds are not to be used to support candidates.
		11. Move administration of the General Manager's Roll from councils to the Tasmanian Electoral Commission This measure would improve the integrity of the democratic process by removing general managers and council staff from the electoral process. It would also reduce the administrative burden on general managers to maintain the accuracy and integrity of the Roll and achieve greater consistency across Tasmania. There will be resourcing impacts for the Tasmanian Electoral Commission in taking on administration of the Roll from councils. Costs will apply to councils for the transfer of this responsibility but should be cost neutral, or possibly result in a net overall cost reduction (given expected efficiency for the Tasmanian Electoral Commission as a single administering entity, compared with the current 29 separately administered rolls).	Supported. Improve the integrity of the process, so that staff are not part of the process and independently prepared by the Electoral Commission.
Candidate Changes	12. Introduce a pre-nomination training package	A training package must be completed in order to nominate as a candidate. This will help candidates understand the role and responsibilities they will take on should they be successfully elected. These information packages would be completed in a simple online format and will provide information rather than testing a potential candidate's knowledge. This is becoming increasingly common in other jurisdictions for local government candidates.	Supported, only if it is tick the box and does not restrict potential candidates nominating. Question: are Councillors supportive of the change.
	13. Introduce a candidate nomination fee	Candidates for the office of councillor would pay a small fee to lodge their nomination, which would be refundable on receiving a percentage of the vote (typically 4%). Candidates standing for the position of mayor would pay a higher nomination fee, depending on the option adopted in Reform Direction 7. This principle is common in other local government jurisdictions and aims to attract serious candidates and reduce nominations by those without real intentions to be elected (having considered fees in other jurisdictions, the likely fee would be around \$100 for councillor nominations and \$250 for mayoral nominations). The Tasmanian Electoral Commission	Supported, will assist to ensure that serious candidates nominate.



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REFORM DIRECTIONS

PART B Representative and Democratic Councils

1. Elections

Area	Reform	Details	Officer Comments
		would administer the payment and retain fees not eligible to be refunded as a contribution toward the cost of elections.	
	14. Require the disclosure of gifts and donations by all local government candidates received during the electoral period	All candidates would be required to declare gifts and donations received during the electoral period. This will ensure an equitable platform for all candidates and the transparency and accountability expected by the public (published online). The Tasmanian Electoral Commission would administer the receipt of disclosures given the alignment with existing advertising returns. Tasmania is currently the only State not to require gifts and donations declarations by candidates in local government elections.	Supported, ensures transparency, Tasmania is the only State that does not require local government candidates to make a declaration of gifts and donations.
	15. Align eligibility requirements to nominate as a candidate with State eligibility requirements	This direction is intended to bring the eligibility requirements into closer alignment with the current requirements for members of the House of Assembly and Legislative Council, as per the requirements of the Electoral Act 2004 and the Constitution Act 1934, where appropriate. Eligibility to nominate as a candidate for the office of councillor will continue to include key existing provisions, including eligibility to vote and the candidate having their place of residence in Tasmania, as well as those applicable from the above legislation.	Supported, create uniformity with State eligibility requirements to nominate as a candidate.
Modern councillor titles	16. Remove the title of 'Alderman'	Councillor titles would be modernised and made consistent by removing the title of 'Alderman', which is currently available to city councils, as the term is considered archaic and gender-biased. The local government sector supports this change, as voted on at the sector's Annual General Meeting in 2018. A contemporary Act should align language with community expectations.	Supported, Councillor title would be consistent throughout the State.

REFORM DIRECTIONS

PART C Councils Connected to their Communities

2. Community Engagement

Area	Reform	Details	Officer Comments
Community Engagement	17. All councils will develop and adopt a community engagement strategy	Councils would engage their communities in developing their Community Engagement Strategy after each election. This Community Engagement Strategy will then inform how council will engage, involve, consult and inform their communities on plans, projects and policies. Acknowledging that every council and municipality will have different needs, this allows the community and council to work together on their engagement plan, including how and when they will engage and what methods they will use. Minimum requirements will be set for developing the Community Engagement Strategy and would include: - a genuine intent to engage the community; - a defined reason for consulting; - clearly defined timeframes; - use of plain English; and - clear advice for how the community will be informed of the outcome. The final strategy should include: - what matters the councils will engage the community on; - how it will engage with the community;	Supported, increased transparency and it is understood a model policy will be prepared to assist with consistency throughout local government.

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REFORM DIRECTIONS

PART C Councils Connected to their Communities

2. Community Engagement

Area	Reform	Details	
		- how it used the input from the community; and - when the community will be advised of outcomes. Councils must then follow their Community Engagement Strategy when engaging the community on their Strategic Plan, determining their service delivery priorities and when setting their budget (including rating decisions).	
Removing prescription and giving councils autonomy and flexibility	18. Removing prescriptive consultation requirements	Broaden the capacity for councils to engage with their communities in accordance with their Community Engagement Strategy, rather than through the current prescriptive consultation methods such as Annual General Meetings, public notices and formal submission processes. Instead, for example, when making financial and rating information available, councils could provide information, across a range of platforms that best suits their community's needs, such as council websites. This would allow them to make decisions at the appropriate time for the information being communicated, rather than through inflexible processes. Some specific consultation requirements will need to be maintained, where necessary, for the protection and rights of the community and councils. Wherever possible, prescriptive requirements to provide reports and information in a specified way, such as by post, will be removed. This will be replaced with a broad transparency principle that information published in the public domain must be accessible and driven by what the community wants to see.	Supported, allowing Councils to engage with the community in accordance with Council's Community Engagement Strategy that would have been agreed through a public consultation process.
	19. Remove requirements for public meetings and elector polls	The current requirements related to public meetings and elector polls are highly prescriptive and precede technologies such as the internet. There are now many alternative ways in today's society that people can make their views known to their council. Additionally, as the outcome of an elector poll or public meeting is non-binding, it does not compel a council to do anything. Councils, and subsequently ratepayers, incur a large cost for no clear outcome. It is also increasingly difficult for councils to confirm who the electors are in the local area who signed an online petition. It is therefore proposed that the provisions relating to public meetings and elector polls be removed from the Act. In line with the overarching principle of the Community Engagement Strategy, a council will still be able to initiate and hold an elector poll, if circumstances warrant one. If community members want to hold public meetings and submit petitions (and even have polls), it will be a matter for councils to determine the processes for that manner of engagement, in line with the Community Engagement Strategy. In addition, the capacity will be provided for the State to initiate a state-wide referendum on a particular issue, if required.	Supported, as the approved Community Engagement Strategy may still allow Council to hold an elector poll if circumstances warrant one.

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REFORM DIRECTIONS

Part D: Responsible and Effective Councils

3. Ethics and Standards

Area	Reform	Details	
Good Governance	20. Legislate the eight good governance principles	The principles from the Local Government <i>Good Governance Guide</i> would be legislated and linked to the behaviours in the Code of Conduct. These principles will also inform the high-level functions and powers of a council, in providing municipal services for their local government area.	Aim to introduce a range of measures to improve the overall governance of councils.
Financial Governance	21. Set high-level financial management principles that encourage efficiency and value for money in council service delivery	These principles would emphasise that councils make important decisions on the use of community funds, for the betterment of the community. Councils must regularly consider improvements to operational efficiency and assess services for their value to the community, not just their cost. They must also consider the risk they expose ratepayers to, and ensure that their decisions are affordable and fair across different generations of ratepayers. Victoria's Local Government Review has taken this approach. It intends to create a set of high-level financial management principles that focus on transparency, accountability and sound financial management. For example: - managing financial risks prudently in light of economic circumstances; - aligning income and expenditure policies with strategic planning documents; - responsible spending and investment; and - ensuring full, accurate and timely disclosure of financial information about the council.¹ Similar principles are proposed for Tasmania and in practice would provide a clear expectation for councils when developing their strategic plans and budgets.	Aim to introduce a range of measures to improve the overall financial governance of councils.
Elected Member Development	22. Establish core capability requirements for elected members	Setting core capability requirements would build capacity for all elected members and have positive impacts on standards of behaviour, sound decision-making and better relationships, as councillors would have a better understanding of the framework their role fits within. Core capability requirements may include: - the roles and responsibilities of elected members under the Act and regulations, with specific reference to the Model Code of Conduct and the <i>Good Governance Guide</i>; - ethical decision-making; - financial fundamentals, including understanding of financial statements and budget preparation; - decision-making in reference to the <i>Land Use Planning and Approvals Act 1993</i>; and - meeting procedures. The option to introduce mandatory training was considered however it is not proposed to mandate councillor training at this point. The Minister will retain the option to issue a Performance Improvement Direction to specific councils or councillors where it is needed. The exception to not implementing mandatory training for councillors, is that mandatory training for councillors in their role as a Planning Authority will be required.	Supported, no mandatory training to be introduced for Councillors. Mandatory training for councillors in their role as a Planning Authority.

¹ https://www.localgovernment.vic.gov.au/_data/assets/pdf_file/0042/397968/Act_for_the_Future_-_Directions_for_a_new_Local_Government_Act.pdf

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REFORM DIRECTIONS

Part D: Responsible and Effective Councils

3. Ethics and Standards

Area	Reform	Details	
	23. Require councils to publicly report the core capability training that each elected member has completed annually	This will introduce a greater level of transparency of councillors' professional development activities.	Supported, Council's policy already requires the reporting of professional development activities in the Annual Report.
Council Staff Accountability	24. Establish principles for all council staff that set minimum standards of behaviour	Setting principles on a minimum standard of behaviour for council employees will bring local government in line with other jurisdictions, other levels of government and community expectations for public officer behaviour. For example, under the Tasmanian State Service Act 2000, an employee must adhere to State Service principles including that: - the State Service is apolitical, performing its functions in an impartial, ethical and professional manner; - the State Service is accountable for its actions and performance to the Government, the Parliament and the community; - the State Service is responsive to the Government in providing honest, comprehensive, accurate and timely advice and in implementing the Government's policies and programs; and - the State Service delivers services fairly and impartially to the community. These principles inform the Tasmanian State Service Code of Conduct. A breach of the Code can result in real and serious consequences, including termination of employment. In recognition that local government staff operate under individual Enterprise Bargain Agreements, the consequences for a breach of minimum staff standards of behaviour would be a matter for each council to determine.	Supported, establishment of principles for all Council staff, setting minimum standards of behaviour.
General Manager Performance	25. Prescribe minimum standards for general manager recruitment, contracts, performance management and termination	This aims to encourage best-practice recruitment practices in line with community expectations and ensure a consistent approach to general manager contracts. The current power to issue a Ministerial Order on the appointment and performance of general managers would remain, allowing the Minister to specify the principles and processes governing the selection of general managers and the monitoring of their performance by the council.	Supported, Council does use external support for recruitment and annual reviews.
Complaints Management	26. Include principles on complaints management in legislation	A rigorous process must exist for complaints management, balancing the need to address genuine concerns of the community with processes that enable the dismissal of vexatious or frivolous complaints. Best-practice complaints management is independent, unbiased and removes conflict. Where councils are handling complaints about their own internal processes or staff (for example, the general manager), questions arise as to how independent and unbiased the complaints management process actually is. While it is appropriate that councils respond in the first instance to the majority of complaints, stronger	Supported, genuine community concerns need to be addressed in an independent and unbiased manner.

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REFORM DIRECTIONS

Part D: Responsible and Effective Councils

3. Ethics and Standards

Area	Reform	Details	
		provisions would seek to improve the independence of internal reviews of complaints.	

REFORM DIRECTIONS

Part D: Responsible and Effective Councils

4. Transparency and Flexibility in Budget Management

Area	Reform	Details	
Rating Policies	27. Ensure council rating policies consider taxation principles and align with their budget and financial planning documents	Councils have flexibility in determining how to distribute the rating burden among ratepayers. Rates are a form of general taxation and, therefore, taxation principles are relevant to how councils make their rating decisions. The taxation principles are: efficiency, simplicity, equity, capacity-to-pay, benefit principle, sustainability, cross-border competitiveness and competitive neutrality. Councils should reflect outcomes of consultation with the community on council budget and financial planning when developing rates and charges policies, as per the overarching Community Engagement Strategy. Communities want to understand the revenue councils are raising through rates and where it will be spent. This is closely linked to the councils' budgeting process. This would also apply where councils change their rating policies significantly or move to a different rating model.	Supported, where Rating Policies are changed significantly, the community is to be consulted, as per the overarching Community Engagement Strategy.
	28. Introduce more flexibility for councils to easily transition from one rating approach to another, to manage rating impacts on ratepayers	Councils can use different valuation methods to determine their rates and this would not change. Historically, councils have generally used the Assessed Annual Value (AAV) method to determine their rates. This method is a proxy for rental returns on a property. Work done a few years ago suggests that using Capital Value (CV) would produce a more equitable and efficient rating outcome for the majority of ratepayers. However, very few councils have transitioned to a CV method because of the significant impacts this would have for some ratepayers. This direction would provide councils with greater ability to manage rating changes on ratepayers through transitional arrangements. For example, if a council wishes to transition from the AAV to CV rating basis, the legislation would give councils improved tools to mitigate shocks to individual ratepayers by smoothing the impacts over time.	Supported, change would allow Councils to mitigate shocks to individual ratepayers by smoothing out the impact over time, where rating changes to property owners are significant.
Transparent and accountable rate setting	29. Establish an independent rates oversight mechanism	This would introduce a role for the Economic Regulator to provide independent expertise on, and oversight of, proposed rates increases that deviate from a council's Long-Term Financial Management Plan and are significantly greater than the Consumer Price Index. The Minister would have the power to refer a council to the Economic Regulator but not to veto the rating policy. The Economic Regulator would provide advice back to a council on proposed rating increases and whether other options to alleviate financial impacts on the	Councillor direction sought. Is this an alternative to rate capping? If so, supported.

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REFORM DIRECTIONS

Part D: Responsible and Effective Councils

4. Transparency and Flexibility in Budget Management

Area	Reform	Details	
		community appear available. The Economic Regulator would be required to publish its report. This direction would give a council advice independent of council staff for such a significant decision, and provide the community with comfort that any proposed rate increase has been subject to rigorous testing. The cost of any rating increase investigation by the Economic Regulator would be met by the relevant council.	
Transparent and accountable fees and charges	30. Set principles or guidelines for setting fees and charges	In response to issues raised regarding significant differences between councils in the fees and charges applied for similar services, this direction would promote greater consistency in the approach to setting fees and charges, without prescription around the amounts themselves. Fees and charges should be reflective of the cost of the service being delivered. They are not a tax to raise general revenue. The Department of Treasury and Finance has guidelines for State Agencies with regard to setting fees and charges and it is proposed that a similar discipline be introduced for local government.	Supported if the guidelines are flexible enough for individual councils to provide local incentives, discounts and initiatives.
Budget Management	31. Provide for a more autonomous and less prescriptive budget process	This will allow councils more flexibility to allocate resources as required. Councils should be accountable for outputs and outcomes, with transparency through reporting. Councils clearly set the budget and priorities, however general managers should have the flexibility to move resources around within the overall budget allocation to achieve priorities. This direction would relate to the operational budget, not the capital budget. It would also provide for a formal half-yearly financial report stating actual expenditure against budget.	Supported with a possible financial limit and reporting mechanism to keep councillors informed.
Significant Business Activities	32. Clarify significant business activities	There is a need to better define 'significant business activities' so that the commercial operations of councils are transparently reported. Councils will be required to publish reports on the operations and performance of significant business activities. Councils may undertake significant business activities for a range of reasons in carrying out their functions. Some support resource sharing arrangements, some are commercial operations and some have elements of both. The Act currently enables councils to undertake these activities under enterprise powers. These powers are not well understood. If significant business activities are competing with the private market, they need to be operating on fair terms. If significant business activities are operating for a profit, they should not enjoy benefits not available to private enterprise, such as tendering exemptions, as is currently the case under the Act.	Supported.

REFORM DIRECTIONS

Part D: Responsible and Effective Councils

5. Council Decision Making

Area	Reform	Details	
Council Meetings	33. Require electronic recording of	This requirement is increasing in other jurisdictions across Australia, where councils are capturing recordings using a range of electronic devices.	Supported, Council records its Council Meeting and makes the recording available.

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REFORM DIRECTIONS

Part D: Responsible and Effective Councils

5. Council Decision Making

Area	Reform	Details	
	council meetings to be made publicly available	Council decisions are supported by agenda papers and the minutes of meetings. However, council minutes are often brief and record little more than the motion and voting decision. Unless a member of the community is present at the meeting, there is little public record of any debate that occurred. The current Act allows for audio recording and a number of councils make audio recordings available on their websites. A small number of councils also video record and livestream. Making electronic recording, and its publication, mandatory would improve public confidence in the integrity, transparency and accountability of council decision-making. It would increase the community's access to, and connection with, the council and could improve councillor conduct generally. Councils have raised the issue of not having legal immunity protections for statements they may make, which are available to State and Federal Parliament, such as Parliamentary Privilege. As council meetings are currently available to the public, recording these sessions does not change the status quo on protections. Councils can hold closed meetings where necessary, which is not available to Parliamentary debate. No other jurisdiction has offered councillors immunity protections in this context. Recognising, however, the concern of some councils, live streaming would not be mandated.	It is noted that live streaming will not be mandated.
Conflict of Interest Framework	34. Simplify what is a conflict of interest	This will capture both what are currently termed 'pecuniary' and 'non-pecuniary' interests and remove overlap and confusion in declaring conflicts of interest at council meetings. Legislative provisions will be supported by clear, easy-to-read and understand guidelines to assist councillors in determining when it is appropriate to declare a conflict of interest and what further action to take, if any.	Supported, any improvement in clarity in determining when it is appropriate to declare a conflict of interest would be welcomed.
Managing Conflicts in the integrity of council Exercise of Statutory Functions	35. Enhance the decisions made when exercising statutory powers	This will require councils to manage perceived conflicts of interest by councils in exercising their statutory powers. For example, when a council is submitting and assessing its own development applications under the <i>Land Use Planning and Approvals Act 1993</i>, the assessment should be allocated to another council or private planner for assessment to reduce its conflict of interest. This would place the onus on councils to proactively remove themselves from any perceived conflict of interest. A number of councils already engage such practices in the interests of good governance. It is recognised that under the current planning legal framework, a council still needs to make the decision on its own Development Application, even if the assessment has been referred to an independent planner. There is some support to address this issue.	Supported, that Council's development applications be assessed externally. Agree, however, may be onerous especially when dealing with minor infrastructure, e.g. park bench or bus shelter.

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REFORM DIRECTIONS

Part D: Responsible and Effective Councils

6. Oversight & Interventions

Area	Reform	Details	
Independent Oversight	36. Strengthen the information gathering powers of the Director of Local Government	The Director of Local Government already has the power to require information from councils and this would not change. What is currently not clear is the scope of the advice councils' audit panels are providing to councils, including what risks and mitigation actions are being identified and recommended. Similarly, it is not clear how well councils are responding to their audit panels' advice. Consequently, it is proposed that audit panels would be required to provide their reports to the Director of Local Government, upon the Director's request.	Supported.
	37. Create a power for the Director of Local Government to require an undertaking from a council as a measure to address compliance issues	Under the current Act, instances of non-compliance with the Act can occur but with little consequence. For example, the Act may set out requirements to be followed, but there is no express penalty for not doing so. Many of these do not warrant an offence, but there is a gap with regard to powers to remedy non-compliance. This direction would provide the power to the Director to require an undertaking to be given by a council, councillor or general manager to either correct an act of non-compliance, or to ensure there is no recurrence. The failure to observe an undertaking could result in further action, depending on the gravity of the non-compliance. An undertaking could also be used to require councils to address the Auditor-General's recommendations arising from its financial audits, particularly where responses to high risk area recommendations appear not to be acted upon in a timely manner.	Supported. Council has never had an occasion where we have not complied with a requirement to address a compliance matter.
	38. Establish a Monitor/Advisor role	There are circumstances where early intervention can assist a council before issues result in more serious outcomes. This direction would provide a power for a Monitor to enter a council to review its operations, request information from the council administration (and the Audit Panel), provide guidance to elected members and senior staff, and make recommendations to the council. A council would be able to decide to engage a Monitor, but the Director of Local Government would also have the power to require one if the circumstances clearly require a 'circuit breaker'. A council would pay the cost of a Monitor (where one has been required by the Director, costs would be determined in consultation with the council).	Supported. Council has never had an occasion where we have not complied with a requirement to address a compliance matter.
	39. Establish the power to appoint a Financial Controller	This direction would allow for a Financial Controller to be appointed to a council to manage serious, demonstrated financial challenges, without putting the council into administration. Similar powers exist in New South Wales. The equivalent position to the Director in New South Wales has the power to appoint a Financial Controller to councils in that state, and it is proposed the Director would have similar power in Tasmania. The cost of a Financial Controller would be borne by the council. While it is acknowledged this would be an additional cost, the benefit to ratepayers would be expected to be significantly greater through correcting the council's financial sustainability.	Supported. Council has never had an occasion where we have not complied with a requirement to address a compliance matter.
	40. Continue to conduct formal investigations by the Director of Local Government	The Director of Local Government would continue to have the power to investigate breaches of legislation. However, the outcomes of an investigation would be strengthened such that the Director can make a finding and provide recommendations to the Minister that the council or an individual councillor be suspended or dismissed.	Direction from Council is sought on this matter. Natural justice and procedural fairness principles must apply to any investigation

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Part D: Responsible and Effective Councils

6. Oversight & Interventions

Area	Reform	Details	
		Natural justice and procedural fairness principles must apply to any investigation. To support the Director's investigatory powers, the Director would be able to appoint appropriately skilled and qualified persons to support them. Depending on the circumstances, this could include persons external to the Director's staff, such as persons with significant legal experience.	and, should investigation be undertaken at the direction of the Minister?
Ministerial Intervention	41. Provide for the Minister to dismiss a council or individual councillor	While the Director of Local Government will have significant powers to intervene when serious governance challenges arise, ultimately any action that results in the suspension or dismissal of a council or councillor must be taken by the Minister for Local Government. The Minister already has the power to impose a Performance Improvement Direction on a council or councillor (on a recommendation from the Director), and this will be retained. Suspension is a possible sanction for failure to adhere to a Performance Improvement Direction. In addition, the Minister could dismiss a council or councillor on recommendation of the Director. Alternatively, the Minister can establish a Board of Inquiry, and in response to findings, recommend the Governor dismiss a council or councillor, as is currently available.	Supported, only if natural justice and procedural fairness principles have been applied.
Maladministration	42. Create offences for mismanagement and to address poor governance (maladministration)	This would create a maladministration offence provision that relates to the council as an entity, individual councillors and the general manager, for systemic failures or a major consequence resulting from a single act of impropriety, incompetence or neglect. This is another measure to address the current gap with regard to there being no sanction available for non-compliance with the Act. The responsibility to ensure operational good governance within a council rests with the general manager, as the person responsible for implementing the decisions of the council and the day-to-day operations of the council. A maladministration offence should apply solely to the general manager, rather than other senior executive staff. Council staff come under the employment of the general manager and are therefore the responsibility of the general manager. It is recognised that while the council itself is responsible for the management and performance of the general manager, there is a need to legislate consequences where there is a repeated issue in failing to discharge their duties or the conduct is so grave that it warrants intervention. If early intervention measures are introduced, this would provide many opportunities to improve governance before this measure was necessary. South Australia has an offence for 'maladministration', which relates to a public officer or entity failing to meet reasonable standards of performance in discharging their duties, including conduct resulting from incompetence or negligence. This relates to serious systematic failures, not isolated mistakes or errors. The South Australian Ombudsman can investigate any public officer or entity for this conduct. Where councils have been incompetently managed, resulting in maladministration, an administrator can be appointed to manage the council. The South Australian Independent Commissioner Against	Supported, Council administration must be accountable – with natural justice and procedural fairness principles applied.

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REFORM DIRECTIONS

Part D: Responsible and Effective Councils

6. Oversight & Interventions

Area	Reform	Details	
		Corruption Act 2012 ⁶ defines maladministration in public administration as including conduct that results in the unauthorised use of public money or the substantial mismanagement of public resources; substantial mismanagement in the performance of official functions; and conduct resulting from impropriety, incompetence or negligence.	
Complaints Management	43. Simplify the complaints framework	There is currently overlap between the oversight and regulatory roles of various bodies, which makes it difficult for people to know who to make their complaint to. This direction would provide clarity for complainants, increase efficiency and ensure prompt intervention in serious issues. The main focus of this direction will be to remove the overlap in the complaint process between the current Director of Local Government and the Integrity Commission.	Supported.

REFORM DIRECTIONS

Part D: Responsible and Effective Councils

7. Council Performance Reporting

Area	Reform	Details	
Performance Reporting Framework	44. Introduce a local government performance reporting framework	There is already significant information and reporting on and by councils, but it is sometimes difficult to access and is not well consolidated. This direction would more clearly set a performance reporting framework that seeks to consolidate and make better use of existing data and information. It should reduce the reporting burden for councils, while improving public access to information. The reporting framework would also use existing key performance indicators as a basis for reporting, but have capacity to have additional key performance indicators over time where it is agreed the data required can be captured, and provides meaningful value to councils and the community.	Supported, Councils need to be consulted on the establishment of the report framework, and is expected to provide meaningful data to Councils and the community.
	45. Require councils to publish a compliance statement in the Annual Report	Councils have a range of statutory obligations to meet but there is no clear reporting in all instances that they have met these obligations. This direction would require a general manager to sign-off and account for the council's compliance obligations under the Act and some associated legislation, and report to the community a formal attestation that council's compliance obligations have been met. By requiring such an attestation, it will drive a culture in councils of checking that they have indeed met their statutory obligations.	Supported.
	46. Remove prescription around Annual Report	A council's Annual Report will still remain a key reporting mechanism, consistent with the requirements for other public entities. However, some of the current provisions for what is required to be reported are outdated. Future requirements for Annual Reports will reflect the directions, particularly what a council determines through its Community Engagement Strategy.	Supported.



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REFORM DIRECTIONS

Part E: Adaptable Councils

8. Collaboration

Area	Reform	Details	
Collaboration across councils	47. Introduce provisions that support efficient and high-quality council operations and collaborative shared service opportunities	Councils are already engaging in various formal and informal collaborative service delivery models. The legislation should provide the flexibility for councils to collaborate and work across council boundaries to deliver outcomes for their communities, recognising that different communities want different things. This direction would seek to remove any legal and administrative barriers to collaboration across councils, such as concerns regarding the extent delegations can be given and exercised. Legislation would also provide the power for two or more councils to be serviced by one administrative organisation. Such flexibility is likely to be necessary for the sustainability of small councils. In particular, Latrobe and Kentish Councils have in practice adopted this model, and it is important that the legal framework allows such innovations to occur.	Supported, legislation will support collaborative shared service opportunities.
	48. Introduce the option to create Regional Councils	A 'Regional Council' would be able to be established to incorporate a number of individual 'local councils'. A Regional Council could be established through a Local Government Board review (the current mechanism for structural change), or as a result of the voluntary decision of a minimum of two councils to collaborate in such a manner. A Regional Council would be supported by a general manager and staff, with the individual local councils being serviced by one administrative organisation. The Regional Council would be responsible for region-wide planning and service delivery. Local councils would retain some local decisions and be the primary advocates for their communities to inform decisions made by the Regional Council. The Mayors of the local councils would be members of the Regional Council, with additional members to be determined by the respective local councils. A Regional Council would represent the strongest collaboration model that does not involve amalgamation.	Council direction is sought on this matter. The proposal could be supported as it would be a mechanism to create a Regional Council with no loss of local representation, that does not include amalgamation.

Part E: Adaptable Councils

9. Model By-Laws

Area	Reform	Details	
Consistent By-laws	49. Create model by-laws for common issues, with streamlined administrative processes	A model by-law would be subject to a rigorous assessment process and once approved, any council could adopt the model by-law without the need to go through the assessment process again. Councils would simply need to consult with the community on any municipality-specific issues before adopting the final by-law. For example, there could be a model public places by-law with common features, but a council would need to consult on where the by-law would be applied in its municipality. This would significantly reduce the administrative process councils must go through in developing by-laws and create greater State-wide consistency. Councils would retain the power to create their own bespoke by-laws if they so desire, but would need to go through the full Regulatory Impact Statement process, and be able to adequately justify the need for creating such a by-law. Consideration will also be given to aligning by-law processes with those that apply to State legislation.	Supported, model by-laws streamline administration processes.

NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

16 SEPTEMBER 2019

REFORM DIRECTIONS

Part F: Strategic Reviews

10. Local Government Board

Area	Reform	Details	
Local Government Board	50. Strategic reviews of councils	The Local Government Board will be retained, to be established and directed by the Minister to undertake strategic reviews of local government. The Local Government Board must contain a member with local government expertise but otherwise will be at the discretion of the Minister, allowing for appropriate persons with relevant skills and expertise to be appointed depending on the subject of the review. The Local Government Board must, at a minimum, undertake - a review of councillor numbers and allowances every eight years, or two election cycles; and - a review of the 'State of the Sector' every five years. The Local Government Board would no longer be able to review the operation of a council as its focus would be on local government sector strategic issues. Operational reviews would be carried out by the Director of Local Government as appropriate under the oversight and intervention framework.	Supported.
	51. Voluntary amalgamation	A voluntary amalgamation will be able to occur, without the need for a Local Government Board review, if it is requested by two or more councils. If councils have undertaken a significant body of work to develop a business case on their own initiative to explore amalgamation options, they should be able to proceed without an additional report from the Local Government Board, which is time and resource intensive.	Supported, though Council decision is sought. The proposal will allow council to explore and agree on amalgamation if they have developed the business case on their initiative.

12 ATTACHMENTS

12.1 Reform Directions Paper Phase Two (separate attachment)

12.2 Minute - 18 February 2019 (min. ref. 035/19)

RECOMMENDATION

That Council endorse the recommended support for the reforms identified within the report, with the exception of following listed reforms:

PART B Representative and Democratic Councils			
1. Elections			
Area	Reform	Details	Officer Comments
Increasing voter participation	7. Simplify the election process for the positions of mayor and deputy mayor	Mayoral Election Mayors have been popularly elected in all councils in Tasmania since 2000. Prior to this, the position of mayor was voted on by council, 'around the table'. 7A: Retain the status quo as outlined above. If the status quo option is retained, a higher nomination fee would be charged in accordance with proposed Reform Direction 13. 7B: Popularly elected - voters will popularly elect the mayor at the same time as the council elections are held. A successfully elected mayor will automatically be elected as councillor, removing the requirement to be	Retain the Status Quo that Mayors are popularly elected. No objection can be seen to a higher nomination fee, Councillors may have a differing view. This item needs a clear direction for Council, as unsuccessful Mayoral candidates will not be eligible for election as Councillor.

NORTHERN MIDLANDS COUNCIL

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PART B Representative and Democratic Councils

1. Elections

Area	Reform	Details	Officer Comments
		concurrently elected as councillor. Candidates will be able to stand either for mayor or councillor but not both. Unsuccessful mayoral candidates will not be eligible for election as councillor. This process is in place in Queensland and South Australia. 7D: Council votes - all candidates stand and are elected as councillors. Mayors are then elected 'around the table' by the council. This is an option in New South Wales, Western Australia, Victoria and for councils in regional Northern Territory. Deputy Mayor Election The deputy mayor would be voted on by the council 'around the table'. This would simplify the process for voters and allow the council to choose an appropriate person to support the mayor. This is consistent with deputy mayor processes in every other jurisdiction in Australia.	Not supported. This item needs a direction from Council, as the suggestion is the Mayor is elected from around the table. Not supported. This item needs a direction from Council, as the suggestion is the Deputy Mayor is elected from around the table.
Candidate Changes	12. Introduce a pre-nomination training package	A training package must be completed in order to nominate as a candidate. This will help candidates understand the role and responsibilities they will take on should they be successfully elected. These information packages would be completed in a simple online format and will provide information rather than testing a potential candidate's knowledge. This is becoming increasingly common in other jurisdictions for local government candidates.	Supported, only if it is tick the box and does not restrict potential candidates nominating. Question: are Councillors supportive of the change.

5. Council Decision Making

Area	Reform	Details	
Managing Conflicts in the Exercise of Statutory Functions	35. Enhance the integrity of council decisions made when exercising statutory powers	This will require councils to manage perceived conflicts of interest by councils in exercising their statutory powers. For example, when a council is submitting and assessing its own development applications under the <i>Land Use Planning and Approvals Act 1993</i>, the assessment should be allocated to another council or private planner for assessment to reduce its conflict of interest. This would place the onus on councils to proactively remove themselves from any perceived conflict of interest. A number of councils already engage such practices in the interests of good governance. It is recognised that under the current planning legal framework, a council still needs to make the decision on its own Development Application, even if the assessment has been referred to an independent planner. There is some support to address this issue.	Supported, that Council's development applications be assessed externally. Agree, however, may be onerous especially when dealing with minor infrastructure, e.g. park bench or bus shelter.

6. Oversight & Interventions

Area	Reform	Details	
	40. Continue to conduct formal investigations by the Director of Local Government	The Director of Local Government would continue to have the power to investigate breaches of legislation. However, the outcomes of an investigation would be strengthened such that the Director can make a finding and provide recommendations to the Minister that the council or an individual councillor be suspended or dismissed. Natural justice and procedural fairness principles must apply to any investigation. To support the Director's investigatory powers, the Director would be able to appoint appropriately skilled and qualified persons to support them. Depending on the circumstances, this could include persons	Direction from Council is sought on this matter. Natural justice and procedural fairness principles must apply to any investigation and, should investigation be undertaken at the direction of the Minister?



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

6. Oversight & Interventions

Area	Reform	Details	
		external to the Director's staff, such as persons with significant legal experience.	

8. Collaboration

Area	Reform	Details	
	48. Introduce the option to create Regional Councils	A 'Regional Council' would be able to be established to incorporate a number of individual 'local councils'. A Regional Council could be established through a Local Government Board review (the current mechanism for structural change), or as a result of the voluntary decision of a minimum of two councils to collaborate in such a manner. A Regional Council would be supported by a general manager and staff, with the individual local councils being serviced by one administrative organisation. The Regional Council would be responsible for region-wide planning and service delivery. Local councils would retain some local decisions and be the primary advocates for their communities to inform decisions made by the Regional Council. The Mayors of the local councils would be members of the Regional Council, with additional members to be determined by the respective local councils. A Regional Council would represent the strongest collaboration model that does not involve amalgamation.	Council direction is sought on this matter. The proposal could be supported as it would be a mechanism to create a Regional Council with no loss of local representation, that does not include amalgamation.

10. Local Government Board

Area	Reform	Details	
	51. Voluntary amalgamation	A voluntary amalgamation will be able to occur, without the need for a Local Government Board review, if it is requested by two or more councils. If councils have undertaken a significant body of work to develop a business case on their own initiative to explore amalgamation options, they should be able to proceed without an additional report from the Local Government Board, which is time and resource intensive.	Supported, though Council decision is sought . The proposal will allow council to explore and agree on amalgamation if they have developed the business case on their initiative.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

GOV 10 NORTHERN MIDLANDS YOUTH ADVISORY GROUP

Attachments: Section 1 – Page 123

Responsible Officer: Des Jennings, General Manager
Report prepared by: Billie-Jo Lowe, Youth Officer

1 PURPOSE OF REPORT

The purpose of this report is to seek endorsement from Council to form a Northern Midlands Youth Advisory Group.

2 INTRODUCTION/BACKGROUND

The Tasmanian Youth Government Association Youth Conference Report 2017 put forward a motion for Youth Advisory Groups to be developed across local government in Tasmania.

The purpose of the Northern Midlands Youth Advisory Group is to provide an avenue and voice for young people to inform Council on issues and decision-making affecting youth.

It is envisaged that the Youth Advisory Group would meet once per month at Campbell Town and Cressy District High Schools alternately and the transport will be provided by the Youth Officer. Meetings will be primarily driven by youth with the assistance of the Youth Officer to coordinate and provide feedback to Council on the outcomes and action items. Youth members will share the role of chair and minute-taker which will provide opportunity for skill development and leadership. The Youth Advisory Group will be involved in the planning and implementation of youth events.

3 STRATEGIC PLAN 2017-2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates. The following objectives directly relate to the development of the Northern Midlands Youth Advisory Group:

- People –
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
- Core Strategies:
- ♦ Caring, Healthy, Safe Communities – Awareness, education & service

4 POLICY IMPLICATIONS

The Youth Policy objectives specific to the Northern Midlands Youth Advisory Group are:

- To ensure that young people's views and needs are considered in Council activities.
- To improve the capacity of communities to support young people.

5 STATUTORY REQUIREMENTS

All adults involved in the Northern Youth Advisory Group will have a Working With Vulnerable Persons Certificate in accordance with:

- *Children's, Young Persons and their Families Act 1997*
- *Registration to Work with Vulnerable People Act 2013*



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

6 FINANCIAL IMPLICATIONS

The Youth Advisory Group meetings will be held once a month at the Cressy and Campbell Town District High School during school days. The Youth Officer will transport youth to the meetings from their respective school and will provide lunch or a snack to Youth Advisory Group members dependent on the meeting times.

