



**NORTHERN  
MIDLANDS  
COUNCIL**

# **AGENDA**

**ORDINARY MEETING OF COUNCIL**

**MONDAY, 16 SEPTEMBER 2024**

Maree Bricknell  
ACTING 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](http://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").

The Recordings may not be uploaded, displayed, transcribed and/or reproduced without the written permission of the General Manager for the express purpose proposed.

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

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

Maree Bricknell

ACTING 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, 16 SEPTEMBER 2024 AT 5.00 PM AT THE COUNCIL CHAMBERS, 13 SMITH STREET, LONGFORD

MAREE BRICKNELL  
ACTING GENERAL MANAGER  
11 SEPTEMBER 2024

4.00pm Councillor Workshop – closed to the public

5.30pm Public Questions & Statements

## 1 ATTENDANCE

### PRESENT

In Attendance:

### APOLOGIES



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### 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.

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### 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, 19 August 2024, 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 21 October 2024.

### 5.3 MOTIONS ON NOTICE BY A COUNCILLOR

No Notices of Motion were received.



## 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
12 June 2024	Morven Park Management Committee	Ordinary
10 July 2024	Morven Park Management Committee	Ordinary
14 August 2024	Morven Park Management Committee	Ordinary
13 August 2024	Evandale Community Centre and Memorial Hall Management Executive Committee	Ordinary
13 August 2024	Evandale Community Centre and Memorial Hall Management Committee General	Ordinary
13 August 2024	Liffey Hall Management Committee Minutes	Ordinary
3 July 2024	Campbell Town Museum & Information Centre	Ordinary
6 August 2024	Avoca Museum and Information Centre	Ordinary
28 August 2024	Cressy District Committee	BGM
28 August 2024	Cressy District Committee	Ordinary
4 September 2024	Longford District Committee	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 CRESSY DISTRICT COMMITTEE

At the ordinary meeting of the Cressy Local District Committee held on 28 August 2024 the following motion/s were recorded for Council's consideration:

#### 7.1.1 Road Marking To Make Safe Vehicle Entrance To Ringwood Hotel

**Officer Recommendation:**

That Council note the request and that the Committee be advised that this is an operational matter and will be considered as a works request.

**Committee Recommendation:**

That Council provide feedback on the issue regarding vehicle access to the Ringwood Hotel car park.

**Officer Comment:**

The Committee is to be advised that this is an operational matter.

**Background:**

*Regarding the issue of bus access to the hotel car park.*

- 1. We could discuss with the bus owners the possibility of having "driver training event" where experienced bus operators meet with the current pickers bus drivers to pass on some of their experience regarding safe operation of the bus.*
- 2. We investigate the possibility of having yellow, no parking painted on the kerb (Longford side) to stop the public from parking too close to the driveway and allow for better access to the car park.*
- 3. Investigate the possibility of having a left turn only rule for buses as they leave the car park and have them travel around the block to travel South. The same when returning.*

These ideas will be considered by the CDC, and they will advise council of their ideas.

*Yellow lines agreed would help on Northern side of Ringwood Hotel.*

*SWA operator happy to discuss issues.*

*Motion moved for council to provide feedback on this issue.*



## 7.2 LONGFORD DISTRICT COMMITTEE

At the ordinary meeting of the Longford Local District Committee held on 4 September 2024 the following motion/s were recorded for Council's consideration:

### 7.2.1 Public Shower Longford Memorial Hall

**Officer Recommendation:**

That Council will consider the outcome of the pilot program for consideration in upgrading facilities in other areas.

**Committee Recommendation:**

The LDC thanks NMC for the installation of the public shower in the Longford Memorial Hall restrooms which has proved successful, and requests that the NMC continues with a program of public shower installation in other towns throughout the municipality.

**Officer Comment:**

Longford's public shower is a pilot program and depending on the outcome, Officers will continue to seek funding streams to enable other public amenities installations.



## 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
16/09/2024	<b>Council Workshop</b> Discussion: <ul style="list-style-type: none"><li>Council Meeting Agenda items</li></ul>
	<b>Council Meeting</b>

### 8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 15 August 2024 to 9 September 2024 are as follows:

Date	Activity
16 August	Attended Regional Collaboration Forum, Launceston
19 August	Attended Longford Kindergarten Book drop Toast4 Kids Charity, Longford
19 August	Attended Evandale Kindergarten Book drop Toast4 Kids Charity, Evandale
19 August	Attended meeting with Eskleigh and Lady Gowrie, Longford
19 August	Attended NMC Workshop and Council Meeting
20 August	Attended ABC radio interview re Campbell Town Tourist Park, Longford
20 August	Attended meeting with Tabatha Badger MP, Longford
21 August	Attended Perth Early Learning Centre Book drop Toast4 Kids Charity, Perth
21 August	Attended Northern Midlands Business Association (NMBA) Media Engagement with Minister Howlett, Powranna
21 August	Attended meeting with Minister Ferguson and Mark Shelton re 24hr fuel depot, Longford
22 August	Attended meeting for Northern Midlands mobile projects – Telstra online, Longford
22 August	Attended meeting with Longford Primary SRC at Council Chambers, Longford
22 August	Attended meeting with Longford resident, Longford
22 August	Attended Rotary Presentation dinner, Longford RSL
23 August	Attended Northern Local Government Round Table with Anita Dow, Shadow Minister for Local Government, Launceston
24 August	Officiated at Joey Scout State Event, Campbell Town
26 August	Attended online Meeting Tasmanian Prejudice Related Violence Working Group, Gipps Creek
27 August	Attended meeting with Anita Dow, Shadow Minister for Local Government, Longford
27 August	Attended meeting with Senator Richard Colbeck MP, Longford
27 August	Attended planning meeting for Governor's visit, Longford
28 August	Attended meeting with Brian Mitchell re Telstra upgrades, Perth
30 August	Attended Tamar Estuary and Esk Rivers (TEER) Report Card Presentation, Launceston
4 September	Attended LGAT Conference and General Meeting, Hobart
5 September	Attended LGAT Conference and General Meeting, Hobart
9 September	Attended ABC radio interview, Gipps Creek
	Attended to email, phone, media and mail inquiries



### 8.3 GENERAL MANAGER'S ACTIVITIES

General Manager's (Acting) Activities Attended & Planned for the period 12 August to 6 September are as follows:

Date	Activity
19 August	Attended Council Workshop and Meeting
20 August	Attended NTDC Board Meeting
20 August	Attended meeting with Tabatha Badger Tasmanian Greens member for Lyons
22 August	Met with Minister for Infrastructure, Michael Ferguson
27 August	Met with Senator Richard Colbeck
4 September	Met with Department of Education & Care

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

### 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.

No petitions received.

#### ATTACHMENTS

Nil



## 8.5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

No reports relating to attendance at Conferences and Seminars have been received.

## 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 2024/2025 YTD	Total 2023/24	Total 2022/23
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June			
<b>132</b>	133	79											<b>212</b>	<b>820</b>	<b>763</b>
<b>337</b>	42	41											<b>83</b>	<b>379</b>	<b>391</b>

## 8.7 ANIMAL CONTROL

Prepared by: Maree Bricknell, Corporate Services Manager

Item	Income/Issues 2023/2024		Income/Issues for August 2024		Income/Issues year to date 2024/2025	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,100	\$108,319	2411	59,454	2,444	60,285
Dogs Impounded	8	\$1,408	1	23	2	45
Euthanised	2				1	214
Re-claimed	6				2	209
Re-homed/Dogs Home						
New Kennel Applications	7	\$1,170	4	320	82	4,220
Renewed Kennel Licences	82	\$3,844	3	150	3	150
Infringement Notices (paid in full)	95	\$20,266	1	-195	3	815
Legal Action						
Livestock Impounded	2	\$724				
<b>TOTAL</b>		<b>\$135,731</b>		<b>\$59,752</b>		<b>\$65,939</b>



**Audits:**

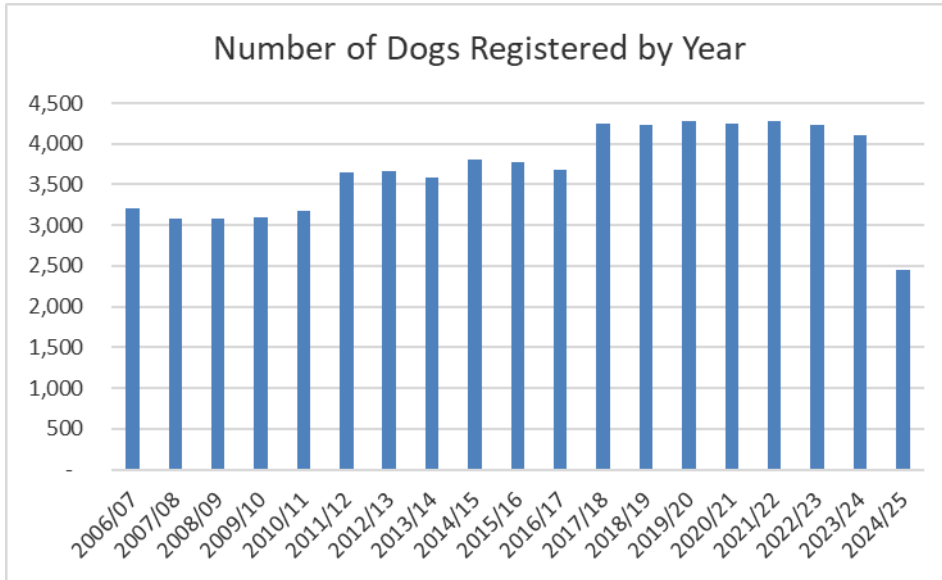
Ongoing including Dangerous Dogs, Kennel Licences, Fire Hazards.

**Microchips:**

0 dogs microchipped.

**Attacks:**

0 attack - 1 under investigation.



## 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.

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	16	3	13										
Routine Mobile/Market stall Food Inspections	14	-	14										
Preliminary Site Visits – Licensed Premises	5	3	2										
On-site wastewater Assessments	3	1	2										
Complaints/Enquiries – All Types	9	2	7										
Place of Assembly approvals	1	-	1										
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 24/25	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Animal Control	26	28	49	7	4	3										
Building & Planning	77	52	36	6	2	4										
Community Services	54	44	59	5	1	4										
Corporate Services	48	23	26	3	1	2										
Governance	15	21	19	1	-	1										
Waste	12	11	14	6	2	4										
Works	368	352	415	66	29	37										

## 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
6-Sep-24	Lucy Johnston	Representation - Aust Interschools National Equestrian Team	100
6-Sep-24	Campbell Town District High School	Inspiring Positive Futures Program	7,273
		TOTAL	\$7,773

