



**NORTHERN
MIDLANDS
COUNCIL**

AGENDA

ORDINARY MEETING OF COUNCIL

MONDAY, 21 OCTOBER 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.

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

The Recordings may not upload, display, print and/or reproduced without the written permission of the General Manager for the express purpose proposed.

The Northern Midlands Council reserves the right to revoke such permission at any time. Apart from uses permitted under the *Copyright Act 1968*, all other rights are reserved.

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

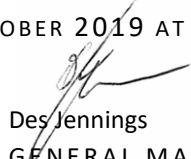


NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

21 OCTOBER 2019

NOTICE IS HEREBY GIVEN THAT THE NEXT MEETING OF THE NORTHERN MIDLANDS COUNCIL WILL BE HELD AT THE COUNCIL CHAMBERS, LONGFORD ON MONDAY, 21 OCTOBER 2019 AT 5.00PM.


Des Jennings
GENERAL MANAGER

16 October 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.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

GOV 5 CONFIRMATION OF MINUTES

1 OPEN COUNCIL: ORDINARY COUNCIL MEETING MINUTES 16 SEPTEMBER 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, 16 September 2019 be confirmed as a true record of proceedings.

2 OPEN COUNCIL: SPECIAL COUNCIL MEETING MINUTES 7 OCTOBER 2019

DECISION

Cr

That the Open Council Minutes of the Special Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 7 October 2019 be confirmed as a true record of proceedings.

3 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)	04/09/2019	Longford Local District Committee	Ordinary
ii)	25/09/2019	Cressy Local District Committee	Ordinary
iii)	26/09/2019	Avoca, Royal George & Rossarden Local District Committee	Ordinary
iv)	01/10/2019	Campbell Town District Forum	Ordinary
v)	01/10/2019	Ross Local District Committee	Ordinary
vi)	01/10/2019	Evandale Advisory Committee	Ordinary
vii)	02/10/2019	Longford Local District Committee	Ordinary
viii)	03/10/2019	Perth Local District Committee	Ordinary

DECISION

Cr

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

4 RECOMMENDATIONS OF SUB COMMITTEES

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

Longford Local District Committee

At the ordinary meeting of the Longford Local District Committee held on 4 September 2019 the following motion/s were recorded for Council's consideration:

7.2 Characteristics of Longford - (see also 8.5)

That this committee request that a planner attend a meeting to explain the future direction of the planning in Longford, with reference to the 'desired future characteristics' for planning out the town in the future.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

Officers comment:

The LLDC has requested that a Planner attend a future meeting to discuss the future direction of planning in Longford.

Recommendation:

That the General Manager arrange a presentation.

[DECISION](#)

Cr

7.4 Longford Equestrian facility and recreational path

That this committee supports the Councillors to continue the development of the horse centre and trails and forward the Longford Equestrian Centre paperwork to the General Manager for consideration and a time line.

Officers comment:

The Longford Local District Committee has previously requested that Council conduct a feasibility study on the development of the Longford Race Track.

Recommendation:

That the Longford Local District Committee be advised that Council is awaiting advice from TasRacing on opportunities associated with the Longford Race Track.

[DECISION](#)

Cr

7.8 Removal of Fred Davies Stand

That the Committee request the Council to hold a meeting with the representatives of the Save the "Fred Davis Grandstand Committee" and the Councillors to explore the preservation of the stand and the cost of same.

Officers comment:

Mr Tubb and others, representing the *Save the Fred Davies Grandstand* committee has requested to attend a Council Workshop. The group have been invited and sent upcoming dates to present to a future Workshop.

Recommendation:

That Council receive a presentation from *Save the Fred Davies Grandstand* group at a future Council workshop.

[DECISION](#)

Cr

Ross Local District Committee

At the ordinary meeting of the Ross Local District Committee held on 1 October 2019 the following motion/s were recorded for Council's consideration:

7.1 Macquarie River

The Ross Local District Committee requests that the Northern Midlands Council progress the dual naming of the Macquarie River to Tinamirakuna which includes community consultation and investigation.

Officers comment:

The RLDC strongly supports the proposed dual naming but has also asked that Council progress community consultation so the broader community can have an input.

Recommendation:

That Council support the proposal and progress the request.

[DECISION](#)

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

Evandale Advisory Committee

At the ordinary meeting of the Evandale Advisory Committee held on 1 October 2019 the following motion/s were recorded for Council's consideration:

Parking on Market Days

That Council consider designated parking and restrict parking to one side of the street only between 7am and 1pm on Sundays/Market Days in Hartnoll Place, Berresford Place, Coachmans Road and Saddlers Court.

Officers comments:

Illegal parking is a police matter, the matter has been addressed previously by Council at which time signs were installed on Hartnoll Place and Berresford Place; Council did not proceed with the signs on Coachmans Road or Saddlers Court due to response of residents. The proposal to be considered further by Council officers.

Recommendation:

That the request be investigated.

DECISION

Cr

Compliance:

That Council investigate the provision of a toilet amenity in the vicinity of Honeysuckle Banks in order to alleviate the issue of persons defecating in the parkland.

Officers comment:

The Committee has suggested that a 'portaloo' be installed at Honeysuckle Banks on a trial basis. Council does not have the budget for a 'portaloo'. Further consideration needs to be given to this request, in conjunction with an evaluation by Council's Environmental Health Officer as the area is flood prone.

Recommendation:

That Council officers investigate this request.

DECISION

Cr

Traffic Calming Russell Street:

That Council investigate the installation of traffic calming measures on Russell Street.

Officers comments:

That the matter be investigated by Council officers.

Recommendation:

That the request be investigated.

DECISION

Cr

GOV 6 DATE OF NEXT COUNCIL MEETING: 18 NOVEMBER 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, 18 November 2019.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

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
23/09/2019	Special Council Workshop Discussion: Local Government Review
30/09/2019	Special Council Workshop Discussion: Legal Matter
07/10/2019	Special Council Meeting
07/10/2019	Council Workshop Discussion: - Longford Motorama - Local District Committees – Memorandum of Understanding - Northern Midlands Integrated Priority Projects Plan 2020-2030 - Longford Tyre Site & Newly Proposed Landfill Levy - Street Libraries Project - Release of NTD's Draft Regional Economic Development Strategy - Hedge: 12 Macquarie Street, Evandale - Seasonal / Itinerant Workers Accommodation - Public Open Space - Public Notification to Adjoining Property Owners - Policy Review: Mobile Food Vendors - Attenuation Zones - Out of Time Representations to Planning Items - Recreational Vehicle Dump Point: Cressy
14/10/2019	Special Council Workshop Discussion: Draft Local Provisions Schedule and Land Use & Development Strategy
21/10/2019	Council Workshop Discussion: Council Meeting Agenda items

2 MAYOR'S COMMUNICATIONS

Mayor's Communications for the period 17 September to 21 October 2019 are as follows:

Date	Activity
18 September 2019	Attended meeting with Minister Jeremy Rockcliff, Launceston
18 September 2019	Attended meeting with Longford resident, Longford
18 September 2019	Attended WasteNot Awards Presentation, Launceston
18 September 2019	Attended National Retrieving Championship Welcome Dinner, Campbell Town
19 September 2019	Attended 2019 Inspiring Futures Charter Signing, Cressy
19 September 2019	Attended meeting with Capstone College Principal, Poatina
20 September 2019	Attended meeting with Mark Shelton, Longford
20 September 2019	Attended National Retrieving Championship Trials, Ross
23 September 2019	Attended Local Government Legislation Review Workshop, Longford
24 September 2019	Attended radio interview with Leon Compton, Gipps Creek
24 September 2019	Attended Rossarden and Friends Kids Christmas Party Meeting, Avoca



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24 September 2019	Attended Avoca Primary School Final Assembly, Avoca
24 September 2019	Attended Tourism Northern Tasmania AGM, Launceston
25 September 2019	Attended ABC Interview, Longford
25 September 2019	Attended NRM North Meeting, Launceston
26 September 2019	Attended Official Opening of Woolmers Lane Bridge, Longford
26 September 2019	Attended meeting RE Ben Lomond, Launceston
26 September 2019	Attended Campbell Town District High School Whole School Performance, Campbell Town
27 September 2019	Attended Regional Collaborative Framework meeting, Launceston
27 September 2019	Attended Missiondale Celebration Dinner, Evandale
30 September 2019	Attended Official Opening of Campbell Town War Memorial Oval Precinct Project, Campbell Town
18 September 2019	Attended 2020 Australian of the Year Awards for Tasmania, Hobart
17 October 2019	Attended Seniors Expo, Longford
19 October 2019	Attended Longford Show Official Opening, Longford
20 October 2019	Attend Rossarden Fire Brigade Landcare Group AGM, Rossarden
21 October 2019	Attended National Our Watch launch, Hobart
21 October 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.



NORTHERN MIDLANDS COUNCIL

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21 OCTOBER 2019

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

2 CONFERENCES AND SEMINARS

No reports received.

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	68										214	934
337	48	25	29										102	462

6 ANIMAL CONTROL

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

Item	Income/Issues 2018/2019		Income/Issues for September		Income/Issues 2019/2020	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,224	101,911	826	21,603	3,827	86,384
Dogs Impounded	77	4,771	3	85	12	1,090
Euthanized	7	-	-	-	-	-
Re-claimed	56	-	2	-	9	-
Re-homed/To RSPCA	14	-	1	-	3	-
New Kennel Licences	8	576	-	-	7	504
Renewed Kennel Licences	70	3,080	2	88	72	3,168
Infringement Notices (paid in full)	54	10,773	1	260	6	1,375
Legal Action	-	-	-	-	-	-
Livestock Impounded	-	-	-	-	-	-
TOTAL		121,112		21,860		92,521

Registration Audit of the Municipality:

Dog registrations were due by 1st Sept and reminders sent out and were due 1st October. Unregistered dogs are now being followed up by Alyshia. Audit will start again one day a week early 2020 Perth, Longford and Cressy to start with.

Kennel Licences

All kennel licence renewals have been received.

Microchips:

7 dogs microchipped in August

Un-microchipped dogs are being followed up and letters have been sent to owners. We have had a good response from owners with a lot of chips being scanned.

Infringements:

0 infringement issued in August.



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Attacks:

0 attacks.

Impounded Dogs:

3 dogs impounded – 2 reclaimed by owner and one rehomed.

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.

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	28

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	3									
Works (South)	-	-	-									



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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 Interschools Equestrian Championships	\$100
8-Jul-19	Jock Johnston	Australian Interschools 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
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
19-Sep-19	Jade McLennan	U15 Aust School Football carnival	\$100
23-Sep-19	Lachlan Colgrave	U13 State Soccer team	\$100
TOTAL DONATIONS			\$12,100

10 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status
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: 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	Survey closed 5/10/19. Report to Council.
18/03/2019	075/19	Public Notification to Adjoining Property Owners	That the matter be deferred to a future workshop	Community & Development Manager	Report to Council.
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	Listed for workshop discussion.
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	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	Report to Council.
19/08/2019	244/19	Policy Review: Mobile Food Vendors	That the matter be deferred to a workshop	Community & Development Manager	Report to Council.
16/09/2019	283/19	Application For Liquor Licence – Campbell Town Football Club	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.	Community & Development Manager	Club notified.
16/09/2019	293/19	Northern Midlands Land Use and Development Strategy	That Council defer the matter, subject to workshop discussion in conjunction with the Northern Midlands Local Provisions Schedule.	Community & Development Manager	Report to Council.



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Date	Min. Ref.	Details	Action Required	Officer	Current Status
21/05/2018	128/18	Conara Park	That Council seek quotes for the development of a concept plan for the Panec Street site.	Community & Development Manager	Concept plan received and reviewed by Council. Response received from TasWater requiring minor amendment (fence type & check of tree distance from rail corridor). Plans being finalised and costed for future presentation to Council.
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.
16/09/2019	290/19	Draft Northern Midlands Local Provisions Schedule	That Council i) defer adoption of the draft Northern Midlands Local Provisions Schedule and seek a further extension of time; ii) seek advice as to a peer review of the proposed Northern Midlands Local Provisions Schedule; iii) Councillors to workshop town/village maps as presented; and iv) workshop discussion to include the draft Northern Midlands Local Provisions Schedule to be put out for limited public consultation (with consultant planners, not for representations on individual properties, but for broader zoning concepts only).	Senior Planner	Report to Council. Estimates of cost sought for peer review of documentation.
16/09/2019	284/19	Draft Cat Management Bill 2019	That i) Council endorse the submission as drafted, ii) Council include in the submission that state government provide adequate funding to facilitate cat management; iii) it be noted, that cats are not only a danger to agriculture but are also a human disease issue.	Animal Control Officer / Community & Development Manager	Submission lodged. Communication sent.
16/09/2019	297/19	Application To Declare Property As 'Urban Farm Land': 485 Marlborough Street, Longford	That the matter be deferred pending further information in relation to comparable properties	Corporate Services Manager	Report to Council.
16/09/2019	292/19	Request For Donation: Just Cats	That Council, subject to due diligence, increase the donation amount to \$5,000 initially and consider a further donation of \$5,000 in the mid-year budget review.	Corporate Services Manager	
16/09/2019	280/19	Northern Midlands Youth Advisory Group	That the matter be deferred to a workshop, in order to consider the inclusion of youth across the municipality who are in attendance at other schools which may be outside of the municipal area (inclusive of logistics).	Youth Officer	
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.
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	Further advice awaited from Bendigo Bank.
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.
16/09/2019	277/19	Perth Main Street Flower Pots	circulate the streetscape treatment concept plans for the main street of Perth	General Manager	Concept plans circulated. Report to Council.
16/09/2019	292/19	Request For Donation: Just Cats	That Council write to the state government to strongly encourage the state government to carry the burden of funding of cat management in the state.	General Manager	Complete.
16/09/2019	279/19	Review Of Local Government Legislation Framework	That i) the matter be deferred; ii) an extension of time be sought; and iii) the matter be workshopped.	General Manager	Submission lodged 3/10.
16/09/2019	278/19	Local Government Participation In The National Redress Scheme	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.	Mayor	Document executed.



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Date	Min. Ref.	Details	Action Required	Officer	Current Status
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	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	Complete.
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	Interpretation panel being designed. In discussion re video production.
16/09/2019	281/19	Northern Midlands Further Education Bursary Program Update	That i) Council maintain its number of bursaries for this cycle (5 bursaries); and ii) Council workshop the review of the criteria for the award of bursaries in the new cycle; and iii) a report be presented to Council following workshop discussion.	Project Officer	Workshop date to be set.
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.
16/09/2019	295/19	Local Government Association Of Tasmania (LGAT) Statewide Waste Study And State Government Waste Action Plan	That Council i) supports the submission being prepared by the Northern Tasmanian Regional Waste Management Group (NTWMG); ii) provides in-principle support 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.	Engineering Officer	Complete.
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 has taken place, awaiting formal advice.
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;	Works Manager	DSG have advised as follows: Evandale Main Road – they plan to repair some failures. Woolmers Lane Intersection – have adjusted locations of the wire barrier.
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	Leighlands Road intersection – DSG to review, awaiting further information. Brumby's Creek Bridge – response awaited.
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 and bond monies being returned..
16/09/2019	294/19	Longford Recreation Ground Carpark	That Council: 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.	Works Manager	Works underway.
16/09/2019	277/19	Perth Main Street Flower Pots	in the 2020/2021 budget, allow for an increased number of flower pots with a suitable external finish to be determined	Works Manager	Report to Council.



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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 16 September
- Council Workshops:
 - 2 September - Scheduled
 - 9 September – Land Use Strategy
 - 16 September – Scheduled
 - 23 September – Special
 - 30 September – Special
- Executive Management Team:
 - 10 September
 - 24 September
- Staff Meeting
 - 3 September
 - 17 September
- Community meetings:





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- Meetings:
 - Met with Australian Government representatives
 - Attended LGAT breakfast meeting
 - Attended TEER Strategic Plan Review meeting
 - Attended TEER/TEMT joint meeting
 - Met with Department of Police
 - Met with proponent re potential development Perth
 - Met with Local District Committee Chair
 - Met with proponents re subdivision Perth
 - Met with Chris Griffin, Tourism Northern Tasmania
 - Met with Save the Fred Davies Grandstand group
 - Met with developer re proposed rezoning of land Longford
 - Met with TasNetworks re projects
 - Attended LGAT General Meeting
 - Attended Waste Not Awards
 - Attended event at Evandale Community Centre re new roof
 - Met with Minister Mark Shelton
 - Met with Pitt & Sherry re Evandale Main Road
 - Attended LGAT General Manager's workshop
 - Attended Woolmers Lane Bridge opening
 - Attended Campbell Town War Memorial Oval Multi-Purpose Facility opening
 - Met with Chris Griffin, Tourism Northern Tasmania re Ben Lomond Project facility
 - Attended Northern Tasmania Development Corporation meeting
 - Attended Regional General Manager's meeting

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
- 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) – withdrawn, insufficient interest from suitably qualified applicants
 - Pool Lifeguards – applications extended and now close on 13/10/19



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- 2nd or 3rd year Engineering Student – Medical stage. Will commence 25/11/19 to 7/2/20
- Corporate Services Department review – summary document being prepared for the Corporate Services team (almost complete)
- EBA negotiations – EBA approved with undertakings on 18/9/19
- Family and Domestic Violence Policy – complete in draft format. With General Manager for his review
- Corporate voice branding and organisational branding workshop – workshop held on 10/9/19 and meeting with marketing stylist held on 19/9/19. Awaiting report from workshop and draft visual style guide for review
- All staff end of year dinner confirmed for 20 December 2019. Invitation distributed to all staff and their partners. RSVP by 29/11/19
- Reviewed Pool Lifeguard and Pool Operations Manual
- All necessary preparations for upcoming pool season. Cressy to open on 18/11/19, Campbell Town on 30/11/19 and Ross on 7/12/19
- Employee Handbook – currently under review
- 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
- Continuous Improvement meeting held on 25/9/19

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.

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
- Investigating development of Dog Management Plan for municipality

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



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- 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)

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 registrations 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



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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

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.
- MGB maintenance and allocation.

b. Finance

- Issue and collection of Rates and Animal registration and sundry fees and charges.
- Municipal revaluation 2019, 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, one touch payroll process, 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.



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- 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, 2019/20 Rating and instalments, 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.
- 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, strategic upgrade planning.
- 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.
- 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.



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- 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.
- 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

- Longford Sports Centre Carpark – in progress.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

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

Resource Sharing Summary 1/7/19 to 30/6/20 As at 30/9/19	Units Billed	Amount Billed GST Exclusive \$	Rate inclusive of Oncosts and Admin \$
Meander Valley Council			
Service Provided by NMC to MVC			
Street Sweeping Plant Operator Wages and Oncosts	79.50	4,341.53	54.61
Street Sweeper - Plant Hire Hours	72.00	6,010.32	83.48
Total Services Provided by NMC to Meander Valley Council		<u>10,351.85</u>	
Service Provided by Meander Valley Council to NMC			
Wages and Oncosts			
Plumbing Inspector Services	110.60	8,258.82	74.67
Total Service Provided by MVC to NMC		<u>8,258.82</u>	
Net Income Flow		<u>2,093.03</u>	
Total Net		<u>2,093.03</u>	
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	20.00	from Council Budget A/c 519035	
Works Department Private Works Carried Out	14.50		
	<u>34.50</u>		

13 VANDALISM

Prepared by: Jonathan Galbraith; Engineering Officer

Incident	Location	Estimated Cost of Damages		
		Sept 2019	Total 2019/20	Sept 2018
Door kicked in at train park toilets	Perth	\$ 300		
Graffiti in Valentines park toilets	Campbell Town	\$ 300		
Graffiti in toilets	Avoca	\$ 400		
TOTAL COST VANDALISM		\$ 1,000	\$ 2,600	\$ 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.

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

Session Venue	Date of Session	Attendees	Total Sessions	Total Attendance
Perth	5/9	16	4	46
	12/9	8		
	19/9	8		
	26/9	14		
Evandale	6/9	5	2	10
	13/9	Nil due to weather		
	20/9	5		



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Free2B girls program

The Free2B girls program is facilitated on Thursdays 3-4.30 during school term at the Longford Town Hall. Attendance for the month of September as follows:

Date of Session	Attendance
5/9	10
12/9	9
19/9	8
26/9	8

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 are busily working on a 'tree yarn bombing' project at the Longford Village Green where they plan to decorate selected trees with knitted adornment such as pom-poms and ribbons. They are working on a Christmas theme.

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 involved with the Beacon Foundation High Impact program providing mentoring to year 10 students to develop job readiness skills. Students undertake mock interviews and workshops on how to successfully obtain employment. An award ceremony was held on 19 September to acknowledge the participation of the students in the program and the signing of the Youth Futures Charter.

Billie-Jo supported the school to facilitate a Mental Health Expo on Friday 13 September 1.30-2.40 as part of Mental Health Week. Services such as Youth Health North, YMCA, City Mission and Relationships Australia were involved to showcase services and facilitate mental health promotion activities at the event.

Avoca Primary School

Avoca students have been transitioning to Campbell Town during terms 2 and 3 and will attend Campbell Town full time as of term 4. A YMCA activity session was held on 19 September. The final school assembly was held on 24 September. An end of year event to be held on 30 November 2-5pm.

YMCA

Billie-Jo is consulting with YMCA Launceston who are interested in facilitating programs in schools throughout the municipality.

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.

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. There will be a Wheel-a-Thon fundraising event on Friday 25 October at the school.

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 skate park. 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. The painting is scheduled to occur on 15 November and the next Skate Park Competition will be held in Longford on Sunday 17 November.

Meetings

Billie-Jo represents Council on the Northern Youth Coordinating Committee and the Northern Midlands Interagency Group.



NORTHERN MIDLANDS COUNCIL

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21 OCTOBER 2019

15 STRATEGIC PLANS UPDATE

Prepared by: *Lorraine Green, Project Officer*

CURRENT AS OF 7 OCTOBER 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. Being discussed with Tourism Northern Tasmania
Campbell Town			
War Memorial Oval Precinct Cenotaph redevelopment			- 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. Final report due 31 Dec 2019. - Work due for completion Sept – Oct 2019. - September 2017: Funding application submitted to TCF for \$55,000 towards the courts development: application successful. Grant deed executed and funds received. Final report due date extended to 31 Dec 2019. - November 2017: Funding application submitted to Sport & Recreation Tas for \$80,000 to assist with the courts development: application successful. Final report due 31 Dec 2019. - Courts due for completion Sept-Oct 2019.
Tennis/multi-purpose courts			
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. 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. - June 2019: Landscape Works Technical Specification received.
Cressy			
Swimming Pool Master Plan (Loop Architecture)	Dec 15		- Master Plan accepted at October 2017 Council meeting. Report requested on the integrity of the pool structure. - Liberal election commitment of \$100,000 to upgrade the complex. Agreed completion date 30.11.19. - Playground installation completed May 2019 externally funded by Tasmanian Community Fund and Stronger Communities Programme. - Nationals in Government funding commitment of \$400,000 made March 2019. Documentation to secure funds submitted 1 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. Master Plan accepted at April 2018 Council Meeting. - 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.



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Strategic Plans By Location & Consultant	Start Date	Completion Date	Current Status
			October 2019: assisted Cressy Cricket Club with funding application to Stronger Communities Programme for clubrooms upgrade: outcome anticipated Dec 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. 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, March 2019 and Sept 2019. - Feb 2019: funding of 50% matching grant by Council (\$430,300) secured under Levelling the Playing Field State Government Grant Program. Grant deed signed and tax invoice submitted. First progress report submitted 7 Oct 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 for expansion and upgrade of the changerooms being prepared.
Longford			
Community Sports Centre Master Plan (RT & NJ Construction Services)	Feb-15	Jun-15	17 Jan 2017: Council advised State Govt has approved \$1,000,000 for the centre upgrade through the Northern Economic Stimulus Package - March 2018: Tender for new gym and amenities shed awarded to RT & NJ Construction Services. Work 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. - December 2016: Draft Urban Design Strategy received. - Parklet design & plans approved June 2017. - Strategy and Guidelines manual accepted at the October 2017 Council Meeting. - Negotiations underway February 2018 with State Growth towards development of a deed regarding the future maintenance of the Illawarra Road roundabout. - Nationals in Government funding commitment of \$4 million made in March 2019. Documentation to secure funds submitted 3 October 2019.
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 to secure the funding commitment submitted 3 October 2019.
Perth			
Community Centre Development Plan/Perth Early Learning Centre Redevelopment (Loop Architecture)	Oct-15		- 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 submitted 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.



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Strategic Plans By Location & Consultant	Start Date	Completion Date	Current Status
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 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. - Purchase of parcel of land for stormwater detention purpose.

16 STATE GOVERNMENT ELECTION COMMITMENTS 2018

Prepared by: *Lorraine Green, Project Officer*

CURRENT AS OF 7 OCTOBER 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. Dec 2018: first progress report submitted.



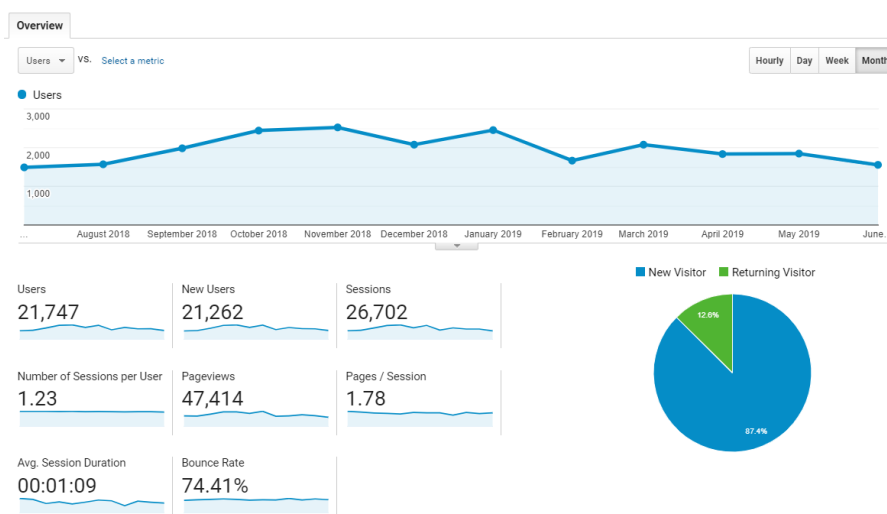
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Election Commitment	Estimated Completion Date	Current Status
		June 2019: completion extended to 30 Nov 2019 – acquittal report due 31 Dec 2019. March 2019: Nationals in Government funding commitment of \$400,000 towards the facility upgrade. Documentation to secure funds submitted 1 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, second report submitted June 2019: third report submitted 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 HERITAGE HIGHWAY WEBSITE & SOCIAL MEDIA REPORT: YEAR IN REVIEW: 1 JULY 2018 – 30 JUNE 2019 DECISION

Website / heritagehighway.com.au

During 2018-19, **21,747 individuals** visited the website (up 44.83% from the previous year). Visitors engaged in **26,702 sessions** (up 43.62%), and viewed a total of **47,414 pages** (up 22.49%).

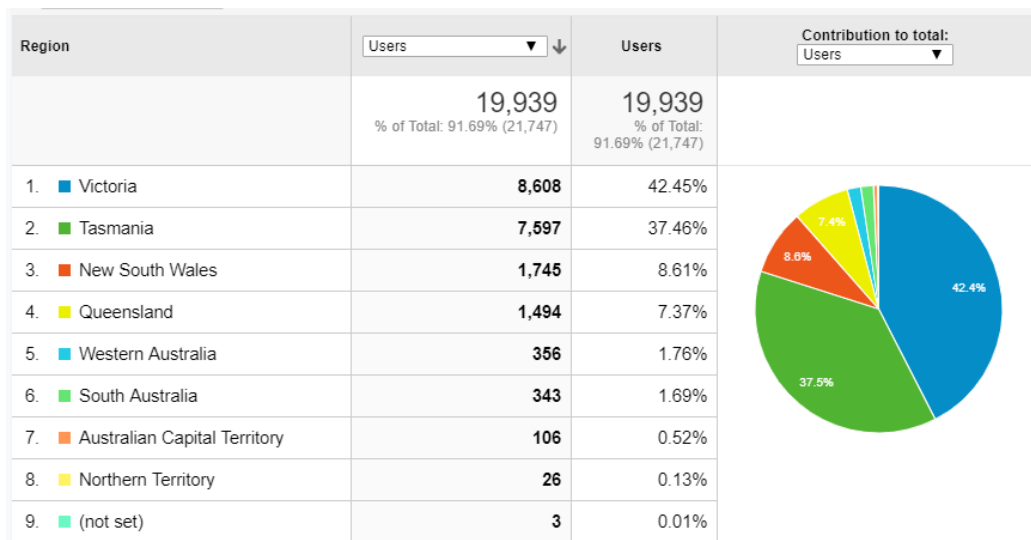


Demographics

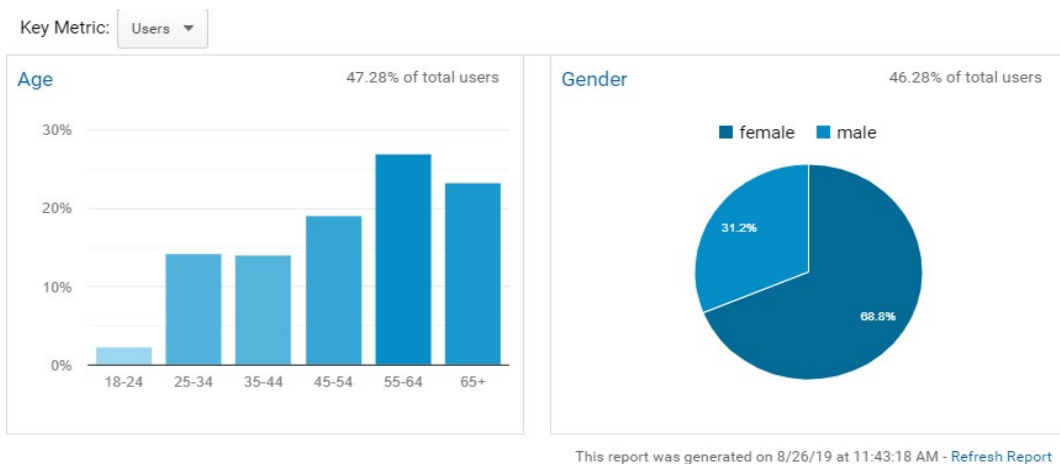
During 2018-19, the majority of website visitors were from **Australia** (19,939, 91.64%). Some visitors were also located in the US (654, 3.01%) and the UK (654, 3.01%).

Website visitors in Australia were mostly from the east coast. The majority were from **Victoria** (42.45%) and **Tasmania** (37.46%), followed by NSW (8.61%) and Queensland (7.37%).

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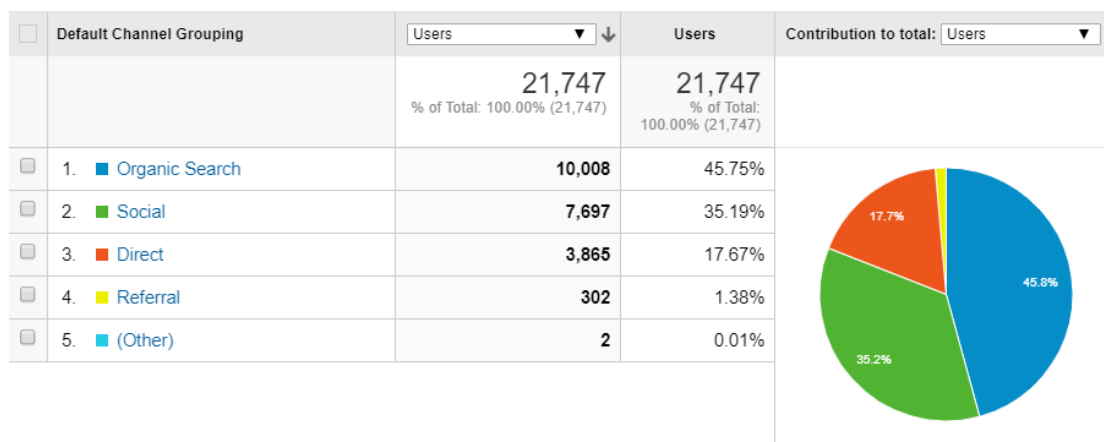
Visitors to the website are most likely to be **women aged 45 years and over**.



Acquisition

The greatest number of visitors were acquired via **Google search** (10,008, 45.75%), followed by **social media** (7,697, 35.19%), then **direct traffic** (3,865, 17.67%). A small amount of people came via referral from other websites (302, 1.38%).

Social media acquisition was mostly from **Facebook** (7,576, 98.38%), with a small amount from Instagram (98, 1.27%) and Instagram Stories (14, 0.18%).



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Viewing device

During 2018-19, more than half of our visitors viewed the website via **mobile**. Around a quarter viewed the site via **desktop**, and less than a fifth viewed the site via **tablet**.

Device Category	Users	Users
	21,747 % of Total: 100.00% (21,747)	21,747 % of Total: 100.00% (21,747)
1. mobile	12,033	55.63%
2. desktop	5,710	26.40%
3. tablet	3,886	17.97%

Most viewed pages

During 2018-19, the most viewed page was the **blog (12,960 pageviews from 12,253 individuals)**, closely followed by the **events calendar (12,493 pageviews from 10,743 individuals)**. The blog is also where visitors spent the most time (2:42 minutes on average).

Page path level 1	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
	47,414 % of Total: 100.00% (47,414)	41,428 % of Total: 100.00% (41,428)	00:01:28 Avg for View: 00:01:28 (0.00%)	74.41% Avg for View: 74.41% (0.00%)	56.32% Avg for View: 56.32% (0.00%)
1. /news-posts/	12,960 (27.33%)	12,253 (29.58%)	00:02:42	86.91%	81.84%
2. /event/	12,493 (26.35%)	10,743 (25.93%)	00:01:42	77.63%	69.09%
3. /	3,544 (7.47%)	2,953 (7.13%)	00:00:55	36.67%	37.27%
4. /things-to-do/	2,953 (6.23%)	2,678 (6.46%)	00:01:04	54.20%	24.01%
5. /location/	2,467 (5.20%)	2,307 (5.57%)	00:01:42	76.62%	40.25%
6. /events/	1,583 (3.34%)	1,313 (3.17%)	00:01:30	66.09%	41.19%
7. /where-to-stay/	1,472 (3.10%)	1,255 (3.03%)	00:01:11	32.44%	25.95%
8. /venue/	1,355 (2.86%)	1,074 (2.59%)	00:00:55	58.43%	54.91%
9. /regions/	1,278 (2.70%)	979 (2.36%)	00:00:45	47.62%	18.00%
10. /northern-midlands/	956 (2.02%)	591 (1.43%)	00:00:50	57.14%	17.05%

The **most viewed blog post** during the period was about **Longford** (762 pageviews from 707 individuals), followed by blogs about Oatlands, Perth, Pontville, and Tunbridge.



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Page path level 2 ?	Pageviews ? ↓	Unique Pageviews ?	Avg. Time on Page ?	Bounce Rate ?	% Exit ?
	12,960 % of Total: 27.33% (47,414)	12,253 % of Total: 29.58% (41,428)	00:02:42 Avg for View: 00:01:28 (82.98%)	86.91% Avg for View: 74.41% (16.80%)	81.84% Avg for View: 56.32% (45.33%)
1. /12-things-to-do-at-longford/	762 (5.88%)	707 (5.77%)	00:02:04	82.49%	78.87%
2. /colonial-charm-10-tips-for-exploring-oatlands/	728 (5.62%)	665 (5.43%)	00:02:31	80.95%	74.59%
3. /8-things-to-do-in-perth-the-one-in-tasmania/	701 (5.41%)	657 (5.36%)	00:02:42	88.30%	85.45%
4. /6-things-to-do-at-pontville/	697 (5.38%)	669 (5.46%)	00:02:10	89.86%	88.95%
5. /quiet-charm-7-things-to-do-in-tunbridge/	664 (5.12%)	643 (5.25%)	00:03:04	92.38%	91.11%
6. /9-things-to-do-in-tasmanias-midlands/	634 (4.89%)	612 (4.99%)	00:01:53	83.08%	80.91%
7. /colonial-tasmania-10-places-to-step-back-in-time/	581 (4.48%)	547 (4.46%)	00:03:21	84.97%	82.10%
8. /take-scenic-route-six-spots-camp-along-heritage-highway/	531 (4.10%)	505 (4.12%)	00:02:38	91.67%	87.95%
9. /10-things-to-do-in-the-heritage-village-of-ross/	457 (3.53%)	439 (3.58%)	00:04:06	83.91%	77.46%
10. /the-oatlands-key-access-the-historic-military-precinct/	446 (3.44%)	416 (3.40%)	00:01:49	86.34%	81.84%

Facebook | Tasmania's Midlands - Discover The Heritage Highway

As at 30 June 2019, the Facebook page had **7,831 followers** and **7,804 likes**.

During the period*, **14,500 individuals actively engaged** with the page, with 63,600 post reactions, 7,460 post shares, and 4,500 post comments in total.

*Data is from 16 September 2018 to 30 June 2019 (no data available before this date).

Highlights

New Users

8.79K

Unique Users

14.5K

Week 1 Retention

4.73%

Messages Received

49

Page Metrics

Post Reactions

[View Full Report](#)

63.6K

Number of Events



Post Shares

[View Full Report](#)

7.46K

Number of Events



Post Comments

[View Full Report](#)

4.50K

Number of Events



Messages Sent

[View Full Report](#)

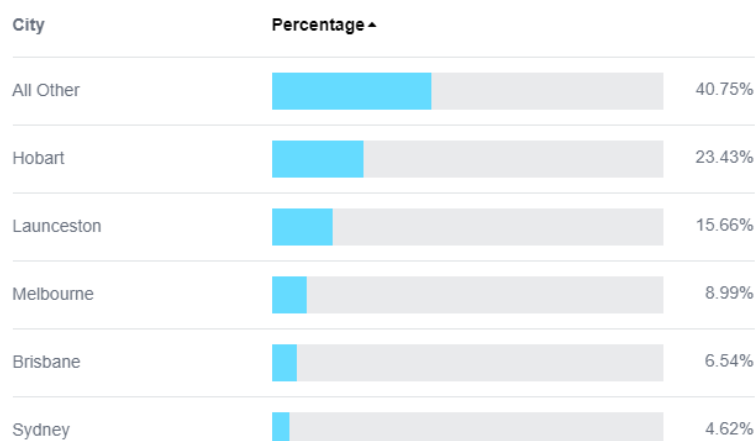
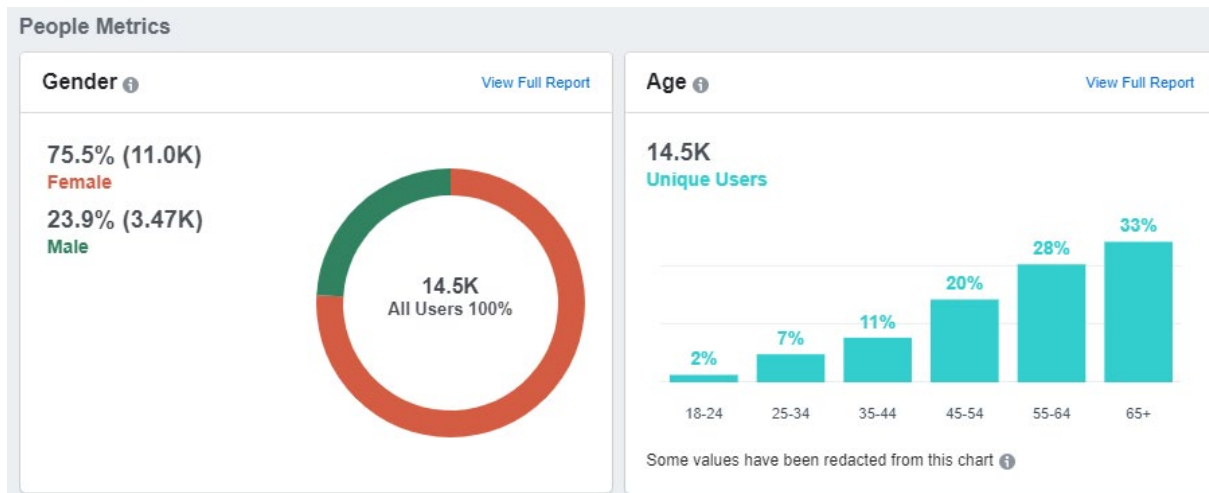
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Number of Events



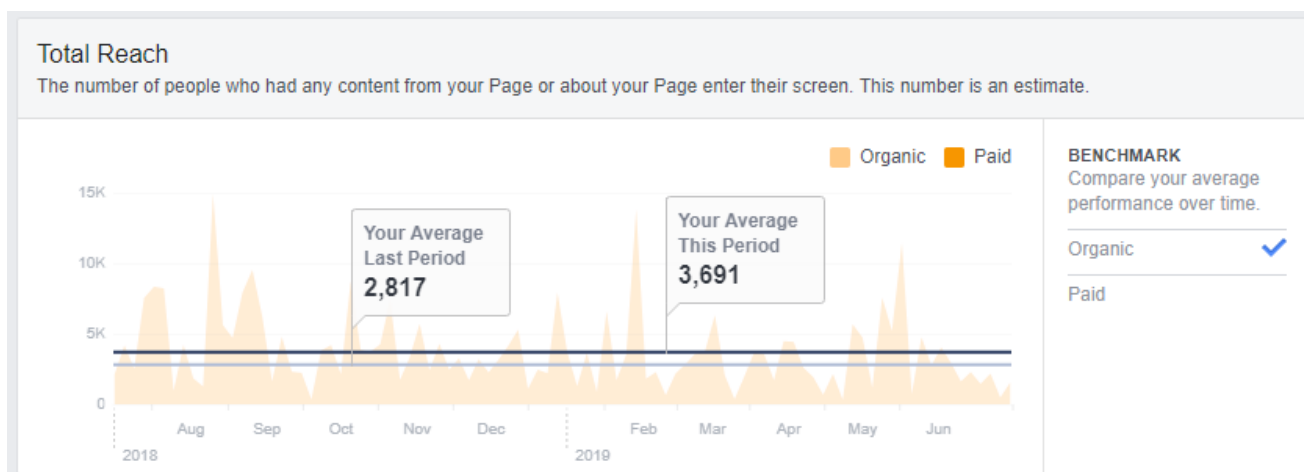
Demographics

People interacting with the page were mostly **women** (75.5%) in the **older age brackets** living in **Hobart** (23.43%), **Launceston** (15.66%) and **Melbourne** (8.99%).



Reach

During 2018-19, the page and its content achieved an **average daily reach of 4,111 individuals** (3,691 organic, 420 paid).



