



**NORTHERN
MIDLANDS
COUNCIL**

AGENDA

ORDINARY MEETING OF COUNCIL

MONDAY, 19 AUGUST 2024

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.

LIVESTREAMING AND RECORDING OF COUNCIL MEETINGS

Ordinary and Special Council Meetings held in Council's Chambers at 13 Smith Street, Longford will be audio live streamed and recorded and made on the internet via Council's website www.nmc.tas.gov.au.

The recording will be uploaded to Council's website as soon as possible and no later than four business days after the Council meeting (not including the day of the meeting). A link to the streaming service and recording of meetings will be made available on Council's website for ease of access.

Closed Council Meetings will not be live streamed or recorded.

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

Regulation 33(4) provides that "a Council may determine any other procedures relating to the audio recording of meetings it considers appropriate".

In addition to the Live Streaming Policy, Council is to audio record meetings to assist Council officers in the preparation of minutes of proceedings.

The provision for audio 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 by Council;
- the recording may be used by Council staff to assist with the preparation of the minutes;
- the minutes of a meeting, once confirmed by Council, prevail over the audio recording of the 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").

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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.

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


Des Jennings
GENERAL MANAGER



GUIDELINES FOR COUNCIL MEETINGS

EXPECTATIONS OF COUNCILLOR CONDUCT

- The *Code of Conduct for Elected Members Policy* sets out the standards of behaviour expected of Councillors with respect to all aspects of their role, including the following:
 - Councillors acknowledge the importance of high standards of behaviour in maintaining good governance and therefore agree to conduct themselves in accordance with the standards of behaviour set out in the Policy;
 - Councillors are to be respectful in their conduct, communication and relationships with members of the community, fellow Councillors and Council employees in a way which builds trust and confidence in Council;
 - Councillors' actions must not bring the Council or the office of a Councillor into disrepute;
 - Councillors must treat all persons fairly, must not cause any reasonable person offence or embarrassment, and must not bully or harass any person;
 - Councillors must listen to, and respect, the views of other Councillors in Council meetings, and endeavor to ensure that issues, not personalities, are the focus of debate;
 - Councillors must show respect when expressing personal views publicly and the personal conduct of a Councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council;
- Pursuant to section 28(3)(a) of the *Local Government Act 1993*, Councillors must not direct or attempt to direct an employee of the council in relation to the discharge of the employee's duties;
- Pursuant to section 40 of the *Local Government Act 1993*, the chairperson may suspend a councillor from part or all of the meeting if the councillor makes a personal reflection about another councillor or an employee of the council and refuses to apologise; or interjects repeatedly; or disrupts the meeting and disobeys a call to order by the chairperson.

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; and
 - Verbal abuse.
- Pursuant to section 41 of the *Local Government Act 1993*, it is an offence if a member of the public hinders or disrupts a council meeting.
- 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.

PUBLIC QUESTIONS AND 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 stipulate 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 at approximately 5.30pm 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 at the Council Meeting.
- A person is entitled to ask no more than two 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 four persons per item (two for and two 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.

PETITIONS

Part 6, Division 1 of the *Local Government Act 1993* refers to the presentation of a petition to Council. Council is to treat any petition received in accordance with the provisions of the *Local Government Act 1993*.



NOTICE IS HEREBY GIVEN THAT THE NEXT MEETING OF THE NORTHERN MIDLANDS COUNCIL WILL BE HELD ON MONDAY, 19 AUGUST 2024 AT 5.00 PM AT THE COUNCIL CHAMBERS, 13 SMITH STREET, LONGFORD


DES JENNINGS
GENERAL MANAGER
14 AUGUST 2024

4.00pm Councillor Workshop – closed to the public

5.30pm Public Questions & Statements

1 ATTENDANCE

PRESENT

In Attendance:

APOLOGIES



2 TABLE OF CONTENTS

Item	Page No.
1 ATTENDANCE	4
2 TABLE OF CONTENTS	5
3 ACKNOWLEDGEMENT OF COUNTRY	8
4 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE	8
5 PROCEDURAL	9
5.1 Confirmation Of Council Meeting Minutes	9
5.2 Date Of Next Council Meeting	9
6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES	10
7 COUNCIL COMMITTEES - RECOMMENDATIONS	11
7.1 Campbell Town District Committee	11
7.1.1 Community Notice Board	11
7.1.2 Off Lead Dog Park - Campbell Town	11
7.1.3 Outdoor Basketball Court / Half Court	11
7.1.4 Footpath Upgrades	12
7.2 Evandale District Committee	13
7.2.1 Internet At Community Centre	13
7.2.2 Website Issue With Feedback Form	13
7.2.3 Glover Advertising	13
7.3 Longford District Committee	14
7.3.1 Pull Over/ Viewing Platform - Alternative Location	14
7.4 Ross District Committee	15
7.4.1 Information Board- Ross Directional Signage	15
8 INFORMATION ITEMS	16
8.1 Council Workshops/Meetings Held Since The Last Ordinary Meeting	16
8.2 Mayor's Activities Attended & Planned	16
8.3 General Manager's Activities	17
8.4 Petitions	17
8.5 Conferences & Seminars	18



8.6	132 & 337 Certificates Issued	19
8.7	Animal Control	20
8.8	Environmental Health Services	20
8.9	Customer Request Receipts	21
8.10	Gifts & Donations (Under Section 77 Of The LGA)	22
8.11	Action Items: Council Minutes	22
8.12	Resource Sharing Summary: 01 July 2024 To 30 June 2025	31
8.13	Vandalism	31
8.14	Youth Program Update	32
8.15	Integrated Priority Projects & Strategic Plans Update	34
8.16	Tourism & Events And Heritage Highway Tourism Region Association (HHTRA) Update ...	37
8.17	Declaration Of Major Project: Bell Bay Wind Farm.....	37
8.18	Administration Of Kennel Licences	38
9	PUBLIC QUESTIONS AND STATEMENTS.....	39
10	COUNCIL ACTING AS A PLANNING AUTHORITY	40
11	PLANNING REPORTS.....	41
11.1	PLN23-0189: Honeysuckle Banks, 356 Leighlands Road Evandale; RV Dump Point And Public Toilet Block	41
11.2	PLN24-0088: Part Change Of Use To Residential (Communal Residence); 77 Main Street Cressy.....	54
11.3	PLN-24-0063: Provide Food Services As An Additional Use With Associated Signage At 28 Church Street Ross	68
12	COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION.....	81
13	COMMUNITY & DEVELOPMENT REPORTS.....	82
13.1	Development Services: Monthly Report	82
13.2	Review Of State Planning Provisions: Agricultural Worker Accommodation	89
14	GOVERNANCE REPORTS	92
14.1	Campbell Town Tourist Park.....	92
14.2	Australian Local Government Association (ALGA): Attendance At Australian Local National Local Roads Transport & Infrastructure Congress 2024	97
14.3	Policy Review: Dog Management.....	100
14.4	Policy Review: Whistleblower.....	103



14.5 Policy Review: Work Health And Safety And Employee Wellbeing Policy	105
14.6 Policy Review: Workplace Behaviour And Employee Code Of Conduct.....	108
14.7 Policy Review: Screening Requirements Under The Safeguarding Children And Young People	110
15 CORPORATE SERVICES REPORTS	115
15.1 Monthly Report: Financial Statement	115
16 WORKS REPORTS.....	120
17 ITEMS FOR THE CLOSED MEETING	121
18 CLOSURE	122



3 ACKNOWLEDGEMENT OF COUNTRY

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

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

RECOMMENDATION

Council resolved to accept the following Declarations of Interest:

- Mayor Mary Knowles -
- Deputy Mayor Janet Lambert -
- Councillor Dick Adams -
- Councillor Alison Andrews -
- Councillor Richard Archer -
- Councillor Matthew Brooks -
- Councillor Richard Goss -
- Councillor Andrew McCullagh -
- Councillor Paul Terrett -

As per the *Local Government Act 1993, Part 5 - Pecuniary Interests, section 48*:

- (1) *A councillor must not participate at any meeting of a council, council committee, special committee, controlling authority, single authority or joint authority in any discussion, nor vote on any matter, in respect of which the councillor–*
 - (a) *has an interest; or*
 - (b) *is aware or ought to be aware that a close associate has an interest.*
 - (2) *A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.*
-



5 PROCEDURAL

5.1 CONFIRMATION OF COUNCIL MEETING MINUTES

5.1.1 Confirmation Of Minutes: Ordinary Council Meeting

RECOMMENDATION

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 22 July 2024, subject to the following:

Inclusion of Minute No. - Item 4: Declarations of any Pecuniary Interest of a Councillor or Close Associate

MINUTE NO. [{resolution-number} 24/0228-1](#)

Amendment - Item 8 Information Items minute no. 24/0233:

That Council acknowledge receipt of the compliant petition presented to Acting Mayor Janet Lambert by [Stephen](#) Mr [Stephen](#) Harvey on 11 July 2024, the petition is relative to [the](#) Perth Streetscape Design and Roadworks Project – Development Application Approval (Reference No. PLN-23-0169), which includes the removal of the hedge between Perth Main Road and Old Punt Road.

be confirmed as a true record of proceedings.

5.2 DATE OF NEXT COUNCIL MEETING

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 16 September 2024.



6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES

RECOMMENDATION

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

Minutes of meetings of the following Committees are attached:

Date	Committee	Meeting
10 July 2024	Ross Community Sports Club Inc.	Ordinary
6 August 2024	Campbell Town District Committee Meeting	BGM
6 August 2024	Campbell Town District Committee Meeting	Ordinary
6 August 2024	Evandale District Committee Meeting	BGM
6 August 2024	Evandale District Committee Meeting	Ordinary
6 August 2024	Ross District Committee Meeting	BGM
6 August 2024	Ross District Committee Meeting	Ordinary
7 August 2024	Longford District Committee Meeting	BGM
7 August 2024	Longford District Committee Meeting	Ordinary

Matters already considered by Council at previous meetings have been incorporated into **Information Item: Officer's Actions**.

In the attached minutes of Council Committees, recommendations of Committees are listed for Council's consideration in the Agenda Item 7 below.



7 COUNCIL COMMITTEES - RECOMMENDATIONS

7.1 CAMPBELL TOWN DISTRICT COMMITTEE

At the ordinary meeting of the Campbell Town District Forum held on 6 August 2024 the following motion/s were recorded for Council's consideration:

7.1.1 Community Notice Board

Officer Recommendation:

That works is in progress and installation will be by the end of August 2024

Committee Recommendation:

That it be recommended to Council that:

- a. The notice board that has been made is installed and keys given to the Committee
- b. That a notice board with a roof be designed to replace this when made

Officer Comment:

The Community Notice Board is ready. Installation will be completed by August 19th. The notice board has a roof. The keys will be given to the Committee. The Committee will nominate the person responsible to hold the key and put up the public notices.

7.1.2 Off Lead Dog Park - Campbell Town

Officer Recommendation:

That council investigates a suitable location

Committee Recommendation:

Council considers a fenced off-lead dog park in Campbell Town

Officer Comment:

A suitable location needs to be determined and that it is not within a flood area.

7.1.3 Outdoor Basketball Court / Half Court

Officer Recommendation:

Council investigates grant funding for a half court/ quarter court basketball/ netball court In Campbell Town.

Committee Recommendation:

That Council considers a half court/ quarter court basketball/ netball court In Campbell Town.

Officer Comment:

There will be a playground at the Recreation Ground between the tennis courts and swimming pool. This has already gone out to tender. A ¼ court will cost in the vicinity of \$37,000. Funding would need to be sourced.

Committee comment: Council dismissed the plans for a Pump Park behind the recreation ground. This still leaves a void in the activities of the teenage and older youths. A half court open air at the Recreation Ground would fill the need. Funding stream will need to be determined.



7.1.4 Footpath Upgrades

Officer Recommendation:

That council investigate additional funding sources and grants when available

Committee Recommendation:

That it be recommended to Council that:

- a) Council investigates funding through Vulnerable Road User Funds for footpaths within the Campbell Town area.
- b) Give priority to Grant Street to Pedder Street where there has been a serious fall. Bridge Street to King Street and William Street to Bond Street footpaths.

Officer Comment:

Part of the roads listed are low usage. Officer notes that footpaths from High Street to East Street are listed in the design stage of the Campbell Town Main Street Upgrade. Footpaths will be at least 12 months from being progressed after Stormwater, kerb and channel works are completed.



7.2 EVANDALE DISTRICT COMMITTEE

At the ordinary meeting of the Evandale District Committee held on 6 August 2024 the following motion/s were recorded for Council's consideration:

7.2.1 Internet At Community Centre

Officer Recommendation:

That Council provides the quotation and presents it to the Committee for consideration.

Committee Recommendation:

The Committee seeks an update on the progress of the Wi-Fi NBN at the Community Centre and a booster for the meeting room.

Officer Comment:

There have been Wi-Fi issues and perhaps a booster could be used in the meeting room.

Northern Midlands Council has a Telstra quote for New TBB for Fibre Connect Upgrade \$397.99 including GST. (Fibre to the Premises). The monthly fee will be \$140.00 for the Community centre to fund.

7.2.2 Website Issue With Feedback Form

Officer Recommendation:

That Council investigates the usability of the feedback form on the website

Committee Recommendation:

The website format be investigated to easily allow for photos submissions

Officer Comment:

Further investigation as to the concerns the Committee encounters.

7.2.3 Glover Advertising

Officer Recommendation:

That Council writes to the Glover Committee raising the Evandale Committee's concern about the street banners.

Committee Recommendation:

Council approaches the Glover committee to replace the outdated banners.

Officer Comment:

The banners are not current which can cause confusion for visitors.



7.3 LONGFORD DISTRICT COMMITTEE

At the ordinary meeting of the Longford Local District Committee held on 7 August 2024 the following motion/s were recorded for Council's consideration:

7.3.1 Pull Over/ Viewing Platform - Alternative Location

Officer Recommendation:

That Council investigates alternate viewing locations

Committee Recommendation:

NMC provide clarification regarding request for a pullover viewing area with respect to why the proposed Norwich Drive location is problematic

Officer Comment:

The Officers investigated the sites that were listed in the report from the District Committee and found that these were not compliant with the sight distance requirements by LGAT standard drawing.

Background: Pullover area/Viewing Platform – Alternative Location.

A revised report – V3 had been prepared and circulated to LDC members. The report includes an alternative suggestion for a pullover point on Woolmers Lane.

The committee discussed the report further and were disappointed that many options on Pateena Road are compromised by overhead power lines. The committee decided to suggest two options to the Council at the Council Meeting 24 June 2024.

NMC Meeting Minute 24 June 2024 – DECISION That Council consider the location of the vista / look out point after a safety check is conducted on site. Carried Unanimously



7.4 ROSS DISTRICT COMMITTEE

At the ordinary meeting of the Ross Local District Committee held on 6 August 2024 the following motion/s were recorded for Council's consideration:

7.4.1 Information Board- Ross Directional Signage

Officer Recommendation:

That Council notes the recommendation

Committee Recommendation:

That Council consider funding a tourist/information directional sign board with design and consultation with the Committee.

Officer Comment:

That Council consider the cost of design and consultation with Heritage Highway.

Committee comments/ Background:

At the April 2024 Council Municipal Bus Tour, the District Committee Chair requested a signboard at the Village Green.



8 INFORMATION ITEMS

RECOMMENDATION

That the Open Council Information items be received.

8.1 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
05/08/2024	Council Workshop Discussion included: <ul style="list-style-type: none"> • Swimming Pools • State Planning Provisions (SPP): Amendment • Electric Vehicle Charging • Honeysuckle Banks, Evandale • Provisional Listing - Tasmanian Heritage Register • Leases/Licences • Policy Matters • LGAT Consultation
19/08/2024	Council Workshop Discussion: <ul style="list-style-type: none"> • Council Meeting Agenda items
	Council Meeting

8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 22 July to 14 August 2024 are as follows:

Date	Activity
22 July 2024	Attended Workshop and NMC Meeting, Longford
23 July 2024	Attended meeting with students, Longford Primary School
24 July 2024	Attended interview with Kim Napier ABC Mornings, Gipps Creek
25 July 2024	Attended LGAT General Management Committee dinner, Devonport
26 July 2024	Attended GMC meeting, Devonport
26 July 2024	Attended LGAT General Meeting and dinner, Devonport
27 July 2024	Attended LGAT Elected Reps Day, Devonport
30 July 2024	Attended Midlands tourism promotional film interview, Longford
31 July 2024	Attended meeting with Independent Advisor
31 July 2024	Attended meeting with Police Commissioner, Longford
1 Aug 2024	Attended tree planting day with students, Longford
2 Aug 2024	Attended interview with Kim Napier ABC Mornings, Gipps Creek
5 Aug 2024	Attended online Natural Hazards Atlas for Tasmania – Climate Futures Forum, Longford
5 Aug 2024	Attended Council Workshop, Longford
6 Aug 2024	Attended Avoca Museum & Information Centre meeting, Avoca
6 Aug 2024	Attended meeting with Campbell Town resident
6 Aug 2024	Attended 'Toast for Kids' book drop, Campbell Town District High School
7 Aug 2024	Attended Launching into Learning delivery of 'Toast for Kids' books to pre-school children



Date	Activity
7 Aug 2024	Attended NTDC Members Representative Group meeting online, Longford
7 Aug 2024	Attended meeting with Perth History group and Progress Association representatives, Longford
8 Aug 2024	Attended Heritage Highway Workshop, Oatlands
9 Aug 2024	Attended ALGWA online meeting, Gipps Creek
9 Aug 2024	Attended Senator Askew and Shadow Minister Liddle's Roundtable meeting, St Helens
13 Aug 2024	Attended interview with Kim Napier ABC Mornings re Napoleon Street Park, Gipps Creek
14 Aug 2024	Attended Tasmanian Visitor Information Network meeting, Ross
	Attended to emails, mail, media enquiries and phone calls

8.3 GENERAL MANAGER'S ACTIVITIES

General Manager's Activities Attended & Planned for the period 10 July to 9 August 2024 are as follows:

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

Date	Activity
16 July	Met with Department of State Growth re Longford Roundabout
16 July	Attended meeting to discuss Evandale Doctor's surgery premises
17 July	Attended meeting with TasWater
22 July	Attended Council Workshop and Meeting
29 July	Met with proponent re development at Perth
29 July	Met with Department of State Growth re Midland Highway as part of Streetscaping Project
30 July	Attended meeting with solicitors regarding acquisition
31 July	Met with Acting Commander Johnston of Tasmania Police
1 August	Attended workshop re Regional Land Use Strategy framework
5 August	Attended Council Workshop
7 August	Attended meeting with Launceston Airport representative
8 August	Met with local developer, Longford
9 August	Attended Regional Meeting of General Managers

8.4 PETITIONS

PURPOSE OF REPORT

In accordance with the Vision, Mission and Values of Council as identified in the *Council's Strategic Plan 2021-2027* and the *Local Government Act 1993, S57-S60*, provision is made for Council to receive petitions tabled at the Council Meeting.

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.*

58. Tabling petition

(1) A councillor who has been presented with a petition is to –

(a)

(b) forward it to the general manager within 7 days after receiving it.

(2) A general manager who has been presented with a petition or receives a petition under subsection (1)(b) is to table the petition at the next ordinary meeting of the council.

(3) A petition is not to be tabled if –

(a) it does not comply with section 57 ; or

(b) it is defamatory; or

(c) any action it proposes is unlawful.

(4) The general manager is to advise the lodger of a petition that is not tabled the reason for not tabling it within 21 days after lodgement.

PETITIONS

No petitions received.

ATTACHMENTS

Nil

8.5 CONFERENCES & SEMINARS

Mayor Knowles and Cr Terrett attended the LGAT AGM and Ordinary Meeting in Devonport on 26 July 2024. LGAT has provided the following update from the meetings in their Communique for July 2024:

Welcome to the communique for the LGAT General Meeting held in Devonport on 26 July.

Below are the outcomes of proposed motions, updates on key resolutions that LGAT has been actioning and any other relevant discussions held during the meeting.

Please note that the minutes of this meeting will be available on the LGAT [website](#) in the near future.

MEETING INFORMATION

Date: 26 July 2024

Location: paranaple Convention Centre, Devonport

Agenda: [Available here](#)

MOTIONS PUT FORWARD

Proposed amendment to the Pensioner Rates Remission

Guidelines

- **Flinders Council**

That LGAT calls upon the State Government to amend its Pensioner Rates Remission

Guidelines to benefit pensioners who receive an eligible card within a financial year, post the 1st July with the benefit being prorated from the date of issue.

[Read the background information on page 12 of the agenda.](#)

Decision: *The original motion put forward by Burnie City Council was amended, with the addition of the text in italics and underlined above. This amended motion was carried.*

UPDATE OF RESOLUTIONS

LGAT provided an update on 15 previous resolutions that our team has been working on. This includes renegotiating a Partnership Agreement between Tasmanian councils and the State Government, flood mapping and mandatory disclosure for property sales.



At the conclusion of the meeting, the housing and short-stay accommodation resolution was closed. LGAT will now prepare a Housing Position Paper which will be presented to members at the September General Meeting.

The attachment to Item 1.4 on [page 120 of the agenda](#) provides a member update for all resolutions.

OTHER ITEMS

Workplace Health and Safety Review

LGAT CEO Dion Lester provided an update on the implementation of the Workplace Health and Safety Review for Elected Representatives. Dion advised that a selection of council General Managers/CEOs recently attended a workshop with the Office of Local Government to discuss psychosocial workplace health and safety behaviours and risks.

Dion also presented a suite of additional high legislative reforms that LGAT has developed for the Government to consider. Some of these include creating a clear link between WHS legislation and the Local Government Act, harsher penalties for severe breaches of behavioural standards and the development of a community awareness campaign regarding respectful debate.

A full list of these additional measures is included in Attachment 3.1 on [page 140 of the agenda](#).

Items for Noting

Various updates were provided by LGAT on items such as the inquiry into local government sustainability, planning reforms, housing policies and the safeguarding children program. LGAT also provided an overview of the events and professional development program for the year to date.

These updates begin on [page 15 of the agenda](#).

Next Meeting

The next General Meeting will be held in conjunction with the [LGAT Annual Conference](#) on 4 September at the Grand Chancellor in Hobart.

8.6 132 & 337 CERTIFICATES ISSUED

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

S132. Certificate of liabilities

- (1) A person referred to in [subsection \(2\)](#) may apply to the general manager for a certificate stating–
- (a) the amount of any liability for rates, whether due or not on the land and outstanding interest or penalty payable in relation to the land;
 - (b) any amount received on account of rates that is held in credit against future liabilities for rates in relation to the land; and
 - (c) the amount of any charge on the land recoverable by the council.

S337. Council land information certificate

- (1) A person may apply in writing to the general manager for a certificate in respect of information relating to land specified and clearly identified in the application.
- (2) The general manager, on receipt of an application made in accordance with [subsection \(1\)](#), is to issue a certificate in the prescribed form with answers to prescribed questions that are attached to the certificate.
- (3) A certificate under [subsection \(2\)](#) relates only to information that the council has on record as at the date of issue of the certificate.
- (4) A prescribed fee is payable in respect of the issue of a certificate.
- (5) The general manager, on request, may provide in or with the certificate any other information or document relating to the land that the general manager considers relevant.
- (6) A council does not incur any liability in respect of any information provided in good faith from sources external to the council.
- (7) A person, with the consent of the occupier or owner of specified land, may request in writing to the general manager that an inspection be carried out of that land to obtain supplementary information relevant to that land.
- (8) If the general manager agrees to a request under [subsection \(5\)](#) or [\(7\)](#), the general manager may impose any reasonable charges and costs incurred.
- (9) In this section –
land includes –
 - (a) any buildings and other structures permanently fixed to land; and
 - (b) land covered with water; and
 - (c) water covering land; and
 - (d) any estate, interest, easement, privilege or right in or over land.



No. of Certificates Issued 2024/2025 year												Total	Total	Total
Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	2024/2025 YTD	2023/24	2022/23
132	133											133	820	763
337	42											42	379	391

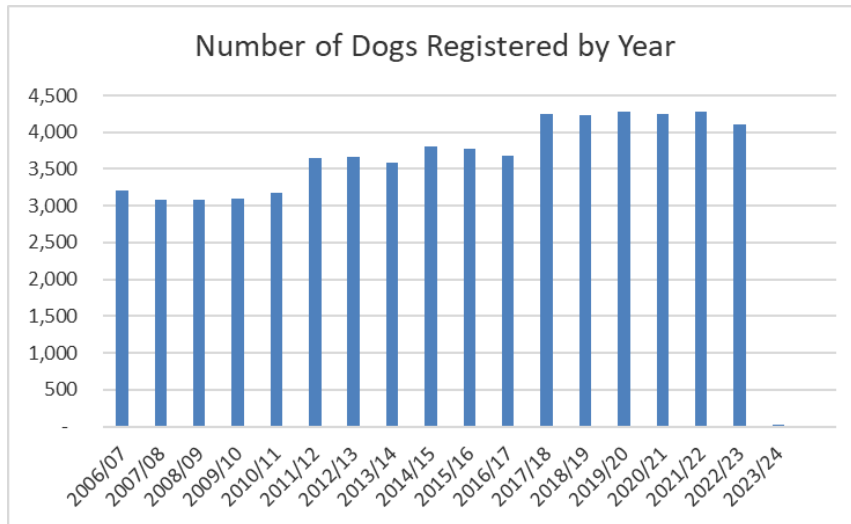
8.7 ANIMAL CONTROL

Prepared by: Maree Bricknell, Corporate Services Manager

Item	Income/Issues 2023/2024		Income/Issues for July 2024		Income/Issues year to date 2024/2025	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,100	\$108,319	33	832	33	832
Dogs Impounded	8	\$1,408	1	23	1	23
Euthanised	2		1	214	1	214
Re-claimed	6		2	209	2	209
Re-homed/Dogs Home						
New Kennel Applications	7	\$1,170	78	3,900	78	3,900
Renewed Kennel Licences	82	\$3,844	2	1,010	2	1,010
Infringement Notices (paid in full)	95	\$20,266				
Legal Action						
Livestock Impounded	2	\$724				
TOTAL		\$135,731		\$6,187		\$6,187

Audits:

Ongoing including Dangerous Dogs, Kennel Licences, Fire Hazards.



8.8 ENVIRONMENTAL HEALTH SERVICES

Achieve improved levels of environmental and public health by ongoing monitoring, inspection, education and, where necessary, by applying corrective measures to comply with legislation.

Ensure safe standards of food offered for sale are maintained.

It should be noted that the vacant position of Environmental Health Officer was filled in late July 2024.

Investigations/ Inspections/ Licences Issued	Prior Years		
	2021/2022	2022/2023	2023/2024
Notifiable Diseases	1	8	9
Inspection of Food Premises	170	133	231
Place of Assembly Approvals	14	9	5



Actions	2024/2025												
	YTD	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Routine Fixed Food Inspections	3	3											
Routine Mobile/Market stall Food Inspections	-	-											
Preliminary Site Visits – Licensed Premises	3	3											
On-site wastewater Assessments	1	1											
Complaints	2	2											
Place of Assembly approvals	-	-											
Notifiable Diseases	-	-											

All Food premises are due for at least one inspection from 1 July of 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.

The Tasmanian Department of Health has produced a legal framework, the Food Business Risk-Classification System (RCS), to classify food premises for registration and notification purposes under the *Food Act 2003*.

Actions, including follow-up inspections, are taken according to the outcome of inspections, the RCS can be used to prioritise the inspection of food businesses, with inspection frequency being increased for high risk classified food premises. In addition, poorly performing food premises would be inspected more frequently.

For those enquiring about opening a food business i.e. Home based food business, officers inspect the premises and after a risk assessment determine whether a food licence is to be issued.

The following is applicable regarding food business registrations:

- A Food Business Application is to be completed and lodged with Council each year (Financial) Sections 84 or 87 or 89 of the *Food Act*.
- Council conducts a desk top assessment of the application in accordance with the Food Business Risk Classification System issued by Tasmanian Department of Health. The assessment is based on the information provided by the applicant.
- Based on the Risk assessed an invoice is issued to the applicant.
- Upon receipt of payment Council issues a Certificate of Registration.
- Council conducts an inspection of the premises during their operation to ensure compliance with the *Food Act* and Regulations and the Food Standards Code. The business is also assessed in line with their Risk Classification.
- Further inspections may be required to ensure any non-compliance issued have been addressed.

On-site Wastewater Assessments are completed after receiving a system design report from a consultant which basically determines what type of sewage system is required (septic or AWTS) and the method of distributing the sewage effluent on site based on AS1547.

A place of assembly is required for any mass outdoor public event. This means an event with over 1000 people for 2 hours or more. It may be any performance, exhibition, circus, festival, food festival, pageant, regatta, sports event, dance or publicly advertised lecture.

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.