7 RISK ISSUES

Permission will need to be obtained by signed parent consent forms for all Youth Advisory Group members to attend meetings outside of school. All adult staff or volunteers involved in the Youth Advisory Group will have a current Working with Vulnerable Persons Certificate.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

N/A

11 OFFICER'S COMMENTS/CONCLUSION

The request for Council to endorse the development of the Northern Midlands Youth Advisory Group

12 ATTACHMENTS

12.1 Northern Midlands Youth Advisory Council Newsletter Article

RECOMMENDATION

That Council endorse the progression of the Northern Midlands Youth Advisory Group.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

GOV 11 NORTHERN MIDLANDS FURTHER EDUCATION BURSARY PROGRAM UPDATE

Responsible Officer: Des Jennings, General Manager

Report prepared by: Lorraine Green, Project Officer

1 PURPOSE OF REPORT

To:

- i) provide Council with an update on the current funding status of the Further Education Bursary Program; and
- ii) seek Council's advice as to the future direction of the Further Education Bursary Program.

2 INTRODUCTION/BACKGROUND

In 2014 Council introduced the Northern Midlands Further Education Bursary Program to provide students residing in the Northern Midlands with bursaries to foster confidence at the recognition of their educational potential, as well as funding to assist with the cost of their education for the two years post Year Ten. Council committed to award annually ten bursaries valued at \$1,000 over two years.

In 2016 Cape Hope Foundation collaborated with Council to expand the bursary program by a further three bursaries each year.

The bursary program was reviewed in 2017 and a number of changes were approved. These included increasing the value of the bursaries to \$2,000 over two years and delegating the awarding of the bursaries to the participating schools. Council and Cape Hope Foundation committed to funding nine bursaries each year at an annual cost to Council of \$10,000 and \$8,000 to Cape Hope Foundation. It was agreed bursary recipients would not be identified as discretely funded by either Council or Cape Hope Foundation: rather they would all be acknowledged as recipients of a Northern Midlands Further Education Bursary. In this collaborative spirit, the bursaries have been awarded at the presentation ceremonies by a Councillor and a Cape Hope Foundation representative.

In August 2019 Cape Hope Foundation advised Council that as a result of a change in the Foundation's focus on support programs for young people, the Foundation would no longer be participating in the Northern Midlands Bursary Program post 2020 (i.e. the Foundation would continue to fund the second instalment of the bursaries awarded in 2018, but not fund further bursaries).

The bursaries are currently allocated as follows: three each to Campbell Town and Cressy District High Schools, two to Kings Meadows High School and one to Prospect High School.

3 STRATEGIC PLAN 2017-2027

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

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



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- Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
 - ♦ Excellent standards of customer service
- People –
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
 - ♦ Communicate – Communities speak & leaders listen
 - ♦ Participate – Communities engage in future planning
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

The Council currently funds the equivalent of five bursaries at a cost of \$10,000 annually, and Cape Hope Foundation has funded the equivalent of four bursaries annually.

If nine bursaries are to continue to be awarded each year, this will require Council to commit another \$8,000 annually to the bursary program.

7 RISK ISSUES

The four high schools participating in the Northern Midlands Bursary Program are currently commencing the selection process for the awarding of the wide range of bursaries offered each year to Year Ten students. The schools have been contacted to flag possible changes to the bursary program to minimise the risk of bursaries that are unfunded being nominally allocated to students.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

The tight timeframes around decision making for the high schools' 2019 bursary programs prevents broader community consultation being undertaken.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can either:

- continue to fund the Northern Midlands Further Education Bursary Program to the value of \$10,000 annually which will require a review of the bursary allocation to each of the four participating schools; or
- increase the funding allocated to the bursary program to \$18,000 annually to enable the program to continue to fund the current allocation of bursaries (three each to Campbell Town and Cressy District High Schools, two to Kings Meadows High School and one to Prospect High School).



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

11 OFFICER'S COMMENTS/CONCLUSION

The Northern Midlands Further Education Bursary Program demonstrates Council's commitment to assisting to prepare Northern Midlands students to successfully navigate their post Year ten educational pathway by nurturing within them the desire, motivation and opportunity to succeed.

The bursary program is highly valued by the schools and bursary recipients alike; with the feedback received from bursary recipients across the years confirming the program is fully achieving its desired goals.

12 ATTACHMENTS

N/A

RECOMMENDATION

That Council

- i) continue to fund five Northern Midlands Further Education Bursaries at a value of \$10,000 annually, with the bursaries to be allocated two each to Campbell Town and Cressy District High Schools and one to Kings Meadows High School;
- ii) allocate a further \$8,000 to the Northern Midlands Further Education Bursary Program to enable nine bursaries to continue to be offered annually: three each to Campbell Town and Cressy District High Schools, two to Kings Meadows High School and one to Prospect High School.

DECISION

Cr

C&D 1 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: Amanda Bond, Community & Development Manager; and
Trent Atkinson, Community & Development Supervisor

1 PURPOSE OF REPORT

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

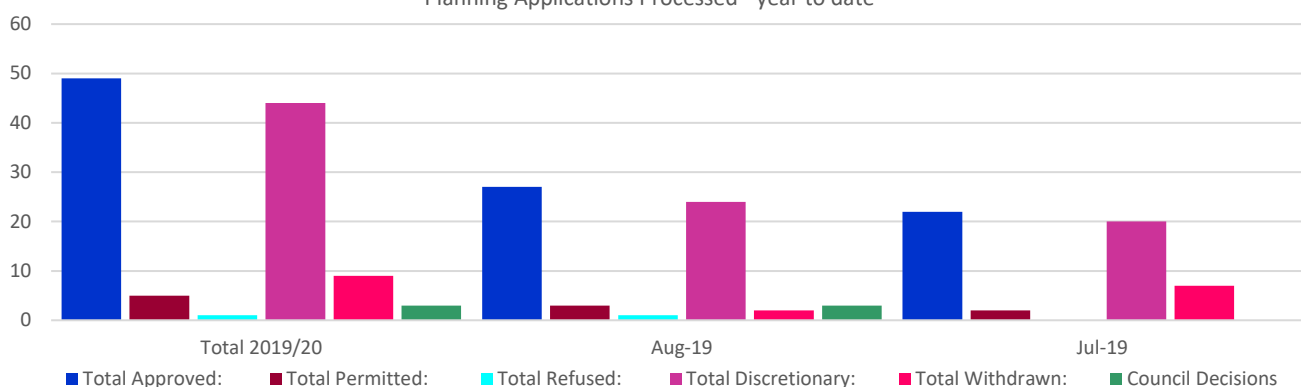
2 DEVELOPMENT SERVICES REPORTING

2.1 Planning Decisions

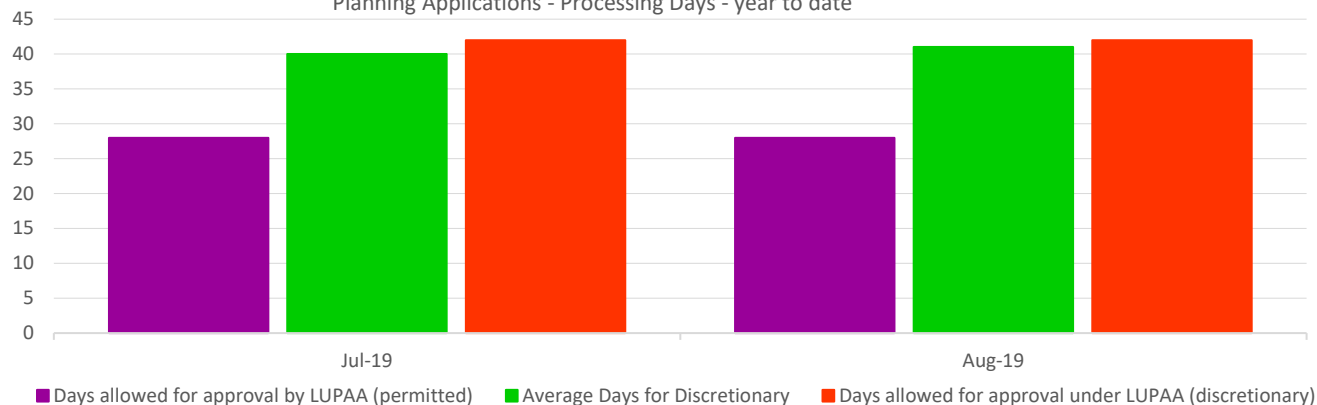
	Total YTD	Jul-19	Aug-19
Total Approved	49	22	27
Total Permitted	5	2	3
Average Days for Permitted		25	25
Days allowed for approval by LUPAA		28	28
Total Exempt under IPS	11	7	4
Total Refused	1	0	1
Total Discretionary	44	20	24
Average Days for Discretionary		40	41
Days allowed for approval under LUPAA		42	42
Total Withdrawn	9	7	2
Council Decisions	3	0	3

Please note that the statutory days are not counting correctly in the Open Office software the default has therefore been set to those allowed under LUPAA. Officers manually review each application to ensure statutory timeframes are met.

Planning Applications Processed - year to date



Planning Applications - Processing Days - year to date





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August 2019						
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt	
DELEGATED DECISIONS						
PLN-17-112-01	Amenities building, extensions to existing shed used for the extraction of honey and four shipping containers (Retrospective) - within 50m of railway	25A Main Road, Perth TAS 7300	Julian Mark Wolfhagen	42	D	
PLN-19-0133	Shed (18m-14m) (vary side [SE] setback, within scenic management area)	34 Trafalgar Lane, Evandale TAS 7212	Scott Richmond	42	D	
PLN-19-0140	Use of dwelling alteration as visitor accommodation (non-impervious parking space)	5 Napoleon Street, Perth TAS 7300	Ms Patricia Underlin	42	D	
PLN-19-0141	2 Lot Subdivision	44 Malcombe Street, Longford TAS 7301	Jaffa International	28	P	
PLN-19-0142	Dwelling (vary NW & SE setbacks)	19 Blenheim Street, Avoca TAS 7213	Urban Design Solutions	42	D	
PLN-19-0148	Alterations and additions	4 St Pauls Place, Avoca TAS 7213	Dirt Building Design	20	P	
PLN-19-0153	2 community Information signs	21-23 Arthur Street, Evandale TAS 7212	Friends of Evandale Catholic Cemetery	28	P	
PLN-19-0136	Tennis Practice Wall (vary rear setback, heritage listed property within heritage precinct)	Community Centre, 18 High Street, Evandale TAS 7212	Stephen Plowright	42	D	
PLN-19-0012	Shed (8m x 7m) & attached carport (5m x 3.5m) - vary side [N] setback & demolition of existing sheds (Heritage Precinct)	138 Bridge Street, Campbell Town TAS 7210	Cindy Donlon	42	D	
PLN-19-0089	Dwelling, shed & replacement crossover (within 50m of rail corridor)	65 Youl Road, Perth TAS 7300	MV Consulting	42	D	
PLN-19-0147	Ancillary Dwelling (vary side [W] setback & north facing window) - Heritage Precinct & within Attenuation Distance of Abattoir	5 Smith Street, Longford TAS 7301	Ms Cornelia Bard	40	D	
PLN-19-0050	Dwelling (vary private open space provisions)	41 Burghley Street, Longford TAS 7301	Mr Matthew Brooks	42	D	
PLN-19-0096	Garage & attached carport & shed (vary rear and side [S] setbacks)	168 Wellington Street, Longford TAS 7301	Mr Steven Fleming	42	D	
PLN-19-0110	Multiple Dwellings (2 x new, 1 x existing) - vary [W] side setback, privacy provisions & parking (forward of building line/reversing from site)	16 Phillip Street, Perth TAS 7300	Mr Sam Chugg	41	D	
PLN-19-0125	Alterations & additions (vary side [N] setback)	13 Johns Street, Western Junction TAS 7212	Prime Design	37	D	
PLN-19-0127	Shed (vary side [W] setback & southern building envelope)	3 Drovers Court, Evandale TAS 7212	Mr Michael Woolley	42	D	
PLN-19-0129	Additions to dwelling	1050 Valleyfield Road, Campbell Town TAS 7210	Mr Leigh Adams	42	D	
PLN-19-0132	Animal nursery shed replacement (12m x 13m) - very setbacks, locally heritage-listed place	23-47 Hobhouse Street, Longford TAS 7301	Mr Brian Oliver	42	D	
PLN-19-0134	Multiple Dwellings x 2 - vary rear building envelope & visitor parking (as constructed)	48 Hobhouse Street, Longford TAS 7301	Prime Design	42	D	
PLN-19-0137	Dwelling & Shed (vary internal front, rear & side [N] setbacks & southern private open space solar access)	5 Little Mulgrave Street, Perth TAS 7300	Mr Trent Smith	42	D	
PLN-19-0138	Shed (12m x 6m) (vary rear setback)	58 Cromwell Street, Perth TAS 7300	Mr Luke Woolnough	42	D	
PLN-19-0144	ancillary dwelling (vary rear setback & north facing window to habitable room)	7 King Street, Cressy TAS 7302	Mike Eltringham	42	D	
PLN-19-0146	Demolition of existing and replacement shed (combined floor area of outbuildings greater than 80m2)	8 Summit Drive, Devon Hills TAS 7300	Richard Webster	42	D	
PLN-19-0087	5-lot subdivision (Un-serviced area, bush-fire prone area, heritage-listed place)	65-81 Fairtlough Street, Perth TAS 7300	Mr Dallas McCulloch	42	D	
COUNCIL DECISIONS						
PLN-19-0117	Alterations & additions to Hotel (heritage listed property within heritage precinct)	11 Russell Street, Evandale TAS 7212	David Denman & Associates	42	C	
PLN-19-0121	Shed (vary rear setback)	12 Country Field Court, Longford TAS 7301	KR & DM Bailey	42	C	



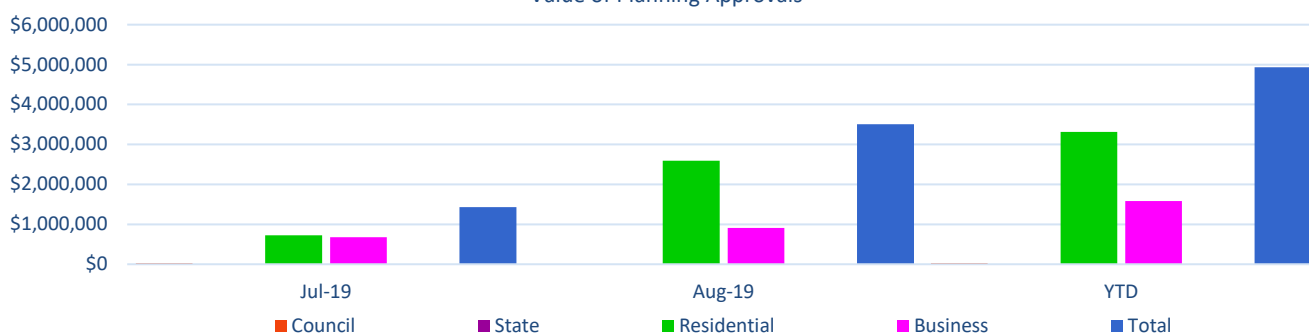
NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

COUNCIL DECISIONS - REFUSAL					
PLN-18-0216	25 Lot Subdivision plus Public Open Space & cul-de-sac (creation of 7 lots less than 1 hectare) (Road & Railway Assets Code, Flood Prone Areas Code)	16338 Midland Highway, Perth TAS 7300	6ty °	42	C
RMPAT DECISIONS					
TPC DECISIONS					

2.2 Value of Planning Approvals

			2019/2020			2018/2019
	Council	State	Residential	Business	Total	Total
July	30,500	0	721,500	677,000	1,429,000	2,863,500
August	0	0	2,595,000	908,000	3,503,000	3,369,300
YTD	30,500	0	3,316,500	1,585,000	4,932,000	36,482,950

Value of Planning Approvals



2.3 Matters Awaiting Decision by TPC & RMPAT

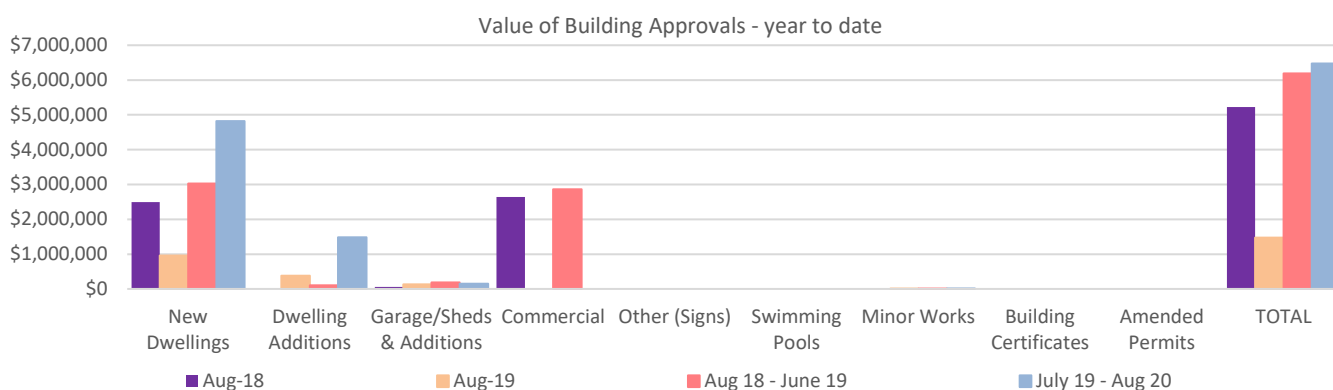
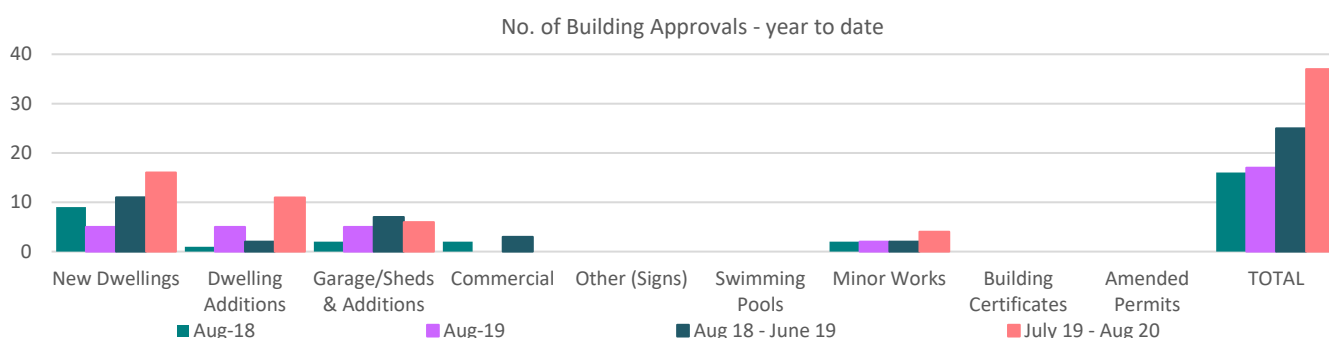
TPC	TASMANIAN PLANNING COMMISSION
TPS	Tasmanian Planning Scheme – State Planning Provisions (SPPs). The SPPs came into effect on 2/3/2017 as part of the Tasmanian Planning Scheme. They will have no practical effect until Local Provisions Schedule (LPS) is in effect in a municipal area.
RMPAT	RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL
PLN18-0319	Appeal 19/19P 105 Green Rises Rd Cressy – Metasite - Communications facility. Hearing held 2 August 2019, Tribunal upheld appeal, permit to be granted. Conditions being drafted for approval by RMPAT.
PLN19-0090	Appeal 64/19P & 69/19P, 22 Drummond St Perth Multiple Dwellings (2) Consent memorandum being discussed
Decisions received	
TPC	
RMPAT	
PLN19-0049	Appeal 27/19P 3 Tabernacle Place – Egan – 2 Lot subdivision & multiple dwellings (2) & vacant strata lot on lot 2 –Parties agreed to a consent memorandum setting aside Council’s decision and replacing it with a permit. Permit issued 02.09.19
PLN19-0010	Appeal 29/19P 165 Wellington St Longford – 2 Lot subdivision, additional lot for visitor accommodation – 6ty° Tribunal decision received 3/9/2019 – permit to be issued without requirement for Part5 Agreement that lot is only to be used for visitor accommodation.

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2.4 Building Approvals

The following table provides a comparison of the number and total value of building works for 2018/2019 – 2019/2020:

	YEAR: 2018-2019				YEAR: 2019-2020			
	Aug -18		July 18 - Aug 18		2018/2019 year		Aug-19	
	No.	Total Value	No.	Value YTD	No.	Total Value	No.	Total Value
		\$		\$		\$		\$
New Dwellings	9	2,491,616	11	3,031,421	108	23,419,306	5	961,000
Dwelling Additions	1	25,000	2	105,000	23	1,846,538	5	376,000
Garage/Sheds & Additions	2	58,000	7	183,600	39	1,536,420	5	130,000
Commercial	2	2,645,000	3	2,865,000	17	44,672,414	0	0
Other (Signs)	0	0	0	0	1	10,000	0	0
Swimming Pools	0	0	0	0	2	98,000	0	0
Minor Works	2	8,277	2	8,277	21	479,264	2	2,880
Building Certificates	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	1	35,000	0	0
TOTAL	16	5,227,893	25	6,193,298	212	72,096,942	17	1,469,880
Inspections								
Building	1		4		9		0	
Plumbing	18		35		317		15	



2.5 Planning and Building Compliance – Permit Review

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

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



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Planning Permit Reviews	This Month	2019/2020	Total 2018/2019
Number of Inspections	5	5	47
Property owner not home or only recently started	1	1	
Complying with all conditions / signed off	4	4	28
Not complying with all conditions			1
Re-inspection required			6
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			1
No Further Action Required			16
Building Permit Reviews	This Month	2019/2020	Total 2018/2019
Number of Inspections	6	12	42
Property owner not home or only recently started			
Complying with all conditions / signed off	5	5	3
Not complying with all conditions		1	
Re-inspection required	1	2	
Building Notices issued			
Building Orders issued			
No Further Action Required		5	34
Illegal Works - Building	This Month	2019/2020	Total 2018/2019
Number of Inspections	2	4	14
Commitment provided to submit required documentation			3
Re-inspection required			4
Building Notices issued		2	3
Building Orders issued		1	3
Emergency Order			
No Further Action Required	2	2	2
Illegal Works - Planning	This Month	2019/2020	Total 2018/2019
Number of Inspections	3	4	17
Commitment provided to submit required documentation			5
Re-inspection required	2	2	5
Enforcement Notices issued			3
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued		1	1
No Further Action Required	1	1	5

3 STRATEGIC PLAN 2017-2027

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

- Progress – Economic Health and Wealth – Grow and Prosper
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
A Land Use and Development Strategy to direct growth
 - Economic Development – Supporting Growth and Change
Core Strategies:
 - ♦ Towns are enviable places to visit, live and work
- People – Culture and Society – A Vibrant Future that Respects the Past
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ Planning benchmarks achieve desirable development



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- ♦ Council nurtures and respects historical culture
- ♦ Developments enhance existing cultural amenity
- Place – Nurture our Heritage Environment
 - Environment – Cherish and Sustain our LandscapesCore Strategies:
 - ♦ Meet environmental challenges
 - History – Preserve and Protect our Built Heritage for Tomorrow
 - ♦ Our heritage villages and towns are high value assets
- Core Departmental Responsibilities
 - Planning and Development

4 STATUTORY REQUIREMENTS

4.1 *Land Use Planning & Approvals Act 1993*

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

4.2 *Building Act 2016*

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

5 RISK ISSUES

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

6 COMMUNITY CONSULTATION

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

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

7 OFFICER'S COMMENTS/CONCLUSION

To date there have been no commercial building approvals for 2019/2020 (year to date), compared to 3 commercial building approval valued at \$2,865,000 (year to date) for 2018/2019.

In total, there were 37 building approvals valued at \$6,472,380 (year to date) for 2019/2020, compared to 25 building approvals valued at \$6,193,298 (year to date) for 2018/2019.

RECOMMENDATION

That the report be noted.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

C&D 2 APPLICATION FOR LIQUOR LICENCE – CAMPBELL TOWN FOOTBALL CLUB

Attachments: Section 1 – Page 124

Responsible Officer: Amanda Bond, Community and Development Manager

Report prepared by: Amanda Bond, Community & Development Manager

1 PURPOSE OF REPORT

The purpose of this report is to make Council aware of the intention of the Campbell Town Football Club to apply for a new liquor licence for the Campbell Town War Memorial Oval Multi-Function Facility.

2 INTRODUCTION/BACKGROUND

The Campbell Town Football Club currently have a limited liquor licence for the Campbell Town War Memorial Oval Multi-function Centre.

With the anticipated increased use of the facility, the Football Club want to be able to offer bar facilities to private hirers of the facility. They have contacted the Department of Treasury and Finance about extending their licence, however, have been recommended to apply for a Club Liquor Licence.

The terms of a Club Liquor Licence are as follows:

A club liquor licence authorises the sale of liquor on the club's premises between 5 am and 12 midnight daily, for consumption on or off the premises. This licence is usually issued to sporting or RSL clubs. The sale of liquor under this licence is limited to:

- a member of the club;
- a guest of a member of the club;
- a visitor to the club;
- a member of another club which has a reciprocal membership arrangement with the club;
- a competitor in an event conducted or hosted by the club on that day;
- a spectator of an event conducted or hosted by the club on that day; or
- a person who is attending a meeting of, or a function conducted by, an organisation which the Commissioner is satisfied is not operated for profit.

3 STRATEGIC PLAN 2017-2027

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

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

4 POLICY IMPLICATIONS

No policy implications have been identified.



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5 STATUTORY REQUIREMENTS

The Campbell Town Football Club will be required to comply with the *Liquor Licensing Act 1990* if it is granted a licence.

6 FINANCIAL IMPLICATIONS

There are no financial implications identified to Council with regard to the application.

7 RISK ISSUES

There is a risk to Council if the Campbell Town Football Club operates in a Council owned building without the relevant liquor licence.

8 CONSULTATION WITH STATE GOVERNMENT

A liquor licence is issued by the Commissioner for Licensing in accordance with the *Liquor Licensing Act 1990*.

9 COMMUNITY CONSULTATION

The applicant (Campbell Town Football Club) is to give public notice of the application. The Commissioner for Licensing will provide the applicant with the format for the notice.

10 OPTIONS FOR COUNCIL TO CONSIDER

To support the application, or not.

11 OFFICER'S COMMENTS/CONCLUSION

The Campbell Town Football Club are embracing the opportunity presented to it with the new Campbell Town War Memorial Oval Multi-Function Centre and are making this application to offer bar services to private hirers of the facility, as a fundraising opportunity for the club.

12 ATTACHMENTS

12.1 Applying for a Liquor Licence – Fact Sheet

RECOMMENDATION

That Council support the application of the Campbell Town Football Club for a Club Licence for the Campbell Town War Memorial Oval Multi-Function Centre.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

C&D 3 DRAFT CAT MANAGEMENT BILL 2019

Attachments: Section 1 – Page 130

Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Tammi Axton, Animal Control Officer

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with the opportunity to provide feedback on the *Draft Cat Management Amendment Bill 2019*.

2 INTRODUCTION/BACKGROUND

A final exposure draft of the Cat Management Amendment Bill 2019 has been released for public comment.

The draft Amendment Bill is the outcome of ongoing consultation that commenced as part of developing the *Tasmanian Cat Management Plan 2017-2022* (the Plan).

The Plan documents a number of regulatory changes identified as necessary to facilitate improved cat management in Tasmania.

The draft Amendment Bill contains the legislative amendments to the *Cat Management Act 2009* based on the Plan, including:

- Compulsory desexing of owned cats by the age of four months;
- Compulsory microchipping of cats by the age of four months;
- Limiting to four, the maximum number of cats allowed at a property without a permit;
- Increased measures to protect private land from roaming, stray and feral cats;
- Changing the option for cat breeders to be registered with the State Government to a permit system;
- Removing the option of a Care Agreement;
- Commencing Section 24 of the Act that requires a cat to be microchipped and desexed before being released from a cat management facility.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
- Progress –
 - Economic Development – Supporting Growth & Changes
 - ♦ Towns are enviable places to visit, live & work
 - ♦ Maximise external funding opportunity
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity
 - ♦ Public assets meet future lifestyle challenges
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns



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- ♦ Communicate – Communities speak & leaders listen
- ♦ Participate – Communities engage in future planning
- ♦ Connect – Improve sense of community ownership
- ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
 - Environment – Cherish & Sustain our LandscapesCore Strategies:
 - ♦ Cherish & sustain our landscapes
 - ♦ Meet environmental challenges

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

Both State and local government are able to enforce the *Cat Management Act 2009*. The extent to which a council is involved in cat management issues within its municipality is at the discretion of the individual council.

6 FINANCIAL IMPLICATIONS

If Council are choosing not to enforce the *Cat Management Act 2009* and are directing the public to Just Cats, there are not likely to be any financial implications.

7 RISK ISSUES

There is a risk that the community will expect Council to take a greater responsibility with enforcement of the *Cat Management Act 2009*.

8 CONSULTATION WITH STATE GOVERNMENT

The State Government have requested feedback from Councils.

9 COMMUNITY CONSULTATION

Department of Primary industries, Parks, Water and Environment has released the final exposure draft of the *Cat Management Amendment Bill 2019* for public comment.

10 OPTIONS FOR COUNCIL TO CONSIDER

There are two options for Council to consider:

- i) endorse officers' comments on the feedback form;
- or
- ii) make changes/additional comments.

11 ATTACHMENTS

- 11.1 Letter from Department of Primary Industries, Parks, Water and Environment
- 11.2 Summary of proposed amendments to the *Cat Management Act 2009*
- 11.3 Feedback form



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

RECOMMENDATION

That Council endorse the submission as drafted.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

C&D 4 REQUEST FOR DONATION: JUST CATS

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

1 PURPOSE OF REPORT

Councillor Janet Lambert has asked that the matter of a request for the full donation amount of \$10,000 as sought by Just Cats be relisted for Council's consideration.

A request for a donation was presented to Council in the Municipal Budget at which time Council agreed to provide funding of \$2,000.

2 INTRODUCTION/BACKGROUND

Council resolved at its 19 August 2019 Council meeting (min. ref. 243/19) to provide \$2,000 to Just Cats as provided for in the 2019/2020 municipal budget, and the request for an additional \$8,000 be considered in the mid-year budget review.

This report is a duplication of the previous report.

With the closure of the RSPCA, Just Cats Tasmanian is the only Cat Management Facility in the North of the State. Just Cats Tasmania engage in trapping feral and stray cats and kittens, educating our constituents on responsible cat ownership, and providing shelter facilities for feral and stray cats.

Just Cats Tasmania currently run two facilities:

- Mowbray – feral and trapped cats
- Longford – adoptions.

The shelter is currently costing Just Cats \$7,000 per week just on running costs, this is not including what's needed to prepare each cat for adoption, the running cost would total \$84,000 per year. The vet bill is generally covered by adoption fees and donations from the general public and they hope to continue that great support network that Just Cats has.

With Launceston City council donating \$80,000 which includes the use of the Mowbray facility it leaves a shortfall of approximately \$40,000 in a monetary amount which Just Cats have asked the other 4 councils to help cover this shortfall.

Statistics of intakes – currently from January 2019 through to end of June 2019, Just Cats has taken in 40 cats from the Northern Midlands Area – each arrival costs Just Cats \$60 instantly just on, health check, flea and worm treatment and a vaccine – ready for them to be placed into quarantine.

This is not including any medical requirements or microchipping or desexing as this cost once again is generally covered with adoption fee and or donations.

If each of those 40 cats cost Just Cats \$60 this total for 6 months so far is \$2,400 estimating a yearly cost of \$4,800.

3 STRATEGIC PLAN 2017-2027

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



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- Lead –
 - Best Business Practice & ComplianceCore Strategies:
 - ♦ Council complies with all Government legislation
- Progress –
 - Economic Development – Supporting Growth & Changes
 - ♦ Towns are enviable places to visit, live & work
 - ♦ Maximise external funding opportunity
- People –
 - Sense of Place – Sustain, Protect, ProgressCore Strategies:
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity
 - ♦ Public assets meet future lifestyle challenges
 - Lifestyle – Strong, Vibrant, Safe and Connected CommunitiesCore Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
 - ♦ Communicate – Communities speak & leaders listen
 - ♦ Participate – Communities engage in future planning
 - ♦ Connect – Improve sense of community ownership
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
 - Environment – Cherish & Sustain our LandscapesCore Strategies:
 - ♦ Cherish & sustain our landscapes
 - ♦ Meet environmental challenges

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

Council are not currently enforcing the *Cat Management Act 2009*.

6 FINANCIAL IMPLICATIONS

\$10,000 donation.

7 RISK ISSUES

No risks have been identified.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may agree to donating the whole amount of \$10,000 as requested by Just Cats, or they may agree that the \$2,000 already agreed in the budget is sufficient.

11 OFFICER'S COMMENTS/CONCLUSION

With the proposed amendments to the *Cat Management Act 2009* with regard to the changes to protection of private property, there is going to be an increase in the number of trapped cats which will need to be taken to a Cat Management Facility. Just Cats is the only Cat Management Facility in the north of the State.

It is public expectation that Council deal with cat issues, being able to utilise Just Cats services allows Council Officers to direct cat complaints to Just Cats.

To ensure we have the continuing support of Just Cats trapping and taking in stray cats, Council needs to support the service.

12 ATTACHMENTS

N/a

RECOMMENDATION

That Council fund a donation of a total amount of \$10,00 to Just Cats, to be funded in the mid-year budget review.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

C&D 5 NORTHERN MIDLANDS LAND USE AND DEVELOPMENT STRATEGY

Attachments: Section 1 – Page 139

Responsible Officer: Amanda Bond, Community & Development Manager

Report prepared by: Amanda Bond, Community & Development Manager

1 PURPOSE OF REPORT

The purpose of this report is to present Council the Northern Midlands Land Use and Development Strategy to be endorsed.

2 INTRODUCTION/BACKGROUND

In early 2017 Council invited tenders from appropriate qualified and experienced consultants to produce the Northern Midlands Land Use and Development Strategy over two financial years, commencing in July 2017.

There were two aspects to the project:

- Prepare a Land Use Development Strategy to inform land use planning decisions for the Northern Midlands municipality for the next 20 years; and
- Prepare the Local Provisions Schedule to form part of the Tasmanian Planning Scheme.

The tender was awarded to JMG Engineers and Planners.

JMG undertook the following tasks to prepare the documentation:

- Identify key stakeholders
- Review Tasmanian Planning Commission directions
- Review relevant documents and existing data and collate
- Identify potential rezoning areas
- Preparation of recommendations
- Various meetings with Council officers
- Presentations to Councillors
- Community online survey
- Community suggestion boxes
- Stakeholder consultation (x2 sessions north and south)
- Preparation of draft reports
- Preparation of final draft strategy

This report presents the Northern Midlands Land Use and Development Strategy to Council to be endorsed.

A further report is presented later in the Agenda for Council acting as Planning Authority, to endorse the Local Provisions Schedules.

Once the final draft strategy is endorsed by Council it will need to be placed on public exhibition. Community members will have the opportunity to make representations regarding the strategy. Representations will be reviewed and summarised. JMG will make recommendations as to whether or not the representations warrant an amendment to the Strategy. Once this process is complete the strategy will be finalised. It is recommended the community consultation for the Strategy occur in conjunction with the community consultation of the Local Provisions Schedules to avoid confusion in the community.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Leaders with Impact
Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity
 - ♦ Manage – Management is efficient and responsive
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
 - ♦ Proactive engagement drives new enterprise
 - ♦ Collaborative partnerships attract key industries
 - ♦ Attract healthy, wealth-producing business & industry
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ Planning benchmarks achieve desirable development
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity
 - ♦ Public assets meet future lifestyle challenges
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
 - ♦ Communicate – Communities speak & leaders listen
 - ♦ Participate – Communities engage in future planning
 - ♦ Connect – Improve sense of community ownership
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
 - Environment – Cherish & Sustain our Landscapes
Core Strategies:
 - ♦ Cherish & sustain our landscapes
 - ♦ Meet environmental challenges
 - ♦ Eco-tourism strongly showcases our natural beauties
 - History – Preserve & Protect our Built Heritage for Tomorrow
Core Strategies:
 - ♦ Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

Not applicable.

5 STATUTORY REQUIREMENTS

Not applicable.

6 FINANCIAL IMPLICATIONS

Council allocated a budget for the consultancy across two financial years.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

7 RISK ISSUES

There is a risk of causing confusion in the community if the Northern Midlands Land Use and Development Strategy is released for public consultation at a different time to the Local Provisions Schedules.

At this stage the timeframes for release of the Local Provisions Schedules for public consultation is unknown.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

Once Council has endorsed the Northern Midlands Land Use and Development Strategy it will need to be presented for community consultation.

Community consultation occurred by way of public workshops and surveys during the drafting process.

10 OPTIONS FOR COUNCIL TO CONSIDER

To endorse the strategy or not.

11 OFFICER'S COMMENTS/CONCLUSION

The Northern Midlands Land Use and Development Strategy provides the supporting strategic direction to some parts of the Local Provisions Schedules.

12 ATTACHMENTS

12.1 Draft Northern Midlands Land Use and Development Strategy

RECOMMENDATION

That Council endorse the Draft Northern Midlands Land Use and Development Strategy for submission with the Local Provisions Schedules documentation to the Tasmanian Planning Commission and, subject to advice from the Tasmanian Planning Commission regarding estimated timeframes, undertake public consultation on the Strategy in conjunction with the Local Provisions Schedules.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

WORKS 1 LONGFORD RECREATION GROUND CARPARK

Attachments: Section 1 – Page 293

Responsible Officer: Leigh McCullagh, Works Manager

Report Prepared by: Leigh McCullagh, Works Manager

1 PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement of the reallocation of funding to progress the Longford Recreation Ground Carpark works.