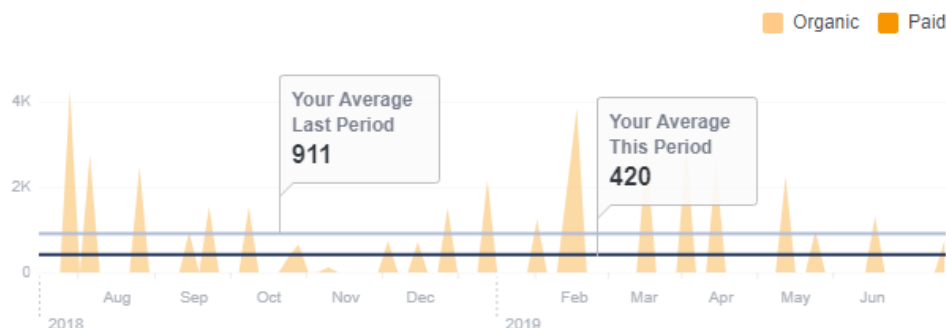
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Total Reach

The number of people who had any content from your Page or about your Page enter their screen. This number is an estimate.



BENCHMARK
Compare your average performance over time.

Organic

Paid ☒

Content

During 2018-19, we posted **one blog and one gallery per fortnight** on the Facebook page. Each blog post and gallery were boosted as ads for \$20 each, targeting people in Tasmania. We also **re-posted three images per week** shared with **#MidlandsTasmania** or **#HeritageHighway** on both Instagram and Facebook (not run as ads).

During 2018-19, Facebook posts that ran as ads were seen **176,410** times by **38,905** individuals in total.

Campaign Name	Reach	Impressions	Results	Cost per Result	Amount Spent
Post: "Step back in time along the #HeritageHighway and..."	4,780	6,668	977 Post Engagements	\$0.02 Post Engagement	\$20.00
Post: "The Ben Lomond National Park is located just 60..."	5,502	6,699	835 Post Engagements	\$0.02 Post Engagement	\$20.00
Post: "#MidlandsTasmania is home to an array of weird..."	4,134	5,107	835 Post Engagements	\$0.02 Post Engagement	\$20.00
Post: "Autumn along the #HeritageHighway is a magical..."	3,420	4,547	783 Post Engagements	\$0.03 Post Engagement	\$20.00
Post: "Lake Leake offers a peaceful getaway for lucky..."	4,870	6,042	764 Post Engagements	\$0.03 Post Engagement	\$20.00
Post: "Poatina Village is a beautiful spot for a..."	3,661	5,014	698 Post Engagements	\$0.03 Post Engagement	\$20.00
Post: "The quaint town of Tunbridge came into existence..."	4,133	5,284	695 Post Engagements	\$0.03 Post Engagement	\$20.00
Post: "Take your time exploring the Heritage Highway and..."	3,148	4,340	693 Post Engagements	\$0.03 Post Engagement	\$20.00
Post: "Experience good old fashioned country charm at..."	3,911	5,232	686 Post Engagements	\$0.03 Post Engagement	\$19.97
Post: "Visit the Chauncy Vale Wildlife Sanctuary at..."	2,377	3,049	629 Post Engagements	\$0.03 Post Engagement	\$20.00
Engagement - Pontville gallery	2,840	4,137	626 Post Engagements	\$0.03 Post Engagement	\$20.00
Post: "Have you explored the charming colonial town of..."	2,604	3,638	611 Post Engagements	\$0.03 Post Engagement	\$20.00
Total Results 46 / 46 rows displayed	38,905 People	176,410 Total	—	—	\$919.16 Total Spent

The **top performing post** that ran as an ad reached **18,718** people with **3,807** engagements, at a cost per result of **\$0.02**.

NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

Tasmania's Midlands - Discover the Heritage Highway
Published by Isabel Galloway [?] · January 28 · 🌐

Step back in time along the #HeritageHighway and ponder life in 19th century Tasmania. The historic villages all have their stories, while the Shadows of the Past Silhouette Trail offers a visual reminder of those who went before. Visit the region's historic estates and landmarks to discover fascinating tales of days gone by. 🏡 🌳 🏰

More info:
<http://heritagehighway.com.au/.../colonial-tasmania-10-place.../>



18,718 People Reached
3,807 Engagements

[Boost Again](#)

Performance for Your Post

18,718 People Reached

1,145 Reactions, Comments & Shares

758 Like	512 On Post	246 On Shares
97 Love	65 On Post	32 On Shares
11 Wow	6 On Post	5 On Shares
1 Angry	1 On Post	0 On Shares
74 Comments	28 On Post	46 On Shares
205 Shares	196 On Post	9 On Shares

2,662 Post Clicks

1,479 Photo Views	55 Link Clicks	1,128 Other Clicks
-----------------------------	--------------------------	------------------------------

NEGATIVE FEEDBACK

6 Hide Post	1 Hide All Posts
0 Report as Spam	0 Unlike Page

Insights activity is reported in the Pacific time zone. Ads activity is reported in the time zone of your ad account.

The top performing organic post reached 21,903 people with 2,551 engagements.

Tasmania's Midlands - Discover the Heritage Highway
Published by Isabel Galloway [?] · July 17, 2018 · 🌐

The convict-built village of Ross is one of the finest heritage villages in all of Australia. A visit offers a captivating glimpse into another time (as well as famous scallop pie and vanilla slice). Wander around the iconic Ross Bridge (c. 1836) and Ross Uniting Church (c. 1885).

More info:
<http://heritagehighway.com.au/.../10-things-to-do-in-the-her.../> See More



21,903 People Reached
2,551 Engagements

[Boost Post](#)

Performance for Your Post

21,903 People Reached

1,366 Reactions, Comments & Shares

955 Like	382 On Post	573 On Shares
162 Love	79 On Post	83 On Shares
1 Haha	1 On Post	0 On Shares
12 Wow	4 On Post	8 On Shares
108 Comments	31 On Post	77 On Shares
131 Shares	129 On Post	2 On Shares

1,185 Post Clicks

175 Photo Views	15 Link Clicks	995 Other Clicks
---------------------------	--------------------------	----------------------------

NEGATIVE FEEDBACK

3 Hide Post	1 Hide All Posts
0 Report as Spam	0 Unlike Page

Reported stats may be delayed from what appears on posts



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

Instagram | @midlandstasmania

As at 30 June 2019, @midlandstasmania had **5,958 followers** on Instagram (**up 33.26% from the previous year**).

User insights for @midlandstasmania



2018-07-01 - 2019-06-30

Current Period Jul 1st, 2018 - Jun 30th, 2019

Previous Period Jul 1st, 2017 - Jun 30th, 2018

FOLLOWERS

5,958

From 4,471

↑1,487 (33.26%)

FOLLOWING

545

From 533

↑12 (2.25%)

POSTS

157

From 20

↑137 (685%)

AVG LIKES

272

From 207

↑65 (31.40%)

AVG COMMENTS

6

From 5

↑1 (20%)

AVG ENGAGEMENT

5.41%

From 4.72%

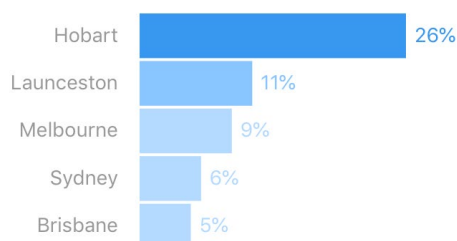
↑0.69%

Women aged between 25-34 who live in Hobart are most likely to be following.

Top Locations ⓘ

Cities

Countries

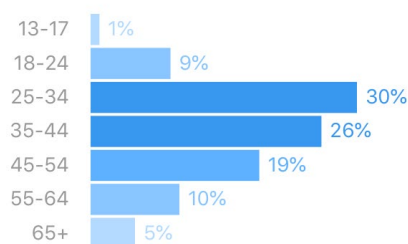


Age Range ⓘ

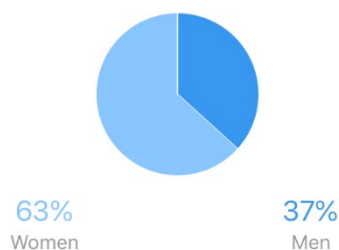
All

Men

Women



Gender ⓘ



During 2018-19, our **157 Instagram posts** (three per week) achieved an average of **272 likes** and **6 comments**, with an **average engagement rate of 5.41%**.

The **most liked post** was a photo of The Pancake & Crepe Shop, Oatlands, with **735 likes**, 14 comments, 13 messages, and 43 saves. The post was **seen 11,989 times** by **9,954 individuals**.



midlandstasmania • Following
Oatlands, Tasmania

...



midlandstasmania The Pancake & Crepe Shop is a family favourite, nestled amongst the historic sandstone buildings of #Oatlands. The eatery is famed for its range of sweet and savoury pancakes and crepes, but they also offer other tasty light lunches, homemade treats, and dinner on Friday and Saturday nights. Thanks @denisesmith41w for sharing this lovely autumn snap with



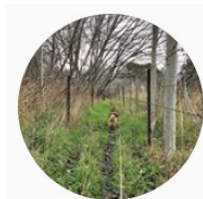
Liked by heritagecarriages and 734 others

MAY 18

Add a comment...

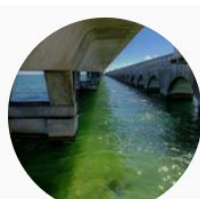
Post

As at 27/08/2019, there were **5,072 total images** posted to the hashtag #MidlandsTasmania. The alternate hashtag #HeritageHighway had 2,202 total posts (some of these are from the Heritage Highway in Canada).



#midlandstasmania
5,072 posts

Follow



#heritagehighway
2,202 posts

Follow

18 DOG MANAGEMENT POLICY REVIEW

Prepared by: Tammi Axton, Animal Control Officer

Submissions were invited from the public and advertised in the examiner, Councils website and Councils facebook page. The closing date was 23rd September 2019.

No submissions were received that applied to the policy, the Dog Management Policy has therefore been finalised.

DECISION

Cr

That the Information items be received.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

GOV 7 PERTH MAIN STREET FLOWER POTS

Attachments: Section 1 – Page 27

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

Councillor Jan Davis has requested that the Perth Main Street Flower Pot Survey results be reconsidered .

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.

This matter was considered at the 16 September 2019 Council meeting (min. ref. 277/19), at which time the following was the decision of Council:

Cr Lambert/Cr Polley

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; and*
- iii) circulate the streetscape treatment concept plans for the main street of Perth.*

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:
 - ♦ 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.



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- 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 existing 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
Q4	Do you want flower pots in the main street of Perth	170 responses	76.47% positive responses	23.53% negative responses	

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.



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

11 OFFICER'S COMMENTS/CONCLUSION

The survey closed on 14 August 2019, a total of 170 participants completed the survey before its closure. One late response was received on 19 August, the response was not included in Council officer's analysis of the survey. The late response included negative comments in relation to the construction material of the flower pots.

The survey clearly identifies that the current size of flower pots is well supported and the current material of the flower pots is generally half supported, half not supported.

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

In addition, the follow is an analysis of the comments extracted from the survey data:

- 64 37.65% made no comment
- 30 17.65% made positive comments
- 45 26.47% made negative comments
- 11 6.47% of the comments were ambivalent
- 20 11.76% of comments related to other matters (non-related)
- 170 100.00%

A further breakdown of the 37.65% of respondents who provided no comment is reflected as follows:

	Yes	No	Undecided
Q1 Do you like the current size of the existing flower pots in Perth?	76.56%	17.19%	6.25%
Q2 Do you like the current material of the existing flower pots in Perth?	59.38%	26.56%	14.06%
Q3 What sort of flowers/shrubs would you like in the flower pots?	Not analysed		
Q4 Do you want flower pots in the main street of Perth?	87.5%	12.50%	0.00%

The full survey, analysis of all responses and analysis of no comment responses are attached for information.

Cr Davis has further collated and analysed the comments as follows (spreadsheet attached):

The overall results tell a different story to the raw data.

- *There was a strong negative response to the way in which this had been handled (37.13%)*
 - *it is a waste of money (8.98%)*
 - *Perth is always left out (8.98%)*
 - *there are more important things to spend the money on (11.38%)*
- *There was a strong negative response to the pots and plantings themselves (34.73%)*
 - *pots (25.75%)*
 - *plantings of just annuals (8.98%)*
- *Many people said there needed to be more pots, even if they didn't like the ones there (13.17%)*
- *Many people made a neutral or positive comment about the concept or Perth more generally (13.89%)*

So, in summary, the more detailed comments in the survey responses showed an overwhelmingly negative view (71.86%) of the priorities, the process, the pots, and the plantings.

Waste of money	Perth left out	Negative comment	Other things	Ugly pots	Different plants	Neutral	Need more	Positive comment	
15	15	13	19	43	15	3	22	22	Total
			62		58			47	167



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8.98%	8.98%	7.78%	11.38%	25.75%	8.98%	1.80%	13.17%	13.17%	100.00%
			37.13%		34.73%			28.14%	100.00%

12 ATTACHMENTS

- 12.1 Perth Flower Pot Survey
- 12.2 Cr Davis' analysis of comments
- 12.3 Full Survey Analysis
- 12.4 Analysis of No Comment Responses

RECOMMENDATION

That

- A) future streetscape design works for the main street of Perth include the provision of flower pots / planters; and
- B) Council maintain the current flower pots in Perth Main Street; and
- C) in the mid-year review, allow for an increased number of flower pots with a suitable external finish to be determined.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

GOV 8 FUNDING REQUEST FROM COMMUNITY LED IMPACT PARTNERSHIPS PTY LTD FOR THE GREAT REGIONAL CITY CHALLENGE TRIAL

Attachments: Section 1 – Page 50

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

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider a funding request from Community Led Impact Partnerships Pty Ltd for the Great Regional City Challenge Trial until 30 June 2021.

2 INTRODUCTION/BACKGROUND

The Great Regional City Challenge project is a community-led initiative that seeks to deliver cost-effective results with a goal of transforming Launceston into one the great regional cities of the world. The project would seek to create positive changes in the capacity and attitude of the community long-term by:

- Nurturing a culture of aspiration and positive change across all places and demographics;
- Activating the community and grow community pride;
- Mobilising the hidden and more visible community leaders;
- Involving those most impacted by the need for change and encourage them to take responsibility;
- Building community capacity by training Community Builders; and
- Building project skills by the use of the
 - Community Led Impact Partnerships resources <http://clipguide.net/> and
 - Launceston Together online resources <http://launcestontogether.com.au>

so that practical and achievable community-led initiatives can drive the ongoing transformation of the greater Launceston region.

The structure of the Great Regional City Challenge is as follows:

1. The Great Regional City Challenge will pilot until 30 June 2021 as an innovative community activation that if proven, will continue long-term to transform the Launceston region.
2. The pilot will need around \$160,000. This includes \$100,000 project grants and \$60,000 facilitation and resource costs.
3. Governance would be provided by a Councils Governance Team (CGT) and a community based Greater Launceston Action Team (GLAT)
4. Then a 'call to action' to the community via media and other channels will provide a burning challenge for the community to be actively involved in making this region great.
5. The Great Regional City Challenge will seek out up to 50 community-led projects that people and organisations in the community are passionate about and are motivated to lead. Community-led project outlines will be solicited by face to face presentations to groups of citizens, precincts, suburbs, satellite towns, community agencies, community/interest groups, small/medium/large enterprises (including social enterprise) and industry organisations.
6. Twelve of these projects will be chosen by online community vote based on how well they align with the four themes of the Greater Launceston Plan of Greater Launceston as a creative, liveable, diverse and connected/networked region.



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7. Each of the selected 12 projects would be given \$2 -10,000 (from a pool of \$100,000 provided by the regional Councils and other supporters). Community Builders will be trained in community change and project facilitation skills to support the roll out of the projects. The Community Led Impact Partnerships (CLIP) resources (<http://clipguide.net/>) and Launceston Together online resources (<http://launcestontogether.com.au>) will be provided free of charge for the project teams use. Supplementary funding from other sources may also be sought, where applicable.
8. The Community Builders, CLIP and Launceston Together resources will also be made available to help the other projects, which were not selected for funding, to continue to develop/implement their own projects should they wish.
9. The 12 projects will be supported as a pilot over 12+ months, with the intention for further rounds to follow a successful pilot, thus keeping up the momentum for this long-term challenge. Hence, at the end of 2020 the Great Regional City Challenge will be reviewed, revised and, ideally, renewed for the long term to make Launceston truly one of the great regional cities of the world.

The focus (scale) of the project would be on the Launceston region defined by the Greater Launceston Plan (GLP) including the City of Launceston together with the George Town, Meander Valley, Northern Midlands and West Tamar Municipal areas.

The feasibility stage of the project is nearing completion with the business sector committing around \$135,000 in financial support towards the delivery of the inaugural Great Regional City Challenge. It is intended to run the inaugural program as a trial until 30 June 2021 to determine whether it will be sustainable into the future.

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
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:
 - ♦ Proactive engagement drives new enterprise
 - ♦ Collaborative partnerships attract key industries
 - ♦ Attract healthy, wealth-producing business & industry
 - Economic Development – Supporting Growth & Changes
 - ♦ New & expanded small business is valued
 - ♦ Support new businesses to grow capacity & service
 - Tourism Marketing & Communication
 - ♦ Tourism thrives under a recognised regional brand
 - ♦ Tourism partnerships build sense of place identity
- People –
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Communicate – Communities speak & leaders listen



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

4 POLICY IMPLICATIONS

Council generally works collaboratively with its neighbouring Councils on projects that may have a direct benefit to the Northern Midlands as well as the region as a whole.

5 STATUTORY REQUIREMENTS

N/a.

6 FINANCIAL IMPLICATIONS

A contribution of \$40,000 is sought from the Local Government sector to support the private sector investment. CLIP has requested that the Greater Launceston Plan member Councils contribute funding to the program on a population basis, as follows:

	Population	%	Contribution
City of Launceston	65,274	51.1	\$20,440
West Tamar	23,718	18.5	\$7,400
Meander Valley	19,282	15.1	\$6,040
Northern Midlands	12,822	10.0	\$4,000
George Town	6,764	5.3	\$2,120
Total	127,860	100.0	\$40,000

7 RISK ISSUES

The risk to Council is considered low.

8 CONSULTATION WITH STATE GOVERNMENT

N/a.

9 COMMUNITY CONSULTATION

While Council have not engaged with the community in relation to this proposal it is anticipated that the Great Regional City Challenge will help connect people, online and face to face, who share similar interests and passions to work together on innovative projects that will make the Greater Launceston region a better place.

Council will need to actively promote the Challenge to northern midlands residents and community organisations across November 2019 – April 2020 in order to maximise the number of projects submitted, and voted for, that are of benefit to the northern midlands.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may choose to provide the requested financial support, vary the amount or not support the project.



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11 OFFICER'S COMMENTS/CONCLUSION

In the likely event that the funding requirements for the project are met, it is intended that project will be delivered as follows:

- Governance organised by end October
- Campaign launch and promotion commences in early November
- Proposed projects placed online by end February 2020
- Projects voted on online by the community from March - April 2020
- Selected projects announced for funding in May 2020
- Project funding and delivery 1 July 2020 - 30 June 2021

If successful, the project will create positive economic impacts within the northern region. For instance, the program could help to align interests and hotspots of innovation to support collective action and might be a community-led means to get businesses or service providers to cluster for mutual advantage.

Examples of Great Regional City Challenge projects might be established community members using their networks on the mainland to attract new business start-ups or business relocations to take advantage of Launceston's Giga-City status, low rents and contact networks or retiring business owners coming together to mentor other businesses to help them grow more sustainably.

Patronage of and funding support for CLIP, from each of the Greater Launceston Plan area Councils, forms a fundamental part of the Project. On this point, it can be said that discussions with the General Manager of these Councils has been positive and, as a group, we are all impressed with the level of funding commitment provided by the private sector towards the project. A contribution from the Local Government sector in this instance would seem warranted to leverage the large public sector financial contribution which has been received.

12 ATTACHMENTS

12.1 Community Led Impact Partnerships – Great Regional City Challenge: Update 9 September 2019

RECOMMENDATION

That

1. a financial contribution of \$4,000 be made to Community Led Impact Partnerships Pty Ltd (CLIP) for the delivery of a Great Regional City Challenge trial until 30 June 2021; and
2. the \$4,000 contribution be allocated in the 2020/2021 financial year; and
2. CLIP provide a comprehensive report to funding partners at the completion of the trial fully outlining the details of the challenge and assessing whether the project objectives have been achieved.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

GOV 9 REVIEW OF LOCAL GOVERNMENT LEGISLATION FRAMEWORK

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

Council considered the matter at its meeting on 16 September 2019 (min. ref. 279/19) at which time resolved to Workshop the document. Subsequently, the matter was workshopped by Council.

The General Manager then responded to the Local Government Division and this report now seeks formal endorsement of the response provided.

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

The following was the resolution of Council at the 16 September 2019 (min. ref. 279/19):

Cr Polley/Cr Lambert

That

- the matter be deferred;*
- an extension of time be sought; and*
- the matter be workshopped.*

Carried unanimously



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Council workshopped the matter on the 23 September 2019 and received an extension of time for a submission which was due on 4 October 2019.

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
 - 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.



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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.

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 were invited on the proposed Reform Directions discussed in the Paper.

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

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

Council workshopped the matter on 23 September 2019. Due to a submission deadline Council comments were forwarded to the Review Project Team (Department of Premier and Cabinet) on 3 October 2019.

Council's comments relating to the proposed reforms are detailed in the recommendation below.

12 ATTACHMENTS

N/a

RECOMMENDATION

That Council endorse the following comments as identified within the report and forwarded to the Local Government Division's Review Project Team on 3 October 2019.



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REFORM DIRECTIONS		
PART A: A flexible, innovative and future-focused legislative framework		
Reform	Details	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 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	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. A person must be an Australian citizen to vote and stand for election. 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	



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REFORM DIRECTIONS

PART B Representative and Democratic Councils

1. Elections

Area	Reform	Details	Comments
		as councillor, meaning they are unable to accept the position of mayor or deputy mayor. The confusion can also increase informal voting. 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.	The status quo to remain. Mayors are popularly elected. The status quo to remain. Not supported. Not supported. Not supported.
	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 when voting technology becomes viable. 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 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.	Supported, that intent is clear. Simplified voting process, and aligns voting process with State elections.
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.



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REFORM DIRECTIONS

PART B Representative and Democratic Councils

1. Elections

Area	Reform	Details	Comments
	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.	Not supported.
	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 would administer the payment and retain fees not eligible to be refunded as a contribution toward the cost of elections.	Status quo remain, not supported.
	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. Eligibility to nominate to be subject to a candidate being a resident in Tasmania for 2 years prior to nomination.
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	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	Not supported.

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REFORM DIRECTIONS

PART C Councils Connected to their Communities

2. Community Engagement

Area	Reform	Details	Comments
		- 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; - 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, but not through community engagement strategy.
	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, but no community engagement strategy requirement.

REFORM DIRECTIONS

Part D: Responsible and Effective Councils

3. Ethics and Standards

Area	Reform	Details	Comments
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.	Not to be legislated, maintain <i>Good Governance Guide</i> as guideline only.
Financial Governance	21. Set high-level financial management principles that encourage efficiency and value for money	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.	Maintain <i>Good Governance Guide</i> as guidelines only.

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REFORM DIRECTIONS

Part D: Responsible and Effective Councils

3. Ethics and Standards

Area	Reform	Details	Comments
	in council service delivery	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.	
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.	Training requirements for planning in particular. Ongoing training provision. No mandatory training to be introduced for Councillors, but Councillors encouraged to participate. Mandatory training for councillors in their role as a Planning Authority.
	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.	Not supported.

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	Comments
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.	Not supported, LGAT & LG Professionals to provide best practice model/tools. 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 provisions would seek to improve the independence of internal reviews of complaints.	Not supported, provision of model and tools.

REFORM DIRECTIONS

Part D: Responsible and Effective Councils

4. Transparency and Flexibility in Budget Management

Area	Reform	Details	Comments
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.	Not supported.
	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 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.	Not supported.

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REFORM DIRECTIONS

Part D: Responsible and Effective Councils

4. Transparency and Flexibility in Budget Management

Area	Reform	Details	Comments
		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.	Do not support legislation, but flexible guidelines 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; tools and models. Don't legislate, council policy dictates.
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, needs to be defined (turnover \$ value or percentage of Council expenditure). No unfair advantage.

REFORM DIRECTIONS

Part D: Responsible and Effective Councils

5. Council Decision Making

Area	Reform	Details	Comments
Council Meetings	33. Require electronic recording of council meetings to be made publicly available	This requirement is increasing in other jurisdictions across Australia, where councils are capturing recordings using a range of electronic devices. 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 live stream. 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.	Supported. Need to introduce Local Government privilege (immunity protections). Council records its Council Meeting and makes the recording available. It is noted that live streaming will not be mandated.

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REFORM DIRECTIONS

Part D: Responsible and Effective Councils

5. Council Decision Making

Area	Reform	Details	Comments
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, need clarification on what is pecuniary and what is not pecuniary interest; and who is responsible to report pecuniary interest transgressions. Supported, any improvement in clarity in determining when it is appropriate to declare a conflict of interest would be welcomed.
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; however, needs a trigger value as may be onerous especially when dealing with minor infrastructure e.g. park bench or bus shelter. Council's development applications need to be assessed externally.

REFORM DIRECTIONS

Part D: Responsible and Effective Councils

6. Oversight & Interventions

Area	Reform	Details	Comments
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.	Not supported. Ministerial powers provision.
	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).	Not supported. Ministerial powers provision.
	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	Not supported.

NORTHERN MIDLANDS COUNCIL

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REFORM DIRECTIONS

Part D: Responsible and Effective Councils

6. Oversight & Interventions

Area	Reform	Details	Comments
		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.	
	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 external to the Director's staff, such as persons with significant legal experience.	Not supported. Natural justice and procedural fairness principles must apply to any investigation and investigation should 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 Corruption Act 20126 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.	Supported with protection provisions for the General Manager. Council administration must be accountable – with natural justice and procedural fairness principles applied.
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.

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REFORM DIRECTIONS

Part D: Responsible and Effective Councils

7. Council Performance Reporting

Area	Reform	Details	Comments
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.	Detail is required. 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.

REFORM DIRECTIONS

Part E: Adaptable Councils

8. Collaboration

Area	Reform	Details	Comments
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.	Not supported.



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Part E: Adaptable Councils

9. Model By-Laws

Area	Reform	Details	Comments
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.

REFORM DIRECTIONS

Part F: Strategic Reviews

10. Local Government Board

Area	Reform	Details	Comments
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. Consider every election cycle for allowances: hold 2 years after each election, i.e. mid-cycle. Councillor numbers: 8 year cycle (held 2 years after election) Industrial Commission appoints board to do the review.
	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, provision for voluntary amalgamation and therefore also de-amalgamation. 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 21 OCTOBER 2019

GOV 10 NORTHERN TASMANIA DEVELOPMENT CORPORATION: REGIONAL ECONOMIC DEVELOPMENT STRATEGY

Attachments: Section 1 – Page 55

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

That Council review the Northern Tasmania Regional Economic Development Strategy and provide feedback to Northern Tasmania Development Corporation (NTDC).

2 INTRODUCTION/BACKGROUND

A key strategic activity of Northern Tasmania Development Corporation has been the development of a Regional Economic Development Strategy to provide the guidance necessary to achieve the KPIs for the region which were established in consultation with Councils when NTDC was formed.

As part of the 2017 Launceston City Deal, NTDC was given the responsibility to develop a Regional Economic Development Strategy to ensure the Launceston City Deal is leveraged to benefit the whole region. The City Deal requires the strategy to set out an economic vision for Northern Tasmania and identify where future economic growth and employment is likely to come from.

The Regional Economic Development Strategy (RED Strategy) aims to encourage collaboration amongst all stakeholders to achieve positive outcomes for the region. It is not just NTDC's Strategy but it belongs to the whole Region. The Tasmanian Government contributed \$140,000 toward funding the plan.

In 2016 regional stakeholders and council members launched a Regional Futures Framework that targeted improved economic outcomes. It set the economic growth targets for the next decade. They were: 50% GRP growth (or 5% per annum including CPI); 8,000 net jobs growth and \$100/week increase in average take home pay.

The following methodology was used over the past 12 months to develop the RED Strategy; consider how the region could meet the targets; and start work on issues and opportunities raised with NTDC:

- Regional stakeholders were appointed to assist guide NTDC on what growth scenarios could be considered to meet the targets. The three reference groups were: (1) RED Strategy Steering Committee (made up of State Government Officers, UTAS, Launceston Chamber of Commerce, Cityprom, NRM North, Tourism Northern Tasmania, RDA Tasmania); (2) General Manager's (Councils) Reference Group; and (3) the NTDC Board.*
- National Institute of Economic and Industry Research (NIEIR) was appointed to review our economic history and also to work with the regional stakeholders to consider growth scenarios for how and when we might achieve these aspirational targets.*
- 100 progressive businesses throughout the region were interviewed as well as other industry organisations.*

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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- ♦ Communicate – Connect with the community
- ♦ Lead – Councillors represent honestly with integrity
- ♦ Manage – Management is efficient and responsive
- Money Matters
Core Strategies:
 - ♦ Budgets are responsible yet innovative
 - ♦ Efficiency in resource sharing and Council reform
 - ♦ Improve community assets responsibly and sustainably
- Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
 - ♦ Continuous improvement is embedded in staff culture
 - ♦ 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
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
 - ♦ Proactive engagement drives new enterprise
 - ♦ Collaborative partnerships attract key industries
 - ♦ Attract healthy, wealth-producing business & industry
 - Economic Development – Supporting Growth & Changes
 - ♦ New & expanded small business is valued
 - ♦ Support new businesses to grow capacity & service
 - ♦ Towns are enviable places to visit, live & work
 - ♦ Minimise industrial environment impact on amenity
 - ♦ Developers address climate change challenges
 - ♦ Maximise external funding opportunity
 - Tourism Marketing & Communication
 - ♦ Tourism thrives under a recognised regional brand
 - ♦ Tourism partnerships build sense of place identity
- 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



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- ♦ 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

No policy implications have been identified at this time.

5 STATUTORY REQUIREMENTS

Not directly, been referred to in Quarterly reports to member Councils as required through the exercise of Enterprise powers under the Local Government Act.

6 FINANCIAL IMPLICATIONS

Review of the Strategy and provision of feedback results in no direct financial implications. These may arise from implementation of specific recommendations or activities which will be the subject of a separate Council decision.

7 RISK ISSUES

No risks have been identified at this time.

8 CONSULTATION WITH STATE GOVERNMENT

The Regional Economic Development Strategy committee liaised with the Department of State Growth, Skills Tasmania, Infrastructure Tasmania and the Co-ordinator General's Office, inclusive of the Commonwealth's RDA Tasmania.

9 COMMUNITY CONSULTATION

The Strategy identified that more than 100 enterprises were interviewed along with the members councils, other regional stakeholders and individuals who participated in workshops and meetings to provide input.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may endorse or not endorse the Regional Economic Development Strategy.

11 OFFICER'S COMMENTS/CONCLUSION

To achieve the 2031 vision, NTDC have organised their efforts around the following themes:

1. **Strengthening Regional collaboration** – acknowledging that we need more sharing of information, trends and collaboration to become more globally competitive. The LGA's working together has improved significantly over the past 18 months, this needs to extend with more commitment from the State Government to work regionally, and into the private sector via clusters or consortia where appropriate to maximise and leverage our economic potential.
2. **Growing our exports** -to Increase international and interregional exports by 45% from current levels in order to significantly reduce the \$1.4B/year gap between our region's exports and imports. An industry focus to achieve this growth is recommended around 'Food Systems' (everything from agricultural

production through to food science, processing, biosecurity, high tech applications, etc). According to NIEIR this is the largest export growth opportunity by 2031 for the region.

3. **Increasing our population** - We need to increase the working age population (18-64) by approximately 10,000 to provide the skills and fill the jobs required for our growing economy. Additional resources will be required to achieve the work plan set by the Population Taskforce (details attached) and Chaired by Michael Stretton. This is a major focus that will require funding support from three levels of government.
4. **Encouraging a culture of innovation** - Innovation underpins investment, skills development and economic growth in adaptable and successful regions. To be globally competitive we will need to nurture an innovative and creative culture in all areas starting from our school children. We will also need to ensure we update our digital infrastructure and technical capabilities to support and increase innovation. Some LGA's in the region are active participants in the Smart Cities Program which is a mechanism to support greater innovation.
5. **Attracting investment** - We need to increase the public and private investment by approximately an additional 40% by 2031 - this equates to an additional \$500M per annum with two thirds of this investment required from and through the private sector. An Investment Taskforce has been appointed to help address funding options for SME's.
6. **Boosting productivity** - We need to improve our productivity to improve our global competitiveness. Productivity directly links to our education attainment, health outcomes, investment in technology, digital capacity and our ability to foster an innovative culture. Our increasing productivity will be reflected in higher paid (and higher skilled) jobs in current and future industries.
7. **Investing in place making infrastructure** – Councils are already active in this space. The Strategy acknowledges the important work required to ensure the region has the amenities, community assets and lifestyle factors that will attract (and retain) a growing and diverse population that underpins our regional prosperity.

The Strategy also builds on strategies already in place and is the next step in the region's economic journey. It will support a three-year delivery program that prioritises actions and a measurement framework to be prepared.

The Role of Member Councils:

The RED Strategy sets the region on a clear and achievable path to growth. Its success and the future success of the region will be dependent, in significant part, on the commitment of the key organisations in the region.

NTDC is requesting that the seven progressive Northern Tasmania council members consider reshaping communications and alignment of programs and policies to consider and progress the RED Strategy findings.

High level considerations include:

- Leadership in the region
 - Review council communications with the community and people looking to invest or live here
- Supporting Investment in the RED Strategy:
 - Resourcing NTDC and any other council resources to focus on economic development, social capital, and underpinning environmental programs
 - Participation in future regional economic development programs
- Underpinning economic development:
 - Endorsing and supporting the RED Strategy and ensure we resource economic development (through NTDC and any other additional resources) to make a step change in the economic sustainability within the LGA and the region.



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Following the *current* review and feedback process (and assuming support and ultimate endorsement by the key stakeholders) member Councils will need to apply resources in a number of ways:

- *Encouraging collaboration at a local, regional and state level.*
- *Investigate opportunities to support export-related sectors within our LGA and the region for eg. Education Services, Food, Wine, Tourism, Manufacturing, etc.*
- *Refer investment opportunities to the NTDC Investment Taskforce whenever appropriate*
- *Participate in the Smart Cities Program or other programs that encourage innovation within our council operations or within the LGA*
- *Work with NTDC and other LGAs to identify new industry sectors, job opportunities and proactively communicate this information within our community*
- *Work collaboratively to maximise the place-making opportunities in our LGA and the region, for example participating in regional strategic planning activities, and developing sustainable attractive localities and destinations.*

The Regional Economic Development Strategy has been developed through an exhaustive process and it does set what appears to be ambitious targets but they are potential achievable with the right application of effort and resources. It is important to recognise that each key element needs to occur as part of the puzzle which is the solution as a whole. Not addressing or acting on an element will weaken the overall solution and make it difficult if not impossible to achieve the targets.

When considering the Strategy, the question naturally arises as to its relevance to Northern Midlands? This is a natural question as there is no doubt that it is very focussed on what we might refer to as the 'central north' based on Launceston and the surrounding areas. To this end Council needs to ask questions such as; What might be in it for us in relation to each implementation decision? Or, how might the Northern Midlands area ultimately benefit from a strong and vibrant northern economy? In places the Strategy may have particular relevance to the Northern Midlands area such as population growth which is addressed in a separate report.

Council considered the regional Economic Development Strategy at its recent workshop.

Councillors raised a number of matters to be communicated to NTDC which include:

- A number of the targets are ambitious, and may not be achievable, though Council does agreed targets are critical, particularly as a means to measure outcomes.
- The document has a focus on food production within the region, with little or no mention of wool, poppy or cannabis production.

Council would easily identify with a number of the strategic priorities as they particularly relate to northern midlands:

- 1) Increasing Exports
 - Food
 - Tourism
- 2) Population Growth
 - Attracting working age
 - Plan for growth essential infrastructure and appropriate housing
- 3) Innovation
 - Infrastructure enabling – for example NBN
- 4) Investment
 - Priority public infrastructure projects



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

- Region prime location for renewable energy
- 5) Infrastructure
- Liveability / Place-making / Land Use Planning
 - Private and public infrastructure
 - Investment to grow freight / warehousing
- 6) Participation and Productivity
- Training and higher education

After all of the work which has occurred over the last two (2) years it is logical that Council review the Strategy, provide feedback and ultimately consider support for the Strategy.

12 ATTACHMENTS

12.1 Northern Tasmania Development Corporation – Regional Economic Development Strategy

RECOMMENDATION

That Council advise Northern Tasmania Development Corporation it is supportive of the Regional Economic Development Strategy (RED Strategy) along with the matters for review as identified within the report.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

GOV 11 STREET LIBRARIES PROJECT

Attachments: Section 1 – Page 90

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

Mayor Mary Knowles and Councillor Jan Davies have requested that the matter of the Street Libraries Project initiative be progressed.

The matter was discussed informally at the recent Councillor Workshop and is now listed for Council's consideration and direction.

2 INTRODUCTION/BACKGROUND

Street Libraries are, essentially, a box of books, that may be established in the street verge. They should be easily accessible and are an invitation to share the joy of reading.

People can easily take what interests them and when finished reading, they can return them to the Street Library network.

People can also add other books into the library system that they have available.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Leaders with Impact
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
 - Economic Development – Supporting Growth & Changes
- People –
 - Sense of Place – Sustain, Protect, Progress
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities

4 POLICY IMPLICATIONS

No policy implications have been identified at this time.

5 STATUTORY REQUIREMENTS

Statutory requirements will be associated with:

- Approval from the Department of State Growth if the Street Library is installed within a State Road road reserve.
- Development Application approval, particularly if the Street Library is located within a Heritage Precinct.

6 FINANCIAL IMPLICATIONS

No financial implications have been identified at this time.



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7 RISK ISSUES

Risks may include:

- Sites identified are not in a safe location away from residences and not well lit at night.
- The books/literature left in the Street Library is of an inappropriate nature.
- Vandalism of the street libraries.

8 CONSULTATION WITH STATE GOVERNMENT

N/a.

9 COMMUNITY CONSULTATION

Council may wish to seek input from the Local District Committees with particular regard to appropriate locations and volunteer assistance to manage sites.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may either support/or not support the initiative.

11 OFFICER'S COMMENTS/CONCLUSION

Attached for Council's information is a Street Library information sheet along with the City of Ryde Flyer. Both of which are self-explanatory.

The proposal as provided by Mayor Mary Knowles and Councillor Jan Davis is detailed below:

- To ask the Local District Committees to ask in their communities if there is general support for this project
- Ask if our schools would like to design the street libraries
- Would our Men's Sheds like to refine the design and build the street libraries?
- Quotes to be obtained from Men's Sheds
- Suitable locations need to be agreed upon
- A local group or team of individuals would need to agree to maintain the project i.e. regularly check for maintenance, litter, tidiness
- A garden seat may need to accompany each street library
- These street libraries could be great community capacity and skill building projects that are not costly.

12 ATTACHMENTS

12.1 Spring into Ryde

12.2 Street Libraries information sheet

RECOMMENDATION

That

- i) the Local District Committees be asked to comment on the community project and identify locations for the street libraries if supported; and
- ii) quotes be sought from the Mens Shed to build the street libraries and a report be presented to Council.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

GOV 12 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT) – MOTIONS FOR THE GENERAL MEETING: 6 DECEMBER 2019

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

1 PURPOSE OF REPORT

The purpose of this report is to advise Council that the next General Meeting of the Local Government Association of Tasmania (LGAT) is to be held on Friday, 6 December 2019; and to commence discussion on consideration of motions to be submitted to the meeting.

2 INTRODUCTION/BACKGROUND

Councils are invited to submit motions on matters connected with the objectives of the Association or of common concern to members for inclusion in the Agenda of the General Meeting by Monday, 4 November 2019.

LGAT has reminded Councils that opportunities are available at every General Meeting of the Association to submit motions for deliberation and do not have to be restricted to the General Meeting attached to the Annual General Meeting. Councils are encouraged to consider this matter in terms of ensuring more robust and broader debate across all General Meetings in the year but note that State Government comment is not sought in advance for other meetings. Additionally, for any meeting, Members may submit items for Topical Discussion.

3 STRATEGIC PLAN

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

- Lead –
 - Leaders with Impact
Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity
 - ♦ Manage – Management is efficient and responsive
 - Money Matters
Core Strategies:
 - ♦ Budgets are responsible yet innovative
 - ♦ Efficiency in resource sharing and Council reform
 - ♦ Improve community assets responsibly and sustainably
- People –
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service

4 OPTIONS FOR COUNCIL TO CONSIDER

Council may wish to consider motions to be submitted for inclusion in the Agenda for the General Meeting to be held on 6 December 2019.

Mayor Knowles has requested that the following motion be considered for submission by Council:

That LGAT give consideration to and coordinate an investigation into the possible need for Women's Shelter/s to be located in the Lyons electoral area, to service the population across the greater part of rural Tasmania.



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Council has also previously discussed the submission of a motion in relation to legal fees incurred in respect to planning matters which have the potential to set a precedent:

That LGAT seek support from member Council's to set up a fund to contribute to legal costs in relation to matters which have the potential to have an impact on future planning decisions of councils across the state.

5 OFFICER'S COMMENTS

These suggested motions are listed for Council's consideration.

RECOMMENDATION

That Council receive the report, and list the following matters for consideration at the LGAT General Meeting to be held on 6 December 2019:

- i) ...
- ii) ...

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

C&D 1 MONTHLY REPORT: DEVELOPMENT SERVICES

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

1 PURPOSE OF REPORT

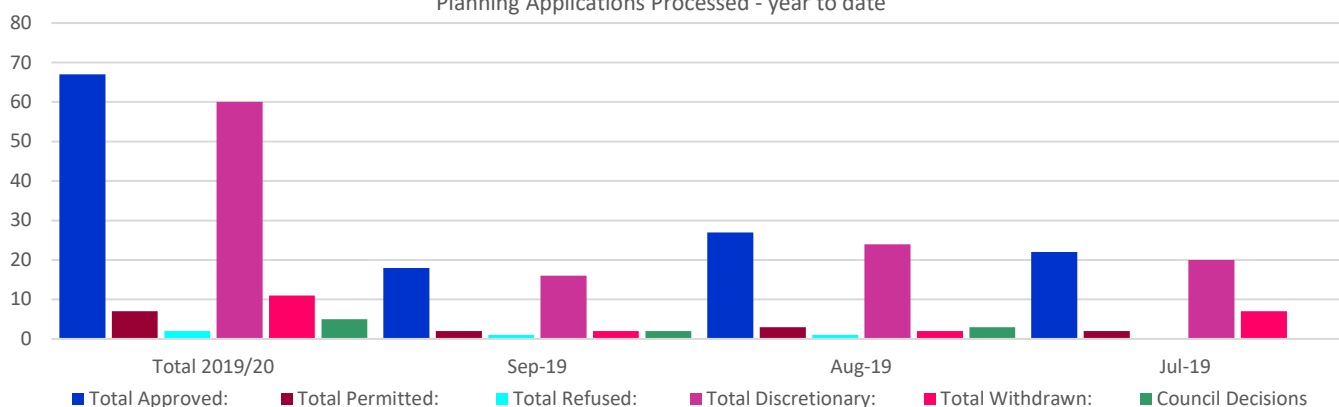
The purpose of this report is to present the Development Services activities as at the month end.