## 8.11 ACTION ITEMS: COUNCIL MINUTES

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
18/03/2024	7.1.3	Blackburn Park	Completed	That it be noted that Council Officers are preparing a report for Council's consideration.	Executive & Communications Officer, Project & Building Compliance Manager	13/05/2024 Executive & Communications Officer Committee notified awaiting report 09/09/2024 Executive Assistant 2024/25 budget.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
19/08/2024	14.1	Campbell Town Tourist Park	Completed	That Council release the Campbell Town Tourist Park Proposal Consultation Report, May 2024.	Project Officer	26/08/2024 Project Officer The report has been released on the Council website
19/08/2024	7.2.3	Glover Advertising	Completed	That Council writes to the Glover committee raising the Evandale Committee's concern about the street banners.	Executive & Communications Officer	09/09/2024 Executive & Communications Officer Letter sent to Glover committee on 10/09/24
20/05/2024	13.3	Independent Living Units: Campbell Town and Evandale	Completed	That Council a) progresses the project to shovel ready status; and b) includes the design cost in the 2025 Municipal budget.	Corporate Services Manager, Project & Building Compliance Manager	13/06/2024 Project & Building Compliance Manager A report went to Council 09/09/2024 Executive Assistant Design works in 2024/25 budget.
19/08/2024	7.4.1	Information Board-Ross directional signage	Completed	That Council notes the recommendation.	Executive & Communications Officer, Tourism & Events Officer	09/09/2024 Executive & Communications Officer District Committee will prepare the information for consideration to be on the signboard
19/08/2024	7.4.1	Information Board-Ross directional signage	Completed	That Council notes the recommendation.	Executive & Communications Officer, Tourism & Events Officer	09/09/2024 Executive & Communications Officer District Committee will prepare the information for consideration to be on the signboard
19/08/2024	7.2.1	Internet at Community Centre	Completed	That Council provides the quotation and presents it to the Committee for consideration.	Executive & Communications Officer	09/09/2024 Executive & Communications Officer Telstra quotation regarding the NBN upgrade has been provided to the Evandale Community Centre
19/08/2024	7.2.1	Internet at Community Centre	Completed	That Council provides the quotation and presents it to the Committee for consideration.	Executive & Communications Officer	09/09/2024 Executive & Communications Officer Telstra quotation regarding the NBN upgrade has been provided to the Evandale Community Centre
22/04/2024	5.3.3	Notice of Motion: Waste Transfer Sites Signage	Completed	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 03/09/2024 Engineering Officer New signage installed
19/08/2024	14.3	Policy Review: Dog Management	Completed	That 1) Council adopt the amended Dog Management Policy and Code of Responsible Dog Ownership	Executive Assistant	09/09/2024 Executive Assistant Policy Manual and website updates completed.
19/08/2024	14.7	Policy Review: Screening requirements under the Safeguarding Children and Young People	Completed	That Council 1) adopts the amended Safeguarding Children and Young People Policy	Executive Assistant	09/09/2024 Executive Assistant Policy Manual and website updates completed.
19/08/2024	14.7	Policy Review: Screening requirements under the Safeguarding Children and Young People	Completed	That Council 2) meets the cost of obtaining a Working With Vulnerable People (WWVP) Registration for anyone required to do so by this policy.	People & Culture Business Partner	09/09/2024 Executive Assistant Noted.
19/08/2024	14.4	Policy Review: Whistleblower	Completed	That Council endorse the amendments to the Whistleblower Policy.	Executive Assistant	09/09/2024 Executive Assistant Policy Manual and website updates completed.
19/08/2024	14.5	Policy Review: Work Health and Safety and Employee Wellbeing Policy	Completed	That Council endorses the amendments to the Work, Health and Safety and Employee Wellbeing Policy as submitted and that the Policy continue to be reviewed as required.	Executive Assistant	09/09/2024 Executive Assistant Policy Manual and website updates completed.
19/08/2024	14.6	Policy Review: Workplace Behaviour and Employee Code of Conduct	Completed	That the Council endorsed the amendments to the Workplace Behaviour and Employee Code of Conduct Policy as submitted.	Executive Assistant	09/09/2024 Executive Assistant Policy Manual and website updates completed.
19/08/2024	7.2.2	Website Issue with feedback form	Completed	That Council investigates the usability of the feedback form on the website.	Executive & Communications Officer	09/09/2024 Executive & Communications Officer Website is being tweaked for ease of feedback.
19/08/2024	14.2	Australian Local Government Association (ALGA): Attendance at Australian Local	In progress	That Cr Brooks be authorised to attend the 2024 ALGA National Local Roads, Transport & Infrastructure Congress at Margaret River from 3 to 4 December 2024.	Executive Assistant, Executive Assistant	04/09/2024 Executive Assistant Bookings being progressed.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		National Local Roads Transport & Infrastructure Congress 2024				
19/02/2024	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 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 03/09/2024 Engineering Officer Awaiting response from minister
18/09/2023	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.
18/03/2024	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.
19/08/2024	7 1.4	Footpath upgrades	In progress	That council investigate additional funding sources and grants when available.	Engineering Officer, Works Manager	03/09/2024 Engineering Officer Council officers will consider footpaths in Campbell Town for the next round of Vulnerable Road User grants when it opens.
21/08/2023	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.
20/11/2023	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 consultant 09/08/2024 Engineering Officer Consultant has provided a report and indicated that the existing design



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						needs to be reviewed to ensure that the sign meets DSG frangibility requirements. The consultant has now commenced this work. 03/09/2024 Engineering Officer Awaiting report from consultant
24/06/2024	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. 04/09/2024 Executive Assistant DSG rescheduled works.
20/05/2024	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. 09/09/2024 Executive Assistant Listed for workshop discussion.
29/01/2024	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.
29/01/2024	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.
22/04/2024	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 Cracroft 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.
22/07/2024	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. 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. 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. 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.	General Manager	08/08/2024 Executive Assistant Letter sent 24 July 2024. Response awaited.
20/11/2023	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



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						Executive Assistant Report to June 2024 Council meeting. 09/08/2024 Executive Assistant To be reassessed as Budget Allocation substantially reduced by Council.
19/08/2024	7 1.2	Off Lead Dog Park - Campbell Town	In progress	That council investigates a suitable location.	Animal Control and Compliance Officers, Executive & Communications Officer, Works Manager	26/08/2024 Executive & Communications Officer District Committee has been notified
19/08/2024	7 1.3	Outdoor Basketball Court / Half Court	In progress	Council investigates grant funding for a half court/ quarter court basketball/ netball court in Campbell Town.	Executive & Communications Officer, Project Officer	26/08/2024 Project Officer Grant opportunities will be pursued as they arise. 26/08/2024 Executive & Communications Officer District Committee have been informed
22/04/2024	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.
22/07/2024	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 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.	Project & Building Compliance Manager, Project Officer	14/08/2024 Executive Assistant 13/08/2024 Executive Assistant Officers seeking quotation for detailed design.
19/08/2024	14.3	Policy Review: Dog Management	In progress	That 2) a further report be presented to a Council workshop for discussion on Kennel Licencing.	Executive Officer	
20/05/2024	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 03/09/2024 Engineering Officer Community consultation information has been prepared. Awaiting legal advice on the closure process
20/05/2024	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.
22/04/2024	14.2	Proposed Junior Soccer Field at the Perth Recreation Ground	In progress	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.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						09/08/2024 Executive Assistant Project progressed to Tender stage.
19/08/2024	7 3.1	Pull over/ Viewing Platform - Alternative Location	In progress	That Council investigates alternate viewing locations.	Engineering Officer, Executive & Communications Officer	
19/02/2024	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 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.	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 03/09/2024 Engineering Officer Awaiting response from minister
20/05/2024	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.
19/08/2024	13.2	Review of State Planning Provisions: Agricultural Worker Accommodation	In progress	That Council note the report, and that Council provide a submission to the review, including: regulation of provisions for sewerage, enforcement and regulation.	Senior Planner	
18/03/2024	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 03/09/2024 Engineering Officer Awaiting response from DSG
20/03/2023	16.1	Sticky Beaks Cafe Corner (cnr Wellington and Marlborough Streets): Upgrades and Safety	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 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.	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 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



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						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. 03/09/2024 Engineering Officer Awaiting further information from DSG
22/04/2024	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
29/01/2024	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.
18/03/2024	7 5.1	Devon Hills Neighbourhood Watch and Residents' Committee: Basketball Court	On hold	That the Works Manager meet with the Devon Hills Neighbourhood Watch and Residents Committee at a future date to discuss the Committee's 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.
22/04/2024	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 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).
29/01/2024	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.
20/11/2023	7 3.5	Provision of Public Shower Facility at Charles Berryman Reserve	On hold	That the future provision of public shower facilities at the Charles Berryman Reserve in Perth be considered as part of the	Project & Building Compliance Manager, Project Officer	14/02/2024 Executive Assistant Report to be prepared in conjunction with 14.2 (facility for the Northern Midlands)



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				Investigation currently underway; advice to be provided to the Committee.		
22/04/2024	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 31/08/2024	Units Billed	Amount Billed GST Exclusive \$
<b>Meander Valley Council</b>		
<b>Service Provided by NMC to MVC</b>		
Street Sweeping Plant Operator Wages and Oncosts	46.5	5,443
Street Sweeper - Plant Hire Hours		
<b>Total Services Provided by NMC to Meander Valley Council</b>		\$5,443
<b>Service Provided by Meander Valley Council to NMC</b>		
<b>Wages and Oncosts</b>		
Plumbing Inspector Services		
Engineering Services		
<b>Total Service Provided by MVC to NMC</b>		
<b>Net Income Flow</b>	<b>46.5</b>	<b>\$5,443</b>
<b>Total Net</b>		
<b>Private Works and Council Funded Works for External Organisations</b>	<b>Hours</b>	<b>Amount \$</b>
<b>Works Department Private Works Carried Out</b>	<b>20</b>	<b>1,250</b>
	<b>20</b>	<b>\$1,250</b>

### 8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	August 2024	Estimated Cost of Damages	
			Total to Date 2024/25	Total 2023/24
Waste Transfer Station - Copper fittings stolen from toilet and emergency shower	Campbell Town	\$ 1,500		
Copper fittings stolen from Old Bridge Road toilet	Perth	\$700		
Soap dispensers stolen from Valentines Park toilets	Campbell Town	\$500		
<b>TOTAL COST VANDALISM</b>		<b>\$ 2700</b>	<b>\$3600</b>	<b>\$ 28,300</b>

### 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			
	7/8	40	
	14/8	35	
	21/8	35	
	28/8	50	
Cressy			
	1/8	35	
	8/8	50	
	15/8	50	
	22/8	45	
	19/8	70	

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 August as follows:

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	7/8	12	
	14/8	8	
	21/8	12	
Longford			
	6/8	13	
	13/8	13	
	20/8	18	
	27/8	12	

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 August as follows:

Session Venue	Date of Session	Attendance	Comment
Perth			
	1/8	11	
	8/8	11	
	15/8	7	
	22/8	13	
	29/8	9	
Evandale			
	7/8	4	
	14/8	4	
	21/8	35	Change to School venue

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			
	7/8	12	
	14/8	8	
	21/8	8	
	28/8	12	

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 focus on teamwork and communication skills, boosting confidence and social interaction abilities

Session Venue	Date of Session	Attendance	Comment
Perth			
	5/8	11	
	12/8	12	
	19/8	15	
	26/8	14	

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 in the Northern Midlands running workshops focusing on 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.

**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.

**Reclink 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. Reclink 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 2 SEPTEMBER 2024

**INTEGRATED PRIORITY PROJECTS PLAN:**

Progress Report:

Project		Status	\$	Scheduled	
<b>1 Progress: Economic health and wealth - grow and prosper</b>					
<b>Foundation Projects</b>					
4.1	<b>Main Street Upgrades:</b> Gov <i>Campbell Town, Longford &amp; Perth</i>	<b>Campbell Town</b> 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	<b>Longford</b> 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 Meeting.	1,793,628	Grant Variation approval awaited.



Project		Status	\$	Scheduled		
	C&D	<b>Perth</b> 2022 Election Commitment secured through the PCIP DA approved.	Contribution from \$8m Federal Govt Election Commitment 2022.	Commenced.		
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	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.	5,000,000	Business Case for the first \$5 million submitted. Funding agreement signed. Work underway towards contracting preferred external lead project provider.
<b>Enabling Projects</b>						
5.1.	<i>Perth Sports Precinct &amp; 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	<b>Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania</b> 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 &amp; exhibition Building on the Village Green</i>	Gov	<b>Longford Motor Sport Museum</b> Included in NMC Priority Projects document.	No budget allocation staff resources only.		
5.3.	<i>Power Undergrounding in Evandale, Longford &amp; 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 &amp; 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.
<b>2 People: Cultural and society – a vibrant future that respects the past</b>						
<b>Enabling Projects</b>						
5.1.	<i>Recreation Ground Upgrades)</i>	Gov	<b>Campbell Town, Evandale and Cressy</b> NMC Priority Projects document. Funding to be sought for oval upgrades.			Not scheduled at this stage.
		Gov	<b>Cressy Recreation Ground</b> 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.
			<b>Perth Recreation Ground</b> Amenities, topdressing, cricket net upgrade.			Completed.



Project		Status	\$	Scheduled
				Completed.
5.1	Swimming Pool Upgrades (several)	Gov		Not scheduled at this stage.
		Gov	50,000	Completed prior to season opening.
5.2	Shared Pathways	Gov		Extent of work achievable within available budget being determined. Nominated as a Project of Regional Priority.
<b>4 Place: Nurture our heritage environment</b>				
<b>Foundation Projects</b>				
4.2	Perth South Esk River Parklands	Gov		Completed.
4.3	Sheepwash Creek Corridor & Open Space	Gov	3,700,000	Scheduled.
4.5	Municipal Tree Planting Program			Ongoing.
<b>Enabling Projects</b>				
5.1	Conara Park Upgrade	Gov		Agreement for Council to take control of Park, and improve as funds permit.
5.3	Redevelop Bartholomew Park Cressy	Gov		Completed.

- 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. Second report being prepared.
- 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 not successful.

- Application submitted to Community Energy Upgrades Fund Round One for solar system at the Longford Community Sports Centre. Outcome awaited.

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## 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.
  - 14.8.24: Host forum for TVIN members around the state with TICT and RTO guests, involving NMVC members, plus facilitate a family of Ross for the members of the TVIN group.
- Industry, Interpretation, Other Projects:
  - 20 & 21.8.24: Attend TICT Tasmanian Tourism Conference at Launceston.
  - 28.8.24: Attend NMC Integrity training.

### HHTRA update:

- 8.8.27: Attend workshop at Oatlands with Management Group and industry guests.
- Progress TICT Tasmanian Ambassador Program to develop a midlands module in the program course.
- Progress AGM planning and preparations, reports. Distribute invitations.
- 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.

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## 8.17 LOCAL GOVERNMENT ASSOCIATION TASMANIA (LGAT): GENERAL MEETING 4 SEPTEMBER 2024

Prepared by: *Gail Eacher, Executive Assistant*

The LGAT general meeting was held in Hobart on 4 September 2024, the meeting was attended by Mayor Knowles, Cr Adams and Cr Terrett.