8.9 CUSTOMER REQUEST RECEIPTS

Operational Area	21/22	22/23	23/24	YTD 23/24	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Animal Control	26	28	49	4	4											
Building & Planning	77	52	36	2	2											
Community Services	54	44	59	1	1											
Corporate Services	48	23	26	1	1											
Governance	15	21	19	-	-											
Waste	12	11	14	2	2											
Works	368	352	415	29	29											



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

Date	Recipient	Purpose	Amount \$
9-Jul-24	Hunter McGee	Representation - U16 Touch Football Tasmanian Team	100
11-Jul-24	Judy Gurr	Representation - Senior Womens Tasmanian Team	100
11-Jul-24	Denise Middap	Representation - Senior Womens Tasmanian Team	100
11-Jul-24	Rhianna Morrison	Representation - U18 Lawn Bowls Tasmanian Team	100
		TOTAL	\$400

8.11 ACTION ITEMS: COUNCIL MINUTES

Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
2024-03-18 Ordinary Open Council Meeting	7 1.4	Campbell Town Tourist Park	Completed	That Council Officers present to the Campbell Town District Forum on the proposed Campbell Town Tourist Park.	Executive & Communications Officer, Project Officer	25/03/2024 Project Officer The consultant who prepared the feasibility assessment re the tourist park is to present to a forthcoming Campbell Town District Forum, prior to the plan going out for broader community consultation. 30/04/2024 Executive & Communications Officer Community Consultation advertising and promotion on FB page, Council website and community newsletters 08/08/2024 Executive Assistant Presentation to CTFD 14 May 2024.
2024-02-19 Open Council Meeting	14.2	Campbell Town Tourist Park	Completed	That Council: a) release the Campbell Town Tourist Park Master Plan of 19 April 2022; b) release the Campbell Town Tourist Park Preliminary Feasibility Assessment Report of January 2024; c) undertake consultation with the Campbell Town District Forum; and the wider Campbell Town Community, including the business sector; and d) a further report to Council which includes comment from the consultation process for further decision.	Project Officer	13/03/2024 Executive Assistant Presentation to be arranged. 13/05/2024 Executive Assistant Presentation to Campbell Town District Forum and Community held 14 May 2024. 08/08/2024 Executive Assistant Report to Council 19 August 2024.
2023-08-21 Ordinary Meeting of Council - Open Council	7 1.2	CTDF Recommendation: Community Notice Board - 1 August 2023	Completed	That Council investigate options and costs of the construction and installation of a community notice board at Valentines Park, in Campbell Town.	Executive & Communications Officer, Works Manager	28/09/2023 Executive Assistant Works Manager to attend CTDF meeting on 3 October to discuss further with Committee. 04/12/2023 Executive Assistant Location to be identified. 07/03/2024 Executive Assistant Location has been identified. Previous community board ordered was cancelled by the supplier. New board to be ordered with alternate supplier. 13/05/2024 Executive Assistant Committee currently reviewing options. 08/08/2024 Executive Assistant Installation programmed to be completed by mid-September.
2024-07-22 Open Council - Ordinary Meeting	7 1.1	Devon Hills Neighbourhood Watch and Residents Committee	Completed	That Council note the Committees recommendation and Council Officer's comments; and the advice be provided to the Committee.	Executive Assistant	08/08/2024 Executive Assistant Email sent to the committee.
2024-02-19 Open Council Meeting	7 2.4	Dump Point at Honeysuckle Banks	Completed	That Council note the motion - Committee request: That the Evandale Advisory Committee be provided with an update re the progress of the proposed Dump Point and Toilet Block at Honeysuckle Banks.	Executive & Communications Officer, Works Manager	07/03/2024 Executive Assistant DA to be lodged. Evandale Advisory Committee to be advised, and provided with a copy once lodged. 13/05/2024 Executive & Communications Officer Committee advised awaiting report 08/08/2024 Executive Assistant Development Application to be considered at Council Meeting 19 August 2024. Committee advised.



Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
2024-06-24 Open Council - Ordinary Meeting	7 2.3	Halt the sealing of the Old Levee Pathway	Completed	That Council rescind the decision and a report be brought back to the next Council Meeting.	Engineering Officer, Executive & Communications Officer, Works Manager	04/07/2024 Engineering Officer Report prepared for Council meeting.
2024-07-22 Open Council - Ordinary Meeting	14.2	Local Government Association of Tasmania (LGAT): 26 July 2024 General Meeting & Annual General Meeting	Completed	That Council in relation to the Local Government Association of Tasmania (LGAT) General Meeting to be held on 26 July 2024 delegate Mayor Knowles to vote as follows: A) vote as follows in relation to the following items listed in the LGAT General Meeting Agenda for the meeting to be held on 26 July 2024: 2.1 Motion - Proposed Amendment To The Pensioner Rates Remission Guidelines * That LGAT calls upon the State Government to amend its Pensioner Rates Remission Guidelines to benefit pensioners who receive an eligible card within a financial year, post the 1st July. - Vote for the Motion	Executive Assistant	08/08/2024 Executive Assistant Mayor Knowles attended meeting.
2024-07-22 Open Council - Ordinary Meeting	14.3	Longford Garden Club Constitution	Completed	That Council endorse Council Officer's advice to the Longford Garden Club regarding the addition of the following suggested clause in the Constitution: In the event of dissolution of the Longford Garden Club all assets of the Club shall be sold and after settlement of the debts any funds then remaining shall be held in trust by the Northern Midlands Council for a period of five years. After such time if Longford Garden Club is unable to reform said moneys to be used for Council gardens at the discretion of Council.	General Manager	
2024-07-22 Open Council - Ordinary Meeting	15.2	Making of Rates and Adoption of Annual Plan 2024/2025	Completed	A) endorse the amended rate in the \$AAV to reflect the 3.74 percent rate increase for 2024/2025, as determined at the 24 June 2024 Council meeting (minute no. 24/0211 and 24/0212) And B) Approve and adopt the 2024-25 Annual Plan pursuant to Section 71 of the Local Government Act 1993 .	Corporate Services Manager, Executive Assistant	24/07/2024 Executive Assistant Endorsed Annual Plan and Budget Summary uploaded to website. Rates notice advertisement published in Examiner of 24 July 2024.
2024-06-24 Open Council - Ordinary Meeting	15.2	Municipal Budget	Completed	Action as per resolution.	Corporate Services Manager, Executive Assistant	01/07/2024 Executive Assistant Policy and policy manual updated.



Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
2024-02-19 Open Council Meeting	7 4.3	Mural Maintenance	Completed	That Council officers undertake a review of costs related to the installation and maintenance of murals. Committee request: Could the council inform the committee what the strategy is for upkeep of the murals around Perth and for the creation of future art works, such as murals on blank walls.	Executive Assistant, Works Manager	23/02/2024 Executive Assistant to PLDC Chair. 07/03/2024 Executive Assistant Mural artist contacted for budgeting information, awaiting response. 08/08/2024 Executive Assistant Mural artists advised that material used will not require maintenance in the short to medium term. If required, maintenance will be programmed.
2024-07-22 Open Council - Ordinary Meeting	16.1	Old Levee Bank Pathway at Longford: Sealing Halted	Completed	That Council a) note that should Council endorse this decision, section B)ii) of the 22 April 2024 decision of Council, Minute Reference 24/0122 would be overturned; and b) rescind part of the 22 April 2024 decision of Council, Minute Reference 24/0122, namely item B)ii) Footpath along the old levee bank, from intersection with Latour Street to Union Street, Longford; of B); and c) note that installation works relating to item B)ii) have not yet commenced	Engineering Officer	09/08/2024 Engineering Officer Scope of works for this project has been updated to remove the section of sealed path along the old flood levee
2024-04-22 Ordinary Open Council Meeting	14.2	Proposed Junior Soccer Field at the Perth Recreation Ground	Completed	That Council note the report and approve the allocation of \$91,855 from Capital Works in the 2024 -2025 Council Budget towards the development of a junior soccer field at the Perth Recreation Ground.	Corporate Services Manager, Project Officer	27/04/2024 Project Officer Service Agreement awaited from State Government 06/05/2024 Project Officer The funding agreement is awaited from the State Government. 09/08/2024 Executive Assistant Project progressed to Tender stage.
2024-03-18 Ordinary Open Council Meeting	7 4.1	Stormwater Infrastructure: Identification and Reporting of Issues	Completed	That Council officers investigate the matter and report to Council.	Project & Building Compliance Manager, Works Manager	15/05/2024 Project & Building Compliance Manager Officers investigating 08/08/2024 Executive Assistant Recommendation to the Committee that the Customer Request facility be utilised to report issues.
2024-06-24 Open Council - Ordinary Meeting	7 2.1	Vista Point Location	Completed	That Council consider the location of the vista / look out point after a safety check is conducted on site.	Executive & Communications Officer, Works Manager	09/07/2024 Executive & Communications Officer reports that both locations are problematic for a pull over point. (Limited Field of vision for passing traffic on the 80km/h road).
2024-05-20 Open Council Ordinary Meeting	7 1.1	Traffic Concerns: Wellington and Marlborough Streets	Completed	That Council follows up with the Department of State Growth.	Executive & Communications Officer, General Manager	18/06/2024 Executive Assistant Letter sent, DSG progressing (refer to item 16.1 re Sticky Beaks Café Corner).
2024-02-19 Open Council Meeting	7 3.2	Bike Path Extension	In progress	That Council requests an update from the Department of State Growth on the matter and provides advice to the Committee. Committee request: LLDC request NMC revisit the earlier letter from the Minister for State Growth Michael Ferguson, regarding a bike path between Longford roundabout and Pateena Road, requesting an update, including a timeline for completion, of this missing link.	Engineering Officer, Executive & Communications Officer	13/03/2024 Executive Assistant Officer to contact the Department of State Growth as election has been called. 13/03/2024 Engineering Officer Council Officer has contacted Vanessa King, manager project delivery at the Department of State Growth and requested an update on this project. Awaiting response. 12/04/2024 Engineering Officer Response received from Luke Middleton of the Department of State Growth. The general manager has written to the Department of State Growth after receiving this response and advised that Council will continue to lobby for this path to be constructed as part of the Illawarra upgrade works to be carried out by the Department of State Growth. 09/05/2024 Engineering Officer



Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
						Awaiting further information from the Department of State Growth 13/05/2024 Executive & Communications Officer Awaiting further information 10/07/2024 Engineering Officer Awaiting information from the Department of State Growth 09/08/2024 Engineering Officer Awaiting response from minister
2023-09-18 Ordinary Meeting of Council - Open Council	13.7	Campbell Town Swimming Pool	In progress	That Council hold a community meeting to discuss or seek interest to formulate a new Campbell Town Swimming Pool Management Committee.	Executive Assistant, General Manager	24/01/2024 Executive Assistant Awaiting completion of review.
2024-03-18 Ordinary Open Council Meeting	15.2	Conara Park Proposal	In progress	That Council accept the ownership and control of the State Growth land known as Conara Park for community purposes and restrict vehicular access to the site including the playground area.	Corporate Services Manager	14/05/2024 Executive Assistant Awaiting transfer documents from Department of State Growth.
2024-03-18 Ordinary Open Council Meeting	7 5.1	Devon Hills Neighbourhood Watch and Residents' Committee: Basketball Court	In progress	That the Works Manager meet with the Devon Hills Neighbourhood Watch and Residents Committee at a future date to discuss the Committees concerns, and that the final decision on the installation of a basketball court in Devon Hills will be a Council decision based on the Officer's recommendation, and the Devon Hills Neighbourhood Watch and Residents Committee be advised of this.	Works Manager	13/05/2024 Executive Assistant Funding streams to be identified.
2023-08-21 Ordinary Meeting of Council - Open Council	7 4.3	LLDC Recommendation: Mill Dam - 5 July 2023	In progress	That Council receive a report regarding the Mill Dam reserve area and future ownership thereof.	Executive Assistant, Executive Officer	12/09/2023 Executive Assistant Meeting set for discussion on master plan for the precinct. 11/10/2023 Executive Assistant Design requested, plan awaited. 14/02/2024 Executive Assistant Plan received. To be listed for Council Workshop. 07/03/2024 Executive Officer Matter considered by Councillors at Workshop Monday 4 March 2023. Further concept plan to be prepared and presented back to the Councillors for endorsement prior to public consultation. 30/04/2024 Executive Officer Matter to be further presented to Councillors at a workshop after July 2024. 08/08/2024 Executive Assistant Listed for discussion at 5 August 2024 Council Workshop.
2023-11-20 Ordinary Meeting of Council - Open Council	7 2.2	Longford Promotional Signs - Welcome to Longford	In progress	That Council notes the LLDC request and refers the matter to the appropriate officer.	Engineering Officer, Tourism & Events Officer	05/12/2023 Executive Assistant Investigation to commence early 2024. 12/04/2024 Engineering Officer DSG have requested that Council review all Longford entrance signs as part of the proposal to install town signage in the Longford roundabout. Discussion with DSG around Longford entrance signage have commenced. 09/05/2024 Engineering Officer DSG has raised concerns about sight lines and the safety of the structure if impacted by a vehicle. The design is currently being reviewed by an engineering consultant. 14/06/2024 Engineering Officer Onsite sightline assessment completed by consultant on 13/6/24. Awaiting report from consultant 04/07/2024 Engineering Officer Awaiting report from



Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
						consultant 09/08/2024 Engineering Officer Consultant has provided a report and indicated that the existing design needs to be reviewed to ensure that the sign meets DSG frangibility requirements. The consultant has now commenced this work.
2024-06-24 Open Council - Ordinary Meeting	7 2.2	Longford Roundabout	In progress	That Council awaits a response from the Department of State Growth.	Executive & Communications Officer	17/07/2024 Executive Assistant Awaiting formal response. 08/08/2024 Executive Assistant Minister Ferguson advised Mayor Knowles that the Department of State Growth has advised that they are aware of the road surface condition on the roundabout; and the department's contractors have recently completed temporary repairs to the road surface to make the roundabout safer, further repair works are scheduled to be completed by mid-August 2024.
2024-05-20 Open Council Ordinary Meeting	14.2	Master Plan: Pioneer Park, Evandale	In progress	That Council: i) accept in principle the Pioneer Park Master Plan and release for further public comment; ii) consider funding the minor works components of the plan in future Council budgets, and request Council Officers to seek to secure external grants to assist with the implementation of the full plan.	Corporate Services Manager, Project Officer	17/07/2024 Executive Assistant Community consultation to commence 1 August 2024.
2024-01-29 Ordinary Meeting - Open Council	5 3.3	Motion on Notice: Heritage Committee	In progress	That Council Officer's prepare a report with a view to forming a Special Committee under section 24 of the Local Government Act to establish a Heritage Committee.	Executive Officer, Executive Officer	12/02/2024 Executive Officer Report to be presented to March 2024 meeting. 07/03/2024 Executive Officer Report delayed due to staffing resources and competing priorities. Report to be presented to a future Council meeting.
2024-01-29 Ordinary Meeting - Open Council	5 3.2	Motion on Notice: Strategic Property Committee	In progress	That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting.	Executive Officer, Executive Officer	31/01/2024 Executive Officer Report is being prepared, to be presented to a future Council meeting. 07/03/2024 Executive Officer Report delayed due to staffing resources and competing priorities. Report to be presented to a future Council meeting.
2024-06-24 Open Council - Ordinary Meeting	7 3.1	Municipal Budget 2024/2025	In progress	That Council considers the Committees recommendations and allocates funds from the 2024/25 Municipal budget.	Project & Building Compliance Manager	12/07/2024 Project & Building Compliance Manager Th Bicycle advisory committee have been informed of Councils decision and officers are progressing with the items
2024-04-22 Ordinary Open Council Meeting	15.2	Nomenclature, Naming of Private Roads: Longford - Kertch Close and Mayfred Close	In progress	That Council approves the private road names in Longford: a) Kertch Close for the development at 47 Marlborough Street; and b) Mayfred Close for the shared road in the subdivision at 7 Cracraft Street (and confirm the correct spelling of the name).	Administration / Records Management Officer, Corporate Services Manager	13/05/2024 Executive Assistant Request submitted to Place Names Tasmania. 21/05/2024 Administration / Records Management Officer Maefred Close approved by Placenames with correction to spelling. Kertch Close refused as it already exists in St Leonards. New proposal requires to go back to council for approval.
2024-07-22 Open Council - Ordinary Meeting	5 3.1	Notice of Motion: Department of State Growth - Longford Roadworks	In progress	That Council immediately steps up pressure on the Department of State Growth via, emails, face-to-face meetings, media and whatever other means at Council's disposal, for State Growth to urgently address: i) The dangerous condition of Illawarra Road on the Mill Dam side of the roundabout at the northern entrance to Longford.	General Manager	08/08/2024 Executive Assistant Letter sent 24 July 2024. Response awaited.



Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
				<p>ii) The upgrade of Tannery Road from the roundabout at the northern entrance to Longford to the railway crossing to ameliorate the danger to motorists and pedestrians on that stretch of road caused by the 24-hour, heavy vehicle fuel station to be built on Tannery Road next to JBS Australia's Longford site.</p> <p>iii) The need for bike lanes for safety reasons, from the Pateena Road turn-off on Illawarra Road along Illawarra Road, across the highway bridges, through the roundabout to the Bishopsbourne Road turn-off to avoid cyclists being severely injured or killed trying to negotiate that stretch of road.</p> <p>AND That Council set up a meeting with State Infrastructure Minister and Deputy Premier Michael Ferguson as a matter of priority, for Mr Ferguson to view the three sites to be addressed and to commit to addressing these issues.</p>		
2024-04-22 Ordinary Open Council Meeting	5 3.3	Notice of Motion: Waste Transfer Sites Signage	In progress	Notice of Motion: To upgrade and install display boards at the entrance of every waste transfer station in the Northern Midlands Council area to ensure all fees and information associated with each site is clearly set out for residents and ratepayers to access before entering the site.	Engineering Officer	14/05/2024 Executive Assistant Currently signs are located near the site office at each site. When new prices determined, corflute signs to be ordered and placed on the fence at all sites. 14/06/2024 Engineering Officer Signage to be installed when prices are changed in new financial year. 04/07/2024 Engineering Officer Currently liaising with signwriter regarding production of signs 09/08/2024 Engineering Officer New signage has been installed inside transfer stations. Awaiting signage from signwriter to be installed outside transfer stations
2023-11-20 Ordinary Meeting of Council - Open Council	5 3.2	Notice of Motion: Workforce Planning Strategy	In progress	That the matter of preparing a Workforce Planning Strategy be listed for the 2024/2025 Budget deliberations.	Corporate Services Manager, People & Culture Business Partner	29/11/2023 People & Culture Business Partner Quotes being sourced from consultants. 14/02/2024 Executive Assistant Officer preparing Workforce Plan. 13/05/2024 Executive Assistant Report to June 2024 Council meeting. 09/08/2024 Executive Assistant To be reassessed as Budget Allocation substantially reduced by Council.
2024-04-22 Ordinary Open Council Meeting	7 3.1	Pedestrian Crossing Wellington and Marlborough Streets	In progress	That Council note the concerns raised by the Local District Committee and consider the relocation/installation of a refuge in the vicinity of the library in future budget deliberations.	Executive & Communications Officer, General Manager, Works Manager	13/05/2024 Executive & Communications Officer Committee advised 14/05/2024 Executive Assistant Matter under consideration.
2024-07-22 Open Council - Ordinary Meeting	14.1	Perth's Napoleon Street Park Development	In progress	That Council a) note the grant of \$127,695 secured through Round Two of the State Government's Open Spaces Grant Program towards the	Project Officer	13/08/2024 – Executive Assistant Officers seeking quotation for detailed design.



Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
				development of the Napoleon Street Park; and b) endorses an allocation of up to \$300,000 from Council's 2024-2025 Reserves towards the project; and c) commits to funding the remaining costs of the project in the draft 2025-2026 Council budget (estimated as \$272,305 in March 2024) for consideration.		
2024-05-20 Open Council Ordinary Meeting	16.1	Proposed Closure of Part of Youl Road	In progress	That Council progress the closure of Youl Road, between Edward and Drummond streets, develop the area as public open space and upgrade stormwater drainage.	Engineering Officer, Trainee Engineering Officer, Works Manager	30/05/2024 Trainee Engineering Officer Design Work commenced, works will be carried out in conjunction with other upgrade works in Sheepwash creek. 10/07/2024 Engineering Officer Design work ongoing 09/08/2024 Engineering Officer Concept design completed. Preparing information for community consultation
2024-05-20 Open Council Ordinary Meeting	13.2	Proposed Electric Vehicle Charging Station, Ross	In progress	That Council agree in principle to the NRMA's EV Charging Station proposal, noting that does not create or hold any obligations on Northern Midlands Council to NRMA, and that NRMA will need to apply for a discretionary planning permit for the electric vehicle chargers, and subject to: i) consultation and agreement with the adjoining landowner to determine the required location of vehicle access to 24 Church Street (CT44742/1 and CT44742/2); ii) consultation and agreement with NRMA regarding the construction of a footpath to connect the charging station to the footpath in Church Street including any required vehicle crossovers; iii) NRMA designing and constructing the charging station (chargers and charging space layout) so that at least one charger is accessible for drivers with disabilities; and iv) the lease containing a Market Rent Review clause whereby review of the rent may be initiated stating the market rent which is proposed as the rent for the rent review period, 5 years after the lease commencement date until the end of the lease.	Senior Planner	14/06/2024 Senior Planner Consulting with adjoining landowner regarding access. 08/08/2024 Senior Planner Alternative sites to be identified for discussion at a Council workshop.
2024-02-19 Open Council Meeting	7 3.1	Reduction in Speed Limit	In progress	That Council requests the Department of State Growth to carry out a review of the speed limits in Wellington and Marlborough Streets in Longford. Committee request: LLDC request NMC to approach local state members	Engineering Officer, Executive & Communications Officer	12/03/2024 Executive Assistant Letter sent to Minister. 09/05/2024 Engineering Officer Awaiting response from minister 13/05/2024 Executive & Communications Officer Committee notified. Awaiting response from Minister 10/07/2024 Engineering Officer Awaiting response from minister 09/08/2024 Engineering Officer Awaiting response from minister



Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
				and the Minister for State Growth to reduce the speed limit on Longford's main roads being, Marlborough Street, and Wellington Street to Woolmers Lane, from 60kmh to 50kmh.		
2024-05-20 Open Council Ordinary Meeting	14.1	Report on Notice of Motion: Longford Town Hall Management Committee	In progress	That Council: a) authorises its delegation to the General Manager in accordance with section 22 of the Local Government Act 1993 and Council resolution, to i) pursuant to section 24(2) of the Local Government Act 1993, to confirm and ratify the appointment of members to any Special Committee of Council, excluding District Committees and sub committees; and ii) pursuant to section 24(3) of the Local Government Act 1993, to determine the procedures relating to meetings of any Special Committee of Council, excluding District Committees and sub committees. iii) the General Manager report annually on the operation of the special committees, this report to include a list of the members of the special committees, the terms of their appointment, activities, finances. iv) (deleted) v) that no discount of fees and charges to be approved unless with written approval of the special committee and the General Manager. vi) a further report to council in relation to removed item iv) (item iv) - that no close associate of a councillor, in accordance with section 51 of the LGA, to be appointed to a special committee of council) and other matters.	General Manager	17/07/2024 Executive Assistant Report to be prepared.
2024-03-18 Ordinary Open Council Meeting	7 3.2	Speed Limit Change: Illawarra Road	In progress	That Council request Department of State Growth to reduce the speed limit from 100km/h to 90 km/h from the start of Bishopsbourne Road to the municipal boundary on Illawarra Road to bring it in line with the other section of Illawarra Road from Bishopsbourne Road to the intersection of the Perth interchange.	Engineering Officer, Executive & Communications Officer	16/04/2024 Executive Assistant Letter drafted to be sent. 16/04/2024 Executive Assistant Committee advised of Council decision. 14/05/2024 Executive Assistant Letter sent 18 April 2024. 09/08/2024 Engineering Officer Awaiting response from DSG
2023-03-20 Ordinary Meeting of Council -	16.1	Sticky Beaks Cafe Corner (cnr Wellington and Marlborough Streets):	In progress	That the JMG report Option Two (steel bollards) be revisited and that a time-line be put in place to implement this recommendation should that be	Engineering Officer, General Manager, Works Manager	23/03/2023 Executive Assistant Meeting arranged with Garry Hills, Dept. of State Growth. 17/04/2023 Engineering Officer Council officers met with Garry Hills on March 30, 2023. The Department of State Growth has agreed to do



Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
Open Council		Upgrades and Safety		an approved solution. Further that a report be undertaken to develop a detailed analysis for the intersection and the traffic flows in the centre of Longford.		engage a consultant to carry out an independent traffic study of the intersection. Awaiting further information from the Department of State Growth. 04/05/2023 Engineering Officer Garry Hills from the Department of State Growth has advised that they are in the process of organising and independent report on the safety of the intersection 15/06/2023 Executive Assistant Further contact made with DSG, requested that a timeline be provided for provision of the independent traffic study for Sticky Beaks Corner. 11/07/2023 Executive Assistant Subject to available funding, DSG have advised they have an in-principle agreement in place to review the works. 10/08/2023 Engineering Officer Council officers have requested an update on when this project will commence from the Department of State Growth and are still awaiting a response 28/09/2023 Executive Assistant Further correspondence sent to General Manager of State Roads requesting update and timeline for review. 26/10/2023 Engineering Officer Awaiting response from Department of State Growth 13/11/2023 Engineering Officer Awaiting response from State Growth 01/12/2023 Engineering Officer Awaiting response from Department of State Growth 1/12/23 14/02/2024 Executive Assistant Letter sent to Minister. 13/05/2024 Executive Assistant Meeting scheduled with the General Manager of State Roads. 10/07/2024 Engineering Officer Awaiting information from the Department of State Growth 09/08/2024 Engineering Officer Discussed with Garry Hills (Department of State Growth) 9/8/24. Garry advised that it is anticipated that a consultant will be engaged soon.
2024-04-22 Ordinary Open Council Meeting	7 4.5	Toilet Signage	In progress	That Council 1. move the Talisker Street toilet sign closer to the road; and 2. install 24-hour toilet signage on all toilets in Perth that are open 24 hours a day.	Engineering Officer, Works Manager	14/05/2024 Executive Assistant Sign has been moved closer to the road. 24 hour toilet signs on order to be installed when received. 14/06/2024 Engineering Officer 24 hour toilet signage to be installed once it is received from signwriter 04/07/2024 Engineering Officer 24 hour toilet signage has been installed outside the train park toilet. Signage to be placed on the door of the Seccombe St and Talisker St toilet has been received on 2/7/24 and is to be installed by Council's building maintenance staff. The Old Punt Rd toilet is not considered to be a 24 hour toilet
2024-01-29 Ordinary Meeting - Open Council	7 4.4	Train Park	In progress	That the Train Park (Lions Train Park) be promoted as an historical park focussing largely on the history of trains in Perth and that interpretive panels be consistent with other historical signs in Perth. That the matter be investigated.	Executive Assistant, Project Officer	13/03/2024 Executive Assistant Report to be prepared.
2024-04-22 Ordinary Open Council Meeting	7 1.1	Overnight Camping	On hold	That Council officers investigate suitable sites which could be declared free overnight rest areas in accordance with Council's policy in Avoca.	Executive Assistant, Senior Planner, Works Manager	26/04/2024 Executive Assistant Investigation commenced, report to June Council meeting. 13/05/2024 Executive Assistant Investigation in progress, Recreational Vehicles: Development and Management of Facilities (Overnight Camping) Policy is due for review by December 2024, amendment to made to free overnight rest areas to



Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
						allow for site to be identified at Avoca. 08/08/2024 Executive Assistant Pending review of the Recreational Vehicles: Development and Management of Facilities Policy (Overnight Camping).
2024-01-29 Ordinary Meeting - Open Council	14.2	Proposed Public Shower Facilities in the Northern Midlands	On hold	That Council ... 4) And investigate the creation of a mobile shower and laundry facility, similar to Gran's van, for use throughout the municipality and/or determine whether existing facilities could service the needs in other areas of the municipality. 5) Further report to Council.	Project & Building Compliance Manager, Works Manager	14/02/2024 Executive Assistant Report to be prepared. 08/08/2024 Executive Assistant Public shower facilities installed at Longford Memorial Hall, usage being monitored.
2024-04-22 Ordinary Open Council Meeting	7 5.1	Ross Community Sports Club Management Committee: Memorial for Sue Kay	On hold	That the Works Manager discuss with the Committee and the husband of Sue Kay as to a suitable memorial.	Executive Officer, Works Manager	26/04/2024 Executive Officer RCSC advised of Council's decision and that the Works Manager will contact them to discuss further. 13/05/2024 Executive Assistant The Works Manager met with Sue Kay's widow. Mr Kay to provide advice in due course.

8.12 RESOURCE SHARING SUMMARY: 01 JULY 2024 TO 30 JUNE 2025

Resource Sharing Summary 1/7/24 to 30/6/25 As at 13/08/2024	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts	32	3,730
Street Sweeper - Plant Hire Hours		
Total Services Provided by NMC to Meander Valley Council		\$3,730
Service Provided by Meander Valley Council to NMC		
Wages and Oncosts		
Plumbing Inspector Services		
Engineering Services		
Total Service Provided by MVC to NMC		
Net Income Flow	32	\$3,730
Total Net		
Private Works and Council Funded Works for External Organisations	Hours	Amount \$
Works Department Private Works Carried Out	11.5	785
	11.5	\$785

8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	July 2024	Estimated Cost of Damages	
			Total to Date 2024/25	Total 2023/24
Graffiti at Valentines Park toilets	Campbell Town	\$ 900		
TOTAL COST VANDALISM		\$ 900	\$ 900	\$ 28,300



8.14 YOUTH PROGRAM UPDATE

Prepared by: *Natalie Dell, Youth Officer*

PCYC Program

Active Northern Midlands Youth- Campbell Town and Cressy

Previously held during 2020-2023 thanks to a grant with Healthy Tasmania and catering for 2907 attendees. PCYC are offering this program at Campbell Town District High School and Cressy District High School, offering games and activities that encourage physical and mental wellbeing. Young people can choose the activities they engage in.