2 DEVELOPMENT SERVICES REPORTING

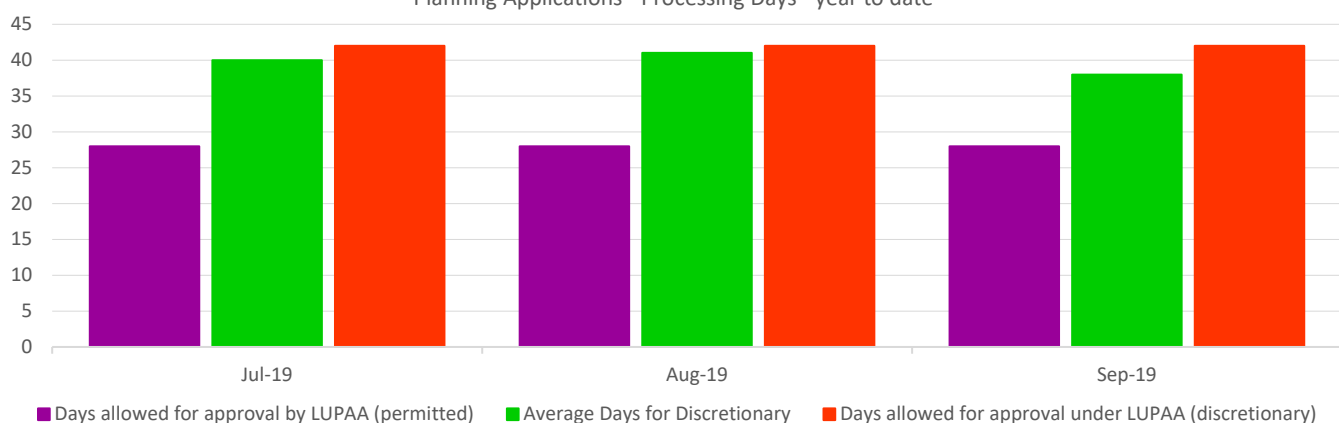
2.1 Planning Decisions

	Total YTD	Jul-19	Aug-19	Sep-19
Total Approved:	67	22	27	18
Total Permitted:	7	2	3	2
Average Days for Permitted		25	25	28
Days allowed for approval by LUPAA		28	28	28
Total Exempt under IPS:	11	7	4	0
Total Refused:	2	0	1	1
Total Discretionary:	60	20	24	16
Average Days for Discretionary:		40	41	38
Days allowed for approval under LUPAA:		42	42	42
Total Withdrawn:	11	7	2	2
Council Decisions:	5	0	3	2

Planning Applications Processed - year to date



Planning Applications - Processing Days - year to date





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September 2019

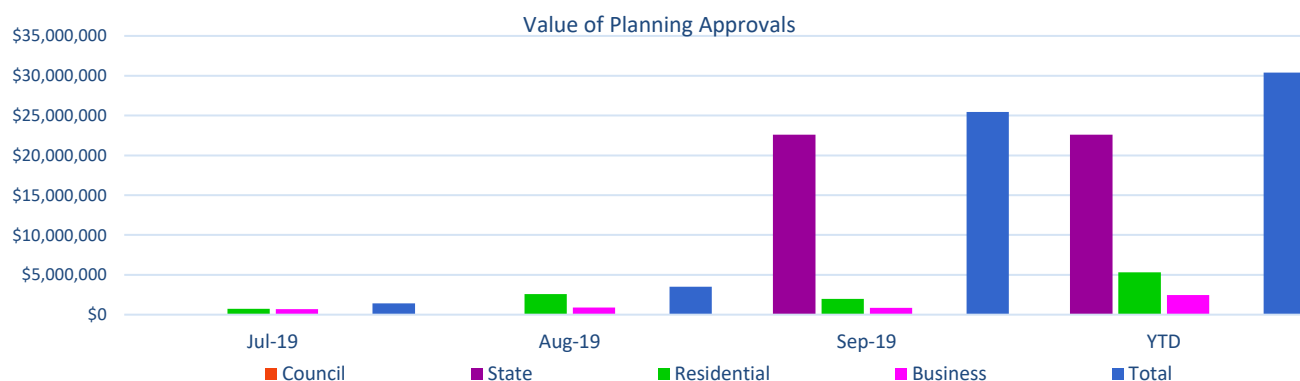
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-19-0091	Tree removal in road reserve (native vegetation - Biodiversity Code)	Cnr Wellington & Brickendon Sts, LONGFORD TAS 7301	Northern Midlands Council	42	D
PLN-19-0094	4 Lot Subdivision	2 Cromwell Street, Perth TAS 7300	PDA Surveyors	28	P
PLN-19-0119	2-lot re-subdivision accessed via Right of Way over 114847/2 - Heritage Listed Place (vary frontage provisions, adjoining General Residential Zone, within Heritage Precinct)	12 Marlborough Street & 10 Marlborough Street, Longford TAS 7301	Mr Carlton Dixon	21	D
PLN-19-0145	Sign (other) (5mx3m)	74 Evandale Road, Western Junction TAS 7212	Translink Business Hub Pty Ltd	42	D
PLN-19-0165	Expansion of Storage Business	7 Hudson Fysh Drive, Western Junction TAS 7212	OD40 Pty Ltd	28	P
PLN-19-0166	Change of use to laundromat (Service Industry) (variation to requirement for impervious car parking space)	57 Main Street, Cressy TAS 7302	Ms Sarah Cole	35	D
PLN-19-0123	Signage (heritage precinct)	110 High Street, Campbell Town TAS 7210	Simon Chappell	42	D
PLN-19-0143	Dwelling (within 50m of railway corridor) - access via Right of Way over 173381/2	30A Arthur Street, Perth TAS 7300	Urban Design Solutions	42	D
PLN-19-0149	Addition to shed (5.5m x 4m, 3.95m eaves) (heritage precinct; heritage listed place)	56A Clarence Street, Perth TAS 7300	Mr Roger Hesketh	42	D
PLN-19-0162	Dwelling, carport & access (Environmental Impacts & Attenuation Code)	19B Howick Street, Longford TAS 7301	Ms Deidre Pyecroft	42	D
PLN-19-0173	Shed for storage (vary setback, heritage precinct)	2 Marlborough Street, Longford TAS 7301	The Helping Hand Association Inc	33	D
PLN-18-0229	Pergola (retrospective) and garage (vary High Street setback) (Heritage Precinct)	35 Marlborough Street, Longford TAS 7301	Mr Gavin Armour	42	D
PLN-19-0156	Removal of existing shed and construction of 42m x 14m x 6.75m eave warehouse (vary side boundary setback, heritage precinct)	24-26 Wellington Street, Longford TAS 7301	Mr James Darcey	42	D
PLN-19-0118	Land clearing (native vegetation) for dwelling, carport & shed (Biodiversity Code)	3 Lake View Road, Lake Leake TAS 7210	Theresa L Hatton	41	D
PLN-19-0152	Multiple dwellings x 4 & additional accesses (vary visitor parking requirement)	59 Pakenham Street, Longford TAS 7301	Libby Goss	42	D
PLN-19-0167	Dwelling, shed & second access (vary side setback, private open space within frontage, Road & Railway Assets Code)	44 Muirton Way, Perth TAS 7300	Mr & Mrs Van Der Pols	35	D
PLN-19-0168	Partial change of use to visitor accommodation (non impervious access/parking; heritage-listed place within heritage precinct)	28-30 High Street, Evandale TAS 7212	Julie & Gary Grant	33	D
COUNCIL DECISIONS					
PLN-19-0150	Upgrade to 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 & treatment system, on-site reuse, & refurbishment of Lagoon 1 (Environmental Impacts & Attenuation Code)	2080 Bishopsbourne Road, Longford and access over CT: 85856/2 TAS 7301	Tasmanian Water and Sewerage Corporation Pty Ltd	42	C
COUNCIL DECISIONS - REFUSAL					
PLN-19-0154	Garage (12m x 7.5m, apex 6.6m)(vary internal front setback to 2.5m; Heritage Precinct)	97 Wellington Street, Longford TAS 7301	Ms Jo Woodbury	40	C
RMPAT DECISIONS					
TPC DECISIONS					



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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
September	0	22,600,000	1,999,000	858,550	25,457,550	3,704,400
YTD	30,500	22,600,000	5,315,500	2,443,550	4,932,000	36,482,950



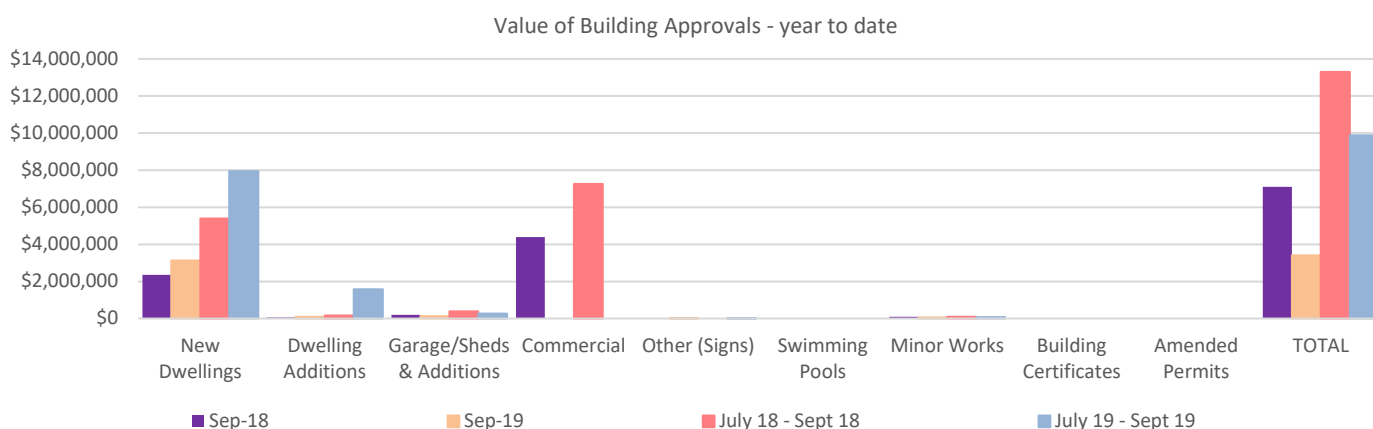
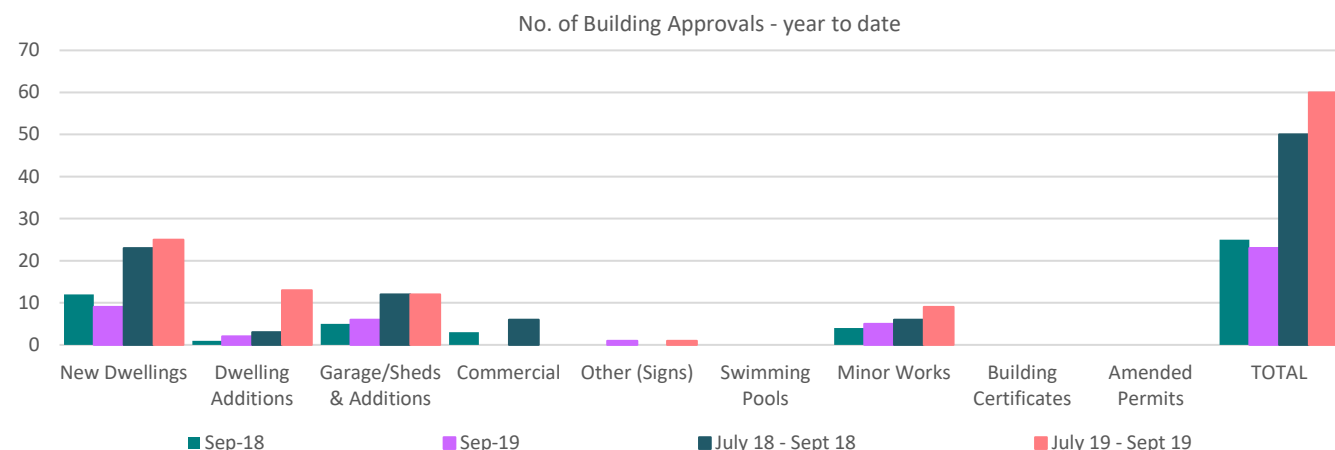
2.3 Matters Awaiting Decision by TPC & RMPAT

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
PLN18-0216	Appeal 82/19S, 16338 Midland Highway Perth - 25 Lot Subdivision. Hearing set for November 21 & 22 in Hobart.
Decisions received	
TPC	-
RMPAT	
PLN19-0010	Appeal 29/19P - 165 Wellington St Longford – 2 Lot subdivision, additional lot for visitor accommodation. Hearing held. Permit issued without condition P5 as per RMPAT decision.
PLN18-0319	Appeal 19/19P - 105 Green Rises Rd Cressy – Metasite - Communications facility. Hearing held. Permit issued in accordance with RMPAT decision.
PLN19-0090	Appeals 64/19P & 69/19P - 22 Drummond St Perth - Multiple Dwellings (2). Consent memorandum signed. Permit issued in accordance with consent memorandum and RMPAT decision.

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			
	Sept-18		July 18 - Sept 18		2018/2019 year		Sept-19	
	No.	Total Value	No.	Value YTD	No.	Total Value	No.	Value YTD
		\$		\$		\$		\$
New Dwellings	12	2,363,550	23	5,394,971	108	23,419,306	9	3,129,000
Dwelling Additions	1	60,000	3	165,000	23	1,846,538	2	90,000
Garage/Sheds & Additions	5	200,000	12	383,600	39	1,536,420	6	123,000
Commercial	3	4,393,132	6	7,258,132	17	44,672,414	0	0
Other (Signs)	0	0	0	0	1	10,000	1	5,000
Swimming Pools	0	0	0	0	2	98,000	0	0
Minor Works	4	85,804	6	94,081	21	479,264	5	67,200
Building Certificates	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	1	35,000	0	0
TOTAL	25	7,102,486	50	13,295,784	212	72,096,942	23	3,414,200
Inspections								
Building	1		5		9		0	
Plumbing	19		54		317		30	



2.5 Planning and Building Compliance – Permit Review

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

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

Planning Permit Reviews	This Month	2019/2020	Total 2018/2019
Number of Inspections	1	6	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	1	1	16

Building Permit Reviews	This Month	2019/2020	Total 2018/2019
Number of Inspections	3	15	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	3	
Building Notices issued			



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Building Orders issued			
No Further Action Required	2	7	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	7	11	17
Commitment provided to submit required documentation			5
Re-inspection required	5	7	5
Enforcement Notices issued			3
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued		1	1
No Further Action Required	2	3	5

3 STRATEGIC PLAN 2017-2027

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

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

4 STATUTORY REQUIREMENTS

4.1 Land Use Planning & Approvals Act 1993

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

4.2 Building Act 2016

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



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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 6 commercial building approvals valued at \$7,258,132 (year to date) for 2018/2019.

In total, there were 60 building approvals valued at \$9,886,580 (year to date) for 2019/2020, compared to 50 building approvals valued at \$13,295,784 (year to date) for 2018/2019.

RECOMMENDATION

That the report be noted.

DECISION

Cr



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C&D 2 NORTHERN MIDLANDS LAND USE AND DEVELOPMENT STRATEGY

Attachments: Section 1 – Page 92

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.



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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.



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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

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

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

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

C&D 3 OVERHANGING TREES – HEDGE AT EVANDALE

Attachments: Section 1 – Page 246

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 to Council an issue of overhanging trees (hedge) in Evandale.

2 INTRODUCTION/BACKGROUND

Council has an Overhanging Tree Policy. The objective of the policy is:

To provide a fair and consistent approach to the reduction of potential nuisance caused by overhanging trees within the settlement areas of the Northern Midlands.

A copy of the policy is attached to this report.

There is a hedge at 12 Macquarie Street, Evandale which takes up the entire footpath, and impedes vision when turning from Macquarie Street on to Arthur Street.

An arborist has inspected the hedge and advised if the hedge is cut back hard, it will die. The property owners have engaged an arborist who will trim the top of the hedge to cut back any overhang on the road. The hedge is being trimmed twice per year.

Below are photos of the hedge dated 14 October 2019.





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Councillors have requested a report to Council to decide whether or not the hedge should be removed.

The hedge contravenes the Overhanging Tree Policy in that it is not cut back to the boundary.

3 STRATEGIC PLAN 2017-2027

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

- 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

The hedge contravenes Council's Overhanging Tree Policy.

5 STATUTORY REQUIREMENTS

Local Government Act 1993

Local Government (Highways) Act 1982

Land Use Planning and Approvals Act 1993

6 FINANCIAL IMPLICATIONS

No financial implications have been identified to prepare this report.

It is the responsibility of the property owner to bear the cost of the hedge removal. The hedge is located within the heritage precinct therefore will require planning approval for its removal.

If the owner of the hedge disputes a decision of Council to remove the hedge Council may incur legal fees to defend its decision.



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7 RISK ISSUES

At the time of writing this report, Officers are aware of four other hedges of similar nature, two in Evandale and two in Perth. If Council enforces the removal of one hedge, it will need to ensure consistency and enforce the same decision for all the hedges of a similar nature.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

No community consultation has occurred with regard to the removal of the hedge.

The removal of the hedge would be subject to a discretionary planning application which would give the opportunity for representations to be made.

A complaint has been received from the Evandale Advisory Committee regarding the obstructive nature of the hedge.

10 OPTIONS FOR COUNCIL TO CONSIDER

To enforce the removal of the hedge, and all similar hedges in the municipality, or not.

11 OFFICER'S COMMENTS/CONCLUSION

This is an ongoing issue which arises each year. Five hedges have been identified as obstructing the Council footpath and/or traffic vision.

12 ATTACHMENTS

12.1 Overhanging Trees Policy

RECOMMENDATION

That Council does / does not require the owners of 12 Macquarie Street, Evandale, and any other locations in the municipality to remove their hedges in accordance with Council's Overhanging Tree Policy, and that Council officers notify the owners accordingly and proceed in accordance with Council's Overhanging Tree Policy.

DECISION

Cr



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C&D 4 POLICY REVIEW – PUBLIC OPEN SPACE CONTRIBUTION

Attachments: Section 1 – Page 248

File: 44/001/001
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 to Council its Public Open Space Contribution Policy for review and update.

2 INTRODUCTION/BACKGROUND

Council adopted the Public Open Space Contribution Policy on 13 December 2004 (Minute Reference 406/06). The Policy has been reviewed from time to time since its adoption. In 2009 the policy was amended to include the option of using a standard cash contribution in lieu of land of \$1,200, rather than the developer obtaining a land valuation. This was based on an average contribution at the time of \$1,500 minus the valuation fee of \$300.

In May 2019, officers presented the policy to Council for review (Minute Reference: 137/19), proposing three significant amendments:

1. An increase in the amount of cash taken in lieu of land for Public Open Space;
2. Inclusion for provision of subdivisions where no additional lots are created; and
3. Removal of clause 4 under the title Application of Policy.

The reasoning behind the proposed amendments was:

The amount of cash Council accepts in lieu of land for Public Open Space (\$1,200) has not been increased since its introduction in 2009. Council officers have reviewed the Consumer Price Index (Tasmania) (CPI) percentage increases since 2009, which was when the Policy was last reviewed by Council. Officers suggest an increase in the contribution from \$1,200 to \$1,400 in line with the CPI increase over this time.

From time to time, Council receives an application for re-subdivision, where new lots are created by movement of title boundaries, however, additional lots are not created. The policy as it is presently drafted does not allow for Council to seek a contribution in these circumstances. This has been addressed in the amended policy presented for Council approval with the inclusion of the paragraphs titled **No Additional Lots Created**.

Clause 4 is not considered necessary as ultimately the developer proposes the area and Council needs to agree to it, provision of which is provided for in the *Local Government (Building & Miscellaneous Provisions) Act 1993*. Clause 4 says:

The location of the land contribution, within the subject land, shall be as determined by Council at a General Council meeting or otherwise agreed between Council and the developer.

At the May 2019 meeting Council resolved:

Cr Goss/Cr Polley

That the policy be amended to provide for the developer to pay 5% of the value of the land in accordance with the provisions of the Local Government (Building & Miscellaneous Provisions) Act 1993 with no reference to a cash amount.

Carried

Voting for the motion:

Cr Calvert, Cr Davis, Cr Goss, Cr Lambert, Cr Polley



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Voting against the motion:

Mayor Knowles, Cr Adams, Cr Brooks

A report was brought back to Council at its 24 June 2019 meeting (Minute Reference 176/19), presenting the revised policy in accordance with Council decision Minute Reference 137/19.

Concern was raised at the meeting regarding the significant increase in cash contribution which would be expected by developers, if the policy as drafted was accepted.

Specific information was sought at the 24 June meeting:

1. Does the policy apply to strata developments?
2. What do surrounding Council's do?

The following decision was made on 24 June 2019:

Cr Davis/Cr Calvert

That Council defer the matter and further information be sought.

Carried unanimously

The Policy does not apply to strata developments, only subdivisions.

Part 7 of this report addresses the position of surrounding Councils.

A report was presented back to Council on 22 July 2019, at which time Council decided to defer the item again, pending further information.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Money MattersCore Strategies:
 - ♦ Improve community assets responsibly and sustainably
- People –
 - Sense of Place – Sustain, Protect, ProgressCore Strategies:
 - ♦ Planning benchmarks achieve desirable development
 - ♦ Developments enhance existing cultural amenity
 - ♦ Public assets meet future lifestyle challenges
- Place –
 - Environment – Cherish & Sustain our LandscapesCore Strategies:
 - ♦ Cherish & sustain our landscapes

4 POLICY IMPLICATIONS

The purpose of the policy is to set clear guidelines as to how much cash Council can be accepted in lieu of Public Open Space and the circumstances in which the cash contributions will be accepted.

5 STATUTORY REQUIREMENTS

5.1 *Local Government (Building & Miscellaneous Provisions) Act 1993 – section 117*

5.2 *Local Government Act 1993 – section 205*



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6 FINANCIAL IMPLICATIONS

Developers are required pursuant to the *Local Government (Building & Miscellaneous Provisions) Act 1993* to make a public open space contribution when subdividing land. Council, at its discretion may accept cash in lieu of a Public Open Space contribution (section 117 *Local Government (Building & Miscellaneous Provisions) Act 1993*). Council's policy currently sets the cash payment at \$1,200 per additional lot created. This figure has not been increased since amendment of the policy in 2009.

If Council wishes to maintain the acceptance of cash payments, it is recommended Council increase the cash payment it will accept to \$1,400 in reflection of the CPI increases since 2009 (when the current amount of \$1,200 was adopted). Developers are also given the option of paying the 5%, if they do not wish to pay the cash payment per additional lot.

7 RISK ISSUES

If Council takes the following position:

That the policy be amended to provide for the developer to pay 5% of the value of the land in accordance with the provisions of the Local Government (Building & Miscellaneous Provisions) Act 1993 with no reference to a cash amount

this may result in a significant increase to cash payments required to be paid by developers.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

Community consultation has not occurred regarding this policy amendment.

The following Council's all rely on the provisions of section 117 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* and accept 5% of the value of the land:

- Meander Valley Council
- West Tamar Council
- Southern Midlands Council
- Kentish Council
- City of Launceston

Break O'Day Council will accept a cash payment of \$1,200 per new lot or 5% of the value of the land.

10 OPTIONS FOR COUNCIL TO CONSIDER

There are three options for Council to consider:

1. Do nothing and keep the Public Open Space Policy as is (attachment 12.1)
2. Amend the policy to increase the cash payment to \$1,400 per new lot, and retain the option to accept 5% of the value of the land (attachment 12.2).
3. Amend the policy to reflect that Council only accepts public open space contribution in accordance with the provisions of section 117 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* (attachment 12.3).



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11 OFFICER'S COMMENTS/CONCLUSION

It has been fifteen years since the policy was first adopted by Council, the cash contribution has not been increased since its introduction 2009. It is timely to increase the contribution. Officers have been careful to ensure the increase is not unreasonable and have suggested the increase reflect the CPI increase over the 10 year period.

Council officers have identified situations where subdivisions occur however do not trigger the requirement to make the cash contribution in accordance with the policy as presently drafted. On this basis, the new section of the policy **No Additional Lots Created** has been drafted to address these developments not being required to make a contribution.

Clarification was sought regarding the amended Public Open Space Policy to ensure it won't be triggered with a boundary adjustment. The policy relates to subdivisions only, therefore a boundary adjustment will not trigger the policy. An additional paragraph clarifying this has been inserted into the Policy.

A strata development is not a subdivision, and therefore, will not trigger this policy.

12 ATTACHMENTS

- 12.1 Public Open Space Contribution Policy (current – Option 1)
- 12.2 Public Open Space Contribution Policy (amended – Option 2)
- 12.3 Public Open Space Contribution Policy (amended – Option 3)

RECOMMENDATION

That Council endorse the amended Public Open Space Contribution Policy (attachment 12.2) increasing the cash payment per additional lot to \$1,400.

DECISION

Cr

C&D 5 PUBLIC NOTIFICATION TO ADJOINING PROPERTY OWNERS

Responsible Officer: Amanda Bond, Community & Development Manager

Report prepared by: Amanda Bond, Community & Development Manager and Erin Boer, Urban & Regional Planner

1 PURPOSE OF REPORT

The purpose of this report is for Council to identify the circumstances under which it will extend the issuing of public notification, with respect to development applications, beyond the requirements of Regulation 9 of the *Land Use Planning & Approvals Regulations 2014*.

2 INTRODUCTION/BACKGROUND

This matter has been discussed on a number of occasions by Council. At its workshops of 1 July 2019 and 7 October 2019, Council identified the parameters by which it would like public notification to be extended beyond the requirements of Regulation 9 of the *Land Use Planning & Approvals Regulations 2014*.

Council have requested where there is a subdivision of four or more lots, notification extend to:

- All properties facing the proposed subdivision site and extending to the end of the affected street;
- All properties on the adjacent corners to the subdivision site; and
- All properties on the block on which the subdivision occurs.

By way of example, if the block highlighted red below was to be subdivided into four or more lots, the properties, outlined in red would be notified.



Councillors also requested that properties across the road from any development be notified.

Councillors also requested that notification be sent via email instead of mail.



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Council does not hold email addresses of all residents and rate payers. As at the date this report was prepared, Council has email addresses of 10% of the municipal rate payers. Given the low record of email addresses, and to ensure consistency, it is the recommendation of officers that notification be posted by ordinary prepaid post to all properties who are to be notified.

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
 - ♦ Continuous improvement is embedded in staff culture
 - ♦ Effective and efficient marketing, communications & IT
 - ♦ Excellent standards of customer service

4 POLICY IMPLICATIONS

Council will need to ensure clear parameters are set if it commences notification beyond the requirements of Regulation 9 of the *Land Use Planning & Approvals Regulations 2014*.

5 STATUTORY REQUIREMENTS

Regulation 9 of the Land Use Planning & Approvals Regulations requires that notice by a planning authority of an application for a permit is to be–

- (a) *advertised in a daily newspaper circulating generally in the area relevant to the application; and*
- (b) *displayed at the planning authority's office; and*
- (c) *given to the owners and occupiers of all properties adjoining the land that is the subject of the application; and*
- (d) *displayed on the land that is the subject of the application in a size not less than A4 and as near as possible to each public boundary.*

Further explanation of the current notification process is detailed below:

- a) All discretionary applications are advertised in the Examiner Newspaper. Advertising in the daily newspaper gives people in the community the opportunity to be alerted to applications that may not be in their immediate area.
- b) All discretionary applications are displayed at the Smith Street Council Offices. In addition to this, applications are also available for viewing on Council's website. This gives members of the public the opportunity to view the plans and documentation, both electronically and in hard copy.
- c) All property owners who have a title boundary shared with the subject site are notified directly with a neighbour notification card. This ensures all adjoining properties that may be directly affected by a development are notified (even if they have a different street frontage).
- d) The subject site has an A3 site notice displayed on or as near as possible to each public boundary (ie. a corner lot would have a site notice placed on each street frontage). The purpose of the site notice is to alert all nearby residents to the application, particularly those across the road.
- e) There is a RMPAT decision – extract copied below, which advises clearly that Councils are not required to place notices on properties opposite and separated by a road, for very practical reasons as outlined below:

J O'Brien, P Ibbott, G and A Graham v. Devonport City Council and Jaws Architects, J O'Brien, P Ibbott, G and A Graham v. Devonport City Council [2011] TASRMPAT 49 (13 April 2011)



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25. *The Regulation requires the copy of notice to be given to owners and occupiers of all properties adjoining the land. The idea that a property could be said to adjoin the subject land when it is separated from it by a road must be rejected. Adjoining means just that, "next to and joined with". There is no reason to qualify the word by reading in the word "immediately" or indeed any other word. To the extent that Graves v. Hobart City Council [2002] RMPAT 107 seems to be authority for the proposition that service of the notice extends to owners and occupiers of land separated by a public street or some other property from the subject site then this Tribunal respectfully takes the view that that decision cannot be correct. In Break O'Day Council v. RMPAT [2009] TASSC 59 Porter J was dealing with a provision in a planning scheme and accordingly determined the meaning of the word 'adjoining' in the context of that particular scheme. But importantly and helpfully His Honour analysed at par 18 and following a series of judgments in which the meaning of the word had been considered and concluded that there were occasions where the word enjoyed a 'loose' meaning and others when its meaning was more strict. Here the Tribunal takes the view that the narrower or stricter meaning of 'adjoining' is to be preferred since if the broader meaning were to be applied in practice it would be almost impossible to comply with the requirement on a day-to-day basis. It would be almost impossible to determine with precision upon which areas and which owners or occupiers of properties the notice would need to be served. It would be impossible to determine whether and to what extent, for example, service would need to be affected upon properties situated across a wide, major highway such as the Brooker Highway in Hobart. It cannot be that the obligation to serve a notice varies on a case-by-case basis depending on the nature and extent of a proposed development. The construction that the Tribunal prefers is that the word in the context of the Regulations must mean immediately adjoins, in actual contact with, shares a boundary with or is next to.*

6 FINANCIAL IMPLICATIONS

Council sends approximately 100-110 neighbour notifications a month. For major projects that cover multiple properties (such as irrigation pipelines), this amount increases significantly. Neighbour notifications are sent as priority mail at a cost of \$1.50 each (\$1.00 for letter, 50c for priority; \$900-\$1,350 per annum). Notifying additional properties would likely increase this amount by 1/3-1/2 again. Administration costs are approximately \$7,500-\$11,250 per annum for this task. Additional notification would result in increased administration time (planning administration and mail allocation/delivery) and stationery costs (administration/overhead costs).

7 RISK ISSUES

Regulation 9 of the *Land Use Planning & Approvals Regulations* gives clear definition as to who is to be notified with respect to a development application. If Council fails to notify in accordance with the *Land Use Planning & Approvals Regulations*, it is in breach of the legislation, which can result in an invalid application.

By notifying neighbours beyond the scope of Regulation 9 of the *Land Use Planning & Approvals Regulations*, Council is setting a precedent whereby notification of development applications is inconsistent with the legislation and may be inconsistent between developments.

If Council notified purely in accordance with the *Land Use Planning & Approvals Regulations* and a dispute arose, the *Land Use Planning & Approvals Regulations* and settled law, assist in determining if notification has been properly given. If Council notifies outside the ambit of the *Land Use Planning & Approvals Regulations* and a dispute arises as to notification Council could be exposed to legal costs to defend its position.

There is a risk Council may be construed as "fishing" for representations by notifying beyond the requirements of the *Land Use Planning & Approvals Regulations*.

In the case of notifying properties across the road from the subject site in all instances, if the development occurs on a large property (e.g. farm), and the property over the road is not near the proposed development, it may cause confusion to the person notified.



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8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY/LOCAL GOVERNMENT CONSULTATION

The following Northern Councils were contacted for comment on what extent they directly advertise discretionary applications to property owners. See table below:

<i>Council</i>	<i>Notify as per section 9 (1) (c) of Land Use Planning & Approvals Regulations 2014? (Yes/No)</i>	<i>Comments from Council</i>
Meander Valley Council	Yes + over road	Extend to those properties with frontage directly opposite the subject site.
West Tamar Council	Yes	Only notify as per regulations.
Launceston City Council	Yes + more	Notify as a general rule two properties on either side, 3 properties opposite and three properties to the rear for standard lots. However, it is often more than this.
Break O'Day Council	Yes	Only advise adjoining property owners, as in those who share a boundary with the subject site, not those over the road. Sometimes use discretion if it's an unmade road as generally those will be using that land as their own and there's no physical barrier between the properties.
Dorset Council	Yes	Where an application involves works in a road reserve (ie. new or upgraded access or crossover), we also take that immediate portion of the road as being part of 'the land' and notify properties that adjoin that immediate portion of the road in the same way. The reasoning here is that those properties are adjacent to, and likely affected by, any proposed works in the road reserve.

Northern Midlands Council Officers currently use similar discretion to other Councils in terms of notification across unmade road reserves.

10 OPTIONS FOR COUNCIL TO CONSIDER

A) Council Officers continue to notify discretionary planning applications pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*, as per the requirements of Regulation 9 of the *Land Use Planning & Approvals Regulations*.

OR

- B) a) Council Officers notify discretionary planning applications pursuant to section 57 of the *Land Use Planning & Approvals Act 1993*, as per the requirements of Regulation 9 of the *Land Use Planning & Approvals Regulations*; **and**
- b) in the case of applications for subdivisions with four (4) or more lots being created, notify property owners of:
- i) All properties facing the proposed subdivision site and extending to the end of the affected street;
 - ii) All properties on the adjacent corners to the subdivision site; and
 - iii) All properties on the block on which the subdivision is to occur.
- and**
- c) in the case of **any development**, notify the property owners of all properties directly opposite the subject site.



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11 OFFICER'S COMMENTS/CONCLUSION

If Council opted to directly advertise to additional properties, it would have to be consistent in its approach and should not notify some applications more widely than others. Clear parameters need to be set to ensure officers are clear with regard to the notification expectations of Council.

RECOMMENDATION

- a) That Council Officers notify discretionary planning applications pursuant to section 57 of the *Land Use Planning & Approvals Act 1993*, as per the requirements of Regulation 9 of the *Land Use Planning & Approvals Regulations*; **and**
- b) in the case of applications for subdivisions with four (4) or more lots being created, notify property owners of:
 - i) All properties facing the proposed subdivision site and extending to the end of the affected street;
 - ii) All properties on the adjacent corners to the subdivision site; and
 - iii) All properties on the block on which the subdivision is to occur.**and**
- c) in the case of **any development**, notify the property owners of all properties directly opposite the subject site.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

C&D 6 POLICY REVIEW: MOBILE FOOD VENDORS

Attachments: Section 1 – Page 254

Responsible Officer: Amanda Bond, Community & Development Manager

Report prepared by: Amanda Bond, Community & Development Manager and Erin Boer, Urban & Regional Planner

1 PURPOSE OF REPORT

The Mobile Food Vendor Policy was adopted in response to growing interest from Mobile Food Vendors to operate in Northern Midlands towns. The operation of mobile food vendors has been successful to date.

The purpose of this report to present the Mobile Food Vendor Policy for Review.

2 INTRODUCTION/BACKGROUND

Council Officers conducted a review of the Mobile Food Vendors Policy and identified changes and amendments that are required.

Council considered the amendments at its meeting of 19 August 2019 and made the following enquiries:

- Does Council require the permit to be displayed by the Mobile Food Vendor? If so, should the policy specify this.
- Does Council enforce the provision of rubbish collection as specified in the Policy?
- Does Council charge a fee for electricity, and if so, should this be included in the Policy?
- Should Council restrict the times mobile food vendors should operate to ensure competition with existing businesses in the municipality does not occur?

A response to each of these queries is provided below.

Display of permit

Currently, it is not a requirement that the permit be displayed by the vendor. As the regulator of the permits, Council is aware of who it has issued permits to. It is the view of officers that permit holders should be required to make the permit available on request. This is the same requirement as holding a food registration certificate. The Policy has been amended to reflect this.

Enforcement of rubbish collection

It is a requirement in the policy that each vendor provides its own rubbish bins, and removes the same. Council does not have officers allocated to the monitoring of this requirement. From time to time, complaints are received about rubbish being left on site following a mobile food vendor operating there. The complaints are then followed up with the food vendors directly. It is the view of officers that this requirement should remain in the policy and Council allocate a budget amount each year to increase the rubbish bins at the identified mobile food vendor sites.

The policy has been amended to specify the size of the bins required.

Fee for electricity

Electricity is presently only available at the Longford Village Green. Council does charge a fee for the use of electricity and this is specified in Council's fee schedule (\$10/day high usage eg. burgers/chips and \$5/day low usage eg. coffee/hotdogs).



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Costings are being obtained to install power at the Perth Train Park, however, there is not a budget allocation for this to occur in the 2019-2020 financial year.

The policy has been amended to reflect the power charges.

Time restrictions

Currently there are no time restrictions on mobile food vendors. It is difficult to set a time frame applicable to all towns as the level of available food businesses in each Northern Midlands town differs significantly.

It was suggested the following be incorporated into the Policy:

- Restriction on Mobile Food Vendors not operating within 200m of a fixed take away food premises at the same time that the fixed take away food premises is operating, unless agreed in writing by the fixed take away food premises.
- Restriction on Mobile Food vendors from operating within 100m of a residential dwelling between 10pm and 7am.

If the restriction to operate within 200m of a fixed take away food premises is adopted this will prohibit vendors operating at the following locations as prescribed in the policy:

- Longford (prior to 5pm)
- Cressy (prior to 6:30pm)
- Ross
- Avoca (prior to 7:00pm)
- Evandale (prior to 5:00pm)

Council officers have not received any complaints from fixed take away food premises relating to the operation of Mobile Food Vendors in the municipality.

To address this issue it is instead proposed that a time frame of a maximum of 4 hours be imposed. The policy has been amended to reflect this.

The restriction not to operate within 100m of a residential dwelling between 10pm and 7am has been incorporated into the policy.

Other

It was also suggested that Council make the Public Health Services Mobile Food Businesses Information Sheet available to operators. This document is publicly available, however, has been included in the Council information pack to go to Mobile Food Vendor applicants.

Some other minor amendments to the policy have been made to address health and safety, these are highlighted yellow in the amended policy.

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
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Excellent standards of customer service
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future



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Core Strategies:

- ♦ Proactive engagement drives new enterprise
 - ♦ Attract healthy, wealth-producing business & industry
 - 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

4 POLICY IMPLICATIONS

Council adopted the policy in December 2017, and it is timely to review the policy.

5 STATUTORY REQUIREMENTS

Vehicle and Traffic Act 1999

56C. Certain activities prohibited on public streets

(1) A person who does not have a permit to do so must not set up or use a stall, stand or vehicle on a public street for the purposes of –

- (a) selling any goods; or
- (b) a business, calling or employment.

Penalty: In the case of –

- (a) a first offence – a fine not exceeding 20 penalty units; or
- (b) a second or subsequent offence – a fine not exceeding 40 penalty units.

(2) Permits for this section may be issued by the general manager of the council in which the public street is located (the "relevant council") and any person may apply in writing for such a permit.

(3) In determining whether or not to grant an application for a permit, the general manager of the relevant council –

- (a) must consult the police officer in charge of the police district in which the public street is located; and
- (b) must have regard to relevant traffic conditions and the safety and convenience of the public; and
- (c) may have regard to such other considerations as appear relevant in the circumstances.

(4) A permit –

- (a) is to be in such form as the general manager issuing it determines; and
- (b) must be issued only for a specific date or dates, or for a specific period not exceeding 12 months; and
- (c) may be made subject to such conditions as the general manager issuing it considers necessary or expedient in the interests of public safety and convenience; and
- (d) must specify the name of the permit holder and the date or period, and the public street, for which it is issued.

(5) A permit –

- (a) may be surrendered but is not capable of being amended, renewed or transferred; and
- (b) may, by written notice to the permit holder, be cancelled by the general manager of the relevant council if he or she is satisfied on reasonable grounds that the permit holder has committed serious or repeated breaches of the permit conditions; and
- (c) is not a defence to an action or indictment for nuisance.

(6) The holder of a permit must –

- (a) comply with its conditions; and
- (b) immediately produce it to any police officer who demands to see it.

Penalty: Fine not exceeding 10 penalty units.



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6 FINANCIAL IMPLICATIONS

Two possible financial implications have been identified in this report:

- 1) The cost to Council to allocate resources to monitor the disposal of rubbish at the sites;
- 2) The installation of power at the Perth Train Park

It is noted, neither of these items have been identified in the 2019-2020 Council budget.

7 RISK ISSUES

Council must be prudent in reviewing its policies on a regular basis. There is a risk they will become outdated if this is not done.

8 CONSULTATION WITH STATE GOVERNMENT

N/a

9 COMMUNITY CONSULTATION

N/a

10 OPTIONS FOR COUNCIL TO CONSIDER

To accept the amended policy or not.

11 OFFICER'S COMMENTS/CONCLUSION

The policy has been updated to incorporate the questions and concerns raised by Councillors. If adopted, communication of these changes will need to occur to all existing permit holders.

12 ATTACHMENTS

12.1 Mobile Food Vendors Policy – amended

RECOMMENDATION

That council adopt the changes to the Mobile Food Vendor Policy.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

C&D 7 PROPOSED MURAL INSTALLATION - PERTH

Attachments: Section 1 – Page 258

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 seek Council approval to pursue planning and installation of a mural project in Perth.

2 INTRODUCTION/BACKGROUND

Late in 2018 Cr Janet Lambert and General Manager, Des Jennings met with Rosalie Wrigley, a Perth resident, with a proposal for a mural installation for Perth. The proposal is to paint a series of murals depicting Perth and its history and locate them throughout the town. With the impending by-pass of the town, the idea behind the proposal is to create attractions to draw visitors to the town.

Council received a presentation at its February Workshop regarding the proposal and requested a formal report for consideration.

A report was presented to Council on 18 February 2019 and the following decision was made (Minute Reference 047/19):

Cr Lambert/Cr Gonion

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.*

Carried unanimously

Attached to this report is the presentation and Implementation Strategy which was prepared. The presentation was provided to the Perth Local District Committee and an extract from their minutes is copied below:

*The committee considered the **Perth Mural Project** submission and provide the following feedback to Council:*

- Subject matter of each mural is important and should be significant to the location and relate to the history of the Perth township.*
- Implementation should be planned to coincide with the 2021 Perth Bi-Centenary celebrations.*
- The location of each mural should be carefully considered in conjunction with the Perth Structure Plan and the PLDC.*

The committee does not believe this project is relevant at this stage of the Perth town improvements and recommends focus to be on pathways and landscaping in order to ensure the mural project can be implemented to compliment the Perth Structure Plan.