2 INTRODUCTION/BACKGROUND

The carpark is designed to provide for vehicle storage, disabled parking and cycle parking and is a component of the Longford Recreation Ground redevelopment approval.

Council needs to ensure lighting is provided throughout the parking area and to pedestrian paths for night safety within the carpark and on site.

Quotes received for the construction of the car park and associated infrastructure at the Longford Recreation Ground have been assessed and it has been determined that the provision of the facility cannot be met within the allocated 2019/2020 budget of \$195,000, prior estimates did not allow for the provision of stormwater and lighting to the site.

The completion of the carpark and associated works will enhance the already completed components of the redevelopment of the site and improve access.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Leaders with Impact
Core Strategies:
 - ♦ Manage – Management is efficient and responsive
 - Money Matters
Core Strategies:
 - ♦ Improve community assets responsibly and sustainably
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ Developments enhance existing cultural amenity
 - ♦ Public assets meet future lifestyle challenges

4 POLICY IMPLICATIONS

Council is guided by its procurement and tendering policy for sourcing materials and contractors.



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5 STATUTORY REQUIREMENTS

All building projects must meet the Building Regulations, and any new recreation ground/building regulations.

6 FINANCIAL IMPLICATIONS

Total project costs include:

- 2018/2019: \$33,022
- 2019/2020: \$247,173
- Totalling: \$280,195

The budget allocation for this project in the 2019/2020 municipal budget is \$195,000, a further budget amount of \$33,022 was carried forward from the 2018/2019 financial period for excavation and stormwater works commenced in that period.

The estimates for stormwater and lighting were omitted from the preliminary estimates provided, which has resulted in a further short fall of \$52,173, as follows:

- Stormwater \$34,287
- Lighting and associated works \$17,866

The table below provides detail in relation to the \$195,000 budget allocation estimates and estimate of costs to provide for the stormwater and lighting components of the project in 2019/2020:

<i>Allocated</i>	<i>Estimate</i>	<i>Unallocated</i>	<i>Estimate</i>
		Stormwater	
Finalise dig out	2,000	Stormwater S.E.P x 3	8,550
Sub base gravel	6,000	Stormwater manholes x 2	5,700
kerb 320lm	38,000	50m-300mm stormwater pipe	9,680
base gravel	39,000	30m-150mm stormwater pipe	3,057
placement of pavement	35,000	100m-100mm sub soil drain behind kerb	3,300
asphalt sealing	53,000	breaking into manholes	4,000
line marking	5,000		\$ 34,287
disabled bollards	1,000	Car Park Lighting	
footpath	4,000	conduits to 2 x lights	1,480
Ticket box and concrete	9,000	light poles x 4	7,060
Landscaping and tree removal	3,000	lights x 6	5,946
	\$ 195,000	electrical cables	3,400
			\$ 17,886
Total 2019/2020 Cost			\$ 247,173

The following reallocation of funds in the 2019/2020 budget will provide the funds necessary to progress the identified works:

- Stormwater \$34,287: from the unallocated stormwater budget 2019/2020;
- Lighting and fittings \$17,866: from the private power pole replacement budget for 2019/2020.

7 RISK ISSUES



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The carpark development was approved as part of the Longford Recreation Ground redevelopment and will not be completed in this financial year. The area will remain a worksite until such time as these components of the project are funded.

8 CONSULTATION WITH STATE GOVERNMENT

N/a

9 COMMUNITY CONSULTATION

Broad community consultation underpinned the development of the Longford Recreation Ground 2030 Master Plan, including consultation with the Longford Recreation Ground Management Committee and Longford residents, and a survey of user groups.

Information was also sourced from Council documents and reports, site investigations, site survey data and aerial photography.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can agree or not agree to approve the reallocation of the funds.

11 OFFICER'S COMMENTS/CONCLUSION

The completion of the carpark component of the work will improve access to the facilities and provide a safer environment for all users.

The estimates for the carpark and associated works provided for budget purposes omitted costings for stormwater and lighting components of the project. The cost of these omissions are able to be met through the reallocation of funds from the *unallocated stormwater* and *private power pole replacement* 2019/2020 budget provisions.

12 ATTACHMENTS

12.1 Site Plan

RECOMMENDATION

That Council:

- i) note the report; and
- ii) approve the reallocation of funds to the Longford Recreation Ground carpark project, as follows:
 - to provision of Stormwater Infrastructure \$34,287: from the unallocated stormwater budget 2019/2020
 - to provision of Lighting and associated infrastructure \$17,866: from the private power pole replacement budget for 2019/2020.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

WORKS 2 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT) STATEWIDE WASTE STUDY AND STATE GOVERNMENT WASTE ACTION PLAN

Attachments: Section 1 – Page 294

Responsible Officer: Leigh McCullagh, Works Manager
Report prepared by: Jonathan Galbraith, Engineering Officer

1 PURPOSE OF REPORT

The purpose of this report is to inform Council regarding proposals for a Statewide Waste Management authority.

2 INTRODUCTION/BACKGROUND

In January 2019 Local Government Association of Tasmania (LGAT) engaged Urban EP to conduct a feasibility study for a *Statewide Waste Management Arrangement*. This looked at the planning, co-ordination and delivery of waste policies, strategies, programs and services to support better waste management across Tasmania and identified some market failures evident in how waste is managed across the state.

In June 2019 the State Government released the Draft Waste Action Plan (WAP). This plan proposes the introduction of a levy paid to the State Government.

The Government is seeking submissions on the WAP until the 7th October 2019. The Northern Tasmanian Regional Waste Management Group (NTWMG) is preparing a submission and individual Council's may also provide their own submissions. The NTWMG submission will be presented to Council General Managers on the 27th of September 2019.

2.1 Comments from the NTWMG regarding the proposal

The NTWMG submission will advise that the group is generally supportive of the State Government proposal provided that a model is set-up which ensures the levy goes directly to waste management, resource recovery and recycling. It has been noted that in some states the waste levy appears to go into general revenue rather than directly to waste management.

There are currently three regional waste management groups in Tasmania, in the north, north-west and south. The NTWMG is lobbying for this system to remain in place. The NTWMG believes that there have been significant achievements in improving resource recovery and recycling across the region since their establishment in 2007. Currently the three waste management groups are funded by voluntary levies on all waste disposed to landfill in Tasmania, with the establishment of a State Government levy it is recommended that the regional groups should continue and that funding should come from the State Government.

3 STRATEGIC PLAN 2017-2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates. The following sections have relevance to this matter.

- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
- Core Strategies:
- ♦ Strategic, sustainable, infrastructure is progressive
 - ♦ Proactive engagement drives new enterprise
 - ♦ Collaborative partnerships attract key industries



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- ♦ Attract healthy, wealth-producing business & industry
- Place –
 - Environment – Cherish & Sustain our Landscapes
- Core Strategies:
 - ♦ Cherish & sustain our landscapes
 - ♦ Meet environmental challenges

4 POLICY IMPLICATIONS

It is important that the proposed changes to waste management policy in Tasmania continue to support and build on the current resource recovery and recycling programs in Northern Tasmania. If managed correctly these changes will provide support for more materials to be recycled locally and provide employment and economic growth within Tasmania.

5 STATUTORY REQUIREMENTS

The following Acts and Regulations have relevance to this matter.

- *Environmental Management and Pollution Control Act 1994*
- *Environmental Management and Pollution Control (Waste Management) Regulations 2010*

6 FINANCIAL IMPLICATIONS

All Councils in the NTWMG currently pay a \$7.50 per tonne levy on waste disposed to landfill. The state government have not yet provided details of the cost of any levies that will be charged but it is likely that there will be an increase from the current levy that is paid. The NTWMG has suggested a \$15 per tonne levy will be sufficient to support the activities of the regional waste groups and also provide the state government with a similar amount of funding to develop statewide policies and strategies.

Any increases in cost will require councils to increase the fees charged at their waste transfer stations and also lead to increases in the waste management portion of Council's General Rates.

Northern Midlands Council currently pays approximately \$26,000 per annum for the regional waste levy.

7 RISK ISSUES

The NTWMG has expressed a concern that if a different model is adopted for waste management funding may not be continued for some projects. The concern has been expressed that in some states the waste levy has gone into general revenue and has not all been directed to resource recovery or recycling projects. It is important that councils lobby the state government to ensure that a model is set up in Tasmania which ensures the levy is invested directly into resource recovery and recycling.

8 CONSULTATION WITH STATE GOVERNMENT

The NTWMG is preparing a submission on behalf of its member councils.

9 COMMUNITY CONSULTATION

N/A



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10 OPTIONS FOR COUNCIL TO CONSIDER

To support the NTWMG in the submission they are preparing on the Waste Action Plan.

11 OFFICER'S COMMENTS/CONCLUSION

It is recommended that Council support the submission being prepared by the NTWMG; working through the NTWMG the northern councils will be able to lobby the state government to develop a model that will ensure the Waste Action Plan leads to improvements in waste management in Tasmania.

12 ATTACHMENTS

12.1 Draft Waste Action Plan

12.2 Feasibility Study into a Statewide Waste Management Arrangement – Part A (LGAT)

RECOMMENDATION

That Council

- i) supports the submission being prepared by the Northern Tasmanian Regional Waste Management Group (NTWMG);
- ii) provides in principle supports for an increase in the waste management levy, on the proviso that:
 - the levy will be guaranteed to support regional waste groups and statewide policies and strategies associated with waste management in Tasmania, as well as a focus on local recycling; and
 - a model is set-up which ensures the levy goes directly to waste management, resource recovery and recycling.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

16 SEPTEMBER 2019

CORP 1 MONTHLY FINANCIAL STATEMENT

Attachments: Section 1 – Page 324

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

1 PURPOSE OF REPORT

The purpose of this report is to present the monthly financial reports as at 31 August 2019.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 31 August 2019 is circulated for information.

3 ALTERATIONS TO 2019-20 BUDGET

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

SUMMARY FINANCIAL REPORT

For Month Ending: 31-Aug-19 2

A. Operating Income and Expenditure

	Budget	Year to Date Budget	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$11,271,634	-\$11,271,634	-\$11,264,471	-\$7	99.9%	
Recurrent Grant Revenue	-\$4,218,203	-\$703,034	-\$316,722	-\$386	45.1%	Advanced grants to come
Fees and Charges Revenue	-\$1,901,837	-\$316,973	-\$528,110	\$211	166.6%	
Interest Revenue	-\$863,007	-\$143,836	-\$211,040	\$67	146.7%	
Reimbursements Revenue	-\$53,079	-\$8,847	-\$36,072	\$27	407.8%	
Other Revenue	-\$1,490,085	-\$248,348	\$47,528	-\$296	-19.1%	
	-\$19,797,845	-\$12,692,670	-\$12,308,887	-\$384	97.0%	
Employee costs	\$5,635,968	\$939,328	\$887,201	\$52	94.5%	
Material & Services Expenditure	\$4,818,246	\$803,041	\$908,044	-\$105	113.1%	
Depreciation Expenditure	\$5,458,770	\$909,795	\$909,610	\$0	100.0%	
Government Levies & Charges	\$845,274	\$140,879	\$17,407	\$123	12.4%	
Councillors Expenditure	\$204,330	\$34,055	\$15,694	\$18	46.1%	
Interest on Borrowings	\$272,007	\$45,335	\$87,216	-\$42	192.4%	
Other Expenditure	\$1,290,510	\$585,918	\$619,855	-\$34	105.8%	Pension rebates for full year
Plant Expenditure Paid	\$519,210	\$86,535	\$125,004	-\$38	144.5%	
	\$19,044,315	\$3,544,886	\$3,570,031	-\$25	100.7%	
	-\$753,530	-\$9,147,784	-\$8,738,856			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$566,317	\$94,386	\$0	\$94	0.0%	
Underlying (Surplus) / Deficit	-\$187,213	-\$9,053,398	-\$8,738,856			
	-		-			
Capital Grant Revenue	-\$1,460,936	-\$243,489	-\$365,119	\$122	150.0%	
Subdivider Contributions	-\$541,533	-\$90,256	0	-\$90	0.0%	
Capital Revenue	-\$2,002,469	-\$333,745	-\$365,119			
	-		-			



NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

16 SEPTEMBER 2019

Budget Alteration Requests - For Council authorisation by absolute majority

	Budget Operating	Budget Capital	Actuals
--	---------------------	-------------------	---------

Capital works budget variances above 10% or \$10,000 are highlighted

August

Carried Forward budgets		
Lfd - Parklet actual exp plus \$10k instal	707987	\$61,716
Grant - R&R Childcare Capital Shed / Bathroom	791099	\$7,362
Evan - Lamp Posts Main Street	707774	\$15,000
Street Tree Program	707814	\$38,500
Evan - Town Entrance Statement	707855	\$3,141
Cry - Recreation Ground Building Redevelopment	707923	\$12,795
Ross - Town Square Development	707972	\$21,262
Grant - Avoca Museum Solar Panels and Heat Pump	707994	\$23,000
Lfd - Rec Ground Grandstand Improvements	707962	\$161,239
Lfd - Recreation Ground Amenities Redevelopment	707995	\$2,408,386
Lfd - Recreation Ground Carpark Upgrade	708008	\$33,022
Ctown - Recreation Ground Redevelopment	707805	\$3,484,792
Lfd - Longford Community Sports Centre Redevelopment	707990	\$1,000,000
Perth - Bus Shelter	707877.2	\$9,914
Lfd - Council Chambers Toilet and Kitchen Upgrade	720117	\$34,168
Pth - Old Punt Rd Midlands Hwy to William St Footpaths	750971.6	\$92,000
Ctown - High St Streetscape Improvements (Bridge St to King St)	750544	\$110,000
Evan - Morven Park Amenities Redevelopment	720119	-\$6,557
Total c/fwds		<u>\$7,509,740</u>
Ctown - War Memorial Oval Upgrade - Audio Equip	707805.9	\$30,000
Ctown - War Memorial Oval Upgrade - Curtains	707805.9	\$10,000
Ctown - War Memorial Oval Upgrade - Irrigation	707805.44	-\$40,000
Waste - Kerbside Collection additional	321800	\$11,500

July

HR Consultancy - transfer budget allocation	100500	-\$3,000
Media Consultancy - for Corporate branding review	103700	\$3,000

B. Balance Sheet Items

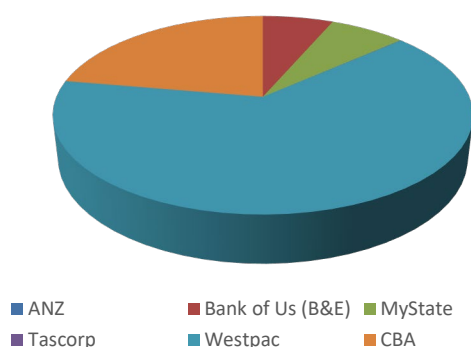
	Year to Date Actual		Monthly Change		Same time last year	Comments
Cash & Cash Equivalents Balance						
- Opening Cash balance	\$16,539,074		\$15,342,568			
- Cash Inflow	\$7,127,047		\$5,643,557			
- Cash Payments	-\$3,760,619		-\$1,080,623			
- Closing Cash balance	\$19,905,502		\$19,905,502			
	-		-			
Account Breakdown						
- Trading Accounts	\$2,815,323					
- Investments	\$17,090,179					
	\$19,905,502					
	-					
Summary of Investments	Investment	Maturity	Interest	Purchase	Maturity	



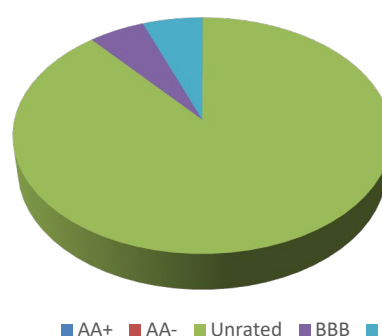
NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

	Date	Date	Rate%	Price	Value
Tasmanian Public Finance Corporation Call					
Account	1/08/2019	31/08/2019	1.00	\$5,356	\$5,361
CBA Call Account	28/08/2019	31/08/2019	0.90	\$104,088	\$104,096
Commonwealth Bank	13/08/2019	13/09/2019	1.43	\$1,000,000	\$1,001,215
Commonwealth Bank	28/08/2019	27/09/2019	1.41	\$1,000,000	\$1,001,159
Commonwealth Bank	28/08/2019	28/10/2019	1.58	\$1,000,000	\$1,002,641
Bank of Us	30/07/2019	30/10/2019	1.90	\$516,300	\$518,773
Westpac	7/08/2019	7/11/2019	2.75	\$2,500,000	\$2,517,329
My State Financial	25/12/2018	25/12/2019	2.90	\$1,256,237	\$1,292,668
Westpac	15/07/2019	15/01/2020	1.88	\$2,500,000	\$2,523,630
Bank of Us (B&E)	24/01/2019	24/01/2020	2.85	\$658,197	\$676,956
Westpac	4/07/2019	4/07/2022	3.37	\$5,500,000	\$6,056,558
Westpac	28/06/2019	28/06/2023	3.30	\$1,050,000	\$1,188,695
Total Investments				\$17,090,179	\$17,889,079

Investments by Institution

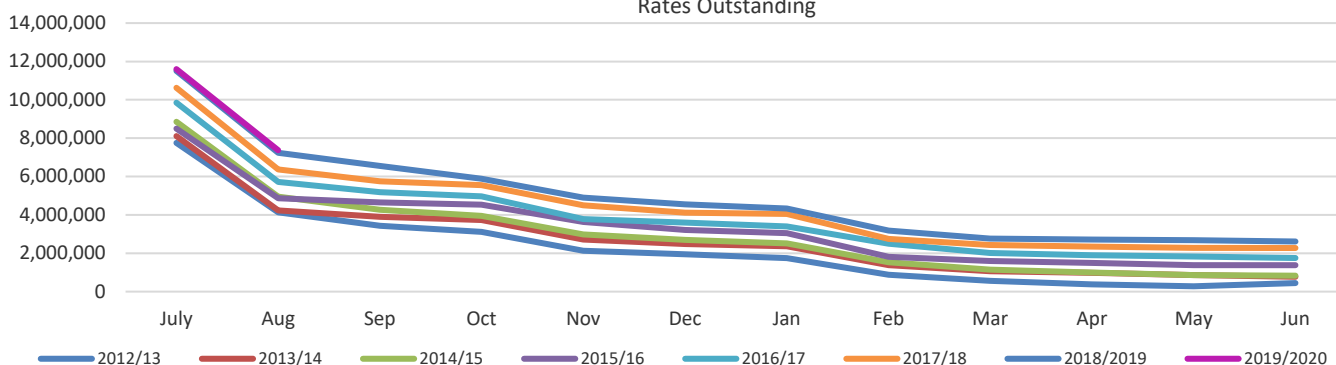


Total Investments by Rating (Standard & Poor's)



Rate Debtors	2019/20	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	\$2,275,315		\$2,245,313	
Rates Raised	\$11,297,084		\$10,554,208	
	\$13,572,400		\$12,799,521	
Rates collected	\$5,860,257	51.9%	\$5,159,999	48.9%
Pension Rebates	\$450,857	4.0%	\$440,929	4.2%
Discount & Remissions	\$42,917	0.4%	\$39,576	0.4%
	\$6,354,032		\$5,640,504	
Rates Outstanding	\$7,370,760	65.2%	\$7,242,319	68.6%
Advance Payments received	-\$152,392	1.3%	-\$83,302	0.8%

Rates Outstanding



Trade Debtors



NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

16 SEPTEMBER 2019

Current balance	\$513,533	
- 30 Days	\$433,525	
- 60 Days	-\$17	
- 90 Days	\$12,497	
- More than 90 days	\$67,528	
Summary of Accounts more than 90 days:	-	
- Norfolk Plains Book sales	639	Paid by outlet as sold
- Hire/lease of facilities	182	
- Removal of fire hazards	9,528	
- Dog Registrations & Fines	35,842	Send to Fines Enforcement
- Private Works	144	
- Regulatory Fees	1,194	
- Govt Reimbursements	20,000	
	-	

C. Capital Program

	Budget	Actual (\$,000)	Target 17%	Comments
Renewal	\$13,185,320	\$5,425,661	41%	
New assets	\$6,340,772	\$1,848,280	29%	
Total	\$19,526,092	\$7,273,942	37%	
Major projects:				
- Campbell Town Rec Ground	\$4,001,392	\$3,321,897	incl c/fwds 83%	In progress
- Longford Sports Centre Extension	\$1,250,000	\$732,615	incl c/fwds 59%	Substantially complete
- Campbell Town Main Street Improvements	\$1,000,000	\$125,741	incl c/fwds 13%	Design
- Sheepwash Creek development	\$998,500	\$27,463	incl c/fwds 3%	Complete
- Evandale Rec Ground Amenities	\$962,043	\$7,207	1%	In progress
- Office extension/upgrades	\$744,168	\$35,510	incl c/fwds 5%	Substantially complete
- Cressy Rec Ground Amenities	\$720,950	\$12,795	2%	In progress
- Saundridge Road reconstruction	\$588,542	\$0	0%	Complete
- Valleyfield Road reconstruction	\$200,000	\$0	0%	Slab / Shed stage
- Bridge Replacements				
- Bridge 2057 Gipps Crk Road, Unnamed Crk	210,000	\$0	0%	Substantially complete
- Bridge 4000 Storys Crk Road, Tasmania Crk	175,000	\$0	0%	Substantially complete
- Bridge 5028 Old Coach Road,	90,000	\$0	0%	Substantially complete

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

D. Financial Health Indicators

	Target	Actual	Variance	Trend	
Financial Ratios					
- Rate Revenue / Total Revenue	56.9%	91.5%	-34.6%	↘	
- Own Source Revenue / Total Revenue	79%	97%	-18.7%	↘	
Sustainability Ratio					
- Operating Surplus / Operating Revenue	0.9%	71.0%	-70.1%	↘	
- Debt / Own Source Revenue	47.6%	61.9%	-14.2%	↔	
Efficiency Ratios					
- Receivables / Own Source Revenue	50.6%	60.4%	-9.8%	↘	
- Employee costs / Revenue	28.5%	7.2%	21.3%	↗	
- Renewal / Depreciation	241.5%	596.5%	-354.9%	↗	
Unit Costs					
- Waste Collection per bin	\$10.53	\$13.32		↔	
- Employee costs per hour	\$46.97	\$36.23		↗	
- Rate Revenue per property	\$1,586.66	\$1,585.65		↔	
- IT per employee hour	\$3.30	\$4.69		↘	

E. Employee & WHS scorecard

	YTD	This Month	
Number of Employees	86	86	
New Employees	2	1	
Resignations	1	0	
Total hours worked	24486	15532.91	

NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

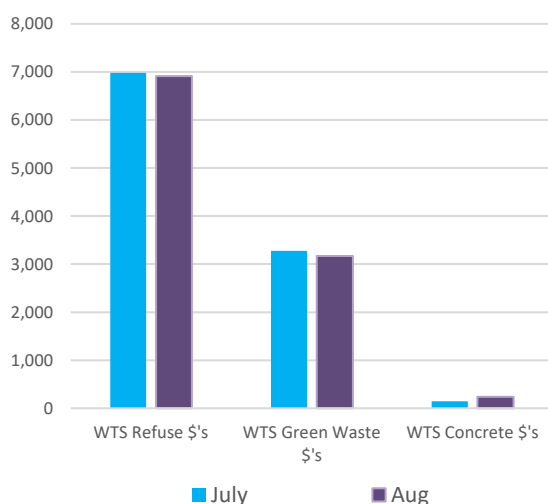
16 SEPTEMBER 2019

Lost Time Injuries	0	0	
Lost Time Days	0	0	
Safety Incidents Reported	2	2	
Hazards Reported	15	8	
Risk Incidents Reported	0	0	
Insurance claims - Public Liability	0	0	
Insurance claims - Industrial	0	0	
Insurance claims - Motor Vehicle	0	0	
IT - Unplanned lost time	1	1	
Open W/Comp claims	1	1	

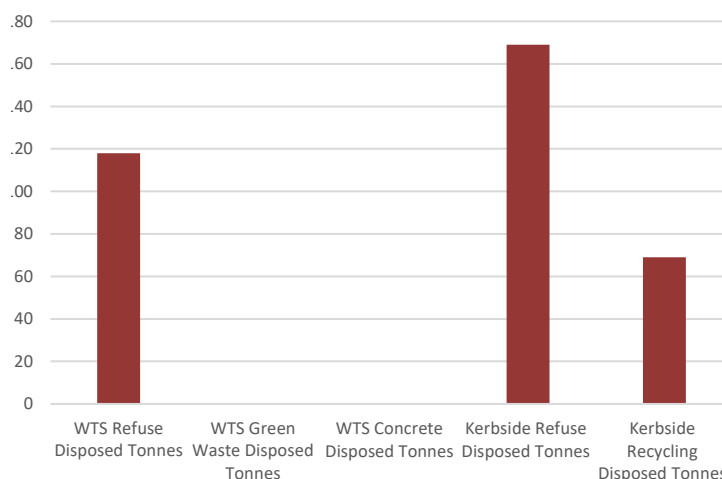
F. Waste Management

Waste Transfer Station	2017/18	2018/19	2019/20 Budget	2019/20 Year to Date	
Takings					
- Refuse	\$96,262	\$90,972	\$92,611	\$13,888	
- Green Waste	\$55,282	\$52,633	\$50,996	\$6,446	
- Concrete	\$1,333	\$2,376	\$1,551	\$385	
Total Takings	\$143,942	\$152,877	\$23,797	\$20,719	
Tonnes Disposed					
WTS Refuse Disposed Tonnes	1510	1325	1693	118	
WTS Green Waste Disposed Tonnes	4123	5200	5898	0	
WTS Concrete Disposed Tonnes	0	0	0	0	
Kerbside Refuse Disposed Tonnes	2201	2217	2185	169	
Kerbside Recycling Disposed Tonnes	1037	1051	1139	69	
Total Waste Tonnes Disposed	8871	9793	10915	356	

Waste Transfer Station Fees (\$'s)



Waste Disposal Tonnes - July



4 OFFICERS COMMENTS

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

5 ATTACHMENTS

- 5.1 Income & Expenditure Summary for period ending August 2019.
- 5.2 Capital Works Report to end August 2019.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

RECOMMENDATION

That Council

- i) receive and note the Monthly Financial Report for the period ending 31 August 2019.
- ii) authorise budget alterations as detailed in section 3A above.

DECISION

Cr

**CORP 2 APPLICATION TO DECLARE PROPERTY AS ‘URBAN FARM LAND’:
485 MARLBOROUGH STREET, LONGFORD,**

Attachments: Section 2 – Page 333

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

1 PURPOSE OF REPORT

The purpose of this report is to provide details of an application from Mr Nigel Taylor of ‘Maldon’ 485 Marlborough Street, Longford, to declare his property as ‘urban farm land’.

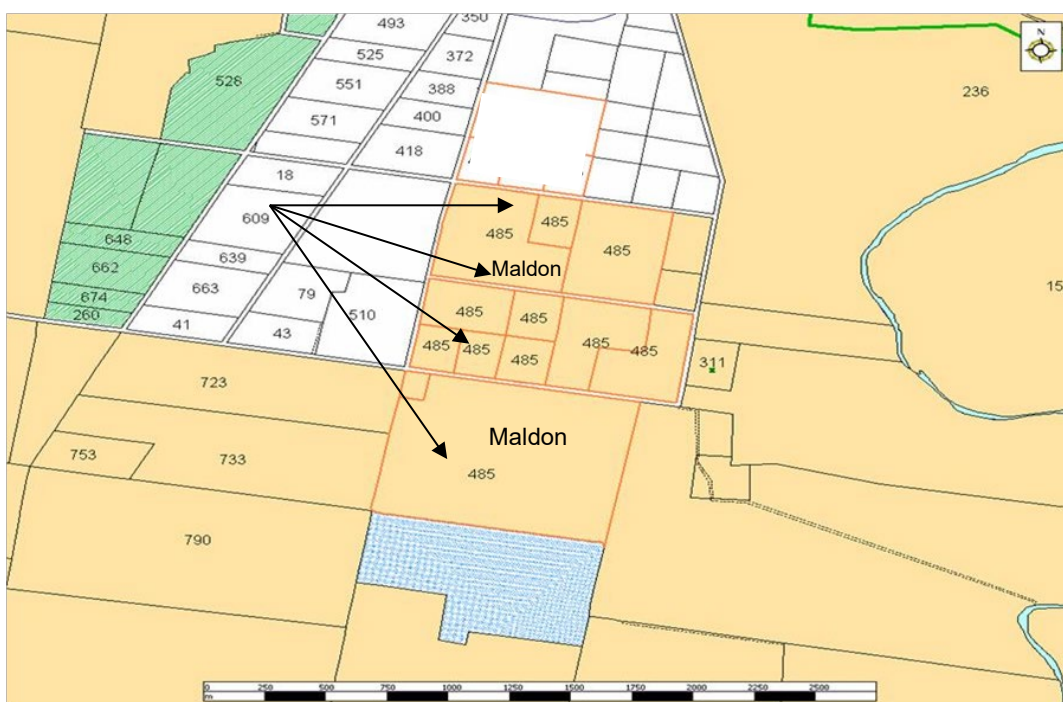
2 INTRODUCTION/BACKGROUND

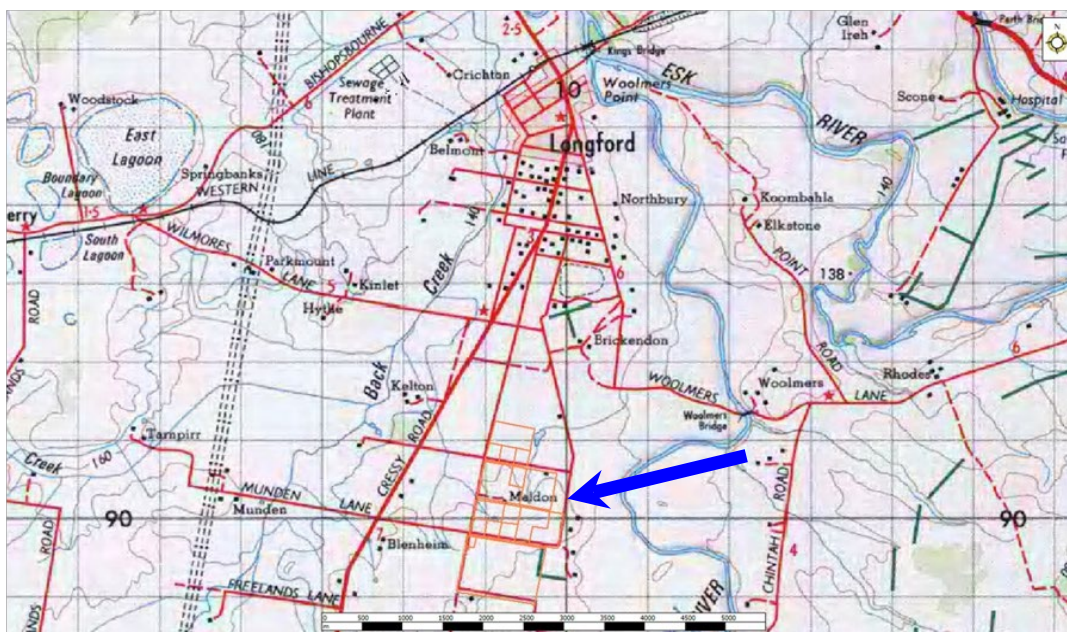
Under section 113 of the *Local Government Act* owners of farm land may apply to Council to declare their land as urban farm land.

Urban farm land – means land

- a) that is used for substantial agricultural, pastoral, forestry, horticultural, viticultural, apicultural, orcharding, dairy farming, poultry farming or horse farming purposes or any 2 or more of those purposes; and
- b) that provides the owner of land with the principal means of livelihood; and
- c) the value of which is increased because of –
 - (i) its proximity to land being used or developed for residential, industrial or commercial uses; or
 - (ii) a substantial demand for the land as rural residential land.

Mr Taylor’s land comprises of approximately 150 hectares and is situation off Marlborough Street (near Cotton and Haselwood streets) within the south Longford area as depicted in the following plans.





3 STRATEGIC/OPERATIONAL PLAN

An objective of the Strategic Plan is to maintain and develop sound financial management and generate funds without burdening the community.

4 POLICY IMPLICATIONS

Council declared Mr Taylor's land as 'urban farm land' following the last valuation in 2013 and as a result received a 14 percent reduction in the assessed annual value of the land.

5 STATUTORY REQUIREMENTS

Within 60 days of receipt of an application Council may grant the application and declare the land to be urban farm land, or refuse to grant the application.

Any decision is to be notified in writing to the owner of the land, and to the Valuer General if granted.

Council may revoke a declaration in respect of land

- on the sale or conveyance of the land
- if the land is no longer farm land or urban farm land.

Upon sale or conveyance of urban farm land except by way of gift or bequest to a member of the owner's family,

- the owner is to pay the difference or a proportion of the difference between the rates and charges that would have been payable over the previous 5 years in respect of that part if the land had not been declared urban farm land.
- the Valuer-General is to revalue any urban farm land remaining after part of the land is sold or conveyed.

6 FINANCIAL IMPLICATIONS

On receipt of a declaration of urban farm land from Council, the Valuer General is to make a valuation of the land as urban farm land.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

The valuation is

- a) to be made on the basis that the land is not to be used otherwise than farm land,
- b) to take effect of from the date of Council's declaration, and
- c) take into account the farm land valuations generally prevailing in the municipal area, and
- d) the location of the land.

Any reduction of assessed annual value due to the declaration will be non-rateable.

7 RISK MANAGEMENT

There is a financial risk that Council's rate revenue will be reduced should a number of property owners apply for a declaration of their land as urban farm land.

8 CONSULTATION WITH STATE GOVERNMENT

N/a

9 COMMUNITY CONSULTATION

There has been no community consultation regarding this matter.

10 OPTIONS FOR COUNCIL TO CONSIDER

Options available for Council to consider include:

- i) declaration of Mr Taylor's land as urban farm land
- ii) refuse to grant the application.

Upon refusal the owner may apply to the Magistrate's Court for a review of the refusal.

11 OFFICER'S COMMENTS/CONCLUSION

Council's Senior Planning Officer, Mr Paul Godier, advised that in his opinion Mr Taylor's land reasonably falls within the definition of urban farm land as follows:

"Mr Taylor's land is currently zoned Rural Resource and is used by him for agricultural purposes. I have no reason to suspect that it is anything other than his principal source of income.

Additionally, I believe it is reasonable to presume that the value attributed to his land is increased as a direct result of rural residential development (albeit incidental to agricultural use) and demand in the general area."

12 ATTACHMENTS

12.1 Letter of application from Mr Nigel Taylor received 18th July 2019.

RECOMMENDATION

That Council declare Mr Nigel Taylor's land known as 'Maldon', Marlborough Street at Longford as 'urban farm land' in accordance with the *Local Government Act 1993*.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

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



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

COUNCIL ACTING AS A PLANNING AUTHORITY

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

DECISION

Cr

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

2 STATEMENTS

- | | |
|--------|---|
| PLAN 1 | DRAFT PLANNING SCHEME AMENDMENT 03/2019; &
PLANNING APPLICATION PLN-19-0151:
7-7A WELLINGTON STREET, LONGFORD |
| PLAN 2 | PLANNING APPLICATION PLN-19-0131:
42 MARLBOROUGH STREET, LONGFORD |
| PLAN 3 | PLANNING APPLICATION PLN-19-0154
97 WELLINGTON STREET, LONGFORD |
| PLAN 4 | PLANNING APPLICATION PLN-19-0150:
2080 BISHOPSBOURNE ROAD, LONGFORD AND ACCESS OVER CT: 85856/2 |
| PLAN 5 | DRAFT NORTHERN MIDLANDS LOCAL PROVISIONS SCHEDULE |



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

PLAN 1 DRAFT PLANNING SCHEME AMENDMENT 03/2019; & PLANNING APPLICATION PLN-19-0151: 7-7A WELLINGTON STREET, LONGFORD

Attachments: Section 1 – Page 334

File: 113600.051; CT 155372/3 & 56464/1
Responsible Officer: Amanda Bond, Community and Development Manager
Report prepared by: Erin Boer, Urban and Regional Planner

1 INTRODUCTION

An application has been received from All Urban Planning Pty Ltd (obo Hill Street North Property Group Pty Ltd) for a Planning Scheme Amendment (03/2019) and planning application to allow the following:

- Realign the Urban Growth Boundary to follow the eastern and northern boundaries of the title.
- Realign the General Residential Zone to reflect the curtilage of the existing house.
- Realign the General Business Zone to include the existing carpark, access, loading areas and the mail distribution shed; and
- Insert site-specific amendments to the Rural Resource Zone to allow for subdivision of the existing dwelling and carparking/loading associated with the shopping centre at 7A Wellington Street, Longford.
- Subdivision of existing dwelling and balance land.

The amendments/subdivision will allow for separation of the residential and commercial uses on the site and appropriate zoning/provisions for these uses moving forward.