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	3/7	45	
	24/7	45	
	31/7	40	
Cressy			
	4/7	70	
	25/7	30	

Free2B Girls Program- Longford and Campbell Town

Free2b Girls Longford numbers have had a significant increase and currently at maximum attendance numbers. Offering a welcoming and supportive environment where girls can build positive relationships, foster friendships, and thrive in a positive space, the group operates under the guidelines of safety, tolerance, and respect.

Attendance for the month of July as follows:

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	31/7	8	
Longford			
	2/7	8	
	30/7	13	

PCYC Program- Mobile Activity Centre (MAC)- Perth and Evandale

The PCYC team offers free weekly activities in Perth and Evandale with the MAC trailer. The MAC trailer is an 'outreach' of PCYC operations, extending recreational opportunities to communities. The games offer a large variety and have a lot of input from the young people. Up to 20 young people join in on the program with a focus on social inclusion, group challenges and leadership development.

Attendance for the month of July as follows:

Session Venue	Date of Session	Attendance	Comment
Perth			
	4/7	8	
	25/7	8	
Evandale			
	3/7	4	
	24/7	2	End of term

Youth Gym Exercise Class- Longford

Motivty Fitness offers fun group sessions focusing on building fundamental movement through exercise. Young people learn to work as a team and push themselves physically in a safe and encouraging environment. Supporting opportunities to participate in activities that support health and wellbeing. Free for young people to participate, removing financial barriers to access the program. Ages 12-16.

Session Venue	Date of Session	Attendance	Comment
Longford			
	3/7	12	
	24/7	9	
	31/7	13	



Taiko Drumming - Longford

Working with Longford Primary School and Launceston PCYC to engage a group of students with the program. Taiko drumming offers a platform for students to channel their emotions constructively, with the structured nature of learning Taiko can help to improve focus and concentration. Taiko also focuses on teamwork and communication skills, boosting confidence and social interaction abilities.

Session Venue	Date of Session	Attendance	Comment
Longford			
	1/7	8	School Taiko Performance
	29/7	10	

Meetings/Programs

Natalie Dell represents Council on the Northern Youth Coordinating Committee and the Northern Midlands Interagency Meetings.

Breakfast Club- Cressy:

The Cressy Breakfast program has been further developed liaising with the School Chaplain and Youth Officer, to provide freely available Breakfast items for 40+ students. The School has identified several young people who will benefit from participating in the cooking program. The program helps address students' health, well-being, and food security. The program provides nearly double the numbers of previous years. This program is being extremely well received by the students and School.

Quote from students:

'The best part about all of it is that I get come and help, and I get to cook with Gabi' Year 3 student.

'My favourite part of my week, I get to cook and learn so many things- I often then make these recipes at home'. Student

'This activity is so beneficial for the student in my class that regularly participates. This is an alternative educational program and the teaching of life skills in a calm and supportive environment is exactly what the student needs and enjoys and is directly linked to her individual educational plan goals for the year.' Teacher, CDHS.

SPARK:

Program aim: To help foster leadership and support youth focused initiatives in Schools. School Representative Councils (SRC) can apply for funding of projects (up to \$300/year) to be held in their schools. Supporting education and employment opportunities for young people. Previous Schools include Longford Primary School, Cressy District High School and Campbell Town District High School. All Schools are encouraged to apply.

Milo Club Perth:

In conjunction with Catholic Care, supporting the social wellbeing Milo Club. Offering Social Inclusion for young people, activities that support their mental wellbeing and improving access to services.

Branching Out Longford:

Offering from Free2b Girls alongside the Free2b Groups. It's a small group initiative that offers a chance to connect, explore and have fun. Aimed at girls aged Grade 8-10, new people are welcome. The program was introduced in 2023 and feedback has been excellent from participants and families on the positive outcomes. The group is held in Longford weekly.

Friendship & Resilience Group:

Working with Catholic Care to support the Friendship and Resilience Group commencing at Longford Primary School in Term 3. Offering social inclusion for young people, activities that support their mental wellbeing, developing resilience skills and improving access to services.

Rhythms- Perth:

Supporting Catholic Care in the delivery of Rhythm to Recover program at Perth Primary School- improving access to services and programs. Rhythm2Recovery delivers therapeutic programs and professional development, that utilize fun and engaging rhythmic musical activities to support social and emotional development. Sessions can explore various themes/topics including Bullying awareness & prevention, social & emotional learning, health & wellbeing amongst others.

Breakfast Club support:

Youth Officer has been working with Salvation Army to provide further support to Evandale Primary and Campbell Town District High Schools breakfast club, including donation of new toasters. Further support as requested. Rotary Longford has provided financial assistance to Campbell Town District High School to expand their offerings of Breakfast, approximately 50+ students are accessing Breakfast Club each session.



Leadership sessions:

Youth Officer has been working with Student Leaders at Cressy District High School running workshops focusing on leadership development. Sessions will continue throughout 2024 focusing on communication, teamwork, personal values and leadership development. Excellent feedback provided from previous students on the ‘engaging, interactive, fun and worthwhile’ sessions. This offering is open to all Schools.

Social Connections:

Working with School Nurse at Campbell Town District High School to offer a lunchtime Friendship and Social Group addressing social isolation, developing friendships through games and activities- focusing on communication skills.

Leadership SLC Workshop:

Youth Officer will be working with Evandale Student Leaders running workshops focusing on leadership development including communication, teamwork and personal values. Similar workshops have previously been offered at Cressy District High School.

Illuminate Education:

Youth Officer joined all School across Northern Midlands for the Illuminate Education program in a mentorship role. Working with teams to support and explore their ideas through the program setting. 31 teams were involved with a great display of participation and ideas from the young people in our community.

Mental Health Week Expo:

Youth Officer is working with Campbell Town District High School Nurse and Student Leaders to design an expo for Mental Health Week. It will be fully student led, listening to their voices: designed by students for students. Young people have had the opportunity to suggest service providers and activities they would like to be included in the event, along with the structure of the day. This will be a whole school event.

Reink Program:

Providing opportunities for young people to participate in activities that support health and wellbeing. Young people have the opportunity to suggest ideas for activities they would like to participate in- activities directly offered from young people's suggestions include: Fishing, Dance and Pickleball. Reink develops programs to meet the needs of the community to deliver better physical health, mental health and greater social inclusion for those who take part. This program is available to Schools across the Northern Midlands.

8.15 INTEGRATED PRIORITY PROJECTS & STRATEGIC PLANS UPDATE

Prepared by: Maree Bricknell, Corporate Services Manager & Lorraine Green, Project Officer

CURRENT AT 5 AUGUST 2024

INTEGRATED PRIORITY PROJECTS PLAN:

Progress Report:

		Not Started (obstacles)	On Hold	On Track		
Project	Status	\$	Scheduled			
1 Progress: Economic health and wealth - grow and prosper						
Foundation Projects						
4.1 Main Street Upgrades: Campbell Town, Longford & Perth	Gov		Campbell Town 2022 Election Commitment secured through the Priority Community Infrastructure Program (PCIP) DA approved.	Budget allocation 2024/25 plus contribution from \$8m Federal Govt Election Commitment 2022.	2,450,000	Finalising tender documentation, Awaiting State Growth Permit
	Gov		Longford DA submitted.	Budget allocation 2024/25 from Federal Govt Election Commitment 2019. Federal funding must be expended by 30 June 2025 at the latest. Funds proposed for streetscape upgrade approved for reallocation to the Longford-Mill Dam shared pathway at the April 2024 Council	1,793,628	Grant Variation approval received



Project		Status	\$	Scheduled
				Meeting.
	C&D	Perth 2022 Election Commitment secured through the PCIP DA approved.		Contribution from \$8m Federal Govt Election Commitment 2022. Tender awarded to Baker Construction.
4.1.	<i>Longford Memorial Hall Upgrade</i>	Gov		Federal Govt Election Commitment 2019; Local Roads and Community Infrastructure allocation. Main Building & BBQ shelter completed. Complete.
4.4.	<i>TRANSLink Intermodal Facility</i>	Gov	5,000,000	Included in NMC Priority Projects document. Business Case and application submitted 20 November 2023 to secure the 2022 Election Commitment. Funding secure and funding agreement being finalised.. Approved by NTDC as a Northern Tas Priority Project. Federal Election commitment of \$5m for planning stage. Further \$30m commitment subject to planning stage. Business Case for the first \$5 million submitted. Funding agreement signed. Work underway towards identifying preferred external lead project provider
Enabling Projects				
5.1.	<i>Perth Sports Precinct & Community Centre</i>	Gov		Concept master plan developed October 2020. Included in NMC Priority Projects document. Valuation received. Nominated as a Project of Regional Priority
5.1.	<i>Ben Lomond Public Shelter Development</i>	Gov		Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania Included in NMC Priority Projects document. Govt has completed new public shelter. Government has committed to development of a master plan. Staff resources only to support grant funding applications. Not scheduled at this stage.
5.3.	<i>Campbell Town – Town Hall Sale or Lease</i>	Gov		Agent appointed – all offers to be presented to Council. Consider offers as presented.
5.3.	<i>Longford Library & exhibition Building on the Village Green</i>	Gov		Longford Motor Sport Museum Included in NMC Priority Projects document. No budget allocation staff resources only.
5.3.	<i>Power Undergrounding in Evandale, Longford & Perth</i>	Works		Awaiting funding streams to come available. Included in NMC Priority Projects document. No budget allocation staff resources only. Not scheduled at this stage.
5.4.	<i>Subdivisions (several – Cressy, Evandale, Longford & Perth)</i>	C&D		Council to identify opportunities to provide infrastructure and secure funding. Included in NMC Priority Projects document. Drainage easement secured at Evandale. Detention basin secured at TRANSLink. Detention works not scheduled at this stage.
2 People: Cultural and society – a vibrant future that respects the past				
Enabling Projects				
5.1.	<i>Recreation Ground Upgrades)</i>	Gov		Campbell Town, Evandale and Cressy NMC Priority Projects document. Funding to be sought for oval upgrades. Not scheduled at this stage.
		Gov		Cressy Recreation Ground Cricket Australia & State Govt funding secured towards the upgrade of the practice facility, car park and dump point. Sealing of car park for future budget.
				Perth Recreation Ground Amenities, topdressing, cricket net Completed.



Project		Status	\$	Scheduled
		upgrade.		
		Longford Recreation Ground Irrigation system install and preparation for 2 nd ground.		Completed.
5.1	<i>Swimming Pool Upgrades (several)</i>	Gov Covering of Campbell Town & Cressy Swimming Pools Included in NMC Priority Projects document. Cressy: Solar system replacement Gov Ross: Pool operation to continue (as per the current funding model) whilst structurally/operationally safe to do so.	- 50,000	Not scheduled at this stage. Completed prior to season opening.
5.2	<i>Shared Pathways</i>	Gov Applications submitted to Growing Regions Program and Better Active Transport Tas program. Included in NMC Priority Projects document. Hobart Road shared pathway submitted to NTDC as a Northern Tas Priority Project.	Funding secured through the Better Active Transport Tas grant program: Growing Regions Funding application not successful.	Extent of work achievable within available budget being determined. Nominated as a Project of Regional Priority .
4 Place: Nurture our heritage environment				
Foundation Projects				
4.2	<i>Perth South Esk River Parklands</i>	Gov Building Better Regions Fund grant secured towards the extension of the walkway, installation of footbridge and BBQ. Included in NMC Priority Projects document.		Completed.
4.3	<i>Sheepwash Creek Corridor & Open Space</i>	Gov Grants secured for major new/improved infrastructure. Included in NMC Priority Projects document.	Commonwealth Government Disaster Ready funding successfully sought. Budget allocation 2024/25.	3,700,000 Scheduled.
4.5	<i>Municipal Tree Planting Program</i>	Gov Annual program implemented. Included in NMC Priority Projects document.	Included in annual operating budget.	Ongoing.
Enabling Projects				
5.1	<i>Conara Park Upgrade</i>	Gov Concept prepared: awaiting funding opportunities. Included in NMC Priority Projects document.	Negotiating with State Growth.	Awaited Agreement for Council to take control of Park, and improve as funds permit.
5.3	<i>Redevelop Bartholomew Park Cressy</i>	Gov Liaising with Local District Committee to establish/prepare plans for upgrade.		Complete.

- Open Spaces and Active Infrastructure Grants Programs: soccer field and half-basketball courts – Grant funding applications submitted. Open Spaces funding secured for 4 half basketball courts and a playground, and Active Infrastructure grant (\$70,000) secured for the junior soccer field at Perth.
- Laycock Street Park LRCI funding allocation approved – work underway.
- Ross Men’s Shed Extension: Grant Agreement signed. First progress report submitted April 2024.
- Napoleon Street Park – \$127,695 secured through the State Government Open Spaces Grant Round Two. Council resolved at July 2024 Council Meeting to fund the work across two financial years.
- Longford Community/Neighbourhood House – lobbying State Government.
- Longford Caravan Park Amenities – under construction.
- Seccombe Street Reserve Raised Pavement Platform – Vulnerable Road User grant of \$50,000 secured – work completed. Acquittal report submitted.
- Ross Recreation Ground: applications submitted for upgrade of the clubroom changerooms not successful. Application submitted to Cricket Australia for development of a junior practice facility and storage shed – not successful
- New Australian Grants Program ‘Play Our Way Program – More Opportunities for Women and Girls in Sport: application



submitted April 2024 for funds for a soccer field at the Longford Recreation Ground. Outcome awaited.

- Application submitted to Community Energy Upgrades Fund Round One for solar system at the Longford Community Sports Centre. Outcome awaited.
- Application being prepared to 2024 Social Cohesion Grant Program for funds to assist with a Community Pacific Festival in November 2024.

8.16 TOURISM & EVENTS AND HERITAGE HIGHWAY TOURISM REGION ASSOCIATION (HHTRA) UPDATE

Prepared by: *Fiona Dewar, Tourism and Events Officer*

Tourism update:

- Events:
 - Liaise with event organisers re planning and information required, assist those seeking funding and in-kind support. Provide assistance to event organisers to fulfil Council compliance requirements.
 - Update and distribute "What's On" events list.
 - Update NMC website calendar.
 - Share electronic flyers for upcoming events to the statewide Yellow i Visitor Information network, and the five visitor centres in the Northern Midlands for display on their boards and counters, and to the HHTRA Management Group to share with relevant local communities, businesses, notice boards etc.
- Northern Midlands Visitor Centres Group:
 - Disseminate updates and information from TVIN, emergency alert agencies, DSG roadworks updates, etc.
 - Prepare for hosting TVIN forum and family of Ross.
- Industry, Interpretation, Other Projects:
 - Voices from the Graves performances – assist to promote for Tourism Tasmania's 2024 Off-Season campaign.
 - 2.7.24: Attend Visit Northern Tasmania Local Tourism Forum.
 - Other workshops attended: Privacy Training; Placenames information session.

HHTRA update:

- Progress TICT Tasmanian Ambassador Program to develop a midlands module in the program course.
- Progress AGM planning and preparations.
- Ongoing marketing activities include website blog posts and social media. Working with Destination Southern Tasmania to whom the HHTRA outsource digital marketing activities and webpage maintenance.
- Administrative tasks/correspondence etc.

8.17 DECLARATION OF MAJOR PROJECT: BELL BAY WIND FARM

Prepared by: *Paul Godier, Senior Planner*

Council has been notified, in accordance with Section 60R of the Land Use Planning and Approvals Act 1993, of the decision of the Hon Felix Ellis MP, Minister for Housing and Planning, to declare the proposed Bell Bay Wind Farm a major project.

The Bell Bay Wind Farm Project is intended to generate approximately 224 megawatts (MW) of electricity. It includes up to 28 wind turbine generators (WTGs), a battery energy storage system (BESS), new transmission line, buildings, and associated infrastructure underground and overhead cables, collector substations, hardstand areas, internal roads, site office and workshop, connection into the Tasmanian transmission network, and temporary facilities for construction.

The declaration was published in the Government Gazette on 2 August 2024 and took effect on that day. The declaration means that the proposal will be subject to an assessment co-ordinated by the Tasmanian Planning Commission.

ATTACHMENTS

Nil



8.18 ADMINISTRATION OF KENNEL LICENCES

Prepared by: Des Jennings, General Manager

Council administers Kennel Licences in accordance with the state *Dog Control Act* and the Council's Dog Management Policy.

Residents wishing to keep more than two dogs must obtain an annual Kennel Licence. However, two companion dogs or four working dogs may be kept without the need for a kennel licence.

Council Officers conduct annual inspections on properties as part of the licence renewal process.

Council Officers may conduct further inspections and investigations if a breach of the legislation is found.

Council Officers are proactive in reporting any instances of animal cruelty to the RSPCA for investigation.

Council's regulatory involvement in dog breeding is limited to verifying that breeding activities comply with the permitted use criteria under the relevant planning scheme.

Other states have a cap, Tasmania should also.

The State Government, we understand, is reviewing dog management and animal welfare laws.

It is understood the review is aimed at preventing over-breeding.

It is the view of Council Officers that there should be a legislated or regulated cap on the number of dogs that can be kept at a property.

ATTACHMENTS

Nil



9 PUBLIC QUESTIONS AND STATEMENTS

PUBLIC QUESTIONS AND STATEMENTS

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 at approximately 5:30pm 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 submission speaker is limited to a maximum of 3 minutes.

PUBLIC QUESTIONS



10 COUNCIL ACTING AS A PLANNING AUTHORITY

RECOMMENDATION

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda Item/s 11.1-11.3.

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.

10.1 STATEMENTS

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.

PLAN 11.1: PLN23-0189: Honeysuckle Banks, 356 Leighlands Road Evandale; RV Dump Point and Public Toilet Block

PLAN 11.2: PLN24-0088: Part Change of Use to Residential (Communal Residence); 77 Main Street Cressy

PLAN 11.3: PLN-24-0063: Provide Food Services as an additional use with associated signage at 28 Church Street Ross



11 PLANNING REPORTS

11.1 PLN23-0189: HONEYSUCKLE BANKS, 356 LEIGHLANDS ROAD EVANDALE; RV DUMP POINT AND PUBLIC TOILET BLOCK

File: 202500.25; PLN23-0189
Responsible Officer: Des Jennings, General Manager
Report prepared by: Rebecca Green, Consultant Planner

RECOMMENDATION

That application PLN23-0189 to develop and use the land at Honeysuckle Banks, 356 Leighlands Road, Evandale for Public Toilet Block and RV Wastewater Dump Point (Flood prone, Natural assets, Scenic Protection, Safeguard Airports) be approved subject to the following conditions:

1 Layout not altered

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

- P1-P18 Plans prepared by AMAC Drafting, Project No: A22099, Sheet No's: 1-18, Rev: BA, Dated: 18/08/23
- P19 Tree Removal and Planting Plan, Northern Midlands Council, Rev: 1, Dated: 16/05/24
- D1 Traffic Comment, Andrew Howell, Rev: B, Dated: May 2024, including Appendix A-D
- D2 Additional Information Response, Email received from Cameron Oakley, Dated: 27 May 2024
- D3 Flood-Prone Area Hazard Assessment, Cameron Oakley, Dated: 25 September 2023

2 Planting

Planting in accordance with endorsed Tree Removal and Planting Plan P19 must be established within 3 months of the completion of the toilet block structure.

3 Works in the State Road Reservation

The developer must obtain a permit from the Department of State Growth prior to any works being undertaken within the State Road reservation.

1 INTRODUCTION

This report assesses an application for a public toilet and RV dump point at Honeysuckle Banks, Evandale against the relevant provisions of the *Tasmanian Planning Scheme – Northern Midlands*, Version: 11 effective from 16th April 2024.

2 STATUTORY REQUIREMENTS

Council acts as a Planning Authority for the assessment of this application under the *Land Use Planning and Approvals Act 1993* (the Act). Council as the Planning Authority must determine the application for a permit pursuant to Section 51(2) of the Act and 6.10 of the *Tasmanian Planning Scheme – Northern Midlands* (the Scheme).

The proposal is an application pursuant to section 57 of the Act (i.e., a discretionary application). Determination of the application is a statutory obligation. In determining an application, the Planning Authority must take into consideration:

- all applicable standards and requirements in this planning scheme; and
- any representations received pursuant to and in conformity with section 57(5) of the Act.

When exercising their discretion, the Council as the Planning Authority must consider each matter only insofar as each such matter is relevant to the particular discretion being exercised.



Compliance with the applicable standards consists of complying with the Acceptable Solution or satisfying the Performance Criteria. Where an application satisfies the Acceptable Solution, the Performance Criteria does not need to be considered. An assessment of the applicable standards pertaining to this application is included in section 5 of this report.

The council as the Planning Authority are obliged to consider the views raised by the community during the public exhibition period. However, this does not mean that decisions made while acting as the planning authority can be swayed by community views or opinions. Decisions made by the Planning Authority must be based on whether a planning application is consistent with the Scheme.

Discretionary Aspects of the Application

- C2.6.1 Construction of parking areas P1
- C2.6.3 Number of accesses for vehicles P1
- C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction P1
- C8.6.2 Development within a scenic road corridor P1 & P2
- C12.6.1 Buildings and works within a flood-prone hazard area P1.1 & P1.2

3 APPLICATION DETAILS AND TIMEFRAMES

Application Number:	PLN23-0189
Address:	356 Leighlands Road Evandale
Existing use/development	Passive Recreation
Applicant:	Northern Midlands Council
Zone:	29.0 Open Space
Particular Purpose Zone/Specific Area Plan	N/a
Applicable codes:	C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code C7.0 Natural Assets Code C8.0 Scenic Protection Code C12.0 Flood-Prone Areas Hazard Code C16.0 Safeguarding of Airports Code
Use classification:	Passive recreation
Existing use:	Passive recreation
Application must be determined by:	23 August 2024
Recommendation:	Approval subject to conditions detailed in “recommendation” above.



Aerial image of the site and surrounding area



Photographs of subject site







5 PLANNING SCHEME ASSESSMENT

This assessment has been made by a suitably qualified person and a professional recommendation has been provided for the Planning Authority to consider. The professional recommendation detailed further in this report considers (where relevant) previous decisions and case law of the Tasmanian Civil and Administrative Tribunal (TASCAT) and is an unbiased assessment of the applicable standards and the suitability of the proposed development.

GENERAL PROVISIONS		Applicable
7.1	Changes to an Existing Non-conforming Use	N
7.2	Development for Existing Discretionary Uses	N
7.3	Adjustment of a Boundary	N
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	N
7.5	Change of Use	N
7.6	Access and Provision of Infrastructure Across Land in Another Zone	N
7.7	Buildings Projecting onto Land in a Different Zone	N
7.9	Demolition	N
7.10	Development Not Required to be Categorised into a Use Class	N
7.12	Sheds on Vacant Sites	N

CODE	Applicable	Exemption Applied
C1.0	Signs Code	
C2.0	Parking and Sustainable Transport Code	Y
C3.0	Road and Railway Asset Code	Y



CODE	Applicable	Exemption Applied
C4.0 Electricity Transmission Infrastructure Protection Code		
C5.0 Telecommunications Code		
C6.0 Local Historic Heritage Code		
C7.0 Natural Assets Code	Y	Development located wholly outside of mapped Waterway and coastal protection area
C8.0 Scenic Protection Code	Y	
C9.0 Attenuation Code		
C10.0 Coastal Erosion Hazard Code		
C11.0 Coastal Inundation Hazard Code		
C12.0 Flood-Prone Areas Hazard Code	Y	
C13.0 Bushfire Prone Areas Code		
C14.0 Potentially Contaminated Land Code		
C15.0 Landslip Hazard Code		
C16.0 Safeguarding of Airports Code	Y	Yes, 16.4.1 (a)

PARTICULAR PURPOSE ZONES	Applicable
NOR-P1.0 Particular Purpose Zone – Campbell Town Service Station	N
NOR-P2.0 Particular Purpose Zone – Epping Forest	N

SPECIFIC AREA PLANS	Applicable
NOR-S1.0 TRANSlink Specific Area Plan	N
NOR-S2.0 Campbell Town Specific Area Plan	N
NOR-S3.0 Cressy Specific Area Plan	N
NOR-S4.0 Devon Hills Specific Area Plan	N
NOR-S5.0 Evandale Specific Area Plan	N
NOR-S6.0 Longford Specific Area Plan	N
NOR-S7.0 Perth Specific Area Plan	N
NOR-S8.0 Ross Specific Area Plan	N

The relevant Scheme definitions are:

Table 6.2 Use Class	
Passive Recreation	use of land for informal leisure and recreation activities principally conducted in the open. Examples include public parks, gardens and playgrounds, and foreshore and riparian reserves.

Per the applicable zone use class table, the proposed use Passive Recreation is No Permit Required. Clause 6.10.2 states that consideration of the purpose of the zone, local area objectives, code, specific area plan and/or site-specific qualification is only required when determining an application for a Discretionary use. The development seeks to rely on performance criteria, the application has a discretionary status.

5.1 State Planning Provisions – Zone Provisions

ASSESSMENT OF THE OPEN SPACE ZONE PROVISIONS

29.3 Use Standards

29.3.1 Discretionary Uses		
Description	Assessment	
A1 Hours of operation	Not applicable.	
A2 Flood lighting	Not applicable.	
29.4 Development Standards for Buildings and Works		
Clause	Description	Assessment
29.4.1	Building height, setback and siting	A1 Proposal complies, new toilet block 3.5m in height.
		A2 Proposal complies, new toilet block and dump point to be located minimum 12.2m from frontage.
		A3 Not applicable.



		A4 Not applicable.
29.4.2	Outdoor Storage Areas	A1 Not applicable.
29.5 Development Standards for Subdivision		
Clause	Description	Assessment
29.5.1	Lot Design	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.

5.2 LOCAL PLANNING PROVISIONS – PARTICULAR PURPOSE PROVISIONS / SPECIFIC AREA PLAN PROVISIONS

Not applicable.

5.3 State Planning Provisions – CODE Provisions

C2.0 PARKING AND SUSTAINABLE TRANSPORT CODE

C2.5 Use Standards		
Clause	Description	Assessment
C2.5.1	Car Parking Numbers (Refer to table C2.1)	A1 Not applicable. Passive Recreation does not have car parking requirements as per Table C2.1.
C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 Not applicable. Passive Recreation does not have bicycle parking requirements as per Table C2.1.
C2.5.3	Motorcycle parking numbers (Refer to table C2.4)	A1 Not applicable.
C2.5.4	Loading Bays	A1 Not applicable.
C2.5.5	Number of car parking spaces within the GenRes Zone	A1 Not applicable.
C2.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C2.6.1	Construction of parking areas	A1 Does not comply. Compacted gravel pavement and hardstand proposed. Relies on Performance Criteria.
C2.6.2	Design and layout of parking areas	A1.1 Complies.
		A1.2 Complies.
C2.6.3	Number of accesses for vehicles	A1 Does not comply. More than 1 access to the frontage is proposed. Relies on Performance Criteria.
		A2 Not applicable.
C2.6.4	Lighting of parking areas within the GenBus and CentBus zone	A1 Not applicable.
C2.6.5	Pedestrian Access	A1.1 Not applicable.
		A1.2 Not applicable.
C2.6.6	Loading Bays	A1 Not applicable.
		A2 Not applicable.
C2.6.7	Bicycle parking and storage facilities within the GenBus and CentBus zone	A1 Not applicable.
		A2 Not applicable.
C2.6.8	Siting of parking and turning areas	A1 Not applicable.
		A2 Not applicable.
C2.7 Parking Precinct Plan		
Clause	Description	Assessment
C2.7.1	Parking precinct plan	A1 Not applicable.

From the table above, where the acceptable solution has not been met, the performance criteria is addressed below.

DISCRETIONS	
C2.6.1	Construction of parking areas
P1	All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to: a) the nature of the use; b) the topography of the land;



DISCRETIONS	
	<ul style="list-style-type: none"> c) the drainage system available; d) the likelihood of transporting sediment or debris from the site onto a road or public place; e) the likelihood of generating dust; and f) the nature of the proposed surfacing.
Assessing Officers Comments	The proposal includes a 200mm thick base A gravel access driveway and hardstand area, which is a typical driveway material of the area and the site. The driveway is suitable for the frequency and type of vehicles accessing the site. The site is relatively flat in the locality of the proposed driveway and access ways but will be formed to ensure that stormwater can safely sheet way from the gravel access road. The standard of the crossovers to Leighlands Road will ensure that it is not likely that sediment or debris be transported form the site onto a road or public place with the likelihood of generating dust kept to a minimum. The proposal is consistent with the Performance Criteria.
C2.6.3 Numbers of accesses for vehicles	
P1	<p>The number of accesses for each frontage must be minimised, having regard to:</p> <ul style="list-style-type: none"> a) any loss of on-street parking; and b) pedestrian safety and amenity; c) traffic safety; d) residential amenity on adjoining land; and e) the impact on the streetscape.
Assessing Officers Comments	Due to the nature of the road, the proposal will not cause any loss of on-street parking and will provide for pedestrian safety and amenity due to the location of the accesses and one way vehicle direction through to the toilet block and motorhome dump station. Due to the length of the road and consideration later in this assessment against the Scenic Protection Code, the impact on the streetscape will be minimal. A traffic report accompanied the application which considered traffic safety and found the proposal to be appropriate for the road environment. The proposal is consistent with the Performance Criteria.