A community survey was promoted on Facebook and in the Northern Midlands Courier during the month of September.

The complete results are attached to this report. However, to summarise:

- 38 responses to the survey were received



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- 7 responses were not in support of the project
- The four most preferred locations for murals are:
 - Perth Train Park
 - Perth Bridge Pillars
 - William Street Reserve Walkway
 - Perth Community Centre
- Much of the feedback received requested a focus be given to Perth's history.

It is noted that some comments were also received about the calibre of the artists completing the work. The artists proposing the project presented Councillors with images of their artwork at the time of the first Council workshop presentation. The artists have been involved with events such as Mural Fest at Sheffield.

An implementation plan is attached to this report.

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
- Progress –
 - Economic Development – Supporting Growth & Changes
 - ♦ Towns are enviable places to visit, live & work
 - Tourism Marketing & Communication
 - ♦ Tourism thrives under a recognised regional brand
 - ♦ Tourism partnerships build sense of place identity
- People –
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
 - Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
 - ♦ Connect – Improve sense of community ownership
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
 - History – Preserve & Protect our Built Heritage for Tomorrow
 - Core Strategies:
 - ♦ Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

An implementation plan is attached to this report.

5 STATUTORY REQUIREMENTS

5.1 Northern Midlands Interim Planning Scheme 2013

Some proposed locations require planning approval prior to placement. These are identified in the attached report.

6 FINANCIAL IMPLICATIONS

If the project progresses at four murals per year the annual cost would be:

- Planning approval - \$399-\$644 per sign
- Paints – artists to apply for community grant from Resene Paints, estimated value approximately \$200
- Brushes – provided by artists
- Cement sheets (2m x 1m) x 8 (double sided) - \$800
- Framework x 4 - \$2,400



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Funding is available in the 2019/20 allocation for Tourism & Promotion – Signage and Town Brochures.

Funding will need to be allocated in the 2020/21 financial year to complete the project.

7 RISK ISSUES

This is a project brought to council by individuals in the community. There is a risk that it does not fall within current town planning for Perth and will appear ad hoc and out of place.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable at this time. Consultation with the State Government may need to occur if proposed mural sites are located on Crown land.

9 COMMUNITY CONSULTATION

The proposal has been referred to the Perth Local District Committee and the Community in general through the public survey.

10 OPTIONS FOR COUNCIL TO CONSIDER

A recommendation has been provided below. Council can support the recommendation, make an alternative decision, or not pursue the recommendation.

11 OFFICER'S COMMENTS/CONCLUSION

Funding is available in the 2019/20 allocation for Tourism & Promotion – Signage and Town Brochures.

It is suggested the artists prepare some confirmed draft images for presentation to Council to be endorsed.

12 ATTACHMENTS

- 12.1 Report
- 12.2 Survey results
- 12.3 Implementation plan

RECOMMENDATION

That Council endorses the attached implementation plan for the Perth Mural Project and the artists be approached to provide finalised designs for the four designated sites this financial year.

DECISION
Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

WORKS 1 BUS TURNING CIRCLE: PATEENA ROAD

Attachments: Section 1 – Page 329

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

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with information regarding the proposal to construct a bus stop on Pateena Road.

2 INTRODUCTION/BACKGROUND

The bus stop on Pateena Road, near the intersection with Illawarra Road, is used by two school busses. The bus stop is close to the intersection with limited sight distances. Busses currently turn from Illawarra Road onto Pateena Road. After dropping off students the bus driver executes a u-turn to return to Illawarra Road. Consideration has recently been given to improving safety at this bus stop due to the works being carried out on the Perth Link Road and the property owner Mr Hugh McKinnon had previously offered to lease some of his land to Council, but after further consideration he has now advised that he wishes to gift the land to Council.

Council recently engaged Mr Andrew Howell, Traffic Engineer, to provide a report for Council's consideration. Mr Howell has advised that the proposal would be a significant safety improvement over the current arrangement. A copy of Mr Howell's report is attached.

Proposal details

A design similar to the bus turning circle at Devon Hills has been proposed. This will allow the bus to stop safely away from the road and will allow children to be dropped off without the need to cross a road. The existing bus shelter will be relocated at the head of the turning circle located on Mr Mackinnon's property. Council would seal the section of the access between the edge of the road and the property boundary and the contractor undertaking the works on the Perth Link Road has offered to construct the internal road from gravel at no cost to Council.

This matter was previously considered by Council at the 19 August meeting (minute 246/19), at which time the following was the decision of Council:

Cr Goss/Cr Davis

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, as follows:*
 - general road maintenance for digouts/edging \$ 9,000*
 - public amenities bus shelter maintenance \$ 5,800*

Carried unanimously

This matter is submitted for Council's reconsideration following Mr McKinnon's advice that he wishes to gift the land to Council.



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3 STRATEGIC PLAN 2017-2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates. The following section from the strategic plan has relevance to this matter.

- 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

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

Costs of project to Council, previously calculated:

- | | |
|---|------------------|
| • Relocate existing rural fence | \$ 4,000 |
| • Seal entrance and exit from edge of road to property boundary | \$ 9,000 |
| • Relocate existing bus shelter | \$ 1,800 |
| Previous total | \$ 14,800 |

Additional costs:

- | | |
|--|------------------|
| • Survey of land, two lot subdivision and transfer of titles | \$ 11,000 |
| • Council planning fees | \$ 1,377 |
| Additional costs | \$ 12,377 |
| TOTAL COSTS | \$ 27,177 |

All other cost will be carried by Shaw Contracting at no cost to Council.

The previous report identified that the costs were considered non-capital and could be funded as follows

- | | |
|---|----------|
| • general road maintenance for digouts/edging | \$ 9,000 |
| • public amenities bus shelter maintenance | \$ 5,800 |

However, should Council now wish to proceed with this project the additional costs of \$12,377 could be funded from 2019/2020:

- | | |
|----------------------|-----------|
| • playground shelter | \$ 10,000 |
| • street furniture | \$ 2,377 |



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

7 RISK ISSUES

There are currently risk issues associated with busses doing u-turns close to the intersection. The proposed works will eliminate these risks.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

To support construction of the bus stop and contribute towards the cost of the works or not.

11 OFFICER'S COMMENTS/CONCLUSION

This proposal represents a significant safety improvement at the bus stop at minimal cost to Council. It is recommended that the offer made by the property owner and Shaw Contracting be accepted.

12 ATTACHMENTS

12.1 Proposed bus turning circle layout

12.2 Traffic Management Report by Andrew Howell

RECOMMENDATION

That Council

- i) accept the offer of Mr Hugh Mackinnon to gift a portion of land located on Pateena Road to relocate the bus shelter and construct a bus turning facility, with the costs associated with the transfer of the land (as identified in this report) to be borne by Council; and
- ii) with the works to be funded as follows:

• general road maintenance for digouts/edging	\$ 9,000
• public amenities bus shelter maintenance	\$ 5,800
• playground shelter	\$ 10,000
• street furniture	\$ 2,377
TOTAL	\$ 27,177

DECISION

Cr



NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

21 OCTOBER 2019

CORP 1 MONTHLY FINANCIAL STATEMENT

Attachments: Section 1 – Page 340

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

1 PURPOSE OF REPORT

The purpose of this report is to present the monthly financial reports as at 30 September 2019.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 30 September 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: 30-Sep-19 3

A. Operating Income and Expenditure

	Budget	Year to Date Budget	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$11,271,634	-\$11,271,634	-\$11,263,435	-\$8	99.9%	
Recurrent Grant Revenue	-\$4,218,203	-\$1,054,551	-\$803,038	-\$252	76.1%	Advanced grants to come
Fees and Charges Revenue	-\$1,901,837	-\$475,459	-\$683,283	\$208	143.7%	
Interest Revenue	-\$863,007	-\$215,753	-\$227,179	\$11	105.3%	
Reimbursements Revenue	-\$53,079	-\$13,270	-\$50,190	\$37	378.2%	
Other Revenue	-\$1,490,085	-\$372,521	\$180,842	-\$553	-48.5%	
	-\$19,797,845	-\$13,403,188	-\$12,846,283	-\$557	95.8%	
Employee costs	\$5,635,968	\$1,408,992	\$1,271,599	\$137	90.2%	
Material & Services Expenditure	\$4,829,746	\$1,207,437	\$1,371,753	-\$164	113.6%	
Depreciation Expenditure	\$5,458,770	\$1,364,693	\$1,364,526	\$0	100.0%	
Government Levies & Charges	\$845,274	\$211,319	\$31,402	\$180	14.9%	
Councillors Expenditure	\$204,330	\$51,083	\$53,563	-\$2	104.9%	
Interest on Borrowings	\$272,007	\$68,002	\$87,216	-\$19	128.3%	
Other Expenditure	\$1,290,510	\$656,378	\$632,361	\$24	96.3%	Pension rebates for full year
Plant Expenditure Paid	\$519,210	\$129,803	\$173,823	-\$44	133.9%	
	\$19,055,815	\$5,097,704	\$4,986,243	\$111	97.8%	
	-\$742,030	-\$8,305,484	-\$7,860,040			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$566,317	\$141,579	\$0	\$142	0.0%	
Underlying (Surplus) / Deficit	-\$175,713	-\$8,163,905	-\$7,860,040			



NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

21 OCTOBER 2019

	-		-		
Capital Grant Revenue	-\$1,460,936	-\$365,234	-\$443,989	\$79	121.6%
Subdivider Contributions	-\$541,533	-\$135,383	0	-\$135	0.0%
Capital Revenue	-\$2,002,469	-\$500,617	-\$443,989		
	-		-		

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

September

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 Amenies Redevelopment	720119		-\$6,557
Total c/fwds			\$7,509,740
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
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NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

Media Consultancy - for Corporate branding review

103700

\$3,000

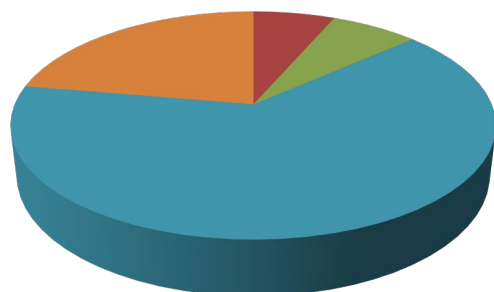
B. Balance Sheet Items

	Year to Date Actual	Monthly Change	Same time last year	Comments
Cash & Cash Equivalents Balance				
- Opening Cash balance	\$16,539,074	\$19,905,502		
- Cash Inflow	\$9,343,244	\$2,216,197		
- Cash Payments	-\$5,279,201	-\$1,518,583		
- Closing Cash balance	\$20,603,117	\$20,603,117		
	-	-		
Account Breakdown				
- Trading Accounts	\$1,711,719			
- Investments	\$18,891,398			
	\$20,603,117			
	-			

Summary of Investments

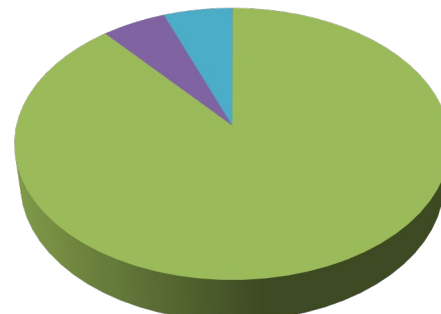
	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value
Tasmanian Public Finance Corporation					
Call Account	1/09/2019	30/09/2019	1.00	\$5,361	\$5,365
CBA Call Account	13/09/2019	30/09/2019	0.90	\$1,155,303	\$1,155,787
Commonwealth Bank	28/08/2019	28/10/2019	1.58	\$1,000,000	\$1,002,641
Bank of Us	30/07/2019	30/10/2019	1.90	\$516,300	\$518,773
Commonwealth Bank	3/09/2019	6/11/2019	1.59	\$1,750,000	\$1,754,879
Westpac	7/08/2019	7/11/2019	2.75	\$2,500,000	\$2,517,329
Commonwealth Bank	27/09/2019	26/11/2019	1.47	\$1,000,000	\$1,002,416
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	30/09/2019	28/12/2019	3.30	\$1,050,000	\$1,058,449
Total Investments				\$18,891,398	\$19,565,450

Investments by Institution



■ ANZ ■ Bank of Us (B&E) ■ MyState ■ Tascorp ■ Westpac ■ CBA

Total Investments by Rating (Standard & Poor's)



■ AA+ ■ AA- ■ Unrated ■ BBB ■ BBB-

Rate Debtors	2019/20	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	\$2,275,315		\$1,742,445	
Rates Raised	\$11,336,167		\$10,090,549	

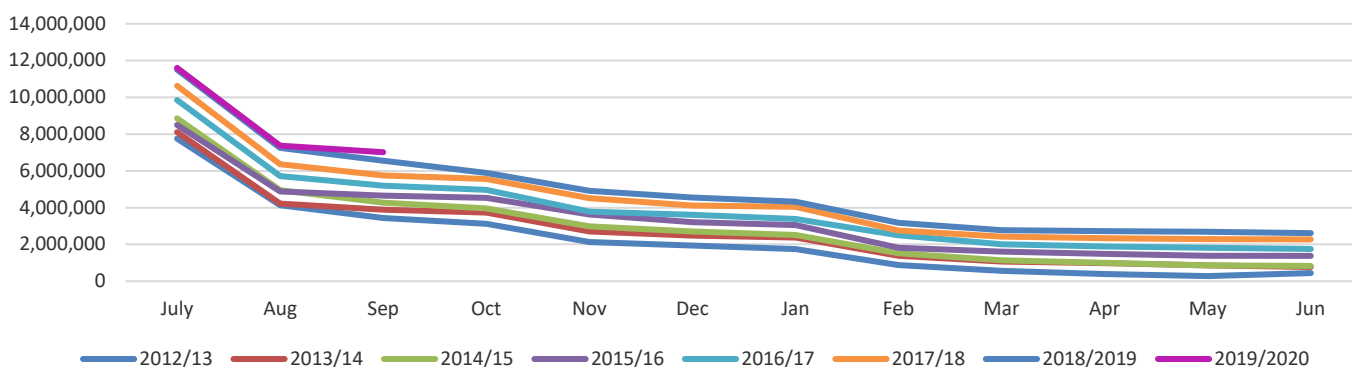


NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

	\$13,611,483		\$11,832,994	
Rates collected	\$6,258,879	55.2%	\$5,711,916	56.6%
Pension Rebates	\$452,412	4.0%	\$441,934	4.4%
Discount & Remissions	\$43,141	0.4%	\$41,300	0.4%
	\$6,754,433		\$6,195,150	
Rates Outstanding	\$7,015,279	61.9%	\$5,748,678	57.0%
Advance Payments received	-\$158,229	1.4%	-\$110,833	1.1%



Rates Outstanding



Trade Debtors

Current balance \$120,235

- 30 Days	\$40,463
- 60 Days	\$23,634
- 90 Days	\$5,212
- More than 90 days	\$50,926



Summary of Accounts more than 90 days:

- Norfolk Plains Book sales	639	Paid by outlet as sold
- Hire/lease of facilities	588	
- Removal of fire hazards	9,528	
- Dog Registrations & Fines	36,643	Send to Fines Enforcement
- Private Works	1,954	
- Regulatory Fees	1,575	
- Govt Reimbursements	-	



C. Capital Program

	Budget	Actual (\$,000)	Target 25%	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	\$3,393,983incl c/fwds	85%	In progress
- Longford Sports Centre Extension	\$1,250,000	\$761,758incl c/fwds	61%	Substantially complete
- Campbell Town Main Street Improvements	\$1,000,000	\$125,741incl c/fwds	13%	Design



NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

21 OCTOBER 2019

- Sheepwash Creek development	\$998,500	\$29,962incl c/fwds	3%	Complete
- Evandale Rec Ground Amenities	\$962,043	\$31,845	3%	In progress
- Office extension/upgrades	\$744,168	\$35,584incl 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	\$41	0%	Substantially complete
- Bridge 4000 Storys Crk Road, Tasmania Crk	175,000	\$41	0%	Substantially complete
- Bridge 5028 Old Coach Road,	90,000	\$82	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%	87.7%	-30.7%	⬇️	🟢
- Own Source Revenue / Total Revenue	79%	94%	-15.1%	⬇️	🟡
Sustainability Ratio					
- Operating Surplus / Operating Revenue	0.9%	61.2%	-60.3%	⬇️	🟢
- Debt / Own Source Revenue	47.6%	61.6%	-14.0%	↔️	🟡
Efficiency Ratios					
- Receivables / Own Source Revenue	45.8%	47.7%	-1.9%	⬇️	🟢
- Employee costs / Revenue	28.5%	9.9%	18.6%	⬆️	🟢
- Renewal / Depreciation	241.5%	397.6%	-156.1%	⬆️	🟢
Unit Costs					
- Waste Collection per bin	\$10.53	\$12.21		↔️	🟢
- Employee costs per hour	\$46.97	\$38.14		⬆️	🟢
- Rate Revenue per property	\$1,586.66	\$1,585.51		↔️	🟢
- IT per employee hour	\$3.30	\$5.45		⬇️	🟢

E. Employee & WHS scorecard

	YTD	This Month	
Number of Employees	88	88	🟢
New Employees	4	2	🟢
Resignations	1	0	🟢
Total hours worked	33338	8852	🟢
Lost Time Injuries	0	0	🟡
Lost Time Days	0	0	🟢
Safety Incidents Reported	2	0	🟡
Hazards Reported	15	0	🟡
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
Open W/Comp claims

1
1

0
0



F. Waste Management

Waste Transfer Station 2017/18 2018/19 2019/20 Budget 2019/20

Takings

	2017/18	2018/19	2019/20 Budget	2019/20
- Refuse	\$96,262	\$93,411	\$23,153	\$23,970
- Green Waste	\$55,282	\$52,960	\$12,749	\$11,077
- Concrete	\$1,333	\$2,376	\$388	\$479
Total Takings	\$143,942	\$152,877	\$35,696	\$35,526

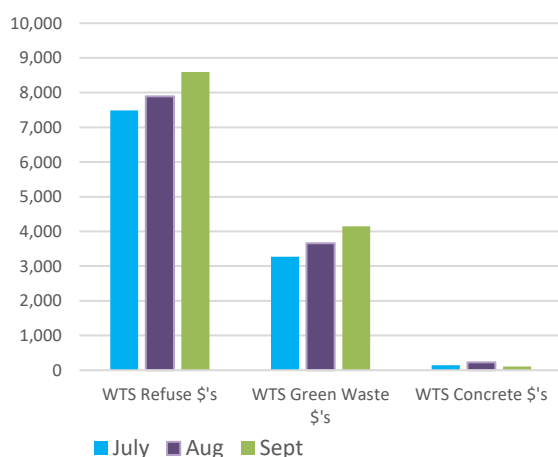
Tonnes Disposed

WTS Refuse Disposed Tonnes	1510	1325	276	203
WTS Green Waste Disposed Tonnes	4123	5200	983	0
WTS Concrete Disposed Tonnes	0	0	0	0
Kerbside Refuse Disposed Tonnes	2201	2217	358	328
Kerbside Recycling Disposed Tonnes	1037	1051	179	140

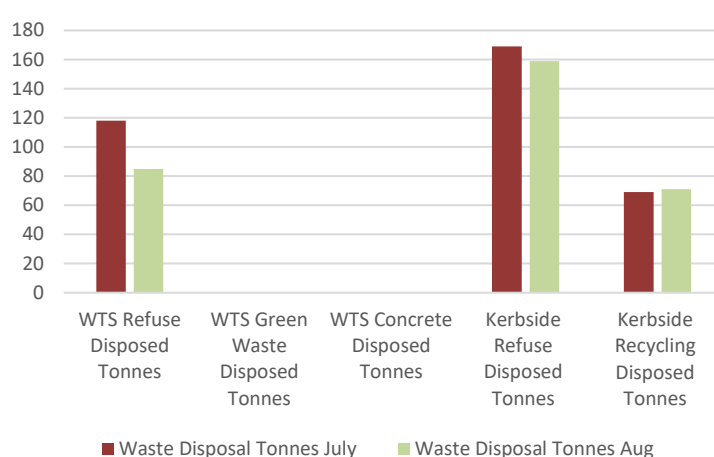
Total Waste Tonnes Disposed 8871 9793 1796 671



Waste Transfer Station Fees (\$'s)



Waste Disposal Tonnes



4 OFFICER COMMENTS

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

5 ATTACHMENTS

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

RECOMMENDATION

That Council

- i) receive and note the Monthly Financial Report for the period ending 30 September 2019.
- ii) authorise budget alterations as detailed in section 3A above.

DECISION
Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

CORP 2 PUBLIC LAND REGISTER

Attachments: Section 1 – Page 349

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 update the Public Land Register following the revaluation effective from 1 July 2019.

2 INTRODUCTION/BACKGROUND

Under section 177A of the Local Government Act 1993 Council must keep a list or maps of all public land within the municipal area.

The list or maps are to be made available for public inspection at any time during normal business hours.

An updated public land list with a copy of each title (were available) is now available following the revaluation of all properties within the northern midlands area during 2019 - effective from 1 July 2019.

The following land owned by Council is 'Public Land'

- (a) a public pier or public jetty
- (b) any land that provides health, recreation, amusement or sporting facility for public use
- (c) any public park or garden
- (d) any land acquired under section 176 for the purpose of establishing or extending public land
- (e) any land shown on a subdivision plan as public open space that is acquired by council under the Local Government (Building and Miscellaneous Provisions) Act 1993
- (f) any other land that the council determines is public land
- (g) any other prescribed land or class of land.

In addition, a list of land owned by council but deemed 'non-public land' has been updated and circulated for Council's consideration and information.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Money MattersCore Strategies:
 - ♦ Improve community assets responsibly and sustainably
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy FutureCore Strategies:
 - ♦ Attract healthy, wealth-producing business & industry
 - Economic Development – Supporting Growth & Changes
 - ♦ Support new businesses to grow capacity & service

4 POLICY IMPLICATIONS

Not applicable for this matter.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

5 STATUTORY REQUIREMENTS

The provisions of section 177A of the *Local Government Act 1993* applies to the recognition of council owned public land. Section 178 sets out a procedure that must be followed to sell, lease or donation of public land.

6 FINANCIAL IMPLICATIONS

There are no financial implications in relation to this matter.

7 RISK ISSUES

There is a risk that if Council does not declare land as public land, that it can be sold, leased or donated more easily without public consultation.

8 CONSULTATION WITH STATE GOVERNMENT

Government consultation is not applicable regarding this matter.

9 COMMUNITY CONSULTATION

Community consultation is not applicable regarding this matter.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council has the option to declare / not declare the list of council owned land as 'public land'.

11 OFFICER'S COMMENTS/CONCLUSION

There are some non-council owned but long-term council controlled land listed on the 'public land' register.

12 ATTACHMENTS

12.1 Public Land Register

RECOMMENDATION

That Council accept the 'Register of Public Land' as at 1 July 2019 owned/controlled by Council under the section 177A of the *Local Government Act 1993*.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

CORP 3 NOMENCLATURE: NAMING OF ROAD – KERYN COURT PERTH

Attachments: Section 1 – Page 357

File: 34/007
Responsible Officer: Maree Bricknell, Corporate Services Manager
Report prepared by: Natalie Horne, Records Management Officer

1 PURPOSE OF REPORT

This report considers the naming of a new court created by subdivision in Clarence Street, Perth.

2 INTRODUCTION/BACKGROUND

The subdivision consists of 8 new properties facing the court. The developer was asked to submit 3 names for consideration:

- Keryn Court- available
- Louise Court – not available, existing in 4 other locations in the state.
- Barbara Court – not available, existing in 5 other locations in the state.

Neighboring councils and the nomenclature board were asked if they had any objections to the proposed name Keryn Court. No objections were received.

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
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
 - ♦ Excellent standards of customer service

4 POLICY IMPLICATIONS

The Tasmanian Place Naming Guidelines from the DPIPWE is used to suggest new road names to Council, with the preference to local heritage and ancestry.

5 STATUTORY REQUIREMENTS

Under the *Survey Coordination Act 1944*, urban roads which are wholly contained within a proclaimed town boundary, Council has authority to assign the names. If Council agrees to assign a name for the road then the Council is to advise the Nomenclature Board Secretary within forty days of assigning the name and advise property owners.

6 FINANCIAL IMPLICATIONS

It is proposed that Council be responsible for installing street name signage associated with renaming this road.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

7 RISK ISSUES

The DPIPWG guiding principles for the assignment of place names state:

Existing road names should not be duplicated within adjoining municipalities and ideally within the state. More critically they should not be duplicated within adjoining localities or suburbs (as recently gazetted for addressing purposes). Even the re-arrangement of the generic or type from say "Court" to "Place" may still result in potential misinformation and confusion to the user.

8 CONSULTATION WITH STATE GOVERNMENT

If Council agrees to assign a name for the road then the Council is to advise the Nomenclature Board Secretary within forty days of assigning the name.

9 COMMUNITY CONSULTATION

Under the Tasmanian Place Naming Guidelines renaming a road is within town boundary is at Council discretion.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can agree / not agree to assign a name as suggested.

11 OFFICER'S COMMENTS/CONCLUSION

The name has been recommended by the subdivider, but does not have any connection to local history.

12 ATTACHMENTS

12.1 Location Plan.

RECOMMENDATION

That Council assign the name 'Keryn Court' to the new road created by subdivision off Clarence Street at Perth, and that the Nomenclature Board be advised of the new name within 40 days.

DECISION

Cr

**CORP 4 APPLICATION TO DECLARE PROPERTY AS ‘URBAN FARM LAND’:
485 MARLBOROUGH STREET, LONGFORD**

Attachments: Section 1 – Page 358

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’.

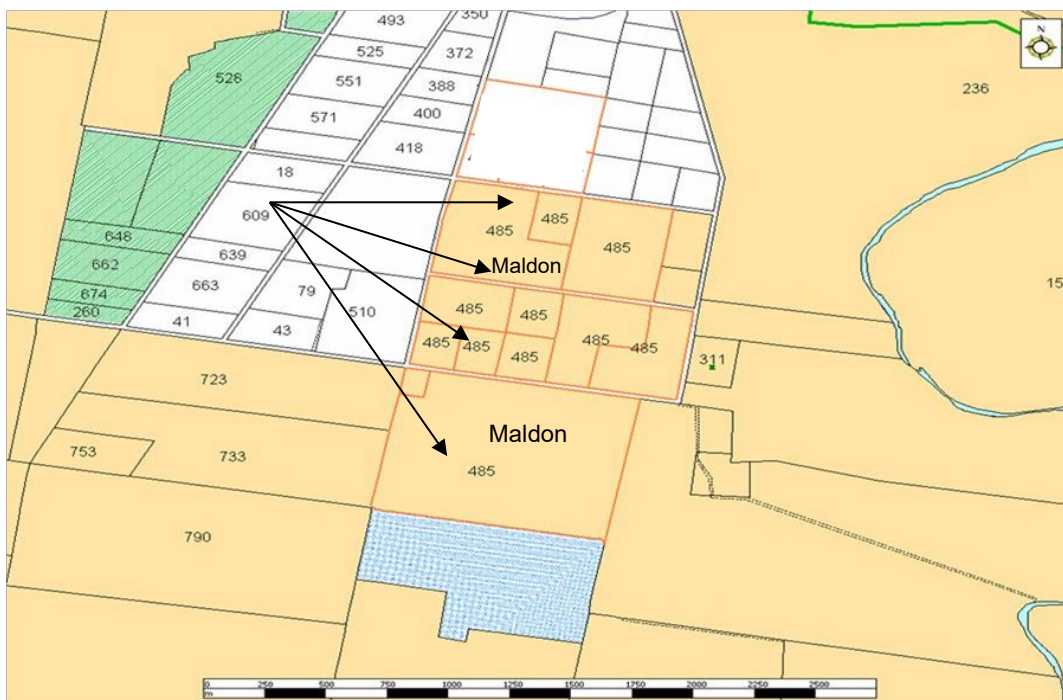
2 INTRODUCTION/BACKGROUND

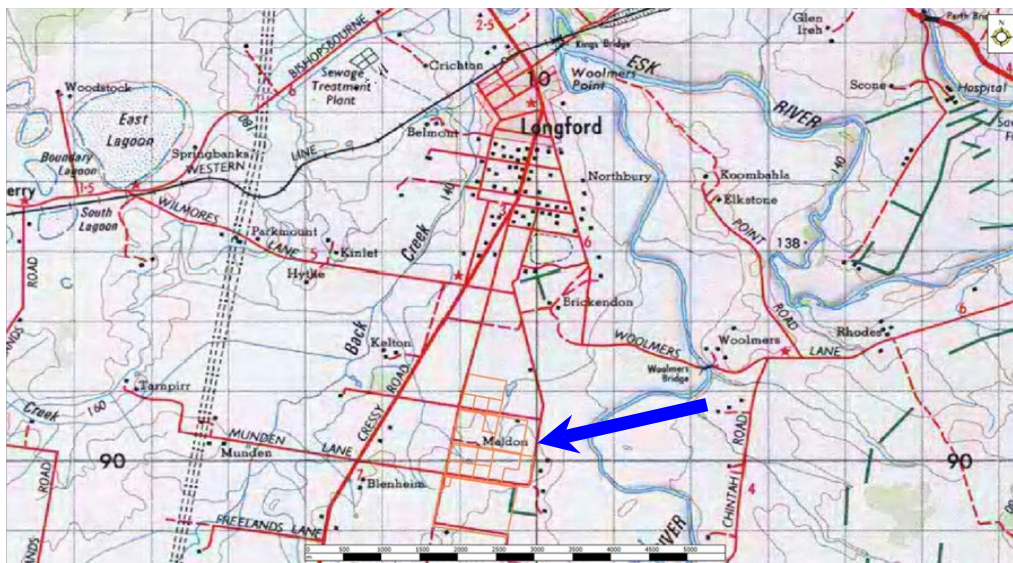
Under section 113 of the *Local Government Act* owners of farm land may apply to Council to declare their land as urban farm land.

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.





Council will recall that this matter was deferred at the last meeting for further comparison with some other properties.

A comparison with 4 other similar sized farms zoned rural in the vicinity at Cressy Road, Munden Lane and Green Rises Road have been provided for information on a confidential basis.

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.



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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.
- 12.2 Comparison with other properties within the vicinity zoned rural (*Confidential information – provided as CON 4(7) in closed council agenda*).

RECOMMENDATION

That Council

- A) declare Mr Nigel Taylor's land known as 'Maldon', Marlborough Street at Longford as 'urban farm land'
- OR
- B) refuse the application in accordance with the *Local Government Act 1993*.

DECISION

Cr



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CORP 5 ROUND 2 ASSISTANCE: MAJOR FESTIVALS, EVENTS & PROMOTIONS

Attachments: Section 1 – Page 359

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

1 PURPOSE OF REPORT

This report considers Round 2 requests for assistance during 2019-20 by community, sporting and non-profit organisations holding major festivals, events or promotions in the Northern Midlands.

2 INTRODUCTION/BACKGROUND

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

The maximum allocation to an event is \$1,650 except in the case of a major new event which can be eligible for a one-off seeding grant of up to \$3,300. Major events that are held annually are eligible for up to \$1,650 in-kind support each year.

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

Round 2 Applications for 2019-20 were advertised on 17th and 21st August and closed on 27 September 2019.

Some 10 applications seeking some \$17,275 were received by Council.

Applicant	Event	Grant Sought	Recommendation
YMCA Skate Park League in Tas	Event during 2019/20	\$ 2,200	\$ 2,200
Rossarden Progress Group	Bus Trip for isolated children – December 2019	\$ 770	\$ 770
Festival of Small Halls	Musical Event – January 2020	\$ 1,650	\$ 1,650
Tour of Tasmania	Sponsorship for 2019 event - stage starting at Longford	\$ 5,000	\$ 5,000*
Nth Tas Light Horse Troup	Animal War Remembrance Day - 23 February 2020	\$ 990	\$ 990
Thai Association of Tas	Thai Food & Cultural Festival - November 2019	\$ 990	\$ 990
Longford Catholic Parish	Community Welcome Party for overseas farm workers - 30 November 2019	\$ 990	\$ 990
Longford Show Society	163 rd Longford Show - October 2019	\$ 1,000	Nil
Northern Midlands Event Assoc	Longford Motorama - 6-8 March 2020	\$ 3,300	\$ 3,300
Northern Districts Cycling Club	PE Green Memorial Bike Race - October 2019	\$ 385	incl in Round 1
	Total	\$ 17,275	\$ 15,890
	*repairs to roads and other in-kind \$1,700		

3 STRATEGIC PLAN

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

- People –
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
- Core Strategies:
- ♦ Communicate – Communities speak & leaders listen
 - ♦ Participate – Communities engage in future planning
 - ♦ Connect – Improve sense of community ownership



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- ♦ Caring, Healthy, Safe Communities – Awareness, education & service

4 POLICY IMPLICATIONS

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

5 STATUTORY REQUIREMENTS

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

6 CONSULTATION WITH STATE GOVERNMENT

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

7 OFFICER COMMENTS

A budget allocation during 2019-20 of \$62,060 was available with \$10,850 available for Round 2, an additional \$5,040 will need to be allocated by Council if all applications in round 1 and 2 draw down on their grants.

8 ATTACHMENTS

- 8.1 Funding Schedule
- 8.2 Copy of applications received

RECOMMENDATION

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

Applicant	Event	Grant Sought	Funding Allocated
YMCA Skate Park League in Tas	Event during 2019/20	\$ 2,200	\$ 2,200
Rossarden Progress Group	Bus Trip for isolated children – December 2019	\$ 770	\$ 770
Festival of Small Halls	Musical Event – January 2020	\$ 1,650	\$ 1,650
Tour of Tasmania	Sponsorship for 2019 event - stage starting at Longford	\$ 5,000	\$ 5,000
Nth Tas Light Horse Troup	Animal War Remembrance Day - 23 February 2020	\$ 990	\$ 990
Thai Association of Tas	Thai Food & Cultural Festival - November 2019	\$ 990	\$ 990
Longford Catholic Parish	Community Welcome Party for overseas farm workers - 30 November 2019	\$ 990	\$ 990
Longford Show Society	163 rd Longford Show - October 2019	\$ 1,000	Nil
Northern Midlands Event Assoc	Longford Motorama - 6-8 March 2020	\$ 3,300	\$ 3,300
Northern Districts Cycling Club	PE Green Memorial Bike Race - October 2019	\$ 385	incl in Round 1
	Total	\$ 17,275	\$ 15,890



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PUBLIC QUESTIONS & STATEMENTS

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

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

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

1 PUBLIC QUESTIONS



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COUNCIL ACTING AS A PLANNING AUTHORITY

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

DECISION

Cr

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda items PLAN 1 – PLAN 8.

2 STATEMENTS

- | | |
|--------|---|
| PLAN 1 | DRAFT PLANNING SCHEME AMENDMENT 02/2019:
86 BURGHLEY STREET, LONGFORD |
| PLAN 2 | PLANNING APPLICATION PLN-19-0164
ROAD RESERVE OUTSIDE OF 8 HIGH STREET, EVANDALE |
| PLAN 3 | PLANNING APPLICATION PLN-19-0155:
4 MASON STREET, LONGFORD |
| PLAN 4 | PLANNING APPLICATION PLN-19-0115: 495 NILE ROAD, EVANDALE |
| PLAN 5 | PLANNING APPLICATION PLN-19-0182: ROAD RESERVE ADJACENT TO AND OPPOSITE 55A MAIN ROAD,
PERTH |
| PLAN 6 | PLANNING APPLICATION PLN-19-0184
84, 94 & 96-102 FAIRTLOUGH STREET, PERTH |
| PLAN 7 | DRAFT NORTHERN MIDLANDS LOCAL PROVISIONS SCHEDULE |
| PLAN 8 | DRAFT PLANNING SCHEME AMENDMENT 04/2019
74 MARLBOROUGH STREET, LONGFORD |



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PLAN 1 DRAFT PLANNING SCHEME AMENDMENT 02/2019: 86 BURGHLEY STREET, LONGFORD

Attachments: Section 1 – Page 405

Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Dianne Cowen, Senior Planning Consultant, Gray Planning
File Number: 02/2019 & PLN-19-0070

1 INTRODUCTION

Council has resolved to initiate and certify an amendment regarding a Rezone to General Residential & 7 Lot Subdivision at 86 Burghley Street, Longford

The draft amendment and planning permit were placed on public notification and six representations were received.

The representations are considered in this report.

2 BACKGROUND

Applicant:

Woolcott Surveys

Proposal:

Draft Amendment 02/2019 and planning permit PLN-19-0070 for Rezone to General Residential & 7 Lot Subdivision

Planning Instrument:

Northern Midlands Interim Planning Scheme 2013

Critical Date:

Report on representations to be sent to Planning Commission by 6 November 2019

Owner:

Bruce and John Pitt, the Executors for the Estate of L.D. Pitt

Recommendation:

Endorse statement of opinion as to the merit of the representations

Planning Authority:

Northern Midlands Council

3 STATUTORY REQUIREMENTS

In accordance with Schedule 6 (3) (2) (b) of the *Land Use Planning & Approvals Act 1993*, Council is required under Section 39 (2) to forward to the Planning Commission a report comprising –

- (a) *a copy of each representation received by the authority in relation to the draft amendment; and*
- (b) *a statement of its opinion as to the merit of each such representation, including, in particular, its views as to–*
 - (i) *the need for modification of the draft amendment in the light of that representation; and*
 - (ii) *the impact of that representation on the draft amendment as a whole; and*
- (c) *such recommendations in relation to the draft amendment as the authority considers necessary.*

These matters are discussed below.

4 ASSESSMENT OF REPRESENTATIONS

Draft Amendment

The draft amendment is to amend the planning scheme maps by zoning part of 86 Burghley Street, Longford (CT

115134/3) from Rural Resource to General Residential. The draft amendment and draft permit are included in Attachment A.

Representations

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

- Mrs M Shadbolt, no address given
- Austral Bricks, Cressy Road, Longford
- Mr D & Mrs C Betts, 119 Bulwer Street, Longford
- Mr R Baker, 77 Catherine Street, Longford
- Mr M Rhodes, 2 Lach Dar Court, Longford
- Woolcott Surveys, applicant, 10 Goodman Court, Launceston

Figure 1 – Location of Represor properties (where address given in representation) in relation to the subject site



Consideration of the Representations

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

ISSUE 1: ***Habitat of Eastern Barred Bandicoot** – Land at the corner of Burghley and Bulwer Streets contains threatened species eastern barred bandicoots and it is suggested that before any works or removal of fences is undertaken, that Parks and Wildlife be contacted to relocate them.*

Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment

Under the *Northern Midlands Interim Planning Scheme 2013*, the subject land is not contained within the priority habitat overlay and therefore is not identified as critical habitat for the eastern barred bandicoot under the Scheme. As such, there is no head of power to request a survey be undertaken within the planning permit process. It is also important to note that the protection of threatened species is managed



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at the State level under the *Tasmanian Threatened Species Protection Act 1995* under a separate application process and the applicant is required to take the appropriate steps to comply with the relevant legislation.

It is therefore considered this should have no impact on the draft amendment continuing to be supported by Council. However, this does not preclude Council from including an advice clause on any permit issued that recommends the applicant should contact the Threatened Species Unit of the Department of Primary Industries, Parks, Water and Environment to confirm their requirements or obligations under the *Tasmanian Threatened Species Protection Act 1995*.

Agree that the appropriate steps should be undertaken to ensure that any eastern barred bandicoots are suitably managed in accordance with the relevant legislation.

Recommendation 1

That the draft permit be modified by adding an advice clause at the end of the conditions as follows:

ADVICE

As a result of observations of the Eastern Barred Bandicoot on the site, it is recommended that the Threatened Species Unit of the Department of Primary Industries, Parks, Water and Environment be contacted to confirm your obligations, or whether any permits are required, in relation to the threatened species in conjunction with the proposed subdivision.

ISSUE 2:

Location of proposed amendment and subdivision in relation to Austral Bricks plant – Whilst the location of the proposed amendment and subdivision is limited to a section of the site, the Hydrodynamica Flood Modelling Report covers a larger area of land that extends further south. No objection is raised to the 1.763ha rezoning however, residential zoning further south should be limited by Cracroft Street.

Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment

The portion of the land subject to the draft amendment and location of the subdivision is approximately 1km to the north of the Austral Brick plant. Whilst the submission raises no concern regarding the rezoning itself, it does request that residential development be restricted south of Cracroft Street to reduce residential encroachment onto the existing brick plant. Land affected by the draft amendment and subdivision is located 400m north of Cracroft Street and is therefore well clear of the brick plant and consistent with the request made in the representation.

It is also noted that the attenuation distance as listed in Table E11.1 of the Environmental Impacts and Attenuation Code of the *Northern Midlands Interim Planning Scheme* (the Scheme), is 200 metres. The proposal therefore falls well clear of this attenuation distance requirement.

Accordingly, the proposal addresses the concerns set out in the representation relating to attenuation distances.

Recommendation 2

That the draft amendment not be modified in relation to this issue.

ISSUE 3:

Impact of flood onto surrounding properties – Concern is raised regarding the potential for increased flooding risks onto surrounding properties as a result of development and fill.

Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment

As outlined in the planning report in Council's Agenda dated 22 July 2019, a site specific flood study was undertaken by Hydrodynamica and a memo provided dated 20 December, 2018 that suggested ground

level within the area affected by the subdivision proposal should be elevated through “fill” of the site. However as noted in the report, the study was based on an estimate of the likely flood risk and provides no certainty on which to base a decision. As an alternative, a condition has been placed on the draft permit which requires a Part 5 Agreement with Northern Midlands Council under the *Land Use Planning and Approvals Act 1993*. Agreement to this condition has been reached with the property owners, that requires floor levels to be constructed to a minimum height of 300mm above natural ground level.

It is considered that the condition proposed addresses the concerns raised in the representation as the earthworks recommended in the site specific flood study are not a requirement of the planning permit given the uncertainty. The raised floor levels are limited specifically to the individual dwellings on the proposed lots, which is not envisaged to direct flood impacts onto nearby properties and is a precautionary approach in an area not mapped as being flood prone under the Scheme maps.

Recommendation 3

That the draft amendment and draft permit not be modified in relation to this issue.

ISSUE 4: *Changes to access points – Amenity issues will result from access points onto the road directly opposite and it would be better if the plan was flipped over to access via Burghley Street cottage.*

Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment

The representation appears to be made in relation to the amenity impact of the subdivision onto Catherine Street. The primary frontage for each lot created is onto Bulwer Street. Therefore, access will be achieved via Bulwer Street, although there may be option for a single access to lot 6 which is located on the corner of Bulwer and Catherine Street. The impact of one access however, is minimal in a residential locality. It is unclear however, whether the representation is concerned about entry/exit to the lots or the potential for a road access in future and at this stage no road access is proposed.

Access via the frontage addressing Burghley Street Cottage as suggested in the representation, is over a red gravel road. Should access be required over this road for the proposed lots, it would necessitate upgrade to a Council road standard. The existing road infrastructure to the north and east of the site is constructed to such a standard and it would be more beneficial to utilize existing infrastructure, rather than require additional road construction for a subdivision of this size.