The following is an extract from the Communique provided by LGAT following the meeting:

### Motions put forward:

#### **Psychosocial Safety Insurance for Elected Members - Burnie City Council**

That LGAT:

- 1) Lobby the State Government as a priority, to introduce legislation that mandates the need to have workers' compensation insurance (or equivalent) made available to councillors, to support recent legislative changes regarding psychosocial safety; and
- 2) The State Government work with the insurance industry to introduce the insurance framework as a priority.

**Decision:** Carried

#### **Working with Vulnerable People Card – Eligibility criteria for Councillor Nominees - Devonport City Council**

That LGAT request the State Government legislate, that eligibility for nomination as Councillor requires a person to hold a Working with Vulnerable People Card.

**Decision:** Carried



**Amendment of Local Government Act 1993, Schedule 5 Councillor Allowances - George Town Council**

- 1) That LGAT calls on the Tasmanian Government to amend Schedule 5 of the Local Government Act 1993, mandating the requirement for councils to have a provision for reimbursement of costs associated with the care of a dependent/s incurred while a councillor is undertaking their duties; and
- 2) Calling on the Tasmanian Government to draft a model clause for use by councils in allowance policies for the reimbursement of costs for care, to ensure consistent approaches across the sector and to encourage greater diversity in candidates considering becoming elected representatives.

**Decision:** Not Carried

**Substantial Commencement of Work - Circular Head Council**

That LGAT engages in dialogue with the State Planning Office to seek legislative amendment to permit individual councils to define 'substantial commencement of work' in the context of local Planning Permit Approvals.

**Decision:** Carried

**Legislative Reform to Effectively Manage the Environmental and Economic Risks Posed by Wild and Nuisance Pigs - Central Coast Council (Amended)**

That the Local Government Association of Tasmania lobby the Tasmanian State Government for legislative and operational reform to enable state and local government to manage and control the environmental and economic risks posed by wild, feral and nuisance animals, such as pigs, goats and deer more effectively.

**Decision:** Carried

**Other Items:**

**Housing Position Statement**

LGAT presented its Housing Position Statement for discussion, which draws together a number of housing policy positions that can be used for broader advocacy by LGAT and councils.

The Statement is based on the sixteen housing-related resolutions that LGAT members have made, LGAT's Short Stay Position Paper and various submissions, including to the Tasmanian Housing Strategy.

LGAT looks forward to making the Statement available on its website in the near future.

**Workplace Health and Safety Review**

LGAT CEO Dion Lester provided a further update on the Association's work regarding elected representative workplace health and safety.

In recognising the increasing frequency of aggressive behaviour, abuse, defamation, or bullying towards elected members, LGAT continues to progress its planned community awareness campaign set to launch in early 2025.

This high visibility campaign will be aimed at reducing harassment and abuse and elevating the quality of communication and engagement between community members and our councils. It will emphasise the need for respectful communication regardless of differing opinions or behaviours.

To help inform the direction of the campaign, LGAT will be sending all elected representatives a survey this month so they can share their experiences of bad behaviour and abuse. It's important for us to know how and when bullying occurs to ensure the campaign is impactful and authentic.

**ATTACHMENTS**

Nil

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## 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 11.1-11.2.

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: PLN24-0106: Multiple Dwellings - 30 Marlborough Street, Longford

PLAN 11.2: PLN24-0091: Multiple Dwellings (6) - 102 Marlborough Street, Longford



## 11 PLANNING REPORTS

### 11.1 PLN24-0106: MULTIPLE DWELLINGS - 30 MARLBOROUGH STREET, LONGFORD

*File:* 109301.29; PLN24-0106  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Rebecca Green, Consultant Planner

#### RECOMMENDATION

That application PLN24-0106 to develop and use the land at 30 Marlborough St Longford for Multiple dwellings (4 new, 1 existing) be approved subject to the following conditions:

#### 1 Layout not altered

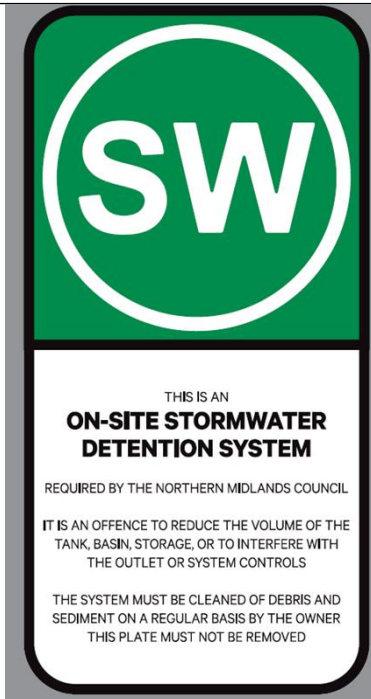
The use and development must be in accordance with the endorsed documents:

- P1 Site Plan, Woolcott Land Services, Job No: L240508, Version: v3.0, Dated: 29/07/24
- P2 Unit 1/2 & 3/4 Floor Plan, AREI Designs, Rev: F, Dated: 19/11/22
- P3 Unit 1/2 & 3/4 Elevations A & B, AREI Designs, Rev: F, Dated: 19/11/22
- P4 Unit 1/2 & 3/4 Elevations C & D, AREI Designs, Rev: F, Dated: 19/11/22
- D1 Planning Supporting Report, Woolcott Land Services & East Coast Surveying, Job No: L240508, Rev: 3, Dated: 26 June 2024
- D2 Traffic Impact Assessment, Midson Traffic Pty Ltd, Rev: 1, Dated: 26 June 2024
- D3 RFI Response – Traffic, Midson Traffic Pty Ltd, Dated: 11 July 2024
- D4 On Site Detention & WSUD Detailed Design including Stormwater Layout Plan 377.24-SK01, NTCADS, Dated: 22.07.2024

#### 2 Council's Works Department conditions

##### 2.1 Stormwater

- a) Concentrated stormwater must not be discharged into neighbouring properties.
- b) Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- c) All driveways and hardstand areas must be designed to allow stormwater run-off to be adequately drained to the Council stormwater system.
- d) Prior to the issue of a building permit, or the commencement of development authorised by this permit, the applicant must design and provide plans for underground stormwater drainage to collect stormwater from the driveways and roofed area of buildings. The system must connect through properly-jointed pipes to the stormwater main, inter-allotment drainage or other lawful point of discharge to the satisfaction of the Plumbing Inspector.
- e) A plumbing permit is required prior to commencing any plumbing or civil works within the property.
- f) An onsite stormwater detention (OSD) system must be installed in accordance with the approved plans and stormwater report.
- g) A stainless steel or aluminium sign with minimum 200mm x 100mm dimensions with the following design and wording shall be permanently fixed and visible on the detention system:



- h) A Water Sensitive Urban Design (WSUD) system must be installed in accordance with the approved plans and stormwater report.
- i) Prior to the commencement of use an operations and maintenance manual and As-Constructed plans must be provided for the OSD and WSUD systems to Council for approval. The Operation and Maintenance Manual must:
1. Provide a detailed description of the OSD and WSUD systems as well as the components included in the system covered in the manual; provide a comprehensive detailed explanation of all major operating procedures to ensure that the systems work as designed;
  2. Detail the preventive and corrective maintenance programs that must be adopted to ensure the systems are in a proper working order, including maintenance schedules, procedures, and test requirements, if any; and
  3. Include As-Constructed drawings of the systems as an annexure to the Operation and Maintenance Manual.
- The As-constructed drawings must provide:
1. Locations and sizes of pipes, pits, detention areas, volumes, tanks, outlets, WSUD elements etc.
  2. Invert levels and surface levels for pipes, manholes, detention, WSUD elements etc.
  3. Location and relative level of the connection to the public stormwater system
  4. Details of any bypass systems.
- j) Prior to the commencement of use certification must be provided by a suitably qualified person confirming that the OSD and WSUD systems has been installed in accordance with the relevant standards and will meet the performance requirements stated in Councils stormwater detention and stormwater water quality policies.
- k) Prior to the commencement of use certification must be provided by a suitably qualified person confirming that the As Constructed drawings are a true and accurate reflection of the OSD and WSUD systems that have been installed.

## 2.2 Access

The applicant shall prepare a plan for approval by Council showing “shared zone” pedestrian signage and mirror on a separate post to provide vehicles exiting the site with a clear view of approaching vehicles and pedestrians. Subject to Council approval the applicant shall be responsible for installing the signage and mirror prior to the commencement of the use.

The applicant shall install a large plant pot similar to the pot at the access to the Blenheim Inn carpark (12 Marlborough St Longford) on the footpath beside the access (southern side). The purpose of the pot is to direct pedestrians away from the area of limited vision for exiting vehicles. Prior to the installation of the pot the applicant must provide details to Council for approval.

## 2.3 Municipal standards & approvals

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. All works must be constructed to the satisfaction of Council. Where works are



required to be designed prior to construction, such designs and specifications must be approved by Council prior to commencement of any *in situ* works.

#### 2.4 Works in State road reserve

- a) The developer must obtain a permit from the Department State Growth for any works to be undertaken within the State Road reservation, including any works necessary in relation to the installation of mirrors or signage for the access.
- b) Application requirements and forms can be found at [transport.tas.gov.au/road/permits](https://transport.tas.gov.au/road/permits), applications must be submitted at least twenty-eight (28) days prior to any scheduled works. In accordance with the *Roads and Jetties Act 1935*, works must not be commenced within the State Road reservation until a permit has been issued.

#### 2.5 Pollutants

- a) The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- b) Prior to the commencement of development authorised by this permit the developer/property owner must install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. Material or debris must not be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve must be removed by the developer/property owner. Should Council be required to clean or carry out works on any of their infrastructure as a result of pollutants being released from the site the cost of these works may be charged to the developer/property owner.

#### 2.6 Works damage bond

- a) Prior to the issue of a building permit, or the commencement of development authorised by this permit, a \$1000 bond must be provided to Council, which will be refunded if Council's infrastructure is not damaged.
- b) This bond is not taken in place of the Building Department's construction compliance bond.
- c) The nature strip, crossover, apron and kerb and gutter and stormwater infrastructure must be reinstated to Council's standards if damaged.
- d) The bond will be returned after building completion if no damage has been done to Council's infrastructure and all engineering works are done to the satisfaction of the Works & Infrastructure Department.

#### 2.7 Nature strips

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

### **3 TasWater conditions**

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2024/00772-NMC dated 08 August 2024) – Attached at Appendix A.

### **4 Landscaping Plan**

Prior to the commencement of development works, a landscape plan must be submitted for approval of the Senior Planner. Once approved, the plan will form a part of the endorsed documentation.

### **5 Landscaping**

Landscaping works shall be in accordance with the endorsed plans, and landscaping works for each dwelling shall be completed, prior to the commencement of use of that dwelling and then maintained for the duration of the use. A bond of \$500 per dwelling shall be provided prior to the commencement of development authorised by this permit – the bond will be refunded if the landscape works are completed within the timeframe mentioned in this permit.

### **6 Driveways and Parking Areas**

All parking, access ways, manoeuvring and circulation spaces must:

- (a) be constructed with a durable all weather pavement;
- (b) be drained to the public stormwater system, or contain stormwater on the site; and
- (c) be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.

Driveways and parking areas around each dwelling shall be sealed prior to the commencement of use of the dwelling.

### **7 Required prior to the application for a building permit**

Prior to the issue of a building permit, or the commencement of development authorised by this permit, the applicant



shall:

- Plans for underground stormwater drainage (as per condition 2.1);
- Pay works damage bond of \$1000 (as per condition 2.6).

**8 Required prior to the commencement of the development works**

- Installation of all necessary silt fences and cut-off drains (as per condition 2.5);
- Pay a \$500 per dwelling landscape bond (as per condition 5).

**9 Prior to commencement of use**

Prior to the commencement of the use of each dwelling, the following must be completed:

- An operations and maintenance manual and As-Constructed plans must be provided for the OSD and WSUD systems and certification (as per condition 2.1);
- Landscaping works for each dwelling including mailboxes, fencing, and plantings (as per condition 4 – landscaping);
- Driveways and parking areas around each dwelling sealed (as per condition 6);
- Each dwelling must be provided with a dedicated and secure storage space of no less than 6m<sup>3</sup>.