This report recommends that Council:

- Initiate draft amendment to rezone the site
- Initiate draft amendment for site specific amendments with some changes
- Approve the subdivision of the existing dwelling and balance land

Subject site from Wellington Street





NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

2 BACKGROUND

Applicant:

All Urban Planning Pty Ltd

Zone:

General Business Zone, General Residential Zone, Rural Resource Zone

Proposal:

Planning Scheme Amendment with s43 Application

Critical Date:

Under section 33 (3) of LUPAA, a decision must be made by the 16th Sep 2019.

Owner:

Hill Street North Property Group P/L

Codes:

Bushfire Prone Areas Code
Carparking and Sustainable Transport Code
Environmental Impacts and Attenuation Code

Existing Use:

Residential (single dwelling); General Retail & Hire;
Business & Professional Services; Vehicle Parking;
Transport Depot & Distribution (mail centre).

Recommendation:

Initiate and certify the draft amendment and approve planning permit.

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 29, Effective from 3rd June 2019.*

3 STATUTORY REQUIREMENTS

The *Land Use Planning & Approvals Act 1993* contains the following provisions:

Section 33 (1) – A person may request a planning authority to initiate an amendment of a planning scheme administered by it.

Section 43A (1) - A person who requests a planning authority to amend a planning scheme may also request the planning authority to consider an application for a permit which would not be allowed if the planning scheme were not amended as requested.

Section 33 (2B) - Before making a decision as to whether or not to initiate an amendment of the planning scheme, the planning authority must consider –

(a) whether the requested amendment is consistent with the requirements of section 32; and

(ab) any representation made under section 30I, and any statements in any report under section 30J as to the merit of a representation, that may be relevant to the amendment; and

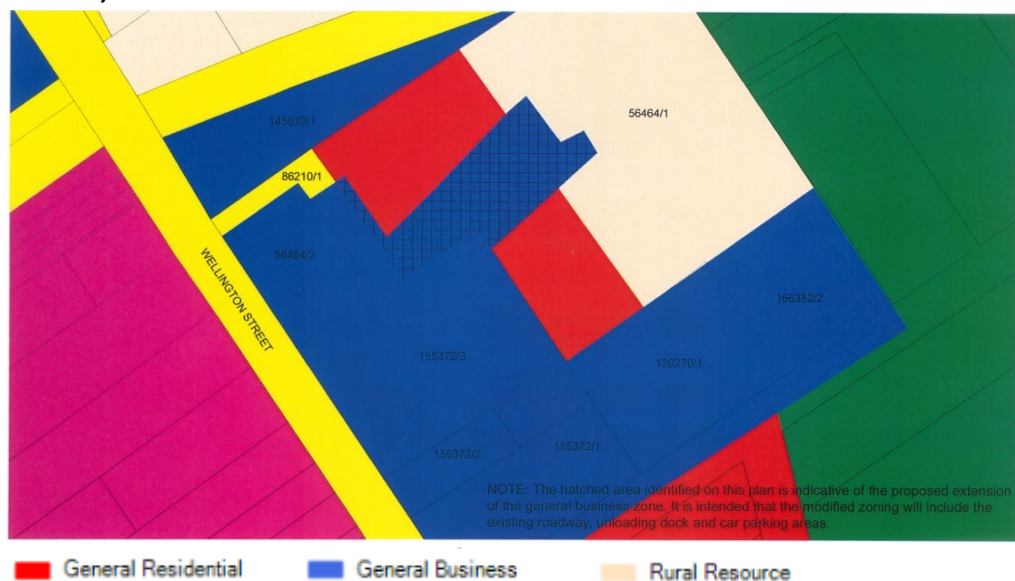
(b) any advice referred to in section 65 of the Local Government Act 1993 received by it.

Comment in response to section 33(2B):

(a) Part 6 of this report finds that the draft amendment is consistent with section 32 of the Act.

(ab) A representation under section 30I (Representations in relation to Interim Planning Schemes) relevant to the draft amendment was lodged, requesting that the access way, unloading dock and parking areas be zoned General Business (as shown below), where they are a permitted use. The changes proposed by the representation were supported.

Zoning changes requested under Section 30I (Representations in relation to Interim Planning Schemes)



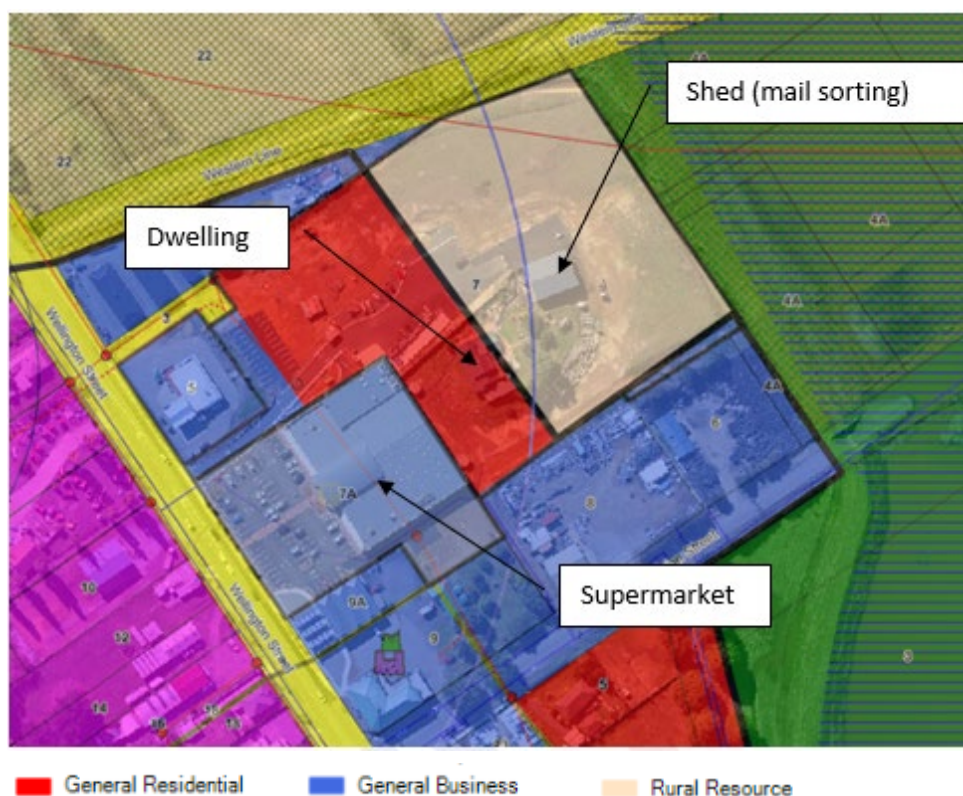
The changes proposed by the current amendment proposal are to extend the General Business area further, to include the shed (now used by Australia Post for mail sorting) and additional parking servicing the shopping centre.

(b) This report provides advice in relation to section 65 of the Local Government Act 1993 (advice of qualified persons).

4 PROPOSAL

4.1 Current Zone

Zone Map (overlaid over aerial photograph) – 7 & 7a Wellington Street, Longford



The land consists of three zones: General Business Zone, General Residential Zone and Rural Resource Zone. Overlays include: Bushfire Prone Area, Scenic Corridor (partial), Attenuation Area – no changes to existing land uses.

The relevant Planning Scheme definition is:

<i>subdivision</i>	<i>means the act of subdividing or the lot subject to an act of subdividing.</i>
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4.2 Subject site and locality

The author of this report carried out a site visit on the 5th September 2019. The subject site is located across two titles CT 155372/3 (7a Wellington Street, Longford) & CT 56464/1 (7 Wellington Street, Longford).

7a Wellington Street has a total area of 6866m² and contains an existing supermarket/shopping complex and associated car parking.

7 Wellington Street has a total area of 2.199ha and contains an existing dwelling located on an elevated section of the lot, shed (used for mail sorting), car parking areas and access to the supermarket/shopping complex and the remainder of the site.

Neighbouring land uses are predominantly commercial in nature.

Aerial photograph of area (with services)



Photographs of site



^Front of Shopping Centre – 7a Wellington Street



^View to southern side of Shopping Centre – 7a Wellington Street



^Loading bay on 7 Wellington Street looking into loading area on 7a Wellington Street



^Existing dwelling on 7 Wellington Street



^Existing shed used for mail sorting on 7 Wellington Street



^Rear of 7 Wellington Street looking toward shed and dwelling from the south east



^Manufacturing uses accessed from Union Street adjacent to rear of dwelling and shed on 7 Wellington Street

4.3 Permit/site history

The relevant permit history for the site is as follows:

P85-39 – Dwelling

P88-134 – Service Station

P09-080 - Supermarket

P09-330 – Goods Delivery Area (temporary permit – expired)

P10-158 – Shed

P10-207 – earthworks

P10-209 – Rezoning (Rural & Residential Serviced to Commercial) (did not proceed)

P10-271 – Signage

P10-292 – Alterations to supermarket

PLN-18-304 – change of use – shed to mail sorting facility & dental rooms

Numerous fit out permits for businesses within the shopping complex.

4.4 Proposed Amendment & planning application

As per the submission report prepared by All Urban Planning Pty Ltd, the proposed draft amendment involves:

1. Realigning the Urban Growth Boundary to follow the eastern and northern boundaries of the title;
2. Realigning the General Residential Zone to reflect the curtilage of the existing house;
3. Realigning the General Business Zone to include the existing carpark, access, loading areas and the mail distribution shed; and
4. Inserting a new site-specific part c) to subdivision standard at Clause 26.4.2 by amending P1 as follows:

P1 - The subdivision

- a) must demonstrate that the productive capacity of the land will be improved as a result of the subdivision; or
- b) is for the purpose of creating a lot for an approved non-agricultural use, other than a residential use, and the productivity of the land will not be materially diminished; or

c) is for the creation of a separate lot for the existing residential use at 7 Wellington Street, Longford (CT 56464/1) and the balance lot includes the entire portion of the land in this zone.

5. Amend the Use Table 26.2 of the Rural Resource Zone to insert General retail and hire as a Permitted use with the following use qualification:

“If for carparking and loading at 7 Wellington Street, Longford (CT 56464/1) associated with the shopping centre at 7A Wellington Street, Longford (CT 155372/3)”

Suggested changes to proposed amendment

The subdivision component of this application seeks to subdivide the existing residential use (dwelling) onto its own General Residential zoned title. As the existing residential use will no longer be associated with the Rural Resource Zone, an alternative wording to part (c) of clause 26.4.2 is proposed to achieve the same intended outcome, but aid clarity in assessment, in the potential scenario that a future single dwelling was constructed on the Rural Resource Zoned portion of land. The insertion of Part (c) would allow for ongoing subdivision of single dwellings on the Rural Resource portion of land.

The insertion of an acceptable solution as worded below, would prevent the abovementioned scenario. It is proposed that part (d) is inserted into the acceptable solution A1 of clause 26.4.2, to allow for the subdivision of the proposed General Residential zoned lot containing the existing dwelling, from the remaining Rural Resource zoned land.

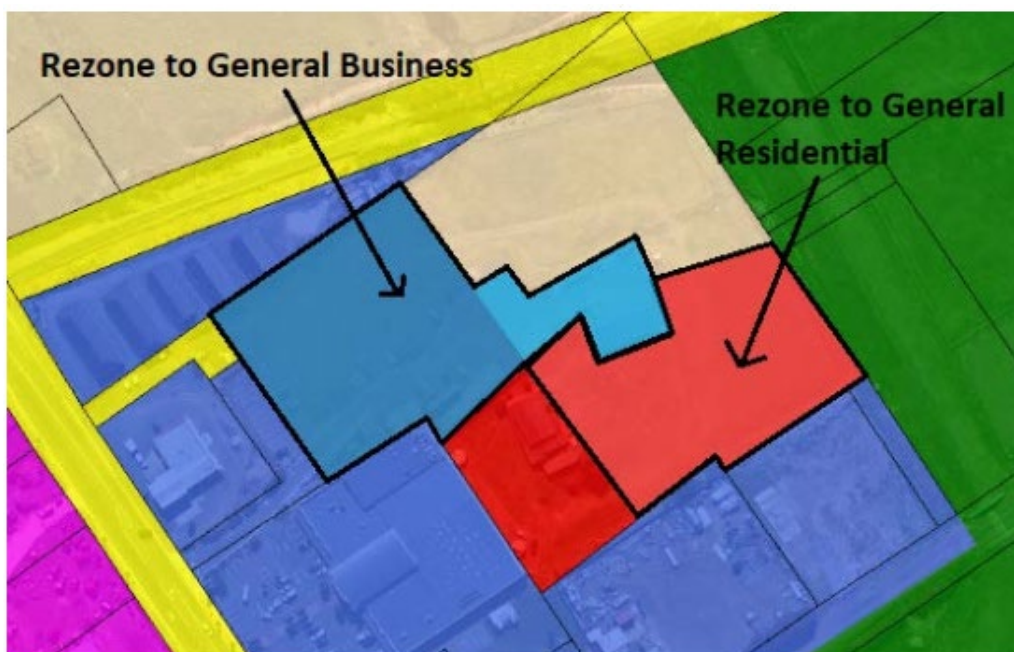
A1

Lots must be:

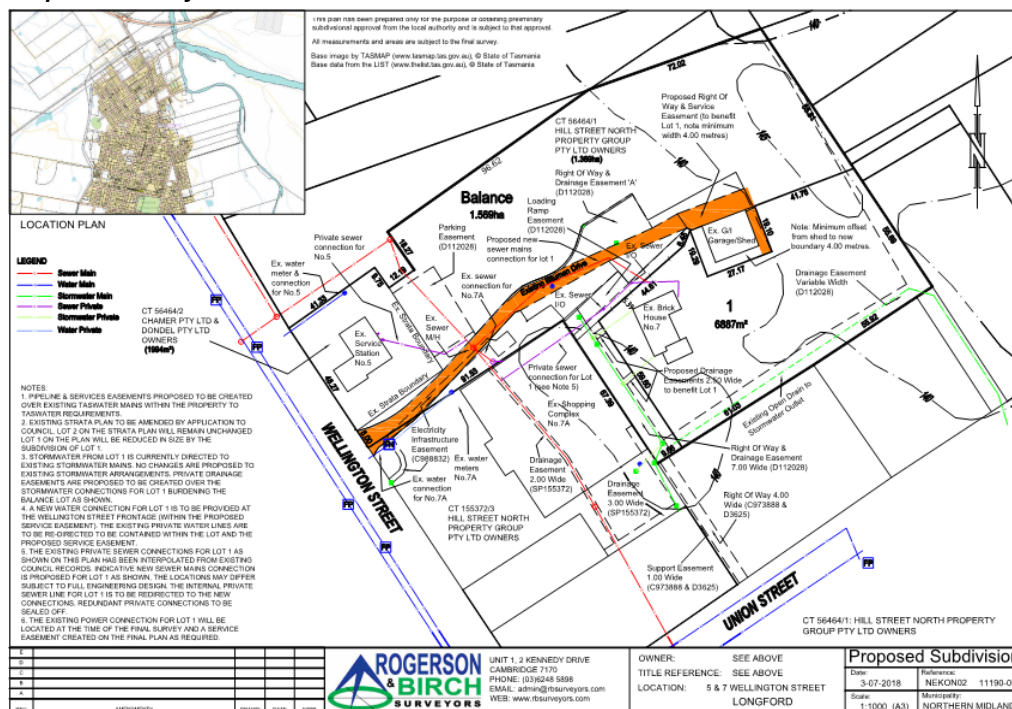
- a) for the provision of utilities and is required for public use by the Crown, public authority or a municipality; or
- b) for the consolidation of a lot with another lot with no additional titles created; or
- c) to align existing titles with zone boundaries and no additional lots are created.

d) to align titles with the General Residential Zone boundary on CT56464/1.

Proposed rezoning plan (as per Planning Submission Report prepared by All Urban Planning, dated: 9th July 2019)



Proposed Plan of Subdivision



4.5 Reasons for Proposal

The applicant has indicated that the proposed amendments will allow for the following:

- subdivision of the existing house from the shopping centre balance title;
- reflect the existing occupation of the site for access, loading, carparking and mail distribution centre within the General Business Zone; and
- some extension to the carparking areas of the shopping centre over the balance of the title zoned Rural Resource while restricting further commercial use and intensification that has the potential to impact on the core commercial areas of Longford south of Lyttleton Street.

4.6 Public Exhibition

Public Exhibition of the draft amendment and permit occurs after it has been certified, as per section 38 of the *Land Use Planning and Approvals Act 1993*:

- (1) After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in section 32, the planning authority must –
 - (a) cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period agreed to by the planning authority and the Commission; and
 - (b) advertise, as prescribed, the exhibition of the draft amendment.

4.7 Referrals

The only referrals required were as follows:

Council's Works Department

Precis: The application was reviewed by Council's Works and Infrastructure Department (Jonathan Galbraith) who reviewed the application on the 6th September 2019 and noted that no W & I comment was required. The supermarket and dwelling already have existing stormwater connections and provisions for access.



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TasWater

Precis: TasWater issued a Submission to Planning Authority Notice on the 9th September 2019 (TasWater Ref: TWDA 2019/01297-NMC).

Department of State Growth

Precis: The Department of State Growth Responded on the 5th September 2019 that the Department have no comment to make on this Planning Application (ref: D19/227049). In his email, Mr G. Hills responded as follows:

It is noted the existing access is provided to a suitable standard and has pre-existing turn lanes etc. on Wellington Street which are fine for the subdivision proposal. Further traffic assessment may be needed as part of any subsequent planning application for future development proposals.

Our Network Planning section has also advised there are no concerns with the rezoning component of the application.

Tasrail (adjoining landowner)

Precis: Tasrail responded on the 5th September 2019 as follows:

Based on review of the documents, TasRail has no objection to the proposed application but asks that the TasRail Standard Notes be attached to any permits approved by Council.

4.8 Financial Implications to Council

Not applicable to this application.

4.9 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.

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.

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 450m ² 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.



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Complies with A1 (a).	N/a
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.
Relies on P2.	Complies with P2 – access via a Right of Way – refer plan of subdivision.

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.
Complies – each lot is proposed to be provided with a water and sewerage connection.	N/a
A2 Each lot must be connected to a reticulated stormwater system.	P2 Each lot created must be capable of disposal of stormwater to a legal discharge point.
Complies with A2 – each lot is proposed to be provided with a stormwater connection. No changes proposed to existing connections – refer notes on Plan of Subdivision.	N/a

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.	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.
Relies on performance criteria – only one lot is proposed within the general residential zone.	The proposed General Residential lot has a total area of 6887m ² and the dwelling is existing on this lot. The lot is of sufficient size that any future dwellings could achieve adequate solar access.
A2 The long axis of residential lots less than 500m ² , must be within 30 degrees east and 20 degrees west of north.	P2 Lots less than 500 m ² must provide adequate solar access to future dwellings, having regard to the: a) size and shape of the development of the subject site; and b) topography; and c) location of access way(s) and roads.
N/a	N/a

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.
Complies with A1.	N/a



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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.
Complies with A1	N/a

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.
Complies with A1.	N/a

GENERAL BUSINESS ZONE

ZONE PURPOSE

21.1.1 Zone Purpose Statements

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

21.1.1.2 To create through good urban design:

- a) an attractive and safe environment; and
- b) activity at pedestrian levels with active road frontages offering interest and engagement to shoppers and; and
- c) appropriate provision for car parking, pedestrian access and traffic circulation.

Assessment: The proposal meets the zone purpose.



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LOCAL AREA OBJECTIVES

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

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

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

Assessment: The proposal meets the local area objectives.

21.4.2 Subdivision

Objective:
Subdivision must ensure:

- a) maintenance of the complexity and diversity of the built environment and pedestrian connectivity; and
- b) that new lots have sufficient land area for the physical demands of allowable uses; and
- c) the intensive development of business centres for retailing and other complementary commercial, entertainment, residential and community uses; and
- d) each lot has appropriate frontage, access and services; and
- e) appropriate transition to adjoining zones, especially residential areas.

Acceptable Solutions		Performance Criteria	
A1.	Each lot must:	P1	Subdivision must:
a)	have a minimum area of at least:	a)	provide for each lot, sufficient useable area and dimensions to allow for:
i)	200m ² ; or	i)	the siting and construction of allowable premises; and
ii)	the area specified in a table to this zone; and	ii)	vehicles providing for supplies, waste removal and emergency services and public transport; and
b)	be able to contain a 10.0m diameter circle with the centre of the circle not more than 5.0m from the frontage; or	b)	demonstrate that the layout would not unduly prejudice the future use or development of the site or adjoining lots; and
c)	required for public use by the Crown, a an agency, or a corporation all the shares of which are held by Councils or a municipality; or	c)	respect the existing neighbourhood character and respond to and integrate with the surrounding road network; and
c)	for the consolidation of a lot with another lot with no additional titles created; or	d)	be consistent with the local area objectives, if any.
d	to align existing titles with zone boundaries and no additional lots are created; or		
e)	be for the provision of public utilities.		
Complies with A1 (a)(i). Does not comply with part (b) due to the location of the strata boundaries.		Complies with P1 (a). The subdivision does not alter existing non-compliance with the acceptable solution and increases the development potential of the lot for allowable uses within the zone.	
A2	Each lot must have a frontage of at least 5m.	P2	Subdivision must provide appropriate frontage to a road having regard to the:
		a)	nature of vehicles likely to access the site; and
		b)	area and dimension of the lot and the ability to manoeuvre vehicles on the lot; and
		c)	road network and visibility; and
		d)	pattern of surrounding frontages.
Complies with A2 – 8m frontage retained.		N/a	
A3	Each lot must be connected to a:	P3	Each new lot created must be:
a)	reticulated water supply; and	a)	in a locality for which reticulated services are not available or capable of being connected; and
b)	reticulated sewerage system; and	b)	capable of accommodating an on-site wastewater management system; and
c)	reticulated stormwater system.	c)	capable of disposal of stormwater to a legal discharge point.
Complies – connections to all services are proposed for the General Business zoned portion of land.		N/a	
A4	Subdivision must not adjoin the General residential zone.	P4	The subdivision layout must be designed to mitigate environmental nuisance and loss of amenity having regard to:



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	a) lot layout and design; and b) orientation; and c) access considerations; and d) topography or physical separation to surrounding sensitive land uses.
Relies on P4.	The proposal meets the performance criteria as the subdivision reflects the existing land uses and will not result in a material change to the use of the site or level of amenity currently experienced.

RURAL RESOURCE ZONE	
ZONE PURPOSE	
26.1.1 Zone Purpose Statements 26.1.1.1 <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> 26.1.1.2 <i>To provide for other use or development that does not constrain or conflict with resource development uses.</i> 26.1.1.3 <i>To provide for economic development that is compatible with primary industry, environmental and landscape values.</i> 26.1.1.4 <i>To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.</i>	
Assessment: The proposal meets the zone purpose.	

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

26.4.2 Subdivision

Objective To ensure that subdivision is only to:	
a) improve the productive capacity of land for resource development and extractive industries; or b) enable subdivision for environmental and cultural protection or resource processing where compatible with the zone; or c) facilitate use and development for allowable uses by enabling subdivision subsequent to appropriate development.	
Acceptable Solutions	Performance Criteria
A1 Lots must be: a) for the provision of utilities and is required for public use by the Crown, public authority or a municipality; or	P1 The subdivision a) must demonstrate that the productive capacity of the land will be improved as a result of the subdivision; or



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b) for the consolidation of a lot with another lot with no additional titles created; or c) to align existing titles with zone boundaries and <u>no additional lots are created.</u> d) to align titles with the General Residential Zone boundary on CT56464/1.	b) is for the purpose of creating a lot for an approved non-agricultural use, other than a residential use, and the productivity of the land will not be materially diminished. or c) is for the creation of a separate lot for the existing residential use at 7 Wellington Street, Longford (CT 56464/1) and the balance lot includes the entire portion of the land in this zone.
Part (c) cannot be relied on, as a new lot is proposed to be created. An amendment to insert part (d) will allow for the subdivision of the rezoned (to General Residential) portion of land containing the existing dwelling, to be subdivided from the balance lot containing the Rural Resource zoned portion of land.	The insertion of part (d) into the acceptable solution (rather than part (c) in the Performance Criteria) will allow for the subdivision of the dwelling on the proposed General Residential title to occur, without allowing for future inappropriate subdivision of a future dwelling on the balance Rural Resource zoned land. The existing residential use will no longer be contained on the Rural Resource zoned portion of land if the subdivision is approved.

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	Complies – Bushfire Hazard Report and Management Plan prepared by Andrew Welling and Sarah Bunce (Enviro-Dynamics), dated: 30 th August 2019. All relevant acceptable solutions are met.
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	N/a – The development does not: a) require a new access, junction or level crossing; or b) intensify the use of an existing access, junction or level crossing; or c) involve a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as: i) a future road or railway; or ii) a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour. <i>No new subdivision boundaries are proposed within 50m of the railway.</i>
E.5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – no changes are proposed to the existing car parking and access arrangements, and no intensification of the use is proposed.
E7.0 SCENIC MANAGEMENT CODE	Complies - see code assessment below.
E8.0 BIODIVERSITY CODE	N/a
E9.0 WATER QUALITY CODE	N/a
E10.0 RECREATION AND OPEN SPACE CODE	Complies – see code assessment below.
E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a – No change to existing land uses are proposed by this development.
E12.0 AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0 LOCAL HISTORIC HERITAGE CODE	N/a
E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a

ASSESSMENT AGAINST 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

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

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
<i>If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)</i>	<i>1 space per dwelling</i>	<i>1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation.</i>
<i>If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)</i>	<i>2 spaces per dwelling</i>	

E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.		
Acceptable Solutions		Performance Criteria
A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.		P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the: a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and b) location of the site and the distance a cyclist would need to travel to reach the site; and c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Comment: Each lot has sufficient room for the number of spaces required for existing and potential future uses of the site.		

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 – no intensification of parking proposed by this development.		



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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: Each lot has sufficient room for the number of spaces required for existing and potential future uses of the site.	

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: No changes to existing parking proposed. Clause to be addressed when a development application for intensification/future use is proposed.	

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: No changes to existing parking proposed. Clause to be addressed when a development application for intensification/future use is proposed.	
A2.1 Car parking and manoeuvring space must: a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .	P2 Car parking and manoeuvring space must: a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
Comment: No changes to existing parking proposed. Clause to be addressed when a development application for intensification/future use is proposed.	

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



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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: a) secured and lit so that unauthorised persons cannot enter or; b) visible from buildings on or adjacent to the site during the times when parking occurs.	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) levels of activity within the vicinity; and b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.
Comment: No changes to existing parking proposed. Clause to be addressed when a development application for intensification/future use is proposed.	

E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria
A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1 The location and design of parking spaces considers the needs of disabled persons, having regard to: a) the topography of the site; b) the location and type of relevant facilities on the site or in the vicinity; c) the suitability of access pathways from parking spaces, and d) applicable Australian Standards.
A2 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 The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to: a) characteristics of the populations to be served; b) their means of transport to and from the site; and c) applicable Australian Standards.
Comment: No changes to existing parking proposed. Clause to be addressed when a development application for intensification/future use is proposed.	

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

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions	Performance Criteria
A1 For retail, commercial, industrial, service industry or warehouse or storage uses: a) at least one loading bay must be provided in accordance with Table E6.4; and b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.	P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.
Comment: No changes to existing loading bay proposed. Clause to be addressed when a development application for intensification/future use is proposed.	

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	P1 Bicycle parking spaces must be safe, secure, convenient



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b)	include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i> ; and	and located where they will encourage use.
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.	
A2	Bicycle parking spaces must have:	P2
a)	minimum dimensions of:	Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
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.	
Comment: No changes to existing bicycle parking proposed. Clause to be addressed when a development application for intensification/future use is proposed.		

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: No changes to existing pedestrian access proposed. Clause to be addressed when a development application for intensification/future use is proposed.	

Table E6.5: Pedestrian Access

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

Notes

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

ASSESSMENT AGAINST E7.0 SCENIC MANAGEMENT CODE

E7.6 Development Standards

E7.6.1 Scenic Management – Tourist Road Corridor

Objective	
(a)	To enhance the visual amenity of the identified tourist road corridors through appropriate:
i)	setbacks of development to the road to provide for views that are significant to the traveller experience and to mitigate the bulk of development; and
ii)	location of development to avoid obtrusive visual impacts on skylines, ridgelines and prominent locations within the corridor; and
iii)	design and/or treatment of the form of buildings and earthworks to minimise the visual impact of development in its surroundings; and
iv)	retention or establishment of vegetation (native or exotic) that mitigates the bulk or form of use or development; and



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v) retention of vegetation (native or exotic) that provides amenity value to the road corridor due to being in a natural condition, such as native forest, or of cultural landscape interest such as hedgerows and significant, exotic feature trees; and (b) To ensure subdivision provides for a pattern of development that is consistent with the visual amenity objectives described in (a).	
Acceptable Solutions	Performance Criteria
A1 Development (not including subdivision) must be fully screened by existing vegetation or other features when viewed from the road within the tourist road corridor.	P1 Development (not including subdivision) must be screened when viewed from the road within the tourist road corridor having regard to: a) the impact on skylines, ridgelines and prominent locations; and b) the proximity to the road and the impact on views from the road; and c) the need for the development to be prominent to the road; and d) the specific requirements of a resource development use; and e) the retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and f) whether existing native or significant exotic vegetation within the tourist road corridor is managed to retain the visual values of a touring route; and g) whether development for forestry or plantation forestry is in accordance with the 'Conservation of Natural and Cultural Values – Landscape' section of the <i>Forest Practices Code</i>; and h) the design and/or treatment of development including: i) the bulk and form of buildings including materials and finishes; ii) earthworks for cut or fill; iii) complementing the physical (built or natural) characteristics of the site.
N/a – no development proposed within scenic corridor, other than the balance lot of the subdivision.	N/a – no development proposed within scenic corridor, other than the balance lot of the subdivision.
A2 Subdivision must not alter any boundaries within the areas designated as scenic management – tourist road corridor.	P2 Subdivision that alters any boundaries within the areas designated as 'scenic management – tourist road corridor' must be consistent with the scenic management objectives of the particular area set out in Table E7.1 – local scenic management areas, having regard to: a) site size; and b) density of potential development on sites created; and c) the clearance or retention of vegetation in combination with requirements for hazard management; and d) the extent of works required for roads or to gain access to sites including cut and fill; and e) the physical characteristics of the site and locality; and f) the scenic qualities of the land that require management.
Complies with A2 – No subdivision boundaries are proposed within the area designated as scenic management – tourist road corridor.	N/a

ASSESSMENT AGAINST E10 RECREATION AND OPEN SPACE CODE

E10.2 Application of this Code

E10.2.1 This code applies to development of land for subdivision in the general residential, general industrial, light industrial, commercial, local business, general business, low density residential, rural living and village zones.



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E10.6 Development Standards

E10.6.1 Provision of Public Open Space

Objective	
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:	P1 Provision of public open space, unless in accordance with Table E10.1, must:
a) include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu.	a) not pose a risk to health due to contamination; and
	b) not unreasonably restrict public use of the land as a result of:
	i) services, easements or utilities; and
	ii) stormwater detention basins; and
	iii) drainage or wetland areas; and
	iv) vehicular access; and
	c) be designed to:
	i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and
	ii) reasonably contribute to the pedestrian connectivity of the broader area; and
	iii) be cost effective to maintain; and
	iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and
	v) provide for public safety through <i>Crime Prevention Through Environmental Design</i> 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.
Complies with A1 – consent received from the General Manager for a cash payment in lieu of private open space, on the 4 th September 2019.	N/a

SPECIFIC AREA PLANS

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

SPECIAL PROVISIONS

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

STATE POLICIES

- State Policy for the Protection of Agricultural Land – the subject site’s potential use for agriculture is constrained due to the location of the Longford Levee bank and railway to the northern and eastern sides. The land is not used for agricultural purposes and re-zoning part of the site to General Residential will be consistent with the existing land use. - Water Quality Management State Policy – the site is connected to the stormwater system. - State Coastal Policy - There is no coastal land within the municipal area of the Northern Midlands. - National Environmental Protection Measures – None relevant.



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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 2017-2027

- *Statutory Planning*

5 OPTIONS

- Initiate the amendment;
- Initiate an alternative amendment; or
- Don't initiate the amendment.

6 DISCUSSION

6.1 Assessment for Consistency with Section 32 of the *Land Use Planning & Approvals Act 1993*

Section 32 of the *Land Use Planning & Approvals Act 1993* states as follows:

32. Requirements for preparation of amendments

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

(a) . . .

(b) . . .

(c) . . .

(d) . . .

(e) *must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*

(ea) *must not conflict with the requirements of section 300; and*

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

(2) *The provisions of section 20 (2) , (3) , (4) , (5) , (6) , (7) , (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes.*

Therefore, Section 32 of the *Land Use Planning & Approvals Act 1993* requires that an amendment of a planning scheme –

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

Comment: The proposed re-zonings seek to avoid the potential for land use conflict by aligning zones to the existing land uses. Significant infrastructure in the form of a supermarket complex and parking have already been established at the site and appropriate zonings will provide surety for the future growth and expansion of these developments. The remaining balance land will be retained as 'Rural Resource' to avoid the potential for commercial expansion outside of the core commercial precinct in Longford, south of the development site.

Must be consistent with the Regional Land Use Strategy and any mandatory provisions (section 300).

Comment: The Northern Regional Land Use Strategy classifies Longford as a District Service Centre (DSC).

District Service Centres (DSC) are described as providing predominantly non-urban communities with a range of goods and services to meet their daily and weekly needs and contain the highest concentration of employment for the sub-region, with a diversity of employment across business and industrial sectors.

The services provided by the shopping complex and supermarket are consistent with the core functions of a DSC.

The draft amendment seeks to realign the zone boundaries with the existing land uses. The draft amendment is consistent with the RLUS and is not inconsistent with mandatory provisions.



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

Comment: The amendment seeks to rezone part of the site from Rural Resource and General Residential to General Business. This will allow for the continued use and legal development of car parking/loading bay facilities (previously constructed under a temporary permit) to service the existing shopping centre at 7a Wellington Street, Longford. The expansion of General Residential zoned land to be consistent with the boundaries of proposed lot 1 of the subdivision application will allow for the continued use of the existing single dwelling and any development associated with this use, such outbuildings. To avoid the potential for isolated residential expansion or land use conflict through intensification of residential land uses on proposed lot 1, it is recommended that a part five agreement be registered on the title to limit residential development on the site to works associated with the existing single dwelling.

Must be consistent with the overarching requirements for planning schemes [sections 20(2), (3), (4), (5), (6), (7), (8), and (9)]:

(2) A planning scheme may–

(aa) make any provision which relates to the use, development, protection or conservation of any land in the area; and

(a) set out policies and specific objectives; and

(b) regulate or prohibit the use or development of any land; and

(c) designate land as being reserved for public purposes; and

(d)

(e) set out requirements for the provision of public utility services to land; and

(f) require specified things to be done to the satisfaction of the Commission, relevant agency or planning authority; and

(g) apply, adopt or incorporate any document which relates to the use, development or protection of land; and

(h) provide that any use or development of land is conditional on an agreement being entered into under Part 5; and

(ha) set out provisions relating to the implementation in stages of uses or developments; and

(i) provide for any other matter which this Act refers to as being included in a planning scheme; and

(j) provide for an application to be made to a planning authority to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme.

Comment: The proposal is consistent with these requirements, as demonstrated above.

(3) Subject to subsections (4), (5) and (6), nothing in any planning scheme is to be taken (including by virtue of requiring a permit to be obtained) to–

(a) prevent the continuance of the use of any land, upon which buildings or works are not erected, for the purposes for which it was being lawfully used before the coming into operation of the scheme; or

(b) prevent the use of any building which was erected before that coming into operation for any purpose for which it was lawfully being used immediately before that coming into operation, or the maintenance or repair of such a building; or

(c) prevent the use of any works constructed before that coming into operation for any purpose for which they were being lawfully used immediately before that coming into operation; or

(d) prevent the use of any building or works for any purpose for which it was being lawfully erected or carried out immediately before that coming into operation; or

(e) require the removal or alteration of any lawfully constructed buildings or works; or

(f) prevent a development, which was lawfully commenced but not completed before the coming into operation of the scheme, from being completed within–

(i) 3 years of that coming into operation; or

(ii) any lesser or greater period specified in respect of the completion of that development under the terms of a permit or special permit granted before the coming into operation of the scheme.

Comment: The proposal is consistent with these requirements and seeks to bring the existing uses of the land into greater conformity with the Planning Scheme.



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- (4) Subsections (3) and (3A) do not apply to a use of land—*
(a) which has stopped for a continuous period of 2 years; or
(b) which has stopped for 2 or more periods which together total 2 years in any period of 3 years; or
(c) in the case of a use which is seasonal in nature, if the use does not take place for 2 years in succession.

Comment: The proposal is consistent with these requirements.

- (5) Subsection (3) does not apply to the extension or transfer from one part of a parcel of land to another of a use previously confined to the first-mentioned part of that parcel of land.*

Comment: The proposal is consistent with these requirements.

- (6) Subsections (3) and (3A) do not apply where a use of any land, building or work is substantially intensified.*

Comment: The proposal is consistent with these requirements.

- (7) Nothing in any planning scheme or special planning order affects –*
(a) forestry operations conducted on land declared as a private timber reserve under the Forest Practices Act 1985; or
(b) the undertaking of mineral exploration in accordance with a mining lease, an exploration licence, or retention licence, issued under the Mineral Resources Development Act 1995, provided that any mineral exploration carried out is consistent with the standards specified in the Mineral Exploration Code of Practice; or
(c) fishing; or
(d) marine farming in State waters.