Recommendation 4

That the draft permit not be modified in relation to this issue.

ISSUE 5: *Sewerage and stormwater infrastructure – It is questioned whether a pump station would be required to service the subdivision and where the stormwater will be directed given the extent of approximately 91,650 litres per house based on past 10 years rainfall, plus additional run-off from road, kerb and gutters.*

Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment

As a result of the subdivision, connection to TasWater’s reticulated sewerage infrastructure will be required in Catherine Street. Therefore, it is confirmed that a pump station will not be required for the proposed development.

Stormwater from the subdivision will be directed to Council’s stormwater system in Bulwer Street and constructed to Council standard. A condition on the permit is included to facilitate this requirement. Council is satisfied that sufficient infrastructure is in place to support approval of the subdivision and has conditioned the draft permit accordingly.



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Recommendation 5

That the draft amendment and draft permit not be modified in relation to this issue.

ISSUE 6: *Proposed lot sizes – Concern is raised about the smaller size of lots and it is questioned why travel out of Launceston regional area to be so close to neighbours.*

Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment

The proposed zoning of General Residential acknowledges the township of Longford and seeks to concentrate residential development to the town area itself. This results in the efficient use of reticulated infrastructure and maintains the health and viability of the township. The subject site has been identified within the Northern Tasmania Regional Land Use Strategy as being within the urban growth boundary as a site suited for residential density reflected by the General Residential zone.

The General Residential Zone is utilized throughout Tasmania to identify the higher densities of development surrounding urban centres and regional townships. The proposal is consistent with this strategy. Whilst the urban environment surrounding Launceston may allow even higher densities of development under the Inner Residential Zone, this zone is not utilized in outlying townships. Accordingly, the General Residential zone is considered appropriate for the subject site and the provisions that control subdivision with the General Residential zone are consistently mandated throughout the State.

The only alternative to the General Residential Zone for this location for consideration would be the Low Density Residential Zone which has a minimum lot size allowable of 1ha under the Scheme. The purpose of the Low Density Residential Zone is “provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development”. In this instance the Low Density Residential Zone is not appropriate given that full reticulated infrastructure is possible to service the site which is consistent with the purpose of the General Residential Zone.

Accordingly, the lot sizes proposed under the General Residential Zone are considered appropriate for future development of the subject site.

Recommendation 6

That the draft amendment not be modified in relation to this issue.

ISSUE 7: *Future growth of Longford – RSN-A1 highlights the fact that Council has no identified structure plan in place for the Longford area and it is anticipated this will be addressed soon to avoid unstructured development.*

Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment

RSN-A1 is a policy action of the Regional Land Use Strategy in response to Policy **RSN-P1** which seeks to ensure that “urban settlements are contained within identified Urban Growth Areas. No new discrete settlements are allowed and opportunities for expansion will be restricted to locations where there is a demonstrated housing need, particularly where spare infrastructure capacity exists (particularly water supply and sewerage). The policy action for **RSN-A1** is to “provide an adequate supply of well located and serviced residential land to meet projected demand. Land owners/developers are provided with the details about how development should occur through local settlement strategies, structure plans and planning schemes. Plans are to be prepared in accordance with land use principles outlined in the RLUS, land capability, infrastructure capacity and demand”.

Consistent with the NTRLUS policy and action noted above, the Longford Development Plan prepared in 2012, is the guiding document that identifies areas within Longford that are suited to future residential



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development. As noted in the report to Council dated 22 July, 2019, the subject site has been identified within the projected urban growth area of the Development Plan.

Accordingly, the draft amendment results in structured development in accordance with the Longford Development Plan.

Recommendation 7

That the draft amendment not be modified in relation to this issue.

ISSUE 8: *Higher density development – No objection is raised to changing the use or subdividing the land, however concern is raised in relation to the lot sizes proposed which are inconsistent with existing development patterns. The proposed subdivision also does not appear to take into consideration a number of issues regarding long term sustainability of the built environment as a result of the lot configuration.*

Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment

The representation raises concerns on a number of issues pertaining to the subdivision as follows:

- Inconsistent lot sizes with existing development patterns
- Smaller lots does not mean smaller dwellings
- Lot configuration and impact on dwelling design
- Smaller lot sizes requires additional public open spaces and cash in lieu payments should be declined

The representation outlines a number of inconsistencies with the existing lot sizes within close proximity to the subject site. The existing lots sizes have been established in accordance with the planning provisions contained within previous planning schemes. The provisions specifying minimum lot sizes for the General Residential Zone are a result of *Planning Directive 4.1 – Standards for Residential Development in the General Residential Zone (PD4.1)*. This Directive is incorporated within the Interim Planning Schemes throughout Tasmania as a State mandated requirement. Therefore, there is no flexibility in allowing alternative minimum lot sizes for the General Residential Zone to suit specific locations.

The minimum lot size allowable in the General Residential Zone under Interim Schemes is 450m² and in some instances down to 400m². These smaller lot sizes seek to address a range of issues such as demographic change, ageing population, better utilization of existing reticulated infrastructure, reduction in urban sprawl and provide for a range of dwellings types at suburban densities. Whilst it is agreed that there may be differences in the range of lot sizes within the Longford residential areas, the requirements of the current Scheme allow for the smaller lots as an acceptable solution. As discussed earlier, the only other alternative for zoning of the site would be Low Density Residential which is not appropriate given the minimum lot size of 1ha under the Zone provisions.

Similar to the situation above, the design and size of dwellings and configuration of lots, is governed by the requirements of the Scheme. Whilst it is acknowledged that there may be better ways of designing dwellings and the subdivision as noted in the representation, the Scheme provisions set the standard for assessment of future dwellings and subdivisions. Although the assessment of dwellings commences at a later stage, the configuration of the subdivision is the first step to ensuring that future development is able to be accommodated within the subdivision.

As noted in the assessment of the associated subdivision, the proposed subdivision proposal is able to comply with the acceptable solutions of the Scheme, except in relation to the provision of the footpath. In this instance therefore, no head of power exists to require any reconfiguration to the subdivision due to compliance with the relevant Zone provisions under the acceptable solutions. As a result, the Scheme



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assumes that future development of the lots for dwellings is able to be achieved under the development provisions.

The representation also raised comments on the provision of private open space and the requirement for larger areas of public open space to be provided where smaller lots are approved. Section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* sets out a specific requirement for public open space to be taken via a cash contribution or area of land to be set aside for public open space as a result of subdivision. The draft permit has been conditioned to require land to be set aside for public open space.

It is noted that the issue of public open space was also raised in a submission by the applicant which outlines the intent of the developer to provide public open space via land contribution at the time of further subdivision of the site. Given that the subdivision is for seven lots and there is a significant amount of land yet to be subdivided, a monetary contribution at this stage of development is considered reasonable.

As it is concluded there is no mechanism to alter the minimum lot size proposed by the General Residential Zone or the development standards under which the subdivision is assessed, no recommendation can be made for changes to the subdivision design. It is also concluded that the land is considered to be suitably zoned as General Residential given the purpose of the Zone.

Recommendation 8

That the draft permit not be modified in relation to this issue.

ISSUE 9: *Public Open Space condition on permit – The condition on the permit requiring public open space should be removed until further negotiation with Council for public open space as part of the overall subdivision of the site.*

Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment

Council has conditioned the permit to require 5% of the parent title area of 1.763ha for public open space, to be located in the south-eastern corner. This results in land area measuring 881.5m² based on the existing Title. The submission seeks to defer the public open space contribution to a later stage of subdivision of the balance lot, following subdivision of the six residential lots.

It is considered appropriate that a public open space contribution should be taken at this stage of development, in the unlikely event that further subdivision of the site is never carried out and opportunity is lost. Discussions about future options have not been concluded to date and there is no definitive plan for the future of the site. Conditioning for the contribution of public open space is consistent with Council's Public Open Space Contribution Policy and section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

Council can either require the 5% of the whole title area (881.5m²) or cash in lieu for the six (6) lots created, calculated at \$1,200 per lot in accordance with Council's Public Open Space Policy. The area of land then required for public open space upon future subdivision would result in an area measuring 708m², based on the balance lot at the time subdivision.

Access to an existing local park is provided on the corner of Lewis Street & Cressy Road, which is approximately 500 metres from the proposed lots. This park is considered a walkable distance and capable of servicing the recreational needs of the dwelling occupants, which takes into account the level of demand created by six new lots. Future subdivision of the site is considered the most critical time to require a land contribution which has been identified by the applicant and is a concern raised in issue 8 by another representor. It would be unfortunate if a land contribution was taken at this point and located



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in a manner that impedes the future layout of subdivision.

It is recommended that the preference at this time would be for Council to receive a cash in lieu contribution as the location of public open space would be better managed as part of the future subdivision when a more definitive plan is provided in order to better locate the public open space. It would be Council's expectation at that time that public open space was provided as a land contribution.

Accordingly, it is recommended that the condition to require public open space remains on the draft permit and amended to require a cash in lieu contribution.

Recommendation 9

That condition 9 of the draft permit be amended as follows:

PUBLIC OPEN SPACE CONTRIBUTION

- A cash contribution of \$1,200 per new lot must paid in lieu of public open space in accordance with Council's current policy, or
- The applicant may obtain a valuation not less than one month old by a registered land valuer, of the subject land, less one of the proposed lots. The Public Open Space Rate shall total 5% of that value.

5 DISCUSSION

A total of five (5) representations were received and one (1) response submission from the applicant. Following assessment of the concerns raised, two changes are suggested to the draft permit to address those concerns.

The concern raised in relation to the potential impact on the Eastern Barred Bandicoot, believed to be inhabiting the site, is able to be managed under State legislation. As outlined in recommendation 1, it is recommended that an advice clause be added to the draft permit to reflect this situation and advise the applicant of their obligations under the relevant legislation.

With regard to the draft permit condition relating to the public open space contribution, it is considered appropriate that a contribution is taken at this stage of subdivision. As outlined in issue 9 however, a contribution by way of land has the potential to cause locational and design problems at the next phase of subdivision, which has also been raised by the applicant. At this stage therefore, it is recommended that a cash in lieu contribution, in accordance with Council's Public Open Space Policy, is a more appropriate approach.

As a result of the assessment, it is recommended that the draft amendment and draft permit continue to be supported.

6 OPTIONS

- Move the recommendations; or
- Move alterations to the recommendations.

7 ATTACHMENTS

- Draft amendment and permit
- Representations and applicant's response

RECOMMENDATION

That Council, in accordance with section 39 (2) (b) of the former provisions of the *Land Use Planning & Approvals Act*



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1993, forward to the Tasmanian Planning Commission the following regarding the representations:

ISSUE 1: ***Habitat of Eastern Barred Bandicoot** – Land at the corner of Burghley and Bulwer Streets contains threatened species eastern barred bandicoots and it is suggested that before any works or removal of fences is undertaken, that Parks and Wildlife be contacted to relocate them.*

Recommendation 1

That the draft permit be modified by adding an advice clause at the end of the conditions as follows:

ADVICE

As a result of observations of the Eastern Barred Bandicoot on the site, it is recommended that the Threatened Species Unit of the Department of Primary Industries, Parks, Water and Environment be contacted to confirm your obligations, or whether any permits are required, in relation to the threatened species in conjunction with the proposed subdivision.

ISSUE 2: ***Location of proposed amendment and subdivision in relation to Austral Bricks plant** – Whilst the location of the proposed amendment and subdivision is limited to a section of the site, the Hydrodynamica Flood Modelling Report covers a larger area of land that extends further south. No objection is raised to the 1.763ha rezoning however, residential zoning further south should be limited by Cracroft Street.*

Recommendation 2

That the draft amendment not be modified in relation to this issue.

ISSUE 3: ***Impact of flood onto surrounding properties** – Concern is raised regarding the potential for increased flooding risks onto surrounding properties as a result of development and fill.*

Recommendation 3

That the draft amendment and draft permit not be modified in relation to this issue.

ISSUE 4: ***Changes to access points** – Amenity issues will result from access points onto the road directly opposite and it would be better if the plan was flipped over to access via Burghley Street cottage.*

Recommendation 4

That the draft permit not be modified in relation to this issue.

ISSUE 5: ***Sewerage and stormwater infrastructure** – It is questioned whether a pump station would be required to service the subdivision and where the stormwater will be directed given the extent of approximately 91,650 litres per house based on past 10 years rainfall, plus additional run-off from road, kerb and gutters.*

Recommendation 5

That the draft amendment and draft permit not be modified in relation to this issue.

ISSUE 6: ***Proposed lot sizes** – Concern is raised about the smaller size of lots and it is questioned why travel out of Launceston regional area to be so close to neighbours.*

Recommendation 6

That the draft amendment not be modified in relation to this issue.

ISSUE 7: ***Future growth of Longford** – RSN-A1 highlights the fact that Council has no identified structure plan in place for the Longford area and it is anticipated this will be addressed soon to avoid unstructured development.*

Recommendation 7

That the draft amendment not be modified in relation to this issue.

ISSUE 8: ***Higher density development** – No objection is raised to changing the use or subdividing the land, however concern is raised in relation to the lot sizes proposed which are inconsistent with existing development patterns. The proposed subdivision also does not appear to take into consideration a number of issues*



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regarding long term sustainability of the built environment as a result of the lot configuration.

Recommendation 8

That the draft permit not be modified in relation to this issue.

ISSUE 9: ***Public Open Space condition on permit** – The condition on the permit requiring public open space should be removed until further negotiation with Council for public open space as part of the overall subdivision of the site.*

Recommendation 9

That condition 9 of the draft permit be amended as follows:

PUBLIC OPEN SPACE CONTRIBUTION

- A cash contribution of \$1,200 per new lot must be paid in lieu of public open space in accordance with Council's current policy, or
- The applicant may obtain a valuation not less than one month old by a registered land valuer, of the subject land, less one of the proposed lots. The Public Open Space Rate shall total 5% of that value.

DECISION

Cr



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PLAN 2 PLANNING APPLICATION PLN-19-0164 ROAD RESERVE OUTSIDE OF 8 HIGH STREET, EVANDALE

Attachments: Section 1 – Page 438

File Number: N/a; CT – Road Reserve
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Justin Simons, Consultant Town Planner

1 INTRODUCTION

This report assesses an application for the road reserve outside of 8 High St, Evandale to construct 4 Banner Poles.

2 BACKGROUND

Applicant: Rebecca Green	Owner: Northern Midlands Council (Road Reserve)
Zone: Utilities Zone	Codes: Local Historic Heritage Code
Classification under the Scheme: Discretionary	Existing Use: Utilities
Deemed Approval Date: Extension of time till 25.10.2019	Recommendation: Approve

Discretionary Aspects of the Application

- Reliance on the performance criteria of the Utilities Zone (setback).
- 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.

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.

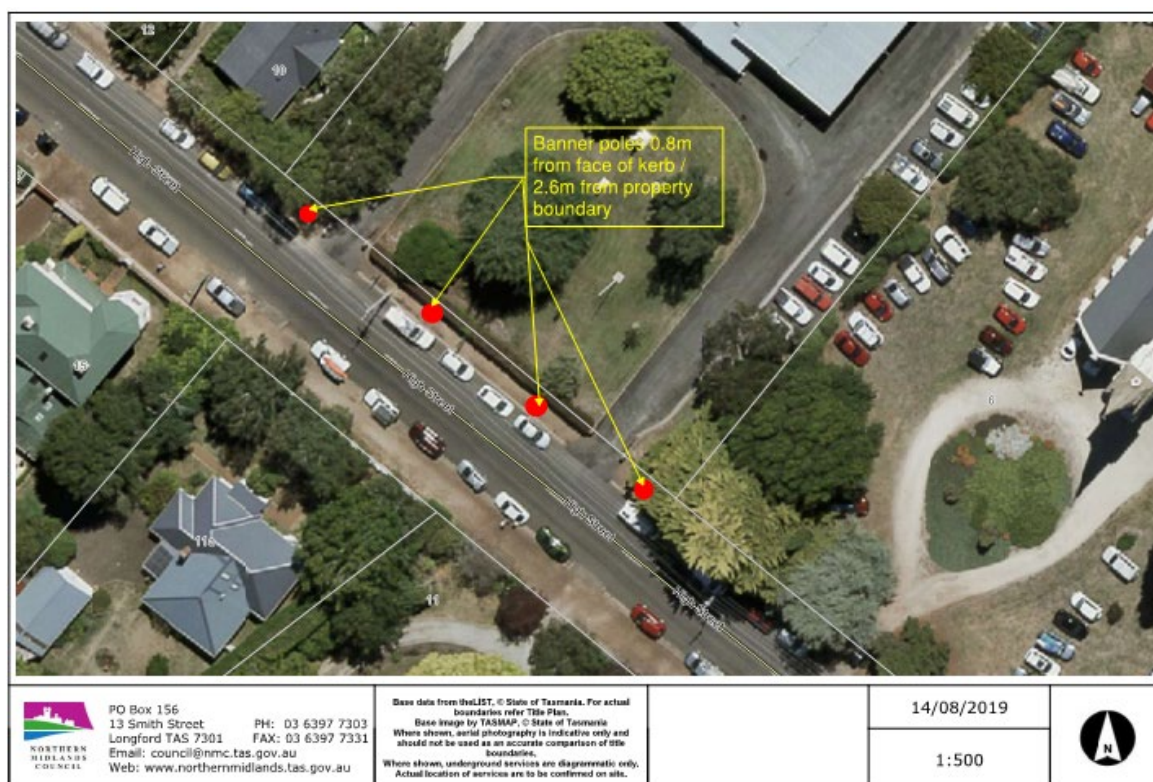
4 ASSESSMENT

4.1 Proposal

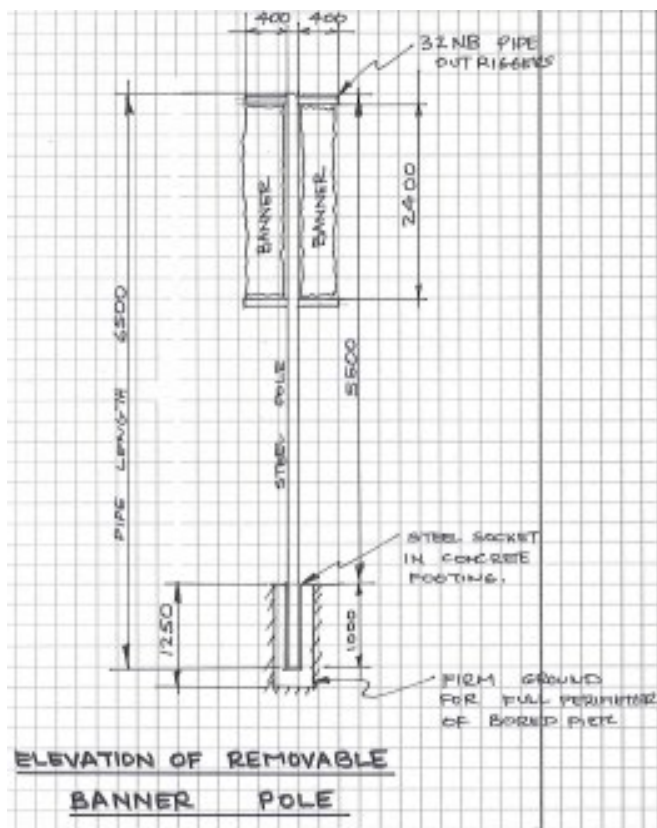
It is proposed to:

- Construct 4 Banner Poles with banner signage for the seasons, festivals, special events etc within the road reserve at the front of the Evandale Memorial Hall.

Site Plan

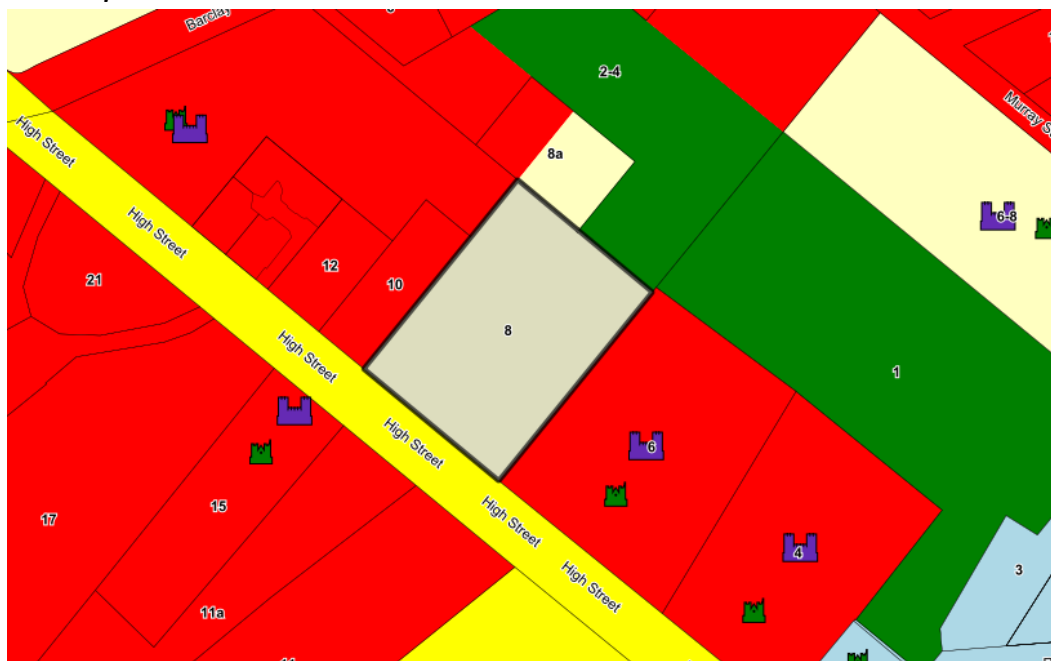


Elevations



4.2 Zone and land use

Zone Map – Utilities Zone



The land is zoned Utilities and is within the Heritage Precinct.

The relevant Planning Scheme definition is:

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

Utilities (minor) is permitted in the zone; however, reliance on the performance criteria of the Local Historic Heritage Code caused the application to become discretionary.

4.3 Subject site and locality

The author of this report carried out a site visit on the 10th November 2019 (Council Planner, Erin Boer, also undertook a site visit on the 3rd September 2019).

The subject site is located on the western side of the township of Evandale and spans a 54m section of road reserve (High Street) at the front of the Evandale War Memorial Hall. High Street predominantly consists of residential and community purpose (community center/churches) uses.

Aerial photograph of area



Photographs of subject site





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4.4 Permit/site history

Relevant permit history includes:

- Nil.

4.5 Representations

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

- Barry Lawson - 19 High Street, Evandale (via email).

The matters raised in the representations are outlined below followed by the planner's comments. Full details of the representation can be found in the attachments to this item.

Issue 1

- Spacing of Banner Poles (road safety/legibility)

Planner's comment:

The proposed signage does not include any statutory or traffic control messages. The documents cited in the representation, including the National (USA) Manual for Uniform Traffic Control Devices and the guidelines issued by Western Australian Main Roads are not relevant to the type of signage proposed by this application. The reason these guidelines exist is so that road safety and traffic management signage is of a consistent design and appearance, is readily recognized and understood, and is easily distinguished from the many other less important types of signage which are abundant in urban areas.

The design of the proposed banner signs is typical of seasonal and event signage regularly found within the activity centre of towns. It varies significantly in design and functions from traffic management signage, and is not readily confused as such. Commonly the principle use of grouped banner signs is to create a festive and vibrant environment. Where this type of signage is used to advertise an event or activity, it is generally done through a collaborative or themed approach. No individual sign is intended to convey all the details of the event. The spacing of the signage is not relevant to achieving these aims.

It is also noted that the signage is intended to be changeable and, as such, the legibility of the sign will be dependent on each individual design. Some designs may not include any writing at all. The content of the signage is completely at the discretion of Northern Midlands Council.

Issue 2

- Trees obscuring Banner Poles (reducing visibility/effectiveness)

Planner's comment:

The subject signage is not required to convey any statutory message and is not required for road safety. As such obscuring the signage is not considered to be a planning concern. Partially obscuring the signs will not necessarily diminish their capacity to create a vibrant environment or highlight local events. While it may reduce the effectiveness of the sign as an advertising device, this is not considered to be a planning concern. Placing the signage within close proximity to mature vegetation will provide scale and assist the signage to appear more established in the streetscape.

Issue 3

- Possible alternative locations

Planner's comment:

Council must assess the planning application which is before it.



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Council can certainly consider alternative locations for the banner signs, however, there are no means to do this through the assessment of the current application. A new application would generally be required for a different location. The issuing of a permit associated with this application will not prohibit Council considering other locations.

4.6 Referrals

The only referrals required were as follows:

Council's Works Department

Precis: Council's Works & Infrastructure Department (Jonathan Galbraith) reviewed the application on the 6/09/2019 and noted that no W & I comment was required.

Heritage Adviser

Council's Heritage Advisor, David Denman, reviewed the application on the 1st October 2019. Mr Denman noted that he had no objections to the proposal and made the following comments:

The banners and poles are removable and are not deemed as permanent fixtures.

They will assist in the promotion of the historic village and located in front of a public building with no heritage value. I have no objections to the proposal.

General Manager

Precis: Application signed by the General Manager.

4.7 Planning Scheme Assessment

UTILITIES ZONE	
ZONE PURPOSE	
<i>28.1.1 Zone Purpose Statements</i>	
<i>28.1.1.1</i>	<i>To provide land for major utilities installations and corridors.</i>
<i>28.1.1.2</i>	<i>To provide for other compatible uses where they do not adversely impact on the utility.</i>
Assessment: The proposal meets the zone purpose and does not compromise existing or future use of the land for utilities.	
LOCAL AREA OBJECTIVES	
<i>There are no desired local area objectives</i>	
DESIRED FUTURE CHARACTER STATEMENTS	
<i>There are no desired future character statements</i>	
USE AND DEVELOPMENT STANDARDS	

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.
Comment: The use is for Utilities (minor). This is a no permit required use in the Utilities Zone and, as such, complies with the Acceptable Solution.	Comment: Not applicable.



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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.	
Comment: The banner signs have a maximum height of 8m, compliant with the Acceptable Solution.		Comment: Not applicable.	
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.	
Comment: Relies on performance criteria – Banner Poles are setback 2.6m from property boundary.		Comment: The setback of the proposed banner signs is largely dictated by the form and nature of the road reserve, the centre of which is largely occupied by the road. The proposal is consistent with the setback of other community signs and public infrastructure adjacent to the road. By their nature, the proposed signs are designed to have a strong visual impact. However, being located outside of the Evandale War Memorial Hall, a public building, they will not have an adverse impact on how this land is used. The design and form of the banners has minimal visual bulk and will not obscure or diminish the visual appearance of the hall or any other property in the street. The banners do not provide an opportunity for overlooking. With minimal visual bulk, overshadowing will be minimal and will fall on the public road. The banners are considered to be consistent with the Performance Criteria and the Objective of the standard.	



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28.4.2 Subdivision – N/a

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/a
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	N/a
E.5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	N/a – no requirement set for ‘utilities’.
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	Complies – See code assessment below

ASSESSMENT AGAINST E13.0 LOCAL HISTORIC HERITAGE CODE

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

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: The proposed banners have minimal site coverage and will contribute positively to the streetscape. The heritage character of the streetscape and the precinct will not be diminished.

The development complies with the Performance Criteria and is consistent with the Objective.

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	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



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in Table E13.1: Heritage Precincts, if any.	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.
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Comment: The proposal is consistent with the Performance Criteria P1.1 and P1.3. The height of the proposed banners will not diminish the importance, appearance or character of the War Memorial Hall. The signage has minimal visual bulk and will not unreasonably obscure views of the property or buildings from the street. A number of mature trees fronting High Street on the subject property and adjoining land are significantly greater in height and bulk than the proposed banners and will remain the dominant streetscape feature.

The banners are consistent with the management principles outlined in Table E13.1 and will not diminish the heritage character of the streetscape. The banners are intended to enrich the streetscape and will enhance the village character.

P1.2 is not applicable as the proposal does not include any extension to the building.

E13.6.5 Fences

Comment: N/a

E13.6.6 Roof Form and Materials

Comment: N/a

E13.6.7 Wall materials

Comment: N/a

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.

Comment: The development complies with the Performance Criteria. The set back is consistent with the other forms of utilities, including signage and electricity infrastructure, which already occupy the road reserve. The signs do not detract from the historic heritage of the precinct or the adjoining property.

The proposed banners are consistent with the management principles outlined in Table E13.1 and will not diminish the heritage character of the streetscape.

E13.6.9 Outbuildings and Structures

Comment: N/a

E13.6.10 Access Strips and Parking

Comment: N/a

E13.6.11 Places of Archaeological Significance

Comment: N/a

E13.6.12 Tree and Vegetation Removal

Comment: N/a

E13.6.13 Signage

Objective: To ensure that signage is appropriate to conserve the historic heritage significance of local heritage places and precincts.			
Acceptable Solutions		Performance Criteria	
A1	Must be a sign identifying the number,	P1	New signs must be of a size and location to ensure that:



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use, heritage significance, name or occupation of the owners of the property not greater than 0.2m ² .	a) period details, windows, doors and other architectural details are not covered or removed; and b) heritage fabric is not removed or destroyed through attaching signage; and c) the signage does not detract from the setting of a heritage place or does not unreasonably impact on the view of the place from public viewpoints; and d) signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
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Comment: The proposed banners comply with the Performance Criteria. They do not cover or obscure any particular heritage features of nearby buildings. No heritage fabric is proposed to be destroyed or removed. The banners are not considered to detract from the setting of the adjacent property. While the banners will alter the view from the street, the impact will not be unreasonable.

The proposed banners are consistent with the management principles outlined in Table E13.1 and will not diminish the heritage character of the streetscape.

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
EVANDALE HERITAGE PRECINCT CHARACTER STATEMENT The Evandale Heritage Precinct is unique because it is the core of an intact nineteenth century townscape, with its rich and significant built fabric and village atmosphere. Its historic charm, tree lined streets and quiet rural setting all contribute to its unique character. Its traditional buildings are an impressive mix of nineteenth and early twentieth century architectural styles while its prominent elements are its significant trees, the Water Tower and the Church spires. The original street pattern is an important setting for the Precinct, with views along traditional streetscapes, creating an historic village atmosphere that is still largely intact. Period residential buildings, significant trees, picket fences, hedgerows and cottage gardens are all complementary, contributing to the ambience of a nineteenth century village. The main roads into and out of Evandale create elevated views to the surrounding countryside which give context to the town and the Precinct, and contribute to its character. The quiet village feel of the town is complemented by a mix of businesses meeting local needs, tourism and historic interpretation. Evandale's heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the village.
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. The banner signs are an appropriate form of signage for the precinct and will enhance the historic village atmosphere of Evandale.

ASSESSMENT AGAINST E15.0 SIGNS CODE

E15.3 Definition of Terms Used in this Code

E15.3.1 In this Code, unless the contrary intention appears:

Community Information Sign	A sign not exceeding 2m ² indicating an institution of a religious, educational or cultural nature, or recreational character.
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E15.5 Standards for Use or Development

E15.5.1 Third Party Signage

Objective: To ensure that signs relate to the site on which they are located.	
Acceptable Solutions	Performance Criteria
A1 Must only advertise goods and services available from the site.	P1 Shall be a Billboard Sign and consistent with the desired future character statements, if any.
Comment:	Comment:



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N/a – Community Information Sign	N/A
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E15.5.2 Heritage Precincts

Objective To ensure that the design and siting of signs complement or enhance the streetscape of Heritage Precincts.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution	P1 If within the Heritage Precincts Specific Area Plan, shall be consistent with the Character Statements.
Comment: Relies on performance criteria.	Comment: The development complies with the Performance Criteria. The proposed banners will contribute to the village atmosphere described in the Evandale Heritage Precinct Character Statement and does not diminish any significant heritage features.

E15.5.3 Design and siting of signage

Objective To ensure that the design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located.	
Community Information Sign	
Acceptable Solutions	Performance Criteria
A19 A community information sign must be located in the following zones: • Community Purpose; or • General Business; or • General Industrial; or • General Residential; or • Light Industrial; or • Local Business; or • Low Density Residential; or • Open Space; or • Recreation; or • Rural Resource; or • Utilities Zone; or • Village Zone.	P19 A community information sign located in the Environmental Management Zone must demonstrate that: a) the sign is integral to the particular use of the site; and b) the sign does not dominate the streetscape and reflects the prevailing character of the area, in terms of shape, proportions and colours; and c) it does not conflict with the Zone Purpose as outlined in Part D of this planning scheme.
Complies: Signage is located within the Utilities Zone.	Comment: N/a
A20 A community information sign must: a) not exceed 2m²; and b) only provide information regarding an institution of a religious, educational or cultural nature, or recreational character; and c) not be illuminated, flash, chase, rotate or contain any moving parts.	P20 No performance criteria
Comment: Complies with A20. a) Each banner pole sign has is 2.4m x 0.4m. b) The proposed signage is not for private advertising, but is intended for events and seasonal decoration. It is considered to be of a cultural or recreational nature. C) The banners will not be illuminated, flash, chase, rotate or contain moving parts.	Comment: N/a

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



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F2.5 STANDARDS FOR DEVELOPMENT

F2.5.1 Setbacks

Comment: N/a

F2.5.2 Orientation

Comment: N/a

F2.5.3 Scale

Comment: N/a

F2.5.4 Roof Forms

Comment: N/a

F2.5.5 Plan Form

Comment: N/a

F2.5.6 External Walls

Comment: N/a

F2.5.7 Entrances and Doors

Comment: N/a

F2.5.8 Windows

Comment: N/a

F2.5.9 Roof Covering

Comment: N/a

F2.5.10 Roof Plumbing

Comment: N/a

F2.5.11 Verandahs

Comment: N/a

F2.5.12 Architectural Details

Comment: N/a

F2.5.13 Outbuildings

Comment: N/a

F2.5.14 Conservatories

Comment: N/a

F2.5.15 Fences and Gates

Comment: N/a

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.



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Complies with A1.1 – the proposed Banner Poles will be dark charcoal/black, which is consistent with lamp posts in the area (closest equivalent structures).	Comment: N/a
A2 There must be a contrast between the wall colour and trim colours.	P2 No performance criteria
Comment: N/a	Comment: N/a
A3 Previously unpainted brickwork must not be painted, except in the case of post-1960 buildings.	P3 No performance criteria
Comment: N/a	Comment: N/a

F2.5.17 Lighting

Comment: N/a

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
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
<i>Statutory Planning</i>

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on the performance criteria of the Utilities Zone (setback).
- Reliance on the performance criteria of the Local Historic Heritage Code.

The proposed banner signs are considered to comply with the Acceptable Solutions or Performance Criteria of all of the applicable standards.

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



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be used and developed in accordance with the proposal plans.

8 ATTACHMENTS

- A. Application & plans
- B. Responses from referral agencies
- C. Representation & applicant's response

RECOMMENDATION

That land at Road reserve outside of 8, High St, Evandale be approved to be developed and used for a 4 Banner Poles (vary setbacks, Heritage Precinct) in accordance with application PLN-19-0164, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P4 Site Plan** (*prepared by applicant, dated: 14.08.2019*) & **Banner Pole Drawings** (*Prepared by JMG (R. Gowland), Drawing No: 182258CL, Sheet No's: SK01-SK02 - Dated: 10.08.2018 & SK03 – Dated: 22.08.2019*) & **D1** (*Planning Submission Report, prepared by: Rebecca Green, Dated: 10.08.2019*).

DECISION

Cr



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PLAN 3 PLANNING APPLICATION PLN-19-0155: 4 MASON STREET, LONGFORD

Attachments: Section 1 – Page 470

File Number: 109500.04; CT 38211/1
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Chloe Lyne, Consultant Planner

1 INTRODUCTION

This report assesses an application for 4 Mason Street, Longford to construct a 25.5m x 6m x 4.2m eave commercial storage shed (changes to an existing non-conforming use, vary rear setback, heritage precinct).

2 BACKGROUND

Applicant: James Darcey	Owner: Gramatoli Holdings Pty Ltd
Zone: General Residential Zone	Codes: Heritage Code, Car Parking and Sustainable Transport Code
Classification under the Scheme: Discretionary	Existing Use: Bulky Goods Sales
Deemed Approval Date: 26 October 2019	Recommendation: Approve

Discretionary Aspects of the Application

- Clause 9.1 – Changes to an existing non-conforming use

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

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.

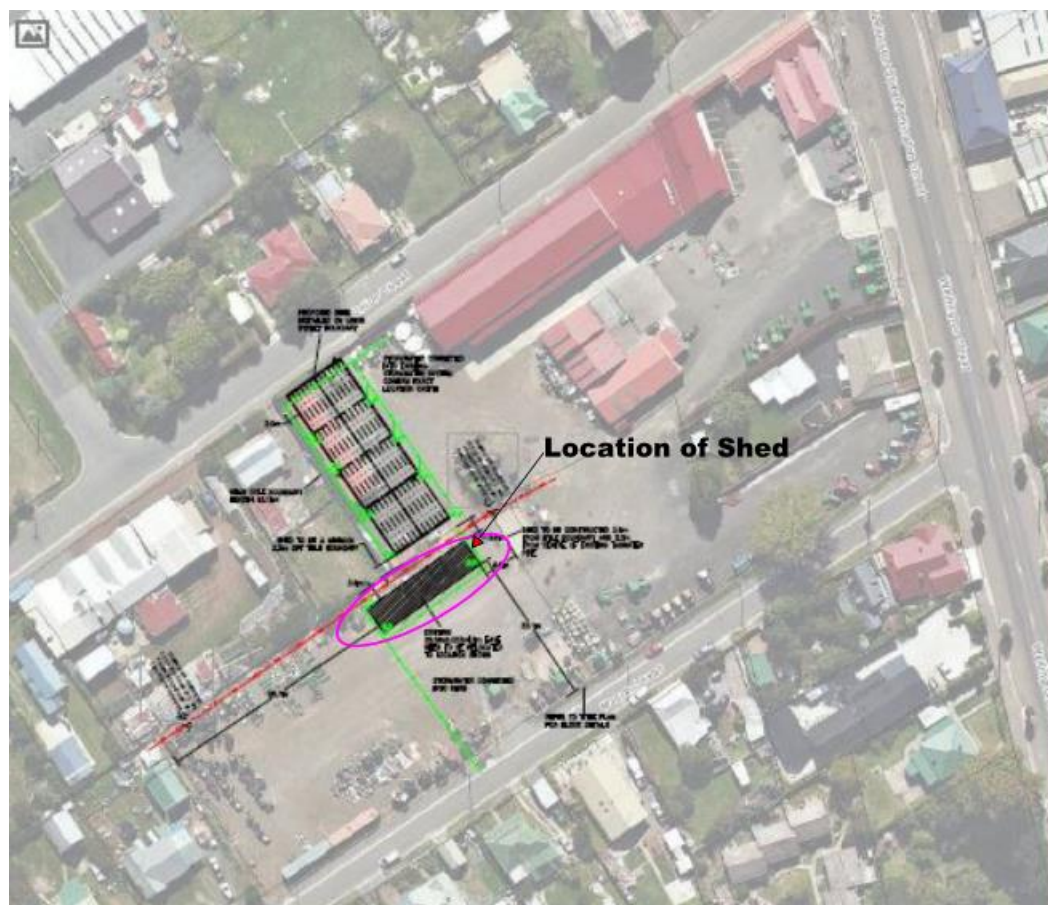
4 ASSESSMENT

4.1 Proposal

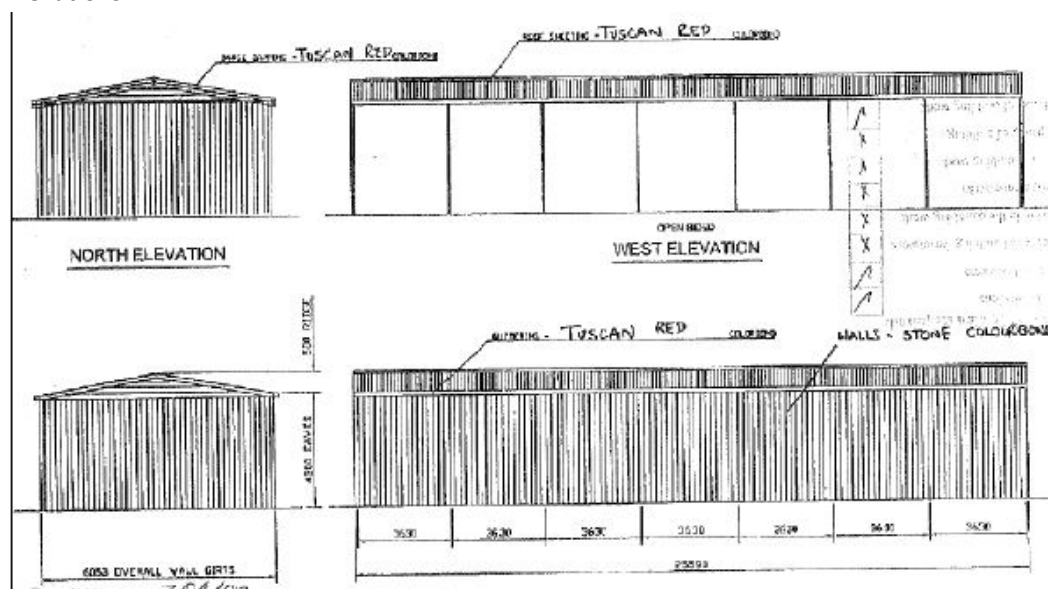
It is proposed to:

- Construct a 25.5m x 6m x 4.2m eave commercial storage shed (changes to an existing non-conforming use, vary rear setback, heritage precinct).