## 1 INTRODUCTION

This report assesses an application for Multiple Dwellings (4 new, 1 existing) 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

- C2.5.1 Car Parking Numbers P1.2
- C3.5.1 Traffic Generation at a Vehicle Crossing, Level Crossing or New Junction P1
- C6.7.1 Demolition within a Local Heritage Precinct P1
- C9.5.2 Sensitive use within an Attenuation Area P1



### 3 APPLICATION DETAILS AND TIMEFRAMES

<b>Application Number:</b>	PLN24-0106
<b>Address:</b>	30 Marlborough St Longford
<b>Existing use/development:</b>	Residential, Food Services and General retail and Hire
<b>Applicant:</b>	Woolcott Land Services
<b>Use classification:</b>	Residential
<b>Zone:</b>	15.0 General Business
<b>Particular Purpose Zone/Specific Area Plan:</b>	Longford Specific Area Plan
<b>Applicable codes:</b>	C2.0 carparking and Sustainable Transport Code C3.0 Road and Railway Assets Code C6.0 Local historic Heritage Code C9.0 Attenuation Code
<b>Application must be determined by:</b>	20 September 2024
<b>Recommendation:</b>	<b>Approval subject to conditions detailed in "recommendation" above.</b>

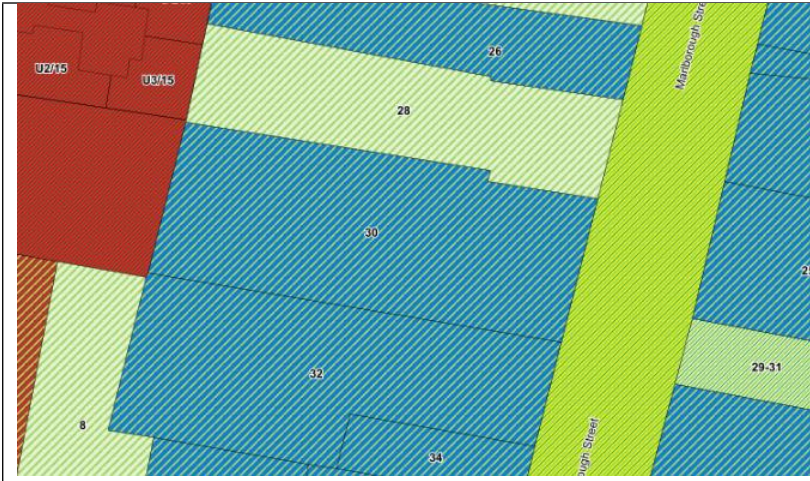
### 4 SUBJECT SITE AND LOCALITY

#### 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	
7.8	Port and Shipping in Proclaimed Wharf Areas	
7.9	Demolition	Complies
7.10	Development Not Required to be Categorised into a Use Class	
7.11	Use or Development Seaward of the Municipal District	
7.12	Sheds on Vacant Sites	
7.13	Temporary Housing	
7.14	Container Refund Points	

CODE	Applicable	Exemption Applied
C1.0 Signs Code		
C2.0 Parking and Sustainable Transport Code	X	
C3.0 Road and Railway Asset Code	X	
C4.0 Electricity Transmission Infrastructure Protection Code		
C5.0 Telecommunications Code		
C6.0 Local Historic Heritage Code	X	
C7.0 Natural Assets Code		
C8.0 Scenic Protection Code		
C9.0 Attenuation Code	X	
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		C16.4.1

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	X
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, communal residence, home-based business, home-based child care, residential care



	facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.
<b>Table 3.1 Planning Terms and Definitions</b>	
Multiple Dwellings	Means 2 or more dwellings on a site.

Per the applicable zone use class table, the proposed use Multiple Dwellings (residential) is Permitted as located to the rear of a premises. 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 GENERAL 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.

#### 15.3 Use Standards

15.3.1 All Uses		
Description	Assessment	
A1 Hours of Operation	The acceptable solution is achieved. Residential use is exempt.	
A2 External lighting	The acceptable solution is achieved. Residential use is exempt.	
A3 Commercial vehicle movements and the unloading and loading of commercial vehicles	The acceptable solution is achieved. Residential use is exempt.	
15.3.2 Discretionary Uses		
Description	Assessment	
A1 No Acceptable Solution	Not applicable. Permitted use.	
A2 No Acceptable Solution	Not applicable. Permitted use.	
15.3.3 Retail Impact		
Description	Assessment	
A1 Gross floor area of Bulky Goods Sales and General Retail and Hire uses	Not applicable. Residential use proposed.	
15.4 Development Standards for Buildings and Works		
Clause	Description	Assessment
15.4.1	Building height	A1 The acceptable solution is achieved. Building height 4.785m.
		A2 The acceptable solution is achieved. Building height 4.785m.
15.4.2	Setbacks	A1 The acceptable solution is achieved. There is no change to the existing building frontage setback on the lot.
		A2 The acceptable solution is achieved. The proposed buildings are at least 5m (6.06m) from the rear boundary and General Residential Zone.
		A3 Not applicable. There is no plant equipment proposed.
15.4.3	Design	A1 The acceptable solution is achieved. <ul style="list-style-type: none"> <li>(a) No plant equipment is proposed that is visible to the street and public places.</li> <li>(b) No roof top plant equipment is proposed.</li> <li>(c) Proposed shutters (screens) are not on a façade facing a frontage.</li> <li>(d) The existing shops and dwelling have rear lighting. The new dwellings will have external lighting normal to residential use.</li> </ul>



		A2 The acceptable solution is achieved. The proposed buildings will be accessible from the existing laneway visible to Marlborough Street and accessible for pedestrians.
15.4.4	Fencing	A1 Not applicable, no front fencing is proposed. A2 Not applicable.
15.4.5	Outdoor storage areas	A1 The acceptable solution is achieved. No outdoor storage is proposed.
15.4.6	Dwellings	A1 The acceptable solution is achieved. A minimum private open space (4m x 6m) is provided to each dwelling. A2 The acceptable solution can be achieved by the requirement via a condition on any permit requiring that each dwelling be provided with a dedicated and secure storage space of no less than 6m <sup>3</sup> .
<b>15.5 Development Standards for Subdivision</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>
15.5.1	Lot Design	A1 Not applicable. A2 Not applicable. A3 Not applicable.
15.5.2	Services	A1 Not applicable. A2 Not applicable. A3 Not applicable.

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

### ASSESSMENT OF SPECIFIC AREA PLAN PROVISIONS: LONGFORD

The provisions of the Specific Area Plan are in substitution for, and in addition to the provisions of the General Residential Zone, Low Density Residential Zone and Open Space Zone. The subject site is zoned General Business.

## 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.

<b>C2.5 Use Standards</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>
C2.5.1	Car Parking Numbers (Refer to table C2.1)	A1 Proposal relies on performance criteria.
C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 Not applicable. No requirement for residential use.
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.
<b>C2.6 Development Standards for Buildings and Works</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>



C2.6.1	Construction of parking areas	A1 The acceptable solution is achieved. The proposed parking spaces will be sealed. The driveway will be drained to the public stormwater system, this will be a condition upon any permit to ensure compliance.
C2.6.2	Design and layout of parking areas	A1.1 The acceptable solution is achieved. The parking areas and access are in accordance with AS2890.1 and Tables C2.2 and C2.3. A1.2 Not applicable.
C2.6.3	Number of accesses for vehicles	A1 The acceptable solution is achieved. The proposal includes one access. 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, the proposed use requires 9 parking spaces. 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 The acceptable solution is achieved. Parking spaces and vehicle turning areas are located being the building line. A2 Not applicable.
<b>C2.7 Parking Precinct Plan</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>
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.

<b>DISCRETIONS</b>	
<b>C2.5.1</b>	<b>Car parking numbers</b>
P1.2	The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to: a) the nature and intensity of the use and car parking required; b) the size of the dwelling and the number of bedrooms; and c) the pattern of parking in the surrounding area.
<b>Assessing Officers Comments</b>	The proposal is consistent with the performance criteria. The proposed dwellings require 9 parking spaces. The existing dwelling on site requires 2 parking spaces. The existing café on site requires 4 parking spaces. The existing retail premises requires 3 parking spaces. A total of 18 parking spaces is required under Table C2.1. The provision of 15 parking spaces in total is proposed. The development (existing and proposed) consists of several uses. There will be shared parking between the uses, particularly the retail and café components on site. Public transport services are limited with bus services operating along Marlborough Street past the subject site. The site is located on the fringe of Longford town centre, as such it is likely that customers of the retail and café components of the site will walk to the site from nearby residential and commercial catchments. There is a relatively large pool of nearby on-street car parking. The parking demands associated with the existing café, retail and dwelling are unchanged from existing conditions. The demands associated with the proposed residential dwellings proposed is 9 spaces. The proposal demonstrates 10 spaces (8 resident parking spaces and 2 visitor parking spaces) and therefore exceeds the parking requirements associated with the proposed use and development.

**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.

<b>C3.5 Use Standards</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>
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 Proposal relies on performance criteria.
		A1.5 The acceptable solution is achieved. Vehicular traffic is capable of entering and leaving the site in a forward direction.
<b>C3.6 Development Standards for Buildings and Works</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>
C3.6.1	Habitable buildings for sensitive uses within a road or railway attenuation area.	A1 Not applicable.
<b>C3.7 Development Standards for Subdivision</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>
C3.7.1	Subdivision for sensitive uses within a road or railway attenuation area.	A1 Not applicable.

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

<b>DISCRETIONS</b>	
<b>C3.5.1</b>	<b>Traffic generation at a vehicle crossing, level crossing or new junction</b>
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"> <li>a) any increase in traffic caused by the use;</li> <li>b) the nature of the traffic generated by the use;</li> <li>c) the nature of the road;</li> <li>d) the speed limit and traffic flow of the road;</li> <li>e) any alternative access to a road;</li> <li>f) the need for the use;</li> <li>g) any traffic impact assessment; and</li> <li>h) any advice received from the rail or road authority.</li> </ul>
<b>Assessing Officers Comments</b>	<p>The proposal is consistent with the performance criteria. A Traffic Impact Assessment accompanied the application together with a RFI Response – Traffic. The increase in traffic utilising the existing access will be 24 vehicles per day. The peak hour increase will be 3 vehicles per hour, which equates to an average of 1 vehicle movement every 20 minutes. The access can absorb the additional traffic generation without any significant loss of efficiency or safety. The increased traffic generation will be residential in nature. The traffic flow and speed limit of Marlborough Street are compatible with the access arrangement associated with the proposed development. The RFI Response – Traffic recommends that “Shared Zone 5km/h signage be installed at each end of the access. Council’s Works and Infrastructure Department have recommended an additional condition to any permit which would require the Shared Zone signage together with a mirror as well as placement of a large pot plant to direct pedestrians away from the area of limited vision for exiting vehicles.</p>



## C6.0 LOCAL HISTORIC HERITAGE CODE

### Code 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.

C6.7 Development Standards for Local Heritage Precincts and Local Historic Landscape Precincts		
Clause	Description	Assessment
C6.7.1	Demolition – Local heritage precinct	A1 Proposal relies on performance criteria.
C6.7.2	Demolition – Local historic landscape precinct	A1 Not applicable.
C6.7.3	Buildings and works, excluding demolition	A1 The acceptable solution is achieved. The proposed buildings are not on a local heritage place, not visible from any road or public open space, and do not involve a specific heritage value.
		A2 Not applicable. No new front fence is proposed.

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

DISCRETIONS	
<b>C6.7.1</b>	<b>Demolition within a local heritage precinct</b>
P1	<p>Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings, must not cause an unacceptable impact on the local historic heritage significance of the local heritage precinct as identified in the relevant Local Provisions Schedule, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the physical condition of the building, works, structure or trees;</li> <li>(b) the extent and rate of deterioration of the building, works, structure or trees;</li> <li>(c) the safety of the building, works, structure or trees;</li> <li>(d) the streetscape in which the building, works, structure or trees is located;</li> <li>(e) the special or unique contribution that the building, works, structure or trees makes to the streetscape or townscape values of the local heritage precinct identified in the relevant Local Provisions Schedule;</li> <li>(f) any options to reduce or mitigate deterioration;</li> <li>(g) whether demolition is a reasonable option to secure the long-term future of a building, works or structure; and</li> <li>(h) any economic considerations.</li> </ul>
<b>Assessing Officers Comments</b>	The proposal is consistent with the performance criteria. One outbuilding is to be demolished that is partly visible to the road. The building is deteriorated in part. The outbuilding is not significant to the streetscape being set behind the main building and another outbuilding. The top edge of the skillion style roof is partly visible to Marlborough Street from certain angles. The outbuilding makes no contribution to the local heritage precinct values.

## C9.0 ATTENUATION 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.

C9.5 Use Standards		
Clause	Description	Assessment
C9.5.1	Activities with the potential to cause emissions	A1 Not applicable.
C9.5.2	Sensitive use within an attenuation area	A1 Proposal relies on performance criteria.
C9.6 Development Standards for Subdivision		
Clause	Description	Assessment
C9.6.1	Lot design	A1 Not applicable.