C3.0 ROAD AND RAILWAY ASSET CODE

C3.5 Use Standards		
Clause	Description	Assessment
C3.5.1	Traffic generation at a vehicle crossing, level crossing or new junction.	A1.1 Not applicable.
		A1.2 New access required. Relies on Performance Criteria.
		A1.3 Not applicable.
		A1.4 Greater than 40VPD less than 5.5m. Relies on Performance Criteria.
		A1.5 Proposal complies.
C3.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C3.6.1	Habitable buildings for sensitive uses within a road or railway attenuation area.	A1 Not applicable.
C3.7 Development Standards for Subdivision		
Clause	Description	Assessment
C3.7.1	Subdivision for sensitive uses within a road or railway attenuation area.	A1 Not applicable.

DISCRETIONS	
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	
P1	<p>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> a) any increase in traffic caused by the use; b) the nature of the traffic generated by the use; c) the nature of the road; d) the speed limit and traffic flow of the road; e) any alternative access to a road; f) the need for the use; g) any traffic impact assessment; and h) any advice received from the rail or road authority.
Assessing Officers Comments	It is anticipated that the development will see an increase in recreational and tourist traffic use, with heavy vehicle (including articulated caravans etc). Limited increase in traffic from the proposed use in context of local and wider network based on existing traffic mix. The proposed site may see approximately up to 10-20 vehicles over 5.5m per



DISCRETIONS

	day. The road sees existing tourist traffic movements, with no local or wider network impacts foreseen. The nature of the road is a rural priority road, state administered and already accommodating heavy vehicles. The road is suited to the type of traffic use which is likely to use the site and facilities. The site is ideal for the development proposed due to the open space zoning with tourist links. A traffic report accompanied the application demonstrating further compliance. The proposal is consistent with the Performance Criteria.
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C8.0 SCENIC PROTECTION CODE

Clause	Description	Assessment
C8.6.1	Development within scenic protection area	A1 Not applicable.
C8.6.2	Development with scenic road corridor	A1 Does not comply. Relies on Performance Criteria. A2 Proposed buildings and works within a scenic road corridor will be visible from the scenic road. Relies on Performance Criteria.

DISCRETIONS

C8.6.2 Development within a scenic road corridor	
P1	Destruction of exotic trees with a height more than 10m, native vegetation, or hedgerows within a scenic road corridor must not cause an unreasonable reduction of the scenic value of the road corridor, having regard to: a) the nature, extent and location of the exotic trees, native vegetation and hedgerows; and b) the purpose of any management objectives identified in the relevant Local Provisions Schedule.
Assessing Officers Comments	A vegetation plan was submitted with the application with details that a clump of native vegetation near the southern access needs to be removed with others trimmed. New and additional native trees are proposed to be planted to replace those removed and provide a level of screening of the toilet block. The removal of the native vegetation proposed will not cause an unreasonable reduction of the scenic value of the road corridor particularly when considering the offset proposed. The proposal is consistent with the Performance Criteria.
P2	Buildings or works within a scenic road corridor must not cause an unreasonable reduction of the scenic value of the road corridor, having regard to: a) the topography of the site; b) proposed reflectance and colour of external finishes; c) design and proposed location of the buildings or works; d) the extent of any cut or fill required; e) any existing or proposed screening; f) the impact on views from the road; and g) the purpose of any management objectives identified in the relevant Local Provisions Schedule.
Assessing Officers Comments	The proposed building (toilet block) is to be setback 27.75m from the edge of the road carriageway. The toilet block has a small footprint (14.1m ²). Screening by way of replacement trees will be planted. The material selection and details of the design of the building will ensure that the visual impact of the building from the road will not be unreasonable. The proposal is consistent with the Performance Criteria.

C12.0 FLOOD-PRONE AREAS HAZARD CODE

C12.5 Use Standards		
Clause	Description	Assessment
C12.5.1	Uses within a flood-prone hazard areas	A1 Not applicable, not a habitable building.
C12.5.2	Critical use, hazardous use or vulnerable use	A1 Not applicable. A2 Not applicable. A3 Not applicable. A4 Not applicable.
C12.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C12.6.1	Buildings and works within a flood-prone hazard area	A1 No acceptable solution. Proposal relies on performance criteria.
C12.7 Development Standards for Subdivision		
Clause	Description	Assessment
C12.7.1	Subdivision within a flood-prone hazard area	A1 Not applicable.



DISCRETIONS	
C12.6.1	Buildings and works within a flood-prone hazard area
P1.1	Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to: a) the type, form, scale and intended duration of the development; b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures; c) any advice from a State authority, regulated entity or a council; and d) the advice contained in a flood hazard report.
Assessing Officers Comments	While it is anticipated the proposed building will be inundated from time to time, it is not a habitable building. There is usually a multi-day warning available for a likely South Esk flood at Evandale, and as such the facility will be closed to the public where necessary. The site will also be inaccessible due to the closure of Leighlands Road, which is also flood prone. The wastewater holding tank will be pumped out prior to a flood event and either backfilled with potable water or allowed to backfill with river water to prevent the holding tank from floating. The toilet block structure has been designed to accommodate the estimated 100 year flood level; however, it prior to the reopening of the facility after a flood event, the building will be inspected by Council staff to ensure it is suitable for use. The facility will not be occupied by the public of Council staff in a flood event. The construction within the flood plain does introduce a modest level of risk, however these requirements can be managed as part of Council's flood operations and upon commissioning Council will document its emergency and response procedures for the facility. The proposal is consistent with the Performance Criteria.
P1.2	A flood hazard report also demonstrates that the building and works: a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.
Assessing Officers Comments	A flood hazard report accompanied the application and demonstrated how the proposed building and works will meet the performance criteria. The proposal is consistent with the Performance Criteria.

5.4 REFERRALS

Council's Infrastructure & Works Department – NMC
Council's Engineering Officer advised that the Infrastructure and Works Department has no comment as the Department of State Growth is the relevant road authority.
Department of State Growth
The Department of State Growth advised that Consent of the Minister under Section 16 of the Road and Jetties Act 1935 will be required to undertake works within the State road reservation.

5.5 REPRESENTATIONS

Notice of the application was given in accordance with Section 57 of the Act. A review of Council's Records management system after completion of the public exhibition period revealed that four (4) representations were received.

The Planning Authority has been provided with a copy of the representations for their consideration in accordance with clause 6.10 of the Scheme. A copy of the representations has not been included as an attachment to this report as the Land Use Planning and Approvals Act 1993 does not require that representations be published as part of the Council agenda. Furthermore, legislation, including the Personal Information Protection Act 2004, limits the way in which representations can be published.

A summary of the matters raised in the representations are outlined below followed by the planner's comments.

Issue	Biosecurity Risk. The proposed location is flood prone and directly impacts prime agricultural land crucial for livestock production and human water sources. The potential compromise of these essential resources by human biological waste poses severe risks to farming operations and downstream residents.
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Assessing Officers Comments	A Flood Hazard Report accompanied the application and addressed the relevant provisions of the Code. The wastewater holding tank will be pumped out prior to a flood event and either backfilled with potable water or allowed to backfill with river water to prevent the holding tank from floating. The toilet block structure has been designed to accommodate the estimated 100 year flood level.
Issue	Uncontrolled Dogs. The introduction of a toilet block may attract campers with unvaccinated and uncontrolled dogs. Recent incidents from unvaccinated dogs from neighbouring properties have resulted in significant losses due to disease transmission to livestock. This poses a direct threat to agricultural activities and environmental health.
Assessing Officers Comments	This concern does not relate to a planning scheme provision and therefore cannot be considered by the Planning Authority.
Issue	Trespassing and Security. The proposed development would exacerbate the existing issue of managing trespass on private farming property posing additional biosecurity risks and hazards to workplace health and safety.
Assessing Officers Comments	This concern does not relate to a planning scheme provision and therefore cannot be considered by the Planning Authority.
Issue	Homelessness and Seasonal Camping. The presence of a toilet block may inadvertently encourage illegal camping and dumping of rubbish in Honeysuckle Park, undermining efforts to maintain the park's integrity and scenic beauty
Assessing Officers Comments	This concern does not relate to a planning scheme provision and therefore cannot be considered by the Planning Authority.
Issue	Scenic Corridor Impact. Introducing the proposed facilities would detract from the area's scenic appeal and natural assets.
Assessing Officers Comments	Assessment against the Scenic Protection Code has been undertaken earlier within this assessment and the proposal is consistent with the relevant performance criteria.
Issue	Increased Littering. The increased rise in visitor numbers could lead to heightened littering issues. Recent observations indicate a concerning trend of increased rubbish along the roads near Honeysuckle Park, which would only worsen with additional camping activity.
Assessing Officers Comments	Honeysuckle Banks does already contain waste receptacles and regularly serviced and monitored by Council staff. This concern does not relate to a planning scheme provision and therefore cannot be considered by the Planning Authority.

5.6 OBJECTIVES OF THE LAND USE PLANNING AND APPROVALS ACT 1993

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

5.7 STATE POLICIES

The proposal is consistent with all State Policies.

5.8 STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan - Statutory Planning

6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

7 OPTIONS

Approval of the application subject to conditions, or refusal with reasons for refusal detailed.

When deciding whether to include conditions in a permit, the planning authority may consider:

- a) all applicable standards and requirements in this planning scheme; and
- b) any representations received pursuant to and in conformity with section 57(5) of the Act, but only insofar as each such matter is relevant to the particular discretion being exercised.



In accordance with 6.11.2 of the Scheme, conditions and restrictions imposed by the planning authority on a permit may include:

- a) requirements that specific acts be done to the satisfaction of the planning authority;
- b) staging of a use or development, including timetables for commencing and completing stages;
- c) the order in which parts of the use or development can be commenced;
- d) limitations on the life of the permit;
- e) requirements to modify the development in accordance with predetermined triggers, criteria or events;
- f) construction or traffic management; and
- g) erosion, and stormwater volume and quality controls.

The test for determining the validity of a condition imposed on a permit was originally considered in *Newbury District Council v Secretary of State for the Environment [1981] AC 578* and subsequently affirmed by the High Court in *Western Australian Planning Commission v Temwood Holdings Pty Ltd (2004) 221 CLR 30, [57] (McHugh J)*.

The proposed conditions of approval at the beginning of this report have been drafted based on the above principles in that they:

- (i) are for a planning purpose and not for an ulterior purpose; and
- (ii) fairly and reasonably relate to the proposed development; and
- (iii) are not so unreasonable that no reasonable planning authority could have imposed them.

8 ATTACHMENTS

1. PL N-23-0189 public exhibition documents [11.1.1 - 85 pages]



11.2 PLN24-0088: PART CHANGE OF USE TO RESIDENTIAL (COMMUNAL RESIDENCE); 77 MAIN STREET CRESSY

File: 109000.39; PLN24-0088
Responsible Officer: Des Jennings, General Manager
Report prepared by: Paul Godier, Senior Planner

RECOMMENDATION

That application PLN-24-0088 to develop and use the land at 77 Main Street, Cressy for Part Change of Use to Residential (Communal Residence), alterations & additions, be approved subject to the following conditions:

1 Layout not altered

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

- P1 Site Plan vF, Caliban Consulting, No. CRE1 DA00, 8 July 2024
- P2 Plan vF, Caliban Consulting, No. CRE2 DA01, 8 July 2024
- P3 N&S Elevations, Caliban Consulting, No. CRE2 SK02 vD, 14 August 2023
- P4 Elevations, Caliban Consulting, No. CRE2 SK03 vE, 19 August 2023
- D1 Woolcott Land Services 11 June 2024
- D2 Environmental Services & Design, Environmental Site Assessment 77-79 Main Street, Cressy, Final v2, 31/3/2024

2 Plans required

Prior to the issue of any approval under the *Building Act* 2016 or the commencement of work on the site (whichever occurs first):

- Design plans of the driveway and parking areas detailing how they will be drained to the public stormwater system must be submitted to the approval of the Council's General Manager. Once approved, the plans will be endorsed and will form part of this permit.
- Plans to the approval of the General Manager must be submitted showing at least 1 bicycle parking space on site with dimensions of not less than:
 - 1.7m in length;
 - 1.2m in height; and
 - 0.7m in width at the handlebars; and
 - Including a rail or hoop to lock a bicycle that satisfies *Australian Standard AS 2890.3-2015 Parking facilities Part 3: Bicycle parking*.
- Once approved, the plans will be endorsed and will form part of this permit.

3 Potentially contaminated land

Prior to the issue of any approval under the *Building Act* 2016 or the commencement of work on the site (whichever occurs first):

- The soil hotspot near the waste oil container (Bus Maintenance etc.) as identified in the endorsed document 'Environmental Site Assessment, 77-79 Main St, Cressy 7301, Project No: 7186, by Environmental Service & Design), must be excavated and stockpiled on site.
- The site of the soil hotspot near the waste oil container (Bus Maintenance etc.) as identified in the endorsed document 'Environmental Site Assessment, 77-79 Main St, Cressy 7301, Project No: 7186, by Environmental Service & Design) must be validated by a CEnvP(SC) (Certified Environmental Practitioner (Site Contamination) who must send a validation report to Council.
- All excavated soil must be stockpiled on site and a suitably qualified person must sample the soils and complete soil classification under Environment Protection Authority Tasmania Information Bulletin IB105 'Classification and Management of Contaminated Soil for Disposal' and the results provided to Council. Where soil does not meet Level 1 classification, the soil must not be removed from the site until approval has been gained for removal and disposal of contaminated soil to an approved landfill.



4 Prior to the issue of occupancy permit under the Building Act 2016 or the commencement or use (whichever occurs first):

- A sealed pedestrian path must be constructed from Main Street to the front of the building in accordance with the endorsed plans
- Baffled lighting must be installed along the path in accordance with the endorsed plans.
- The driveway must be constructed in accordance with the plans required by condition 2.

5 Car parking and bicycle parking

Prior to the issue of occupancy permit under the Building Act 2016 or the commencement or use (whichever occurs first):

- Areas set aside for car parking must be line marked or otherwise delineated in accordance with the endorsed plans.
- Bicycle parking must be installed in accordance with the endorsed plans.

6 TasWater conditions

- Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2023/01002-NMC) – Attached at Appendix A.

Note: In accordance with the Environmental Site Assessment, construction workers should wear protective clothing when they are in contact with soil.

1 INTRODUCTION

This report assesses an application to develop and use the land at 77 Main Street, Cressy for Part Change of Use to Residential (Communal Residence), alterations & additions, Potentially Contaminated Land Code, against the relevant provisions of the *Tasmanian Planning Scheme – Northern Midlands*, Version: 10 effective from 12th April 2024.

2 STATUTORY REQUIREMENTS

Council acts as a Planning Authority for the assessment of this application under the *Land Use Planning and Approvals Act 1993* (the Act). Council as the Planning Authority must determine the application for a permit pursuant to Section 51(2) of the Act and 6.10 of the *Tasmanian Planning Scheme – Northern Midlands* (the Scheme).

The proposal is an application pursuant to section 57 of the Act (i.e., a discretionary application). Determination of the application is a statutory obligation. In determining an application, the Planning Authority must take into consideration:

- all applicable standards and requirements in this planning scheme; and
- any representations received pursuant to and in conformity with section 57(5) of the Act.

When exercising their discretion, the Council as the Planning Authority must consider each matter only insofar as each such matter is relevant to the particular discretion being exercised.

Compliance with the applicable standards consists of complying with the Acceptable Solution or satisfying the Performance Criteria. Where an application satisfies the Acceptable Solution, the Performance Criteria does not need to be considered. An assessment of the applicable standards pertaining to this application is included in section 5 of this report.

The council as the Planning Authority are obliged to consider the views raised by the community during the public exhibition period. However, this does not mean that decisions made while acting as the planning authority can be swayed by community views or opinions. Decisions made by the Planning Authority must be based on whether a planning application is consistent with the Scheme.

Discretionary Aspects of the Application

- 14.4.2 Setback from a frontage for new building in Local Business Zone



- 14.4.3 Lighting of carpark and pathways
- C2.5.1 Reduce on-site car parking spaces by 1
- C14.0 Potentially Contaminated Land Code – C14.5.1 P1 – Suitability for intended use
- C14.0 Potentially Contaminated Land Code – C14.6.1 P1 – Excavation works

3 APPLICATION DETAILS AND TIMEFRAMES

Application Number:	PLN-24-0088
Address:	77 Main Street, Cressy
Existing use/development:	Former petrol station containing a garage, shed and carport
Applicant:	Woolcott Land Services
Use classification:	Residential (Communal Residence)
Zone:	Local Business Zone
Particular Purpose Zone/Specific Area Plan:	Cressy Specific Area Plan
Applicable codes:	2.0 Parking and Sustainable Transport Code 3.0 Road and Railway Asset Code C14.0 Potentially Contaminated Land Code
Application must be determined by:	23 August 2024
Recommendation:	Approval subject to conditions detailed in “recommendation” above.

4 SUBJECT SITE AND LOCALITY

The site is a former petrol station which contains a garage, shed and carport. It has recently been used to park and carry out mechanical work on buses. The site is in a Local Business zone. The property immediately to the north is also zoned Local Business and contains a residential use (single dwelling). The property immediately to the south is also zoned Local Business and contains a single dwelling. The land over Main Street is zoned Local Business and contains single dwellings. The land to the rear is zoned General Residential and is used for farming purposes.

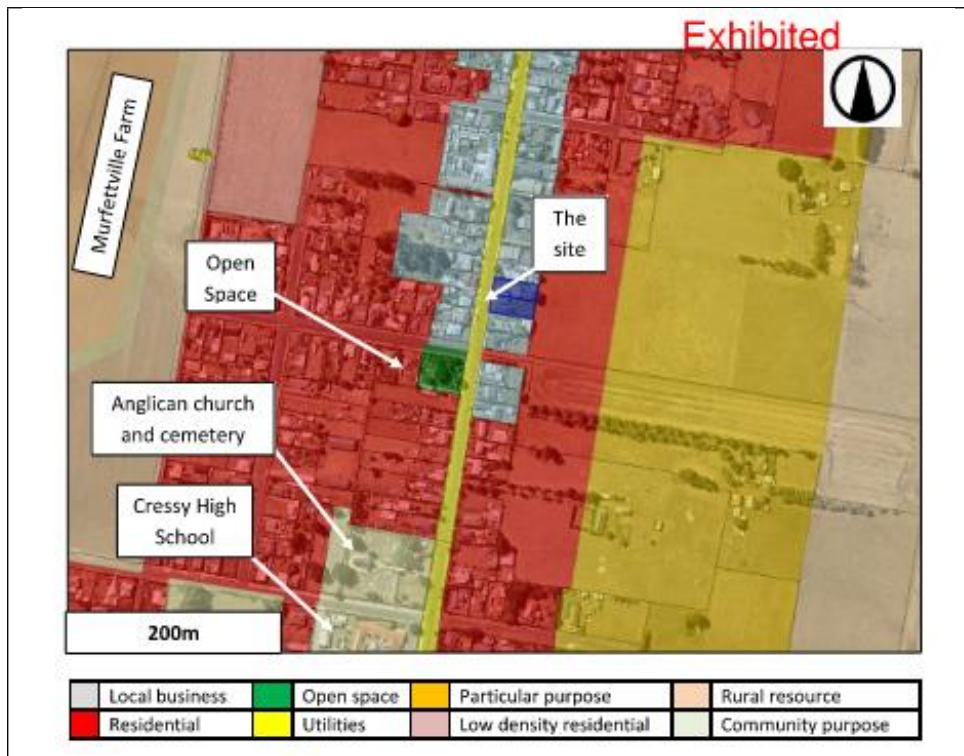
Subject site from Main Street



Aerial Photograph of Subject Site and Surrounding Area



Zone Map (Source: Environmental Site Assessment, ES&D, March 2024)



5 PLANNING SCHEME ASSESSMENT

This assessment has been made by a suitably qualified person and a professional recommendation has been provided for the Planning Authority to consider. The professional recommendation detailed further in this report considers (where relevant) previous decisions and case law of the Tasmanian Civil and Administrative Tribunal (TASCAT) and is an unbiased assessment of the applicable standards and the suitability of the proposed development.

GENERAL PROVISIONS		Applicable
7.1	Changes to an Existing Non-conforming Use	-



7.2	Development for Existing Discretionary Uses	-
7.3	Adjustment of a Boundary	-
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	-
7.5	Change of Use	-
7.6	Access and Provision of Infrastructure Across Land in Another Zone	-
7.7	Buildings Projecting onto Land in a Different Zone	-
7.9	Demolition	-
7.10	Development Not Required to be Categorised into a Use Class	-
7.11	Use or Development Seward of the Municipal District	-
7.12	Sheds on Vacant Sites	-
7.13	Temporary Housing	-

CODE	Applicable	Exemption Applied
C1.0	Signs Code	-
C2.0	Parking and Sustainable Transport Code	Y
C3.0	Road and Railway Asset Code	Y
C4.0	Electricity Transmission Infrastructure Protection Code	-
C5.0	Telecommunications Code	-
C6.0	Local Historic Heritage Code	-
C7.0	Natural Assets Code	-
C8.0	Scenic Protection Code	-
C9.0	Attenuation Code	-
C10.0	Coastal Erosion Hazard Code	-
C11.0	Coastal Inundation Hazard Code	-
C12.0	Flood-Prone Areas Hazard Code	-
C13.0	Bushfire Prone Areas Code	-
C14.0	Potentially Contaminated Land Code	Y
C15.0	Landslip Hazard Code	-
C16.0	Safeguarding of Airports Code	Y
		16.4.1

PARTICULAR PURPOSE ZONES	Applicable
NOR-P1.0 Particular Purpose Zone – Campbell Town Service Station	-
NOR-P2.0 Particular Purpose Zone – Epping Forest	-

SPECIFIC AREA PLANS	Applicable
NOR-S1.0 TRANSLink Specific Area Plan	-
NOR-S2.0 Campbell Town Specific Area Plan	-
NOR-S3.0 Cressy Specific Area Plan	Y but no applicable criteria for the Local Business Zone
NOR-S4.0 Devon Hills Specific Area Plan	-
NOR-S5.0 Evandale Specific Area Plan	-
NOR-S6.0 Longford Specific Area Plan	-
NOR-S7.0 Perth Specific Area Plan	-
NOR-S8.0 Ross Specific Area Plan	-

The relevant Scheme definitions are:

Table 6.2 Use Class



Residential	Use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, <u>communal residence</u> , home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.
Table 3.1 Planning Terms and Definitions	
Communal residence	Means a means use of land for a building to accommodate persons who are unrelated to one another and who share some parts of the building such as a boarding house, residential college and residential care facility.
Outbuilding	Means a non-habitable detached building of Class 10a of the <i>Building Code of Australia</i> and includes a garage, carport or shed.
Building	Means as defined in the Act: <i>building includes –</i> (a) <i>a structure and part of a building or structure; and</i> (b) <i>fences, walls, out-buildings, service installations and other appurtenances of a building; and</i> (c) <i>a boat or a pontoon which is permanently moored or fixed to land;</i>
Development	Means as defined in the Act: <i>development includes –</i> (a) <i>the construction, exterior alteration or exterior decoration of a building; and</i> (b) <i>the demolition or removal of a building or works; and</i> (c) <i>the construction or carrying out of works; and</i> (d) <i>the subdivision or consolidation of land, including buildings or airspace; and</i> (e) <i>the placing or relocation of a building or works on land; and</i> (f) <i>the construction or putting up for display of signs or hoardings –</i> <i>but does not include any development of a class or description, including a class or description mentioned in paragraphs (a) to (f) , prescribed by the regulations for the purposes of this definition;</i>
Works	Means as defined in the Act: <i>works includes any change to the natural or existing condition or topography of land including the removal, destruction or lopping of trees and the removal of vegetation or topsoil, but does not include forest practices, as defined in the Forest Practices Act 1985 , carried out in State forests.</i>

Per the applicable zone use class table, the proposed use Residential (Communal Residence) is Permitted. Clause 6.10.2 states that consideration of the purpose of the zone, local area objectives, code, specific area plan and/or site-specific qualification is only required when determining an application for a Discretionary use.

5.1 STATE PLANNING PROVISIONS – ZONE PROVISIONS

ASSESSMENT OF LOCAL BUSINESS ZONE PROVISIONS

Zone Purpose

Assessment against the zone purpose is only required when the use is discretionary (per 6.10.2) or there is no use class assigned to a development (per 7.10.3). The proposed use is Permitted per the use table.

14.2 Use Table (extract)

Use Class	Qualification
Permitted	
Residential	If: (a) located above ground floor level excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not listed as No Permit Required.

Assessing officer's comments: The proposed communal residence is located to the rear of an existing commercial building on the site and is therefore a Permitted use.



14.3 Use Standards

14.3.1 All Uses		
Description	Assessment	
A1 Hours of Operation	Does not apply to a Residential use.	
A2 External lighting	Does not apply to a Residential use.	
A3 Commercial vehicle movements and the unloading and loading of commercial vehicles	Does not apply to a Residential use.	
14.3.2 Discretionary Uses		
Description	Assessment	
A1 No Acceptable Solution	Does not apply as the use is Permitted.	
A2 No Acceptable Solution	Does not apply as the use is Permitted.	
14.3.3 Retail Impact		
Description	Assessment	
A1 Gross floor area of Bulky Goods Sales and General Retail and Hire uses	Not applicable to a Residential use.	
14.4 Development Standards for Buildings and Works		
Clause	Description	Assessment
14.4.1	Building height	A1 Complies – height is less than 9m.
14.4.2	Setbacks	A1 See assessment below.
		A2 Complies – setback is more than 4m from a Residential Zone.
		A3 Complies – no air extraction, pumping, refrigeration systems or compressors within 10m of a Residential Zone.
14.4.3	Design	A1 Complies. New buildings are designed to satisfy: (a) mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places; (b) roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof; (c) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; and (d) provide external lighting to illuminate external vehicle parking areas and pathways.
		A2 Complies. New buildings are designed to provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site.
14.4.4	Fencing	A1 No fencing proposed.
		A2 No fencing proposed.
14.4.5	Outdoor storage areas	A1 No outdoor storage proposed.
14.4.6	Dwellings	A1 Not applicable – not a dwelling.
		A2 Not applicable – not a dwelling.

From the table above, where the acceptable solution has not been met, the performance criteria is addressed below.

DISCRETIONS	
14.4.2	Setbacks
P1	Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to: a) providing small variations in building alignment to break up long building façades; b) providing variations in building alignment to provide a forecourt space for public use, such as outdoor dining or landscaping; c) the avoidance of concealment spaces; d) the ability to achieve passive surveillance; and



DISCRETIONS	
	e) the availability of lighting.
Assessing Officers Comments	The new building, between two existing buildings, has a door that is visible from the street, with baffled bollard lighting on the pathway from the street to the door. The proposal complies with the performance criteria.
14.4.3 Design	
P1	New buildings must be designed to be compatible with the streetscape having regard to providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.
Assessing Officers Comments	The site is relatively level and it is expected that the carpark and path to the side door will gain light from the adjacent rooms. The car parking is at the rear of the building in a secure location. It is considered that the performance criteria is complied with.

5.2 LOCAL PLANNING PROVISIONS – PARTICULAR PURPOSE PROVISIONS / SPECIFIC AREA PLAN PROVISIONS

Though mapped within the Cressy SAP there are no provisions applicable to the site or the local business zone.

5.3 STATE PLANNING PROVISIONS – CODE PROVISIONS

C2.0 PARKING AND SUSTAINABLE TRANSPORT CODE

Code Purpose

Assessment against the code purpose is only required when the use is discretionary (per 6.10.2) or there is no use class assigned to a development (per 7.10.3). The proposed use is permitted per the use table.

C2.5 Use Standards		
Clause	Description	Assessment
C2.5.1	Car Parking Numbers (Refer to table C2.1)	A1 1 space per bedroom + 1 visitor space for every visitor space (rounded up to the nearest whole). 5 Spaces required, 4 proposed. Relies on performance criteria.
C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 1 space per 5 bedrooms. The 1 bicycle parking space is available on site.
C2.5.3	Motorcycle parking numbers (Refer to table C2.4)	A1 None required by Table C2.4.
C2.5.4	Loading Bays	A1 Not applicable to Communal Residence.
C2.5.5	Number of car parking spaces within the GenRes Zone	A1 Not applicable, Local Business zone.
C2.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C2.6.1	Construction of parking areas	A1 Complies. Spray sealed driveway proposed. Condition required for drainage to public stormwater system.
C2.6.2	Design and layout of parking areas	A1.1 Complies with required gradient, vehicles entering and leaving in a forward direction, with of access at least 3m, and parking dimensions of 2.7m x 5.4m Condition required for linemarking of spaces.
		A1.2 Complies.
C2.6.3	Number of accesses for vehicles	A1 Complies – two existing access, no change
		A2 Not applicable. Site not within the Central Business Zone or a pedestrian priority street.
C2.6.4	Lighting of parking areas within the GenBus and CentABus zone	A1 Not applicable. Site not within the General Business Zone or Central Business Zone.
C2.6.5	Pedestrian Access	A1.1 Not applicable. Less than 10 parking spaces required.
		A1.2 Not applicable. No accessible car parking spaces proposed.
C2.6.6	Loading Bays	A1 Not applicable. No loading bays proposed/required.



		A2 Not applicable. No loading bays proposed/required.
C2.6.7	Bicycle parking and storage facilities within the GenBus and CentBus zone	A1 Not applicable. Site not within the General Business Zone or Central Business Zone. A2 Not applicable. Site not within the General Business Zone or Central Business Zone.
C2.6.8	Siting of parking and turning areas	A1 Complies. Parking spaces and vehicle turning areas are located behind the building line of the existing buildings. A2 Not applicable. Not within the Central Business Zone.
C2.7 Parking Precinct Plan		
Clause	Description	Assessment
C2.7.1	Parking precinct plan	A1 Not applicable. Not within a parking precinct plan.