Site Plan

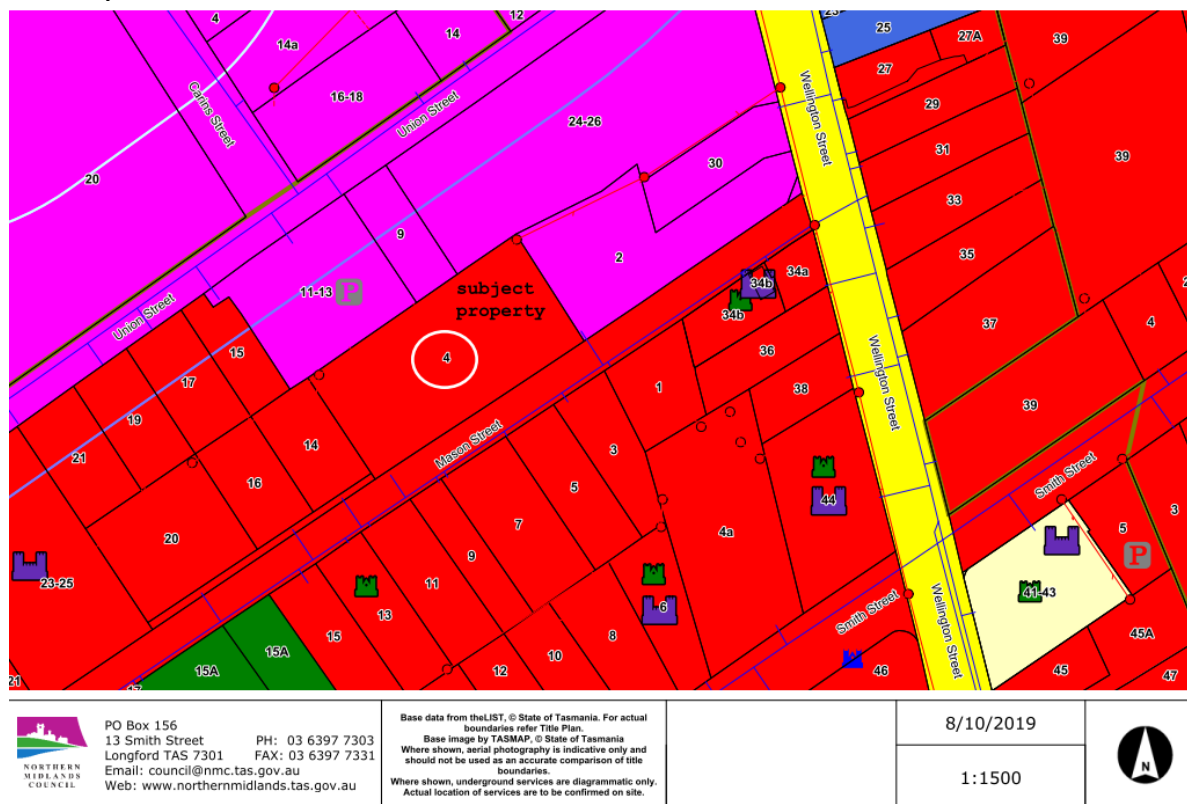


Elevations



4.2 Zone and land use

Zone Map – General Residential Zone



The land is zoned General Residential, and is within the Heritage Precinct. It is subject to the Heritage Code and Car Parking and Sustainable Transport Code

The relevant Planning Scheme definition is:

Bulky goods sales	<i>use of land for the sale of heavy or bulky goods which require a large area for handling, storage and display. Examples include garden and landscape suppliers, rural suppliers, timber yards, trade suppliers, showrooms for furniture, electrical goods and floor coverings, and motor vehicle, boat or caravan sales.</i>
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Bulky Goods Sales is prohibited in the zone but use of the site for the purposes of Bulky Goods Sales is afforded existing use rights in accordance with Clause 9.1 of the Planning Scheme.

4.3 Subject site and locality

The author of this report carried out a site visit on 17th September 2019.

Aerial photograph of area



Photographs of subject site

Location of proposed shed



View of existing shed to be relocated



4.4 Permit/site history

Relevant permit history includes:

- P15-083 was issued on the 12th May 2015 for a change of use from landscape sales (bulky goods) to tractor display and sales (bulky goods).
- PLN-19-0156 was issued on 27/9/2019 and included the removal of the shed the subject of this application.

4.5 Representations

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

- Dee Alty, 19 Pakenham Street, Longford

Map showing location of representor's property in relation to subject site



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

Issue 1

- There is no buffer zone between this use and a heritage residential area

Planner's comment:

The use of the site for bulky goods sales (tractor display and sales) was approved under P15-083 and issued on the 12th May 2015 following a change of use from bulky goods sales (landscape supplies). The proposal to erect a shed to store machinery in will not increase the area available for sales on the site and will in fact provide for better visual amenity as many of the goods currently stored on the site out in the open will be stored within the shed.



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Issue 2

- The development is on the northern side of the street which will deprive residents of winter sunlight.

Planner's comment:

The proposed shed is setback 33 metres from the northern side of Mason Street. Its overall height is commensurate with buildings heights of residential dwellings which are an allowable use on the site and would most likely be situated in much closer proximity to the Mason Street boundary than the proposed shed is.

Issue 3

- Noise and dust from building then moving machinery will be deleterious to the residents on the south side of the road.

Planner's comment:

The proposal to construct a shed to store machinery and goods within will not increase the amount of machinery movements that occur on the site currently.

Issue 4

- This is moving the zone into a residential area which is adding to a non-conforming use in this area.

Planner's comment:

As noted, the use of the site for bulky goods sales is an existing non-conforming use and as such has rights to enable its continuation under Clause 9.1 of the Planning Scheme. The erection of the shed should improve visual amenity for neighbouring residents.

4.6 Referrals

The only referrals required were as follows:

TasWater

The application was referred to TasWater on the 23rd August.

Precis: A TasWater Submission to Planning Authority Notice was issued on 18/09/19 (TasWater Ref: TWDA 2019/01245-NMC). No conditions were imposed.

Heritage Adviser

Council's Heritage Advisor, David Denman, reviewed the application on the 23rd August 2019. Mr Denman noted that he had no objections to the proposal and his comments form the Heritage Code assessment of this report.

His comments were as follows:

The proposed shed is to be located at the rear of the site and is adjoined by a number of similar sheds in the immediate vicinity. The existing street frontage makes no contribution to the heritage values of the streetscape; therefore, the shed is considered acceptable in the proposed location.

It is recommended that the owner be encouraged to establish some landscaping screen planting along sections of Mason Street frontage.

It is noted that there is already landscaping planted along the Mason Street frontage, which once mature will assist in screening the site from the street.

4.7 Planning Scheme Assessment

Clause 9.1 Changes to an Existing Non-conforming Use

As the proposal constitutes a change to an existing non-conforming use, it must demonstrate compliance with Clause 9.1.1 as outlined below:

9.1.1 Notwithstanding any other provision of this planning scheme, whether specific or general, the planning authority may at its discretion, approve an application:

(a) to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme; or



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(b) the extend or transfer a non-conforming use and any associated development, from one part of the site to another part of that site; or

(c) for a minor development to a non-conforming use.

Where there is –

(a) No detrimental impact on adjoining use; or

(b) The amenity of the locality; and

(c) No substantial intensification of the use of any land, building or work.

In exercising its discretion, the planning authority may have regard to the purpose and provisions of the zone and any applicable codes.

Assessment:

The application is made under Clause 9.1.1 (c) – first occurring as being a minor development to a non-conforming use.

It is considered that the proposal meets (a) in that there will be no impact on adjoining uses.

The immediately adjoining uses to the east form part of the Midlands Tractor Dealership business and therefore will not be impacted. There is a dwelling immediately adjoining the site to the north being 9 Union Street. The proposed shed will extend along approximately half of the common boundary with this property. Given the shed is situated to the south of the property and the dwelling is sited well forward on the lot, it will not have any impact on amenity in terms of loss of sunlight or overshadowing to the dwelling. It will partially overshadow the very rear section of the private open space area associated with this dwelling but the level of impact is commensurate were a dwelling or residential outbuilding to be built adjacent to the common boundary.

The property immediately to the west is a residential property but given the separation between this property and the proposed shed is 50 m there will be no impact. The siting of the proposed shed at the northern side of the lot means that the dwellings located on the southern side of Mason Street will not be impacted in terms of loss of sunlight or overshadowing and indeed the erection of the shed to allow more goods to be stored inside rather than in the yard will improve visual amenity.

It is considered that the proposed shed erection will improve the amenity of the locality and therefore also comply with (b). The ability for the owners of the business to store more goods within the shed will improve the overall visual amenity of the site.

The proposed erection of a shed is not considered to be a substantial intensification of the site. The proposal simply means that more goods can be stored undercover and not out in the open and doesn't increase the capacity of the site.

On the basis of the above assessment, it is considered that the proposal meets requirements of Clause 9.1.1.

The following sections provide a brief assessment against relevant zone and code provisions. It is noted that the proposal does not necessarily need to comply with all the zone provisions given the use of the site as bulky goods sales is a non-conforming existing use. Nonetheless, the assessment below demonstrates that the proposal does comply with all relevant provisions.

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>



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Assessment: The proposal doesn't necessarily meet the zone purpose but it is considered that the proposed erection of the shed will improve the visual amenity of the area which will improve residential amenity.

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. It allows for development on a site with existing use rights.

10.3 Use Standards

10.3.1 Amenity

Objective <i>To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>If for permitted or no permit required uses.</i>	P1 <i>The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.</i>
A2 <i>Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.</i>	P2 <i>Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.</i>
A3 <i>If for permitted or no permit required uses.</i>	P3 <i>External lighting must demonstrate that:</i> a) <i>floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and</i> b) <i>all direct light will be contained within the boundaries of the site.</i>
Comment: The proposed erection of a shed on a site already approved for use for bulky goods sales (tractor sales and display) will not increase the level of environmental nuisance from the site. The traffic movements and operation will remain unchanged as will lighting. Complies with P1, A2 and P3.	

10.3.2 Residential Character – Discretionary Uses

Objective <i>To ensure that discretionary uses support:</i> a) <i>the visual character of the area; and</i> b) <i>the local area objectives, if any.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>Commercial vehicles for discretionary uses must be parked within the boundary of the property.</i>	P1 <i>No performance criteria.</i>
A2 <i>Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.</i>	P2 <i>No performance criteria.</i>
A3 <i>Waste material storage for discretionary uses must:</i> a) <i>not be visible from the road to which the lot has frontage; and</i> b) <i>use self-contained receptacles designed to ensure waste does not escape to the environment.</i>	P3 <i>No performance criteria.</i>
Comment: This provision is technically not applicable as the use is prohibited and relies on existing use rights. However, the proposed development of the shed on the site complies with A1-A3 as it will not result in any change to traffic movements at the site and will enable goods and material currently stored in locations visible to the public to be stored inside. Complies with A1, A2 and A3	

10.4.14 Non Residential Development

Objective <i>To ensure that all non-residential development undertaken in the Residential Zone is sympathetic to the form and scale of residential development and does not affect the amenity of nearby residential properties.</i>	
Acceptable Solutions	Performance Criteria



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A1 <i>If for permitted or no permit required uses.</i>	P1 <i>Development must be designed to protect the amenity of surrounding residential uses and must have regard to:</i> <i>a) the setback of the building to the boundaries to prevent unreasonable impacts on the amenity, solar access and privacy of habitable room windows and private open space of adjoining dwellings; and</i> <i>b) the setback of the building to a road frontage and if the distance is appropriate to the location and the character of the area, the efficient use of the site, the safe and efficient use of the road and the amenity of residents; and:</i> <i>c) the height of development having regard to:</i> <i>i) the effect of the slope of the site on the height of the building; and</i> <i>ii) the relationship between the proposed building height and the height of existing adjacent and buildings; and</i> <i>iii) the visual impact of the building when viewed from the road and from adjoining properties; and</i> <i>iv) the degree of overshadowing and overlooking of adjoining properties; and</i> <i>d) the level and effectiveness of physical screening by fences or vegetation; and</i> <i>e) the location and impacts of traffic circulation and parking and the need to locate parking away from residential boundaries; and</i> <i>f) the location and impacts of illumination of the site; and</i> <i>g) passive surveillance of the site; and</i> <i>h) landscaping to integrate development with the streetscape.</i>
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Comment: The proposal demonstrates that it meets the matters to be considered under P1 having regard to amenity of surrounding residential uses as follows:

- (a) The proposed shed is to be setback 3.6 metres from the northern title boundary common with a residential dwelling and this is considered to have the greatest potential impact. All other boundary setbacks are in excess of 30 metres. The building is within 3.6 metres for approximately half of the rear title boundary with the dwelling at 9 Union Street at a height of approximately 4.7 metres which is commensurate with heights in a residential area. Given the shed is located to the south of the dwelling it is considered that it won't have any impact on the solar amenity of the dwelling and limited impact on the private open space.
- (b) The building is setback 33 metres from Mason Street and will be partially concealed from view from that street when the conifers that have been planted along the street frontage mature.
- (c) The height of the building at 4.7 metres is acceptable in a residential area, particularly given there are only two immediately adjoining lots that are developed with a dwelling and of those only one is in close proximity to the proposed shed. The shed will be visible when viewed from Mason Street but not out of character with other sheds on the adjoining titles. The shed will cause minor overshadowing to the private open space of the dwelling at 9 Union Street but it will still receive in excess of 3 hours sunlight per day.
- (d) The proponent has planted conifers along the Mason Street frontage and once they mature the shed will partially be concealed from that road frontage. In any case, the proposal to store some goods and machinery inside a shed instead of in the open will improve the visual amenity of the site.
- (e) The proposed construction of a shed will not increase traffic movements to or from the site.
- (f) No additional lighting forms part of this application.
- (g) The erection of the shed does not impact on the ability for passive surveillance of the site.
- (h) As noted, conifers have been planted along the Mason Street boundary to assist with visual screening.

Complies with P1

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



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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	
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: In accordance with Table E6.1, parking provision for bulky goods sales is 1 space per employee plus one space per 100m² net floor area. The development of a shed on the site will have no bearing on the number of employees. It will however increase floor area by 150m² therefore generating the requirement for 2 spaces to comply with A1. Given the overall size of the business is not increasing and the shed is simply for storage purposes, the additional parking spaces are not shown on the plans. Therefore, the application shall be assessed against P1. The site operates as Midlands Tractors in conjunction with the land known as 24-26 Wellington Street and 2 Mason Street. It is considered there is more than sufficient parking to meet customer and employee demand adjacent to the main sales buildings on 24-26 Wellington Street. Complies with P1			

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Bulky Goods Sales	1 space per employee + 1 space per 100m ² net floor area.	1 space per 500m ² net floor area.

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



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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: Given the shed has a net floor area of 153m², bicycle parking is not required to be provided. Complies with A1.1.	

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: Not applicable. The proposed shed does not generate a requirement for provision of more than 50 parking spaces.	

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: Not applicable. The proposed shed does not generate a requirement for provision of more than 20 parking spaces.	

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: Not applicable. No new car parking spaces are 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	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
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	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: Not applicable. No new car parking spaces are proposed.			
A2.1	Car parking and manoeuvring space must:	P2	Car parking and manoeuvring space must:
a)	have a gradient of 10% or less; and		



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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>.	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: Not applicable. No new car parking spaces are 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

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: Not applicable. No new parking spaces are 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: Not applicable.	

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.



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Comment: Whilst a dedicated loading bay isn't shown on the plans, it is considered that the overall size of the Midlands Tractors site provides ample area for loading and unloading of machinery goods. The type of business is such that loading and unloading doesn't necessarily take place in one location. The proposal is considered to accord with P1.

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
A1.1 Bicycle parking spaces for customers and visitors must: a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i> ; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
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: Not applicable.	

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: Not applicable.	

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)

E13.1 Purpose

E13.1.1 The purpose of this provision is to:



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

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.

E13.5 USE STANDARDS

E13.5.1 Alternative Use of heritage buildings

Objective: To ensure that the use of heritage buildings provides for their conservation.			
Acceptable Solutions		Performance Criteria	
A1	No acceptable solution.	P1	Notwithstanding Clause 8.9, a permit may be granted for any use of a locally listed heritage place where:
		a)	it can be demonstrated that the proposed use will not adversely impact on the significance of a heritage place; and
		b)	the amenity impacts of both the proposed use on the surrounding areas and from the surrounding area on the proposed use are considered acceptable; and
		c)	a report by heritage professional states that it is necessary for conservation purposes or the continued maintenance of the building or where there is an overriding public benefit.

Comment: N/a

E13.6 DEVELOPMENT STANDARDS

E13.6.1 Demolition

Objective: To ensure that the demolition or removal of buildings and structures does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.			
Acceptable Solutions		Performance Criteria	
A1	Removal of non-original cladding to expose original cladding.	P1.1	Existing buildings, parts of buildings and structures must be retained except:
		a)	where the physical condition of place makes restoration inconsistent with maintaining the cultural significance of a place in the long term; or
		b)	the demolition is necessary to secure the long-term future of a building or structure through renovation, reconstruction or rebuilding; or
		c)	there are overriding environmental, economic considerations in terms of the building or practical considerations for its removal, either wholly or in part; or



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	d) the building is identified as non-contributory within a precinct identified in Table E13.1: Heritage Precincts, if any; and P1.2 Demolition must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
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Comment: N/a

E13.6.2 Subdivision and development density

Objective: To ensure that subdivision and development density does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 Subdivision must: a) be consistent with and reflect the historic development pattern of the precinct or area; and b) not facilitate buildings or a building pattern unsympathetic to the character or layout of buildings and lots in the area; and c) not result in the separation of building or structures from their original context where this leads to a loss of historic heritage significance; and d) not require the removal of vegetation, significant trees of garden settings where this is assessed as detrimental to conserving the historic heritage significance of a place or heritage precinct; and e) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

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.

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: Satisfies the performance criteria.

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	P1 New fences must: a) be designed to be complementary to the architectural style of the dominant buildings on the site or



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<i>within a precinct identified in Table E13.1: Heritage Precincts, if any.</i>	b) <i>be consistent with the dominant fencing style in the heritage precinct; and</i> c) <i>not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</i>
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Comment: N/a

E13.6.6 Roof Form and Materials

<i>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.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>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.</i>	P1 <i>Roof form and materials for new buildings and structures must:</i> a) <i>be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and</i> b) <i>not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</i>

Comment: Satisfies the performance criteria.

E13.6.7 Wall materials

<i>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.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>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.</i>	P1 <i>Wall material for new buildings and structures must:</i> a) <i>be complementary to wall materials of the dominant buildings on the site or in the precinct; and</i> b) <i>not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</i>

Comment: Satisfies the performance criteria.

E13.6.8 Siting of Buildings and Structures

<i>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.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>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.</i>	P1 <i>The front setback for new buildings or structure must:</i> a) <i>be consistent with the setback of surrounding buildings; and</i> b) <i>be set at a distance that does not detract from the historic heritage significance of the place; and</i> c) <i>not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</i>

Comment: Satisfies the performance criteria.

E13.6.9 Outbuildings and Structures

<i>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.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>Outbuildings and structures must be:</i> a) <i>set back an equal or greater distance from the principal frontage than the principal buildings on the site; and</i> b) <i>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.</i>	P1 <i>New outbuildings and structures must be designed and located;</i> a) <i>to be subservient to the primary buildings on the site; and</i> b) <i>to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</i>

Comment: Satisfies the performance criteria.

E13.6.10 Access Strips and Parking

<i>Objective: To ensure that access and parking does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
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Acceptable Solutions	Performance Criteria
A1 Car parking areas for non-residential purposes must be: a) located behind the primary buildings on the site; or b) in accordance with the acceptable development criteria for access and parking as within a precinct identified in Table 1: Heritage Precincts, if any.	P1 Car parking areas for non-residential purposes must not: a) result in the loss of building fabric or the removal of gardens or vegetated areas where this would be detrimental to the setting of a building or its historic heritage significance; and b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: N/a

E13.6.11 Places of Archaeological Significance

Objective: To ensure that places identified in Table E13.3 as having archaeological significance are appropriately managed.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 For works impacting on places listed in Table E13.3: a) it must be demonstrated that all identified archaeological remains will be identified, recorded and conserved; and b) details of survey, sampling and recording techniques technique be provided; and c) that places of identified historic heritage significance will not be destroyed unless there is no prudent and feasible alternative.

Comment: 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.	
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.

Comment: N/a

E13.6.13 Signage

Objective: To ensure that signage is appropriate to conserve the historic heritage significance of local heritage places and precincts.	
Acceptable Solutions	Performance Criteria
A1 Must be a sign identifying the number, use, heritage significance, name or occupation of the owners of the property not greater than 0.2m².	P1 New signs must be of a size and location to ensure that: a) period details, windows, doors and other architectural details are not covered or removed; and b) heritage fabric is not removed or destroyed through attaching signage; and c) the signage does not detract from the setting of a heritage place or does not unreasonably impact on the view of the place from public viewpoints; and d) signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: N/a

E13.6.14 Maintenance and Repair

Objective To ensure that maintenance and repair of buildings is undertaken to be sympathetic to, and not detract from the historic cultural heritage significance of local heritage places and precincts.	
Acceptable Solution	
New materials and finishes used in the maintenance and repair of buildings match the materials and finishes that are being replaced.	

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



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EVANDALE HERITAGE PRECINCT CHARACTER STATEMENT

The Evandale Heritage Precinct is unique because it is the core of an intact nineteenth century townscape, with its rich and significant built fabric and village atmosphere. Its historic charm, tree lined streets and quiet rural setting all contribute to its unique character. Its traditional buildings are an impressive mix of nineteenth and early twentieth century architectural styles while its prominent elements are its significant trees, the Water Tower and the Church spires. The original street pattern is an important setting for the Precinct, with views along traditional streetscapes, creating an historic village atmosphere that is still largely intact. Period residential buildings, significant trees, picket fences, hedgerows and cottage gardens are all complementary, contributing to the ambience of a nineteenth century village. The main roads into and out of Evandale create elevated views to the surrounding countryside which give context to the town and the Precinct, and contribute to its character. The quiet village feel of the town is complemented by a mix of businesses meeting local needs, tourism and historic interpretation. Evandale's heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the village.

ROSS HERITAGE PRECINCT CHARACTER STATEMENT

The Ross Heritage Precinct is unique because it is the intact core of a nineteenth century townscape, with its rich and significant built fabric and the village atmosphere. Its historic charm, wide tree lined streets and quiet rural environment all contribute to its unique character. Its traditional buildings comprise simple colonial forms that are predominantly one storey, while the prominent elements are its significant trees and Church spires. Most commercial activities are located in Church Street as the main axis of the village, which directs attention to the War Memorial and the Uniting Church on the hill. The existing and original street pattern creates linear views out to the surrounding countryside. The quiet rural feel of the township is complemented by a mix of businesses serving local needs, tourism and historic interpretation. Ross' heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the village.

PERTH HERITAGE PRECINCT CHARACTER STATEMENT

The Perth Heritage Precinct is unique because it is still the core of a small nineteenth century riverside town, built around the thoroughfare from the first bridge to cross the South Esk River, and which retains its historic atmosphere. It combines significant colonial buildings, compact early river's edge residential development, and retains the small-scale commercial centre which developed in the nineteenth century at the historic crossroads and river crossing for travel and commerce between Hobart, Launceston and the North West. Perth's unique rural setting is complemented by its mix of businesses still serving local and visitor's needs. Perth's heritage ambience is acknowledged by many of those who live in or visit the town, and will be enhanced by the eventual construction of the Midland Highway bypass.

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 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.

CAMPBELL TOWN HERITAGE PRECINCT CHARACTER STATEMENT

The Campbell Town Heritage Precinct is unique because it is the core of a substantially intact nineteenth century townscape, with its significant built fabric, and its atmosphere of a traditional resting place on the main road between the north and south. Its wide main street, historic buildings and resting places for travellers all contribute to its unique character. High Street has remained as the main commercial focus for the town, continuing to serve the needs of residents, visitors and the agricultural community. The War Memorial to the north marks the approach to the business area which terminates at the historic bridge over the Elizabeth River; a significant landscape feature. Traditional buildings in the Precinct include impressive examples of colonial architecture. The historic Valentine's Park is the original foreground for 'The Grange' and provides a public outdoor resting place for visitors and locals at the heart of the town. Campbell Town'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 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.



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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	Assessment provided.
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

As the application was permitted, Council does not have discretion to refuse the application.

Discretion to refuse the application is limited to:

- Clause 9.1 – Changes to existing non-conforming use.

It is considered that the proposal to erect a shed on the site to store goods and machinery that are currently stored outdoors will be an improvement to the operation of the site and improve the visual amenity of the area generally.

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

The proposal will be conditioned to be used and developed in accordance with the proposal plans.

8 ATTACHMENTS

- Application & plans
- Responses from referral agencies
- Representation

RECOMMENDATION

That land at 4 Mason Street, Longford be approved to be developed and used for a 25.5m x 6m x 4.2m eave commercial storage shed (changes to an existing non-conforming use, vary rear setback, heritage precinct) in accordance with application PLN-19-0155, and subject to the following conditions:



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1 Layout not altered

The use and development shall be in accordance with the endorsed documents:

- P1 (Site Plan, Drawing No. BIS3346 5/5 Dated 02/18/2019);

2 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2019/01245-NMC).

DECISION

Cr



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PLAN 4 PLANNING APPLICATION PLN-19-0115: 495 NILE ROAD, EVANDALE

Attachments: Section 1 – Page 498

File Number: 203700.11; CT 202939/1
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Erin Boer, Urban & Regional Planner

1 INTRODUCTION

This report assesses an application for 495 Nile Road, Evandale to construct Visitor Accommodation (vary setbacks of sensitive use).

2 BACKGROUND

Applicant:

Mr Peter Holmes

Owner:

Anthea Louise White

Zone:

Rural Resource Zone

Codes:

Car Parking and Sustainable Transport Code

Classification under the Scheme:

Discretionary

Existing Use:

Residential

Deemed Approval Date:

Extension of time until 25.10.2019

Recommendation:

Refuse

Discretionary Aspects of the Application

- Reliance on the performance criteria of the Rural Resource Zone.
 - Discretionary use
 - Irrigation District
 - Variation to south eastern and north eastern boundaries.

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

Preliminary Discussion

Prior to the application being placed on public exhibition, further information was requested from the applicant for an Agricultural Consultant Report to demonstrate compliance with the Rural Resource Zone provisions.

Subject site





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3 STATUTORY REQUIREMENTS

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

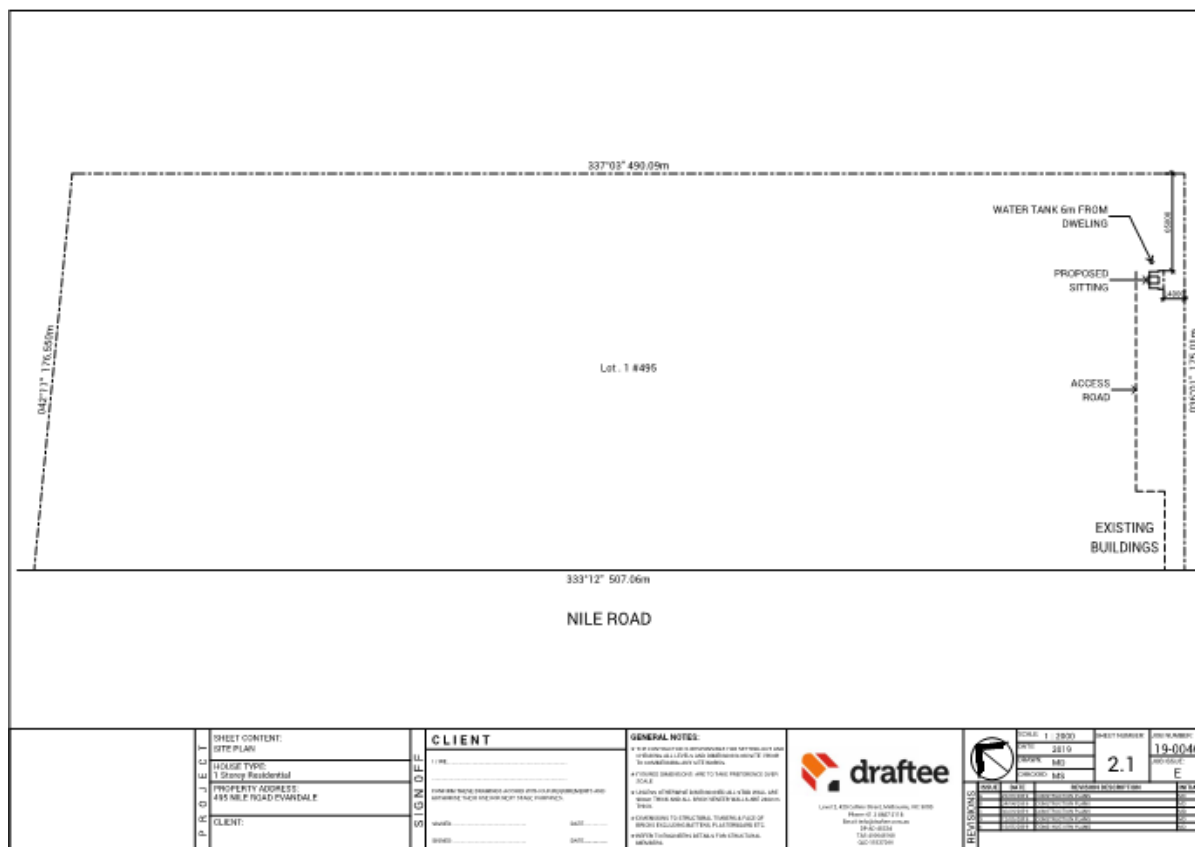
4 ASSESSMENT

4.1 Proposal

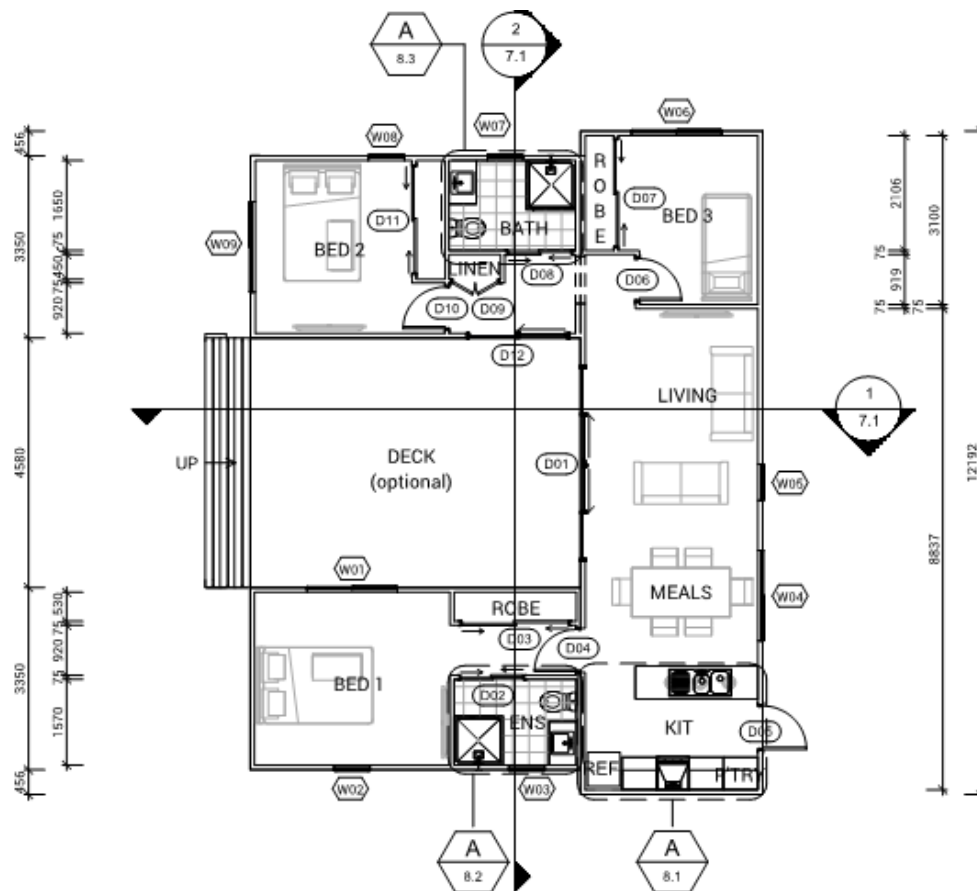
It is proposed to:

- Construct a three bedroom, two bathroom, Visitor Accommodation building and associated access road.

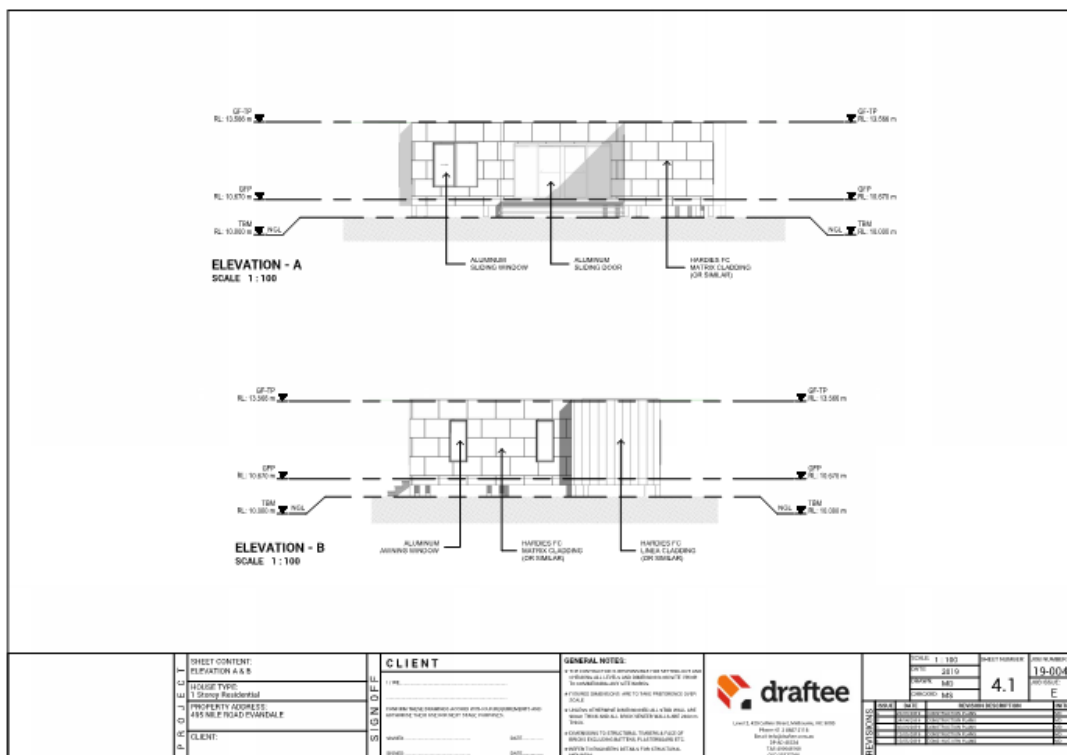
Site Plan

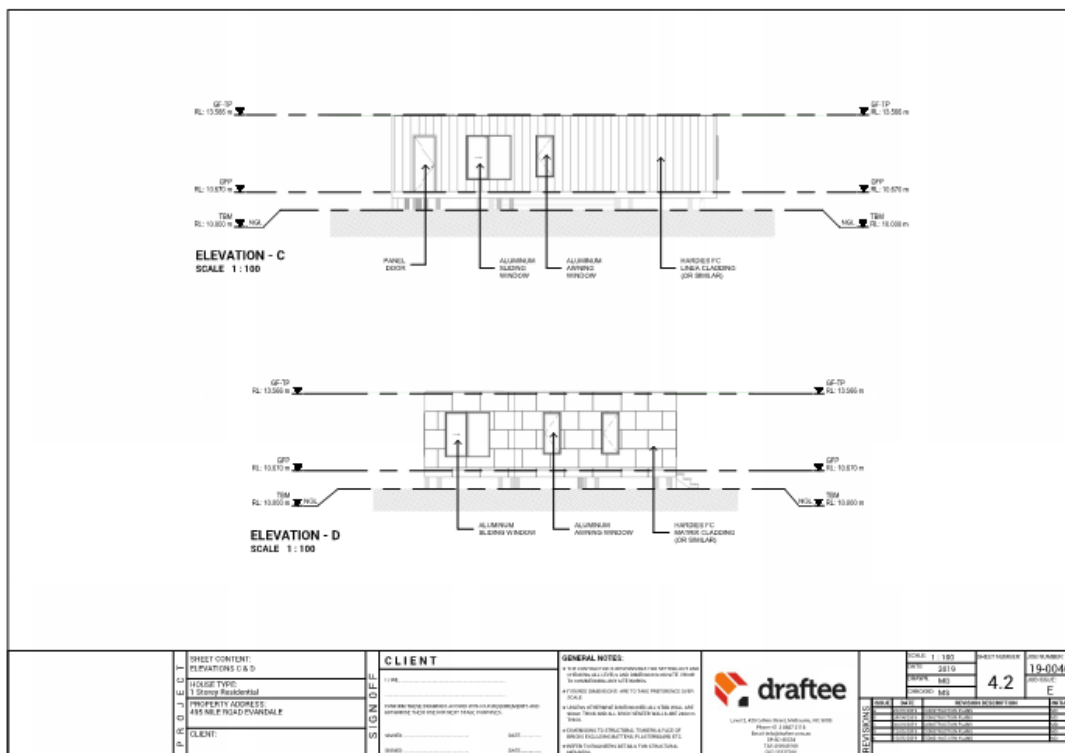


Floor Plan



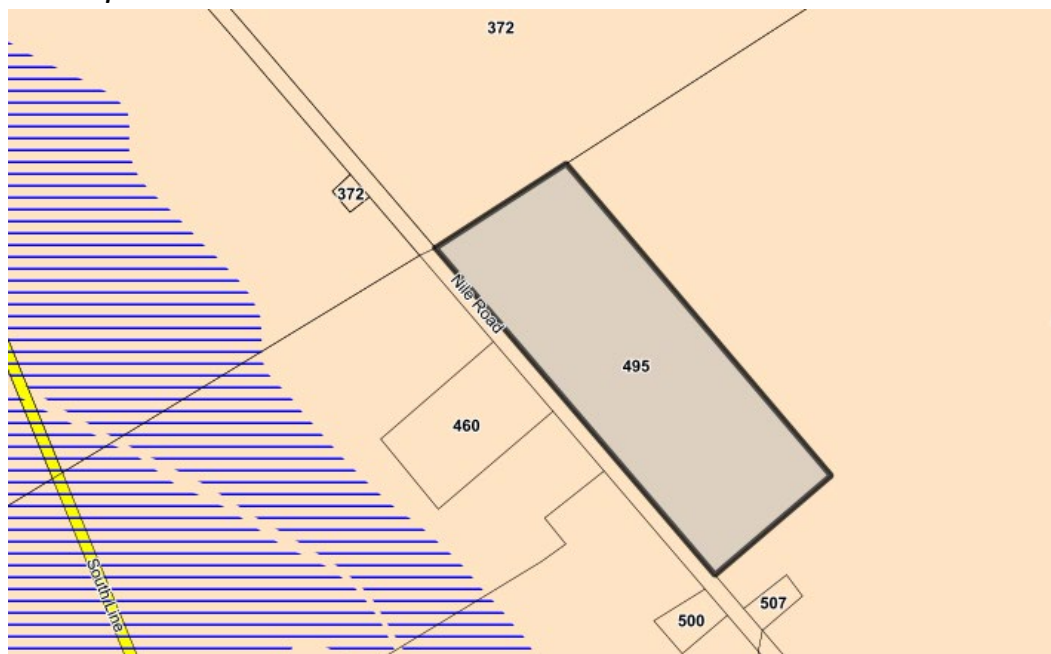
Elevations





4.2 Zone and land use

Zone Map – Rural Resource Zone



The land is zoned Rural Resource Zone and is subject to the Car Parking and Sustainable Transport Code.

The relevant Planning Scheme definition is:

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

4.3 Subject site and locality

The author of this report carried out a site visit on the 27th August 2019. The subject consists of a total area of approximately 9.2ha and has an existing dwelling and associated outbuildings, located in the south western corner of the lot, adjacent to Nile Road. The remainder of the site is vacant, other than a small dam, vegetation and fencing.

Aerial photograph of area



Photographs of subject site





4.4 Permit/site history

Relevant permit history includes:

- P77-26 – stable at rear of dwelling.

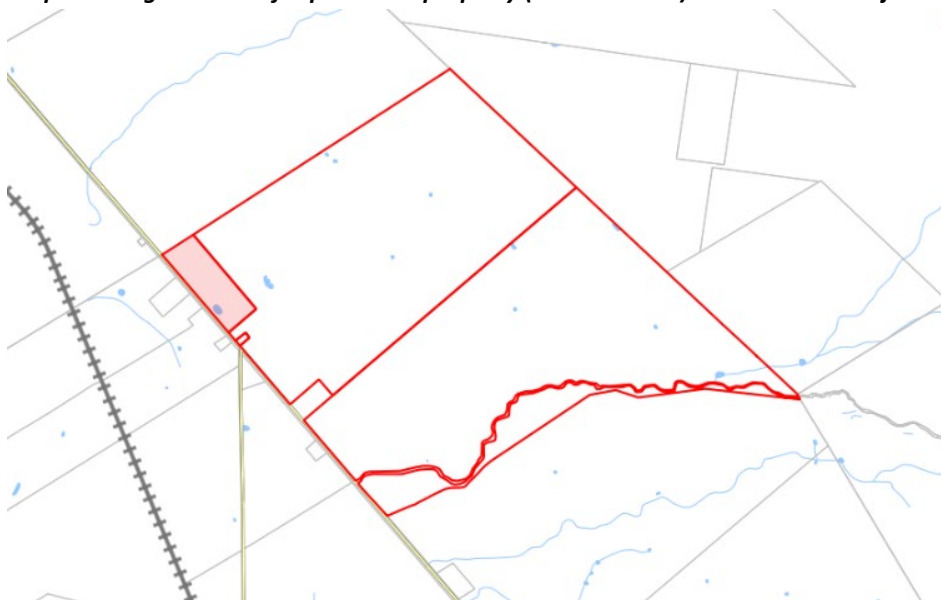
4.5 Representations

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

- Chris Cocker and Shelley Saunders Cocker, 507 Nile Road, Evandale.

A mediation session between the applicant, property owner, representor and Council's Planner was conducted on 7th October 2019. Matters discussed included: explanation of the primary industry operations that occur at 507 Nile Road, explanation of how the proposed visitor accommodation use and development would occur, and an evaluation of alternative sites on the subject site that the development could be located. It was concluded that if the development remained as proposed, there were no grounds that could be mediated.

Map showing location of representor property (outline in red) in relation to subject site (highlighted)





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

Issue 1

- Proximity to shearing shed, outdoor covered treatment/sheep handling area – used to hold up to several hundred sheep at a time. The northern side of the sheep yards form the boundary with the subject site, approximately 14m from the proposed development. All other residential uses are adjacent to Nile Road, west of intensive work areas and further protected by outbuildings and gardens.

Planner's comment:

The proposed development requires a variation to the side and rear setbacks. To achieve the relevant acceptable solution, a 200m setback would be required. The corresponding performance criteria requires that buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to a number of factors, such buffers and adjoining uses.

Issue 2

- Impact of visitor accommodation on the use and future expansion of yard/shearing shed/treatment areas which are integral to nature of the farming enterprise.

Planner's comment:

The use and location of the proposed development are the primary factors which will impact on the adjoining primary industry operation. As noted above, where a variation to the setback is sought, it must be demonstrated that buildings must be setback so that the use is not likely to constrain adjoining primary industry operations.

Issue 3

- Future operators of the use and users of the visitor accommodation not understanding level of amenity and practices conducted as part of primary industry operations.

Planner's comment:

The use standards of the Rural Resource zone require that primary industry uses will not be unreasonably confined or restrained from conducting normal operations by the proposed use.

Issue 4

- Agricultural consultant report underestimates impact of practices conducted on adjoining land – the impact work environment will have on visitor accommodation and impact visitor accommodation may have on the management and running of operational area.

Planner's comment:

Council sought independent advice from an Agricultural Consultant (John Paul Cumming, GeoSolutions) on the proposal's compliance with the relevant standards of the Rural Resource Zone. The comments are referred to in assessment against the zone standards, in part 4.7 of this report.