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

DISCRETIONS	
<b>C9.5.2</b>	Sensitive use within an attenuation area
<b>P1</b>	<p>Sensitive use within an attenuation area, must not interfere with or constrain an existing activity listed in Tables C9.1 or C9.2, having regard to:</p> <ol style="list-style-type: none"> <li>a) the nature of the activity with potential to cause emissions including:               <ol style="list-style-type: none"> <li>i. operational characteristics of the activity;</li> <li>ii. scale and intensity of the activity; and</li> <li>iii. degree of hazard or pollution that may be emitted from the activity;</li> </ol> </li> <li>b) the nature of the sensitive use;</li> <li>c) the extent of encroachment by the sensitive use into the attenuation area;</li> <li>d) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions of the activity;</li> <li>e) any advice from the Director, Environment Protection Authority; and</li> <li>f) any advice from the Director of Mines.</li> </ol>
<b>Assessing Officers Comments</b>	<p>The proposal is consistent with the performance criteria. The proposed sensitive use is not likely to interfere or constrain an activity listed in Tables C9.1 or C9.2. The activity is from the Longford Abattoir and Rendering Plant and the Longford Timber Preservation Plant at 22 Tannery Road, Longford. The activity causing emissions is more than 1km from the subject site. The nature of the sensitive use is residential and is situated near to and adjoining other residential uses. The proposed sensitive use will not encroach into the attenuation area. No further design consideration is warranted.</p>

#### 5.4 REFERRALS

<p><b>Council's Infrastructure &amp; Works Department – NMC</b></p> <p>Council's Engineer (Jonathan Galbraith) reported on 7/8/24 that the Department has no objection to the proposal. Their recommended conditions are included in the conditions of approval.</p>
<p><b>TasWater</b></p> <p>TasWater issued a Submission to Planning Authority Notice on 8/08/2024 (TasWater Ref: TWDA 2024/00772-NMC). The Planning Permit will condition the development to be in accordance with the Submission to Planning Authority Notice.</p>
<p><b>TasNetworks</b></p> <p>TasNetworks reported that the development is not likely to adversely affect TasNetworks' operations.</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 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.

<b>Issue</b>	Unsympathetic to the historic pattern of the area
<b>Assessing Officers Comments</b>	Whilst the subject site is located within the Local Heritage Precinct the only provision that applies within the Local Historic Heritage Code relates to the demolition of a partially deteriorated outbuilding. As the development is located to the rear of the site, the development is not likely to be visible from the street or a public open space.
<b>Issue</b>	Site coverage incompatible with the character and appearance of the neighbourhood character



<b>Assessing Officers Comments</b>	The site is within the General Business zone and site coverage is not a consideration under the Development Standards for Building and Works in this zone. There are no provisions that apply to the proposal that can consider site coverage.
<b>Issue</b>	Number of traffic movements and safety concerns
<b>Assessing Officers Comments</b>	A Traffic Impact Assessment accompanied the application. The increase in traffic utilising the existing access will be 24 vehicles per day. The peak hour increase will be 3 vehicles per hour, which equates to an average of 1 vehicle movement every 20 minutes. The access can absorb the additional traffic generation without any significant loss of efficiency or safety. The increased traffic generation will be residential in nature. The traffic flow and speed limit of Marlborough Street are compatible with the access arrangement associated with the proposed development. The RFI Response – Traffic recommends that “Shared Zone 5km/h signage be installed at each end of the access. Council’s Works and Infrastructure Department have recommended an additional condition to any permit which would require the Shared Zone signage together with a mirror as well as placement of a large pot plant to direct pedestrians away from the area of limited vision for exiting vehicles.
<b>Issue</b>	Pedestrian safety concerns
<b>Assessing Officers Comments</b>	See comment above, particularly noting that a condition is recommended in relation to installation of signage, a mirror and a large pot plant to mitigate any safety concerns to pedestrians. The proposal has been considered by suitably qualified persons and deemed appropriate with appropriate conditions.

## 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

Council Policy – Stormwater Quality Management

Council Policy – On-Site Stormwater Detention

## 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-24-0106 public exhibition documents [11.1.1 - 48 pages]
2. Submission to Planning Authority Notice - Conditions - TWDA 202400772- NMC - 30 MARLBOROUGH S T, LO [11.1.2 - 3 pages]



## 11.2 PLN24-0091: MULTIPLE DWELLINGS (6) - 102 MARLBOROUGH STREET, LONGFORD

File: PLN24-0091; 109300.93  
Responsible Officer: Des Jennings, General Manager  
Report prepared by: Rebecca Green, Consultant Planner

### RECOMMENDATION

That application PLN24-0091 to develop and use the land at 102 Marlborough St Longford for Multiple Dwellings x 6 and stormwater works through 55 & 57 Hobhouse St Longford be approved subject to the following conditions:

#### 1 Layout not altered

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

- P1-P2 Cover sheet and Site Plan, Wilson Multi, Job No: 712978, Sheet No's: 00 and 01, Rev: C, Dated: 02 July 2024;
- P3-P7 Manoeuvring Plans and Soil and Water Management and Landscape Plan, Wilson Multi, Job No: 712978, Sheet No's: 01a, 01b, 01c, 01d and 01e, Rev: B, Dated: 05 June 2024;
- P8-P13 Unit 1 and Unit 2 Plans and Elevations, Wilson Multi, Job No: 712978, Sheet No's: 01f, 02, 02a, 03, 04 and 05, Rev: C, Dated: 02 July 2024;
- P14-P15 Unit 3 Plans, Wilson Multi, Job No: 712978, Sheet No's: 06 and 06a, Rev: B, Dated: 05 June 2024;
- P16 Unit 3 Elevations, Wilson Multi, Job No: 712978, Sheet No's: 07, Rev: C, Dated: 02 July 2024;
- P17-P23 Unit 4 and Unit 5 Plans and Elevations and Unit 6 Plans, Wilson Multi, Job No: 712978, Sheet No's: 08, 08a, 09, 10, 11, 12 and 12a, Rev: B, Dated: 05 June 2024;
- P24 Unit 6 Elevations, Wilson Multi, Job No: 712978, Sheet No's: 13, Rev: C, Dated: 02 July 2024;
- P25-P30 Roof Plans, Wilson Multi, Job No: 712978, Sheet No's: 14, 15, 16, 17, 18 and 19, Rev: B, Dated: 05 June 2024;
- P31-P33 Siteworks and Stormwater Plan and Section and Sewer and Water Plan, Gandy and Roberts, Job No: 24.0193, Sheet No's: C020, C040 and C050, Rev: B, Dated: 08.07.2024;
- D1 Traffic Impact Statement, Midson Traffic Pty Ltd, Dated: 18 July 2024.

#### 2 Council's Works Department conditions

##### 2.1 Stormwater

- a) Each dwelling must be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.
- b) Concentrated stormwater must not be discharged into neighbouring properties.
- c) Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- d) All driveways and hardstand areas must be designed to allow stormwater run-off to be adequately drained to the Council stormwater system.
- e) Prior to the issue of a building permit, or the commencement of development authorised by this permit, the applicant must design and provide plans for underground stormwater drainage to collect stormwater from the driveways and roofed area of buildings. The system must connect through properly-jointed pipes to the stormwater main, inter-allotment drainage or other lawful point of discharge to the satisfaction of the Plumbing Inspector.
- f) A plumbing permit is required prior to commencing any plumbing or civil works within the property.

##### 2.2 Stormwater quality infrastructure

Prior to the issue of a building permit the applicant must pay a contribution per dwelling for stormwater quality infrastructure in accordance with Council's fees and charges.

##### 2.3 Connection to Council Stormwater system

The applicant must provide a construction stormwater plan to Council for approval prior to carrying out any works on site. The plan must show details of connections to the Council stormwater system.

##### 2.4 Access (Urban)

- a) A concrete or asphalt driveway crossover apron must be constructed from the edge of the Road to the property boundary of in accordance with Council standard drawing TSD R09 and the approved design plans.
- b) Access works must not commence until an application for vehicular crossing has been approved by Council.



#### 2.5 As constructed information

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

- a) A CCTV inspection report must be provided for all new Council underground drainage pipes and pits.

#### 2.6 Municipal standards & approvals

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. All works must be constructed to the satisfaction of Council. Where works are required to be designed prior to construction, such designs and specifications must be approved by Council prior to commencement of any *in situ* works.

#### 2.7 Works in State road reserve

- a) The developer must obtain a permit from the Department State Growth for any works to be undertaken within the State Road reservation, including any works necessary in relation to access construction, stormwater drainage and/or traffic management control and devices from the proposal.
- b) Application requirements and forms can be found at [transport.tas.gov.au/road/permits](http://transport.tas.gov.au/road/permits), applications must be submitted at least twenty-eight (28) days prior to any scheduled works. In accordance with the *Roads and Jetties Act 1935*, works must not be commenced within the State Road reservation until a permit has been issued.

#### 2.8 Pollutants

- a) The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- b) Prior to the commencement of development authorised by this permit the developer/property owner must install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. Material or debris must not be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve must be removed by the developer/property owner. Should Council be required to clean or carry out works on any of their infrastructure as a result of pollutants being released from the site the cost of these works may be charged to the developer/property owner.

#### 2.9 Works damage bond

- a) Prior to the issue of a building permit, or the commencement of development authorised by this permit, a \$1000 bond must be provided to Council, which will be refunded if Council's infrastructure is not damaged.
- b) This bond is not taken in place of the Building Department's construction compliance bond.
- c) The nature strip, crossover, apron and kerb and gutter and stormwater infrastructure must be reinstated to Council's standards if damaged.
- d) The bond will be returned after building completion if no damage has been done to Council's infrastructure and all engineering works are done to the satisfaction of the Works & Infrastructure Department.

#### 2.10 Nature strips

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

### **3 TasWater conditions**

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2024/00698-NMC) – Attached at Appendix A.

### **4 Screening – Unit 6**

Prior to the commencement of use of Unit 6, a minimum 1.7m screen must be placed between W06 and the shared driveway to the satisfaction of the Senior Planner.

### **5 Stormwater Infrastructure works in 57 Hobhouse Street, Longford**

Any unnecessary vegetation removal must be avoided for the stormwater connection to the main at 57 Hobhouse Street, Longford.

*Note: Suitable replanting to offset any vegetation removal required at 57 Hobhouse Street should be considered and undertaken at the expense of the proponent within the boundaries of 57 Hobhouse Street.*

### **6 Landscaping**



Landscaping works shall be in accordance with the endorsed plans, and landscaping works for each dwelling shall be completed, prior to the commencement of use of that dwelling and then maintained for the duration of the use. A bond of \$500 per dwelling shall be provided prior to the commencement of development authorised by this permit – the bond will be refunded if the landscape works are completed within the timeframe mentioned in this permit.

#### **7 Driveways and Parking Areas**

All parking, access ways, manoeuvring and circulation spaces must:

- (a) be constructed with a durable all weather pavement;
- (b) be drained to the public stormwater system, or contain stormwater on the site; and
- (c) be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.

Driveways and parking areas around each dwelling shall be sealed prior to the commencement of use of the dwelling.

#### **8 Required prior to the application for a building permit**

Prior to the issue of a building permit, or the commencement of development authorised by this permit, the applicant shall:

- Plans for underground stormwater drainage (as per condition 2.1);
- Pay a contribution per dwelling for stormwater quality infrastructure in accordance with Council's fees and charges (as per condition 2.2);
- Pay works damage bond of \$1000 (as per condition 2.9).

#### **9 Required prior to the commencement of the development works**

- Installation of all necessary silt fences and cut-off drains (as per condition 2.8);
- Pay a \$500 per dwelling landscape bond (as per condition 6).

#### **10 Prior to commencement of use**

Prior to the commencement of the use of each dwelling, the following must be completed:

- Landscaping works for each dwelling including mailboxes, fencing, and plantings (as per condition 6 – landscaping);
- Driveways and parking areas around each dwelling sealed (as per condition 7).

## **1 INTRODUCTION**

This report assesses an application for Multiple Dwellings x 6 and associated infrastructure works 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

- NOR-S6.7.1 Residential density for multiple dwellings P1(a)
- NOR-S6.7.3 Wall materials P1
- NOR-S6.7.4 Windows P3
- C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction P1

### 3 APPLICATION DETAILS AND TIMEFRAMES

<b>Application Number:</b>	PLN24-0091
<b>Address:</b>	102 Marlborough St Longford (55 and 57 Hobhouse Street)
<b>Existing use/development:</b>	Vacant
<b>Applicant:</b>	Wilson Homes
<b>Use classification:</b>	Residential (multiple dwellings)
<b>Zone:</b>	General Residential
<b>Particular Purpose Zone/Specific Area Plan:</b>	NOR-S6.0 Longford Specific Area Plan
<b>Applicable codes:</b>	C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code C16.0 safeguarding of Airports Code
<b>Application must be determined by:</b>	20 September 2024
<b>Recommendation:</b>	Approval subject to conditions detailed in "recommendation" above.