From the table above, where the acceptable solution has not been met, the performance criteria is addressed below.

DISCRETIONS	
C2.5.1	Car parking numbers
P1.1	<p>The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> a) the availability of off-street public car parking spaces within reasonable walking distance of the site; b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> (i) variations in car parking demand over time; or (ii) efficiencies gained by consolidation of car parking spaces; c) the availability and frequency of public transport within reasonable walking distance of the site; d) the availability and frequency of other transport alternatives; e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; g) the effect on streetscape; and h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.
Assessing Officers Comments	5 on-site carparking spaces are required (4 resident and 1 visitor). 4 are proposed. The reduction of 1 onsite parking space is considered to comply with the performance criteria due to on street parking being available outside the subject site, and the loss of open space if the additional parking space was provided on site.

C3.0 ROAD AND RAILWAY ASSET CODE

Code Purpose

Assessment against the code purpose is only required when the use is discretionary (per 6.10.2) or there is no use class assigned to a development (per 7.10.3). The proposed use is Permitted per the use table.

C3.5 Use Standards		
Clause	Description	Assessment
C3.5.1	Traffic generation at a vehicle crossing, level crossing or new junction.	A1.1 Not applicable. A1.2 Not applicable. A1.3 Not applicable. A1.4 Complies. Less than 40vm/d A1.5 Not applicable – not a Major Road (Category 1, 2, or 3)
C3.6 Development Standards for Buildings and Works		
Clause	Description	Assessment



C3.6.1	Habitable buildings for sensitive uses within a road or railway attenuation area.	A1 Not applicable. Main Street, Cressy is a Category 4 road.
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C14.0 POTENTIALLY CONTAMINATED LAND

Code Purpose

Assessment against the code purpose is only required when the use is discretionary (per 6.10.2) or there is no use class assigned to a development (per 7.10.3). The proposed use is Permitted per the use table.

C14.5 Use Standards		
Clause	Description	Assessment
C14.5.1	Suitability for intended use	A1 Relies on Performance Criteria. See assessment below.
C14.6 Development Standards for Building and Works		
Clause	Description	Assessment
C14.6.1	Excavation works, excluding land subject to the <i>Macquarie Point Development Corporation Act 2012</i>	A1 Relies on Performance Criteria. See assessment below.
C14.6.2	Redevelopment on land subject to the <i>Macquarie Point Development Corporation Act 2012</i>	A1 Not applicable.
C14.5 Development Standards for Subdivision		
Clause	Description	Assessment
C14.7.1	Subdivision for sensitive use	Not applicable.

From the table above, where the acceptable solution has not been met, the performance criteria is addressed below.

DISCRETIONS	
C14.5.1	Suitability for intended use
P1	<p>Land is suitable for the intended use, having regard to:</p> <ul style="list-style-type: none"> a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or c) an environmental site assessment that includes a plan, to manage contamination and associated risk to human health or the environment that includes: <ul style="list-style-type: none"> i. any specific remediation and protection measures required to be implemented before any use commences; and ii. a statement that the land will be suitable for the intended use.
Assessing Officers Comments	<p>The application provided an Environmental Site Assessment from Environmental Services & Design (ES&D), March 2024. ES&D has completed an assessment of the land, and the assessment has found that the land use at the site and surrounds is unlikely to have caused the land to be contaminated, and the risk during development to subsurface workers and future site users is low and acceptable. The soil hotspot near the waste oil container, (Bus Maintenance etc) will be removed and the site validated before construction can occur. A CEnvP(SC) will send a validation report to Council prior to construction is given. All excavated soil must be stockpiled onsite and a suitably qualified person must sample soils and complete soil classification under EPA Tasmania IB105. Where soil does not meet Level 1 classification, approval must be sought for removal and disposal of contaminated soil to an approved landfill.</p>
C14.6.1	Excavation works, excluding land subject to the <i>Macquarie Point Development Corporation Act 2012</i>
P1	Excavation, excluding on land subject to the <i>Macquarie Point Development Corporation Act 2012</i> , must not have an adverse impact on human health or the environment, having regard to:



DISCRETIONS	
	<ul style="list-style-type: none"> a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or c) an environmental site assessment, including a plan to manage contamination and associated risk to human health and the environment, that includes: <ul style="list-style-type: none"> i. any specific remediation and protection measures required to be implemented before excavation commences; and ii. a statement that the excavation does not adversely impact on human health or the environment.
Assessing Officers Comments	<p>The application provided an Environmental Site Assessment from Environmental Services & Design (ES&D), March 2024. The assessment reveals that the development area is not likely to be contaminated with low risk to human health and the environment and therefore, the site is suitable for development and future land use. However, as a precaution construction workers should wear protective clothing when they are in contact with soil. The soil hotspot near the waste oil container, (Bus Maintenance etc) will be removed and the site validated before construction can occur. A CEnvP(SC) will send a validation report to Council prior to construction is given. All excavated soil must be stockpiled onsite and a suitably qualified person must sample soils and complete soil classification under EPA Tasmania IB105. Where soil does not meet Level 1 classification, approval must be sought for removal and disposal of contaminated soil to an approved landfill.</p>

5.4 REFERRALS

TasWater
TasWater issued a Submission to Planning Authority Notice on 13 June 2024 (TasWater Ref: TWDA 2024/00697-NMC). The Planning Permit will condition the development to be in accordance with the Submission to Planning Authority Notice.
TasNetworks
TasNetworks reported that the development is not likely to affect TasNetworks' operations.

5.5 REPRESENTATIONS

Notice of the application was given in accordance with Section 57 of the Act. A review of Council's Records management system after completion of the public exhibition period revealed that one (1) representation was received.

The Planning Authority has been provided with a copy of the representation(s) for their consideration in accordance with clause 6.10 of the Scheme. A copy of the representation(s) has not been included as an attachment to this report as the *Land Use Planning and Approvals Act 1993* does not require that representations be published as part of the Council agenda. Furthermore, legislation, including the *Personal Information Protection Act 2004*, limits the way in which representations can be published.

A summary of the matters raised in the representations are outlined below followed by the planner's comments.

Issue	The application for communal accommodation for 16 people is not appropriate for a residential area. The accommodation is specifically for seasonal workers employed by the berry farms in the area. This location is not suitable, the housing should be on the berry farms, close to the work.
Assessing Officers Comments	The subject site is in the Local Business zone. The use for communal residence is Permitted in the Local Business zone.
Issue	Loss of amenity from vehicle noise.
Assessing Officers Comments	There are no provisions in the planning scheme that regulate noise between properties in the Local Business Zone.



Issue	Loss of amenity due to noise from the open-air deck which is to be positioned between the renovated building and the existing building
Assessing Officers Comments	The open air deck is to be set back 4.8m from the adjacent property which contains a single dwelling but is in the Local Business zone. If the adjacent property was in a Residential zone, the required setback would be 4m. The proposal complies with the setback requirements of the zone.
Issue	We also question whether the existing town infrastructure is adequate to cope with the increased amount of sewer and grey water.
Assessing Officers Comments	The application was referred to TasWater and TasWater did not object to the application.
Issue	Questions whether the stated construction cost of \$70,000 is adequate to fully carry-out the works need to convert the corrugated shed into suitable accommodation that meets health and safety standards.
Assessing Officers Comments	The estimated cost of the project is used to determine the planning application fees. A more accurate value of work is provided with the application for building works based on contract price. If this varies from the estimate given with the planning application, additional fees are charged if required by Council's fee schedule.
Issue	The re-development of 77 Main Street would not be of benefit to the progression and expansion of Cressy, our businesses or community facilities.
Assessing Officers Comments	The application must be assessed against the provisions of the planning scheme which places the subject site on the Local Business zone. The proposal is a Permitted use in the Local Business zone. The discretionary aspects of the application have been assessed in this report and found to be compliant.

5.6 OBJECTIVES OF THE LAND USE PLANNING AND APPROVALS ACT 1993

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

5.7 STATE POLICIES

The proposal is consistent with all State Policies.

5.8 STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan - Statutory Planning

6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

7 OPTIONS

Approval of the application subject to conditions, or refusal with reasons for refusal detailed.

When deciding whether to include conditions in a permit, the planning authority may consider:

- a) all applicable standards and requirements in this planning scheme; and
- b) any representations received pursuant to and in conformity with section 57(5) of the Act, but only insofar as each such matter is relevant to the **particular discretion** being exercised.

In accordance with 6.11.2 of the Scheme, conditions and restrictions imposed by the planning authority on a permit may include:

- a) requirements that specific acts be done to the satisfaction of the planning authority;
- b) staging of a use or development, including timetables for commencing and completing stages;
- c) the order in which parts of the use or development can be commenced;
- d) limitations on the life of the permit;
- e) requirements to modify the development in accordance with predetermined triggers, criteria or events;



- f) construction or traffic management; and
- g) erosion, and stormwater volume and quality controls.

The test for determining the validity of a condition imposed on a permit was originally considered in *Newbury District Council v Secretary of State for the Environment [1981] AC 578* and subsequently affirmed by the High Court in *Western Australian Planning Commission v Temwood Holdings Pty Ltd (2004) 221 CLR 30, [57] (McHugh J)*.

The proposed conditions of approval at the beginning of this report have been drafted based on the above principles in that they:

- (i) are for a planning purpose and not for an ulterior purpose; and
- (ii) fairly and reasonably relate to the proposed development; and
- (iii) are not so unreasonable that no reasonable planning authority could have imposed them.

8 ATTACHMENTS

1. PL N-24-0088 public exhibition documents [11.2.1 - 56 pages]
2. SPAN PL N 24-0088 TWDA 2024-00697- NMC [11.2.2 - 2 pages]



11.3 PLN-24-0063: PROVIDE FOOD SERVICES AS AN ADDITIONAL USE WITH ASSOCIATED SIGNAGE AT 28 CHURCH STREET ROSS

File: 400600.112
Responsible Officer: Des Jennings, General Manager
Report prepared by: Brandie Strickland, Statutory Planner

RECOMMENDATION

That application PLN-24-0063 to develop and use the land at 28 Church Street, Ross to provide for an additional use (food services) with associated signage be approved subject to the following conditions:

1 Layout not altered

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

- P1 Floor plan prepared by the applicant
- P2 Signage graphic prepared by the applicant
- P3 Front façade with proposed signage superimposed prepared by the applicant*
- D1 Traffic Impact Assessment by Traffic & Civil Services dated 10th July 2024

* Excluding the pole sign shown.

2 TasWater conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2024/00839-NMC).

1 INTRODUCTION

This report assesses an application to allow an additional use (food services) to operate in conjunction with the existing approved use (general retail and hire) at 28 Church Street, Ross against the relevant provisions of the *Tasmanian Planning Scheme – Northern Midlands*, Version: 10 effective from 12th April 2024. The application also proposes the rebranding of existing signage to reflect the new tenancy along with the installation of an additional sign along the building fascia.



In the advertised documents an image of the front of the building was included that showed the proposed signage associated with the application. Within the image a sign was shown on the pole within the road reserve as identified in the image below. The applicant was advised that this sign was not permitted and agreed that the pole sign would not form part of the application. The image, however, was not amended prior to public exhibition of the documentation. This report does not consider the pole sign as part of the proposal and the recommendation for approval further enforces this.

2 STATUTORY REQUIREMENTS

Council acts as a Planning Authority for the assessment of this application under the *Land Use Planning and Approvals Act 1993* (the Act). Council as the Planning Authority must determine the application for a permit pursuant to Section 51(2) of the Act and 6.10 of the *Tasmanian Planning Scheme – Northern Midlands* (the Scheme).



The proposal is an application pursuant to section 57 of the Act (i.e., a discretionary application). Determination of the application is a statutory obligation. In determining an application, the Planning Authority must take into consideration:

- all applicable standards and requirements in this planning scheme; and
- any representations received pursuant to and in conformity with section 57(5) of the Act.

When exercising their discretion, the Council as the Planning Authority must consider each matter only insofar as each such matter is relevant to the particular discretion being exercised.

Compliance with the applicable standards consists of complying with the Acceptable Solution or satisfying the Performance Criteria. Where an application satisfies the Acceptable Solution, the Performance Criteria does not need to be considered. An assessment of the applicable standards pertaining to this application is included in section 5 of this report.

The council as the Planning Authority are obliged to consider the views raised by the community during the public exhibition period. However, this does not mean that decisions made while acting as the planning authority can be swayed by community views or opinions. Decisions made by the Planning Authority must be based on whether a planning application is consistent with the Scheme.

Discretionary Aspects of the Application

- Signage within a local heritage precinct - performance criteria met, and discretion supported as discussed in Section 5.3
- Parking numbers – performance criteria met, and discretion supported as discussed in Section 5.3
- Bicycle parking numbers - performance criteria met, and discretion supported as discussed in Section 5.3

3 APPLICATION DETAILS AND TIMEFRAMES

Application Number:	PLN-24-0063
Address:	28 Church Street, Ross
Existing use/development:	Existing building with approved general retail and hire use
Applicant:	Ms Kylie Ashman
Use classification:	Food services
Zone:	Local Business
Particular Purpose Zone/Specific Area Plan:	Ross Specific Area Plan
Applicable codes:	1.0 Signs Code 2.0 Parking and Sustainable Transport Code 3.0 Road and Railway Asset Code 6.0 Local Historic Heritage Code 16.0 Safeguarding of Airports Code
Application must be determined by:	28 August 2024
Recommendation:	Approval subject to conditions detailed in “recommendation” above.



4 SUBJECT SITE AND LOCALITY

Subject site



Zone Map

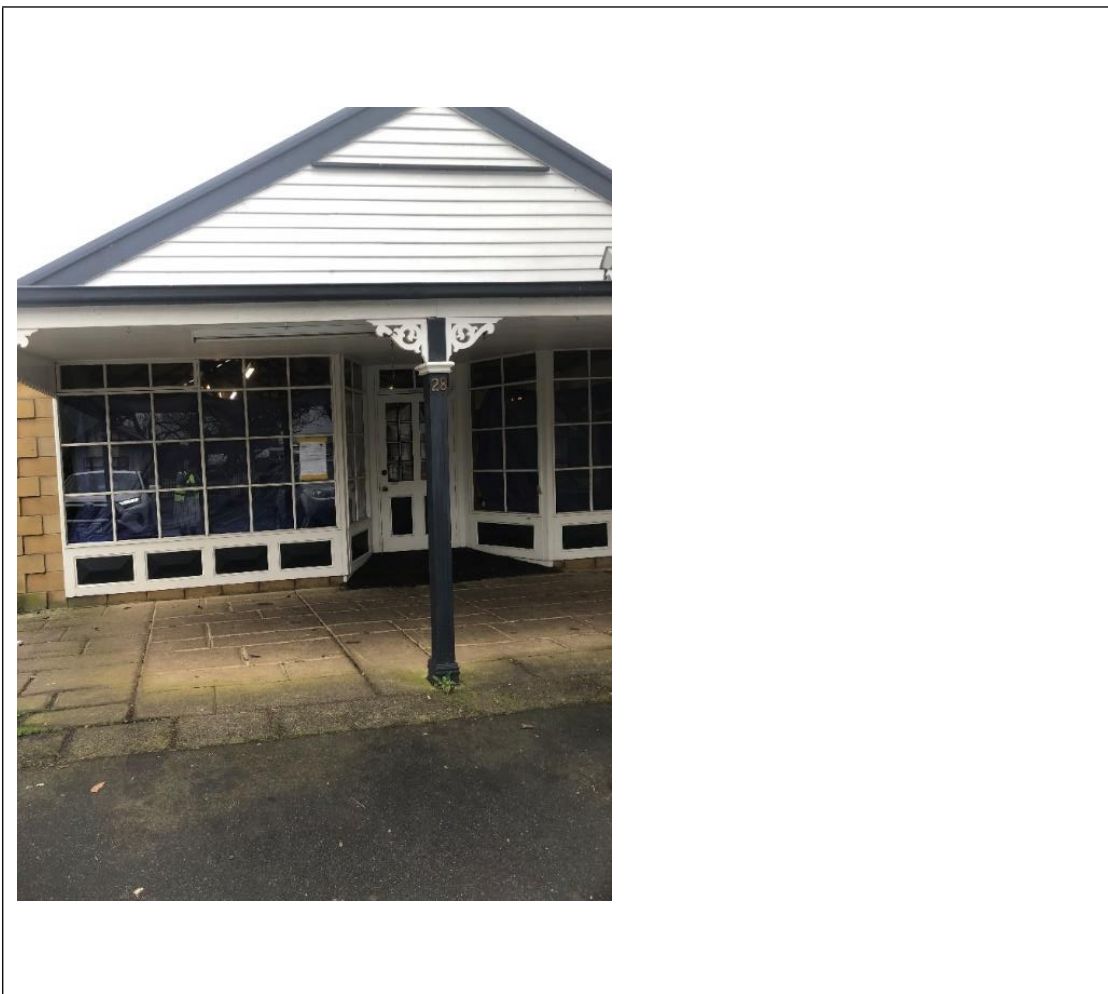




Aerial image of the site and surrounding area



Photographs of subject site





5 PLANNING SCHEME ASSESSMENT

This assessment has been made by a suitably qualified person and a professional recommendation has been provided for the Planning Authority to consider. The professional recommendation detailed further in this report considers (where relevant) previous decisions and case law of the Tasmanian Civil and Administrative Tribunal (TASCAT) and is an unbiased assessment of the applicable standards and the suitability of the proposed development.

GENERAL PROVISIONS		Applicable
7.1	Changes to an Existing Non-conforming Use	-
7.2	Development for Existing Discretionary Uses	-
7.3	Adjustment of a Boundary	-
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	-
7.5	Change of Use	-
7.6	Access and Provision of Infrastructure Across Land in Another Zone	-
7.7	Buildings Projecting onto Land in a Different Zone	-
7.9	Demolition	-
7.10	Development Not Required to be Categorised into a Use Class	-
7.11	Use or Development Seward of the Municipal District	-
7.12	Sheds on Vacant Sites	-
7.13	Temporary Housing	-

CODE	Applicable	Exemption Applied
C1.0 Signs Code	X	C1.6.1 & C1.4.3
C2.0 Parking and Sustainable Transport Code	X	-
C3.0 Road and Railway Asset Code	-	With no parking provisions on site there will be no additional traffic movements to/from the existing junction. Therefore, despite the use generating more movements, none will occur on-site.
C4.0 Electricity Transmission Infrastructure Protection Code	-	
C5.0 Telecommunications Code	-	
C6.0 Local Historic Heritage Code	X	No exemption, but no assessable criteria for signs.
C7.0 Natural Assets Code	-	



CODE	Applicable	Exemption Applied
C8.0 Scenic Protection Code	-	
C9.0 Attenuation Code	-	
C10.0 Coastal Erosion Hazard Code	-	
C11.0 Coastal Inundation Hazard Code	-	
C12.0 Flood-Prone Areas Hazard Code	-	
C13.0 Bushfire Prone Areas Code	-	
C14.0 Potentially Contaminated Land Code	-	
C15.0 Landslip Hazard Code	-	
C16.0 Safeguarding of Airports Code	X	16.4.1

PARTICULAR PURPOSE ZONES	Applicable
NOR-P1.0 Particular Purpose Zone – Campbell Town Service Station	-
NOR-P2.0 Particular Purpose Zone – Epping Forest	-

SPECIFIC AREA PLANS	Applicable
NOR-S1.0 TRANSlink Specific Area Plan	-
NOR-S2.0 Campbell Town Specific Area Plan	-
NOR-S3.0 Cressy Specific Area Plan	-
NOR-S4.0 Devon Hills Specific Area Plan	-
NOR-S5.0 Evandale Specific Area Plan	-
NOR-S6.0 Longford Specific Area Plan	-
NOR-S7.0 Perth Specific Area Plan	-
NOR-S8.0 Ross Specific Area Plan	Y

The relevant Scheme definitions are:

Table 6.2 Use Class	
Food Services (proposed use)	use of land for selling food or drink, which may be prepared on the premises, for consumption on or off the premises. Examples include a cafe, restaurant and take away food premises.
General Retail and Hire (existing use)	use of land for selling goods or services, or hiring goods. Examples include an adult sex product shop, amusement parlour, beauty salon, betting agency, bottle shop, cellar door sales, commercial art gallery, department store, hairdresser, market, primary produce sales, local shop, shop, shop front dry cleaner and supermarket.

Per the applicable zone use class table, the proposed use (food services) is No Permit Required. Clause 6.10.2 states that consideration of the purpose of the zone, local area objectives, code, specific area plan and/or site-specific qualification is only required when determining an application for a Discretionary use.

5.1 STATE PLANNING PROVISIONS – ZONE PROVISIONS

ASSESSMENT OF LOCAL BUSINESS ZONE PROVISIONS

Zone Purpose

Assessment against the zone purpose is only required when the use is discretionary (per 6.10.2) or there is no use class assigned to a development (per 7.10.3). The proposed use is No Permit Required per the use table.

14.3 Use Standards

14.3.1 All Uses
The provisions are not applicable as the criteria only applies if the site is within 50m of a residential zone.

14.3.2 Discretionary Uses
The provisions are not applicable as the criteria only applies if the use is discretionary. The proposed use is no permit required per the use class table 14.2.
14.3.3 Retail Impact
The provision is not applicable as the proposed use is food services, not general retail and hire (already approved) or bulky goods sales.
14.4 Development Standards for Buildings and Works
The provisions are not applicable as no 'buildings' are proposed, and the relevant criteria is not applicable to works.

5.2 LOCAL PLANNING PROVISIONS – PARTICULAR PURPOSE PROVISIONS / SPECIFIC AREA PLAN PROVISIONS

The subject site is within the Ross Specific Area Plan (SAP). However, there are no provisions within the SAP which apply to the proposed use, a change of use, or the signage development proposed.

5.3 STATE PLANNING PROVISIONS – CODE PROVISIONS



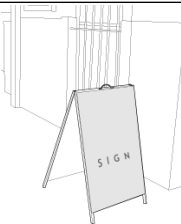
C1.0 SIGNS CODE

Code Purpose

Assessment against the code purpose is only required when the use is discretionary (per 6.10.2) or there is no use class assigned to a development (per 7.10.3). The proposed use is No Permit Required per the use table.

The code requires that each sign be categorized into one of the defined sign types described in table C1.3. Where a sign does not readily fit one of the definitions it must be categorized into the most similar sign type. The three sign types proposed readily fit into the defined categories identified below.

The relevant signage code definitions are:

Table C1.3 – Sign Type Definitions		
below awning sign		means a sign attached to and suspended below an awning, verandah, ceiling or similar.
building fascia sign		means a sign attached to the fascia of a building.
portable sign		means a sign not permanently attached to the ground or to a building or other structure, and is removed on a daily basis

The proposed sign types are:



Figure 1 Proposed sign types. Note the third sign type (portable sign) is not shown.

A third sign type is also proposed, but the 'portable sign' is not shown in the image (left). As a sign type listed in Table C1.4 the sign is therefore exempt from further assessment under this code.

Sign type 2 shown in the image left is an approved 'below awning sign' which is merely to undergo a change to the graphics. The sign dimensions portions and locations are not proposed to change and thus the three below awning signs shown qualify for exemption C1.4.3 and do not require further assessment under this code.

Sign type 1 shown in Figure 1 is the only sign which is both new and not exempt. It requires assessment under the code provisions and assessment of the proposed sign is as follows.

C1.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C1.6.1	Design and siting of signs	<p>A1 The proposed sign meets the acceptable solution in that:</p> <ul style="list-style-type: none"> a) it is located within a listed zone for the sign type as set out in Table C1.6 and b) it meets the sign standards for the relevant sign type set out in Table C1.6: <ul style="list-style-type: none"> a. it does not project above or below the fascia of the building; b. does not exceed two thirds the depth of the fascia and is proposed to be 1m in vertical dimension; and c. it will not project more than 200mm from the vertical face of the fascia. <p>A2 Not applicable as the site is not within the listed zones.</p> <p>A3 Acceptable solution met, the number of signs on a road frontage is not more than 1 of each sign type. Only 1 building fascia sign proposed.</p>
C1.6.2	Illuminated signs	Not applicable, the proposed sign is not to be illuminated.
C1.6.3	Third party signs	Not applicable, the proposed sign is not a third party sign.
C1.6.4	Signs on local heritage places and in local heritage precincts and local historic landscape precincts	The building fascia sign is located within the local heritage precinct and is more than 0.2m ² , is not illuminated but there is more than 1 sign on the site. Therefore, the performance criteria is relied upon.

From the table above, where the acceptable solution has not been met, the performance criteria is addressed below.

DISCRETIONS	
C1.6.4	Signs on local heritage places and in local heritage precincts and local historic landscape precincts
P1	<p>A sign located on a site that is a local heritage place, in a local heritage precinct or local historic landscape precinct listed under the Local Historic Heritage Code must be located in a manner that does not have an unacceptable impact on the local heritage significance of the place or precinct, having regard to:</p> <ul style="list-style-type: none"> a) placement to allow the architectural details of the building to remain prominent; b) the size and design not substantially diminishing the local historic heritage significance of the place or precinct; c) where relevant, placement in a location on the building that would traditionally have been used as an advertising area; d) any domination or obscuring of any historic signs forming an integral part of a building's architectural detailing or local historic heritage significance;



DISCRETIONS

	<ul style="list-style-type: none"> e) using fixtures that do not and are not likely to damage building fabric; f) not projecting above a parapet or roof line if such a projection impacts on the local historic heritage significance of the building; and g) not using internal illumination in a sign on a local heritage place unless it is demonstrated that such illumination will not detract from the local historic heritage significance of the place or precinct.
Assessing Officers Comments	The proposed building fascia sign is located within the local heritage precinct but is located in a manner that that does not have an unacceptable impact on the local heritage significance of the precinct as determined by heritage advisor David Denman. Mr Denman has reviewed the proposed fascia sign and in his professional opinion: "the proposed location, size and style of signage on the building is considered acceptable." The proposal therefore satisfies the performance criteria having regard to a) through g) of the criteria.

C2.0 PARKING AND SUSTAINABLE TRANSPORT CODE

Code Purpose

Assessment against the code purpose is only required when the use is discretionary (per 6.10.2) or there is no use class assigned to a development (per 7.10.3). The proposed use is No Permit Required per the use table.

C2.5 Use Standards

Clause	Description	Assessment
C2.5.1	Car Parking Numbers (Refer to table C2.1)	A1 As the building occupies the majority of the site within the strata lot boundary, there is no provision on site for the additional 8 parking spaces required. Therefore the performance criteria is relied upon.
C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 Table C2.1 requires 1 bicycle parking space be provided per 75m ² . No bicycle parking spaces are proposed on site.
C2.5.3	Motorcycle parking numbers (Refer to table C2.4)	A1 With less than 20 parking spaces required, no motorcycle parking spaces are required per Table C2.4
C2.5.4	Loading Bays	A1 With a total floor area less than 1000m ² there is no requirement for loading bays.
C2.5.5	Number of car parking spaces within the GenRes Zone	A1 Not applicable – the site is not within the general residential zone.

C2.6 Development Standards for Buildings and Works

Clause	Description	Assessment
C2.6.1	Construction of parking areas	A1 Not applicable – no parking provisions are proposed.
C2.6.2	Design and layout of parking areas	A1.1 Not applicable – no parking provisions are proposed.
		A1.2 Not applicable – no parking provisions are proposed.
C2.6.3	Number of accesses for vehicles	A1 The number of vehicle accesses to the site is one which serves the strata lot to the rear (west). No change is proposed.
		A2 Not applicable – site not within the central business zone.
C2.6.4	Lighting of parking areas within the General Business and Central Business zone	A1 Not applicable – site not within the general or central business zones.
C2.6.5	Pedestrian Access	A1.1 Not applicable – the use requires less than 10 parking spaces
		A1.2 Not applicable – no on-site parking
C2.6.6	Loading Bays	A1 Not applicable – no loading bays required/proposed
		A2 Not applicable – no loading bays required/proposed
C2.6.7	Bicycle parking and storage facilities within the GenBus and CentBus zone	A1 Not applicable – site not within the general or central business zones.
		A2 Not applicable – site not within the general or central business zones.



C2.6.8	Siting of parking and turning areas	A1 Not applicable – no parking areas or turning areas
		A2 Not applicable – site not within the central business zone.
C2.7 Parking Precinct Plan		
Clause	Description	Assessment
C2.7.1	Parking precinct plan	A1 Not applicable

From the table above, where the acceptable solution has not been met, the performance criteria is addressed below.