Issue 5

- Visitor accommodation being subjected to amenity issues associated with odour, noise, dust, flies and air borne pathogens such as Q fever.

Planner's comment:

These matters are relevant in assessment against the zone standards for use and development, particularly in determining if there is sufficient buffer/separation distance etc.

Issue 6

- Potential for injuring to stock when yarded due to crush, if suddenly disturbed.

Planner's comment:

These matters are relevant in assessment against the zone standards for use and development, particularly in determining if there is sufficient buffer/separation distance etc.



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4.6 Referrals

The only referral required was as follows:

Environmental Health Officer

Precis: Council's Environmental Health Officer (Chris Wicks) reported that a design report for an on-site wastewater management system has been provided. The report specifies the installation of an accredited aerated wastewater treatment system and is in accordance with the Directors Specified List and Wastewater Guidelines. Therefore, consent to install the system as specified in the report, can be provided.

4.7 Planning Scheme Assessment

RURAL RESOURCE ZONE	
26.1 ZONE PURPOSE	
26.1.1 Zone Purpose Statements 26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing. 26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses. 26.1.1.3 To provide for economic development that is compatible with primary industry, environmental and landscape values. 26.1.1.4 To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.	
Assessment: The proposal does not meet the zone purpose, as it has been demonstrated that the proposed development will constrain or conflict with a resource development use and the sustainable development of rural resources will be compromised.	
26.1.2 LOCAL AREA OBJECTIVES	
a) Primary Industries: Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability. The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context. Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised. b) Tourism: Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised. The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised. c) Rural Communities: Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.	
Assessment: The use alone, does not conflict with the Local Area Objectives; however, the enhancement of tourism operations is only supported where long-term sustainability of the resource is not unduly compromised. Due to the location of the proposed development, the use and development cannot meet the local area objectives.	
26.1.3 DESIRED FUTURE CHARACTER STATEMENTS	
The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.	
Assessment: The proposal meets the local area objectives, as the development would not be readily visible from public viewpoints.	



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USE AND DEVELOPMENT STANDARDS

26.3 Use Standards

26.3.1 Discretionary Uses if not a single dwelling

Objective	
a)	To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose-built precincts.
b)	To protect the long-term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.
c)	To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.
d)	Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.
e)	Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.
f)	The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1.1 It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m² over the site.
Relies on performance criteria.	P1.1 – Does not comply. The use alone, does not conflict with the Local Area Objectives; however, the enhancement of tourism operations is only supported where long-term sustainability of the resource is not unduly compromised. Due to the location of the proposed development, the use and development cannot meet the local area objectives. P1.2 – N/a
A2 If for permitted or no permit required uses.	P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the: i) amount of land alienated/converted is minimised; and ii) location is reasonably required for operational efficiency; and P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.
Relies on performance criteria.	P2.1 – N/a P2.2 – N/a – not class 1-3 (prime agricultural) land.
A3 If for permitted or no permit required uses.	P3 The conversion of non-prime agricultural to non-agricultural use must demonstrate that: a) the amount of land converted is minimised having regard to: i) existing use and development on the land; and ii) surrounding use and development; and iii) topographical constraints; or b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as: i) limitations created by any existing use and/or development surrounding the site; and ii) topographical features; and iii) poor capability of the land for primary industry; or c) the location of the use on the site is reasonably required for operational efficiency.
Relies on performance criteria.	Complies with P3 a as follows: a) i-ii) The proposed visitor accommodation forms a small proportion of the overall subject site and is located directly behind the existing dwelling on the subject site. The subject site is limited by land area (9.2ha) and irrigation supply and is therefore unlikely to be developed intensively for primary industry. The land is currently grazed and the location of the proposed visitor accommodation at one end of the subject site does lend the remainder of the land to being grazed or developed in conjunction with



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	adjoining properties if required. iii) The land is mostly flat and consists of class 4 land. The site is not restricted by topography. b) N/a c) N/a
A4 If for permitted or no permit required uses.	P4 It must be demonstrated that: a) emissions are not likely to cause an environmental nuisance; and b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and c) the capacity of the local road network can accommodate the traffic generated by the use.
Relies on performance criteria.	P4 a) <u>Complies</u> – the use and development ‘visitor accommodation’ is unlikely to cause emissions that would result in an environmental nuisance. b) <u>Does not comply</u> . The location of the development, adjacent to the neighbouring shearing shed, undercover processing area, sheep yards and holding paddocks, is likely to unreasonably confine and restrain the adjoining primary industry operation from conducting normal operations. Normal operations in this area create noise, dust, odours and air borne pathogens which may impact on the amenity of an adjacent sensitive use if the development were to be constructed. The applicant provided an agricultural consultant report which noted that an existing vegetation buffer (approximately 8m) and fence would assist in reducing the potential for the development to confine or constrain the adjoining operation; however, Council engaged a peer review of this advice, which noted that a setback of at least 40m planted out with vegetation would be required to meet “design of buffers based upon accepted principles/publications”. The proposed use and development, as currently proposed, would create a conflicting use that constrains an existing resource development use. c) The subject site has direct access to a Council maintained road and the local road network can accommodate the traffic generated by the use, which is anticipated to be under 10 vehicle movements per day.
A5 The use must: a) be permitted or no permit required; or b) be located in an existing building.	P5 It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to: a) the impacts on skylines and ridgelines; and b) visibility from public roads; and c) the visual impacts of storage of materials or equipment; and d) the visual impacts of vegetation clearance or retention; and e) the desired future character statements.
Relies on performance criteria.	Complies with P5 - the development would not be readily visible from public viewpoints, as the existing dwelling, outbuildings and garden would provide adequate screening. The site is relatively flat, and the development would not impact on skylines or ridgelines. No storage of materials is proposed. The proposal is therefore consistent with the desired future character statement.

26.3.2 Dwellings – N/a

26.3.3 Irrigation Districts

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



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	The subject site does not have any current water allocations or licences associated with it, and minimal capacity for irrigation or water storage given the size of the land and existing residential use. The current and future irrigation potential of the land is not unreasonably reduced by the proposed development.
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26.4 Development Standards

26.4.1 Building Location and Appearance

Objective To ensure that the: a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and b) development of buildings is unobtrusive and complements the character of the landscape.	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed: a) 8m for dwellings; or b) 12m for other purposes.	P1 Building height must: a) be unobtrusive and complement the character of the surrounding landscape; and b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal.
Complies with A1 (a).	N/a
A2 Buildings must be set back a minimum of: a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or b) 200m where a sensitive use is proposed; or c) the same as existing for replacement of an existing dwelling.	P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to: a) the topography of the land; and b) buffers created by natural or other features; and c) the location of development on adjoining lots; and d) the nature of existing and potential adjoining uses; and e) the ability to accommodate a lesser setback to the road having regard to: i) the design of the development and landscaping; and ii) the potential for future upgrading of the road; and iii) potential traffic safety hazards; and iv) appropriate noise attenuation.
Relies on performance criteria.	Does not comply with P2. The reduced setback to 14m is likely to constrain adjoining primary industry operations, having regard to the following: a) The topography of the land is mostly flat and does not assist with mitigation of the reduced visual amenity, noise, odour, dust etc that is likely to be experienced by a sensitive use, adjacent to the main operational area of the adjoining farming operation. b) The subject site does benefit from some established screening in the form of a 'Leighton Green' hedge of varied maturity established on the adjoining farming property and a native tree belt of varying density on the subject site. The combined width of the vegetation at the canopy is approximately 8-9m. Council sought advice from an independent agricultural consultant (John Paul Cumming – Geo Solutions) who commented: <i>"There needs to be some design of buffers based upon accepted principles/publications. In particular there should be a design element of a vegetative buffer to help screen the development from adjacent land use, both visually and in terms of chemical drift and noise. This is normally at least a 40m setback from the adjacent ag use, and preferable that 40m being planted out."</i> - C & D) The nature of the use and development on the adjoining lot is integral and subservient to the livestock operation on the adjoining property, and consists of sheep yards, shearing shed and undercover work area. Sheep are brought into this area on a regular basis for animal husbandry requirements and can remain in this area overnight. This is likely to create conflicts with an adjacent sensitive use, particularly with visitor accommodation, where guests typically expect a certain level of amenity and may be unfamiliar with a rural environment.



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e) The proposed visitor accommodation building achieves a setback of approximately 100m and the existing dwelling is located between the road and the development area. The reduced setback to the road can be accommodated.

26.4.2 Subdivision – N/a

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	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	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

ASSESSMENT AGAINST E6.0 CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6 Use Standards

E6.6.1 Car Parking Numbers

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

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

Comment:

Complies with A1 – sufficient space is available on site for one car parking space, in addition to the two car parking spaces required for the dwelling.



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Table E6.1: Parking Space Requirements

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

Sufficient space is available for 1 bicycle parking space.

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

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

Comment:

N/a

E6.6.4 Motorbike Parking Provisions

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

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

Comment:

N/a

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

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

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

Comment:

Relies on P1 for compliance (non-imperious surface). A condition would be required on the permit (if issued), in order to ensure compliance so that 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.



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E6.7.2 Design and Layout of Car Parking

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

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

Comment:

A1.1 – N/a

A1.2 – N/a

A2.1 Car parking and manoeuvring space must: a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and 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.
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Comment:

A2.1 – a) Complies

b) Complies.

c) A condition would be required on the permit (if issued), in order to ensure compliance with vehicle access widths.

A2.2 - A condition would be required on the permit (if issued), in order to ensure compliance with *Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking*.

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



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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: 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.
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.

Comment:

N/a – not accessible accommodation.

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 – no retail, commercial, industrial, service industry or warehouse or storage uses 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 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	P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.



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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: A condition would be required on the permit (if issued), in order to ensure compliance with A1.1 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.

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 <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.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

7 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on the performance criteria of the Rural Resource Zone.
 - Discretionary use
 - Irrigation District
 - Variation to south eastern and north eastern boundaries.

A representation was received from the adjoining property owner, who run a stock-based farming enterprise. The area immediately adjacent to the proposed visitor accommodation is the primary area for all animal husbandry operations and sheep holding on the property. The representation noted the potential for amenity issues (noise, dust, odour, air borne pathogens) for occupants of the visitor accommodation and constraints on the current and future operations of the business, due to a sensitive use being located immediately adjacent to their primary operation area.

Council engaged an independent consultant to review the proposal's compliance with the planning scheme, and this concluded that a 40m planted buffer would be required to mitigate the amenity issues and provide adequate buffer for the farming operation to continue without constraint.

A mediation session with all relevant parties was unsuccessful in determining a new suitable location for the proposed development.

8 ATTACHMENTS

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

RECOMMENDATION

That application PLN-19-0115 for Visitor Accommodation (vary setbacks of sensitive use) at 495 Nile Road, Evandale be refused on the following grounds:

1. **The proposal fails to comply with clause 26.3.1 P4 (b) of the *Northern Midlands Interim Planning Scheme 2013*.**
The location of the proposed sensitive use, adjacent to the main stock processing area on the adjoining farm, will result in primary industry uses being unreasonably confined or restrained from conducting normal operations.
2. **The proposal fails to comply with clause 26.4.1 P2 of the *Northern Midlands Interim Planning Scheme 2013*.**
The variation to the south-eastern side setback to 14m, will result in insufficient buffer between the proposed visitor accommodation (sensitive use) and the main stock processing area on the adjoining farm. The reduced setback is likely to constrain adjoining primary industry operations.

DECISION

Cr



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PLAN 5 PLANNING APPLICATION PLN-19-0182: ROAD RESERVE ADJACENT TO AND OPPOSITE 55A MAIN ROAD, PERTH

Attachments: Section 1 – Page 543

File Number: CT - Road Reserve
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Erin Boer, Urban & Regional Planner

1 INTRODUCTION

This report assesses an application at the road reserve adjacent to and opposite 55A Main Road, Perth to construct two bus stops (utilities) (heritage precinct).

2 BACKGROUND

Applicant:
Department of State Growth

Zone:
Utilities Zone

Classification under the Scheme:
Discretionary

Deemed Approval Date:
21-Oct-2019

Owner:
The Crown

Codes:
Heritage Precinct

Existing Use:
Utilities

Recommendation:
Approve

Discretionary Aspects of the Application

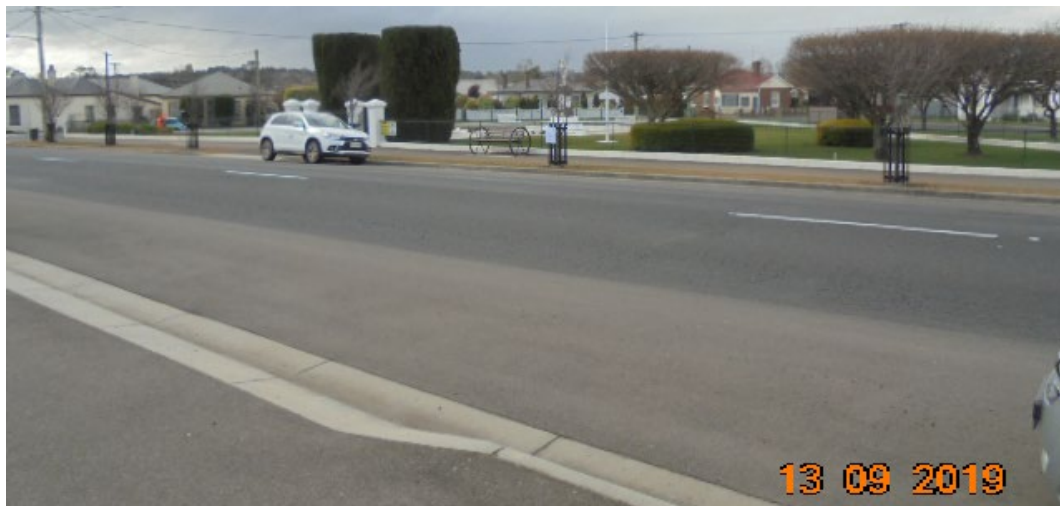
- Reliance on the performance criteria of the Local Historic Heritage Code.

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

Preliminary Discussion

Prior to submission of the application, the applicant held discussions with Council officers regarding the need for planning approval and the results of the Department's pre-application public consultation with affected parties.

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.

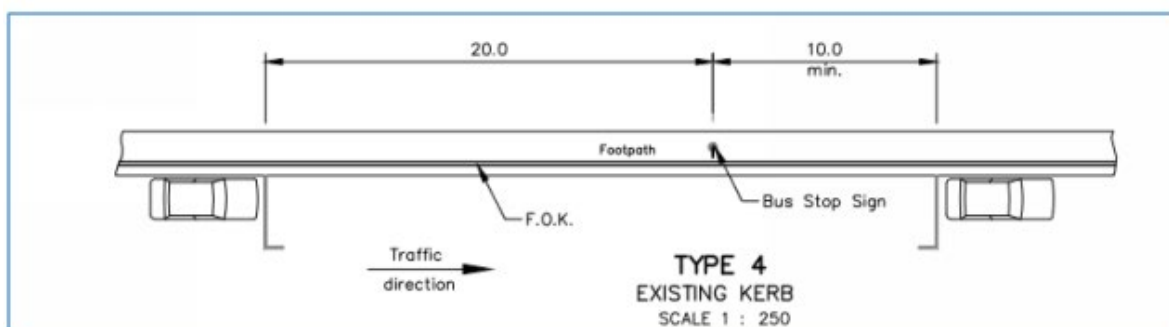
4 ASSESSMENT

4.1 Proposal

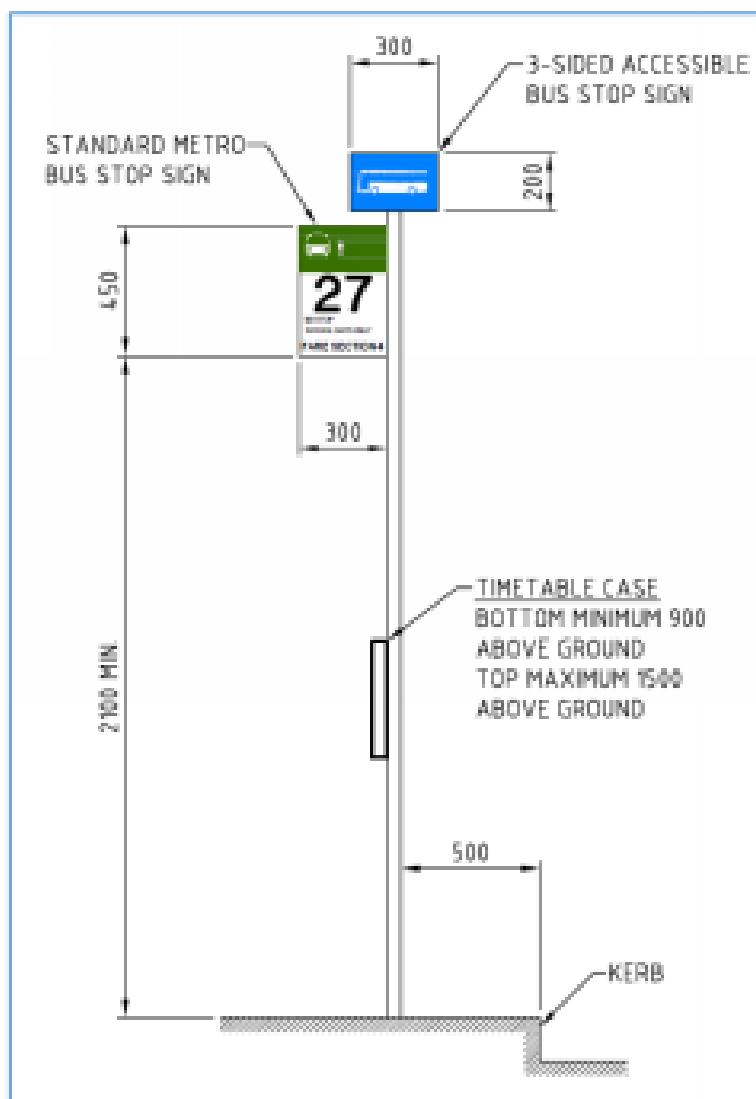
It is proposed to:

- Install two bus stops (line marking, landing area and signage) adjacent and opposite the ANZAC Park in Perth.

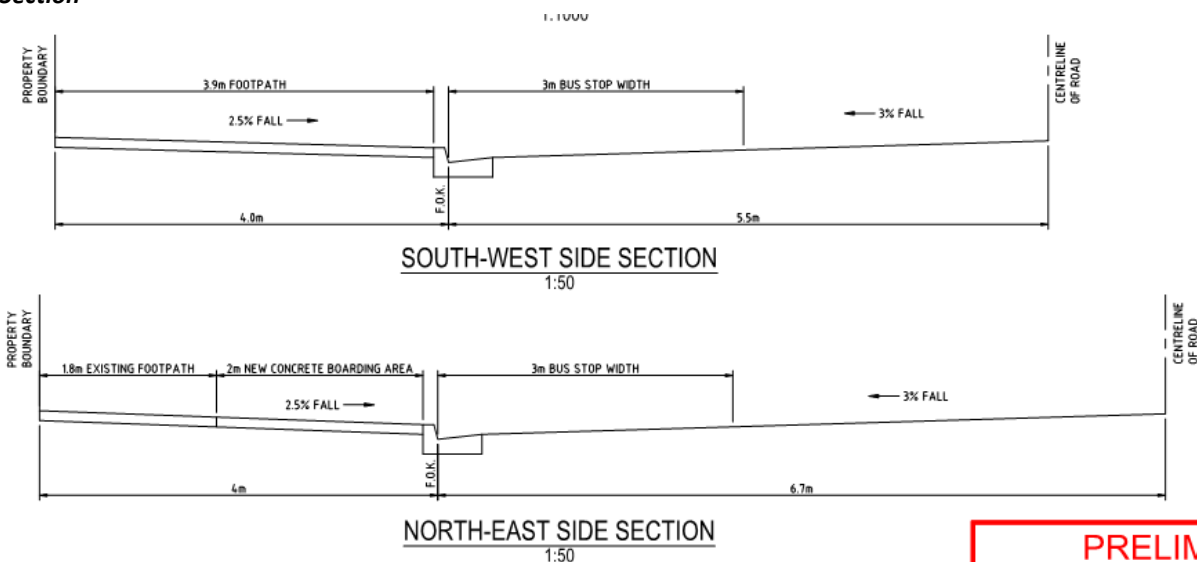
Site Plan



Elevations - signage



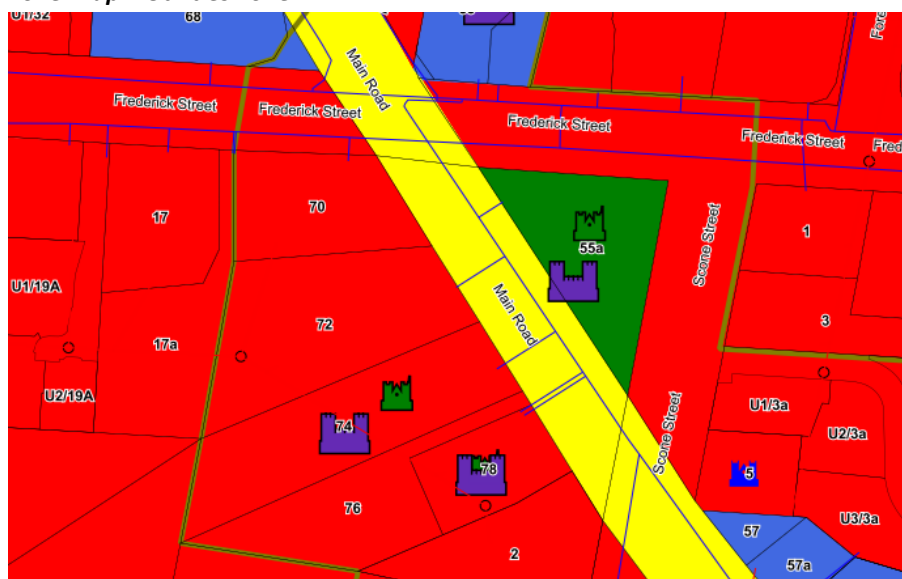
Section



PRELIM

4.2 Zone and land use

Zone Map – Utilities Zone



The land is zoned Utilities Zone and is within the Heritage Precinct

The relevant Planning Scheme definition is:

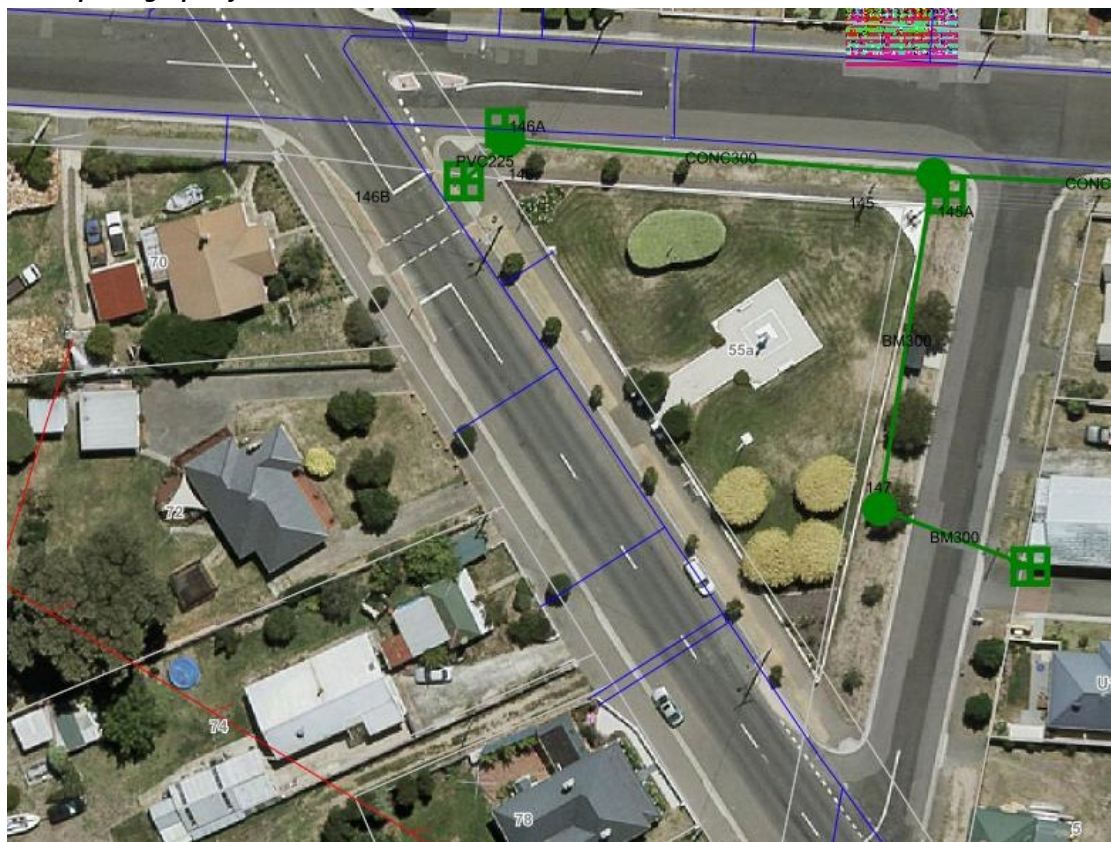
<i>Utilities</i>	<i>use of land for utilities and infrastructure including:</i> <i>(a) telecommunications;</i> <i>(b) electricity generation;</i> <i>(c) transmitting or distributing gas, oil, or power;</i> <i>(d) transport networks;</i> <i>(e) collecting, treating, transmitting, storing or distributing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

Utilities (minor) is a 'no permit required' use in the *Utilities* zone. Reliance on the performance criteria of the Local Historic Heritage Code caused the application to become discretionary.

4.3 Subject site and locality

The author of this report carried out a site visit on the 13th September 2019. The subject site is a straight section of road, in close proximity to the 'ANZAC Park', a school crossing and dwellings. Main Road is a State Road, currently forming part of the Midland Highway. A number of the adjoining sites are Heritage Listed.

Aerial photograph of area



Photographs of subject site





4.4 Permit/site history

Relevant permit history includes:

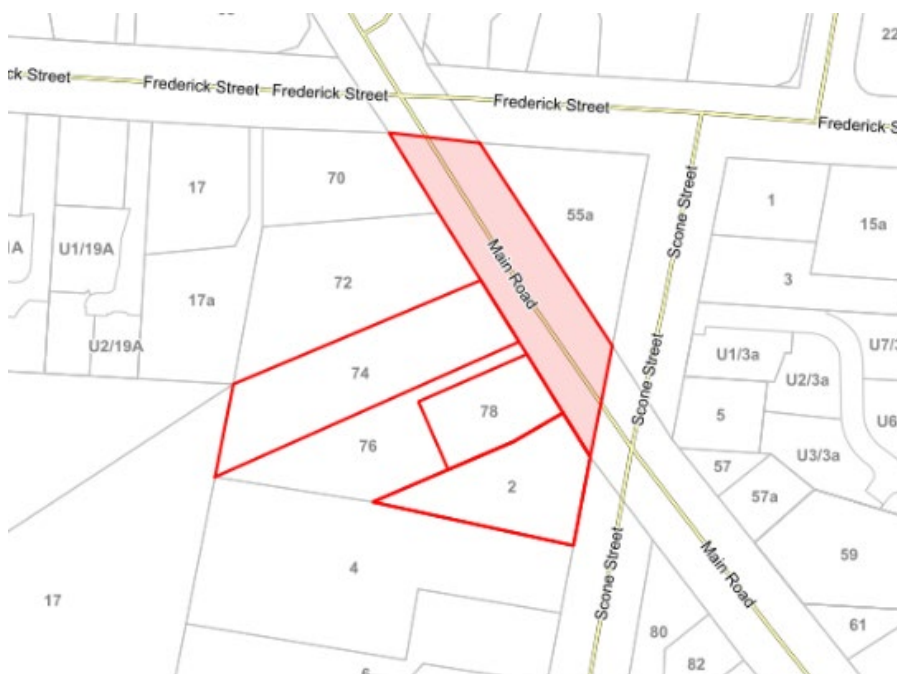
- Nil

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:

- Philip van Asch - 74 Main Road, Perth
- Susanne Gatto – 2 Scone Street, Perth
- Warwick Cuthbertson – 78 Main Road, Perth

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



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

Issue 1

Amenity

- Reduced property values
- Increased potential for vandalism/trespassing
- Rubbish left to blow around
- Loss of on-street parking for residents, visitors and nearby businesses
- Preference to leave in current location

Planner's comment:

The abovementioned concerns of the representors are noted; however, there are no mechanisms within the planning scheme under which to address them through the Planning Application process. The issues raised do not relate to the relevant discretions sought (Reliance on the Performance Criteria of the Local Historic Heritage Code). If not within the Heritage Precinct, the development would be exempt from requiring planning approval.



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Issue 2

Traffic Safety

- Restricted views due to bus shelter and distractions caused by obstacles/infrastructure
- Regular parking of vehicles across driveways
- Proximity of bus stop to school crossing and congestion of multiple uses – parking/light & heavy vehicle traffic/pedestrians

Planner's comment:

The abovementioned concerns of the representors are noted; however, the installation of the bus stop may in fact result in an improvement in these issues. NO bus shelter is proposed (sign pole only). The bus stop placement will mean the space at the front of the properties is clear of traffic and parked vehicles, except for when the bus stop is in operation. This will improve the visibility of the school crossing for north bound vehicles. The site is a low speed environment, particularly during school hours/flashing bus lights, when there is a 40km/h limit. A Site Information and Assessment (including risk assessment and recommendations) was provided as part of the application.

Issue 3

Accessibility for bus users

Planner's comment:

The Bus Stops have been designed to comply with the Accessible Bus Stop Guidelines, required by the *Disability Discrimination Act 1992*. This will be an improvement on the existing General Access bus stops currently provided. The Planning Scheme does not contain any relevant provisions relating to bus stop design.

4.6 Referrals

The only referrals required were as follows:

Council's Works Department

Precis: Council's Works & Infrastructure Department (Jonathan Galbraith) reviewed the application on the 13.09.2019 and noted:

"It was noted that this area cannot be used by busses on ANZAC day, but I don't think this is a planning issue, just something we need to make the bus companies aware of at the time."

Comment: A review of the Tassielink Timetable for the area has confirmed that the service does not operate on Sundays or Public Holidays.

Heritage Adviser

Council's Heritage Advisor, David Denman, reviewed the application on the 1st Oct 2019. Mr Denman noted that he had no objections to the proposal and made the following comments:

"The proposed bus stops are standard public infrastructure. Therefore, they will not have an adverse impact on the heritage values of the streetscape."

Department of State Growth

Precis: The application was referred to the Department of State Growth on the 12th September 2019, and advised that they have no comment to make, other than relevant works permits for works within the road reserve will be organised internally.

Minister administering Crown Lands

Precis: Minister's Consent provided & application form signed by delegate.

4.7 Planning Scheme Assessment

6 Limited Exemptions

6.1 Minor Structures and Outbuildings

- 6.2.1 A permit under this planning scheme is not required for a use or development described in subclause 6.2.2 unless there is:



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- (a) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken;
 - (b) disturbance of more than 1m² of land that has been affected by a potentially contaminating activity;
 - (c) excavation or fill of more than 0.5m depth in a salinity hazard area or landslip hazard area shown in the planning scheme;
 - (d) the removal of any threatened vegetation; or
 - (e) land located within 30m of a wetland or watercourse.
- 6.2.2 The provision by or on behalf of the State Government, a Council, a statutory authority, or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority, of the following utilities and infrastructure:
- (a) electricity, gas, sewerage, stormwater and water reticulation to individual streets, lots or buildings; and
 - (b) footpaths and cycle paths, playground equipment, seating and shelters, telephone booths, post boxes, bike racks, fire hydrants, drinking fountains, rubbish bins, public art, traffic control devices and markings, and the like on public land.
- 6.2.3 A permit under this planning scheme is not required for a use or development described in subclause 6.2.4 unless there is:
- (a) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken; or
 - (b) the removal of any threatened vegetation.
- 6.2.4 Minor upgrades by or on behalf of the State government, a Council, or a statutory authority or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority, of infrastructure such as roads, rail lines, footpaths, cycle paths, drains, sewers, power lines and pipelines including:
- (a) minor widening or narrowing of existing carriageways; or
 - (b) making, placing or upgrading kerbs, gutters, footpaths, roadsides, traffic control devices and markings, street lighting and landscaping.

Comment: The proposed development is unable to meet the exemptions listed under 6.2.2 and 6.2.4, due to the site's location within a Heritage Precinct. Therefore, the development must be assessed against the relevant zone and code provisions.

UTILITIES ZONE	
ZONE PURPOSE	
<i>28.1.1 Zone Purpose Statements</i>	
<i>28.1.1.1</i>	<i>To provide land for major utilities installations and corridors.</i>
<i>28.1.1.2</i>	<i>To provide for other compatible uses where they do not adversely impact on the utility.</i>
Assessment: The proposal meets the zone purpose.	
LOCAL AREA OBJECTIVES	
<i>There are no desired local area objectives</i>	
DESIRED FUTURE CHARACTER STATEMENTS	
<i>There are no desired future character statements</i>	
USE AND DEVELOPMENT STANDARDS	

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:



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	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.
Comment: Complies – permitted use in zone.	Comment: 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.
Comment: N/a – no structures, other than the sign pole, are proposed.	Comment: N/a
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.
Comment: N/a – no structures, other than the sign pole, are proposed.	Comment: N/a

28.4.2 Subdivision – N/a

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/a
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	N/a



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E.5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	N/a – no requirement set for utilities.
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	Complies – exempt.

ASSESSMENT AGAINST E13.0 LOCAL HISTORIC HERITAGE CODE

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

E13.6.2 Subdivision and development density

Comment: N/a

E13.6.3 Site Cover

Comment: N/a – no structures proposed.

E13.6.4 Height and Bulk of Buildings

Comment: N/a

E13.6.5 Fences

Comment: N/a

E13.6.6 Roof Form and Materials

Comment: N/a

E13.6.7 Wall materials

Comment: N/a

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.

Comment: N/a – no buildings or structures proposed, other than the signage, therefore, setback provisions are not relevant.

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.



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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: Relies on Performance Criteria P1, as there are no principle buildings within the road reserve. The bus stop infrastructure is ancillary to the existing road network and does not detract from meeting the management objectives of Table E13.1.

E13.6.10 Access Strips and Parking

Comment: N/a – no car parking or new access proposed.

E13.6.11 Places of Archaeological Significance

Comment: N/a

E13.6.12 Tree and Vegetation Removal

Comment: N/a

E13.6.13 Signage

Objective: To ensure that signage is appropriate to conserve the historic heritage significance of local heritage places and precincts.

Acceptable Solutions	Performance Criteria
A1 Must be a sign identifying the number, use, heritage significance, name or occupation of the owners of the property not greater than 0.2m².	P1 New signs must be of a size and location to ensure that: a) period details, windows, doors and other architectural details are not covered or removed; and b) heritage fabric is not removed or destroyed through attaching signage; and c) the signage does not detract from the setting of a heritage place or does not unreasonably impact on the view of the place from public viewpoints; and d) signage does 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 proposed signage will not cover any architectural features of any buildings or damage any heritage fabric. Council's Heritage Advisor has reviewed the proposal and noted that *"the proposed bus stops are standard public infrastructure. Therefore, they will not have an adverse impact on the heritage values of the streetscape."* The signage therefore also does not unreasonably impact on the view of heritage listed places, from public viewpoints. The management objectives of Table E13.1 are also met.

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
3 PERTH HERITAGE PRECINCT CHARACTER STATEMENT The Perth Heritage Precinct is unique because it is still the core of a small nineteenth century riverside town, built around the thoroughfare from the first bridge to cross the South Esk River, and which retains its historic atmosphere. It combines significant colonial buildings, compact early river's edge residential development, and retains the small-scale commercial centre which developed in the nineteenth century at the historic crossroads and river crossing for travel and commerce between Hobart, Launceston and the North West. Perth's unique rural setting is complemented by its mix of businesses still serving local and visitor's needs. Perth's heritage ambience is acknowledged by many of those who live in or visit the town, and will be enhanced by the eventual construction of the Midland Highway bypass.



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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.

ASSESSMENT AGAINST E15.0 SIGNS CODE

E15.3 Definition of Terms Used in this Code

E15.3.1 In this Code, unless the contrary intention appears:

Regulatory Sign	A sign relating to safe and effective use of a road, railway, waterway or airway or intended to provide public notice (including, but not limited to, fox task force, water restrictions, road networks and fire danger).
------------------------	---

E15.4 Signage Development exempt from this Code

E15.4.1 The following signs do not require a permit:

Regulatory Sign	Must be erected at the direction of a public authority.
------------------------	--

Comment: The proposed signage is a regulatory sign, intended to provide public notice, and will be erected at the direction of a public authority (Department of State Growth). Planning approval for the signage is not required.

SPECIFIC AREA PLANS

F1.0	TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0	HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a – no relevant provisions.

SPECIAL PROVISIONS

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

STATE POLICIES

The proposal is consistent with all State Policies.

OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan 2017-2027
Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on the performance criteria of the Heritage Code.



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The application required a planning permit due to its location within the Heritage Precinct at Perth. The exempt sign and concrete pad will have very little impact on the heritage values of the streetscape, as noted by Council's Heritage Advisor.

Three representations were lodged in objection to the proposal, raising similar issues around amenity, safety and accessibility of the Bus stops. It is understood that these issues have previously been raised directly to the applicant (Department of State Growth), during pre-lodgement consultation with affected landowners. There are no provisions within the planning scheme under which to consider the issues raised by the representation.

Conditions that relate to any aspect of the application can be placed on a permit. The proposal will be conditioned to be used and developed in accordance with the proposal plans.

8 ATTACHMENTS

- A. Application & plans
- B. Responses from referral agencies
- C. Representations

RECOMMENDATION

That land at Road reserve adjacent to and opposite 55A Main Road, Perth be approved to be developed and used for two bus stops (utilities) (heritage precinct) in accordance with application PLN-19-0182, and subject to the following condition:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P2** (*Drawing No: IS250100-3-CR-DRG-0001.dwg, Sheet No's: 1, Dated: 22.01.2019 (rev 1) & Aerial view site plan – ID 37 A*) & **D1** (*Planning Submission Report, prepared by Department of State Growth, undated*) & **D2** (*Site Information & Assessment Report, prepared by Jacobs, undated*).

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

PLAN 6 PLANNING APPLICATION PLN-19-0184 84, 94 & 96-102 FAIRTLOUGH STREET, PERTH

Attachments: Section 1 – Page 595

File Number: 104900.295
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 84, 94 and 96-102 Fairtlough Street, Perth to construct a 37-lot Subdivision (vary setbacks of existing building, Bushfire Prone Area, new road & accesses, realign/pipe watercourse).

2 BACKGROUND

Applicant: 60 Degrees Pty Ltd	Owner: Scott Anthony Bean & Melissa Bean, Rodney Anthony Pask & Shelley Marie Pask, Growth Development Pty Ltd
Zone: General Residential	Codes: Bushfire Prone Areas Code, Road & Railway Assets Code, Carparking & Sustainable Transport Code, Water Quality Code, Recreation & Open Space Code.
Classification under the Scheme: Discretionary	Existing Use: Vacant
Deemed Approval Date: 25 October 2019	Recommendation: Approve

Discretionary Aspects of the Application

- Vary setback of existing building
- Construction of new road and accesses
- New road within 50m of a watercourse

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

Preliminary Discussion

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

Figure 1 - subject site from Seccombe Street



3 STATUTORY REQUIREMENTS

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

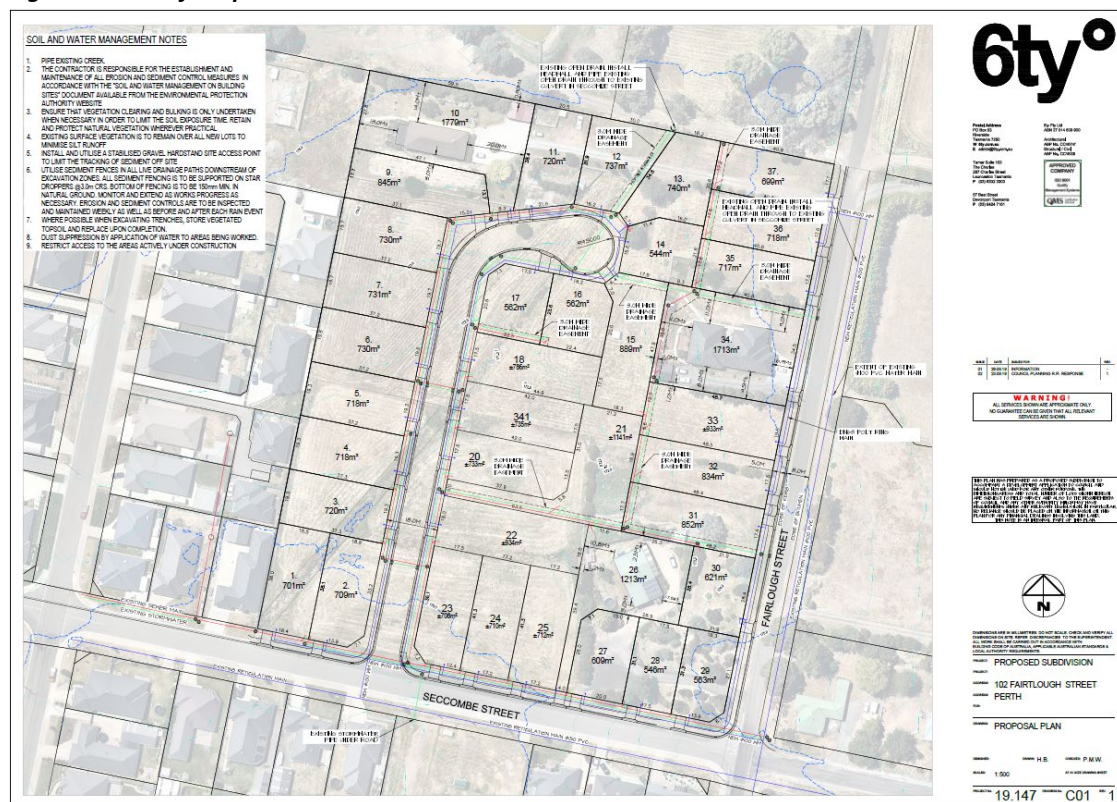
Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required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

4 ASSESSMENT

4.1 Proposal

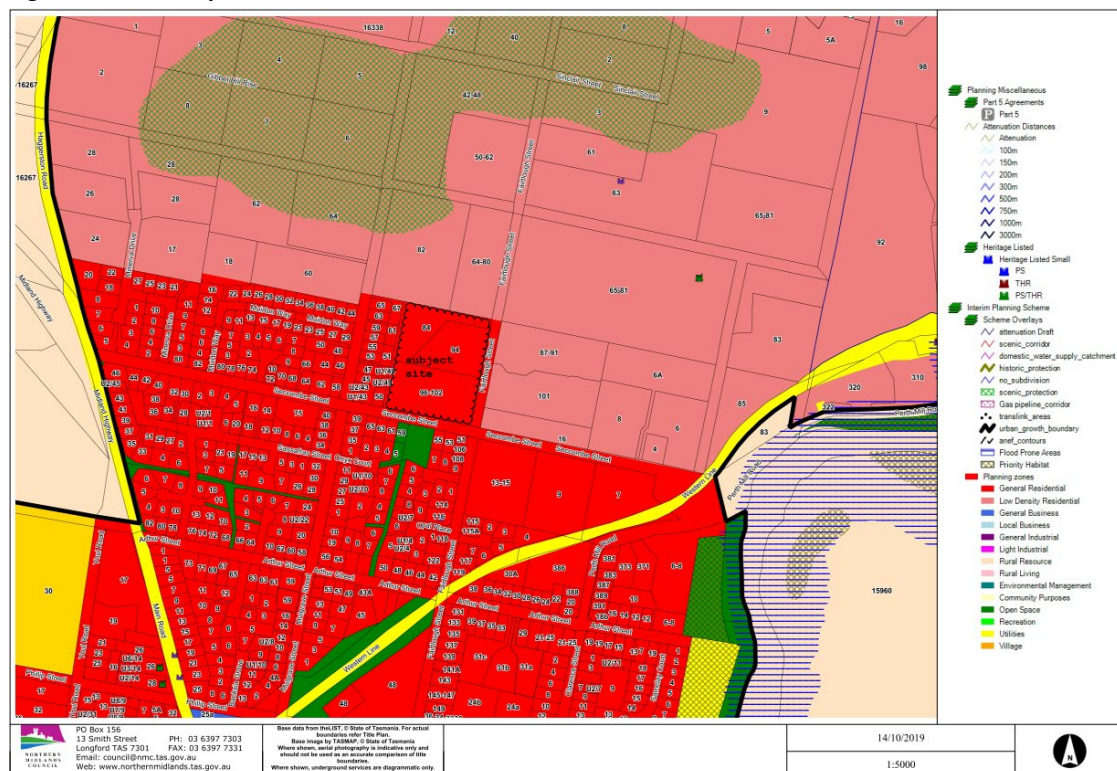
It is proposed to develop a 37-lot Subdivision (vary setbacks of existing building, Bushfire Prone Area, new road & accesses, realign/pipe watercourse).