Comment: The proposal is consistent with these requirements.

- (8) The coming into operation of a planning scheme or a special planning order does not legitimize a use or development which was illegal under a planning scheme or a special planning order in force immediately before that coming into operation.*

Comment: The proposal is consistent with these requirements.

- (9) A planning scheme may require a use to which subsection (3) applies to comply with a code of practice approved or ratified by Parliament under an Act.*

Comment: The proposal is consistent with these requirements.

Must seek to further the objectives in Schedule 1 of the Act

Part 1 – The objectives of the resource management and planning system of Tasmania are –

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

Comment: The draft amendment is consistent with this objective.

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

Comment: It is considered that the draft amendment is consistent with this objective as it seeks to bring the existing uses of the land into greater conformity with the Planning Scheme.

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

Comment: If initiated, the draft amendment will be placed on public exhibition, providing an opportunity for public involvement.

- (d) to facilitate economic development in accordance with the objectives set out in [paragraphs \(a\), \(b\) and \(c\)](#).*

Comment: The draft amendment is consistent with this objective.

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

Comment: If certified, the proposal will be sent to the Tasmanian Planning Commission. The application has been referred to all relevant stakeholders, such as Taswater, the Department of State Growth and TasRail.



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Part 2 – The objectives of the planning process established by the Act are, in support of the objectives set out in Part 1 of the Schedule –

- (a) *to require sound strategic planning and co-ordinated action by State and local government.*

Comment: The Northern Regional Land Use Strategy classifies Longford as a District Service Centre (DSC). The services provided by the shopping complex and supermarket are consistent with the core functions of a DSC and the draft amendment seeks to realign the zone boundaries with the existing land uses. The proposal is consistent with this objective.

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

Comment: The Northern Midlands Interim Planning Scheme 2013 is the planning instrument that applies to the subject land.

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

Comment: The draft amendment is consistent with this objective.

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

Comment: The draft amendment is consistent with this objective.

- (e) *to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals.*

Comment: The draft amendment is consistent with this objective.

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

Comment: The draft amendment is consistent with this objective.

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

Comment: The draft amendment is consistent with this objective.

- (h) *to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*

Comment: The draft amendment is consistent with this objective.

- (i) *to provide a planning framework which fully considers land capability.*

Comment: The draft amendment is consistent with this objective.

Sewer & Water

The application was referred to TasWater regarding water and sewer infrastructure. Their certificate of consent is included as 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 Department, who advised that 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



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Department Section's conditions).

Subdivision – 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.

Public Open Space Contribution

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.

Compliance with Local Government (Buildings and Miscellaneous Provisions) Act 1993

Section 83	Approval of plan of subdivision	Yes	No
83 (1)(a)	Does the council require the owner to sell to it for a nominal consideration any land shown on the plan as set apart for a public open space or for drainage purposes?		✓
83(1)(b)	Does the council require the owner to mark on the plan in respect of any proposed way, the words "to be acquired by the highway authority"?		✓
83(5)(a)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not provide means of drainage for all or some specified kind of effluent from the block?		✓
83(5)(a)(iii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not permit a septic tank?		✓
83(5)(b)(i)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a septic tank?		✓
83(5)(b)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a specific form of on site sewerage treatment?		✓
83(7)	Does the council require the final plan of subdivision to note, in respect of a block, that the council has been advised by a regulated entity, within the meaning of the <i>Water and Sewerage Industry Act 2008</i> , that the entity cannot or will not –		
83(7)(a)	provide a supply of water to the block?		✓
83(7) (b)	provide means of sewerage for all or some specified kind of effluent from the block?		✓
Section 84	Council not to approve subdivision	Yes	No
84(1)(c)	Does the subdivision include any road or other works whereby drainage will be concentrated and discharged into any drain or culvert on or under any State highway, and the the Minister administering the <i>Roads and Jetties Act 1935</i> has first not approved so much of the application as affects the drainage?		✓
	If 'yes', refuse the subdivision.		
Section 85	Refusal of application for subdivision		
	Council may refuse the application for subdivision if it is of the opinion:		
85(a)	that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is;		✓
85(b)	that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of;		✓
85(ba)	that the land is not suitable for an on-site effluent disposal system for all or specified kinds of effluent from each block;		✓



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85(c)	that the site or layout will make unduly expensive the arrangements for supply of water and electricity, connection to drains and sewers and the construction or maintenance of streets;		✓
85(d)	that the layout should be altered to include or omit –		
85(d)(i)	blind roads;		✓
85(d)(ii)	alleys or rights of way to give access to the rear of lots;		✓
85(d)(iii)	public open space;		✓
85(d)(iv)	littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake;		✓
85(d)(v)	private roads, ways or open spaces;		✓
85(d)(vi)	where the ground on one side is higher than on the other, wider roads in order to give reasonable access to both sides;		✓
85(d)(vii)	licences to embank highways under the <i>Highways Act 1951</i> ;		✓
85(d)(viii)	provision for widening or deviating ways on or adjoining land comprised in the subdivision;		✓
85(d)(ix)	provision for the preservation of trees and shrubs;		✓
85(e)	that adjacent land of the owner, including land in which the owner has any estate or interest, ought to be included in the subdivision;		✓
85(f)	that one or more of the lots is by reason of its shape in relation to its size or its contours unsuitable for building on;		✓
85(g)	that one or more of the lots ought not to be sold because of –		
85(g)(i)	easements to which it is subject;		✓
85(g)(ii)	party-wall easements;		✓
85(g)(iii)	the state of a party-wall on its boundary.		✓
Section 86	Security for payment	Yes	No
	Does council require security for payments and the execution of works for -		
86(2)(c)	if the land is not located within 30 metres of the existing public stormwater system as shown on the map made available under section 12 of the <i>Urban Drainage Act 2013</i> , payment for a public stormwater system by, from, or from within, the land as determined by the council so that all lots may have connecting drains and the concentrated natural water may be lawfully disposed of and for the laying of stormwater connections from a place on the boundary of each lot to the public stormwater system in accordance with the by-laws of the council and to the satisfaction of its engineer;		✓
86(2)(d)	the works required for the discharge of the owner's obligations under <u>section 10 of the Local Government (Highways) Act 1982</u> in respect of the highways opened or to be opened on the subdivision;		✓
86(2)(e)	the making and draining of footways that are not part of a road and of private roads and similar footways serving 3 lots or more;		✓
86(2)(f)	the filling in of ponds and gullies;		✓
86(2)(g)	the piping of watercourses.		✓
	If 'yes':		
	council may refuse to approve the application until such security is given.		
	See section 86 (3) for the form of the security.		
	See section 86 (4) for when the works are to be executed.		
Section 107	Access orders	Yes	No
107 (2)	Is work of a substantial nature needed to provide access for vehicles from a highway onto the block?		✓
	If 'yes', council may refuse to seal the final plan under which the block is created until the owner has carried out the work specified in the order within the specified period or given the council security for carrying out that work if called upon by it to do so.		



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

8 ATTACHMENTS

- A Application & Plan of Subdivision
- B Responses from referral agencies

RECOMMENDATION

- A That Council, under section 34 (1) of the Land Use Planning Act 1993, initiate Draft Amendment 03/2019 to amend the planning scheme by:
1. Realigning the Urban Growth Boundary to follow the eastern and northern boundaries of the title;
 2. Realigning the General Residential Zone to reflect the curtilage of the existing house and proposed lot 1;
 3. Realigning the General Business Zone to include the existing carpark, access, loading areas and the mail distribution shed; and
 4. Inserting a new site-specific part d) to the subdivision standard at Clause 26.4.2 by amending A1 as follows:
 - A1 - Lots must be:
 - a) for the provision of utilities and is required for public use by the Crown, public authority or a municipality; or
 - b) for the consolidation of a lot with another lot with no additional titles created; or
 - c) to align existing titles with zone boundaries and no additional lots are created.
 - d) to align titles with the General Residential Zone boundary on CT56464/1.**
 5. Amending the Use Table 26.2 of the Rural Resource Zone to insert General retail and hire as a Permitted use with the following use qualification:
 - "If for carparking and loading at 7 Wellington Street, Longford (CT 56464/1) associated with the shopping centre at 7A Wellington Street, Longford (CT 155372/3)"
- B That Council, under Section 35 (1) of the Land Use Planning and Approvals Act 1993, certify Draft Amendment 03/2019 as meeting the requirements of section 32 of the Act, and place it on Public Exhibition for 28 days, in accordance with section 38 of the Act.

And, if B is approved;

- C That, under section 43F of the Land Use Planning and Approvals Act 1993, Council resolves that:
- The land at 7 & 7a Wellington Street, Longford be approved to be developed and used for a subdivision of existing single dwelling and balance land, in accordance with application PLN-19-0151, and subject to the following conditions:
- 1 LAYOUT NOT ALTERED**

The use and development must be in accordance with the endorsed plans numbered **P1** (*Drawing No: NEKON02 11190-001, Dated: 03/07/2019*) & **D1** (*Bushfire Hazard Report, including Bushfire Hazard Management Area Plan, prepared by Andrew Welling and Sarah Bunce (Enviro-Dynamics), dated: 30th August 2019*).
 - 2 TASWATER CONDITIONS**

Sewer and water services shall be provided in accordance with TasWater's Submission to Planning Authority



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Notice (reference number TWDA 2019/01297-NMC).

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

The applicant shall 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:

- a) *Use and development within the Residential use class must be limited to works associated with the existing single dwelling.*

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.

4 PUBLIC OPEN SPACE CONTRIBUTIONS

A contribution must be paid towards the cost of providing public open space infrastructure in accordance with Council policy:

\$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 (or strata units). The Public Open Space Rate shall total 5% of that value.

5 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 PLN-19-0131: 42 MARLBOROUGH STREET, LONGFORD

Attachments: Section 1 – Page 417

File Number: 109301.235; CT 168149/2
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Erin Boer, Urban & Regional Planner

1 INTRODUCTION

This report assesses an application for 42 Marlborough Street, Longford to construct a dwelling and retaining walls and to remove a hedge (replace with fence) (vary all setbacks, building envelope, site coverage, front fence & heritage provisions) within the Heritage Precinct.

2 BACKGROUND

Applicant:
Urban Design Solutions

Owner:
Cheryl Anne Gualtieri

Zone:
General Residential Zone

Codes:
Car Parking and Sustainable Transport Code
Local Historic Heritage Code
Heritage Precinct Specific Area Plan

Classification under the Scheme:
Discretionary

Existing Use:
Vacant

Deemed Approval Date:
Extension of time until 20th September 2019.

Recommendation:
Refuse

Discretionary Aspects of the Application

- Reliance on the performance criteria of the General Residential Zone
 - Setbacks
 - Building envelope
 - Site coverage
 - Front fence height
- Reliance on the performance criteria of the Heritage Code
- Reliance on the performance criteria of the Heritage Precinct Specific Area Plan

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 29, Effective from 3rd June 2019.*

Preliminary Discussion

Prior to submission of the application, the applicant held discussions with Council officers regarding the possibility of discussing the project with Council's Heritage Advisor. A copy of the proposal plans were forwarded to Council's Heritage Advisor. Prior to a response, the applicant submitted the proposal. The Heritage Advisor's comments (suggesting design changes) were forwarded to the applicant as part of a request for additional information. The applicant contacted Council's Planner and advised significant work was involved in changing the design to meet the Heritage Advisor's comments. The applicant advised that the design would not be changed and should be assessed as submitted.

Subject site



3 STATUTORY REQUIREMENTS

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

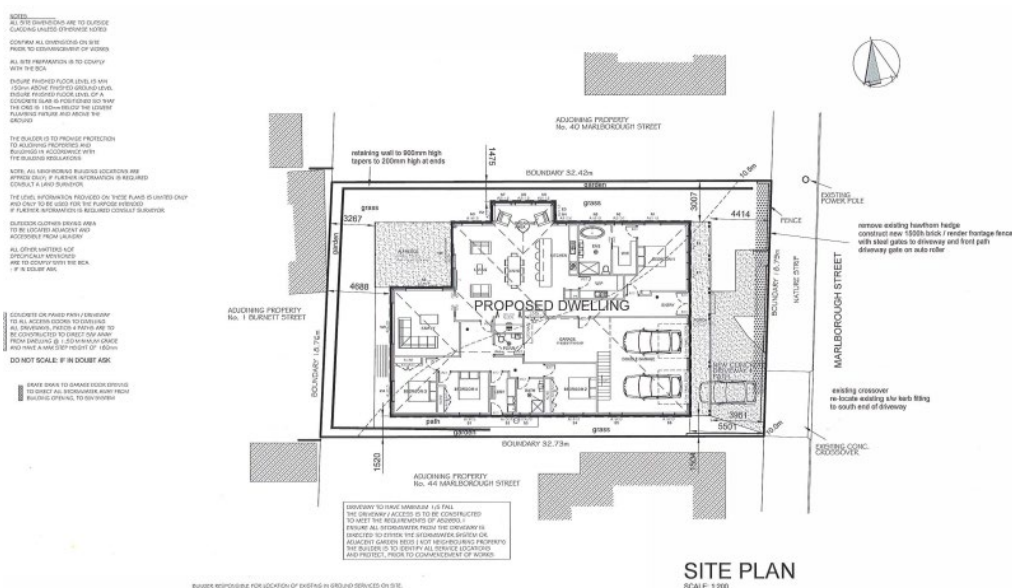
4 ASSESSMENT

4.1 Proposal

It is proposed to:

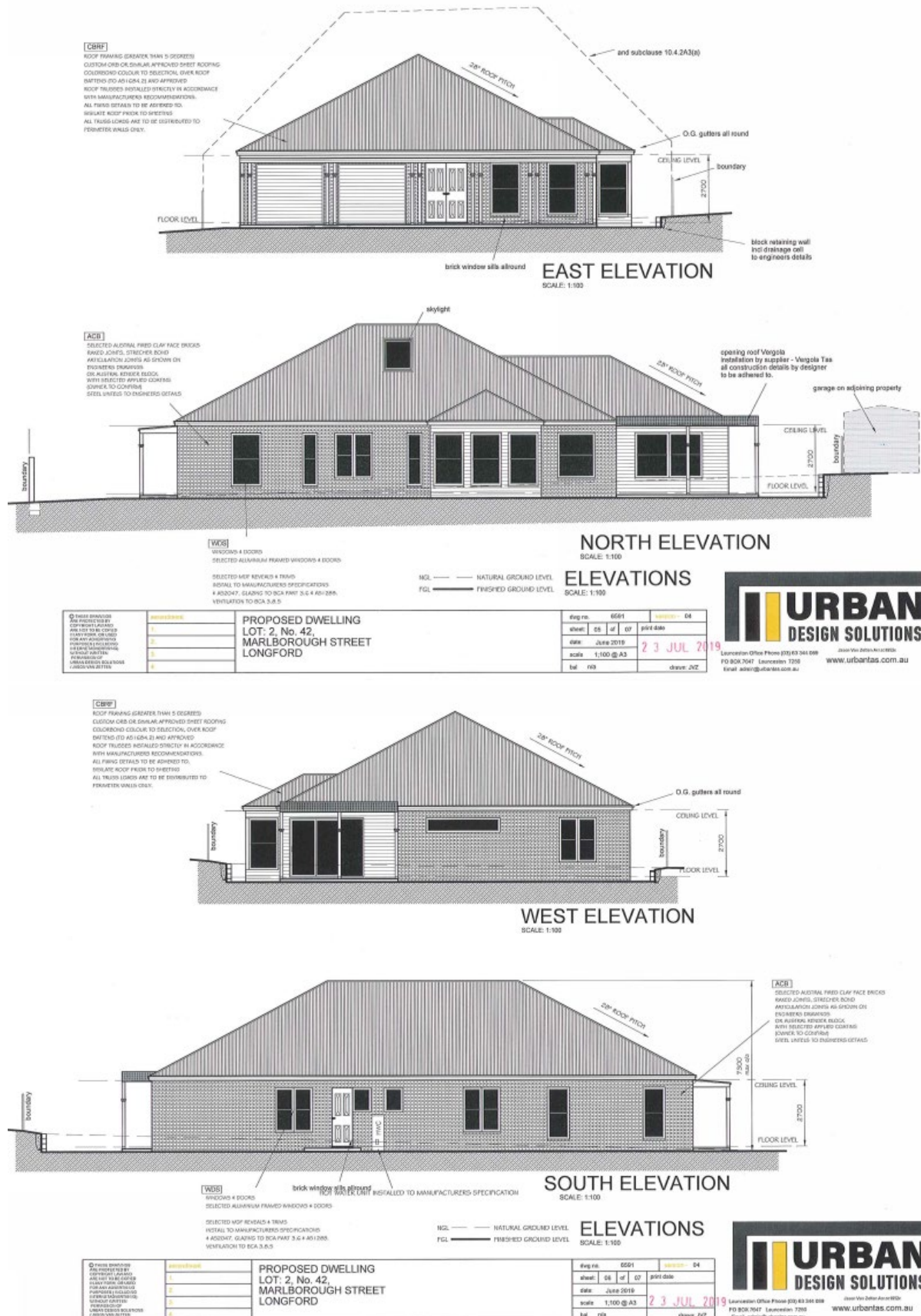
- Construct a four bedroom, brick dwelling with double garage plus storage area, alfresco area, retaining walls and front fence and remove hedge, within the Longford Heritage Precinct. The combined total floor area of the dwelling and porches/decks is 348.18m².

Site Plan

[illegible]

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Elevations



4.2 Zone and land use

Zone Map – General Residential Zone



The land is zoned General Residential Zone and is subject to the Car Parking and Sustainable Transport Code, Heritage Code and Heritage Precinct Specific Area Plan.

The relevant Planning Scheme definition is:

<i>single dwelling</i>	<i>means a dwelling on a lot on which no other dwelling is situated; or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.</i>
------------------------	---

Residential is a 'no permit required' use in the zone; however, the application became discretionary due to reliance on the performance criteria.

4.3 Subject site and locality

The author of this report carried out a site visit on the 6th August 2019, with a further site review undertaken on the 5th September 2019. The subject site is a 611m² rectangular lot, that is currently vacant. The site slopes gently to the south and has an established hawthorn hedge along the frontage that continues along the frontage of the neighbouring property. The site is located just south of the High and Marlborough Street intersection. Established residential uses surround the site.

Aerial photograph of area



Photographs of subject site





4.4 Permit/site history

Relevant permit history includes:

- Nil – vacant site.

4.5 Representations

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

- Julie & Gary Swinton, 40 Marlborough Street, Longford.

Although not a valid representation (out of time), correspondence was also received from the neighbouring property owner to the south (David Cooper) at 44 Marlborough Street, Longford. Copy of correspondence included in attachment.

Map showing location of representors property in relation to subject site (Subject site highlighted in red, representor's property outlined in red).



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

Issue 1

- The proposed dwelling is incompatible with the siting, scale or style of neighbouring properties within the Heritage Precinct.

Planner's comment:

Council's Heritage Advisor, David Denman, has reviewed the proposal and noted the non-compliant areas of this proposal are mainly due to the overall footprint and bulk of the proposed house on a relatively small lot. Mr. Denman has stated that the site coverage of the proposed house is not contextual with the adjacent buildings and does not maintain the character of adjacent buildings and the area and therefore does not meet the management objectives of the precinct identified in Table E13.1 Heritage Precincts with respect to the relevant Performance Criteria. These matters are assessed in response to the Local Historic Heritage Code at part 4.7 of this report.

Issue 2

- The proposal does not comply with the performance criteria (P3) of clause 10.4.2 (scale/bulk/proportions of dwelling and dwelling separation compatibility).

Planner's comment:

While it is agreed that there are issues with the scale, bulk and proportions of the building, these matters are relevant in terms of compliance with the Local Historic Heritage Precinct. The development complies with the performance criteria of the zone and more specifically the performance criteria (P3) of clause 10.4.2, as the



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variations to the side boundaries are due to the length and proximity of the retaining walls to the side and rear boundaries. The rear alfresco is also a variation to the rear setback and building envelope. Further assessment of these variations are included at part 4.7 of this report.

Issue 3

- Discrepancy in plans between roof plan and elevations.

Planner's comment:

It is agreed that there is a discrepancy between the roof plan and the elevations.

4.6 Referrals

The only referrals required were as follows:

Council's Works Department

Precis: Council's Works & Infrastructure Department (Jonathan Galbraith) reviewed on the 7th August 2019 and advised that W & I did not have any comments to make on the application.

Heritage Adviser

Council's Heritage Advisor, David Denman, reviewed the application on the 26.08.2019. Mr Denman noted that he did have objections to the proposal and made the following comments:

The non-compliant areas of this proposal are mainly due to the overall footprint and bulk of the proposed house on a relatively small lot.

The general design and architectural detailing comply with F2.5 Standards for Development.

It is also recommended that as much as possible of the existing front hawthorn hedge be retained.

Department of State Growth

Precis: The application was referred to the Department of State Growth on the 6th August 2019. A response was received on the 15th August 2019 noting that the Department had no comment to make regarding the application.

4.7 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE	
ZONE PURPOSE	
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.	
To provide for compatible non-residential uses that primarily serve the local community.	
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.	
To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.	
Assessment: The proposal meets the zone purpose.	
LOCAL AREA OBJECTIVES	
To consolidate growth within the existing urban land use framework of the towns and villages.	
To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.	
To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.	
Assessment: The proposal meets the local area objectives.	
PRECIS OF DEVELOPMENT STANDARDS FOR SINGLE DWELLINGS	

10.4.2 Setback and building envelopes for dwellings

A1 Unless within a building area, then

- | | | |
|-----|-----|---|
| x | (a) | 4.5m from primary frontage; or not less than existing dwelling on site; OR |
| N/a | (b) | 3m to secondary frontage; or not less than existing dwelling on site; OR |
| N/a | (b) | if vacant lot, setback which is not more or less than dwellings on immediately adjoining lots; OR |
| N/a | (c) | not less than the existing dwelling setback if less than 4.5m; OR |
| N/a | (d) | as per road setback specified in Planning Scheme |

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	A2	Garage or carport to be set back:
✓	(a)	5.5m from primary frontage or 1m behind the façade, OR
N/a	(b)	The same as the dwelling façade if under dwelling
N/a	(c)	1m if gradient > 1:5 for 10m from frontage
	A3	Dwellings (excluding minor protrusions extending to 1.5m)
x	(a)	to be within building envelope
	(i)	frontage setback (as above), or 4.5m from rear boundary of adjoining frontage lot for internal lot
	(ii)	45 degrees from the horizontal at a height of 3m above natural ground level, 4m rear setback, and max height 8.5m AND
x	(b)	1.5m side setback or built to the boundary (existing boundary wall within .2m of boundary or; 9m or ½ of the side boundary, whichever is lesser)

10.4.3 Site coverage and private open space for dwellings

x	A1	(a)	max. site coverage of 50% (excluding eaves)
✓		(c)	at least 25% free from impervious surfaces
✓	A2	(a)	(i) POS of 24m ² in one location
✓		(b)	(i) horizontal dimension of 4m; AND
✓		(c)	directly accessible from, & adjacent to, a habitable room (other than bedroom); AND
✓		(d)	not located to the S, SE or SW of dwelling, unless receives at least 3 hours of sunlight to 50% of area between 9am and 3pm on 21June; AND
N/a		(e)	between dwelling and frontage only if frontage is orientated between 30 degrees west of north and 30 degrees east of north; AND
✓		(f)	not steeper than 1:10, AND
✓		(g)	not used for vehicle parking

10.4.4 Sunlight and overshadowing

✓	A1	1 habitable room (other than bedroom) with window facing between 30 degrees west of north and 30 degrees east of north
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10.4.5 Width of openings for garages and carports

✓	A1	Garage or carport within 12m of a primary frontage (whether free-standing or not), total width of openings facing frontage of < 6m or half the width of the frontage (whichever is lesser).
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10.4.6 Privacy

N/a	A1	Balconies, decks, carports etc OR windows/glazed doors to a habitable room, more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:
		(a) side boundary – 3m
		(b) rear boundary – 4m
	A2	Window or glazed door to habitable room with floor level over 1m must
	(a)	(i) 3m setback from side boundary; and
		(ii) 4m setback from rear boundary;
N/a	(b)	(i) offset horizontally 1.5m from glazing of habitable room of another dwelling; or
		(ii) sill height or fixed obscure glazing 1.7m above floor level, or
		(iii) permanently fixed external screen for the full length of the glazing, to 1.7 m above floor level, with a uniform transparency of not more than 25%.

10.4.7 Frontage fences for single dwellings

x	A1	Applies to maximum building height of fences on and within 4.5m of a frontage
x	(a)	1.2m if solid; OR
x	(b)	1.8m if above 1.2m has openings which provide a minimum 50% transparency

Easements

✓	No construction over an easement
---	----------------------------------

The application meets the acceptable solutions of the General Residential zone, except for the following variations:

- Front setbacks
- Side setbacks

- Building envelope
- Site coverage
- Front fence height/transparency.

Accordingly, the development relies on the following performance criteria:

10.4.2

P1	A dwelling must: (a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and (b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.
	Complies with P1 (a) – the development proposes a front veranda with a 3.9m minimum setback. The subject site is located in an older part of Longford where Heritage Listed buildings are often built up to the frontage or with minimal setbacks. The proposed setback is compatible with a number of other dwellings on Marlborough Street between the High and Pultney Street intersections (see image below). (b) N/a – table 10.4.2 is not used. <i>Approximate front setback line (yellow line) showing compatibility with setback of other dwellings in the street – subject site highlighted</i> 
P3	The siting and scale of a dwelling must:

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- (a) not cause unreasonable loss of amenity by:
 - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or
 - (ii) overshadowing the private open space of a dwelling on an adjoining lot; or
 - (iii) overshadowing of an adjoining vacant lot; or
 - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and
- (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

The development proposes a variation to the side boundaries due to the length of and proximity of the retaining walls to the side and rear boundaries. The rear alfresco area is located 3.2m from the rear boundary and is also a variation to the rear setback and building envelope.

Despite the large proportions of the dwelling, the retaining walls and alfresco area complies with P3 (a) as follows:

- a) (i-ii) – The proposed retaining walls and rear alfresco area will not cause an unreasonable loss of amenity due to overshadowing of habitable room windows or private open space. The land to the rear (west) of the site contains a garage on the boundary adjacent to the proposed alfresco area.
- (iii) N/a - The adjoining lots contain dwellings.
- iv) The proposed retaining walls will assist slightly in reducing the height and bulk of the proposed dwelling by allowing the dwelling to be cut into the block. The visual impact of the proposed rear alfresco area on the property to the west will be minimal, as an existing shed on this lot will screen the view into the subject site.
- b) The retaining walls do not influence the actual setback (and therefore separation distances) of the dwelling – which achieves the 1.5m side setback required by the planning scheme. The rear alfresco area is generally compatible with the separation distances between dwellings on adjoining lots.

10.4.3

- P1 Dwellings must have:
- (a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate:
 - (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and
 - (ii) operational needs, such as clothes drying and storage; and
 - (b) reasonable space for the planting of gardens and landscaping.

The development proposes a site coverage of 56.99% (over half of the lot) and therefore relies on the performance criteria:

- a) (i) The dwelling contains a 4.8 x 5.7m (27.36m²) alfresco area, with additional surrounding lawn area to provide an area of private open space that is compliant with the zone requirements and is therefore deemed to comply. While it is impossible to know what the projected requirements of the occupants would be, the house contains four bedrooms which implies that the house is suitable for housing a family with children and is likely to be occupied by such a family at some point throughout the life of the dwelling. While there is no communal open space within the development, Longford does have a number of well utilised parks and recreation grounds. The Longford Recreation Ground and Village Green are both located within approximately 500-600m from the subject site.
- ii) Sufficient space is available within the site to accommodate clothes drying and a small a garden shed. Additional storage area is available within the garage.
- b) Sufficient space is available on the site for landscaping and gardens, with garden beds proposed on the bank area at the top of the retaining walls.

10.4.7

- P1 A fence (including a free-standing wall) within 4.5m of a frontage must:
- (a) provide for the security and privacy of residents, while allowing for mutual passive surveillance between the road and the dwelling; and
 - (b) be compatible with the height and transparency of fences in the street, taking into account the:
 - (i) topography of the site; and
 - (ii) traffic volumes on the adjoining road.



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The development proposes a 1.5m high brick/render fence to the frontage with steel gates.

a) The front fence will aid the security and privacy of the occupants of the dwelling, while allowing for mutual passive surveillance between the road and the dwelling via the steel palisade gates.

b) The proposed fence is not compatible with other fences in the street, as hedges are more commonly used for additional height and screening. A small number of timber paling fences in the street are of similar height to the proposed fence; however, these are not the dominant form of fencing. Nevertheless, Marlborough Street provides the main thoroughfare to Cressy and serves as a collector to numerous other lower order roads. Traffic volumes are therefore significantly higher than a standard residential street and the solid fence will provide some privacy and buffer to traffic noise. On this basis, the fence is deemed to comply.

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

ASSESSMENT AGAINST E6.0 CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.

Acceptable Solutions		Performance Criteria	
A1	The number of car parking spaces must not be less than the requirements of:	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: Complies with A1. Two parking spaces are provided.	

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
<i>If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)</i>	1 space per dwelling	1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation.
<i>If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)</i>	2 spaces per dwelling	

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:
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Comment: Complies – sufficient space available within the garage.			

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 – private residence.			

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, although sufficient space available.			

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:	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.
a)	formed to an adequate level and drained; and		
b)	except for a single dwelling, provided with an impervious all weather seal; and		



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c)	except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	
Comment: Complies with A1 (a).		

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	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:
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	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			
A1.2 – Complies.			
A2.1	Car parking and manoeuvring space must:	P2	Car parking and manoeuvring space must:
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:			
Complies with A2.1 and A2.2 – 2 parking spaces provided within the garage.			

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

E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria



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A1	All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1	The location and design of parking spaces considers the needs of disabled persons, having regard to: e) the topography of the site; f) the location and type of relevant facilities on the site or in the vicinity; g) the suitability of access pathways from parking spaces, and h) applicable Australian Standards.
N/a – private residence.		N/a	
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	The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to: d) characteristics of the populations to be served; e) their means of transport to and from the site; and f) applicable Australian Standards.
N/a – private residence.		N/a	

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

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

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	P1	Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
A1.2	Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.		
A2	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:			



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Complies with A1.2 and A2.

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 A1 – no separate access required.	

Table E6.5: Pedestrian Access

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

Notes

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

ASSESSMENT AGAINST E13.0 LOCAL HISTORIC HERITAGE CODE

E13.5 Use Standards

E13.5.1 Alternative Use of heritage buildings – N/a

E13.6 Development Standards

E13.6.1 Demolition – N/a

E13.6.2 Subdivision and development density – N/a

E13.6.3 Site Cover

Objective To ensure that site coverage is consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts, if any.	
Acceptable Solutions	Performance Criteria
A1 Site coverage must be in accordance with the acceptable development criterion for site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 The site coverage must: a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Relies on Performance Criteria – site coverage is not specified in Table E13.1.	The proposed development does not comply with performance criteria P1 (a) and (b), as per the following assessment from Council's Heritage Advisor: The site coverage of the proposed house is not contextual with the adjacent buildings and does not maintain the character of adjacent buildings and the area and therefore does not meet the management objectives of the precinct identified in Table E13.1 Heritage Precincts with respect to these Performance Criteria. The Heritage qualities of the Precinct are represented by a wide array of visual cues that enable the forming of an impression of the past structure and life of the area. These visual cues can be retained in fabric only, and include both the fabric of the individual buildings, but more importantly, the broader urban fabric of the place; the scales,

patterns and rhythms that reflect a bygone era, and in stark contrast to contemporary models.

The heritage qualities of buildings within the precinct in question are characterised by:

- Small primary buildings, with outbuildings to the rear – Figure F2.2
- Design details that reflect the construction systems and craft of the era - Figure F2.2
- Wide separations between adjacent dwellings, formed largely by driveway access to outbuilding - Figure F2.9
- Garages to the rear of the property
- Resultant narrow dwelling facades facing the street
- Symmetrical facades - Figure F2.12 – F2.17
- Simple roof forms - Figure F2.18
- Small openings to the street (solid void ratio) - Figure F2.25

On a building-by-building basis, these characteristics represent only part of the picture of the patterns of the past. Possibly more important is the broader representation that these attributes provide in combination; the urban outcome.

Marlborough Street is a wide street, with generous footpaths. In combination with the siting, scale and setback characteristics of the individual houses noted above, this characteristic enables a particular impression to be formed of the historic precinct itself as well as the landscape within which that precinct sits. The vistas from Marlborough Street to the west take in the backdrop of the Western Tiers, but this is only possible because of the abovementioned siting characteristics. The picture is one of modest dwellings, small outbuildings, open yards, and the expansive landscape of the Midlands. The individual built characteristics of this picture cannot be altered without compromising the picture itself. The Heritage Qualities of the precinct are dependent upon retention not only of the attributes of the buildings themselves but also of the wider pattern of building.

Relative to the existing development pattern on the western side of Marlborough Street, the proposed residence is significantly larger, as follows:

Street Elevation -	150%	Presentation to Street
Side elevation -	200% (south)	Presentation to neighbour
	145% (north)	Presentation to neighbour
Surrounding yard -	40%	Relative size of yard space
Footprint -	200%	Fully enclosed
Height -	130%	To ridge
Bulk -	240%	Volume

The proposal does not reflect the existing building stock, and significantly diminishes the ability to read the pattern of that stock as a whole, and its place in the landscape, resulting in an adverse impact on the heritage qualities of the streetscape and the precinct.

Garages in the block in question are invariably to the rear of the property, with driveways to the southern property boundary. The result is that the existing development pattern is one of large spaces (and distant vistas) between buildings, and a streetscape in which garages feature as rear outbuildings, not as primary façade elements. Houses are typically approximately 10m overall width. The immediately adjacent properties will lose their original context of *space between buildings, and of vistas between*, resulting in a loss of historic heritage significance at an urban scale. More distant neighbouring properties will be similarly, if less directly affected.

Typically a 10m street elevation sits behind a frontage of approximately 18m – 55% built / 45% open. The proposal offers a street elevation occupying 75% of the frontage.

Roofs are typically hipped, with the long edge to the street and with a ridge line parallel to the street at approximately 5.5m above ground. The roof of the proposed residence is oriented at 90° to this pattern, with the ridge running perpendicular to the street, and with a height of 7.3m above ground.



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The proposal is unsympathetic to the Character and layout of the lots in the area, and immediately adjacent, and therefore does not meet the management objectives of the precinct identified in Table E13.1: Local Heritage Precincts.

E13.6.4 Height and Bulk of Buildings

Objective To ensure that the height and bulk of buildings are consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 New building must be in accordance with the acceptable development criteria for heights of buildings or structures within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1.1 The height and bulk of any proposed buildings must not adversely affect the importance, character and appearance of the building or place, and the appearance of adjacent buildings; and P1.2 Extensions proposed to the front or sides of an existing building must not detract from the historic heritage significance of the building; and P1.3 The height and bulk of any proposed buildings must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Relies on Performance Criteria – heights of buildings are not specified in Table E13.1.	The proposed development does not comply with performance criteria P1.1 and P1.3, as per the following assessment from Council's Heritage Advisor: P1.1 - <i>As previously noted, relative to the existing development pattern on the western side of Marlborough Street, the proposed residence is significantly larger:</i> Height - 130% To ridge Bulk - 240% Volume <i>The height and bulk of the proposed building is such that it will have an adverse impact on the adjacent buildings as it does not reflect the existing building stock, and significantly diminishes the ability to read the pattern of that stock as a whole, and its place in the landscape, resulting in an adverse impact on the heritage qualities of the streetscape and the precinct.</i> P1.2 – N/a – no extensions proposed. P1.3 - The height and bulk of the proposed roof does not meet the management objectives of the precinct identified in Table E13.1: Local Heritage Precincts, as the development will adversely impact on the heritage qualities of the streetscape.