DISCRETIONS	
C2.5.1	Car parking numbers
P1.1	<p>The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <ol style="list-style-type: none"> a) the availability of off-street public car parking spaces within reasonable walking distance of the site; b) the ability of multiple users to share spaces because of: <ol style="list-style-type: none"> (i) variations in car parking demand over time; or (ii) efficiencies gained by consolidation of car parking spaces; c) the availability and frequency of public transport within reasonable walking distance of the site; d) the availability and frequency of other transport alternatives; e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; g) the effect on streetscape; and h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.
Assessing Officers Comments	<p>Table C2.1 details that with a floor area of approximately 236m², eight (8) vehicle parking spaces are required on site for the existing use and 16 spaces are required for the proposed use. With no provision for parking on site the performance criteria is relied upon. This is a common occurrence within Church Street of Ross as historically buildings were built to the front boundary of a property and in many cases built so close to the side boundaries also that there is limited provision to access the rear of the properties other than to access a single or double garage. Several businesses within the local business precinct rely on on-street parking rather than providing parking for visitors on site. Many of the properties also have a residential component also and existing parking provisions such as driveways and garages/carports are reserved for the sole use of the residents (usually owners/operators).</p> <p>It is not unreasonable to assume that a use that provides a service that is not vehicle dependant (e.g. food sales and giftware sales as opposed to bulky good sales) not provide parking provisions on site. Therefore, the performance criteria and sub criteria has been considered in so far as is reasonable and addressed in the supporting traffic impact assessment prepared by Traffic and Civil Services (TCS). Regarding the sub points of the criteria above, the performance criteria is deemed to be met considering:</p> <ul style="list-style-type: none"> • There is no off-street public car parking facility within the vicinity of the site; • There are on-street parking spaces immediately adjoining the site and within reasonable walking distance of the site which are accessible and safe; • The site is significantly constrained by existing buildings (e.g. within the strata boundary of the business) and landscaping (e.g. within the boundaries of the parent title); and • assessment by a suitably qualified person of the actual car parking demand.
C2.5.2	Bicycle parking numbers
P1	<p>Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <ol style="list-style-type: none"> a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and



DISCRETIONS	
	b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.
Assessing Officers Comments	Table C2.1 requires 1 bicycle parking space be provided per 75m ² . With an overall building floor area of ~240m ² the number of bicycle parking spaces required can be calculated as anywhere between 1-4 spaces on site for the proposed food service use. There are eight or so existing bicycle parking facilities on the corner of Church Street and High St within 100m of the subject site. These services were recently installed given the lack of bicycle of parking anywhere in Ross and so the absence of dedicated bicycle parking spaces on the subject site is considered reasonable. The performance criteria is therefore met.

5.4 REFERRALS

<p><u>TasWater</u></p> <p>TasWater issued a Submission to Planning Authority Notice on 9th July 2024 (TasWater Ref: TWDA 2024/00839 - NMC). The Planning Permit will condition the development to be in accordance with the Submission to Planning Authority Notice.</p>
<p><u>Heritage Advisor</u></p> <p>Council’s Heritage Advisor (David Denman) advised that the proposal was appropriate within the heritage precinct of Ross. His comments form part of the signs code assessment included in section 5.3 of this report.</p>

5.5 REPRESENTATIONS

Notice of the application was given in accordance with Section 57 of the Act. A review of Council’s Records management system after completion of the public exhibition period revealed that two (2) representations were received.

The Planning Authority has been provided with a copy of the representation(s) for their consideration in accordance with clause 6.10 of the Scheme. A copy of the representation(s) has not been included as an attachment to this report as the *Land Use Planning and Approvals Act 1993* does not require that representations be published as part of the Council agenda. Furthermore, legislation, including the *Personal Information Protection Act 2004*, limits the way in which representations can be published.

A summary of the relevant planning matters raised in the representations are outlined below followed by the planner’s comments.

Issue	Objection raised to the description of the proposed use. The term “bakery” is misleading and inaccurate as no baking occurs onsite thus the associated signage is inappropriate.
Assessing Officers Comments	Council has assessed the proposed signage against the signs code and the signs meet the relevant tests. The signs are compatible with the visual amenity of the surrounding area and sympathetic to the heritage precinct and do not disrupt or compromise safety and efficiency of vehicular or pedestrian movement. Notwithstanding the term ‘bakery’ being used when no physical baking occurs on the site, the signs provide appropriate advertising and display of information for the business. As such the sign is consistent with the purpose of the code. Moreover, there are no provisions within the signs code that can permit the planning authority to require the content of the sign be changed, merely the dimensions or sign type.
Issue	The traffic impact assessment (TIA) is wrong – the data collected during the single week period is misleading and is not a true reflection of the local traffic movements at different times of the year (e.g. summer when tourist numbers are high).
Assessing Officers Comments	The figures and calculations produced by the traffic engineer which inform the assessment of code C3.0 within the TIA are fractionally relevant to the assessment of road safety against the parking and sustainable transport code. It is common for a traffic impact assessment to consider vehicle movements to/from a site when assessing the safety of an existing road network. However, the discretion of the application is the number of vehicle and



	bicycle parking numbers required/provided on site, not the amount of traffic that the use will generate. While it may be calculated that the proposed food use will generate an additional 55 or so vehicle movements to/from the site this is only considered by the planning authority in relation to the discretions of the application. No discretions were required under the road and railway asset code (C3.0) as the code only applies in practice where the vehicular traffic to and from the site <i>using an existing vehicle crossing</i> will be more than 40 movements per day. As there are to be no vehicles parking on site there is no increase in the number of <i>vehicles</i> entering/exiting the site using the existing vehicle crossing. The TIA considers that there will be no impact on the existing road network or safety of road users if there is no parking provided on site and visitors to the store use the existing on-street parking spaces where available.
Issue	Objection made to the plans supplied – the lack of accurately scaled drawings of the floor plan means that the floor area vs traffic/parking calculations for the use are wrong.
Assessing Officers Comments	The number of on-site parking spaces provided for <i>any</i> use of the existing building is zero, due to the existing site constraints. Section 5.3 of this report assesses the performance criteria to be met as there sufficient on-street parking within reasonable walking distance of the site which can accommodate locals and visitor to Ross who may wish to visit the proposed food service in addition to or irrespective of the existing general retail and hire use.
Issue	Objection to the proposed pole sign within the road reserve.
Assessing Officers Comments	As discussed previously in this report, the pole sign shown on the advertised documents does not form part of the application and a recommended permit condition will enforce this sign is not installed within the road reserve if the application is approved by the planning authority.
Issue	The floor plan shows a prep area with grill, yet no grease trap is believed to be installed.
Assessing Officers Comments	This is not a planning matter insofar as the planning authority do not regulate kitchen/cooking facility requirements within a building. This is the role of other authorities such as the building surveyor/Building Authority under the <i>Building Act 2016</i> , the environmental health officer and the water authority. TasWater were referred the application per statutory requirements and have issued a Submission to Planning Authority Notice (SPAN) in which conditions are imposed on the planning permit under the <i>Water and Sewerage Industry Act 2008</i> . Such conditions proposed by TasWater include the requirement for a pre-treatment device to be installed before the authority will grant consent to discharge trade waste.
Issue	The floor plan does not make it clear if the toilet will be for staff only or for customers.
Assessing Officers Comments	This is not a planning matter. The planning authority do not regulate restroom requirements per building/tenancy. This is the role of the Building Surveyor/Building Authority under the <i>Building Act 2016</i> .

5.6 OBJECTIVES OF THE LAND USE PLANNING AND APPROVALS ACT 1993

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

5.7 STATE POLICIES

The proposal is consistent with all State Policies.

5.8 STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan - Statutory Planning

The proposal is consistent with this policy.

6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

7 OPTIONS

Approval of the application subject to conditions, or refusal with reasons for refusal detailed.

When deciding whether to include conditions in a permit, the planning authority may consider:

- a) all applicable standards and requirements in this planning scheme; and
- b) any representations received pursuant to and in conformity with section 57(5) of the Act,



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

In accordance with 6.11.2 of the Scheme, conditions and restrictions imposed by the planning authority on a permit may include:

- a) requirements that specific acts be done to the satisfaction of the planning authority;
- b) staging of a use or development, including timetables for commencing and completing stages;
- c) the order in which parts of the use or development can be commenced;
- d) limitations on the life of the permit;
- e) requirements to modify the development in accordance with predetermined triggers, criteria or events;
- f) construction or traffic management; and
- g) erosion, and stormwater volume and quality controls.

The test for determining the validity of a condition imposed on a permit was originally considered in *Newbury District Council v Secretary of State for the Environment [1981] AC 578* and subsequently affirmed by the High Court in *Western Australian Planning Commission v Temwood Holdings Pty Ltd (2004) 221 CLR 30, [57] (McHugh J)*.

The proposed conditions of approval at the beginning of this report have been drafted based on the above principles in that they:

- (i) are for a planning purpose and not for an ulterior purpose; and
- (ii) fairly and reasonably relate to the proposed development; and
- (iii) are not so unreasonable that no reasonable planning authority could have imposed them.

8 ATTACHMENTS

1. Agenda attachments including Tas Water SPAN [11.3.1 - 35 pages]



12 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.



13 COMMUNITY & DEVELOPMENT REPORTS

13.1 DEVELOPMENT SERVICES: MONTHLY REPORT

Responsible Officer: *Des Jennings, General Manager*

RECOMMENDATION

That the report be noted.

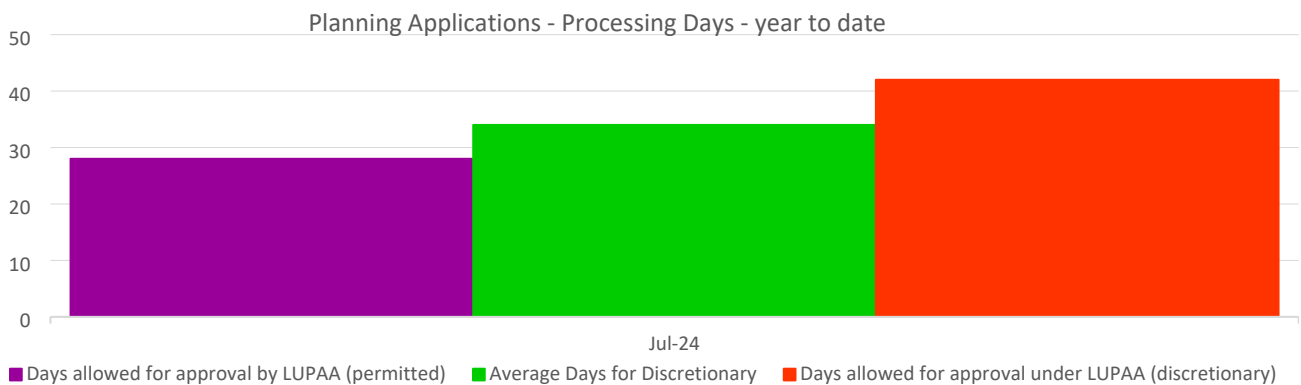
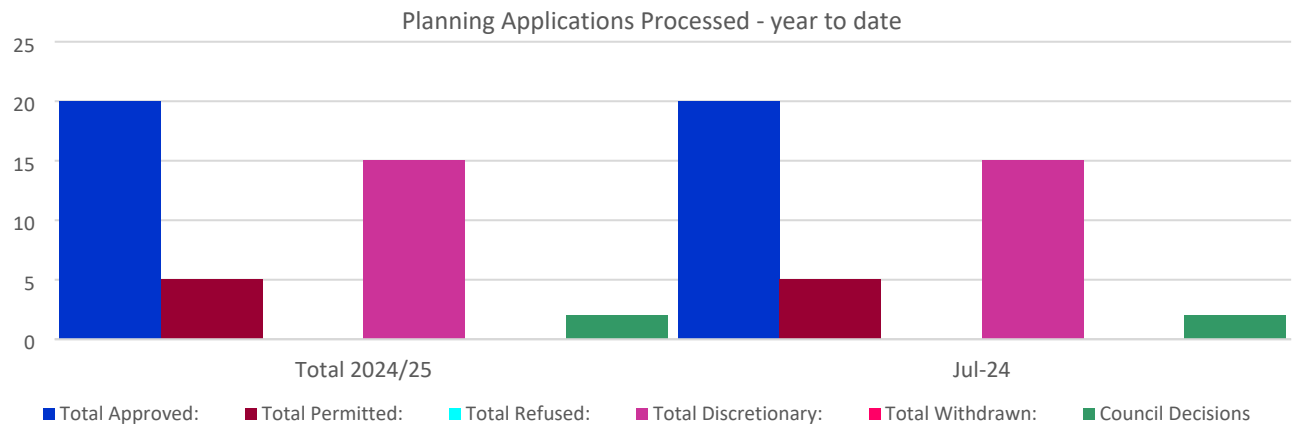
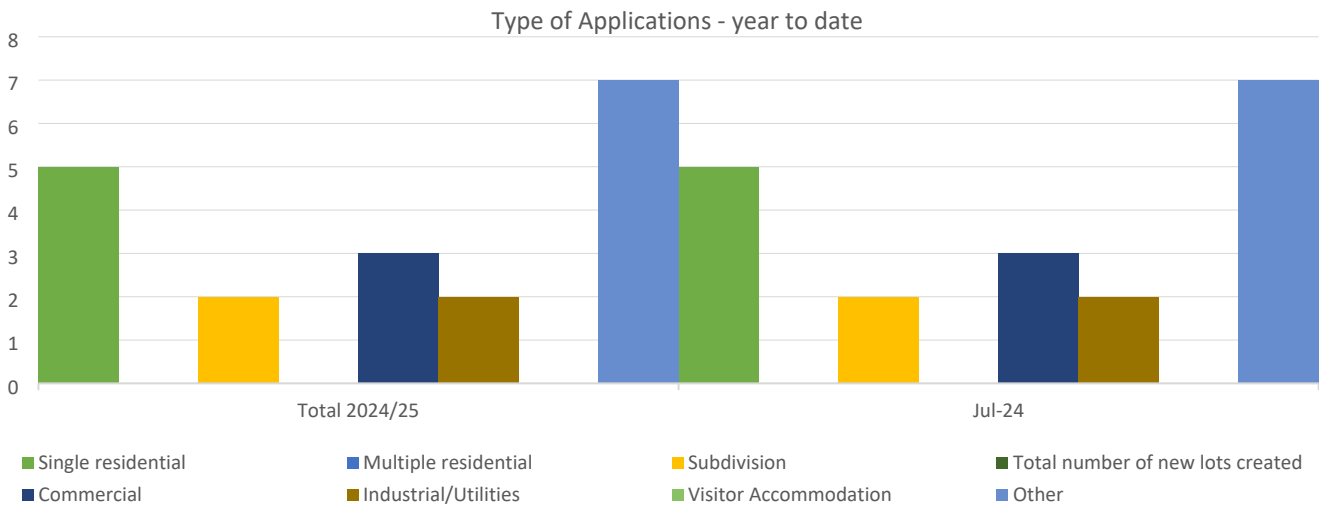
1 PURPOSE OF REPORT

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

2 DEVELOPMENT SERVICES REPORTING

2.1 Planning Decisions

	2022/ 2023	2023/ 2024	Total YTD	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	195	116	11	11											
Applications on STOP for further information				52											
Single residential	48	36	5	5											
Multiple residential	31	69	0	0											
Subdivision	34	27	2	2											
Total number of new lots created	203	72	0	0											
Commercial	27	25	3	3											
Industrial/Utilities	12	15	1	2											
Visitor Accommodation	8	11	0	0											
Total permitted	1	0	0	0											
Total discretionary	7	11	0	0											
Other (includes all residential development on existing dwellings [alterations/ additions, sheds, solar, fences, pools etc.])	85	47	7	7											
Total No. Applications Approved:	228	182	20	20											
Total Permitted:	33	18	5	5											
Average Days for Permitted	11	15	13	13											
Days allowed for approval by LUPAA	28	28		28											
Total Exempt under IPS:	83	93	8	8											
Total Refused:	5	4	0	0											
Total Discretionary:	198	164	15	15											
Average Days for Discretionary:	33.3	33.17	34	34											
Days allowed for approval under LUPAA:	42	42		42											
Total Withdrawn:	39	44	0	0											
Council Decisions	36	27	2	2											
Appeals lodged by the Applicant	6	2	0	0											
Appeals lodged by third party	2	0	0	0											



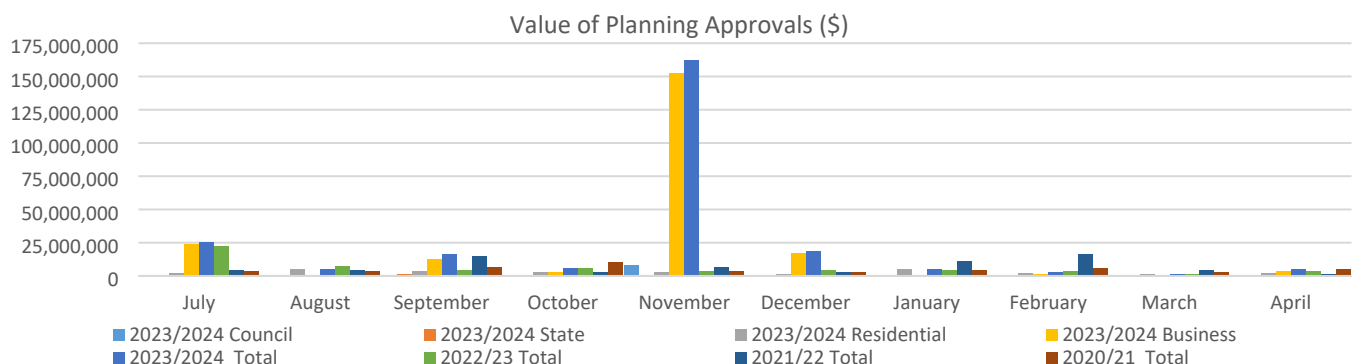
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-20-0234 - 1	Amend permit to allow for gravel, swale and changes to landscaping	7 Translink Avenue, Western Junction TAS 7212	Trent Van Winden	28	A
PLN-22-0116 - 1	Amended Agricultural Assessment Report for One Title	2128 Bishopsbourne Road, Longford TAS 7301	Adams Building Design	26	A
PLN-22-0283 - 1	"Dwelling and New Access (Discretionary Use, Vary setbacks, Parking and Sustainable Transport Code)				PLN-22-0283 - 1
PLN-23-0180 - 1	Increase size of shed	63 Fairtlough Street, Perth TAS 7300	Prime Design	12	A
PLN-23-0187 - 1	Filling of land to comply with flood report recommendation	36 Youl Road, Perth TAS 7300	Woolcott Land Services	48	A
PLN-24-0051 - 1	Visitor Accommodation - Revise location of Unit 1, delete window, deck size reduced	31 Norwich Drive, Longford (access over F.R. 135661/1) TAS 7301	DCM Design Construction Management Pty Ltd	4	A

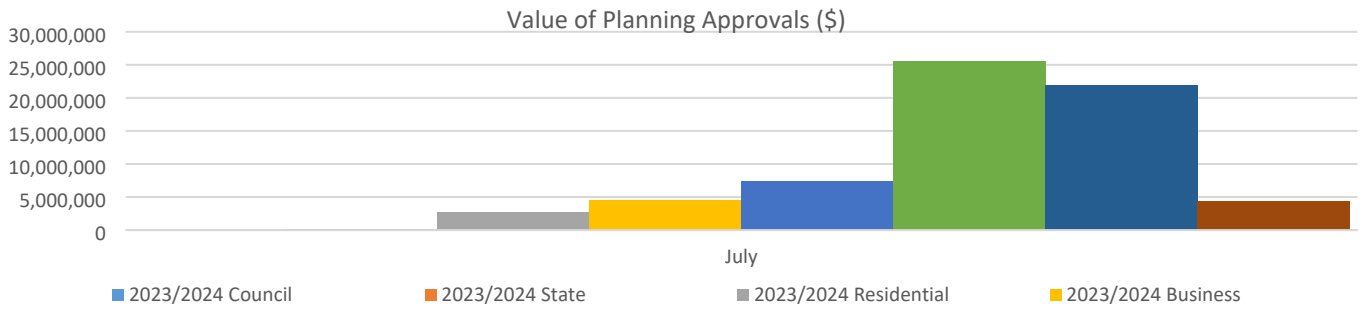


Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
PLN-23-0213	New Dwelling (vary Setback, Parking and Sustainable Transport Code)	12 Portugal Street, Ross (access over Crown Land) TAS 7209	Engineering Plus	42	D
PLN-24-0026	Assisted Housing (Flood prone areas code)	14 Norfolk Street, Perth TAS 7300	Freedom Quest Pty Ltd	32	D
PLN-24-0060	Solar PV (Ground mount 141.37sqm)	Old Marchington, 717 Hobart Road, Breadalbane TAS 7258	Mode Electrical	26	D
PLN-24-0065	Dwelling	1043 Saundridge Road, Cressy TAS 7302	Design to Live	20	D
PLN-24-0066	Patio, sauna, spa and shower (retrospective)	466 Evandale Road, Western Junction TAS 7212	Core Collective	33	D
PLN-24-0074	Change of Use Residential to General Retail & Hire	16 Russell Street, Evandale TAS 7212	Starbox Architecture	42	D
PLN-24-0081	Outbuilding vary frontage, width of openings, driveway construction and window visibility	4 Lach Dar Court, Longford TAS 7301	C Prewer	33	D
PLN-24-0083	Solar Panel Installation - Local Historic Heritage Code	5-7 Arthur Street, Evandale TAS 7212	In Series Electrical and Solar	41	D
PLN-24-0085	Single Dwelling	2C Malcombe Street, Longford TAS 7301	Prime Design	30	D
PLN-24-0086	Second crossover (C2.0 Parking and Sustainable Transport Code)	350 Marlborough Street, Longford TAS 7301	Anthea Chugg	26	D
PLN-24-0089	Dwelling (Longford SAP)	7C Cracraft Street, Longford TAS 7301	Wilson Homes	29	D
PLN-24-0092	Alterations & Additions to Ross Fire Station	9 Bond Street, Ross TAS 7209	MJ Architecture	39	D
PLN-24-0101	Partial demolition, alterations and additions to dwelling - vary Longford SAP	6 Swan Avenue, Longford TAS 7301	C Ellis Architecture	29	D
PLN-24-0080	Boundary adjustment and new accesses	2 Gibbet Hill, Perth TAS 7300	Woolcott Land Services	28	P
PLN-24-0096	Alterations & Additions Dwelling	344 Macquarie Settlement Road, Cressy TAS 7302	WOODBURYCO DESIGN	9	P
PLN-24-0098	Awning addition to existing dwelling	U 1/1 Longford Close, Longford TAS 7301	Optimo Awnings	11	P
PLN-24-0105	Boundary Adjustment	180 China Lane, Liffey TAS 7301	D J McCulloch Surveying	7	P
PLN-24-0114	Deck (Retrospective)	75 Leighlands Road, Evandale TAS 7212	Prime Design	8	P
COUNCIL DECISIONS					
PLN-24-0047	Pump shed for irrigation scheme (Utilities)	1440 Saundridge Road, Cressy TAS 7302	Pitt&Sherry	42	C
PLN-24-0049	Boundary Fence (Local Heritage Code applies)	11A Smith Street, Longford TAS 7301	Circa Morris-Nunn Chua Architects	42	C
COUNCIL DECISIONS - REFUSAL					
DELEGATED DECISIONS - REFUSAL					

2.2 Value of Planning Approvals

	Current Year				2024/2025	2023/2024	2022/2023	2021/2022
	Council	State	Residential	Business	Total	Total	Total	Total
July	0	130,000	2,741,102	4,541,000	7,412,102	25,482,265	21,899,020	4,380,747
YTD Total	0	130,000	2,741,102	4,541,000	7,412,102	255,377,879	76,384,582	91,715,427
Annual Total						255,377,879	76,384,582	91,715,427





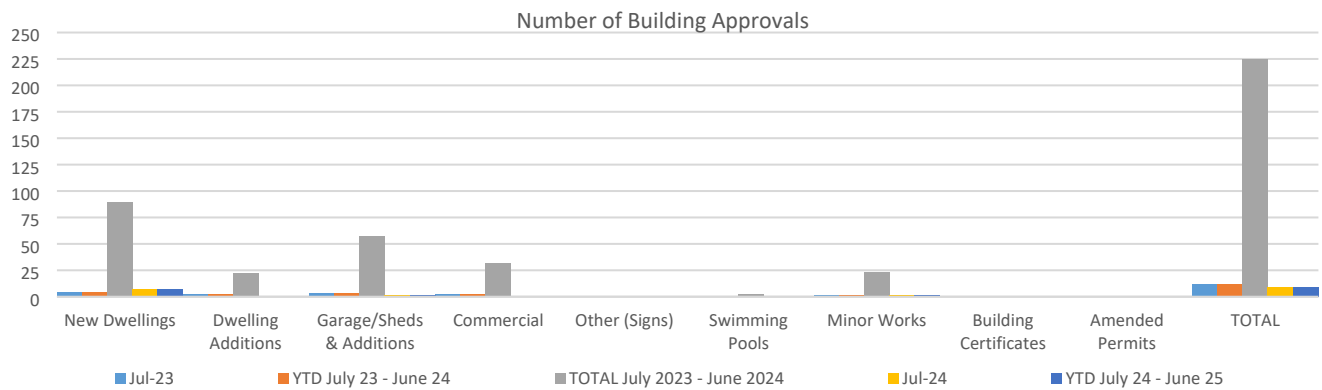
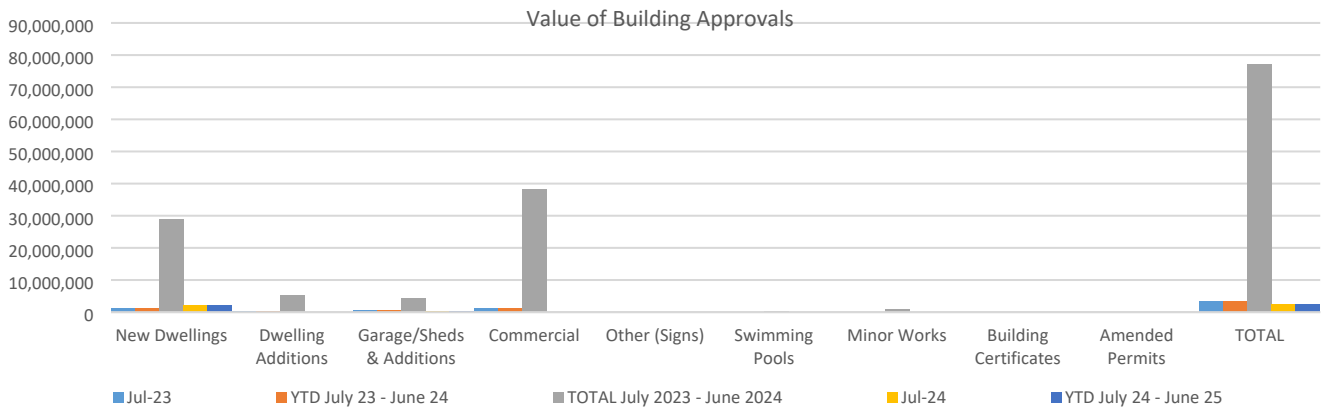
2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT		TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL	
-	-	-	-
Decisions received			
P/2024/15	5 Multiple Dwellings at 7 Bedford Street, Campbell Town JID Constructions Pty Ltd v Northern Midlands Council (No.2) [2024] TASCAT 126 TASCAT order of 22 July 2024: The Northern Midlands Council is to pay JID Constructions Pty Ltd's costs and disbursements of and incidental to the appeal incurred after 19 February 2024 including the costs of the application for costs.		
TPC		TASMANIAN PLANNING COMMISSION	
PLN-24-0016	Draft Amendment 13/2024 to apply the flood-prone area overlay to the Planning Scheme maps at Perth, Campbell Town and Ross. Report on representations to be presented to a future Council meeting.		
PLN-24-0084	Draft Amendment 17/2024 to modify NOR S1.5.6 Area 6 to include the Discretionary Use Class of Storage, if on folio of the Register 150770/5 (20 Johns Street, Western Junction).		
Decisions received			
-	-	-	-

2.4 Building Approvals

The following table shows a comparison of the number and total value of building works for 2023-2024 and 2024-2025.

	YEAR: 2023-2024				YEAR		YEAR: 2024-2025			
	July 2023		YTD 2023 -2024		July 2023 - June 2024		July 2024		YTD 2024-2025	
	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$
New Dwellings	4	1,302,045	4	1,302,045	89	28,811,896	7	2,201,780	7	2,201,780
Dwelling Additions	2	345,000	2	345,000	22	5,105,400	0	0	0	0
Garage/Sheds & Additions	3	414,000	3	414,000	57	4,240,824	1	118,000	1	118,000
Commercial	2	1,200,000	2	1,200,000	32	38,102,213	0	0	0	0
Other (Signs)	0	0	0	0	0	0	0	0	0	0
Swimming Pools	0	0	0	0	2	114,000	0	0	0	0
Minor Works	1	25,000	1	25,000	23	741,490	1	19,511	1	19,511
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	0	0	0	0	0	0
TOTAL	12	3,286,045	12	3,286,045	225	77,115,823	9	2,339,291	9	2,339,291
Inspections										
Building	0		0		4		0		0	
Plumbing	31		31		453		50		31	



2.5 Planning, Building & Plumbing Compliance – Permit Review

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

Planning Permit Compliance Reviews	This Month	2024/2025	Total 2023/2024
Number of Inspections	2	2	49
Property owner not home or only recently started			
Complying with all conditions / signed off	1	1	9
Not complying with all conditions	1	1	
Re-inspection required	1	1	34
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Infringement Notice Issued			
No Further Action Required			6
Building / Plumbing Permit Compliance Reviews	This Month	2024/2025	Total 2023/2024
Number of Inspections	36	36	155
Property owner not home or only recently started			
Complying with all conditions / signed off	35	35	134
Not complying with all conditions	1	1	
Re-inspection required			14
Building Notices issued			
Plumbing Notices Issued			
Building Orders issued			
Plumbing Orders issued			
Infringements Issued (Building/Plumbing)			
No Further Action Required			7
Illegal Works – Building / Plumbing	This Month	2024/2025	Total 2023/2024
Number of Inspections	9	9	87
Commitment provided to submit required documentation			7
Re-inspection required	7	7	48
No Further Action Required	2	2	32
Building Notices issued	3	3	21
Plumbing Notices Issued	1	1	11



Illegal Works – Building / Plumbing	This Month	2024/2025	Total 2023/2024
Building Orders issued	1	1	17
Plumbing Orders Issued			2
Emergency Order			
Infringements issued (Building/Plumbing)			1

Illegal Works - Planning	This Month	2024/2025	Total 2023/2024
Number of Inspections	2	2	4
Commitment provided to submit required documentation			2
Re-inspection required	1	1	
Notice of Intention to Issue Enforcement Notice issued			1
Enforcement Notices issued	1	1	
Infringements Issued			
No Further Action Required			2

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 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

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

3.1 Sympathetic design respects historical architecture

3.2 Developments enhance existing cultural amenity

3.4 Towns are enviable places to visit, live and work

Place: Nurture our heritage environment

Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow

Strategic outcomes:

4.1 Cherish and sustain our landscape

4.2 Meet environmental challenges

4.4 Our heritage villages and towns are high value assets

3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

Enabling Project/s:

Projects which are considered to be incrementally important – usually by improving existing facilities or other complementary upgrades to infrastructure (does not include Council's business as usual projects including renewal and maintenance of existing assets)

5.4 Subdivisions:

Several at Cressy, Evandale, Longford & Perth - the Northern Midlands Council is a planning authority with responsibilities specified in the Land Use Planning and Approvals Act 1993 (LUPAA). These responsibilities include developing planning schemes, proposing amendments to planning schemes, supporting or rejecting changes proposed by others and making decisions on individual developments in accordance with the planning scheme. Several significant subdivisions in the Northern Midlands region have recently been identified and are in various stages of conceptual design or planning.