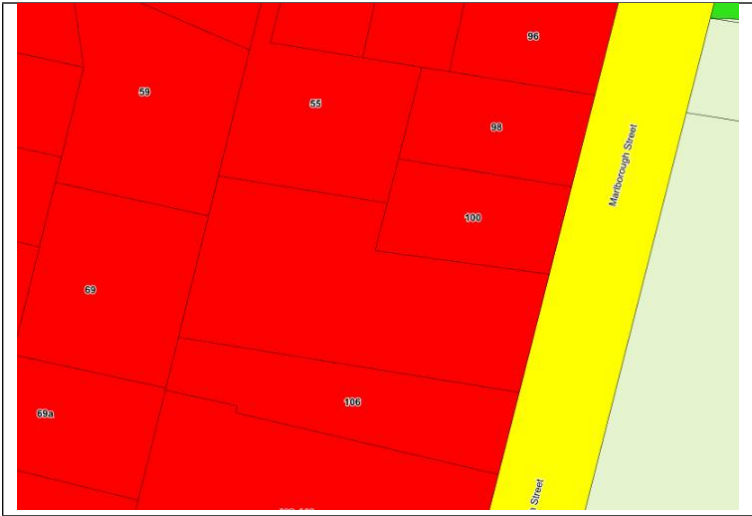
### 4 SUBJECT SITE AND LOCALITY

#### 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 Seaward 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	X	
C3.0	Road and Railway Asset Code	X	



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		
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		Exempt, C16.4.1

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	X
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, communal residence, 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	
Multiple Dwellings	Means 2 or more dwellings on a site.

Per the applicable zone use class table, the proposed use residential (Multiple dwellings) is Permitted with permit. 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**

**8.0 GENERAL RESIDENTIAL 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.

### 8.3 Use Standards

8.3.1 Discretionary Uses		
Description	Assessment	
A1 Hours of operation	Not applicable, permitted use.	
A2 External lighting	Not applicable, permitted use.	
A3 Commercial vehicle movements.	Not applicable, permitted use.	
A4 No Acceptable Solution	Not applicable, permitted use.	
8.3.2 Visitor Accommodation		
Description	Assessment	
A1 a) must accommodate guests in an existing habitable building; and b) have a gross floor area of not more than 200m <sup>2</sup> per lot	Not applicable, residential use.	
A2 Not a strata lot	Not applicable, residential use.	
8.4 Development Standards for dwellings		
Clause	Description	Assessment
8.4.1	Residential density for multiple dwellings	A1 Substituted by NOR6.7.1
8.4.2	Setbacks and building envelope for all dwellings	A1 The acceptable solution is achieved. Unit 1 is located a minimum 4.978m to the frontage.
		A2 The acceptable solution is achieved. The garage for Unit 1 is located to the rear of the unit and at least 5.5m from the primary frontage.
		A3 The acceptable solution is achieved. All buildings are contained within the building envelope.
8.4.3	Site coverage and private open space for all dwellings	A1a) The acceptable solution is achieved. The total site coverage is 32.4% of the 2307m <sup>2</sup> site.
		b) The acceptable solution is achieved. Each multiple dwelling will have greater than 60m <sup>2</sup> of private open space.
		A2a) The acceptable solution is achieved. Each multiple dwelling will have an area of private open space that is greater than 24m <sup>2</sup> , and has a minimum width of 4m, and is on land with a gradient less than 1 in 10 and is not located within the frontage of the relevant dwelling.
8.4.4	Sunlight and overshadowing for all dwellings	A1 The acceptable solution is achieved.
8.4.5	Width of openings for garages and carports for all dwellings	A1 Not applicable, no garage located within 12m of a primary frontage has an opening facing the primary frontage.
8.4.6	Privacy for all dwellings	A1 Not applicable.
		A2 Not applicable.
		A3 The acceptable solution is achieved. The windows of all habitable rooms are separated from a shared driveway or



		parking spaces by a horizontal distance of at least 2.5m, except for W06 (living room) of Unit 6. A condition requiring a 1.7m screen prior to occupancy of Unit 6 can be placed upon a permit.
8.4.7	Frontage fences for all dwellings	A1 The acceptable solution is achieved. Fencing proposed within 4.5m of the frontage will be 1200mm high treated pine fencing.
8.4.8	Waste storage for multiple dwellings	A1 The acceptable solution is achieved. The proposed multiple dwellings will include a dedicated area for the storage of waste and recycling bins that is screened from the road and driveway.
<b>8.5 Development Standards for Non-dwellings</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>
8.5.1	Non-dwelling development	A1 Not applicable
		A2 Not applicable
		A3 Not applicable
		A4 Not applicable
		A5 Not applicable
		A6 Not applicable
8.5.2	Non-residential garages and carports	A1 Not applicable
		A2 Not applicable
<b>8.6 Development Standards for Subdivision</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>
8.6.1	Lot Design	A1 Not applicable
		A2 Not applicable
		A3 Not applicable
		A4 Not applicable
8.6.2	Roads	A1 Not applicable
8.6.3	Services	A1 Not applicable
		A2 Not applicable
		A3 Not applicable

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

### ASSESSMENT OF SPECIFIC AREA PLAN PROVISIONS: LONGFORD

#### 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.

<b>NOR-S6.7 Development Standards for Buildings and Works</b>		
		<b>Assessment</b>
NOR-S6.7.1	Residential density for multiple dwellings	A1 Relies on performance criteria.
NOR-S6.7.2	Roof form and material	A1 The acceptable solution is achieved. The roof pitch is a uniform 23 degrees.



NOR-S6.7.3	Wall material	A1 Relies on performance criteria.
NOR-S6.7.4	Windows	A1 The acceptable solution is achieved. The proposed dwellings will feature windows no less than 300mm beneath the eaves line.
		A2 The acceptable solution is achieved. The proposed frontage façade will feature windows of Unit 1, with a surface area less than 30% of the total surface area of the façade.
		A3 Relies on performance criteria.
<b>NOR-S6.8 Development Standards for Subdivision</b>		
NOR-S6.8.1	Lot design in development precincts	A1 Not applicable.
NOR-S6.8.2	Lot design – urban	A1 Not applicable.
NOR-S6.8.3	Lot design – rural fringe	A1 Not applicable.
NOR-S6.8.4	Internal lots	A1 Not applicable.
NOR-S6.8.5	Roads	A1 Not applicable.
		A2 Not applicable.

**DISCRETIONS**

<b>NOR-S6.7.1 Residential density for multiple dwellings</b>		
P1	Multiple dwellings must only have a site area per dwelling that is less than 400m <sup>2</sup> , if the development will not exceed the capacity of infrastructure services and: a) is compatible with the density of existing development on established properties within the area; or b) provides for a significant social or community benefit and is: (i) wholly or partly within 400m walking distance of a public transport stop; or (ii) wholly or partly within 400m walking distance of a Village Zone, Local Business Zone, or General Business Zone.	
<b>Assessing Officers Comments</b>	The application has been reviewed by Councils Engineering Officer, who has not raised concerns in relation to the capacity of infrastructure services. The proposed density is 1:384.5m <sup>2</sup> . The proposed site area per dwelling is consistent with that of established multiple dwellings in the surrounding area. Examples of densities higher than the proposal include 92 Marlborough Street which has a density of approximately 1:238m <sup>2</sup> , 57 Pakenham which has a density of approximately 1:138m <sup>2</sup> , and 72 Pakenham Street which has a density of approximately 1:317m <sup>2</sup> . The proposal is compatible with the density of existing development on established properties within the area and the proposal is consistent with the performance criteria P1(a).	
<b>NOR-S6.7.3 Wall materials</b>		
P1a	Wall materials of buildings, excluding outbuildings, places listed in Table C6.1, and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be compatible with the design and period of construction of the existing buildings on the site and in the street, and be compatible with the design and period of construction of the existing buildings or rural village character, having regard to: a) use of bull-nosed timber weatherboards, or materials that have the appearance of bull-nosed timber weatherboards; or b) use of brickwork with mortar of a neutral earth colour and struck flush with the brickwork; or c) use of concrete blocks specifically chosen to: (i) blend with dressed sandstone; or	



DISCRETIONS	
	(ii) rendered with coloured finishes in neutral earth tones.
<b>Assessing Officers Comments</b>	There is no existing building on the site, and the new buildings will be visible from the street. The proposed dwellings will be clad with face brickwork and sections of horizontal FC sheeting, which is compatible with buildings visible along the street.
NOR-S6.7.4 Windows	
p3	<p>Windows for new buildings and extensions to existing buildings, or alterations to existing buildings, excluding places listed in Table C6.1 and sites located within the Longford Historic Heritage Precinct listed in Table C6.2, must be compatible with the design and period of construction of the existing buildings in the street, having regard to:</p> <ul style="list-style-type: none"> <li>a) the period and style of the building;</li> <li>b) the use of multi-pane sashes conforming to the patterns per sash with size and profile glazing bars as shown in Figure NOR-S5.7.4 (b);</li> <li>c) the use of projecting brick or stone sills that match the existing if in a brick or masonry building;</li> <li>d) the use clear glass; and</li> <li>e) the division of large areas of glass panelling with vertical mullions to achieve a vertical orientation of glazing.</li> </ul>
<b>Assessing Officers Comments</b>	<p>The proposed dwellings will be visible from the street. An assessment of established dwellings in the street shows that a variety of window styles are used, which are visible from the street and with which the proposed windows are compatible.</p> <p>Windows on dwelling facades that are visible from Marlborough Street have a variety of forms and styles and are part of buildings that were constructed in different time periods. As such, the frontage facing windows of the proposed development are consistent with those of windows on buildings in the surrounding area. The proposal is consistent with the performance criteria.</p>

### 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 The acceptable solution is achieved. 12 car parking spaces is provided for the 6 dwellings as well as 2 visitor parking spaces.
C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 Not applicable. No requirement for residential use.
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 The acceptable solution is achieved. The proposed parking spaces will be sealed. The driveway will be drained to the public stormwater system, this will be a condition upon any permit to ensure compliance.
C2.6.2	Design and layout of parking areas	A1.1 The acceptable solution is achieved. The parking areas and access are in accordance with AS2890.1 and Tables C2.2 and C2.3. A1.2 Not applicable.
C2.6.3	Number of accesses for vehicles	A1 The acceptable solution is achieved. The proposal includes one access. 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 The acceptable solution is achieved. Pedestrian pathways are provided. 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 The acceptable solution is achieved. Parking spaces and vehicle turning areas are located being the building line. A2 Not applicable.
<b>C2.7 Parking Precinct Plan</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>
C2.7.1	Parking precinct plan	A1 Not applicable.

### 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.

<b>C3.5 Use Standards</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>
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 Proposal relies on performance criteria. A1.5 The acceptable solution is achieved. Vehicular traffic is capable of entering and leaving the site in a forward direction.
<b>C3.6 Development Standards for Buildings and Works</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>



C3.6.1	Habitable buildings for sensitive uses within a road or railway attenuation area.	A1 Not applicable.
<b>C3.7 Development Standards for Subdivision</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>
C3.7.1	Subdivision for sensitive uses within a road or railway attenuation area.	A1 Not applicable.

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

<b>DISCRETIONS</b>	
<b>C3.5.1</b>	<b>Traffic generation at a vehicle crossing, level crossing or new junction</b>
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"> <li>a) any increase in traffic caused by the use;</li> <li>b) the nature of the traffic generated by the use;</li> <li>c) the nature of the road;</li> <li>d) the speed limit and traffic flow of the road;</li> <li>e) any alternative access to a road;</li> <li>f) the need for the use;</li> <li>g) any traffic impact assessment; and</li> <li>h) any advice received from the rail or road authority.</li> </ul>
<b>Assessing Officers Comments</b>	<p>The proposal is consistent with the performance criteria. A Traffic Impact Assessment accompanied the application. The increase in traffic utilising the existing access will be 36 vehicles per day. The peak hour increase will be 4 vehicles per hour, which equates to an average of 1 vehicle movement every 15 minutes. The access can absorb the additional traffic generation without any significant loss of efficiency or safety. The increased traffic generation will be residential in nature. The traffic flow and speed limit of Marlborough Street are compatible with the access arrangement associated with the proposed development.</p>

#### 5.4 REFERRALS

<p><b>Council's Infrastructure &amp; Works Department – NMC</b> Council's Engineer (Jonathan Galbraith / Cameron Oakley) reported on 6/9/24. Their recommended conditions are included in the conditions of approval.</p>
<p><b>TasWater</b> TasWater issued a Submission to Planning Authority Notice on 3/07/2024 (TasWater Ref: TWDA 2024/00698-NMC). The Planning Permit will condition the development to be in accordance with the Submission to Planning Authority Notice.</p>
<p><b>TasNetworks</b> TasNetworks reported that the development is not likely to adversely affect TasNetworks' operations.</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 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 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.

<b>Issue</b>	Concerns over involvement of the representors property involving stormwater infrastructure rather than the subject site and 55 Hobhouse Street only.
<b>Assessing Officers Comments</b>	The representor was notified under the Act of the making of the application. The representors property has an existing stormwater manhole in the southeastern corner. In the vicinity of the new infrastructure at the representor’s property is an existing stormwater main including manhole and a sewer main. The new stormwater main proposed in the southeastern corner to connect at an angle to the manhole is the best hydraulic solution possible due to angles and pipe depths, as advised by Council’s Engineering Supervisor. The existing vegetation in this vicinity is not protected as it is already located within 2m of existing stormwater and sewer infrastructure (exempt from requiring a permit under exemption 4.4.1 (f), however as privacy concerns have been raised by the representor, a condition ensuring only the necessary vegetation removal is undertaken for the new works.