E13.6.5 Fences

Objective To ensure that fences are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 New fences must: a) be designed to be complementary to the architectural style of the dominant buildings on the site or b) be consistent with the dominant fencing style in the heritage precinct; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Relies on Performance Criteria – fence types and materials are not specified in Table E13.1.	Council's Heritage Advisor, David Denman, provided the following comments regarding the proposed front fence: <i>The proposal cites the importance of the front fence matching the 'walls of the house', whilst the Heritage Code provisions require that front fences are 'sympathetic to... the historic heritage significance of the place'. It is reasonable to expect that individual components of any proposal, such as a front fence, are assessed against the pattern of development of similar and proximate components, and not simply a against broad consideration of</i>

	<i>significance. The pattern of fences in the area is one of low masonry, timber picket, or hedge similar to that already in situ.</i> <i>The predominant front fencing style in the area is low masonry and or timber picket fences interspersed with landscape hedging and paling fences. Therefore, the proposed high solid brick fence does not meet the performance criteria or management objectives of the precinct identified in Table E13.1 Heritage Precincts with respect to these Performance Criteria.</i> <i>The existing Hawthorn hedge is not only the single most important extant historic characteristic of the site, but would remain the most effective means or mitigating any possible impacts on the historic heritage significance of the place that any new building might impose. There is an important history of Hawthorn hedges lining the streets of Longford, and the precinct specifically. This history is already being lost and should not only be retained, but encouraged.</i> <i>The removal of the existing hawthorn hedge on the street boundary will be detrimental to the conservation of the historic heritage significance of the heritage precinct.</i> P1 (a) & (b) – Currently the site is vacant and the proposal relies on the fence being complementary to the architectural style of the dominant buildings on the site. The plans/submission lack clarity regarding the finish of the masonry walls of the dwelling which makes it difficult to determine whether the proposal will be complementary or not. Council's Heritage Advisor has noted that dominant fencing styles in the area consist of low masonry, timber picket, or hedge, similar to that already in situ and therefore the proposed 1.5m high brick render front fence is not consistent. c) The height and style of the proposed front fence, combined with the removal of the existing hedge along the frontage, does not meet the management objectives of the precinct identified in Table E13.1: Local Heritage Precincts, as the development will adversely impact on the heritage qualities of the streetscape.
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E13.6.6 Roof Form and Materials

Objective To ensure that roof form and materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.												
Acceptable Solutions		Performance Criteria										
A1	Roof form and materials must be in accordance with the acceptable development criteria for roof form and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1	Roof form and materials for new buildings and structures must: a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.									
Relies on Performance Criteria – roof form and materials are not specified in Table E13.1.		Council’s Heritage Advisor, David Denman, provided the following comments regarding the proposed roof form and materials: P1 (a) - <i>Relative to the existing development pattern on the western side of Marlborough Street, the proposed residence is significantly larger:</i> <table><tr><td><i>Street Elevation -</i></td><td><i>150%</i></td><td><i>Presentation to Street</i></td></tr><tr><td><i>Height -</i></td><td><i>130%</i></td><td><i>To ridge</i></td></tr><tr><td><i>Bulk -</i></td><td><i>240%</i></td><td><i>Volume</i></td></tr></table> <i>There are no existing buildings on the site. However, it is likely that this lot was used as part of the adjacent lot at 40 Marlborough Street, therefore, any new house on the lot should be sympathetic to the roof form and materials of the adjacent houses.</i> <i>Although the proposed house has a hipped roof, it is not sympathetic with the adjoining roofs due to its size, height and bulk being much larger, which will result in an unsympathetic out of scale presence within the precinct and streetscape.</i>		<i>Street Elevation -</i>	<i>150%</i>	<i>Presentation to Street</i>	<i>Height -</i>	<i>130%</i>	<i>To ridge</i>	<i>Bulk -</i>	<i>240%</i>	<i>Volume</i>
<i>Street Elevation -</i>	<i>150%</i>	<i>Presentation to Street</i>										
<i>Height -</i>	<i>130%</i>	<i>To ridge</i>										
<i>Bulk -</i>	<i>240%</i>	<i>Volume</i>										



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(b)- Therefore, the proposed roof form does not meet the management objectives identified in Table E13.1: Local Heritage Precincts with respect to these Performance Criteria due to the roof form adversely impacting on the character of the streetscape.

E13.6.7 Wall materials

Objective To ensure that wall materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 Wall material for new buildings and structures must: a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Relies on Performance Criteria – wall materials are not specified in Table E13.1.	Council's Heritage Advisor, David Denman, provided the following comments in regard to the development compliance with P1: <i>P1.a/b - Wall materials of existing dwellings in the immediate area are typically paint finished - either weatherboard or rendered masonry. The introduction of face brickwork into this existing palette would not be complementary to the wall materials of the dominant buildings in the precinct.</i> <i>The external walls are specified (on the plans) to be either exposed brick with raked joints or rendered brickwork with a paint finish. The painted render finish would be more sympathetic within the heritage precinct.</i> If a permit were to be issued, it could be conditioned to require a painted render finish. The applicant advised in their submission that the walls are to be 'off white'; therefore, it is presumed that a render finish is proposed.

E13.6.8 Siting of Buildings and Structures

Objective To ensure that the siting of buildings, does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 New buildings and structures must be in accordance with the acceptable development criteria for setbacks of buildings and structures to the road within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 The front setback for new buildings or structure must: a) be consistent with the setback of surrounding buildings; and b) be set at a distance that does not detract from the historic heritage significance of the place; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Relies on Performance Criteria – setbacks are not specified in Table E13.1.	Complies with P1 – the front setback of the dwelling is consistent with the setback of surrounding buildings within the streetscape. The subject site is located in an older part of Longford where Heritage Listed buildings are often built up to the frontage or with minimal setbacks. The proposed setback is compatible with a number of other dwellings on Marlborough Street between the High and Pultney Street intersections.

E13.6.9 Outbuildings and Structures – N/a

E13.6.10 Access Strips and Parking – N/a – only refers to car parking for non-residential purposes

E13.6.11 Places of Archaeological Significance – N/a

E13.6.12 Tree and Vegetation Removal

Objective To ensure that the removal, destruction or lopping of trees or the removal of vegetation does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.



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Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 The removal of vegetation must not: a) unreasonably impact on the historic cultural significance of the place; and b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Relies on Performance Criteria.	Council's Heritage Advisor, David Denman, provided the following comments related to compliance with P1 (a) and (b): <i>The removal of the hawthorn hedge on the front boundary will have an adverse impact on the existing streetscape character. It is recommended that only the sections of the hedge be removed to allow access to the site.</i> The subject site is not Heritage Listed (vacant) but is located within a Heritage Precinct. Based on advice from Council's Heritage Advisor, the removal of the hawthorn hedge is not compliant with meeting the management objectives of a precinct identified in Table E13.1: Local Heritage Precincts, due to the removal adversely impacting on the character of the streetscape. The hawthorn hedge matches in with the hedge on the adjoining property to the north and is a dominant feature of the subject site.

E13.6.13 Signage – N/a

E13.6.14 Maintenance and Repair – N/a

SPECIFIC AREA PLANS		
F1.0	TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0	HERITAGE PRECINCTS SPECIFIC AREA PLAN	See Specific Area Plan assessment below

ASSESSMENT AGAINST F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	
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F2.1 Purpose of Specific Area Plan

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

F2.2 Application of Specific Area Plan

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

F2.2.2 The following development is exempt from this Specific Area Plan:

- a) works required to comply with an Emergency Order issued under section 162 of the Building Act 2000;
- b) electricity, optic fibre and telecommunications cables, and water, sewerage, drainage connections and gas lines to individual buildings;
- c) maintenance and repairs that do not involve removal, replacement or concealment of any external building fabric;
- d) repainting of an exterior surface that has been previously painted, in a colour similar to that existing;
- e) the planting, clearing or modification of vegetation for safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove unacceptable risk to the public or private safety, or where vegetation is causing or threatening to cause damage to a building or structure; and
- f) the maintenance of gardens, unless there is a specific listing for the garden in Table E13.1 or Table E13.2.

F2.3 Definitions

F2.3.1 Streetscape

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

F2.3.2 Heritage-Listed Building

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

F2.4 Requirements for Design Statement

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



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- F2.4.2** *The design statement must identify and describe, as relevant to the application, setbacks, orientation, scale, roof forms, plan form, verandah styles, conservatories, architectural details, entrances and doors, windows, roof covering, roof plumbing, external wall materials, paint colours, outbuildings, fences and gates within the streetscape. The elements described must be shown to be the basis for the design of any new development.*
- F2.4.3** *The design statement must address the subject site and the two properties on both sides, the property opposite the subject site and the two properties both sides of that.*

General Comment:

The proposal will have an adverse effect on the streetscape in respect to the following;

- Removal of the front Hawthorn hedge that is an historic character element within the streetscape.
- The bulk, form and height of the roof form.

F2.5 STANDARDS FOR DEVELOPMENT

F2.5.1 Setbacks

Objective: To ensure that the predominant front setback of the existing buildings in the streetscape is maintained, and to ensure that the impact of garages and carports on the streetscape is minimised.			
Acceptable Solutions & performance criteria			
A1	The predominant front setback as identified in the design statement must be maintained for all new buildings, extensions, alterations or additions (refer Figure F2.4 & F2.8).	P1	The front setback must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:
		a)	the cultural heritage values of the local heritage place, its setting and the precinct;
		b)	the topography of the site;
		c)	the size, shape, and orientation of the lot;
		d)	the setbacks of other buildings in the surrounding area;
		e)	the historic cultural heritage significance of adjacent places; and
		f)	the streetscape.
Complies with A1 – the front setback is consistent with the predominant front setback in the street (refer assessment against 10.4.2 P1).		N/a	
A2	New carports and garages, whether attached or detached, must be set back a minimum of 3 metres behind the line of the front wall of the house which it adjoins (refer Figure F2.3, & F2.7).	P2	The setback of new carports and garages from the line of the front wall of the house which it adjoins must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:
		a)	the cultural heritage values of the local heritage place, its setting and the precinct;
		b)	the topography of the site;
		c)	the size, shape, and orientation of the lot;
		d)	the setbacks of other buildings in the surrounding area;
		e)	the historic cultural heritage significance of adjacent places; and
		f)	the streetscape.
Does not comply with A2 -relies on P2.		The proposed location of the garage, level with the front wall of the house is not compatible with other buildings within the heritage precinct, where there is a strong character in the streetscape of garages featuring as rear outbuildings, not as primary façade elements. Although the lot is slightly smaller than most residential lots in the area, the lot is not prohibitive in its size, shape or orientation to moving the garage further back so that it is not a dominant feature in the front façade of the building. This would also assist in breaking up the roof line of the dwelling to reduce the overall visual bulk of the roof form when viewed from the street.	
A3	Side setback reductions must be to one boundary only, in order to maintain the appearance of the original streetscape spacing.	P3	Side setbacks must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:
		a)	the cultural heritage values of the local heritage place, its setting and the precinct;



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	b) the topography of the site; c) the size, shape, and orientation of the lot; d) the setbacks of other buildings in the surrounding area; e) the historic cultural heritage significance of adjacent places; and f) the streetscape.
Relies on P3 – side setback variations are proposed to both sides for the proposed retaining walls.	Complies with P1 – the side setback reductions to the zone setback requirements are for the retaining walls. The location of the retaining walls will not be visible when viewed from the streetscape. The location of the garage is the largest influence on the minimal separation between the dwellings, with Council's Heritage Advisor noting the following: <i>Garages in the block in question are invariably to the rear of the property, with driveways to the southern property boundary. The result is that the existing development pattern is one of large spaces (and distant vistas) between buildings, and a streetscape in which garages feature as rear outbuildings, not as primary façade elements.</i>

F2.5.2 Orientation

Objective: To ensure that new buildings, extensions, alterations and additions respect the established predominant orientation within the streetscape.	
Acceptable Solutions & performance criteria	
A1 All new buildings, extensions, alterations or additions must be orientated: a) perpendicular to the street frontage (refer Figure F2.5, F2.6, & F2.8); or b) Where the design statement identifies that the predominant orientation of buildings within the street is other than perpendicular to the street, to conform to the established pattern in the street; and c) A new building must not be on an angle to an adjoining heritage-listed building (refer Figure F2.5).	P1 Orientation of all new buildings, extensions, alteration or additions must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the topography of the site; c) the size, shape, and orientation of the lot; d) the setbacks of other buildings in the surrounding area; e) the historic cultural heritage significance of adjacent places; and f) the streetscape.
Complies with A1 (a)	N/a

F2.5.3 Scale

Objective: To ensure that all new buildings respect the established scale of buildings in the streetscape, adhere to a similar scale, are proportional to their lot size and allow an existing original main building form to dominate when viewed from public spaces.	
Acceptable Solutions (no performance criteria)	
A1	Single storey developments must have a maximum height from floor level to eaves of 3 metres (refer Figure F2.14).
A2	Where a second storey is proposed it must be incorporated into the roof space using dormer windows, or roof windows, or gable end windows, so as not to detract from original two storey heritage-listed buildings (refer Figure F2.13 & F2.15).
A3	Ground floor additions located in the area between the rear and front walls of the existing house must not exceed 50% of the floor area of the original main house.
Complies with A1 & A2. A3 is not applicable – no additions are proposed.	

F2.5.4 Roof Forms

Objective: To ensure that the roof form and elements respect those of the existing main building and the streetscape.	
Acceptable Solutions & performance criteria	
A1.1 The roof form for new buildings, extensions, alterations, and additions must, if visible from the street, be in the form of hip or gable, with a pitch between 25 – 40 degrees (refer Figure F2.14 & F2.18), or match the existing building, and	P1 The roof form of all new buildings, extensions, alteration or additions must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the design, period of construction and materials of the dominant building on site;



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A1.2	Eaves overhang must be a maximum of 300mm excluding guttering, or match the existing building.	c) the dominant roofing style and materials in the setting; and d) the streetscape.
A2	Where there is a need to use the roof space, dormer windows are acceptable and must be in a style that reflects the period setting of the existing main building on the site, or the setting if the site is vacant (refer Figure F2.15).	
A3	Where used, chimneys must be in a style that reflects the period setting of the existing main building on the site, or the setting if the site is vacant.	
A4	Metal cowls must not be used where they will be seen from the street.	
Complies with A1.1 and A1.2 – 28 deg pitch and no eaves. Complies with A2 – roof storage area utilises a skylight. Dormer windows not required. A3 -N/a A4 – N/a		

F2.5.5 Plan Form

Objective: To ensure that new buildings, alterations, additions and extensions respect the setting, original plan form, shape and scale of the existing main building on the site or of adjoining heritage-listed buildings.		
Acceptable Solutions		Performance Criteria
A1.1	Alterations and additions to pre-1940 buildings must retain the original plan form of the existing main building; or	P1 Original main buildings must remain visually dominant over any additions when viewed from public spaces.
A1.2	The plan form of additions must be rectilinear or consistent with the existing house design and dimensions.	
N/a		N/a
A2	The plan form of new buildings must be rectilinear (refer Figure F2.9).	P2 No performance criteria
Complies with A2.		N/a

F2.5.6 External Walls

Objective: To ensure that wall materials used are compatible with the streetscape.		
Acceptable Solutions		Performance Criteria
A1.1	Materials used in additions must match those of the existing construction, except in additions to stone or brick buildings; and	P1 Wall materials must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the design, period of construction and materials of the dominant building on site; c) the dominant wall materials in the setting; and d) the streetscape.
A1.2	External walls must be clad in:	
a)	traditional bull-nosed timber weatherboards; if treated pine boards are used to replace damaged weatherboards they must be painted; thin profile compressed board weatherboards must not be used; or	
b)	brickwork, with mortar of a natural colour and struck flush with the brickwork (must not be deeply raked), including: • painted standard size bricks; or • standard size natural clay bricks that blend with the colour and size of the traditional local bricks; or • standard brickworked in traditional style; or • if a heritage-listed building, second-hand traditional local bricks. Heavily-tumbled clinker bricks must not be used; or	
c)	concrete blocks specifically chosen to blend with local dressed stone, or rendered and painted;	
d)	concrete blocks in natural concrete finish must not be used.	
A1.3	Cladding materials designed to imitate traditional materials such as brick, stone and weatherboards must not be used.	
A1.1 – N/a		N/a
A1.2 – (b/c) – Complies. Render finish or painted brickwork – submission by applicant notes walls are to be ‘off white’ finish. If a permit is issued, a condition would be required to ensure compliance.		
A1.3 – Complies.		

F2.5.7 Entrances and Doors



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Objective: To ensure that the form and detail of the front entry is consistent with the streetscape.			
Acceptable Solutions & performance criteria			
A1.1	The position, shape and size of original door and window openings must be retained where they are prominent from public spaces; and	P1	Entrances and doors must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:
A1.2	The front entrance location must be in the front wall facing the street, and be located within the central third of the front wall of the house; and	a)	the cultural heritage values of the local heritage place, its setting and the precinct;
A1.3	Modern front doors with horizontal glazing or similar styles must not be used (refer Figure F2.21).	b)	the design, period of construction and materials of the dominant building on site; and
		c)	the streetscape.
A1.1 – N/a		N/a	
A1.2 – Complies.			
A1.3 – Complies.			

F2.5.8 Windows

F2.5.8 Windows

Objective To ensure that window form and detail are consistent with the streetscape.			
Acceptable Solutions		Performance Criteria	
A1	Window heads must be a minimum of 300mm below the eaves line, or match the existing.	P1	No performance criteria.
Complies		N/a	
Solid-void ratio			
A2	Front façade windows must conform to the solid/void ratio (refer Figure F2.24 & F2.25).	P2	For commercial buildings, the solid/void ratio of front façade windows must be compatible with that of heritage-listed commercial buildings in the precinct.
Complies with A2 due to the garage doors located within approximately 1/3 of the front façade.		N/a	
Window sashes			
A3	Window sashes must be double hung, casement, awning or fixed appropriate to the period and style of the building (refer Figure F2.22 & F2.23).	P3	No performance criteria
Complies double hung		N/a	
A4	Traditional style multi-pane sashes, when used, must conform to the traditional pattern of six or eight vertical panes per sash with traditional size and profile glazing bars.	P4	No performance criteria.
N/a		N/a	
A5	Horizontally sliding sashes must not be used.	P5	No performance criteria.
Complies		N/a	
A6	Corner windows to front facades must not be used.	P6	No performance criteria.
N/a		N/a	
Window Construction Materials			
A7	Clear glass must be used.	P7	No performance criteria.
If a permit is issued, a condition will be required to ensure compliance.		N/a	
A8	Reflective and tinted glass and coatings must not be used where visible from public places.	P8	No performance criteria.
Complies as per A7.		N/a	
A9	Additions to heritage-listed buildings must have timber window frames, where visible from public spaces.	P9	No performance criteria.
N/a		N/a	



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A10	Painted aluminium must only be used where it cannot be seen from the street and in new buildings, or where used in existing buildings	P10	Window frames must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to the cultural heritage values of the local heritage place, its setting and the precinct.
Complies – new building		N/a	
A11	Glazing bars must be of a size and profile appropriate for the period of the building	P11	No performance criteria.
N/		N/a	
A12	Stick-on aluminium glazing-bars must not be used	P12	No performance criteria.
N/a		N/a	
A13	All windows in brick or masonry buildings must have projecting brick or stone sills, or match the existing	P13	No performance criteria.
Complies with A13 – refer plans.		N/a	
French Doors, Bay Windows and Glass Panelling			
A14	French doors and bay windows must be appropriate for the original building style and must be of a design reflected in buildings of a similar period.	P14	No performance criteria
N/a		N/a	
A15	Where two bay windows are required, they must be symmetrically placed.	P15	No performance criteria
N/a		N/a	
A16	Large areas of glass panelling must:	P16	No performance criteria
a)	Be divided by large vertical mullions to suggest a vertical orientation; and		
b)	Be necessary to enhance the utility of the property or protect the historic fabric; and		
c)	Not detract from the historic values of the original building.		
N/a – no large areas of glass panelling		N/a	

F2.5.9 Roof Covering

Objective: To ensure that roof materials are compatible with the streetscape.	
Acceptable Solutions (no performance criteria)	
A1.1	Roofing of additions, alterations and extensions must match that of the existing building; and
A1.2	Roof coverings must be:
a)	corrugated iron sheeting in grey tones, brown tones, dark red, or galvanized iron
or	
b)	slate or modern equivalents, shingle and low-profile tiles, where compatible with the style and period of the main building on the site and the setting. Tile colours must be:
	• dark gray; or
	• light grey; or
	• brown tones; or
	• dark red;
or	
c)	traditional metal tray tiles where compatible with the style and period of the main building on the site.
d)	for additions, alterations and extensions, match that of the existing building.
A2	Must not be klip-lock steel deck and similar high rib tray sheeting.
Complies with A1.2 (a) & A2.	

F2.5.10 Roof Plumbing

Objective: To ensure that roof plumbing and fittings are compatible with the streetscape.	
Acceptable Solutions (no performance criteria)	
A1.1	Gutters must be OG, D mould, or Half Round profiles (refer Figure F2.26), or match the existing guttering; and



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A1.2	Downpipes must be zincalume natural, colorbond round, or PVC round painted.
A2	Downpipes must not be square-line gutter profile or rectangular downpipes (refer Figure F2.27), or match the existing downpipes.
Complies with A1.1 and A1.2 – condition required if permit issued to ensure compliance. A2 complies.	

F2.5.11 Verandahs

Objective: To ensure that traditional forms of sun and weather protection are used, consistent with the streetscape.	
Acceptable Solutions & performance criteria	
Original Verandahs	
A1 Original verandahs must be retained.	
Replacement of Missing Verandahs	
A2.1 The replacement of a missing verandah must be consistent with the form and detail of the original verandah; or	P2 Verandahs must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:
A2.2 If details of the original verandah are not available:	a) the cultural heritage values of the local heritage place, its setting and the precinct;
a) The verandah roof must join the wall line below the eaves line of the building (refer Figure F2.19); and	b) the design, period of construction and materials of the dominant building on site; and
b) Verandah posts and roof profile must be consistent with that in use by the surrounding buildings of a similar period.	c) the streetscape.
New Verandahs	
A3 A new verandah, where one has not previously existed, must be consistent with the design and period of construction of the dominant existing building on the site or, for vacant sites, those of the dominant design and period within the precinct.	
A1-A2.2 – N/a	
A3 – The roof profile, pitch, width and style of the proposed verandah is consistent with the dominant design and period of verandahs within the precinct.	

F2.5.12 Architectural Details

Objective: To ensure that the architectural details are consistent with the historic period and style of the main building on the site, and the streetscape.	
Acceptable Solutions (no performance criteria)	
Original Detailing	
A1 Original details and ornaments, such as architraves, fascia's and mouldings, are an essential part of the building's character and must not be removed beyond the extent of any alteration, addition or extension.	
Non-original Detailing	
A2.1 Non-original elements must be consistent with the original architectural style of the dominant existing building on the site or, for vacant sites, be consistent with the existing streetscape; and	
A2.1 Non-original elements must not detract from or dominate the original qualities of the building, nor should they suggest a past use which is not historically accurate.	
A1 – N/a	
A2.1 – N/a – vacant site.	
A2.1 – N/a – vacant site.	

F2.5.13 Outbuildings

Comment: N/a - No outbuildings form part of this proposal.

F2.5.14 Conservatories

Comment: N/a

F2.5.15 Fences and Gates

Objective: To ensure that original fences are retained and restored where possible and that the design and materials of any replacement complement the setting and the architectural style of the main building on the site.
Acceptable Solutions & performance criteria



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A1.1 Replacement of front fence must be in the same design, materials and scale; or A1.2 a) Front fence must be a timber vertical picket, masonry to match the house, heritage style woven wire, galvanized tubular fencing, other than looped, or iron palisade fence with a maximum height of 1500mm. b) Side and rear fences must be vertical timber palings to a maximum height of 1800mm.	P1 Fences must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the architectural style of the dominant building on the site; c) the dominant fencing style in the setting; and d) the original or previous fences on the site.
A2 Gates must match the fence, both in materials and design.	
A3 Screen fences used to separate the front garden from the rear of the house must be of timber or lattice.	
A4 Fences must not be: a) horizontal or diagonal timber slat fences; or b) plastic covered wire mesh; or c) flat metal sheet or corrugated sheets; or d) plywood and cement sheet.	
The predominant front fencing styles in the area are low masonry and or timber picket fences interspersed with landscape hedging and paling fences. Nevertheless, the proposed fence meets acceptable solution A1.2. A2 – fence is masonry, but gates are of an appropriate style as per A1.2. A3 – N/a. A4 – Complies.	

F2.5.16 Paint Colours

Objective: To ensure that new colour schemes maintain a sense of harmony with the street or area in which they are located.	
Acceptable Solutions & performance criteria	
A1.1 Colour schemes must be drawn from heritage-listed buildings within the precinct; or A1.2 Colour schemes must be drawn from the following: a) Walls – Off white, creams, beige, tans, fawn and ochre. b) Window & Door frames – white, off white, Indian red, light browns, tans, olive green and deep Brunswick green. c) Fascia & Barge Boards - white, off white Indian red, light browns, tans, olive green and deep Brunswick green d) Roof & Gutters – deep Indian red, light and dark grey.	P1 Colour schemes must be compatible with the local historic heritage significance of the local heritage place or precinct having regard to the character and appearance of the existing place or precinct.
A2 There must be a contrast between the wall colour and trim colours.	
A3 Previously unpainted brickwork must not be painted, except in the case of post-1960 buildings.	
<u>Comment:</u> If a permit were issued, a condition would be required to ensure compliance with the acceptable solutions. The applicant advised in their submission that the “walls are to be off white with contrasting off white and grey tones for the window, door frames and fascia. Roof is to be grey.”	

F2.5.17 Lighting

Objective: To ensure that modern domestic equipment and wiring do not intrude on the character of the streetscape	
Acceptable Solutions (no performance criteria)	
A1 Wiring or conduit to new lighting is not located on the front face of a building.	
Meets the Acceptable Solutions, but a condition is required.	

F2.5.18 Maintenance and Repair

Comment: N/a

F2.6 USE STANDARDS

F2.6.1 Alternative Use of heritage buildings

Comment: N/a

SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	N/a



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9.3 Adjustment of a Boundary	N/a
9.4 Demolition	N/a

STATE POLICIES

The proposal is consistent with all State Policies.

OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan 2017-2027

Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on the performance criteria of the General Residential Zone
 - Setbacks
 - Building envelope
 - Site coverage
 - Front fence height
- Reliance on the performance criteria of the Heritage Code.
- Reliance on the performance criteria of the Heritage Precinct Specific Area Plan.

A representation was received citing concerns regarding the proposed dwelling being incompatible with the siting, scale or style of neighbouring properties within the Heritage Precinct and the overall scale, bulk and proportions of the dwelling. A discrepancy in plans between roof plan and elevations was also noted.

These concerns were reiterated by advice from Council's Heritage Advisor, David Denman, who noted, "the non-compliant areas of this proposal are mainly due to the overall footprint and bulk of the proposed house on a relatively small lot". Concern was also raised about the removal of the hedge and the impact this may have on the heritage streetscape.

Non-compliance with the performance criteria of the Heritage Code and Heritage Precinct Specific Area Plan have resulted in the proposal being recommended for refusal. A redesign of the dwelling to meet the heritage requirements of the planning scheme would result in a more favourable outcome for the applicant.

8 ATTACHMENTS

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



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C Representation & other correspondence

RECOMMENDATION

That application PLN-19-0131 for a dwelling, retaining walls & hedge removal (vary all setbacks, building envelope, site coverage, front fence & heritage provisions) within Heritage Precinct at 42 Marlborough Street, Longford be refused on the following grounds:

- 1. The proposed development does not meet the site coverage provisions required by the performance criteria P1 (a) and (b) of clause E13.6.3 of the Planning Scheme.**

The site coverage of the proposed house is not contextual with the adjacent buildings and does not maintain the character of adjacent buildings and the area. The proposal is unsympathetic to the character and layout of the lots in the area, and immediately adjacent, and therefore does not meet the management objectives of the precinct identified in Table E13.1: Local Heritage Precincts.
- 2. The proposed development does not meet the height and bulk of buildings provisions required by the performance criteria P1.1 & P1.3 of clause E13.6.4 of the Planning scheme.**

The height and bulk of the proposed building is such that it will have an adverse impact on the adjacent buildings as it does not reflect the existing building stock, and significantly diminishes the ability to read the pattern of that stock as a whole, and its place in the landscape, resulting in an adverse impact on the heritage qualities of the streetscape and the precinct. The development therefore does not meet the management objectives of the precinct identified in Table E13.1: Local Heritage Precincts, as the development will adversely impact on the heritage qualities of the streetscape.
- 3. The proposed development does not meet the fence provisions required by the performance criteria P1 (a), (b) and (c) of clause E13.6.5 of the Planning scheme.**

The plans/submission lack clarity regarding the finish of the masonry walls of the dwelling therefore it cannot be confirmed that the fence is complementary. The dominant fencing styles in the area consist of low masonry, timber picket, or hedge, similar to that already in situ and therefore the proposed 1.5m high brick render front fence is not consistent. The height and style of the proposed front fence, combined with the removal of the existing hedge along the frontage, does not meet the management objectives of the precinct identified in Table E13.1: Local Heritage Precincts.
- 4. The proposed development does not meet the Roof Form and Materials provisions required by the performance criteria P1 (a) & (b) of clause E13.6.6 of the Planning Scheme.**

The roof is not sympathetic with the adjoining roofs due to its size, height and bulk being much larger, which will result in an unsympathetic out of scale presence within the precinct and streetscape. Therefore, the proposed roof form does not meet the management objectives identified in Table E13.1: Local Heritage Precincts with respect to these Performance Criteria due to the roof form adversely impacting on the character of the streetscape.
- 5. The proposed development does not meet the Tree and Vegetation Removal of buildings provisions required by the performance criteria P1 (a) and (b) of clause E13.6.12 of the Planning Scheme.**

The removal of the hawthorn hedge on the front boundary will have an adverse impact on the existing streetscape character. The removal of the hawthorn hedge is not compliant with meeting the management objectives of a precinct identified in Table E13.1: Local Heritage Precincts, due to the removal adversely impacting on the character of the streetscape.



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6. **The proposed development does not meet the setback provisions required by the performance criteria P2 of clause F2.5.1 of the Planning scheme.**

The proposed location of the garage, level with the front wall of the house is not compatible with other buildings within the heritage precinct, where there is a strong character in the streetscape of garages featuring as rear outbuildings, not as primary façade elements.

DECISION

Cr



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PLAN 3 PLANNING APPLICATION PLN-19-0154: 97 WELLINGTON STREET, LONGFORD

Attachments: Section 1 – Page 471

File Number: 113600.383; CT 122410/3
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Erin Boer, Urban & Regional Planner

1 INTRODUCTION

This report assesses an application for 97 Wellington Street, Longford to construct a Garage (12m x 7.5m, apex 6.6m)(vary internal front setback to 2.5m; Heritage Precinct).

2 BACKGROUND

Applicant:

Ms Jo Woodbury (Woodbury & Co Building Design)

Zone:

General Residential Zone

Classification under the Scheme:

Discretionary

Deemed Approval Date:

17th September 2019

Owner:

Nicholas Lindsay & Victoria Sandra Dantoine

Codes:

Car Parking and Sustainable Transport Code
Local Historic Heritage Code

Existing Use:

Residential

Recommendation:

Refuse

Discretionary Aspects of the Application

- Reliance on the performance criteria of the General Residential Zone (internal front setback and building envelope (western and southern sides).
- Reliance on the performance criteria of the Local Historic Heritage Code.

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 29, Effective from 3rd June 2019.*

Preliminary Discussion

An application for a replacement dwelling and shed has previously been submitted and approved on this land. This application was submitted after the owners wanted the shed in a slightly different location, closer to the internal front boundary.

Subject site from Wellington Street (internal lot)



3 STATUTORY REQUIREMENTS

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

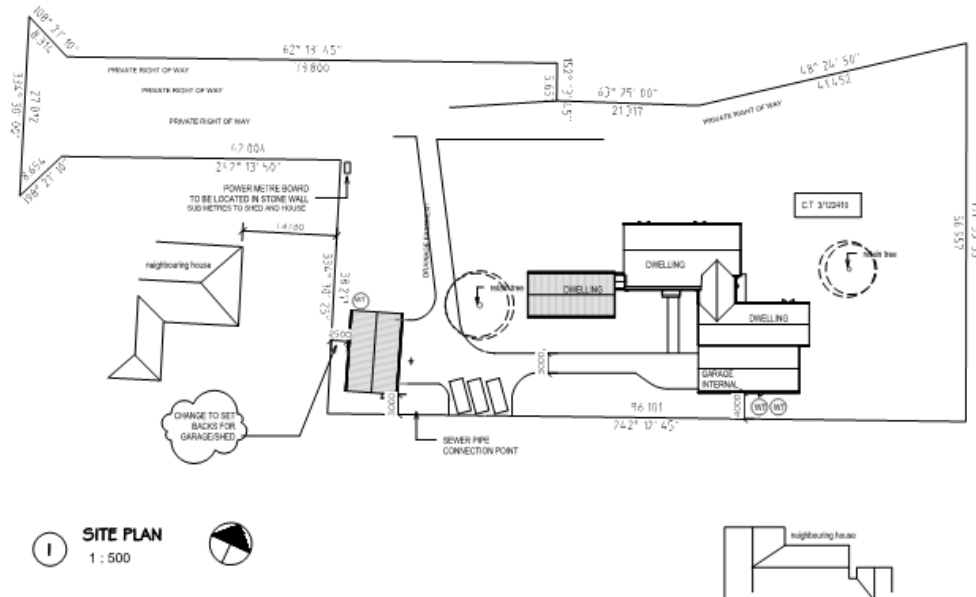
4 ASSESSMENT

4.1 Proposal

It is proposed to:

- Construct a garage (12m x 7.5m, apex 6.6m)(vary internal front setback to 2.5m; Heritage Precinct). A dwelling and garage have previously been approved for development on the land.

Site Plan

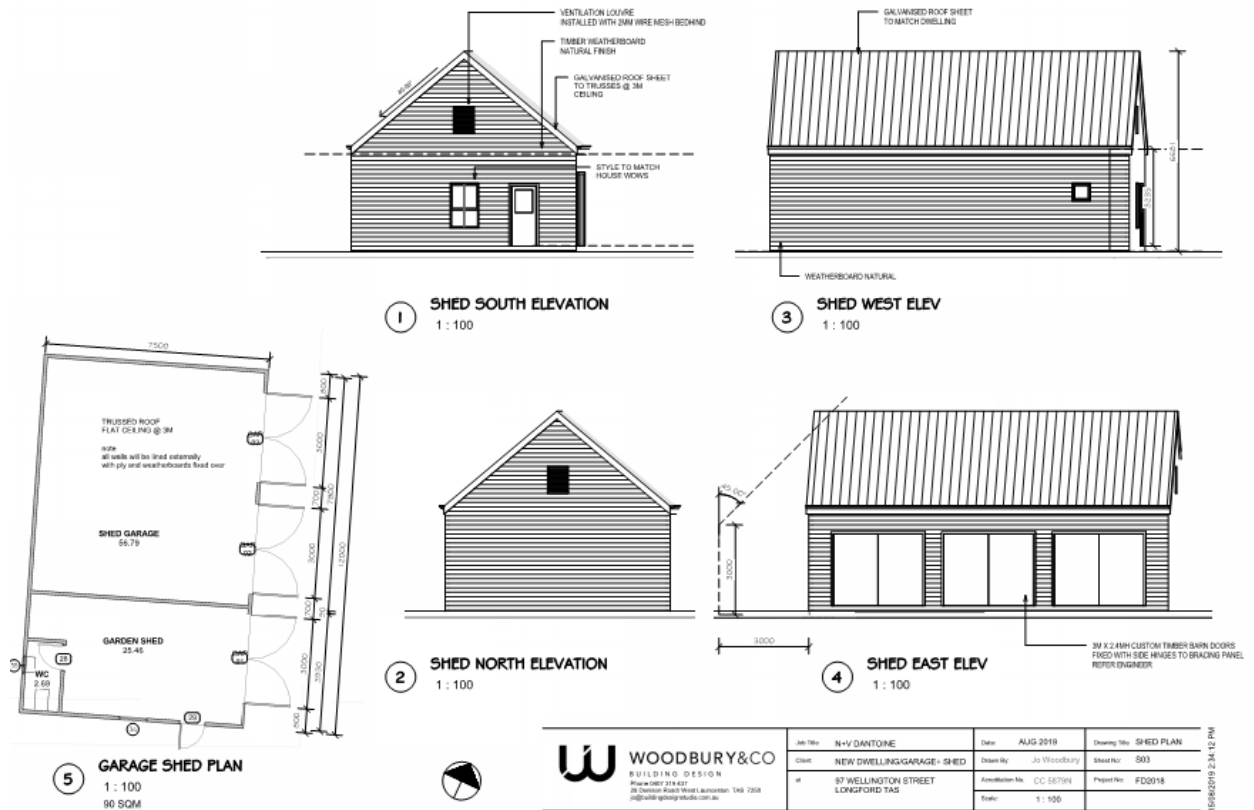


ARZA SCHEDULE (Gross Building)		
Name	Area	Perimeter
EXISTING GARAGED SHED	88.75	445.22
DWELLING G2 LEVEL	9.95.63	141.41.5
GARAGE INTERNAL	82.71	304.40
DWELLING (EVS, G1)	79.05	336.120

 WOODBURY & CO BUILDING DESIGN Phone 0800 214 821 24 Chertsey Road West, Lonsdale TAS 7250 info@wbc.com.au	Job Title	N+V DANTONE	Date	AUG 2019	Drawing Title	SITE PLAN
	Client	NEW DWELLING/GARAGE - SHED	Drawn By	Jo Woodbury	Sheet No.	802
	#	87 WELLINGTON STREET LONGFORD TAS	Amendment No.	CC SECTION	Project No.	FD0018
		Scale	1 : 500			

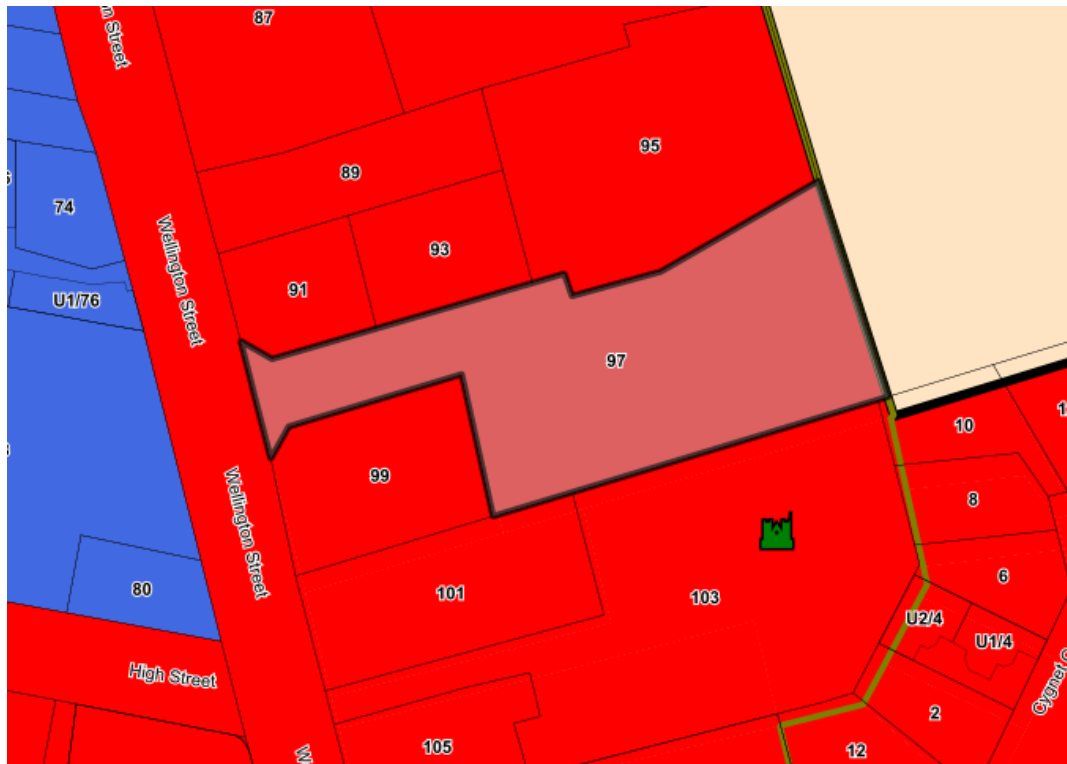
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Elevations



4.2 Zone and land use

Zone Map – General Residential Zone



The land is zoned General Residential and is subject to the Car Parking and Sustainable Transport Code and the Local Historic Heritage Code.