4 STATUTORY REQUIREMENTS

4.1 Land Use Planning & Approvals Act 1993

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

4.2 Building Act 2016

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

5 RISK ISSUES

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

6 COMMUNITY CONSULTATION

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

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

7 OFFICER'S COMMENTS/CONCLUSION

There have been no commercial building approvals compared to 2 commercial building approvals valued at a total of \$1,200,000 (year to date) for the previous year.

In total, there have been 9 building approvals valued at \$2,339,291 (year to date) for 2024/2025 compared to 12 building approvals valued at \$3,286,045 (year to date) for the previous year.



13.2 REVIEW OF STATE PLANNING PROVISIONS: AGRICULTURAL WORKER ACCOMMODATION

Responsible Officer: Des Jennings, General Manager

Report prepared by: Paul Godier, Senior Planner

RECOMMENDATION

That Council note the report.

1 PURPOSE OF REPORT

This report advises Council of consultation being undertaken on State Planning Provisions Amendment 05/2024 - Agriculture Worker Accommodation.

2 INTRODUCTION/BACKGROUND

Draft amendment 05-2024 of the State Planning Provisions (SPPs) proposes to make amendments to the SPPs to improve the requirements for approving agricultural worker accommodation in the Rural Zone and the Agriculture Zone, including providing a 'Permitted' approval pathway.

The proposed changes mean that agricultural businesses will have the flexibility, when needed, to accommodate their labour force on site.

The proposed changes include:

- Adding a definition for 'agricultural worker accommodation';
- Clarifying how the use of 'agricultural worker accommodation' is categorised in the planning scheme;
- Creating a Permitted approval pathway for modest-scale agricultural worker accommodation (accommodating up to 20 workers) in the Rural Zone and Agriculture Zone;
- Simplifying the assessment standards, like setbacks, vehicular access and parking for approval of agricultural worker accommodation;
- Consistent requirements in both the Rural Zone and Agriculture Zone.

The proposed amendment 05/2024 of the SPPs will apply in council areas where the Tasmanian Planning Scheme is in effect.

This draft amendment to the SPPs has been identified to clarify and improve the requirements for agricultural worker accommodation in response to submissions by stakeholders, including local councils, State agencies and authorities, and others involved in the operation of the SPPs.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.1 Council is connected to the community
- 1.2 Councillors serve with integrity and honesty



1.3 Management is efficient, proactive and responsible

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.4 Support and attract wealth-producing business and industry

3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

Not applicable.

4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

5.1 Land Use Planning and Approvals Act 1993

Division 2 – Amendment of the SPPs

6 FINANCIAL IMPLICATIONS

There are no financial implications.

7 RISK ISSUES

No risk issues are identified.

8 CONSULTATION WITH STATE GOVERNMENT

The state government is undertaking consultation.

9 COMMUNITY CONSULTATION

The state government is undertaking community consultation.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can:

- Provide a submission by 27 August 2024; or
- Not provide a submission.

11 OFFICER'S COMMENTS/CONCLUSION

The draft amendment seeks to allow a permitted pathway for modest-scale agricultural worker accommodation (accommodating up to 20 workers) for seasonal or permanent workers, in self-contained units or part of a shared facility, on land zoned Rural or Agriculture.



Accommodation for agricultural workers can be located in other zones. Workers often stay in villages and towns near the farms where they work. They may also stay in visitor accommodation like motels, backpacker hostels, or caravan parks. The proposed changes do not impact this.

The Agriculture Zone already includes Discretionary approval of residential development required as part of an agricultural use. This could include farmhouses, farm managers residences, or agricultural worker accommodation. The Rural Zone currently limits residential development to a single dwelling per title which limits the approval of agricultural worker accommodation.

The proposed changes introduce specific requirements for the assessment of agricultural worker accommodation in both the Rural Zone and Agriculture Zone, including a Permitted approval pathway for modest-scale accommodation.

Current requirements for Residential or Visitor Accommodation approvals in other zones are not affected as the proposed changes only apply to the Rural Zone and Agriculture Zone.

12 ATTACHMENTS

1. Draft-amendment-05-2024- Agricultural- Worker- Accommodation- Explanatory- Document- June-2024 [**13.2.1** - 15 pages]
2. Amendment-05-2024- Terms-of- Reference [**13.2.2** - 1 page]
3. Draft- Amendment-05-2024- Agriculture-workers-accommodation- Consultation-draft [**13.2.3** - 4 pages]
4. Fact-sheet- Draft-amendment-05-2024-of-the- SP Ps- Agricultural- Worker- Accommodation-flow-chart-at [**13.2.4** - 5 pages]



14 GOVERNANCE REPORTS

14.1 CAMPBELL TOWN TOURIST PARK

Responsible Officer: Des Jennings, General Manager

Report prepared by: Lorraine Green, Project Officer

RECOMMENDATION

That Council:

- a) release the Campbell Town Tourist Park Proposal Consultation Report, May 2024; and
- b) include in its half-yearly budget review for consideration an allocation of \$20,000 to undertake a Traffic Impact Assessment for the proposed Tourist Park at 24 King Street, Campbell Town.

1 PURPOSE OF REPORT

The purpose of this report is to

- i) advise Council of two key issues raised during the community consultation undertaken regarding the proposed Campbell Town Tourist Park, and to seek Council's direction with regard to these issues;
- ii) Seek Council's approval for the public release of the Campbell Town Tourist Park Proposal Consultation Report, May 2024.

2 INTRODUCTION/BACKGROUND

Council's recognition of the growing demand by motorhome travellers for additional tourist parks across Australia, coupled with the recent growth in meeting/conference venues in Campbell Town which is driving demand for new and larger capacity accommodation options in the town, resulted in Council contracting the development of a draft master plan and preliminary feasibility assessment for a proposed tourist park at 24 King Street Campbell Town.

The draft master plan and preliminary feasibility assessment were considered by Council at the 19 February 2024 Council Meeting, with the following outcome:

MINUTE NO. 24/066

DECISION

Cr Andrews/Cr Adams

That Council:

- a) Release the Campbell Town Tourist Park Master Plan of 19 April 2022;*
- b) Release the Campbell Town Tourist Park Preliminary Feasibility Assessment Report of January 2024;*
- c) Undertake consultation with the Campbell Town District Forum; and the wider Campbell Town Community, including the business sector; and*
- d) A further report to Council which includes comment from the consultation process for further decision.*

Carried unanimously

Voting for the Motion: Mayor Knowles, Deputy Mayor Lambert, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting against the Motion: Nil

The draft master plan and preliminary feasibility assessment were discussed at the 5 March 2024 Campbell Town District Forum Meeting. Broader community consultation was undertaken on 14 May 2024, facilitated by River Road Consulting Pty Ltd consultant Paul West. The consultant submitted the Campbell Town Tourist Park Proposal Consultation Report in May 2024.



In accordance with the Motion of the 19 February 2024 Council Meeting Minute No. 24/066, two key issues raised in the consultation report are referred to Council for further decision.

The first issue relates to the status of the public land at 24 King Street. The consultant stated in his report:

“Clarity around the status of the public land should be considered by the Council before proceeding further with the development of the tourist park. Depending on how the Council would plan to operate the proposed tourist park will potentially dictate the process which needs to be followed in relation to the Council meeting its statutory obligations under the Local Government Act 1993. As any decision by Council to remove the land from its ‘public land list’ is subject to appeal, it would be advisable if the Council is intent on moving forward to finalise this matter first before any further funding is expended on developing the proposal.”

The second issue relates to the traffic management issues raised during the community consultation process. The issues as summarised in the consultation report include:

- Will the road (King Street) need widening considering the additional traffic?
- Local traffic already has difficulty accessing the highway (from King Street) - what impact will additional traffic have on this?
- Why is the entrance (to the proposed tourist park) off King Street rather than Glenelg Street?
- Streets leading to the tourist park run alongside the school – has any consideration been given to the safety of the children walking to school – will it be safe – physically and from a road safety perspective?

Answering these questions would require contracting a traffic engineer to undertake a Traffic Impact Assessment.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.1 Council is connected to the community
- 1.2 Councillors serve with integrity and honesty
- 1.3 Management is efficient, proactive and responsible
- 1.4 Improve community assets responsibly and sustainably

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

- 2.1 Strategic, sustainable, infrastructure is progressive
- 2.2 Proactive engagement drives new enterprise
- 2.3 Collaborative partnerships attract key industries
- 2.4 Support and attract wealth-producing business and industry

Place: Nurture our heritage environment

Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow

Strategic outcomes:

- 4.1 Cherish and sustain our landscape
- 4.4 Our heritage villages and towns are high value assets

3.2 Integrated Priority Projects Plan 2021

Not applicable.



4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

Local Government Act 1993

177. Sale and disposal of land

- (1) A council may sell, lease, donate, exchange or otherwise dispose of land owned by it, other than public land, in accordance with this section.*
- (2) Before a council sells, leases, donates, exchanges or otherwise disposes of any land, it is to obtain a valuation of the land from the Valuer-General or a person who is qualified to practise as a land valuer under section 4 of the Land Valuers Act 2001 .*
- (3) A council may sell –*
 - (a) any land by auction or tender; or*
 - (b) any specific land by any other method it approves.*
- (4) A council may exchange land for other land –*
 - (a) if the valuations of each land are comparable in value; or*
 - (b) in any other case, as it considers appropriate.*
- (5) A contract pursuant to this section for the sale, lease, donation, exchange or other disposal of land which is public land is of no effect.*
- (6) A decision by a council under this section must be made by absolute majority.*

177A. Public land

- (1) The following land owned by a council is public land:*
 - (a) a public pier or public jetty;*
 - (b) any land that provides health, recreation, amusement or sporting facilities 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 a 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.*
- (2) The general manager is to –*
 - (a) keep lists or maps of all public land within the municipal area; and*
 - (b) make the lists and maps available for public inspection at any time during normal business hours.*

178. Sale, exchange and disposal of public land

- (1) A council may sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with this section.*
- (2) Public land that is leased for any period by a council remains public land during that period.*
- (3) A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.*
- (4) If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to–*
 - (a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and*
 - (ab) display a copy of the notice on any boundary of the public land that abuts a highway; and*
 - (b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.*



(5) *If the general manager does not receive any objection under subsection (4) and an appeal is not made under section 178A, the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its intention as published under subsection (4).*

(6) *The council must –*

(a) *consider any objection lodged; and*

(b) *by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of –*

(i) *that decision; and*

(ii) *the right to appeal against that decision under section 178A.*

(7) *The council must not decide to take any action under this section if –*

(a) *any objection lodged under this section is being considered; or*

(b) *an appeal made under section 178A has not yet been determined; or*

(c) *the Appeal Tribunal has made a determination under section 178B(b) or (c).*

(8) *.....*

6 FINANCIAL IMPLICATIONS

Council would need to undertake the process outlined in Sections 177 and 178 of the *Local Government Act 1993* to sell or lease the land at 24 King Street, which includes advertising costs and legal fees, should a decision to proceed with the sale or lease be appealed to the Resource Management and Planning Appeals Tribunal.

The estimated cost of a Traffic Impact Assessment that includes traffic data collection across four weeks spaced out over a twelve month period is \$20,000.

7 RISK ISSUES

Proceeding with planning for a tourist park at 24 King Street Campbell Town without resolving the issue of the status of the land and potential traffic management issues, could result in the project needing to be halted/abandoned in the future.

Releasing the Campbell Town Tourist Park Proposal Consultation Report will enable community members who participated in the consultancy process to be reassured their views and concerns have been accurately represented.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

Community consultation underpinned the development of the Campbell Town Tourist Park Proposal Consultation Report.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can either:

- a) Proceed/not proceed with investigating removing the land at 24 King Street Campbell Town from Council's 'public land list', subject to adherence to Section 177 and 178 of the Local Government Act 1993;
- b) Contract/not contract a traffic engineer to undertake a Traffic Impact Assessment for the proposed tourist park at Campbell Town;
- c) Release/not release the Campbell Town Tourist Park Proposal Consultation Report, May 2024.



11 OFFICER'S COMMENTS/CONCLUSION

The development of a tourist park at Campbell Town would yield economic benefits associated with having an increased range of accommodation options, thus attracting more visitors and resultant increased business activity and employment growth. Achieving this goal requires alleviation of the concerns of community members currently opposed to the development.

12 ATTACHMENTS

Nil



14.2 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA): ATTENDANCE AT AUSTRALIAN LOCAL NATIONAL LOCAL ROADS TRANSPORT & INFRASTRUCTURE CONGRESS 2024

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

RECOMMENDATION

That Cr be authorised to attend the 2024 ALGA National Local Roads, Transport & Infrastructure Congress at Margaret River from 3 to 4 December 2024.

1 PURPOSE OF REPORT

The purpose of the report is to consider the attendance of Councillors at the ALGA National Local Roads, Transport and Infrastructure Congress 2024 to be held at Margaret River from 3 to 4 December 2024.

2 INTRODUCTION/BACKGROUND

Cr Brooks attended the 2023 ALGA National Local Roads and Transport Congress which was held in Canberra from 6 to 7 September 2023; and in 2022 Mayor Knowles and Councillor Brooks attended the conference in Hobart.

The program for the 2024 event has not as yet been released, however, expressions of interest are sought from Councillors to attend the 2024 ALGA National Local Roads, Transport & Infrastructure Congress at Margaret River from 3 to 4 December 2024.

Council's policy provides for the attendance of one councillor at the conference annually.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.2 Councillors serve with integrity and honesty
- 1.3 Management is efficient, proactive and responsible
- 1.4 Improve community assets responsibly and sustainably

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.2 Developments enhance existing cultural amenity
- 3.3 Public assets meet future lifestyle challenges
- 3.4 Towns are enviable places to visit, live and work

Place: Nurture our heritage environment

Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow

Strategic outcomes:

- 4.2 Meet environmental challenges



3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

Foundation Project/s:

Projects which are expected to have a transformational impact on the community. Council considers these projects to be a focal point for investment in the Northern Midlands region.

4.1 Main Street Upgrades - Campbell Town, Longford & Perth:

These projects will improve visual amenity, enhance connectivity and help to capitalise on each town's existing attractions, historical features and natural assets.

4.4 TRANSlink Intermodal Facility:

The growing precinct is adjacent to Launceston Airport, with an increasing number of businesses producing high-end agriculture products, the construction of an intermodal facility would improve access to interstate and overseas markets and open up additional land for development.

Enabling Project/s:

Projects which are considered to be incrementally important – usually by improving existing facilities or other complementary upgrades to infrastructure (does not include Council's business as usual projects including renewal and maintenance of existing assets)

5.2 Transport - Illawarra Road Upgrade & Shared Paths:

Illawarra Road carries a high proportion of heavy vehicles and the freight movements are increasing over time. This project will enable a shorter, improved route for both freight and passenger vehicles travelling between the North West and Southern portions of Tasmania.

5.2 Transport - Evandale Main Road Upgrade & Shared Paths:

This project is needed to cater for increasing freight and passenger vehicle movements. Council is seeking input to the design to maximise benefits for the Northern Midlands region

4 POLICY IMPLICATIONS

Provisions is made in Council's adopted Policy "Councillors Allowances, Travelling and Other Expenses" for attendance at conferences and seminars. The policy provisions are as follows:

6. CONFERENCES & SEMINARS

Council will make a budget allocation each year to reimburse delegates registration, travel costs and accommodation expenses ('mini-bar' expenses limited to \$10 per day). Partners will be reimbursed for meals at state conferences and the 'major dinner' at Federal conferences.

The budget will be allocated to the following conferences:

- *LGAT & LGMA conference to be attended by up to 6 councillors*
- *ALGA conference attended by Mayor & Deputy Mayor*
- ***Australian Roads conference attended by 1 councillor***
- *'Other' conferences and seminar sessions as approved.*

Attendance to all conferences, seminars and training sessions with a cost in excess of \$200 are to be in compliance with a resolution of the Council, except on emergency situations, where approval must be given by a unanimous approval from Council Executive.

Following attendance of a conference by any councillor, a report must be submitted to Council setting out the relevance to local government, and the benefits that can be further investigated by Council. Where two or more councillors attend a conference, a joint report may be submitted.

5 STATUTORY REQUIREMENTS

N/a.



6 FINANCIAL IMPLICATIONS

The 2024/2025 budget allocation for Training, Conferences and Seminars for Councillors is \$17,630. To date in 2024/2025 no expenditure has been recorded; however the LGAT Professional Development, AGM and Ordinary Meeting costs are still to expensed.

Cost of full registration before 15 November 2024 is \$925.

Return flights between Launceston and Busselton (via Melbourne) are approximately \$1,200.

Accommodation prices range between \$350 and \$620 per night.

7 RISK ISSUES

N/a.

8 CONSULTATION WITH STATE GOVERNMENT

N/a.

9 COMMUNITY CONSULTATION

N/a.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can opt to authorise the attendance of a Councillor at the conference, or not.

11 OFFICER'S COMMENTS/CONCLUSION

Councillors should note that this year the ALGA National Local Roads, Transport & Infrastructure Congress 2024 is to be held in Margaret River from 3 to 4 December.

Registration forms and the program are yet to be received.

12 ATTACHMENTS

Nil



14.3 POLICY REVIEW: DOG MANAGEMENT

Responsible Officer: Des Jennings, General Manager

Report prepared by: Leslie Hall, People & Culture Business Partner

RECOMMENDATION

That

1. Council adopt the amended Dog Management Policy and Code of Responsible Dog Ownership; and
2. a further report be presented to a Council workshop for discussion on Kennel Licencing.

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with the reviewed Northern Midlands Council Dog Management Policy for their endorsement. Once endorsed, this will replace Dog Management Policy (Min. No: 242/19), which forms part of the Council Policy Manual.

2 INTRODUCTION/BACKGROUND

The *Dog Control Act 2000* (“the Act”) requires that a council is to review its Dog Management Policy at least once every 5 years. This policy was last reviewed 19 August 2019.

Accordingly, Animal Control & Compliance Officers have reviewed this policy and amended as required, and to ensure ongoing compliance with the requirements of the *Dog Control Act 2000*.

There have been no changes to limits imposed for Kennel Licencing in this review.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.1 Council is connected to the community

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.3 Public assets meet future lifestyle challenges
- 3.4 Towns are enviable places to visit, live and work

3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of ‘nice to have’ projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

Not applicable.



4 POLICY IMPLICATIONS

It is important that Council continues to review and update where necessary the subject matter of policies and procedures so that this remains current and reflective of contemporary practices and any changes to applicable legislation.

The policy acts as a framework and guide for Council officers and the community to refer to ensure a consistent, fair and transparent process is followed regarding matters relating to dog management in the municipality.

5 STATUTORY REQUIREMENTS

The following legislation is applicable to the proposed policy:

- *Dog Control Act 2000*
- *Dog Control Regulations 2021*
- *Animal Welfare Act 1993*
- *Land Use Planning and Approvals Act 1993*

6 FINANCIAL IMPLICATIONS

N/A

7 RISK ISSUES

N/A

8 CONSULTATION WITH STATE GOVERNMENT

There is currently a State Government review underway regarding dog management. Council will review any future guidance from the State Government and review this policy in due course accordingly.

9 COMMUNITY CONSULTATION

Not required as no change to current limitations, restrictions, or practices.

10 OPTIONS FOR COUNCIL TO CONSIDER

The Animal Control & Compliance Officers have reviewed the existing Dog Management Policy and have made minor changes:

1. The policy has been renamed to reflect that it also contains the Code of Responsible Dog Ownership, which is a specific requirement under the Act.
2. Additional relevant legislation has been updated.
3. Declared Areas have been updated to improve accuracy.
4. Information regarding "a pamphlet" in relation to impounded dogs has been removed.
5. Specified advertising day for Kennel Licences has been removed, as this can occur on any day to meet requirements.
6. Timing of Kennel Licencing changed to reflect that they must be renewed prior to the start of the Financial Year, as licences expire on 30 June.
7. Statements reworded regarding investigations and enforcement of the Dog Control Act have been updated in Clause 8, 9, and 10 as highlighted.

Council can choose to adopt the renamed and amended Dog Management Policy and Code of Responsible Dog Ownership.



The policy amendment does not include limits on the number of dogs or the number of litters for each licence category. It is recommended that a report is prepared for an upcoming workshop to determine limits, and implementation processes for any determined limits, at a future time.

11 OFFICER'S COMMENTS/CONCLUSION

The changes in this amendment are minimal and reflect minor changes to the existing Policy. It does not seek to change or amend any current practice of Council regarding Dog Management.

A future workshop of Council should consider whether to place limits on the licence types, and conduct community consultation regarding any imposed limits in line with the requirements of the *Dog Control Act 2000*.

12 ATTACHMENTS

1. Dog Management Policy (1) [14.3.1 - 5 pages]



14.4 POLICY REVIEW: WHISTLEBLOWER

Responsible Officer: Des Jennings, General Manager

Report prepared by: Leslie Hall, People & Culture Business Partner

RECOMMENDATION

That Council endorse the amendments to the Whistleblower Policy.

1 PURPOSE OF REPORT

The purpose of this report is to seek Council's approval to adopt the amended Whistleblower Policy that establishes processes and protections for staff to report suspected illegal or corrupt behaviour, or improper and unethical behaviour in the workplace.

2 INTRODUCTION/BACKGROUND

The Whistleblower Policy was due for periodic review which has now been completed, resulting in a minor amendment being made to address the reporting process for Contractors, Volunteers or members of the public.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.3 Management is efficient, proactive and responsible

3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

Not applicable.

4 POLICY IMPLICATIONS

The Whistleblower Policy is reflective of the obligations under the *Public Interest Disclosures Act 2002*. Accordingly, this policy should be reviewed regularly to ensure it remains current and correlates with that governing legislation.

5 STATUTORY REQUIREMENTS

This policy should correlate to the requirements set forth in the *Public Interest Disclosures Act 2002*.

6 FINANCIAL IMPLICATIONS

N/A



7 RISK ISSUES

The purpose of this policy is to encourage staff to report matters that may cause harm to individuals or financial or non-financial loss to the Northern Midlands Council, or damage to its reputation, thereby reducing risk to Council.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can choose to adopt the amended Whistleblower Policy.

11 OFFICER'S COMMENTS/CONCLUSION

This policy should be reviewed every 3 years, or earlier if there are changes to the *Public Interest Disclosures Act 2002*.

The following inclusion has been made, addressing the reporting process for contractors, volunteers or members of the public.

4. DISCLOSURES FROM CONTRACTORS, VOLUNTEERS, AND MEMBERS OF THE PUBLIC

Under the Public Interest Disclosures Act 2002, a disclosure can be made by a Contractor, Volunteer, or member of the public about one or more public officers, or about the Council as a whole. In accordance with the act, these disclosures can only be made to the Ombudsman Tasmania or the Integrity Commission.

12 ATTACHMENTS

1. Whistleblower Policy Draft Amendments Aug 2024 [14.4.1 - 2 pages]



14.5 POLICY REVIEW: WORK HEALTH AND SAFETY AND EMPLOYEE WELLBEING POLICY

Responsible Officer: Des Jennings, General Manager

Report prepared by: Tatiana Paniagua, Executive Officer

RECOMMENDATION

That Council endorses the amendments to the Work, Health and Safety and Employee Wellbeing Policy as submitted.

1 PURPOSE OF REPORT

The purpose of this report is to seek Council approval of the newly created Work, Health and Safety Policy and Employee Wellbeing Policy, which combines Council's Work Health and Safety Policy and three current policies in the Human Resources Policy Suite (Work Health & Safety Policy, Health & Wellbeing Policy, and Employee Assistance), and makes amendments to reflect changes in legislation and current practice. The new policy also addresses amendments identified from the recent WorkSafe investigation.

2 INTRODUCTION/BACKGROUND

The review identified the need for amendments to comply with the WorkSafe Tasmania Improvement Notice dated 28 May 2024 (Improvement Notice IMP-2602, attached) and the Statement of Reasons for Decision (which resulted from the internal review dated 25 June 2024 and slightly modified the initial decision, attached).

The existing Work Health and Safety Policy was scheduled for a periodic review. At the time of that review, it was identified that there had been significant legislative change in the requirements around managing psychosocial harms in the workplace.

Additionally, required amendments were identified to comply with the WorkSafe Tasmania Improvement Notice dated 28 May 2024 (Improvement Notice IMP-2602, attached) and the Statement of Reasons for Decision (which resulted from the internal review dated 25 June 2024 and slightly modified the initial decision, attached).

The attached amended policy has substantial changes to formatting and the order of content from the original Council Work Health and Safety Policy and the three Human Resources policies, however these changes have not been identified in highlight as the substantive content has not changed, however copies of the current policies are attached for reference.

The substantive changes of the new policies are highlighted and deletions include strikethrough.

The new policy:

1. Addresses obligations under the Child and Youth Safe Organisations Act 2023 (Tas)
2. Incorporates the access to the Employee Assistance Program as a benefit to employees and Councillors
3. Clause 4.2 specifically addresses new requirements for managing psycho-social harm in the workplace.
4. Includes a specific definition of Other Persons at the Workplace to include Councillors, noting that Councillors were already classified into this group under the *Work Health & Safety Act 2012 (Tas)* ("WHS Act").
5. Provides detailed provision for dealing with breaches of the policy and processes for complaints and investigations in accordance with the WHS Act
6. An amendment has been inserted regarding Council being able to take any lawful action it can to protect the health and safety of its employees. These include:
 - a. Preventing infringing people (including Councillors) from attending the Workplace;



- b. Issuing lawful and reasonable directions to employees to block emails from Infringing people (including Councillors) and to not have contact with Infringing people.
- c. Council will enable an affected employee to apply to the Fair Work Commission (“FWC”) for a stop bullying order against the Infringing person.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.2 Councillors serve with integrity and honesty
- 1.3 Management is efficient, proactive and responsible

3.2 Integrated Priority Projects Plan 2021

Not applicable.

4 POLICY IMPLICATIONS

Regular review of policies is important to ensure they remain current and correspond with any legislative changes.

5 STATUTORY REQUIREMENTS

Not applicable.

6 FINANCIAL IMPLICATIONS

As per policy provisions.

7 RISK ISSUES

An amendment has been inserted regarding Council being able to take any lawful action it can to protect the health and safety of its employees. These include:

- a. Preventing infringing people (including Councillors) from attending the Workplace;
- b. Issuing lawful and reasonable directions to employees to block emails from Infringing people (including Councillors) and to not have contact with Infringing people.
- c. Council will enable an affected employee to apply to the Fair Work Commission (“FWC”) for a stop bullying order against the Infringing person.

This last amendment makes available to employees of Council the opportunity to apply to the FWC for a stop bullying order that could apply against a Councillor. The Fair Work Commission (FWC) can make orders it considers appropriate to stop bullying. These can be made against the bully themselves, but could also be made against Council. As such, this could expose Council to the risk of have stop bullying orders made against it, as a Council, to ensure the Councillor stops bullying the employee (something Council has limited control over).

However, it is also possible that an order could be limited to being against the Councillor as Council could submit to the FWC its limitations in controlling Councillors.



8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

These policies have been sent to the Australian Services Union for their knowledge and comments.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can accept or reject the new policy.

11 OFFICER'S COMMENTS/CONCLUSION

It is recommended that Council adopt the newly created Work, Health and Safety Policy and Employee Wellbeing Policy, which combines Council's Work Health and Safety Policy and three current policies in the Human Resources Policy Suite (Work Health & Safety Policy, Health & Wellbeing Policy, and Employee Assistance).

The new policy addresses matters highlighted in the recent WorkSafe investigation.

12 ATTACHMENTS

1. DRAFT NEW Work Health and Safety and Employee Wellbeing Policy August 2024 [**14.5.1** - 11 pages]
2. 20240528 Improvement Notice - IMP-2602 [**14.5.2** - 3 pages]
3. Statement of Reasons - Internal Review - Req 39 Final [**14.5.3** - 5 pages]
4. Superseded Council Policy - Work Health and Safety [**14.5.4** - 4 pages]
5. Superseded HR Policy - Employee Assistance Policy - Reviewed Aug 2023 [**14.5.5** - 5 pages]
6. Superseded HR Policy - Health & Wellbeing Policy - Reviewed Aug 2023 [**14.5.6** - 5 pages]
7. Superseded HR Policy - Work Health & Safety Policy - Reviewed Aug 2019 [**14.5.7** - 6 pages]



14.6 POLICY REVIEW: WORKPLACE BEHAVIOUR AND EMPLOYEE CODE OF CONDUCT

Responsible Officer: *Des Jennings, General Manager*

Report prepared by: *Leslie Hall, People & Culture Business Partner*

RECOMMENDATION

That the Council endorsed the amendments to the Workplace Behaviour and Employee Code of Conduct Policy as submitted.