**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
- Council Policy – Stormwater Quality Management
- Council Policy – On-Site Stormwater Detention

**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-24-0091 public exhibition documents [11.2.1 - 52 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.

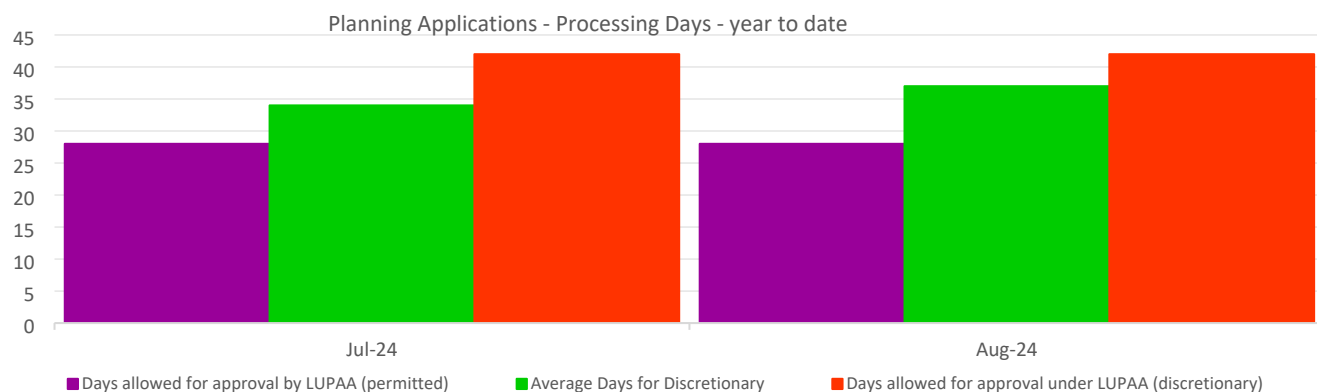
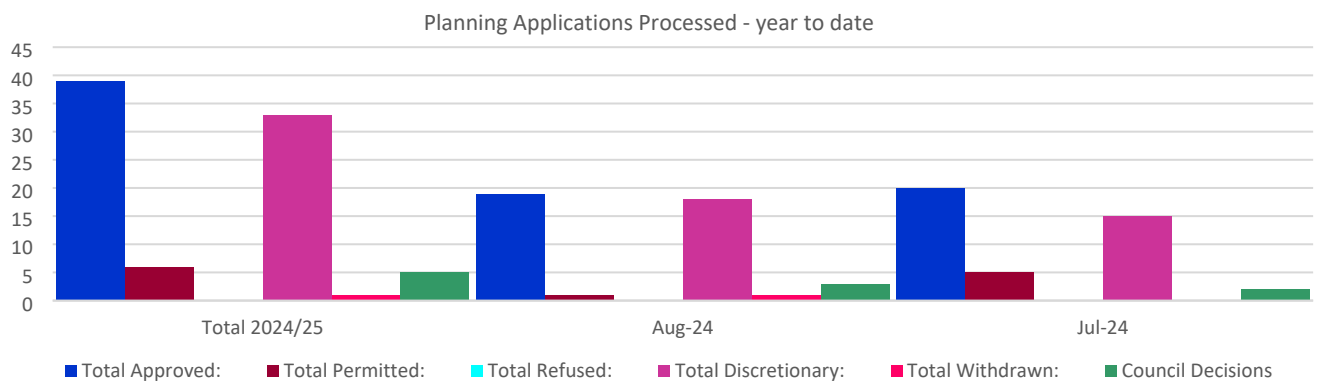
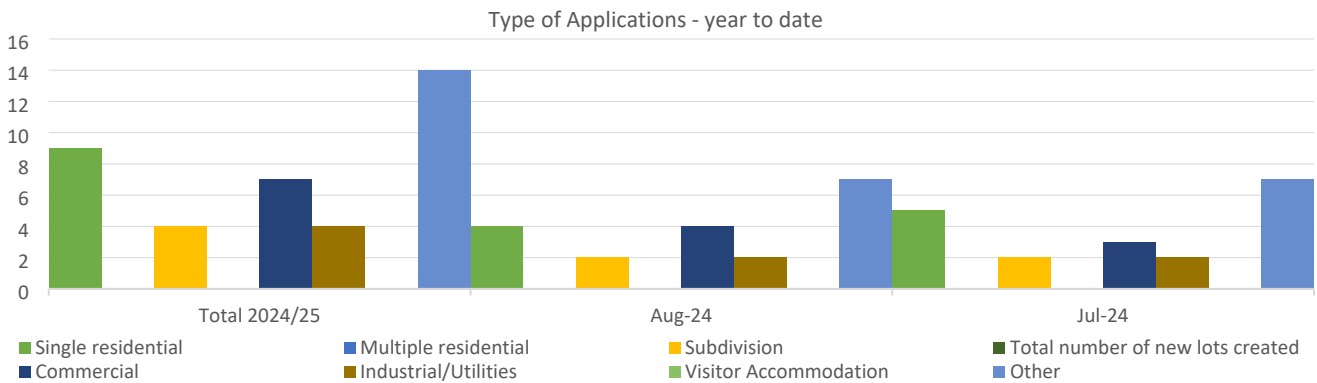
#### 1 PURPOSE OF REPORT

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	23	11	12										
Applications on STOP for further information				52	45										
Single residential	48	36	9	5	4										
Multiple residential	31	69	0	0	0										
Subdivision	34	27	4	2	2										
Total number of new lots created	203	72	0	0	0										
Commercial	27	25	7	3	4										
Industrial/Utilities	12	15	4	2	2										
Visitor Accommodation	8	11	0	0	0										
Total permitted	1	0	0	0	0										
Total discretionary	7	11	0	0	0										
Other (includes all residential development on existing dwellings [alterations/ additions, sheds, solar, fences, pools etc.])	85	47	14	7	7										
Total No. Applications Approved:	228	182	39	20	19										
Total Permitted:	33	18	6	5	1										
Average Days for Permitted	11	15	10	13	7										
Days allowed for approval by LUPAA	28	28		28	28										
Total Exempt under IPS:	83	93	12	8	4										
Total Refused:	5	4	0	0	0										
Total Discretionary:	198	164	33	15	18										
Average Days for Discretionary:	33.3	33.17	36	34	37										
Days allowed for approval under LUPAA:	42	42		42	42										
Total Withdrawn:	39	44	1	0	1										
Council Decisions	36	27	5	2	3										
Appeals lodged by the Applicant	6	2	0	0	0										
Appeals lodged by third party	2	0	0	0	0										



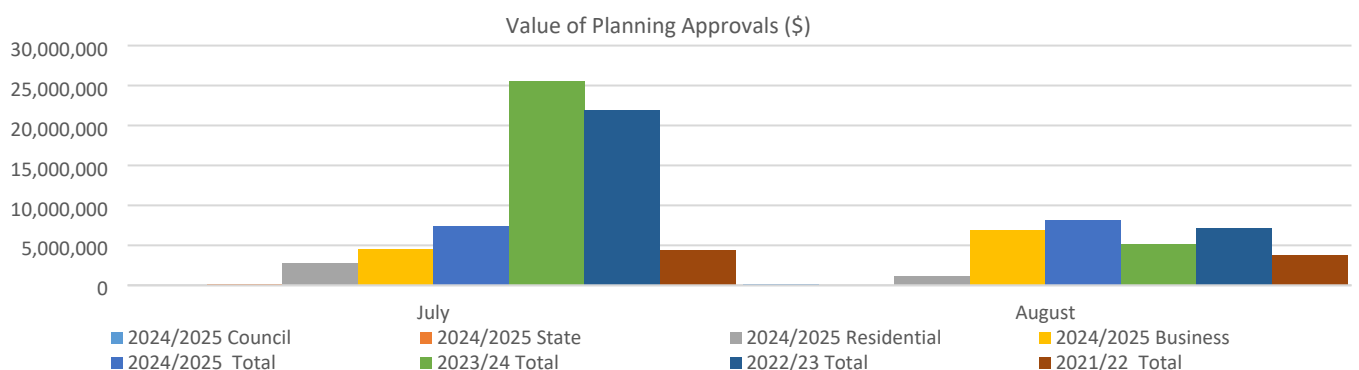
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
PLN-24-0042	Telecommunications Facility (vary use standards, height) Telecommunications Code.	1498 Royal George Road, Royal George TAS 7213	BMM Group Pty Ltd obo Amplitel Pty Ltd	41	D
PLN-24-0062	Warehouse & associated offices, car parking, signage (with fill on 5 Munro Street) (Parking and Sustainable Transport Code, Translink SAP)	7 Munro Street, Western Junction TAS 7212	Design Intent Architecture & Management	42	D
PLN-24-0077	Storage - shed comprising of 2 units, associated carparking, landscaping and signage (Parking and Sustainable Transport Code, Translink SAP)	8 Munro Street, Western Junction (access over F.R. 183442/2) TAS 7212	Mr Gilpin	39	D
PLN-24-0079	Boundary Adjustment	78 Main Street, Cressy TAS 7302	6ty°	40	D
PLN-24-0090	Dwelling (Longford SAP)	7B Cracroft Street, Longford TAS 7301	Wilson Homes	40	D
PLN-24-0095	2 Lot Subdivision	640 Isis Road, Campbell Town TAS 7210	Commercial Project Delivery	41	D



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
PLN-24-0099	Dwelling (Longford Specific Area Plan)	2B Malcombe Street, Longford TAS 7301	Prime Design	40	D
PLN-24-0104	Second vehicle crossing - vary number of crossings per frontage	34 Muirton Way, Perth TAS 7300	A & D Izbicki	42	D
PLN-24-0108	Vegetation removal (tree) - Local Historic Heritage Code	94 Main Road, Perth TAS 7300	Mrs C Murray	42	D
PLN-24-0110	Single Dwelling (P3 8.4.2 Retaining Wall)	3A King Street, Cressy TAS 7302	Wilson Homes	23	D
PLN-24-0111	Outbuilding (Local Historic Heritage Code)	23-47 Hobhouse Street, Longford TAS 7301	Mr D Hayes	35	D
PLN-24-0115	Dwelling Extension and outbuilding (Safeguarding of Airports Code)	17 Summit Drive, Devon Hills TAS 7300	Mrs D Hamilton	31	D
PLN-24-0118	Carport (partly enclosed) (vary side setback)	55 Hobhouse Street, Longford TAS 7301	Engineering Plus	10	D
PLN-24-0119	Outbuilding Shed 70m2	54 Catherine Street, Longford TAS 7301	The Shed Company	28	D
PLN-24-0124	Signage & seating, landscaping, relocate fence	Longford Racecourse, Anstey Street, Longford TAS 7301	Tasracing	40	D
<b>COUNCIL DECISIONS</b>					
PLN-23-0189	Public Toilet Block and RV Wastewater Dump Point (Flood prone, Natural assets, Scenic Protection, Safeguard Airports)	Honeysuckle Banks, 356 Leighlands Road, Evandale TAS 7212	NMC	42	C
PLN-24-0063	Provide Food Services as an additional use with associated signage (vary parking requirements, heritage precinct)	28 Church Street, Ross TAS 7209	Ms K Ashman	33	C
PLN-24-0088	Part Change of Use to Residential (Communal Residence), alterations & additions, Potentially Contaminated Land Code	77 Main Street, Cressy TAS 7302	Woolcott Land Services	42	C
PLN-23-0222	Shipping Container (Safeguarding of Airports Code)	Rossarden Road, ROSSARDEN (PID3390956) TAS 7213	Ms J Butler	7	P
<b>COUNCIL DECISIONS - REFUSAL</b>					
<b>DELEGATED DECISIONS - REFUSAL</b>					
-					

## 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
August	120,000	8,000	1,110,245	6,950,000	8,188,245	5,178,200	7,155,844	3,781,274
<b>YTD Total</b>	<b>120,000</b>	<b>138,000</b>	<b>3,851,347</b>	<b>11,491,000</b>	<b>15,600,347</b>	<b>255,377,879</b>	<b>76,384,582</b>	<b>91,715,427</b>
<b>Annual Total</b>						<b>255,377,879</b>	<b>76,384,582</b>	<b>91,715,427</b>





### 2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT		TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL	
-		-	
<b>Decisions received</b>			