The relevant Planning Scheme definition is:

<i>single dwelling</i>	<i>means a dwelling on a lot on which no other dwelling is situated; or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.</i>
<i>dwelling</i>	<i>means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.</i>
<i>outbuilding</i>	<i>means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.</i>

The Residential (single dwelling) use class is a 'no permit required' use in the zone; however, the application became discretionary due to a variation to the development standards.

4.3 Subject site and locality

The author of this report carried out a site visit on the 16th August 2019. The subject site is a 5622m² internal lot, with the access strip burdened by a right of way servicing the adjoining properties. The site is level and is surrounded by established residential uses. Approval for the demolition and replacement of the existing dwelling has previously been granted and construction has commenced on these works. Although the site is within the Heritage Precinct, only the access strip is visible from the street – no works are proposed to the existing access.

Aerial photograph of area



Photographs of subject site





4.4 Permit/site history

Relevant permit history includes:

... BLD19-139_PMB19-167 - J L Woodbury - See PLN18-0331
113600.383 - 97 WELLINGTON ST - LONGFORD - DANTOINE NICHOLAS LINDSAY

... DA182/97 - F De Bruyn - Dwelling
113600.383 - 97 WELLINGTON ST - LONGFORD - DANTOINE NICHOLAS LINDSAY

... P62/97 - F & L De Bruyn - Dwelling
113600.383 - 97 WELLINGTON ST - LONGFORD - DANTOINE NICHOLAS LINDSAY

... PLN18-0331 - Building Design Studio - Demolish And Replace Dwelling
113600.383 - 97 WELLINGTON ST - LONGFORD - DANTOINE NICHOLAS LINDSAY

... PLN19-0154 - Jo Woodbury - Shed
113600.383 - 97 WELLINGTON ST - LONGFORD - DANTOINE NICHOLAS LINDSAY

4.5 Representations

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

- Peter and Anna Welch, purchasers of 99 Wellington Street, Longford
- Keith and Amanda Bunn, current owners of 99 Wellington Street, Longford

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



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

Issue 1

- Proximity of proposed shed to rear boundary of 99 Wellington St.

Planner's comment:

A variation to the acceptable solution for the internal front setback and building envelope has been sought. Subsequently, an assessment against the relevant performance criteria is provided at part 4.7 of this report and the relevant matters related to the variations are discussed below. It is relevant to note that the applicant's response to the representation states that the development meets the building envelope requirements – this is incorrect, as the envelope starts at a 4.5m setback from the internal front boundary. A diagram of the building envelope is provided at part 4.7 of this report.

Issue 2

- Height of proposed shed and visual intrusion/feeling of enclosure this will cause.

Planner's comment:

The height and location of the proposed shed requires a variation to the planning scheme provisions. Subsequently, an assessment against the relevant performance criteria is provided at part 4.7 of this report. The height and bulk of the shed close to the private open space of the dwelling at 97 Wellington Street is likely to cause an unreasonable loss of visual amenity to the occupants of this dwelling.

Issue 3

- Overshadowing of garden (including vegetable garden), sheds and dwelling.

Planner's comment:

A full assessment against the relevant provisions of the planning scheme that consider overshadowing is available in part 4.7 of this report. The level of overshadowing caused by the proposed shed is unlikely to cause an unreasonable loss of amenity, as it will only be experienced by part of the backyard during a brief period during the early morning.



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Issue 4

- Devaluation of property value.

Planner's comment:

There is no provision within the planning scheme to consider this matter.

4.6 Referrals

The only referrals required were as follows:

TasWater
<u>Precis:</u> A Taswater Submission to Planning Authority Notice was issued on 27.08.2019 (Taswater Ref: TWDA 2019/01209-NMC).
Heritage Adviser
Council's Heritage Advisor, David Denman, reviewed the application on the 3 rd September 2019. Mr. Denman noted that he had no objections to the proposal and made the following comments: <i>"The new garage will not be visible from the street."</i> In reviewing the proposal, Mr. Denman's assessment is based primarily on the impact the development will have on the streetscape.

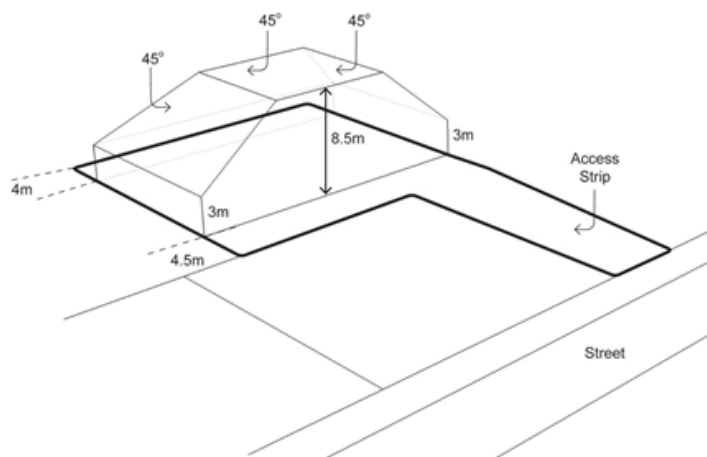
4.7 Planning Scheme Assessment

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.	
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.	
PRECIS OF DEVELOPMENT STANDARDS FOR SINGLE DWELLINGS	
10.4.2 Setback and building envelopes for dwellings	
	A1 Unless within a building area, then
✓	(a) 4.5m from primary frontage; or not less than existing dwelling on site; OR
N/a	(b) 3m to secondary frontage; or not less than existing dwelling on site; OR
N/a	(b) if vacant lot, setback which is not more or less than dwellings on immediately adjoining lots; OR
N/a	(c) not less than the existing dwelling setback if less than 4.5m; OR
N/a	(d) as per road setback specified in Planning Scheme
	A2 Garage or carport to be set back:
✓	(a) 5.5m from primary frontage or 1m behind the façade, OR
N/a	(b) The same as the dwelling façade if under dwelling
N/a	(c) 1m if gradient > 1:5 for 10m from frontage
	A3 Dwellings (excluding minor protrusions extending to 1.5m)
x	(a) to be within building envelope (i) frontage setback (as above), or 4.5m from rear boundary of adjoining frontage lot for internal lot (ii) 45 degrees from the horizontal at a height of 3m above natural ground level, 4m rear setback, and max height 8.5m AND

✓	(b)	1.5m side setback or built to the boundary (existing boundary wall within .2m of boundary or; 9m or 1/3 of the side boundary, whichever is lesser)
10.4.3 Site coverage and private open space for dwellings		
✓	A1	(a) max. site coverage of 50% (excluding eaves)
✓		(c) at least 25% free from impervious surfaces
✓	A2	(a) POS of 24m ² in one location
✓		(b) horizontal dimension of 4m; AND
✓		(c) directly accessible from, & adjacent to, a habitable room (other than bedroom); AND
N/a		(d) not located to the S, SE or SW of dwelling, unless receives at least 3 hours of sunlight to 50% of area between 9am and 3pm on 21June; AND
N/a		(e) between dwelling and frontage only if frontage is orientated between 30 degrees west of north and 30 degrees east of north; AND
✓		(f) not steeper than 1:10, AND
✓		(g) not used for vehicle parking
10.4.4 Sunlight and overshadowing		
N/a	A1	1 habitable room (other than bedroom) with window facing between 30 degrees west of north and 30 degrees east of north
10.4.5 Width of openings for garages and carports		
N/a	A1	Garage or carport within 12m of a primary frontage (whether free-standing or not), total width of openings facing frontage of < 6m or half the width of the frontage (whichever is lesser).
10.4.6 Privacy		
N/a	A1	Balconies, decks, carports etc. OR windows/glazed doors to a habitable room, more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary – 3m (b) rear boundary – 4m
	A2	Window or glazed door to be offset 1.5m from neighbour's window, OR sill height 1.7m above floor level, OR obscure glazing to 1.7m OR external screen to 1.7m
10.4.7 Frontage fences for single dwellings		
N/a	A1	Applies to maximum building height of fences on and within 4.5m of a frontage
N/a	(a)	1.2m if solid; OR
N/a	(b)	1.8m if above 1.2m has openings which provide a minimum 50% transparency
Easements		
✓		No construction over an easement

The application meets the acceptable solutions of the General Residential zone, except for the variation to the internal front setback and building envelope (western and southern sides) – refer building envelope diagram below:

Building envelope for internal lots as required by subclause 10.4.2 A3 (a) of the Planning Scheme





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Accordingly, the development relies on the following performance criteria:

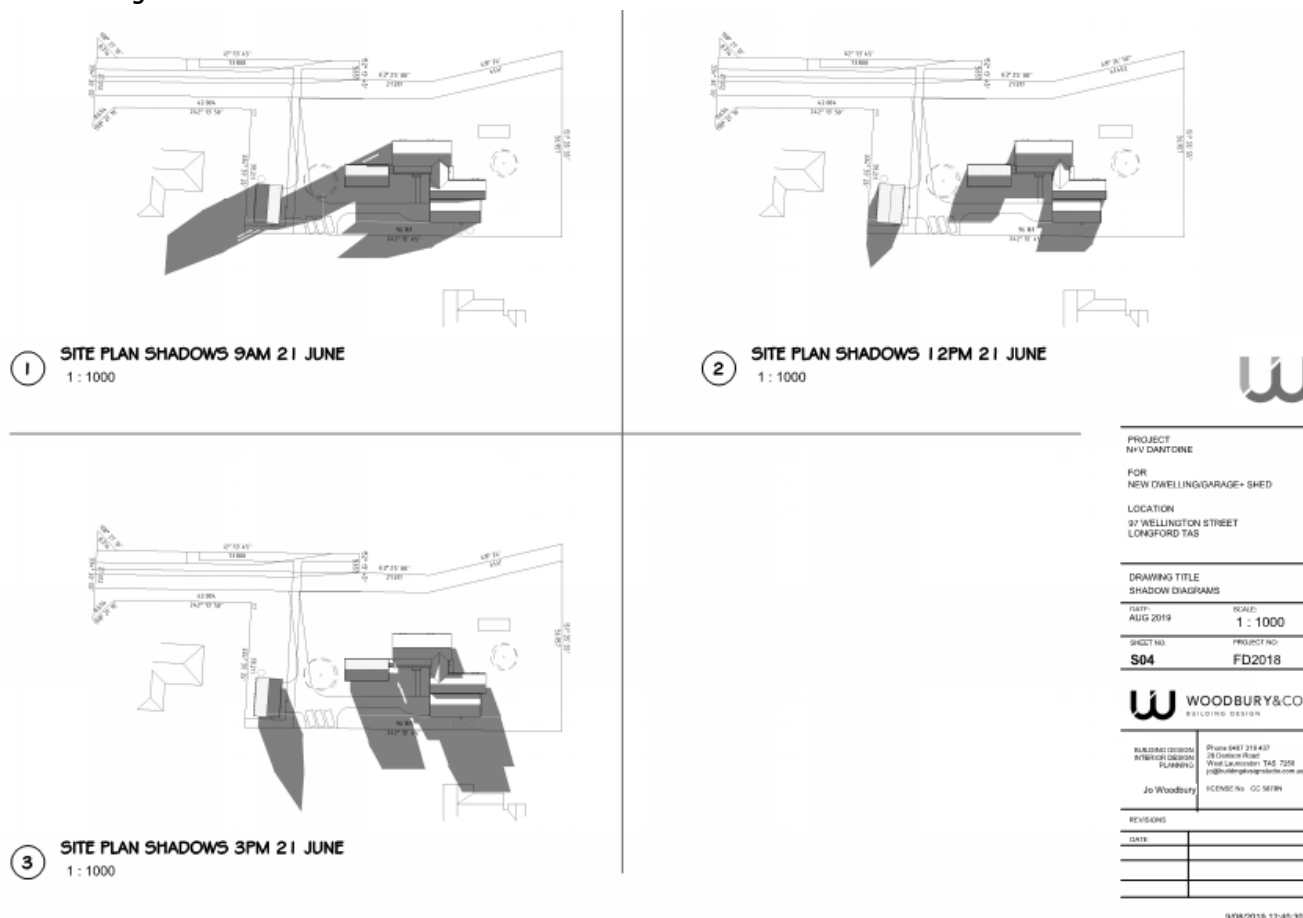
- P3 The siting and scale of a dwelling must:
- (a) not cause unreasonable loss of amenity by:
 - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or
 - (ii) overshadowing the private open space of a dwelling on an adjoining lot; or
 - (iii) overshadowing of an adjoining vacant lot; or
 - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and
 - (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Assessment:

P1 (a)

- i) The proposed development is not considered to cause an unreasonable loss of amenity due to the reduction in sunlight to a habitable room, as the dwelling to the east is located 14.1m from the internal front boundary of the subject site and the shadow diagrams provided indicate that the habitable rooms of this dwelling will not be overshadowed from 9am onwards on the 21st June. The dwelling on the lot to the south will also not be overshadowed from 9am onwards on the 21st June.
 - ii) The proposed development is not considered to cause an unreasonable loss of amenity due to a reduction in sunlight to the private open space of the properties to the west and south, as overshadowing will only be experienced by the property to the west prior to 12pm, and over 50% of the dwellings private open space is free from overshadowing by the proposed garage at all times throughout the day. The property to the south is subjected to a similar level of overshadowing to the rear of the yard after 12pm, but retains over 50% private open space that is not overshadowed throughout the entire day.
 - iii) N/a – the adjoining lots contain single dwellings.
 - iv) The proposed shed has a wall height to the eaves of 3.2m, with a 40 deg roof pitch, bringing the overall apex height to 6.6m. Therefore, the roof area of the garage forms over 50% of the visual mass of the shed. Although the dwelling on the lot to west is located 14.1m from the boundary of subject site, the private open space is located adjacent to the proposed outbuilding which has a 12m wall length and 6.6m apex height at a 2.5m setback. This will result in a loss of visual amenity due to the height and bulk of the structure at a reduced setback. This performance criterion is not considered to be met on this basis. The proposed garage is significantly higher than garages normally seen within a residential setting and is out of character with the size and height of other outbuildings in the immediate area. The floor plan indicates that the garage space will have a trussed roof, with a flat ceiling at 3m, indicating that the height of the structure is not required for its operational efficiency or storage requirements (such as storing a high vehicle).
- b) Due to the large/varied lot sizes in the immediate area, and varied setbacks of buildings on these lots, there is no discernible prevailing separation between buildings to determine compatibility with. The proposed outbuilding is therefore not incompatible.

Shadow Diagrams



CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	N/a
E5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	Complies – See code assessment below
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a
ASSESSMENT AGAINST E6.0 CAR PARKING & SUSTAINABLE TRANSPORT CODE		

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.

Acceptable Solutions

Performance Criteria

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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:

Complies – available in garage of approved dwelling.

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
<i>If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)</i>	<i>1 space per dwelling</i>	<i>1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation.</i>
<i>If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)</i>	<i>2 spaces per dwelling</i>	

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:
A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
	b) location of the site and the distance a cyclist would need to travel to reach the site; and
	c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.

Comment:

Complies – available in garage of approved dwelling.

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



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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:	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.
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.		
Comment: Complies with A1 (a).			

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	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
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	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 A1.2 – Complies – internal lot.			
A2.1	Car parking and manoeuvring space must:	P2	Car parking and manoeuvring space must:
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: Complies with A2.1 and A2.2.			

Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

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

Acceptable Solutions		Performance Criteria	
A1	Car parking areas with greater than 20 parking spaces must be:	P1	Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:
a)	secured and lit so that unauthorised persons cannot enter or;	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	The location and design of parking spaces considers the needs of disabled persons, having regard to:
		i)	the topography of the site;
		j)	the location and type of relevant facilities on the site or in the vicinity;
		k)	the suitability of access pathways from parking spaces, and
		l)	applicable Australian Standards.
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	The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to:
		g)	characteristics of the populations to be served;
		h)	their means of transport to and from the site; and
		i)	applicable Australian Standards.
Comment:			
N/a – private residence.			

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
a)	at least one loading bay must be provided in accordance with Table E6.4; and		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.
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 – residential use.			

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme



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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.
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:	
Complies with A1.2 and A2.	

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

ASSESSMENT AGAINST E13.0 HERITAGE CODE

E13.1 Purpose

E13.1.1 The purpose of this provision is to:

- a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; and
- b) encourage and facilitate the continued use of these items for beneficial purposes; and
- c) discourage the deterioration, demolition or removal of buildings and items of assessed heritage significance; and



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- d) ensure that new use and development is undertaken in a manner that is sympathetic to, and does not detract from, the cultural significance of the land, buildings and items and their settings; and
- e) conserve specifically identified heritage places by allowing a use that otherwise may be prohibited if this will demonstratively assist in conserving that place

E13.2 Application of the Code

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

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

E13.3 Use or Development Exempt from this Code

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

- a) works required to comply with an Emergency Order issued under Section 162 of the Building Act 2000;
- b) electricity, optic fibre and telecommunication cables and gas lines to individual buildings;
- c) internal alterations to buildings if the interior is not included in the historic heritage significance of the place or precinct;
- d) maintenance and repairs that do not involve removal, replacement or concealment of any external building fabric;
- e) repainting of an exterior surface that has been previously painted, in a colour similar to that existing;
- f) the planting, clearing or modification of vegetation for safety reasons where the work is required for the removal of dead, or treatment of disease, or required to remove unacceptable risk to the public or private safety, or where vegetation is causing or threatening to cause damage to a building or structure; and
- g) the maintenance of gardens, unless there is a specific listing for the garden in Table E13.1 or Table E13.2.

Comment:

The subject site is within a Heritage Precinct, but is not a Heritage Listed place.

E13.5 USE STANDARDS

E13.5.1 Alternative Use of heritage buildings

Comment: N/a

E13.6 DEVELOPMENT STANDARDS

E13.6.1 Demolition

Comment: N/a – assessed by previous applicant.

E13.6.2 Subdivision and development density

Comment: N/a

E13.6.3 Site Cover

Objective: To ensure that site coverage is consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts, if any.

Acceptable Solutions		Performance Criteria	
A1	Site coverage must be in accordance with the acceptable development criterion for site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1	The site coverage must:
		a)	be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and
		b)	not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria. The large lot sizes in the area assist in achieving adequate site coverage in order to maintain the character and appearance of the area.



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E13.6.4 Height and Bulk of Buildings

Objective: To ensure that the height and bulk of buildings are consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions	Performance Criteria
A1 New building must be in accordance with the acceptable development criteria for heights of buildings or structures within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1.1 The height and bulk of any proposed buildings must not adversely affect the importance, character and appearance of the building or place, and the appearance of adjacent buildings; and P1.2 Extensions proposed to the front or sides of an existing building must not detract from the historic heritage significance of the building; and P1.3 The height and bulk of any proposed buildings must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: P1.1 - Satisfies the performance criteria – the proposed shed is in keeping with the previously approved dwelling on the site and will not influence the appearance of adjacent buildings – the impact of the height and bulk of the structure on adjoining dwellings is largely related to the location of the structure, rather than the built form alone. Setback requirements are dealt with by the zone standards.

P1.2 – N/a

P1.3 – Complies with management objectives of Table E13.1: Heritage Precincts – as the development is not visible from the street, it will not “adversely impact on the heritage qualities of the streetscape.”

E13.6.5 Fences

Comment: N/a

E13.6.6 Roof Form and Materials

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

Acceptable Solutions	Performance Criteria
A1 Roof form and materials must be in accordance with the acceptable development criteria for roof form and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 Roof form and materials for new buildings and structures must: a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria P1 (a) & (b) – the proposed development is in keeping with the new dwelling and complies with management objectives of Table E13.1: Heritage Precincts – as the development is not visible from the street, it will not “adversely impact on the heritage qualities of the streetscape.”

E13.6.7 Wall materials

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

Acceptable Solutions	Performance Criteria
A1 Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 Wall material for new buildings and structures must: a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria P1 (a) & (b) – the proposed development is in keeping with the new dwelling and complies with management objectives of Table E13.1: Heritage Precincts – as the development is not visible from the street, it will not “adversely impact on the heritage qualities of the streetscape.”

E13.6.8 Siting of Buildings and Structures

Objective: To ensure that the siting of buildings, does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.



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Acceptable Solutions	Performance Criteria
A1 New buildings and structures must be in accordance with the acceptable development criteria for setbacks of buildings and structures to the road within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 The front setback for new buildings or structure must: a) be consistent with the setback of surrounding buildings; and b) be set at a distance that does not detract from the historic heritage significance of the place; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria. The subject site is an internal lot and is not a heritage listed place. The proposal complies with management objectives of Table E13.1: Heritage Precincts – as the development is not visible from the street, it will not “adversely impact on the heritage qualities of the streetscape.”

E13.6.9 Outbuildings and Structures

Objective: To ensure that the siting of outbuildings and structures does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions	Performance Criteria
A1 Outbuildings and structures must be: a) set back an equal or greater distance from the principal frontage than the principal buildings on the site; and b) in accordance with the acceptable development criteria for roof form, wall material and site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 New outbuildings and structures must be designed and located; a) to be subservient to the primary buildings on the site; and b) to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria P1 (a) & (b) – the proposed outbuilding is subservient to the new dwelling and complies with management objectives of Table E13.1: Heritage Precincts – as the development is not visible from the street, it will not “adversely impact on the heritage qualities of the streetscape.”

E13.6.10 Access Strips and Parking

Comment: N/a – residential parking only.

E13.6.11 Places of Archaeological Significance

Comment: N/a

E13.6.12 Tree and Vegetation Removal

Comment: N/a – does not form part of this proposal.

E13.6.13 Signage

Comment: N/a

E13.6.14 Maintenance and Repair

Comment: N/a

Table E13.1: Local Heritage Precincts

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

Existing Character Statement - Description and Significance
LONGFORD HERITAGE PRECINCT CHARACTER STATEMENT The Longford Heritage Precinct is unique because it is the core of an intact nineteenth century townscape, rich with significant structures and the atmosphere of a centre of trade and commerce for the district. Traditional commercial buildings line the main street, flanked by two large public areas containing the Christ Church grounds and the War Memorial. The street then curves gently at Heritage Corner towards Cressy, and links Longford to the surrounding rural farmland, creating views to the surrounding countryside and a gateway to the World Heritage listed Woolmers and Brickendon estates. Heritage residential buildings are tucked behind the main street comprising traditional styles from the mid nineteenth century to the early twentieth century, including significant street trees, picket fences and cottage gardens. The rural township feel is complemented by a mix of



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businesses serving local needs, tourism and historic interpretation. Longford's heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the town.

Management Objectives

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

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

Comment: The proposal is consistent with the Heritage Precinct Character Statement and satisfies the Management Objectives.

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a – the site is an internal lot and the development will not be visible from the streetscape; therefore, there are no relevant standards.
SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	N/a
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	N/a
STATE POLICIES	
The proposal is consistent with all State Policies.	
OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993	
The proposal is consistent with the objectives of the <i>Land Use Planning & Approvals Act 1993</i> .	
STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES	
Strategic Plan 2017-2027 Statutory Planning	

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on the performance criteria of the General Residential Zone (internal front setback and building envelope (western and southern sides).
- Reliance on the performance criteria of the Local Historic Heritage Code.

Two representations were received against the development noting concerns related to the height/setback and associated visual intrusion and overshadowing.

It is agreed that the height and bulk of the structure will result in a loss of visual amenity when viewed from the private open space of the adjoining dwelling to the west.



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The application was referred to Taswater – who provided a Submission to Planning Authority Notice and Council's Heritage Advisor - who noted that the development will not be visible from the street.

8 ATTACHMENTS

- A. Application & plans
- B. Responses from referral agencies
- c. Representations & applicant's response

RECOMMENDATION

That application PLN-19-0154 to use and develop a Garage (12m x 7.5m, apex 6.6m)(vary internal front setback to 2.5m; Heritage Precinct) at 97 Wellington Street, Longford be refused on the following grounds:

1. The proposed development fails to satisfy the performance criteria P3 (a) (iv) of clause 10.4.2.

The proposed 12m x 7.5m garage with 6.6m apex height will result in a loss of visual amenity to the adjoining property to the west, due to the height and bulk of the structure at a reduced setback. The adjoining dwelling has an outlook toward the garage and private open space adjacent to the garage.

DECISION

Cr



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PLAN 4 PLANNING APPLICATION PLN-19-0150: 2080 BISHOPSBOURNE ROAD, LONGFORD AND ACCESS OVER CT: 85856/2

Attachments: Section 1 – Page 489

File Number: PLN-19-0150
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 2080 Bishopsbourne Road, to upgrade the existing Longford sewage treatment plant to achieve licence effluent emission limits and reduce the potential for odour emissions.

2 BACKGROUND

Applicant: Tasmanian Water and Sewerage Corporation Pty Ltd	Owner: Tasmanian Water and Sewerage Corporation Pty Ltd
Zone: Utilities Zone	Codes: Environmental Impacts and Attenuation Code
Classification under the Scheme: Utilities	Existing Use: Utilities (Sewage Treatment Plant)
Deemed Approval Date: 19 September 2019	Recommendation: Approve

Discretionary Aspects of the Application

- Lightning rods higher than 15m.
- Odour control unit vent higher than 10m.
- Repurposing of Lagoon 2 as emergency storage, within the 700m attenuation area of sensitive uses.

Planning Instrument: *Northern Midlands Interim Planning Scheme 2013, Version 29, Effective from 3 June 2019*

Preliminary Discussion

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

Figure 1 - Subject site – taken from Covered Anaerobic Lagoon, looking southwards



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:

- Upgrade the Sewage Treatment Plant including new pre-treatment, biological treatment units, anaerobic digester, gas flare, 15m high vent stack, 20m high lighting rods, chemical storage, filtration and disinfection, buildings, treated effluent and treated water storage tanks, balancing tanks, odour collection and treatment system, on-site reuse, and refurbishment of Lagoon 1.

Figure 2 – location within sewage treatment plant site (Source: Planning Application, p. 14)



Basemap: LIST Maps

Figure 3 – 3D Model view of proposed upgrade (Source: Planning Application, p. 16)

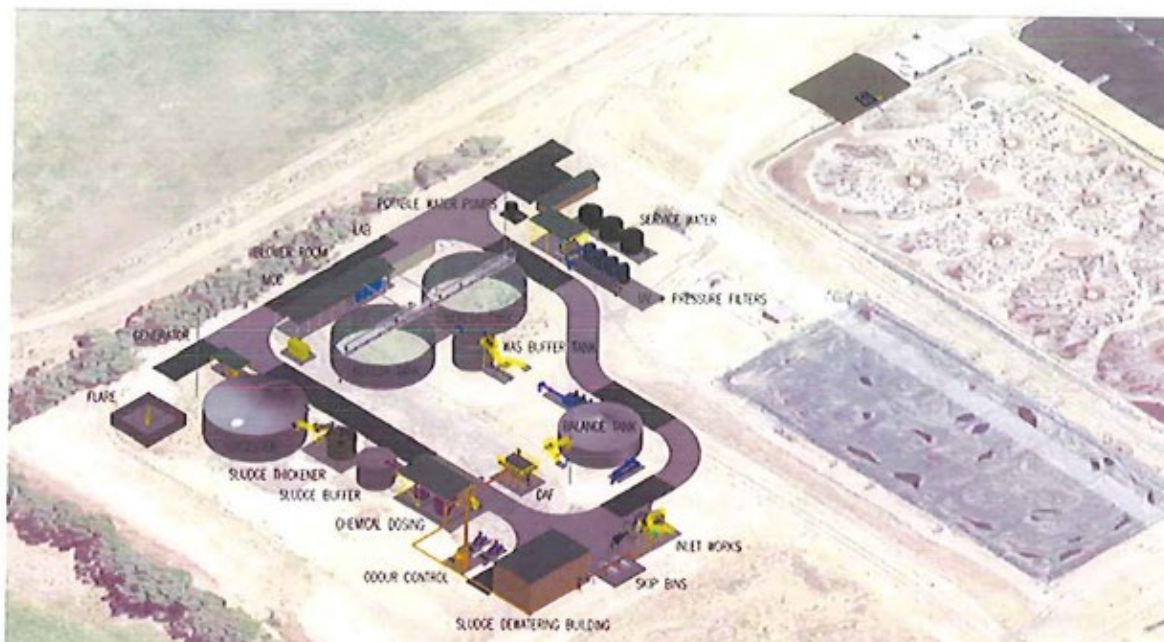


Figure 4 – Site Plan (The plans state Commercial in Confidence. The applicant has advised that it is acceptable for the plans to be made public)

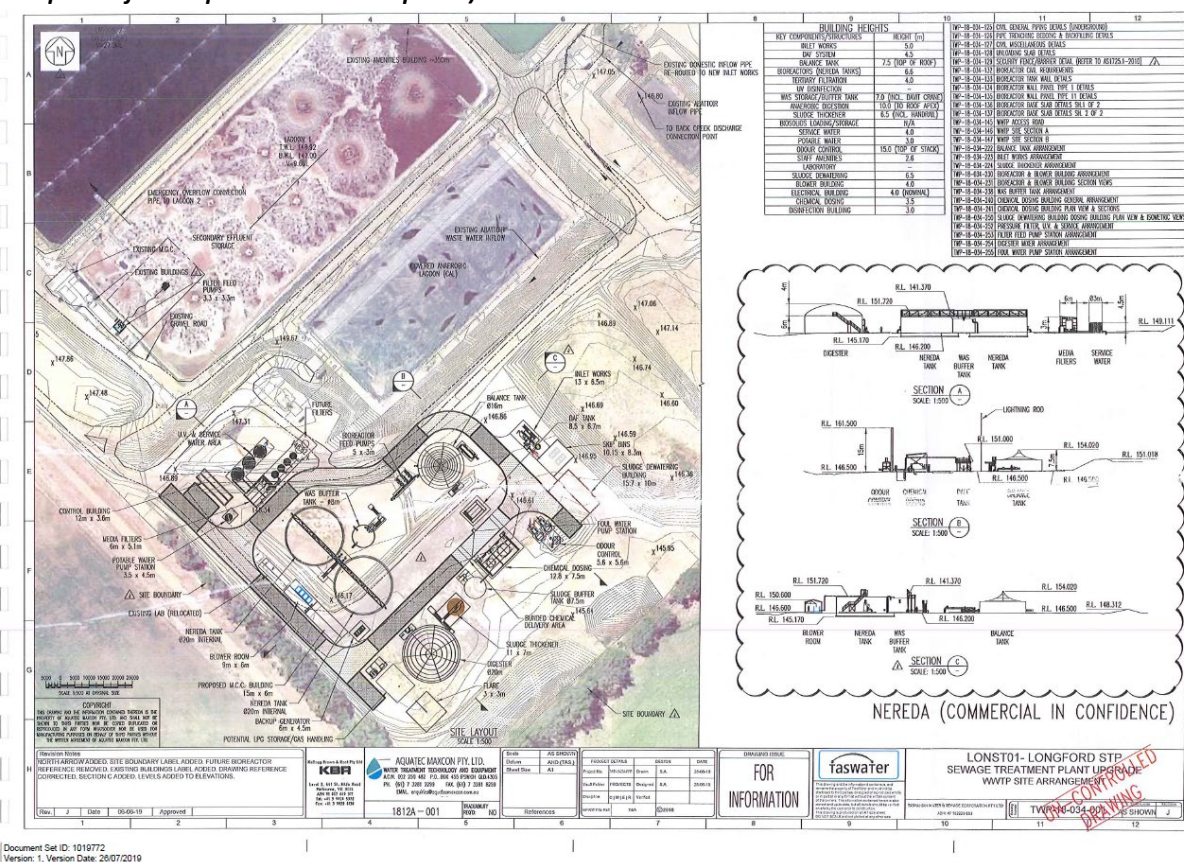
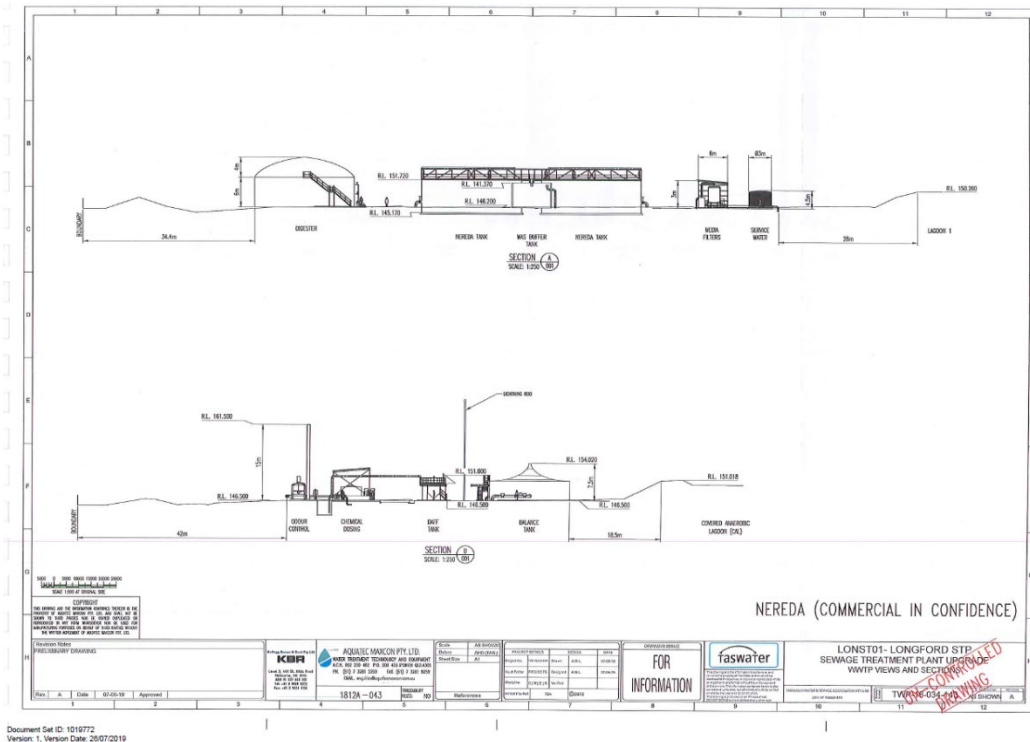
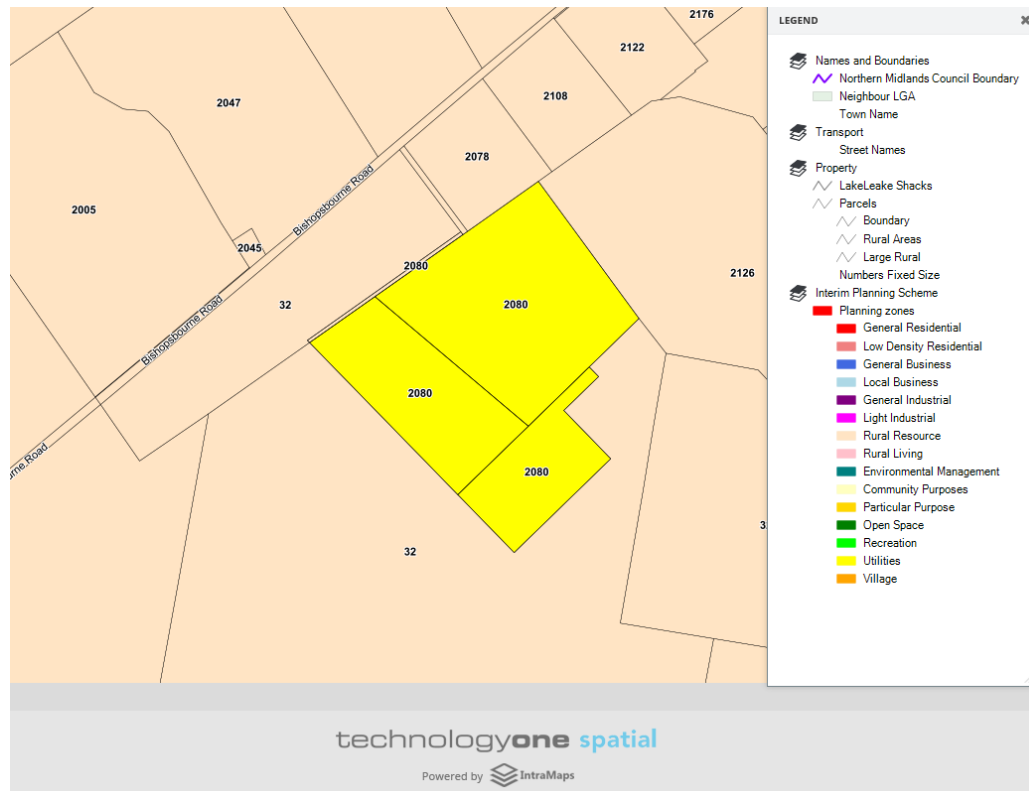


Figure 5 - Elevations (The plans state Commercial in Confidence. The applicant has advised that it is acceptable for the plans to be made public)



4.2 Zone and land use

Figure 6 - Zone Map – Utilities Zone – access over Rural Resource zone



The land is zoned Utilities. The relevant Planning Scheme definition is:

Utilities	use of land for utilities and infrastructure including: (a) telecommunications; (b) electricity generation; (c) transmitting or distributing gas, oil, or power; (d) transport networks; (e) collecting, treating, transmitting, storing or distributing water; or (f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage. Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retarding basin, road, <u>sewage treatment plant</u>, storm or flood water drain, water storage dam and weir.
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Utilities is Permitted (with permit) in the zone and No Permit Required in the Rural Resource zone where for existing uses.