Figure 2- Plan of Proposed Subdivision



4.2 Zone and land use

Figure 3 -Zone Map – General Residential



The land is zoned General Residential.

4.3 Subject site and locality

The author of this report carried out a site visit on 14 October 2019. The site contains three dwellings and associated outbuildings and gardens, with a watercourse running through the property. Land to the north and east is Low Density Residential. Land to the west and south is General Residential.

Figure 4 - aerial photograph of area



Figure 5- subject site from corner of Fairtlough and Seccombe Street



Figure 6 - Watercourse through the property



4.4 Permit/site history

Relevant permit history includes:

84 Fairtlough Street

BA 146/88 - Hutchinson - Workshop
104900.295 - 84 FAIRTLOUGH ST - PERTH - BEAN MELISSA
BA 77/88 - Hutchinson - Dwelling
104900.295 - 84 FAIRTLOUGH ST - PERTH - BEAN MELISSA
KL- BEAN - Scott Bean - Kennel Licence X 5
104900.295 - 84 FAIRTLOUGH ST - PERTH - BEAN MELISSA
P03-159 (27/003/304) - - 2 Lot Subdivision
104900.295 - 84 FAIRTLOUGH ST - PERTH - BEAN MELISSA
P04-172 - S Bean - Garage/Carport (6m X 9m)
104900.295 - 84 FAIRTLOUGH ST - PERTH - BEAN MELISSA
P09-141 (27/003/561) - - 15 Lot Subdivision In 4 Stages
104900.295 - 84 FAIRTLOUGH ST - PERTH - BEAN MELISSA
P15-273 - S&M Bean - Verandah & Shed
104900.295 - 84 FAIRTLOUGH ST - PERTH - BEAN MELISSA
P18/183 PMB - Melissa & Scott Bean - Waste Water System
104900.295 - 84 FAIRTLOUGH ST - PERTH - BEAN MELISSA
PLN18-0302 - DJ McCulloch Surveying - 2 Lot Subdivision
104900.295 - 84 FAIRTLOUGH ST - PERTH - BEAN MELISSA
PLN19-0184 - 6ty° - 37 Lot Subdivision
104900.295 - 84 FAIRTLOUGH ST - PERTH - BEAN MELISSA



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 21 OCTOBER 2019

94 Fairtlough Street

... P03-159 (27/003/304) - 2 Lot Subdivision
104900.3 - 94 FAIRTLOUGH ST - PERTH - PASK RODNEY ANTHONY

... P04-336 - R Pask - Dwelling
104900.3 - 94 FAIRTLOUGH ST - PERTH - PASK RODNEY ANTHONY

... P05-227 - R Pask - Garage
104900.3 - 94 FAIRTLOUGH ST - PERTH - PASK RODNEY ANTHONY

96-102 Fairtlough Street

... P04-300 (27/003/353) - REFUSED - 2 Lot Subdivision
104900.31 - 96-102 FAIRTLOUGH ST - PERTH - GROWTH DEVELOPMENTS PTY LTD

... P90-124 - R Hutchinson - Dwelling
104900.31 - 96-102 FAIRTLOUGH ST - PERTH - GROWTH DEVELOPMENTS PTY LTD

... P92-81 - R Hutchinson - Extension
104900.31 - 96-102 FAIRTLOUGH ST - PERTH - GROWTH DEVELOPMENTS 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

Council's Works Department

Precis: Council's Works & Infrastructure Department provided the attached response. The recommended conditions are included in the conditions of approval.

TasWater

Precis: TasWater issued a Submission to Planning Authority Notice (TasWater Ref: TWDA 2019/0146-NMC).

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.



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10.4.15 Subdivision

10.4.15.1 Lot Area, Building Envelopes and Frontage

Objective To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, private open space, vehicle access and parking, easements and site features.	
Acceptable Solutions	Performance Criteria
A1 Lots must: a) have a minimum area of at least 450m² which: i) is capable of containing a rectangle measuring 10m by 15m; and ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or b) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or c) be for the provision of utilities; or d) be for the consolidation of a lot with another lot with no additional titles created; or e) be to align existing titles with zone boundaries and no additional lots are created.	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.
All lots have an area of at least 450m ² . All lots are capable of containing a rectangle measuring 10m by 15m. Only lot 26 does not have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks. It must address the Performance Criteria.	The house on Lot 26 will be setback 2.5m from the new rear boundary. 4m would be required to satisfy the relevant acceptable solution. There is sufficient useable area and dimensions for on-site parking and manoeuvrability and adequate private open space. The proposal satisfies the performance criteria.
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.
Complies. Each lot has frontage of at least 3.6m	N/a

10.4.15.2 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 to be connected to reticulated water supply and sewerage system.	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. Each lot is to be connected the reticulated stormwater system	N/a

10.4.15.3 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:	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.



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a) north 20 degrees west to north 30 degrees east; or b) east 20 degrees north to east 30 degrees south.	
Complies. At least 50% of the lots have a long axis with the ranges given.	N/a
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 – all lots are larger than 500m ² .	N/a

10.4.15.4 Interaction, Safety and Security

This clause was not used in this planning scheme

10.4.15.5 Integrated Urban Landscape

Objective To provide attractive and continuous landscaping in roads and public open spaces that contribute to the: a) character and identity of new neighbourhoods and urban places; or b) to existing or preferred neighbourhood character, if any.	
Acceptable Solutions	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.
Does not comply. Must address the performance criteria.	The design of the road created by the subdivision: must demonstrate that: a) it has regard to existing, significant features; Comment: Existing significant features include a watercourse, three houses and trees. The road must be designed so that the piped stormwater network within it is designed for the 10% Annual Exceedance Probability storm and it can cater for overland flow paths for the 1% Annual Exceedance Probability storm. If the road was to be a through road it would have a junction with Fairtlough Street adjacent to the existing house on No. 94. This would result in around 50m of road frontage that would have no additional lots. The location of the proposed road results in loss of few trees. b) accessibility and mobility through public spaces and roads are protected or enhanced; Comment: The new road accesses Seccombe Street close to the public open space opposite. Accessibility and mobility through public spaces and roads is protected. c) connectivity through the urban environment is protected or enhanced; and Comment: The new road accesses Seccombe Street close to the public open space opposite. Connectivity through the urban environment is protected. d) the visual amenity and attractiveness of the urban environment is enhanced; and Comment: Road widening, kerb and channel and street trees will be required. The visual amenity and attractiveness of the urban environment is enhanced. e) it furthers the local area objectives, if any. Comment: The proposal furthers the relevant local area objective: “To consolidate growth within the existing urban land use framework of the towns and villages”.

10.4.15.6 Walking and Cycling Network

Objective	
a) To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and	
b) To design footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible.	
c) To provide adequate provision to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.	
Acceptable Solutions	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.
Does not comply. Must address the performance criteria.	The subdivision must demonstrate that the walking and cycling network is designed to: a) link to any existing pedestrian and cycling networks; Comment: The new road and footpath will link to the pedestrian and cycling networks in Seccombe Street. b) provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces; Comment: Linking to Seccombe Street is the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces. 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; Comment: Linking to Seccombe Street satisfies this provision. d) promote surveillance along roads and from abutting dwellings. Comment: The majority of lots will enable a dwelling to be built such that surveillance along roads is promoted. The proposal satisfies the Performance Criteria.



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10.4.15.7 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.
Does not comply. Must address the performance criteria.	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 Comment: The proposed road will link to Seccombe Street and the wider road network, consistent with this provision. b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and Comment: The proposed cul-de-sac is clearly lower in the hierarchy of roads than Seccombe Street. 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 Comment: The design of the cul-de-sac is such that it provides an appropriate speed environment as required by this provision. d) provide safe and efficient access to activity centres for commercial and freight vehicles; and Comment: The proposed cul-de-sac links to activity centres by Fairtlough, Mulgrave, Arthur Street and Main Road. e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and Comment: N/a - The proposed road is not a connector road. 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 Comment: The proposed road links to the existing network as required by this provision. g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and Comment: Provides a turning head with a 9.5m radius as per Council's standard. h) take into account of any identified significant features. Comment: Existing significant features include a watercourse, three houses and trees. The road must be designed so that the piped stormwater network within it is designed for the 10% Annual Exceedance Probability storm and it can cater for overland flow paths for the 1% Annual Exceedance Probability storm.



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If the road was to be a through road it would have a junction with Fairtlough Street adjacent to the existing house on No. 94. This would result in around 50m of road frontage that would have no additional lots.
The location of the proposed road results in loss of few trees.

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	Complies – See code assessment below
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies – See code assessment below
E5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	Complies – See code assessment below
E10.0	RECREATION AND OPEN SPACE CODE	Complies – See code assessment below
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

ASSESSMENT AGAINST E1.0 BUSHFIRE PRONE AREAS CODE

The application provided a Bushfire Hazard Management Report from an accredited Bushfire Hazard Practitioner which finds that:
There is sufficient area on all lots to provide for a BAL 19 or lower for any future habitable dwellings. This complies with E1.6.1.
It is anticipated that no dwelling will be more than 120m as the hose lays, from a water supply point and therefore will meet element A with no specific design or construction requirements. This complies with E1.6.2.
The subdivision will be serviced by a new reticulated water supply. New hydrants will be required to service the building areas, they must meet the requirements of Table 4. A condition requiring design plans is required to comply with E1.6.3.

ASSESSMENT AGAINST E4.0 ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
N/a	N/a
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an



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vehicle entry and exit movements per day	acceptable level of safety for all road users, including pedestrians and cyclists.
Does not comply	The Traffic Impact Assessment advises that the Performance Criteria can be satisfied as the proposed driveways and the new intersection each will have adequate sight distance and design.
A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	P3 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
N/a	N/a

E4.7 Development Standards

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

Objective To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:	
a) ensure the safe and efficient operation of roads and railways; and b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development.	
Acceptable Solutions	Performance Criteria
A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h: a) new road works, buildings, additions and extensions, earthworks and landscaping works; and b) building areas on new lots; and c) outdoor sitting, entertainment and children's play areas	P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to: a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.
N/a	N/a

E4.7.2 Management of Road Accesses and Junctions

Objective To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two	P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.

accesses providing separate entry and exit.	
Does not comply.	The Traffic Impact Assessment advises that the Performance Criteria can be satisfied as the proposed driveways and the new intersection each will have adequate sight distance and design.
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	P2 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
N/a	N/a

E4.7.3 Management of Rail Level Crossings

N/a

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

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

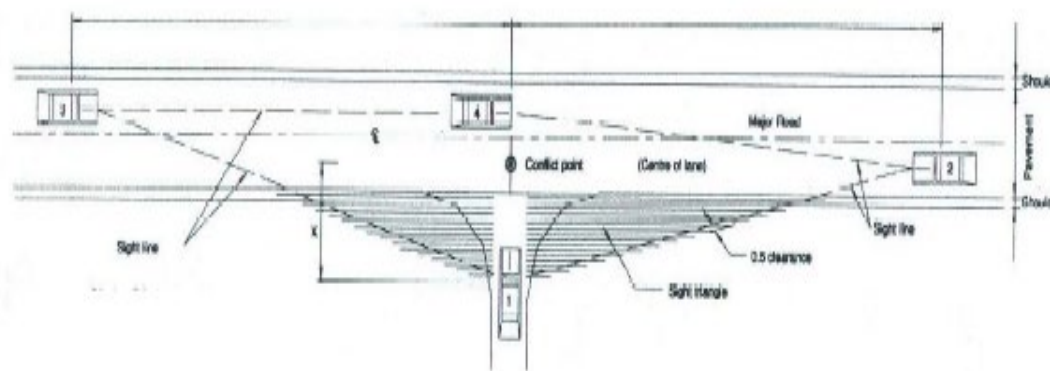


Figure E4.7.4 Sight Lines for Accesses and Junctions

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

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

Table E4.7.4 Safe Intersection Sight Distance (SISD)

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

Notes:

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

**ASSESSMENT AGAINST E6.0
CAR PARKING & SUSTAINABLE TRANSPORT CODE**

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.			
Acceptable Solutions		Performance Criteria	
A1	The number of car parking spaces must not be less than the requirements of:	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



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	ii) the pattern of parking in the locality; and iii) any existing structure on the land.
Comment: Complies with A1. The lots have sufficient area to allow for the required number of parking spaces.	

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Residential:		
If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	1 space per dwelling	1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation.
If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	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:
		a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Comment: Complies with A1.1. The lots have sufficient area to allow for the required number of parking spaces.			

ASSESSMENT AGAINST E9.0 WATER QUALITY CODE

E9.6 Development Standards

E9.6.1 Development and Construction Practices and Riparian Vegetation

Objective To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.			
Acceptable Solutions		Performance Criteria	
A1	Native vegetation is retained within:	P1	Native vegetation removal must submit a soil and water management plan to demonstrate:
a)	40m of a wetland, watercourse or mean high water mark; and	a)	revegetation and weed control of areas of bare soil; and
b)	a Ben Lomond Water catchment area - inner buffer.	b)	the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and
		c)	that disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.
Complies. Does not seek to remove native vegetation.		N/a	
A2	A wetland must not be filled, drained, piped or channelled.	P2	Disturbance of wetlands must minimise loss of hydrological and biological values, having regard to:
		(i)	natural flow regimes, water quality and biological diversity of any waterway or wetland;
		(ii)	design and operation of any buildings, works or structures on or near the wetland or waterway;
		(iii)	opportunities to establish or retain native riparian vegetation;
		(iv)	sources and types of potential contamination of the wetland or waterway.
N/a		N/a	



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A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposes.	P3 A watercourse may be filled, piped, or channelled: a) within an urban environment for the extension of an existing reticulated stormwater network; or b) for the construction of a new road where retention of the watercourse is not feasible.
Does not comply	Complies.

E9.6.2 Water Quality Management

Objective To maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses.	
Acceptable Solutions	Performance Criteria
A1 All stormwater must be: a) connected to a reticulated stormwater system; or b) where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or e) meet emission limit guidelines from the Board of the Environment Protection Authority in accordance with the State Policy for Water Quality Management 1997.	P1 Stormwater discharges to watercourses and wetlands must minimise loss of hydrological and biological values, having regard to: (i) natural flow regimes, water quality and biological diversity of any waterway or wetland; (ii) design and operation of any buildings, works or structures, on or near the wetland or waterway; (iii) sources and types of potential contamination of the wetland or waterway; (iv) devices or works to intercept and treat waterborne contaminants; (v) opportunities to establish or retain native riparian vegetation or continuity of aquatic habitat.
Complies – stormwater will be connected to the existing reticulated system in Seccombe Street.	N/a
A2.1 No new point source discharge directly into a wetland or watercourse. A2.2 For existing point source discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existed at the effective date.	P2.1 New and existing point source discharges to wetlands or watercourses must implement appropriate methods of treatment or management to ensure point sources of discharge: a) do not give rise to pollution as defined under the <i>Environmental Management and Pollution Control Act 1994</i> ; and b) are reduced to the maximum extent that is reasonable and practical having regard to: i) best practice environmental management; and ii) accepted modern technology; and c) meet emission limit guidelines from the Board of Environmental Management and Pollution Control in accordance with the <i>State Policy for Water Quality Management 1997</i> . P2.2 Where it is proposed to discharge pollutants into a wetland or watercourse, the application must demonstrate that it is not practicable to recycle or reuse the material.
Complies with the acceptable solutions. Stormwater will discharge to the existing reticulated system, not to a wetland or watercourse.	N/a
A3 No acceptable solution.	P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.
N/a	N/a



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E9.6.3 Construction of Roads

Objective To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.	
Acceptable Solutions	Performance Criteria
A1 A road or track does not cross, enter or drain to a watercourse or wetland.	P1 Road and private tracks constructed within 50m of a wetland or watercourse must comply with the requirements of the <i>Wetlands and Waterways Works Manual</i> , particularly the guidelines for siting and designing stream crossings.
Does not comply.	Condition required.

E9.6.4 Access

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

E9.6.5 Sediment and Erosion Control

Objective To minimise the environmental effects of erosion and sedimentation associated with the subdivision of land.	
Acceptable Solutions	Performance Criteria
A1 The subdivision does not involve any works.	P1 For subdivision involving works, a soil and water management plan must demonstrate the: a) minimisation of dust generation from susceptible areas on site; and b) management of areas of exposed earth to reduce erosion and sediment loss from the site.
N/a	Condition required.

E9.6.6 Ben Lomond Water Catchment Areas

Objective To address the effects of use and development within defined buffer areas for water catchments.	
Acceptable Solutions	Performance Criteria
A1 Development located within a Ben Lomond Water catchment area - outer buffer must be developed and managed in accordance with a soil and water management plan approved by Ben Lomond Water.	P1 No performance criteria.
N/a – not within a water catchment area.	N/a
A2 Development located within a Ben Lomond Water catchment area - inner buffer must not involve disturbance of the ground surface.	P2 Development located within a Ben Lomond Water catchment area - inner buffer that involves disturbance of the ground surface must not have a detrimental effect on water quality for the reticulated water intakes.
N/a – not within a water catchment area.	N/a

ASSESSMENT AGAINST E10.0 RECREATION & OPEN SPACE CODE

E10.6.1 Provision of Public Open Space

Objective



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

Acceptable Solutions	Performance Criteria
A1 The application must: a) include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu.	P1 Provision of public open space, unless in accordance with Table E10.1, must: a) not pose a risk to health due to contamination; and b) not unreasonably restrict public use of the land as a result of: i) services, easements or utilities; and ii) stormwater detention basins; and iii) drainage or wetland areas; and iv) vehicular access; and c) be designed to: i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and ii) reasonably contribute to the pedestrian connectivity of the broader area; and iii) be cost effective to maintain; and iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and v) provide for public safety through <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. The General Manager provided consent in writing that no land is required for public open space but instead there is to be a cash payment in lieu. It is noted that public open space exists directly opposite the subdivision in Seccombe Street (see Figure 3).	N/a

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

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

STATE POLICIES
The proposal is consistent with all State Policies.

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



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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:

- Vary setback of existing building
- Construction of new road and accesses
- New road within 50m of a watercourse

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

This report has found that the proposal satisfies the requirements of the planning scheme. As such it is recommended that the application be approved with the conditions below.

8 ATTACHMENTS

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

RECOMMENDATION

That land at 84, 94 and, 96-102 Fairtlough Street, Perth be approved to be developed and used for a 37-lot Subdivision (vary setbacks of existing buildings, Bushfire Prone Area, new road & accesses, realign/pipe watercourse) in accordance with application PLN-19-0184, and subject to the following conditions:

1 Layout not altered

The use and development must be in accordance with the endorsed documents:

- P1** (Proposal Plan, Project No. 19.147, Drawing No. C01, Rev 1, Dated 23/09/2019);
- D1** (Planning Application, dated 23/9/2019);
- D2** (Bushfire Hazard Management Report, dated 9/9/2019);
- D3** (Traffic Impact Assessment, dated 2/9/2019).

2 Plans Required

2.1 Before the development starts, a landscape plan to the approval of the General Manager must be submitted. When approved, the plan will be endorsed and will then form part of the permit. The plan must be prepared by a landscape architect and detail:

- Street trees planted at the frontages of each lot where practicable (coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each tree). Where it is not practicable to plant street trees at the frontage, an alternative location on the opposite side of the road.



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3 Fire hydrant plans/system required

Before the development commences, design plans must be submitted showing a fire hydrant system designed in accordance with TasWater Supplement to Water Supply Code of Australia WSA 03-2011-3.1 MRWA 2nd Edition. When endorsed the plans will form part of this permit. The fire hydrant system must be constructed in accordance with the endorsed plans.

4 Waterways

- 4.1 The proposed road must comply with the relevant requirements of the *Wetlands and Waterways Works Manual*.
- 4.2 Before the development commences, a soil and water management plan to the approval of the General Manager must be submitted demonstrating the:
 - a) minimisation of dust generation from susceptible areas on site; and
 - b) management of areas of exposed earth to reduce erosion and sediment loss from the site.
- 4.3 When approved the plan will form part of this permit.
- 4.4 The subdivision must be carried out in accordance with the endorsed Soil and Water Management plan.

5 Roads

5.1 Detailed engineering plans required

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

The plans must include:

- An engineering design of the road and drainage system including pavement long sections and cross sections is to be approved by Council before the commencement of works on site

Seccombe Street

- Widening of Seccombe Street with hotmix sealed pavement to match the existing kerb to the west.
- kerb and channel, nature strip and 1.8m wide concrete footpath.

Fairtlough Street

- Widening of Fairtlough Street with hotmix sealed pavement to match the existing kerb to the south.
- kerb and channel, nature strip and 1.8m wide concrete footpath.

Subdivision Road

- A 1.8m wide concrete footpath on one side of the cul-de-sac.

5.2 Roadworks

Before the final plan is sealed, the works detailed in the plans required by condition 5.1 must be completed in accordance with those plans.

5.3 Street name and regulatory signage

- Before the final plan is sealed, the developer must install a street name sign for the new cul-de-sac, and any required regulatory signage.

5.4 Access

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

5.5 Works in road reserve

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

5.6 Street Lighting

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

5.7 As constructed information - roads

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



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5.8 Transfer of road reservation

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

5.9 Nature strips

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

6 Stormwater

6.1 Stormwater system

- Each lot must be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works Department.
- A stormwater design plan detailing a piped stormwater network (designed for the 10% Annual Exceedance Probability storm) and overland flow paths for the 1% Annual Exceedance Probability storm must be provided to the approval of the General Manager prior to the commencement of any works on site.
- The overland flow path through the development must be designed to link with the existing overland flow path to the south.

Overland flow paths must not be contained in private property and be shown to be safe for vehicles and pedestrians.

6.2 As constructed information - stormwater

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

6.3 Hydraulic separation

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

6.4 Easements to be created

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

6.5 Pollutants

- The developer/property owner shall be responsible for ensuring pollutants such as mud, silt or chemicals are not released from the site.
- Prior to the commencement of the development works the developer/property owner must install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. No material or debris is to be transported onto the road reserve (including the naturestrip footpath and road pavement). Any material that is deposited on the road reserve shall be removed by the applicant. Should Council be required to clean or carry out works on any of their infrastructure as a result of pollutants being released from the site the cost of these works may be charged to the developer/property owner.

7 Municipal Standards & Certification of Works

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

8 Maintenance Period

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



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9 Public Open Space Contribution

A cash contribution must be paid in lieu of land for public open space in accordance with Council's current 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. The Public Open Space Rate shall total 5% of that value.

10 Planting of Street Trees

Before the final plan is sealed, a bond or bank guarantee of \$250 per lot (i.e. 37 x \$250) must be provided to the Council. The developer must plant the street trees in accordance with the landscape plan at the end of the 12-month maintenance period. If the trees are not planted, Council may use the bond/bank guarantee to ensure the plantings occur.

Each tree is to be provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti-vandalism tie down to prevent removal

11 Electricity

Underground electricity must be provided to each lot in the subdivision.

12 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2019/01406-NMC).

DECISION

Cr



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PLAN 7 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.

Council has held several workshops to consider the documentation, the most recent being on Monday, 14 October 2019. Councillors have requested the LPS be presented to Council to be endorsed, subject to the following amendments being made:

- Rectification of spot zoning, for example on Pateena Road and Nile Road, transfer from Rural to Agriculture.
- Remove Particular Purpose Zones NOR P2.0 at 16523 Midland Highway and retain at Rural Zone.
- Ensure the Rural Zone applies to mining lease boundaries only, and not the entire title on which the mining lease is located.
- Ensure the Rural Zone applies to timber reserve boundaries only, and not the entire title on which the timber reserve is located.
- Amend CT109926/1 to be zoned Rural not Rural Living.
- Amend CT122927/2 to be zoned Agriculture not Rural.
- Amend CT143422/1 and CT164539/1 to be zoned Agriculture not Rural.

Councillors have also requested that a recommendation be presented to commence strategic planning for the land south of Longford to plan for future expansion of the town.

Concern was raised about creating a buffer between townships and agricultural land. Meander Valley Council's Senior Strategic Planner is meeting with Council's planning officers on 17 October 2019 to discuss their learnings through the Local Provision Schedule process. In particular discussion will be had about zoning transitions around towns, specific area plans and mapping of threatened vegetation.



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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
 - ♦ 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.



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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;*
- *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.



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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;*
- *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



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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)

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:



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- 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 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, subject to the following amendments being completed, along with any associated updates to the supporting documentation:
 - Rectification of spot zoning, for example on Pateena Road and Nile Road, transfer from Rural to Agriculture.
 - Remove Particular Purpose Zones NOR P2.0 at 16523 Midland Highway and retain at Rural Zone.
 - Ensure the Rural Zone applies to mining lease boundaries only, and not the entire title on which the mining lease is located.
 - Ensure the Rural Zone applies to private timber reserve boundaries and permanent timber production zoned land only, and not the entire title on which the reserve or zone is located.
 - Amend CT109926/1 to be zoned Rural not Rural Living.
 - Amend CT122927/2 to be zoned Agriculture not Rural.
 - Amend CT143422/1 and CT164539/1 to be zoned Agriculture not Rural.
- 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; and
 - 4 That officers prepare a brief and seek quotes for the preparation of a strategic planning document supporting the expansion of Longford to the south.

DECISION

Cr



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PLAN 8 DRAFT PLANNING SCHEME AMENDMENT 04/2019 74 MARLBOROUGH STREET, LONGFORD

Attachments: Section 1 – Page 671

File: PLN-19-0170
Responsible Officer: Amanda Bond, Community & Development Manager
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report recommends that Council initiate and certify a draft amendment to rezone 74 Marlborough Street, Longford from Community Purpose to General Residential.

2 SUMMARY INFORMATION

Applicant: Commercial Project Delivery	Owner: Longford Police & Citizens Youth Club Inc (priority notice for transfer to Jaffa International Pty Ltd)
Proposal: Rezone from Community Purpose to General Residential	Existing Use: Men's Shed, PCYC meeting hall
Critical Date: Decision whether to initiate the draft amendment must be made by 18 November 2019	Recommendation: That Council initiate and certify the draft amendment

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

3 STATUTORY REQUIREMENTS

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

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

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 30I](#) 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:

- (a) Part 7 of this report finds that the draft amendment is consistent with section 32 of the Act.*
- (ab) There are no representations under section 30I relevant to the draft amendment.*
- (b) This report provides advice in relation to section 65 of the Local Government Act 1993 (advice of qualified persons).*

Section 34 (1) A planning authority may –

- (a) in response to a request under section 33 ; or*
- (b) of its own motion –
initiate an amendment of a planning scheme administered by it.*

Section 35 (1) After preparing a draft amendment of a planning scheme, the planning authority must determine whether the draft amendment meets the requirements specified in [section 32](#) and –

- (a) if satisfied that it does, certify the draft amendment as so meeting those requirements; or
- (b) if not so satisfied, proceed to modify the draft amendment until it does meet those requirements and then certify the modified draft amendment as so meeting those requirements.

4 PROPOSAL

It is proposed to rezone the land from Community Purpose to General Residential.

The applicant advises that:

The Longford Police and Citizens Youth Club has recently divested itself of the site and the site is now in private ownership. It is understood that the site and buildings were too large and required too much upkeep to service the Club's needs. The Club is looking for alternate premises within the township and in the meantime will continue to lease the hall from the new owners.

As the site is now in private ownership, its zoning as Community Purpose is not warranted nor appropriate. It is the new owner's intention to eventually subdivide and redevelop the site for residential purposes. Given all the surrounding land is contained within the General Residential zone, the proposed rezoning is logical and will ensure the site is developed in accordance with the surrounds.

The removal of the Community Purpose zoning will not impact on the provision of community services such as PCYC and the Men's Shed as the site is now privately owned and these services will in time be relocated.

The existing use of the site as the PCYC meeting hall and Men's Shed can continue given Community Meeting and Entertainment is a discretionary use within the (General Residential) Zone, and in any case existing use rights would apply.

Figure 7 - Current zone - Community Purpose

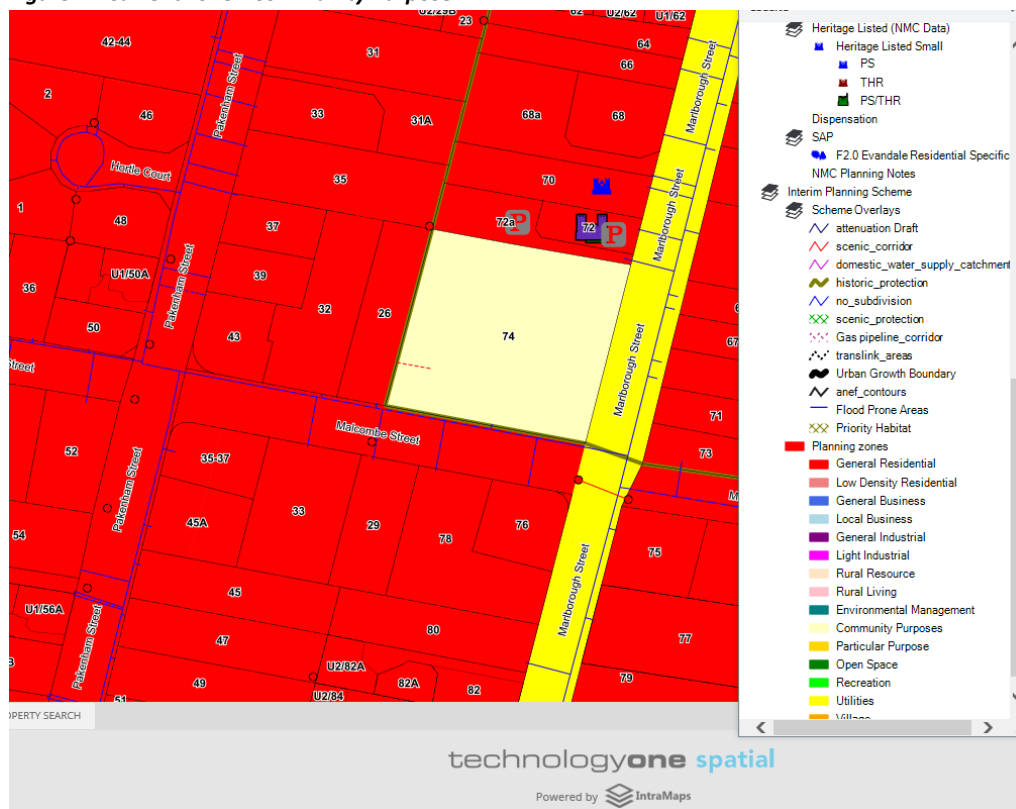


Figure 8 - Proposed zone – General Residential



Table 1 - Comparison of Allowable Uses in the Community Purpose and General Residential zones

Community Purpose zone (current)	General Residential zone (proposed)
No permit required	
Passive recreation	Residential (if a single dwelling)
Natural and cultural values management	Natural and cultural values management
	Passive recreation
Permitted	
Emergency services	Residential (if a caretakers dwelling or home-based business)
Community meeting & entertainment	Utilities (if for minor utilities)
Crematoria and cemeteries	
Educational and occasional care	
Hospital services	
Recycling and waste disposal (if for municipal waste transfer station or refuse disposal site)	
Sports and recreation	
Utilities (if for minor utilities)	
Discretionary	
Business and professional services	Business and professional services (medical centre)
Food services	Educational and occasional care
General Retail and Hire (only on one identified title)	Food services (if a café or takeaway food premises)
Residential (if for residential aged care facility, respite centre or retirement village)	General retail and hire (if a local shop)
Tourist operation (if for a visitor centre)	Community meeting & entertainment (if not a cinema or function centre)
Utilities (if not for minor utilities)	Residential (if a boarding house communal residence, hostel, residential aged care facility, retirement village)
	Utilities
	Visitor accommodation

Subject site and locality

The author of this report carried out a site visit on the 7th October 2019. The site contains the PCYC meeting hall and Longford Men's Shed. Surrounding land is used for residential purposes.

Figure 3 - Aerial photograph of area showing subject site



Figure 4 - Subject site from corner of Marlborough Street and Malcombe Street



Figure 5 - Subject site from Marlborough Street, looking southwards



Permit/site history

Permit/site history includes:

109301.06 - 74 MARLBOROUGH ST - LONGFORD - LONGFORD POLICE & CITIZENS YOUTH CLUB INC

... DA53/90 - Dept Of Defence - Garage
109301.06 - 74 MARLBOROUGH ST - LONGFORD - LONGFORD POLICE & CITIZENS YOUTH CLUB INC

... P07/350 - Netball Court/Carpark/Bus Exchange
109301.06 - 74 MARLBOROUGH ST - LONGFORD - LONGFORD POLICE & CITIZENS YOUTH CLUB INC

... P11-051 - Longford Men's Shed - Signs X 2
109301.06 - 74 MARLBOROUGH ST - LONGFORD - LONGFORD POLICE & CITIZENS YOUTH CLUB INC

... P11-306 - Longford Men's Shed - Shipping Container
109301.06 - 74 MARLBOROUGH ST - LONGFORD - LONGFORD POLICE & CITIZENS YOUTH CLUB INC

... P12-025 - Longford Men's Shed - Longford Community Garden
109301.06 - 74 MARLBOROUGH ST - LONGFORD - LONGFORD POLICE & CITIZENS YOUTH CLUB INC

... P14-233 - Longford Men's Shed - Shed Extension
109301.06 - 74 MARLBOROUGH ST - LONGFORD - LONGFORD POLICE & CITIZENS YOUTH CLUB INC

... P17-005 - Longford Mens Shed (Henry Dubbeld) - Extend Carpark
109301.06 - 74 MARLBOROUGH ST - LONGFORD - LONGFORD POLICE & CITIZENS YOUTH CLUB INC

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 –



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- (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.

5 FINANCIAL IMPLICATIONS TO COUNCIL

Assessment of the application is within budget allocations.

6 OPTIONS

Initiation of draft amendment

Council can:

- Initiate the draft amendment; or
- Not initiate the draft amendment

Certification of draft amendment

If Council initiates the draft amendment, Council can:

- Certify the draft amendment as meeting the requirements of section 32; or
- Modify the draft amendment until meets the requirements of section 32, and then certify it.

7 DISCUSSION

7.1 ASSESSMENT FOR CONSISTENCY WITH SECTION 32 OF THE LAND USE PLANNING & APPROVALS ACT 1993

Section 32 of the Land Use Planning & Approvals Act 1993 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 draft amendment proposes to zone the land General Residential which is the same zone as the land surrounding it. The surrounding land is developed with dwellings. It is considered that the draft amendment avoids the potential for land use conflict with the adjacent land.

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

Comment: The draft amendment is consistent with the Regional Land Use Strategy which identifies Longford as a Supporting Consolidation Area. Supporting Consolidation Areas are identified as comprising land developed urban settlements.

The proposal is consistent with mandatory provisions under section 30(O) of the former provisions of the *Land Use Planning & Approvals Act 1993*.

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: Use and development permissible under the amendment is expected to have a positive impact in environmental, economic and social terms.

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 draft amendment does not conflict with the requirements in section (2)(aa-j) 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 draft amendment does not conflict with these requirements.

(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 draft amendment does not conflict 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 draft amendment does not conflict 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 draft amendment does not conflict 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 draft amendment does not conflict 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.



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Comment: The draft amendment does not conflict 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 draft amendment does not conflict 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 results in the efficient use of land for residential purposes in a location identified and supported in the Regional Land Use Strategy.

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

Comment: The site is within an area identified within the Regional Land Use Strategy that is a Supporting Consolidation Area. Future subdivision as a result of the amendment will result in efficient utilisation of existing services.

- (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: The application has been referred to TasWater and the Department of State Growth. It will be decided on by the Tasmanian Planning Commission, consistent with this objective.

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 proposed General Residential zone is consistent with the surrounding zone and land uses. The draft amendment is consistent with the Regional Land Use Strategy. The proposal is therefore consistent with this objective. It is considered that 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: Future development of the site will be connected to reticulated sewer and stormwater systems. It is considered that the proposal 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.



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- (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: Council's Heritage Adviser, David Denman, advised that he has no objection to the proposal and made the following comments.

The application for rezoning does not in itself represent a risk to the heritage qualities of the place. A stated likelihood that any future housing development would be at a higher density than the surrounds (p.20) is however of concern.

Freehold titles of 450m² and permissible densities of 1 dwelling per 325m² would have a significant impact on the heritage qualities of the precinct. That said, a continuation of the development pattern currently in place between the subject land and the town centre could be supported under the Local Historic Heritage Code.

Marlborough Street and subsequently Cressy Road, represent a broad arterial corridor that connect the Longford town centre to the surrounding towns and farmland. The generally older and historic houses that line this corridor, and the urban pattern that results from these larger and deeper lots, is fundamental to the heritage qualities of the precinct. A pocket of dense housing on the Marlborough / Malcombe Street intersection would not be in keeping with this important, historic development pattern, and the resultant streetscape.

To suggest that the current zoning of Community Purpose is now not warranted or appropriate, because the property is in private hands (P.13, 15) is no argument for a change of zoning.

A change of zoning to General Residential is not justified by the fact that all surrounding land is in the General Residential zone. There is an inherent need for diversity, and for community facilities in residential areas. This argument lacks cogency.

In the event that rezoning were to occur and development to proceed in accordance with the submission, it is reasonable to expect that the Development Standards (E13.6) would subsequently be called in to question, including:

E13.6.2 Subdivision and Development Density

E13.6.3 Site Cover

E13.6.4 Height and Bulk of Buildings

E13.6.5 Fences

E13.6.6 Roof Form and Materials

E13.6.7 Wall Materials

E13.6.8 Siting of Buildings and Structures

E13.6.9 Outbuildings and Structures

E13.6.10 Access Strips and Parking

And that the Management Objectives in relation to the heritage qualities of streetscape would be at risk of compromise as a result.

It is unrealistic to expect the sort of future development proposed in the submission, and allowable under the General Residential zoning (notwithstanding the heritage overlay) to make a positive contribution to the streetscape, when the streetscape is defined by its openness and consistency of lot arrangement and housing stock.

In summary, there is some risk that approval for a rezoning to General Residential will provide the proponent with an unrealistic expectation that the housing densities noted in the submission might be achievable, whilst from the perspective of the broader community, the result would be the loss of a site for Community Purpose and the risk of development not in keeping with the heritage qualities of the precinct.



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Whilst I have no objection to the rezoning per se, I do have a concern that the subsequent result of the rezoning will be detrimental to the heritage qualities of the precinct.

It is considered that the proposal 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: No adverse impact on public infrastructure has been identified through the referral process. It is considered that the draft amendment is consistent with this objective.

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

Comment: The draft amendment does not impact on agricultural land capability.

Must be in accordance with State Policies.

State Policy for the Protection of Agricultural Land – the site is within an urban area.

Water Quality Management State Policy – the site is connected to reticulated stormwater system.

State Coastal Policy - There is no coastal land within the municipal area of the Northern Midlands.

National Environmental Protection Measures – There are none relevant to this application.

8 ATTACHMENTS

- Application
- Responses from referral agencies

RECOMMENDATION

- 1 That Council, acting as the Planning Authority, under section 34 of the former provisions of the *Land Use Planning and Approvals Act 1993*, initiate draft Planning Scheme Amendment 04/2019 to rezone 74 Marlborough Street, Longford, from Community Purpose to General Residential; and
- 2 That Council, acting as the Planning Authority, under section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, resolve to certify that draft amendment 04/2019 to the Northern Midlands Interim Planning Scheme 2013 meets the requirements specified in Section 32 of the Act.

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 & SPECIAL COUNCIL MEETINGS

Confirmation of the Closed Council Minutes of Ordinary and Special Council Meetings, as per the provisions of Section 34(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

CON 3 APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE

As per provisions of Section 15(2)(h) of the *Local Government (Meeting Procedures) Regulations 2015*.

CON 4(1) PERSONNEL MATTERS

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015*.

CON 4(2) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
Management Meetings

CON 4(3) MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

As per provisions of Section 15(2)(i) of the *Local Government (Meeting Procedures) Regulations 2015*.
Correspondence Received

CON 4(4) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
Action Items – Status Report



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CON 4(5) 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*.
Land issues

CON 4(6) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
Operational Alterations

CON 4(7) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
CORP 4 - Comparison with other properties within the vicinity zoned rural

CON 5 CONTRACTS, AND TENDERS, FOR THE SUPPLY OF GOODS AND SERVICES AND THEIR TERMS, CONDITIONS, APPROVAL AND RENEWAL

As per provisions of Section 15(2)(d) of the *Local Government (Meeting Procedures) Regulations 2015*.
Bridge Tenders

CON 6 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
Lease Agreements

CON 7 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

CON 8 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
Perth

CON 9 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.
Lease Agreement



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CON 10 PERSONNEL MATTERS

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015*.

DECISION

Cr

That Council move out of the closed meeting.

Mayor Knowles closed the meeting at