1 PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement of the New Workplace Behaviour and Employee Code of Conduct Policy as a Council Policy.

2 INTRODUCTION/BACKGROUND

A review of the

- 1) Human Resources - Workplace Behaviour Policy and
- 2) Human Resources – Employee Code of Conduct Policy

has resulted in amendments the two Human Resources policies, now becoming a single Council Policy called the Workplace Behaviour and Employee Code of Conduct Policy.

The review identified the need for amendments to comply with the WorkSafe Tasmania Improvement Notice dated 28 May 2024 (Improvement Notice IMP-2602, attached) and the Statement of Reasons for Decision (which resulted from the internal review dated 25 June 2024 and slightly modified the initial decision, attached).

In the attached policy document the amendments to the previous Human Resources policies have been highlighted and deletions include strikethrough for ease of reference.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.2 Councillors serve with integrity and honesty
- 1.3 Management is efficient, proactive and responsible

3.2 Integrated Priority Projects Plan 2021

Not applicable.

4 POLICY IMPLICATIONS

Regular review of policies is important to ensure they remain current and correspond with any legislative changes.



5 STATUTORY REQUIREMENTS

Not applicable.

6 FINANCIAL IMPLICATIONS

As per policy provisions.

7 RISK ISSUES

It is important for Council to adopt the Workplace Behaviour and Employee Code of Conduct Policy which will support the Work, Health and Safety Policy and Employee Wellbeing Policy.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

Not applicable.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can accept or reject the new policy.

11 OFFICER'S COMMENTS/CONCLUSION

It is recommended that Council endorse the New Workplace Behaviour and Employee Code of Conduct Policy as a Council Policy.

12 ATTACHMENTS

1. DRAFT NEW Workplace Behaviour and Employee Code of Conduct Policy August 2024 [**14.6.1** - 21 pages]
2. 20240528 Improvement Notice - IM P-2602 [**14.6.2** - 3 pages]
3. Statement of Reasons - Internal Review - Req 39 Final [**14.6.3** - 5 pages]



14.7 POLICY REVIEW: SCREENING REQUIREMENTS UNDER THE SAFEGUARDING CHILDREN AND YOUNG PEOPLE

Responsible Officer:

Des Jennings, General Manager

Report prepared by:

Leslie Hall, People & Culture Business Partner

RECOMMENDATION

That Council

1. adopts the amended Safeguarding Children and Young People Policy; and
2. meets the cost of obtaining a Working With Vulnerable People (WWVP) Registration for anyone required to do so by this policy.

1 PURPOSE OF REPORT

The purpose of this report is to request Council amend the Safeguarding Children and Young People (Interim Policy) ("Interim Policy") that was adopted 11 December 2023; min ref. 23/0462 to update the requirements for compliance with Standard 5 of the National Principles for Child Safe Organisations which emerged from the work of the Royal Commission into Institutional Responses to Child Sexual Abuse.

2 INTRODUCTION/BACKGROUND

The Interim Policy was adopted in line with the Child and Youth Safe Organisations Act 2023 ("the Act") to define Council's commitment to creating and maintaining a Child Safe Organisation. This Interim Policy outlines the Council's position and responsibilities toward the safeguarding of children and young people in our physical and online environments.

The Interim Policy requires 6-monthly police checks for all new and existing staff, elected representatives, and all new and existing volunteers, in addition to that same cohort also being required to hold a Working With Vulnerable People Registration ("WWVP Registration"). It requires Contractors hold a WWVP registration "where relevant".

By definition, there is also a broader requirement that extends to consultants and visitors and anyone else undertaking work, but this is likely an administrative oversight and there are recommendations to address this below.

Under the Child and Youth Safe Standards, Principle 5 sets forth that "*People working with Children and young people are suitable and supported to reflect child safety and wellbeing values in practice*".

The Australian Human Rights commission has developed the National Principles for Child Safe Organisations that have been endorsed by all Commonwealth, state and territory governments that provide a nationally consistent approach to embedding child safe cultures across all sectors of Australian society in which children are involved.

The National Principles identify a key action area relating to Principle 5 of the Act is that "*Relevant staff and volunteers have current working with children checks or equivalent background checks*". The Interim Policy requirement is in excess of this requirement by requiring both WWVP and Police Checks, and on a more frequent basis than is recommended for "all" staff, not just "relevant staff".

The amendment proposes keeping the requirement for the WWVP registration as set out in the Interim Policy, but that this should only apply to "relevant staff". The amendment removes the requirement for 6-monthly Police Checks for all staff which is excessive and will place an unacceptable administrative burden on Council to administer such a requirement.

Additionally, the policy contains a definition of "Council Staff" that includes "visitors" and "contractors", as well as a separate definition of a "Contractor", and a separate specification of responsibilities for "Contract Managers" in clause



3.4.2 of the Interim Policy that deals with requirements for contractors, labour-hire and other 3rd party staff, including the requirement for WWVP registration “where relevant”, as well as compliance with the standard.

It is recommended that the definitions be amended as outlined below for clarity, including new definitions for “Child Interactive Roles” and “Child Interactive Areas”, and removing the existing broad definition for “Council Staff” and replacing this with specific definitions and obligations for each type of persons covered by the policy.

These new definitions will be incorporated into the Policy to create a requirement for the following individuals to be required to hold a WWVP registration:

- Direct employees of Council in “Child Interactive Roles” or in “Child Interactive Areas” (Employment Status WWVP Registration)
- Volunteers of Council in “Child Interactive Roles” or in “Child Interactive Areas” (Volunteer Only Status WWVP Registration)
- Any Contractor or Consultant working in “Child Interactive Roles” (Employment Status WWVP Registration)
- Supervisors/Leading Hands of Contractors, labour-hire, and 3rd party staff working in “Child Interactive Areas” – Requiring a contractual obligation that there must always be a supervisor on-site holding an Employment/Volunteer Status WWVP Registration
- Elected Members whose duties require them to attend “Child Interactive Areas” as a representative of Council (Volunteer Only Status WWVP Registration)

The WWVP Registration process is administered by the Consumer, Building and Occupational Services department of the Tasmanian Government (“CBOS”) in accordance with the *Registration to Work with Vulnerable People Act 2013 (Tas)* and has a simple online process for organisations to check the registration status is still current for employees and volunteers who have provided their registration details to Council. The amended policy requires verification of on-going WWVP registration for all required persons every 3 years, in line with the current requirements for childcare employees.

The current policy requiring National Police Checks every 6 months is excessive of the requirement. The amended policy proposes that a National Police Check is only required for Direct Employees engaged in “Child Interactive Roles”, or who are required by other legislation to do so, to provide a National Police Check within 2 months of commencement.

It is the recommendation that Council meets the cost of obtaining a WWVP registration, excluding Childcare employees, to anyone required to obtain a registration as a result of this Interim policy. Where possible, this should be done by reimbursement upon provision of a receipt from the person, however Council may also be required to directly pay for these costs where the up-front payment may create financial hardship.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.2 Councillors serve with integrity and honesty

1.3 Management is efficient, proactive and responsible



3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

Not applicable.

4 POLICY IMPLICATIONS

This Interim Policy was adopted in December 2023, with a scheduled review in 2025 intended to align Council's policies and procedures with standardised policies and procedures to be implemented across all Council's based on recommendations from Local Government Association Tasmania ("LGAT"). These recommendations have not yet been developed/received by Council.

Following that review, additional policy changes are anticipated to include a review of the existing Youth Policy, creation of a Child Safety Code of Conduct policy and a Child Safety and Wellbeing Policy.

5 STATUTORY REQUIREMENTS

There is no specific requirement set forth in the Act requiring either a WWVP Registration, or Police Checks to be conducted. The obligation under Part 3 of the Act is to ensure "People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice". The proposed changes are compliant with this requirement, subject to any further changes under the scheduled review of the Interim Policy in 2025.

6 FINANCIAL IMPLICATIONS

Should Council choose to not accept the recommendation, there will be a substantial ongoing cost to Council to fund 6-monthly Police Checks as exists in the current Interim Policy.

According to the current Interim Policy, "Council Staff" is defined as all "Northern Midlands Council employees, volunteers, students on placement, contractors, consultants, elected representatives, and visitors, and anyone else who undertakes work on behalf of the Northern Midlands Council. Council currently has over 200 registered volunteers and 115 Employee covered by the Northern Midlands Council Enterprise Agreement 2022-2025. National Police Record Checks for employment purposes issued by Tasmania Police currently cost \$70.00 per check. The cost of the current policy relating to 6-monthly police checks will cost in excess of \$44,000 per year.

Under the current Interim Policy requirements, there will be an additional cost to Council with administrative costs associated with compliance enforcement, re-imburements and payments where staff and/or volunteers are unable to meet the up-front cost to obtain the required checks, and there will be lost work time for staff who will require time away from work to attend Service Tasmania to submit applications for Police Checks.

As this measure is in excess of the obligations upon Council, it is recommended that the requirement for Police Checks be removed.

If the amendments are not endorsed, the initial cost of the WWVP Registration for all employees could be up to \$12,000. Initial costs for the 200 registered volunteers could be up to \$4,500 under the current policy.

The current cost of the Employment class WWVP registration is \$130.90, and \$22.44 for Volunteer only class WWVP registration, however these are valid for 5 years so will not have the same on-going burden. There is no requirement to obtain a National Police Check to obtain the WWVP registration as this is done by CBOS as part of the process. Many employees who will be required to hold WWVP under the proposed amendments, including Childcare workers and lifeguards, already have WWVP registrations.



It is anticipated that the number of employees requiring WWVP registration under the amended policy will be limited to employees in childcare, lifeguards, works crews, and employees directly interacting with the public via reception area, or inspectorial roles (receptionists, planners, compliance officers etc.).

The amendments reduce the number of persons required to obtain a WWVP registration, however there will still be a financial impost upon Council to fund WWVP registrations for these identified persons. It is estimated about 60 employees, excluding Childcare, will require WWVP registration. The number of Volunteers requiring the WWVP registration under the amended policy will be greatly reduced and limited to volunteers working in Child Interactive Areas.

WWVP registrations require ID Documents to be verified by a Justice of the Peace (“JP”). This will likely require an increased administrative workload on the two JP’s employed by Council, however the majority of the process is online and should require limited time lost by employees to obtain their WWVP clearance.

There will still be an increased administrative burden on the relevant officers under this policy to ensure compliance with the requirements for WWVP registrations to be obtained, and the 3 yearly verification process.

7 RISK ISSUES

There are potential industrial relations issues should persons requiring these checks under either the current Interim Policy requirements, or the proposed amendments, are unable to meet the requirements to obtain a registration. This would be managed on a risk management basis by the General Manager if it were to arise.

Recruitment practices and position descriptions will be updated to reflect the requirements for all future employment, with the requirement specified as a condition upon employment, and on-going employment, as part of the Contract of Employment for relevant staff. There may be an impact on recruitment as this is an additional impost for potential candidates to obtain the additional clearance, however, Council’s commitment to the National Principles as set out in this Interim Policy should be a priority to meet our obligations under the legislation to create a Child and Youth Safe Organisation.

Similarly, there is a risk that the requirement for a WWVP registration will result in Volunteers withdrawing from Council. Whilst this will most likely be as a result of a sense of ‘too hard’ for some of our Volunteers, the proposed amendments to the Interim Policy limit the requirements to fewer people who do interact with children and young people, and Council’s commitment to the Child and Youth Safe Organisation should take priority and be enforced. If existing Volunteers are unable to meet the requirements to obtain a registration, this will be managed on a risk-management basis by the General Manager if it were to arise.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may consider adopting the amendments to the Safeguarding Children and Young People (Interim Policy) to remove the need for a 6-monthly Police Check to be provided by all employees and volunteers of staff, and to reduce the requirement for WWVP registrations to only apply to employees, volunteers, contractors, and consultants and elected members directly involved in work with children, or performed in areas providing services or activities for children. For contractors working in child interaction areas, but not in direct roles working with children, the requirement is reduced to only requiring that a supervisor of a group of workers holds the WWVP check.



This registration will be verified by the relevant Council Officer every 3 years with the department of Consumer, Building and Occupational Services department of the Tasmanian Government.

To reduce the burden of compliance, Council should consider meeting the cost of obtaining a WWVP Registration where required by this policy.

11 OFFICER'S COMMENTS/CONCLUSION

The proposed amendments meet Council's obligations under the Act without placing excessive financial and administrative burden on Council.

It is Council's intention to review the Interim Policy once LGAT has provided guidance to all Council's on model policies and procedures to meet requirements under the Act. This advice has not yet been received by Council, and there is no guidance on when we can expect this. It is therefore required that we amend the Interim Policy to address current issues, with the review date to remain unchanged awaiting LGAT guidance.

The recommendation is to amend the Interim Policy to:

1. Remove the requirement for 6-monthly Police Checks requirements completely from the Interim Policy
2. Remove the requirement for mandatory WWVP registrations for visitors
3. Simplify the requirement for Contractors to obtain and hold the WWVP registration "where relevant", and as managed by the Contract Managers, to ensure adequate supervision to meet the obligations under the act
4. Change the requirement for WWVP registrations to only be for roles and activities directly related to children or in areas where children work and play
5. Require WWVP registrations for all volunteers and Direct Staff to be verified with the relevant state government department on a 3-yearly basis
6. Require Council to meet the cost of compliance with the obligations under this policy to avoid placing undue financial burden on current and future employees and volunteers.

A copy of the amended policy is provided as an attachment to this report. Updated clauses have been highlighted in yellow for illustrative purposes only and will be removed before publishing.

12 ATTACHMENTS

1. Safeguarding Children and Young People - Draft amended 20 August 2024 [14.7.1 - 8 pages]



15 CORPORATE SERVICES REPORTS

15.1 MONTHLY REPORT: FINANCIAL STATEMENT

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

RECOMMENDATION

That Council:

- i) receive and note the Monthly Financial Report for the period ending 31 July 2024, and
- ii) authorise Budget 2024/25 alterations as listed in Item 4.

1 PURPOSE OF REPORT

The purpose of this report is to present the monthly financial reports as at 31 July 2024.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 31 July 2024 is circulated for information.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 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

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region.

4 ALTERATIONS TO 2023-24 BUDGET

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

SUMMARY FINANCIAL REPORT

For Month Ending: 31-Jul-24 1

A. Operating Income and Expenditure						
	Budget	Year to Date Budget 25%	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$14,648,178	-\$14,648,178	-\$14,418,025	-\$230	98.4%	Raised in July 2024
Recurrent Grant Revenue	-\$5,560,473	-\$926,746	-\$125,961	-\$801	13.6%	75% FAGS grants paid 22/23
Fees and Charges Revenue	-\$3,112,403	-\$259,367	-\$400,208	\$141	154.3%	
Interest Revenue	-\$879,650	-\$73,305	-\$4,354	-\$69	5.9%	Timing variance
Reimbursements Revenue	-\$119,799	-\$9,983	-\$28,675	\$19	287.2%	
Other Revenue	-\$2,257,598	-\$188,133	\$38,386	-\$227	-20.4%	Timing variance
	-\$26,578,101	-\$16,105,712	-\$14,938,837	-\$1,167	92.8%	



Employee costs	\$8,432,058	\$702,672	\$576,537	\$126	82.0%	
Material & Services Expenditure	\$6,953,018	\$579,418	\$554,750	\$25	95.7%	
Depreciation Expenditure	\$7,656,898	\$638,075	\$638,075	\$0	100.0%	
Government Levies & Charges	\$1,238,375	\$103,198	\$171,197	-\$68	165.9%	
Councillors Expenditure	\$225,424	\$18,785	\$17,205	\$2	91.6%	
Interest on Borrowings	\$22,225	\$1,852	\$0	\$2	0.0%	
Other Expenditure	\$1,028,080	\$85,673	\$746,851	-\$661	871.7%	
Plant Expenditure Paid	\$601,400	\$50,117	\$124,669	-\$75	248.8%	
	\$26,157,478	\$2,179,790	\$2,829,284	-\$649	129.8%	
	-\$420,623	-\$13,925,922	-\$12,109,553			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$418,967	\$34,914	\$0	\$35	0.0%	*Asset recognition EOY
Underlying (Surplus) / Deficit	-\$1,656	-\$13,891,008	-\$12,109,553			1*
	\$0		\$0			
Capital Grant Revenue	-\$14,135,645	-\$1,177,970	-\$25,000	-\$1,153	2.1%	
Subdivider Contributions	-\$375,608	-\$31,301	0	-\$31	0.0%	* Not recognised until EOY
Capital Revenue	-\$14,511,253	-\$1,209,271	-\$25,000			

Budget Alteration Requests

- For Council authorisation by absolute majority

	Budget Operating	Budget Capital	Actuals
<i>Capital works budget variances above 10% or \$10,000 are highlighted</i>			
<i>July</i>			
<i>Fees & Charges - Gas Cylinder Disposal Fee</i>	\$10.00 per item		New fee
<i>Fees & Charges - Childcare Vacation Care</i>	\$104.00		Full Vacation Day Rate to match Long Day Care Day Rate
<i>Inspiring Positive Futures Program - High Schools</i>	Acc 501101	\$16,000.00	Omitted from Budget
<i>Climate Change Action Plan</i>	Acc 101010.053	\$29,759.09	Omitted from Budget
<i>Grant Income - Bus Stop DDA Compliance</i>	325043.5	-\$25,500.00	
<i>23 Panec Street, Conara</i>	707877.5	\$10,000.00	
<i>81 Main Road, Perth</i>	0.6	\$7,750.00	
<i>96A Main Road, Perth</i>	0.7	\$7,750.00	
<i>Lake Leake Cottage Access Ramp</i>	707965		Fund from Building Improv Program

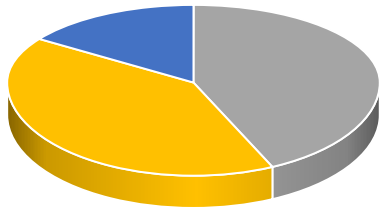
B. Balance Sheet Items

	Year to Date Actual	Monthly Change	Same time last year	Comments	
Cash & Cash Equivalents Balance	Year to Date				
- Opening Cash balance	\$19,266,373	\$19,266,373			
- Cash Inflow	\$1,120,830	\$1,120,830			
- Cash Payments	-\$2,584,598	-\$2,584,598			
- Closing Cash balance	\$17,802,605	\$17,802,605			
Account Breakdown					
- Trading Accounts	\$415,953				
- Investments	\$17,386,652				
	\$17,802,605				
Summary of Investments	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value



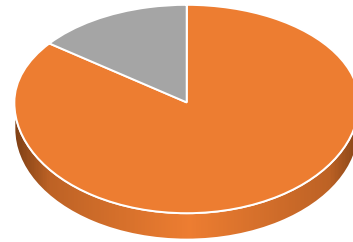
Tas Corp 24hr Call Account	1/07/2024	31/07/2024	4.35	\$5,808	\$5,829
Commonwealth 24hr Call Account	1/07/2024	31/07/2024	0.25	\$0	\$0
Commonwealth Business Online Saver Account	25/07/2024	31/07/2024	4.35	\$2,664,748	\$2,666,653
Westpac Corporate Regulated Interest Account	1/06/2024	30/06/2024	4.35	\$87,847	\$87,847
CBA	30/06/2024	4/11/2024	4.97	\$2,000,000	\$2,034,586
CBA	30/06/2024	7/10/2024	4.82	\$2,000,000	\$2,026,147
My State Financial	30/06/2024	18/12/2024	5.20	\$3,648,584	\$3,737,469
My State Financial - Online Saver Business	1/07/2024	31/07/2024	0.00	\$25	\$25
Westpac	30/06/2024	29/10/2024	5.15	\$1,067,513	\$1,085,738
Westpac - Stimulus Fund Investment	30/06/2024	16/12/2024	1.60	\$3,000,000	\$3,022,225
Westpac	30/06/2024	25/11/2024	5.09	\$3,000,000	\$3,061,917
Total Investments				\$17,474,524	\$17,728,435

Investments by Institution



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

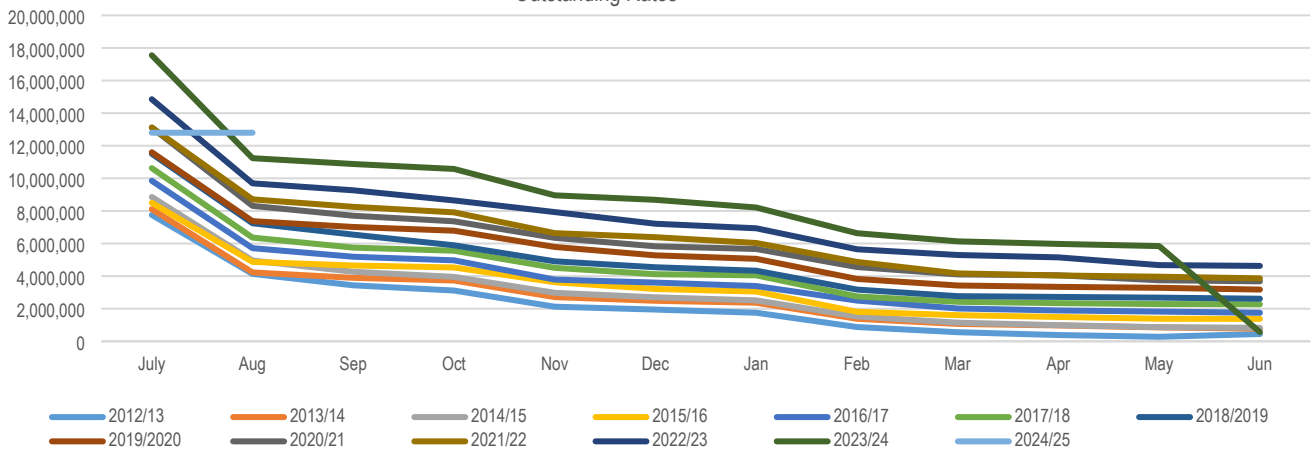
Total Investments by Rating (Standard & Poor's)



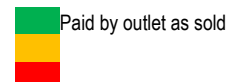
AA+ AA- BBB Unrated

Rate Debtors	2024/25	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	-\$44,208		\$4,626,436	
Rates Raised	\$14,420,472		\$14,232,969	
	\$14,376,265		\$18,859,406	
Rates collected	\$1,116,955	7.7%	\$1,011,884	7.1%
Pension Rebates	\$570,396	4.0%	\$543,776	3.8%
Discount & Remissions	\$5,192	0.0%	\$4,773	0.0%
	\$1,692,544		\$1,560,433	
Rates Outstanding	\$12,798,158	89.0%	\$17,551,036	93.1%
Advance Payments received	-\$114,437		-\$252,064	

Outstanding Rates



Trade Debtors			
Current balance	\$435,992		
- 30 Days		\$170,905	
- 60 Days		\$43,509	
- 90 Days		-\$44,222	
- More than 90 days		\$265,800	
Summary of Accounts more than 90 days:			
- Norfolk Plains Book sales		-	
- Hire/lease of facilities		48,813	
- Removal of fire hazards		3,764	





- Dog Registrations & Fines	18,321	Send to Fines Enforcement
- Private Works	8,452	
- Regulatory Fees	7,766	
- Govt Reimbursements	178,685	

C. Capital Program				
	Budget	Actual (\$,000)	Target 8%	Comments
Renewal	\$22,620,291	\$152,823	1%	
New assets	\$9,600,296	\$136,692	1%	
Total	\$32,220,587	\$289,515	1%	
Major projects:				
- Ctown Urban Streetscape Improvements	\$8,234,000	\$0	0%	
- Pth Bridge/Culvert Replacements (4)	\$3,327,028	\$0	0%	
- Pth Urban Streetscape Improvements	\$3,141,000	\$0	0%	
- Fleet Replacement Program	\$1,602,000	\$0	0%	
- Lfd Urban Streetscape Improvements	\$1,393,628	\$0	0%	
- Ashby Road reconstruction	\$1,135,790	\$255,185	22%	
- Lfd Caravan Park Amenities replacement	\$625,000	\$54,579	9%	
- Lfd Laycock Street Reserve	\$500,768	\$341,489	68%	
- Elphinstone Road Reconstruction	\$365,000	\$0	0%	
- Pth Junior Soccer Field	\$161,855	\$0	0%	
* Full year to date capital expenditure for 2024/25 provided as an attachment.				

D. Financial Health Indicators				
	Target	Actual	Variance	Trend
Financial Ratios				
- Rate Revenue / Total Revenue	55.1%	96.5%	-41.4%	↘
- Own Source Revenue / Total Revenue	79%	99%	-20.1%	↘
Sustainability Ratio				
- Operating Surplus / Operating Revenue	0.0%	81.1%	-81.1%	↘
- Debt / Own Source Revenue	35.3%	50.1%	-14.8%	↔
Efficiency Ratios				
- Receivables / Own Source Revenue	63.0%	118.5%	-55.5%	↘
- Employee costs / Revenue	31.7%	3.9%	27.9%	↗
- Renewal / Depreciation	295.4%	24.0%	271.5%	↗
Unit Costs				
- Waste Collection per bin	\$13.56	\$3.12		↔
- Employee costs per hour	\$70.27	\$41.77		↗
- Rate Revenue per property	\$1,916.55	\$1,886.44		↔
- IT per employee hour	\$5.45	\$18.06		↘

E. Employee & WHS scorecard		
	YTD	This Month
Number of Employees	109	109
New Employees	5	5
Resignations	3	3
Total hours worked	13,803	13,803
Medical Treatment Injury	2	2
Safety Incidents Reported	0	0
Hazards Reported	0	0
Workplace Inspections	3	3
Risk Incidents Reported	0	0
Insurance claims - Public Liability	0	0
Insurance claims - Industrial	0	0
Insurance claims - Motor Vehicle	0	0
IT - Unplanned lost time	1	1 Due to Electrical circuit
Open W/Comp claims	1	1

F. Waste Management				
Waste Transfer Station	2022/23	2023/24	2024/25 Budget	2023/24
			Year to Date	



Takings						
- Refuse	\$146,790	\$148,749	\$11,696	\$12,363	% change for same period last year	-90%
- Green Waste	\$77,811	\$60,216	\$4,786	\$3,575	% change for same period last year	-95%
- Concrete	\$4,861	\$4,767	\$375	\$406	% change for same period last year	-90%
- Tyres	257	\$0	\$417	\$0		
Total Takings	\$229,719	\$213,732	\$17,273	\$16,344		
Tonnes Disposed						
WTS Refuse Disposed Tonnes	1298	1276	-	65	% change for same period last year	-94%
WTS Green Waste Disposed Tonnes	5970	0	-	0		
WTS Concrete Disposed Tonnes	0	0	-	0		
Kerbside Refuse Disposed Tonnes	2341	2507	-	143	% change for same period last year	0%
Kerbside Recycling Disposed Tonnes	1035	1029	-	77	% change for same period last year	-106%
Fogo Disposed Tonnes	488	1308	-	52		
Total Waste Tonnes Disposed	11132	6120	0	337		

5 OFFICER COMMENTS

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

6 ATTACHMENTS

1. Monthly Financial Report - July 2024 [**15.1.1** - 1 page]
2. Monthly Capital Financial Report - July 2024 [**15.1.2** - 6 pages]



16 WORKS REPORTS

No Works reports included in this Council meeting agenda for Council's consideration.



17 ITEMS FOR THE CLOSED MEETING

RECOMMENDATION

That Council move into the “Closed Meeting” with the General Manager, Corporate Services Manager, Works Manager, Senior Planner, Executive Officer and Executive Assistant to discuss Closed Council Items.

Item	Local Government (Meeting Procedures) Regulations 2015 Reference
Procedural Matters	15(2)(g)
Personnel Matters	15(2)(a)
Action Items: Status Report	15(2)(g)
Legal Matter	15(2)(i)
Personnel Matters	15(2)(a)
Campbell Town Tourist Park	15(2)(g)
Committee Membership	15(2)(g)
Contract/Tender	15(2)(d)
Contract/Tender	15(2)(d)
Leases/Licences	15(2)(d)
Leases/Licences	15(2)(d)

Local Government (Meeting Procedures) Regulations 2015 - Part 2 - Meetings

- (a) *personnel matters, including complaints against an employee of the council and industrial relations matters;*
- (b) *information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business;*
- (c) *commercial information of a confidential nature that, if disclosed, is likely to -*
 - (i) *prejudice the commercial position of the person who supplied it; or*
 - (ii) *confer a commercial advantage on a competitor of the council; or*
 - (iii) *reveal a trade secret.*
- (d) *contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;*
- (e) *the security of -*
 - (i) *the council, councillors and council staff; or*
 - (ii) *the property of the council.*
- (f) *proposals for the council to acquire land or an interest in land or for the disposal of land;*
- (g) *information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;*
- (h) *applications by councillors for a leave of absence;*
- (i) *matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) *the personal hardship of any person who is a resident in, or is a ratepayer in, the relevant municipal area.*



18 CLOSURE

RECOMMENDATION

That Council move out of the "Closed Meeting".

Mayor Knowles closed the meeting at