4.3 Subject site and locality

The author of this report carried out a site visit on the 6th September 2019. The site contains the Longford Sewage Treatment Plant. It is surrounded by farmland, with dwellings to the north and east.

Figure 7 - Aerial photograph of area



Figure 8 - Access to site off Bishopsbourne Road



Figure 9 - Internal access road



Figure 10 - Subject site



Figure 11 - Subject site





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4.4 Permit/site history

Relevant permit history includes:

101000.005 - 2080 BISHOPSBOURNE RD - LONGFORD - TASMANIAN WATER & SEWERAGE CORP PTY LTD

... P06-087 - NMC - Emergency Repair Of Sludge Beds
101000.005 - 2080 BISHOPSBOURNE RD - LONGFORD - TASMANIAN WATER & SEWERAGE CORP PTY LTD

... P07-462 - NMC - Construction Of Steel Walkway
101000.005 - 2080 BISHOPSBOURNE RD - LONGFORD - TASMANIAN WATER & SEWERAGE CORP PTY LTD

... P10-241 - EXPIRED - IMP Environmental - EXPIRED - Anaerobic Digester & Batching Facility -
101000.005 - 2080 BISHOPSBOURNE RD - LONGFORD - TASMANIAN WATER & SEWERAGE CORP PTY LTD

... P11-252 (27/003/647) - IMP Environmental - FJA Solutions - EXPIRED - Subdivision 2 Lots To Facilitate Lease -
101000.005 - 2080 BISHOPSBOURNE RD - LONGFORD - TASMANIAN WATER & SEWERAGE CORP PTY LTD

... PLN19-0150 - TasWater - Sewerage Treatment Plant Upgrade
101000.005 - 2080 BISHOPSBOURNE RD - LONGFORD - TASMANIAN WATER & SEWERAGE CORP PTY LTD

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 no representations were received.

4.6 Referrals

TasWater

Precis: TasWater assessed the application pursuant to Section 56P(1) of the Water and Sewerage Industry Act 2008 (TAS) and determined that the proposed development does not require a submission from TasWater.

Environment Protection Agency

Precis: As the proposal is ancillary to the existing use and will not intensify the use, referral to the EPA is not required (as per section 25(1) of the *Environmental Management and Pollution Control Act 1994*).

4.7 Planning Scheme Assessment

28 Utilities Zone

28.1 Zone Purpose

28.1.1 Zone Purpose Statements

28.1.1.1 To provide land for major utilities installations and corridors.

28.1.1.2 To provide for other compatible uses where they do not adversely impact on the utility.

Comment: The proposal satisfies the zone purpose at 28.1.1.1.

28.1.2 Local Area Objectives

There are no desired local area objectives

28.1.3 Desired Future Character Statements

There are no desired future character statements

28.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Utilities	If for minor utilities
Permitted	
Use Class	Qualification
Recycling and waste disposal	



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Transport depot and distribution	If a bus terminal or taxi depot/stand or railway station within the road/rail corridor If for an airport
Utilities	If not for minor utilities
Vehicle parking	If a 'park and ride' facility
Discretionary	
Use Class	Qualification
Extractive industries	
Passive recreation	
Sports and recreation	
Prohibited	
All other uses	

28.3 Use Standards

28.3.1 Capacity of existing utilities

Objective To ensure that uses do not compromise the capacity of utility services.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 The proposal must not unreasonably compromise or reduce the operational efficiency of the utility having regard to: a) existing land use practices; and b) the location of the use in relation to the utility; and c) any required buffers or setbacks; and d) the management of access.
Complies.	N/a

28.4 Development Standards

28.4.1 Building Design and Siting

Objective To ensure that the siting and design of development: a) considers the impacts to adjoining lots; and b) furthers the local area objectives and desired future character statements for the area, if any.	
Acceptable Solutions	Performance Criteria
A1 Height must not exceed: a) 10m; or b) 15 m for ancillary antenna and masts for communication devices.	P1.1 Height must: a) minimise the visual impact having regard to: i) prevailing character of the landscape or urban pattern of the surrounding area; and ii) form and materials; and iii) the contours or slope of the land; iv) existing screening or the ability to implement/establish screening through works or landscaping; and v) The functional requirements of the proposed development or use; and b) protect the amenity of residential uses in the area from unreasonable impacts having regard to: i) the surrounding pattern of development; and ii) the existing degree of overlooking and overshadowing; and iii) methods to reduce visual impact; or P1.2 Where development is unavoidably prominent in the landscape, it must provide a significant community benefit.
The aspects of the development that exceed these heights are: 15m high odour control unit vent stack	The three 20m high lightning rods each with a 30cm diameter will have little visual impact. It is considered that the 15m high vent stack is acceptable in accordance with P1.2 above as it is part of a development to reduce odour from the site. Within the wider area there are chimney stacks at the Longford Meatworks which have a similar look to the proposed stack.



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Three 20m high lightning rods.	
A2 Buildings must be set back from all boundaries a minimum distance of 3m.	P2 Building setbacks must: a) complement existing building setbacks in the immediate area; and b) minimise adverse impacts on adjoining land uses having regard to: i) the form of the building; and ii) the contours or slope of the land; and iii) methods to reduce visual impact; and c) protect the amenity of adjoining residential uses from unreasonable impacts of overshadowing and overlooking having regard to: i) the surrounding pattern of development; and ii) the existing degree of overlooking and overshadowing; and iii) methods to reduce overlooking and overshadowing.
Complies.	N/a

28.4.2 Subdivision

Not applicable.

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/a
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	N/a
E5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – no parking requirement is set for utilities. There is sufficient space for on-site parking.
E7.0 SCENIC MANAGEMENT CODE	N/a
E8.0 BIODIVERSITY CODE	N/a
E9.0 WATER QUALITY CODE	N/a
E10.0 RECREATION AND OPEN SPACE CODE	N/a
E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	See code assessment below
E12.0 AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0 LOCAL HISTORIC HERITAGE CODE	N/a
E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a

ASSESSMENT AGAINST ENVIRONMENTAL IMPACTS & ATTENUATION CODE

E11.6 Use Standards

E11.6.1 Attenuation Distances

<i>Objective</i> <i>To ensure that potentially incompatible use or development is separated by a distance sufficient to ameliorate any adverse effects.</i>	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 Sensitive use or subdivision for sensitive use within an attenuation area to an existing activity listed in Tables E11.1 and E11.2 must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm, having regard to the: a) degree of encroachment; and b) nature of the emitting operation being protected by the attenuation area; and c) degree of hazard or pollution that may emanate from the emitting operation; and d) the measures within the proposal to mitigate impacts of the emitting activity to the sensitive use.
-	N/a – not a sensitive use or subdivision.
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.

Comment: To meet the requirements of A2 the proposed development must be setback from an existing sensitive use by a minimum attenuation distance of 300m for the mechanical plant and 700m for any retained aerobic ponds. The mechanical plant is over 500m from known sensitive use. The aerobic pond (lagoon 2) is located approximately 385m from the nearest sensitive use to the north. The application must therefore address the performance criteria.

P2 *Uses with the potential to create environmental harm and environmental nuisance must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm having regard to:*

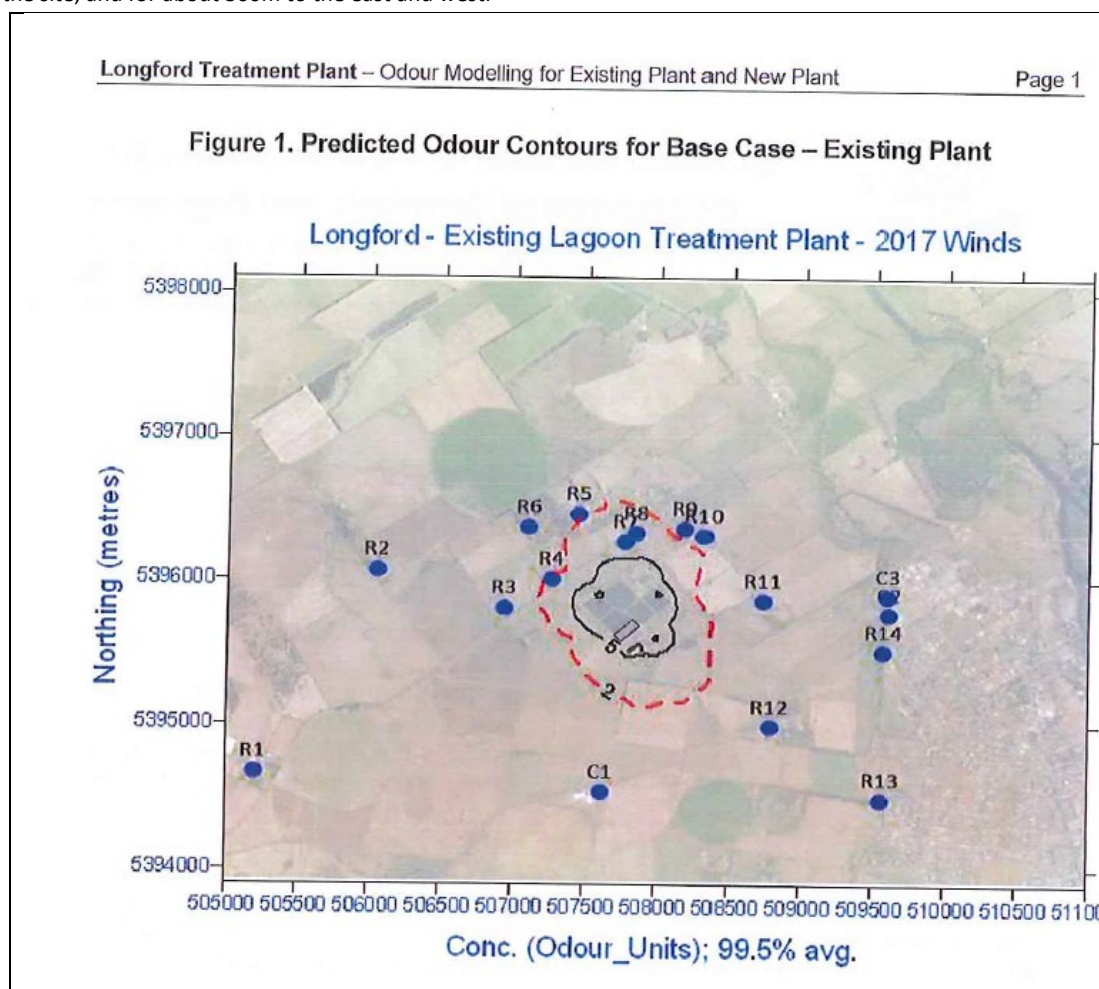
- a) *the degree of encroachment; and*
- b) *the nature of the emitting operation being protected by the attenuation area; and*
- c) *the degree of hazard or pollution that may emanate from the emitting operation; and*
- d) *use of land irrigated by effluent must comply with National Health and Medical Research Council Guidelines.*

Comment: The application advises that:

Lagoon 2 is part of an existing approved Level 2 activity. The proposed repurposing of the pond for emergency use only will result in a reduced potential to create environmental harm as it will not be a constant use. Odour collection and control will be implemented to ensure that the final design achieves less than 2 odour units (99.5 percentile) at the nearest sensitive use. The proposed plant upgrades are likely to reduce odour emissions overall from the current situation.

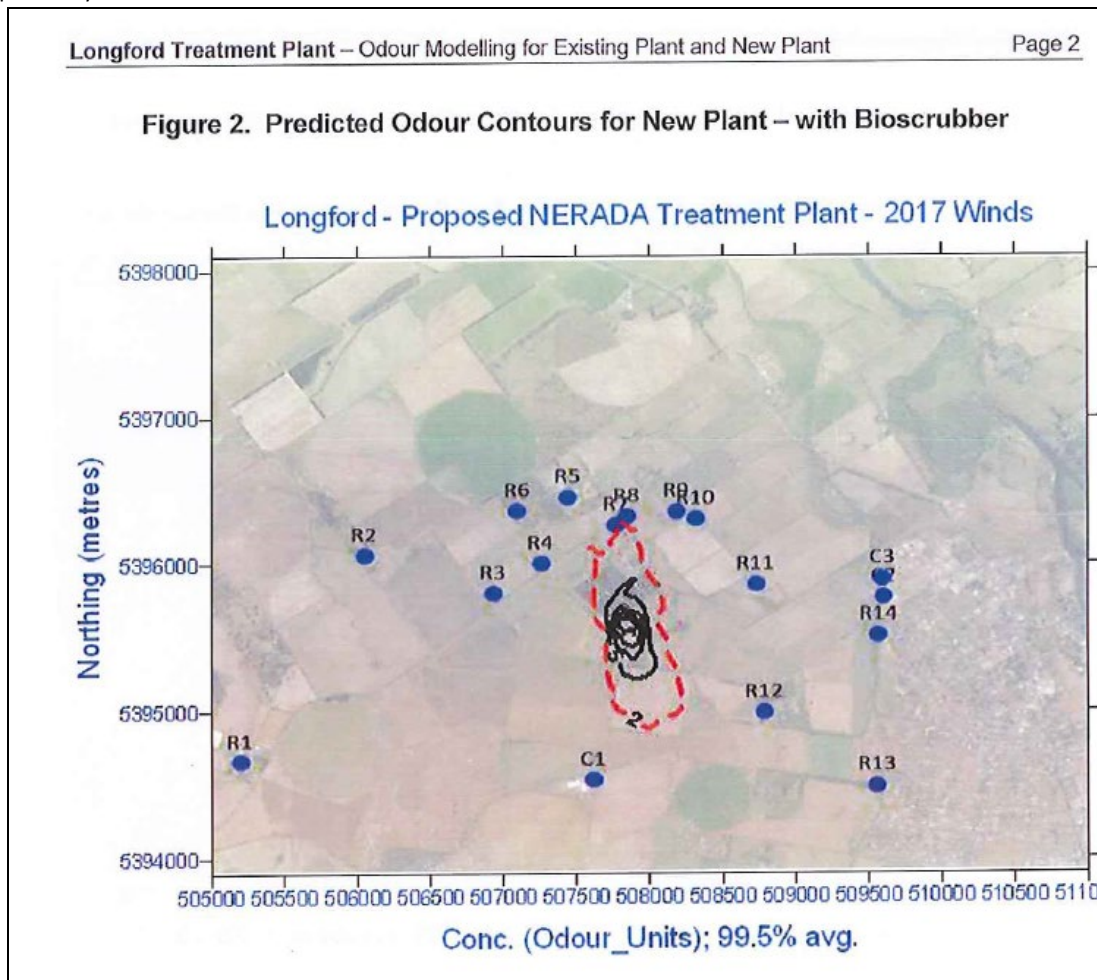
The application provided a review by a qualified environmental scientist of a site-specific odour modelling assessment which advises that:

Figure 1 shows the predicted odour contours for the existing plant including the sensitive receptors (shown as blue dots). Figure 1 shows the extent of noticeable odour (encompassed by the 2 OU contour at 99.5%) which extends for about 500m north and south of the site, and for about 300m to the east and west.



Source: Odour Modelling of Longford New Treatment Plant, Consulting Environmental Engineers, 20 August 2018

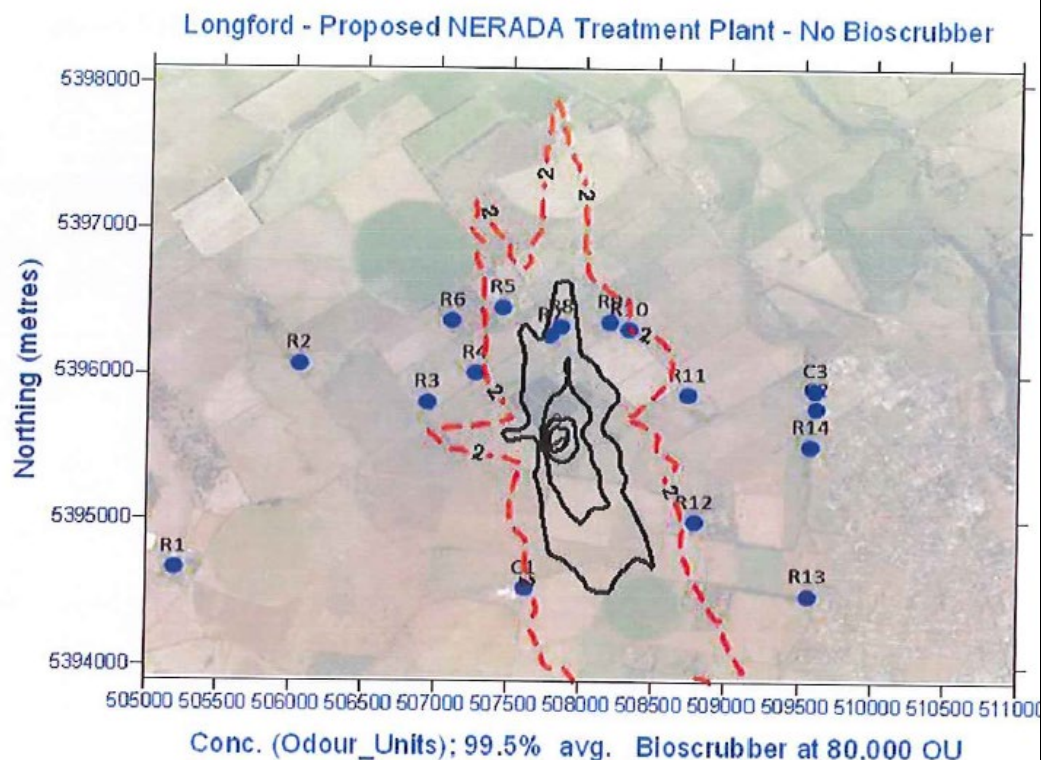
Figure 2 shows the predicted odour contours for the proposed new plant. Includes the odour emissions from the biofilter stack, and a small diffuser emission from the digester. Figure 2 shows the extent of the noticeable odour (encompassed by the 2 OU contour at 99.5%) extends for about 500m north and south of the site and for about 200m to the east and west. No sensitive receptor is impacted by the 2 OU contour.



Source: Odour Modelling of Longford New Treatment Plant, Consulting Environmental Engineers, 20 August 2018

Figure 3 shows the scenario where the bioscrubber is deleted. The 2 OU contour will extend for a considerable distance and cause odour nuisance. Thus, a bioscrubber is essential.

Figure 3. Predicted Odour Contours for New Plant – Without Bioscrubber



Source: Odour Modelling of Longford New Treatment Plant, Consulting Environmental Engineers, 20 August 2018

SPECIFIC AREA PLANS

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

SPECIAL PROVISIONS

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

STATE POLICIES

The proposal is consistent with all State Policies.

OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan 2017-2027

Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

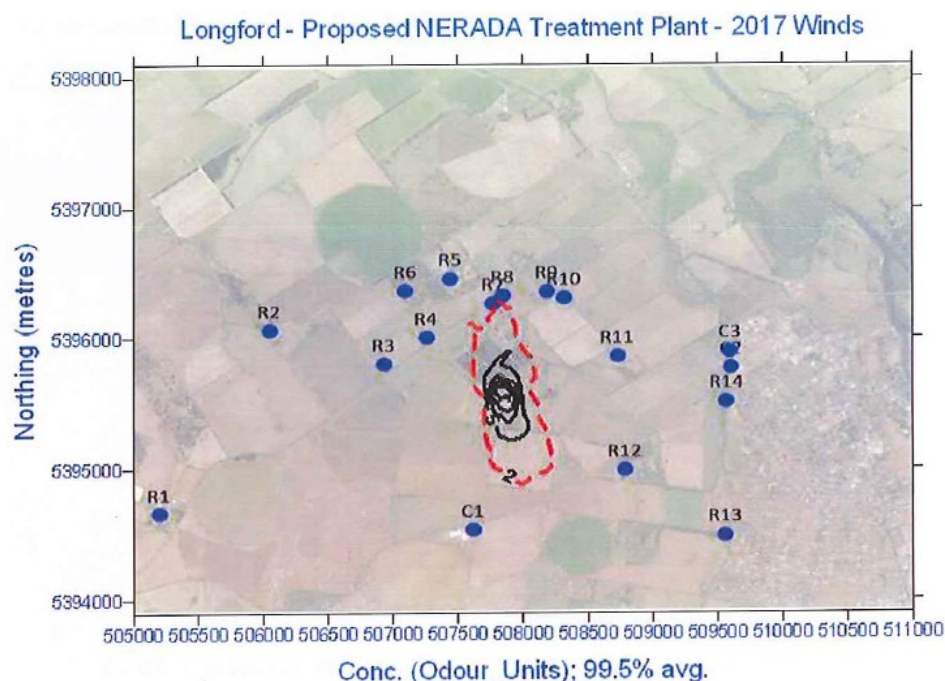
- Lightning rods higher than 15m.
- Odour control unit vent higher than 10m.
- Repurposing of Lagoon 2 as emergency storage, within the 700m attenuation area of sensitive uses.

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

The three 20m high lightning rods each with a 30cm diameter will have little visual impact. The 15m high vent stack satisfies the requirement that the development be for a community benefit as it is part of a development to reduce odour from the site. Within the wider area there are chimney stacks at the Longford Meatworks which have a similar look to the proposed stack.

Noticeable odour is encompassed by the 2 Odour Unit contour shown in figure 2 below. With the inclusion of the proposed bioscrubber, no sensitive receptor (residence) (shown as blue dots) is impacted by the 2 Odour Unit contour.

Figure 2. Predicted Odour Contours for New Plant – with Bioscrubber



It is recommended that the application be approved to be developed and used in accordance with the proposal plans.

8 ATTACHMENTS

- Application & plans



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

- Correspondence with TasWater
- Correspondence with the Environment Protection Authority

RECOMMENDATION

That land at 2080 Bishopsbourne Road, Longford (access over CT 85856/2) be approved to be developed and used for upgrade to Sewage Treatment Plant in accordance with application PLN-19-0150, and subject to the following conditions:

1 Layout not altered

The use and development must be undertaken substantially in accordance with the endorsed documents:

- **P1** (WWTP Site Arrangement, TWP-18-034-001, Revision J, 06-06-19);
- **P2** (WWTP Views and Sections, TWP-18-034-143, Revision A, 07-06-19);
- **P3** (WWTP Views and Sections, TWP-18-034-144, Revision A, 07-06-19);
- **P4** (WWTP Access Road, TWP-18-034-145, Revision B, 05-06-19);
- **P5** (WWTP Access Road, TWP-18-034-149, Revision B, 05-06-19); and
- **D1** (*Longford STP Upgrade, Planning Application Supporting Information and Environmental Supplement, 26 July 2019*).

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 16 SEPTEMBER 2019

PLAN 5 DRAFT NORTHERN MIDLANDS LOCAL PROVISIONS SCHEDULE

Attachments: Section 2 – Page 1 (Separate Attachment)

File: 17/08
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Paul Godier, Senior Planner

1 PURPOSE OF REPORT

This report presents the draft Northern Midlands Local Provisions Schedule and Supporting Report for Council to consider formally submitting to the Tasmanian Planning Commission.

Formal submission will commence the statutory implementation process for the Northern Midlands Local Provisions Schedule.

2 INTRODUCTION/BACKGROUND

In 2015 the State Government legislated to reform the State's planning system by introducing a single planning scheme for the State, the Tasmanian Planning Scheme.

The Tasmanian Planning Scheme has two key elements:

- the State Planning Provisions (SPPs) which provide a consistent set of planning rules for 23 generic zones and 16 codes making up a suite of controls that can be applied by local councils; and
- local councils' Local Provisions Schedule (LPS) which apply the SPPs at the municipal level.

Councils must submit their draft Local Provisions Schedules to the Tasmanian Planning Commission for consideration prior to the public exhibition and assessment process.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Leaders with Impact
Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity
 - ♦ Manage – Management is efficient and responsive
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
 - ♦ Attract healthy, wealth-producing business & industry
 - Economic Development – Supporting Growth & Changes
 - ♦ Towns are enviable places to visit, live & work
 - ♦ Minimise industrial environment impact on amenity
 - ♦ Developers address climate change challenges
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ Planning benchmarks achieve desirable development
 - ♦ Council nurtures and respects historical culture
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns



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- ♦ Communicate – Communities speak & leaders listen
- ♦ Participate – Communities engage in future planning
- ♦ Connect – Improve sense of community ownership
- Place –
 - Environment – Cherish & Sustain our Landscapes
Core Strategies:
 - ♦ Cherish & sustain our landscapes
 - ♦ Meet environmental challenges
 - History – Preserve & Protect our Built Heritage for Tomorrow
Core Strategies:
 - ♦ Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

When it is implemented the draft Northern Midlands Local Provisions Schedule will replace the current Northern Midlands Interim Planning Scheme 2013. The draft Northern Midlands Local Provisions Schedule is consistent with Council's Strategic Plan 2017-2027.

5 STATUTORY REQUIREMENTS

When the draft Northern Midlands Local Provisions Schedule is approved for implementation, the Tasmanian Planning Scheme will replace the Council's Interim Planning Scheme. The *Land Use Planning & Approvals Act 1993* sets out the process for the implementation and operation of the State Planning Provisions and the finalised Northern Midlands Local Provisions Schedule.

6 FINANCIAL IMPLICATIONS

The preparation of the draft Local Provisions Schedule is within existing budget allocations.

7 RISK ISSUES

Council, as a planning authority, is required to have a Local Provisions Schedule that meets the requirements of Section 34(2) of the *Land Use Planning & Approvals Act 1993*.

8 CONSULTATION WITH STATE GOVERNMENT

Consultation with the Tasmanian Planning Commission has occurred during the preparation of the draft Local Provisions Schedule. Further consultation with the Commission will occur after the draft Local Provisions Schedule is formally lodged.

9 COMMUNITY CONSULTATION

Land Use and Development Strategy

The draft Land Use and Development Strategy notes that:

Community consultation undertaken in 2018 indicated that community priorities and concerns are consistent with past studies and confirmed that core elements valued by the community include:

- *Community spirit/feeling;*
- *Heritage fabric; and*
- *Rural landscape and natural assets.*

Key points from the community engagement process and feedback results include:

- *Preservation of heritage character, look and feel was ranked as a higher priority by Evandale and Perth participants compared with other township residents;*



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- *Population growth if managed well was considered appropriate by Longford, Campbell Town, Ross and Avoca participants, whilst Evandale participants emphasised that they wished to cap the population at 2000 residents as per previous strategic studies;*
- *In general, participants communicated that there was no need to extend the Heritage Overlays in townships, although consideration should be given to protect the architectural styles of other eras such post war and the sixties dwellings;*
- *Participants expressed a preference for streetscapes with trees and off-street parking, generating a community feel;*
- *Participants articulated a distinct desire to avoid small lots (450m²) and crammed together double storey dwellings so as to avoid becoming an outer suburb of Launceston; and*
- *Key feedback from the student workshops indicated that those places that provided opportunities for outdoor activities with family and friends were highly valued, accordingly desired future priorities included greater access to Township Rivers as well as more sporting, entertainment and supermarket facilities.*

Meetings with the township district committees provided a series of 'key characteristics' which have informed the Local Area Development objectives contained within in the draft NMC Local Provisions Schedule; in this way future township development is more likely to contribute to the maintenance and enhancement of those elements particularly valued by each community.

Draft Local Provisions Schedule

Once the Tasmanian Planning Commission is satisfied that the draft Local Provisions Schedule meets the Local Provisions Schedule criteria:

- The Planning Authority exhibits the draft Local Provisions Schedule for 60 days and invites representations.
- The Planning Authority reports to the Commission on representations and its recommendations in relation to representations.
- The Commission holds hearings into representations (except where the Act provides otherwise).

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can:

- Endorse the draft Local Provisions Schedule as presented;
- Require changes to the draft Local Provisions Schedule.

11 OFFICER'S COMMENTS/CONCLUSION

Specific Area Plans for Campbell Town, Evandale, Longford, Perth and Ross

In preparing the draft Land Use and Development Strategy, 16 development sites were identified based on the township plans prepared by Pitt&Sherry in 2012. The draft strategy lists the planning principles developed from the background research and community consultation as:

- *Minimum lot sizes in the General Residential Zone to be larger than the SPP minimum to reflect the traditional development patterns in keeping with rural townships, but small enough to discourage excessively dense unit development;*
- *Multiple dwelling site areas to achieve the NTRLUS 2018 targets of 25%;*
- *To minimise residential (i.e. sensitive uses) exposure to potential negative environmental impacts from adjoining non-sensitive land uses,*
 - *Low Density Residential Zone will be used to provide a buffer to adjoining non-residential uses, such as road and railway corridors; Rural and Agriculture Zones; and*
 - *Multiple dwelling development is prohibited in the Low Density Residential Zone;*
- *Open Space Zone to provide connectivity to enhance urban walkability and provide buffers to adjoining non-residential uses, such as road and railway corridors;*



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- *Prioritise development of areas free from natural hazards (such as flooding) and within areas already serviced or proposed to be serviced by infrastructure (water, sewage and stormwater) within the life of the Land Use Development Strategy;*
- *Inclusion of landscaping provisions for new subdivision developments to increase the urban tree canopy;*
- *Ordinances to provide additional protection to the existing look and feel of Evandale and Ross where the historic fabric is critical for the tourist economy; and*
- *Allocate the development sites into either Phase 1 or Phase 2 implementation.*

Detailed residential precinct development masterplans have been included in the draft Local Provisions Schedule showing the proposed lot layouts, new roads and proposed zoning to deliver on these planning principles. The resulting designs are included in the draft NMC Local Provisions Schedule as Acceptable Solutions for Subdivision with a lot size of not less than 600m².

The residential precinct development masterplans achieve densities ranging from 14 to 17 dwellings per hectare for single dwellings; and between 20 and 25 dwellings per hectare for multiple dwellings in the General Residential Zone. Such densities are generally aligned with the target densities for Longford and Campbell Town as District Centres, as outlined in the Northern Tasmania Regional Land Use Strategy as well as reflecting community feedback on desired township densities to maintain a rural feel.

To achieve these aims, the draft Local Provisions Schedule includes the following acceptable solutions.

Residential density for multiple dwellings:

Draft LPS	Current scheme	Tasmanian Planning Scheme
Multiple dwellings must have a site area per dwelling of not less than 400m ²	Multiple dwellings must have a site area per dwelling of not less than 325m ²	Multiple dwellings must have a site area per dwelling of not less than 325m ²

Lot design:

Draft LPS	Current scheme	Tasmanian Planning Scheme
Each lot proposed in a plan of subdivision must have an area of not less than 600m ²	Lots must have a minimum area of at least 450m ²	Each lot proposed in a plan of subdivision must have an area of not less than 450m ²

Internal Lots:

Draft LPS	Current scheme	Tasmanian Planning Scheme
No lot is an internal lot	Does not contain a similar provision.	Does not contain a similar provision.

Roads:

Draft LPS	Current scheme	Tasmanian Planning Scheme
Where the subdivision plan includes one or more new roads a landscape plan providing details of the number, species and location of proposed street trees or other plants is to be submitted for approval by Council	Subdivision that creates roads must demonstrate that the visual amenity and attractiveness of the urban environment is enhanced.	Does not contain a similar provision.

Additional Heritage Provisions for Evandale and Ross

The Tasmanian Planning Scheme's Local Historic Heritage Code will apply to the existing heritage precincts of Campbell Town, Evandale, Longford, Perth and Ross.

The draft Local Provisions Schedule includes the following additional provisions that would apply to land zoned General Residential and outside the heritage precincts of Evandale and Ross:

- Roof form and Materials (see clause NOR-S5.7.2 and NOR-S8.7.2)
- Wall materials (see clause NOR-S5.7.3 and NOR-S8.7.3)
- Windows (see NOR-S5.7.4 and NOR and NOR-S8.7.4)



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Rural Resource zone transition

In order to transition the *Northern Midlands Interim Planning Scheme 2013*, a number of challenges need to be overcome, including:

- Fundamental Scheme changes such as:
 - Removal of the Rural Resource Zone;
 - Addition of Rural, Agriculture and Landscape Conservation Zones;
 - New Priority Vegetation Areas & Bushfire-Prone Areas mapping; and
 - Introduction of a Road & Railway Attenuation Area;
- Very specific transitioning directives from the Tasmanian Planning Commission (TPC) guiding the transitioning process including:
 - *Guideline No.1 – Local Provisions Schedule (LPS) zone and code application (the Guidelines)*, which stipulates, for example, that:
 - Zones must be allocated to land to provide the best alignment with the zone's primary purpose;
 - The data layer *Land Potentially Suitable for Agriculture* is to be used in determining the zoning for agricultural land; and
 - Priority Vegetation Overlay Areas cannot be applied to some zones, including Agriculture Zone.

The draft Local Provisions Schedule zone maps have been prepared taking these matters into account. It is noted that property owners will have the opportunity to make a submission if they think that their property should be in a different zone to the one proposed in the draft zone maps.

12 ATTACHMENTS

- Draft Local Provisions Schedule, Zone Maps and Overlay Maps
- Local Provisions Schedule Supporting Report and Appendices

RECOMMENDATION 1

- 1 That council determines, in accordance with section 35(7) of the Land Use Planning & Approvals Act 1993, that it is satisfied that the draft Northern Midlands Local Provisions Schedule meets the local provisions criteria in section 34 of the Land Use Planning & Approvals Act 1993; and
- 2 Submits the draft Northern Midlands Local Provisions Schedule and supporting information to the Tasmanian Planning Commission in accordance with section 35(1) of the Land Use Planning & Approvals Act 1993; and
- 3 That the General Manager be authorised to make any minor procedural or technical changes including any formatting, minor typographical alterations and corrections to the draft Northern Midlands Local Provisions Schedule and attachments consistent with the current draft.

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, Community & Development Manager, Works Manager, Senior Planner and Executive Assistant.

CON 1 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
Table of Contents

CON 2 CONFIRMATION OF CLOSED COUNCIL MINUTES: ORDINARY COUNCIL MEETING

Confirmation of the Closed Council Minutes of the Ordinary Council Meeting, as per the provisions of Section 34(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

CON 3 APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE

As per provisions of Section 15(2)(h) of the *Local Government (Meeting Procedures) Regulations 2015*.

CON 4(1) PERSONNEL MATTERS

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015*.

CON 4(2) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
Management Meetings

CON 4(3) MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

As per provisions of Section 15(2)(i) of the *Local Government (Meeting Procedures) Regulations 2015*.
Correspondence Received

CON 4(4) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
Action Items – Status Report



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CON 4(5) PERSONNEL MATTERS, INCLUDING COMPLAINTS AGAINST AN EMPLOYEE OF THE COUNCIL AND INDUSTRIAL RELATIONS MATTERS

As per provisions of Section 15(2)(A) of the *Local Government (Meeting Procedures) Regulations 2015*.

Personnel matter

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 Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

Flood Modelling

CON 6 PROPOSALS FOR THE COUNCIL TO ACQUIRE LAND OR AN INTEREST IN LAND OR FOR THE DISPOSAL OF LAND

As per provisions of Section 15(2)(f) of the *Local Government (Meeting Procedures) Regulations 2015*.

Campbell Town

CON 7 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*.

Legal Advice – Appeal

CON 8 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*.

Legal Advice – Appeal

CON 9 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

Local District Committee Membership

CON 10 PROPOSALS FOR THE COUNCIL TO ACQUIRE LAND OR AN INTEREST IN LAND OR FOR THE DISPOSAL OF LAND

As per provisions of Section 15(2)(f) of the *Local Government (Meeting Procedures) Regulations 2015*.

Avoca

DECISION

Cr

That Council move out of the closed meeting.

Mayor Knowles closed the meeting at