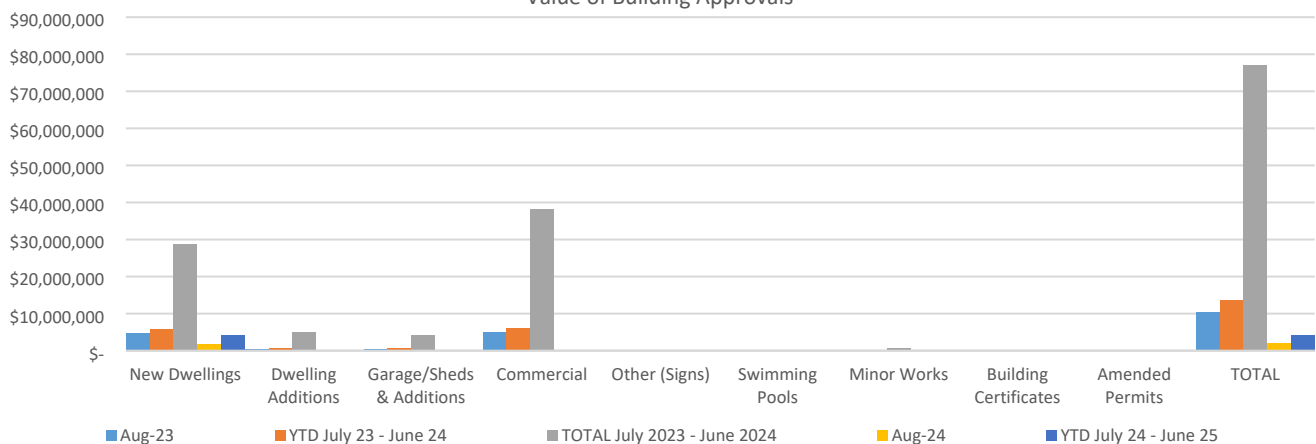
TPC		TASMANIAN PLANNING COMMISSION	
PLN-24-0016		Draft Amendment 13/2024 to apply the flood-prone area overlay to the Planning Scheme maps at Perth, Campbell Town and Ross. Report on representations to be presented to a future Council meeting.	
PLN-24-0084		Draft Amendment 17/2024 to modify NOR S1.5.6 Area 6 to include the Discretionary Use Class of Storage, if on folio of the Register 150770/5 (20 Johns Street, Western Junction).Section 40K report sent to TPC	
<b>Decisions received</b>			

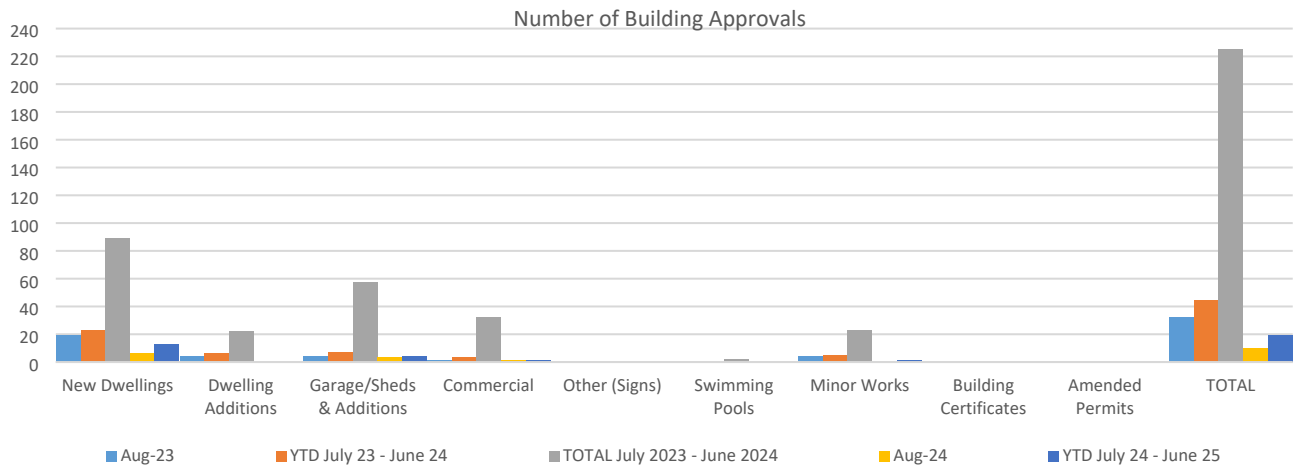
### 2.4 Building Approvals

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			
	Aug-23		YTD July 23 - June 24		TOTAL July 23 - June 24		Aug-24		YTD July 24 - June 25	
	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$
New Dwellings	19	4,601,767	23	5,903,812	89	28,811,896	6	1,861,000	13	4,062,780
Dwelling Additions	4	299,400	6	644,400	22	5,105,400	0	0	0	0
Garage/Sheds & Additions	4	272,000	7	686,000	57	4,240,824	3	72,000	4	190,000
Commercial	1	5,000,000	3	6,200,000	32	38,102,213	1	40,000	1	40,000
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	4	96,533	5	121,533	23	741,490	0	0	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
<b>TOTAL</b>	<b>32</b>	<b>10,269,700</b>	<b>44</b>	<b>13,555,745</b>	<b>225</b>	<b>77,115,823</b>	<b>10</b>	<b>1,973,000</b>	<b>19</b>	<b>4,312,291</b>
<b>Inspections</b>										
Building	0		0		4		0		0	
Plumbing	45		76		453		37		87	

Value of Building Approvals





## 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	21	23	49
Property owner not home or only recently started			
Complying with all conditions / signed off	1	2	9
Not complying with all conditions	20	21	
Re-inspection required	20	21	34
Notice of Intention to Issue Enforcement Notice	2	2	
Enforcement Notices issued	1	1	
Infringement Notice Issued			
No Further Action Required			6

Building / Plumbing Permit Compliance Reviews	This Month	2024/2025	Total 2023/2024
Number of Inspections	24	60	155
Property owner not home or only recently started			
Complying with all conditions / signed off	24	59	134
Not complying with all conditions		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	22	31	87
Commitment provided to submit required documentation			7
Re-inspection required	18	25	48
No Further Action Required	4	6	32
Building Notices issued	7	10	21
Plumbing Notices Issued	1	2	11
Building Orders issued	1	2	17
Plumbing Orders Issued			2
Emergency Order	1	1	
Infringements issued (Building/Plumbing)			1

Illegal Works - Planning	This Month	2024/2025	Total 2023/2024
Number of Inspections	1	3	4
Commitment provided to submit required documentation			2
Re-inspection required	1	2	
Notice of Intention to Issue Enforcement Notice issued			1
Enforcement Notices issued	1	2	



Illegal Works - Planning	This Month	2024/2025	Total 2023/2024
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 has been 1 commercial building approval valued at a total of \$40,000 (year to date), compared to 3 commercial building approvals valued at a total of \$6,200,000 for the previous year.

In total, there have been 19 building approvals valued at \$4,312,219 (year to date) for 2024/2025 compared to 44 building approvals valued at \$13,555,745 (year to date) for the previous year.



## 13.2 POLICY UPDATE: MOBILE FOOD VENDORS

Responsible Officer: Des Jennings, General Manager

Report prepared by: Trent Atkinson, Project & Building Compliance Manager and Gail Eacher, Executive Assistant

### RECOMMENDATION

That Council endorse the amendments to the Mobile Food Vendors Policy.

## 1 PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of the updates to the Mobile Food Vendors Policy.

## 2 INTRODUCTION/BACKGROUND

A review of the policy has resulted in the following amendments being recommended. In the attached policy documents recommended amendments have been highlighted and deletions include strikethrough.

### 4.0 CONDITIONS OF OPERATION

Words deleted:

- The following conditions of operation must be met by Mobile Food Vendors who apply for a permit to operate in the Northern Midlands

### 4.2 Permit

Permit type changed:

- A mobile Food vendor may apply for annual permit, or a single permit for a special event. 6 month permit

*This proposed change aligns with Councils fee Schedule*

Date Change:

- Annual permits are valid from 1 January to 31 December 1<sup>st</sup> August to 31<sup>st</sup> July

*This proposed change is to align with Food Registrations Permits, it will allow vendors to apply for both registration and Permit concurrently, for a more streamlined process.*

### 4.5 Safety and Compliance

Words added and deleted:

- Ensure they have approval to erect any signs or furniture associated with their business, in accordance with Council's Footpath Trading By-Law No. 1 of 2022 Policy if applicable.

*Policy superseded by By-Law.*

Additional dot point

- Mobile food vehicles must not set up prior to 3.30pm and must vacate the site by 9.30pm

*It has been brought to council attention that some operators are setting up in advance and packing up late, the current policy does not have any parameters around setup and pack up. This proposed change makes it clear to both vendors and members of the public of what is expected and believes 30 minutes either side of trading is reasonable.*



#### 4.6 **Safety and compliance Access to Power**

Word added:

Council **only** has power available to Mobile Food Vendors at the following locations:

- Longford Village Green

*The above change clearly identifies that we only have power available at the one location and includes a title correction.*

#### 5.1 **Preferred Designated Mobile Food Vendor Locations**

Change in wording:

- Council has identified the following locations as **preferred designated** locations to park within the Northern Midlands municipality.
- Applications to park outside these **preferred designated** locations will be considered, however, may be refused if not considered suitable.

*The current locations are identified in the policy and applications to park outside of these locations will be considered, therefore, these locations are designated and the word preferred be replaced.*

#### 5.2 **Time restrictions**

Words deleted:

- Mobile Food Vendors are not to operate on public roads within 100m (measured by travel distance of a pedestrian) of a residential dwelling **between the hours of 10pm and 7am.**

*The proposed change is required as you are only allowed to operate between 4:00pm And 9:00pm on any given day except for pre-organised events.*

**New Section added:**

### **8. ENFORCEMENT**

**In accordance with Section 56C(5) of the Vehicle and Traffic Act 1999 (the Act), monetary penalties will apply to Mobile Food Vendors contravening the Act and this Policy, penalties may include the revocation of the Mobile Food Vendor permit.**

*The proposed inclusion identifies Council enforcement process if Vendors are not complying with the policy, this gives vendors and members of the public more clarity*

### **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**

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

*Section 56C of the Vehicle and Traffic Act 1999*

*56C. Certain activities prohibited on public streets*

- (1) *A person who does not have a permit to do so must not set up or use a stall, stand or vehicle on a public street for the purposes of –*
- (a) selling any goods; or*
  - (b) a business, calling or employment.*

*Penalty: In the case of –*

- (a) a first offence – a fine not exceeding 20 penalty units; or*
  - (b) a second or subsequent offence – a fine not exceeding 40 penalty units.*
- (2) *Permits for this section may be issued by the general manager of the council in which the public street is located (the "relevant council") and any person may apply in writing for such a permit.*
- (3) *In determining whether or not to grant an application for a permit, the general manager of the relevant council –*
- (a) must consult the police officer in charge of the police district in which the public street is located; and*
  - (b) must have regard to relevant traffic conditions and the safety and convenience of the public; and*
  - (c) may have regard to such other considerations as appear relevant in the circumstances.*
- (4) *A permit –*
- (a) is to be in such form as the general manager issuing it determines; and*
  - (b) must be issued only for a specific date or dates, or for a specific period not exceeding 12 months; and*
  - (c) may be made subject to such conditions as the general manager issuing it considers necessary or expedient in the interests of public safety and convenience; and*
  - (d) must specify the name of the permit holder and the date or period, and the public street, for which it is issued.*
- (5) *A permit –*
- (a) may be surrendered but is not capable of being amended, renewed or transferred; and*
  - (b) may, by written notice to the permit holder, be cancelled by the general manager of the relevant council if he or she is satisfied on reasonable grounds that the permit holder has committed serious or repeated breaches of the permit conditions; and*
  - (c) is not a defence to an action or indictment for nuisance.*
- (6) *The holder of a permit must –*
- (a) comply with its conditions; and*
  - (b) immediately produce it to any police officer who demands to see it.*

*Penalty: Fine not exceeding 10 penalty units.*

#### 6 FINANCIAL IMPLICATIONS

N/A

#### 7 RISK ISSUES

The following risks have been identified:

- Impact on fixed premisses within the municipality
- Councils encouragement of mobile food vendors to conduct business in the municipality

#### 8 CONSULTATION WITH STATE GOVERNMENT

N/A

#### 9 COMMUNITY CONSULTATION

N/A



## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council has the following options to consider:

- Endorse the amended policy as presented;
- Make further amendments to the policy; or
- Reject the minor amendments to the policy.

## 11 OFFICER'S COMMENTS/CONCLUSION

That Council consider the policy amendments as highlighted in the attached marked-up policy document.

Correspondence has been received in relation to possible amendments to the policy, which includes correspondence from two Ross residents:

- 1) a mobile food vendor requesting an amendment to the Policy to provide further location and additional hours of operation in Ross; and
- 2) a local food business operator opposing any amendment to the hours of operation for mobile food vendors.

The above correspondence is held as an attachment to a Closed Council Information Item.

During Councils review of the policy in 2019, additional operating times were included, these are the times that have been requested to be changed and or removed. Consideration in altering times for mobile vendors has potential impacts to fixed food premises within the areas identified in the policy and has a greater ripple effect.

## 12 ATTACHMENTS

1. Review - Mobile Food Vendors Policy [**13.2.1** - 3 pages]



## 14 GOVERNANCE REPORTS

### 14.1 BICYCLE ADVISORY COMMITTEE (TERMS OF REFERENCE) & LOCAL RECYCLING COMMITTEE (MEMORANDUM OF UNDERSTANDING)

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Gail Eacher, Executive Assistant

#### RECOMMENDATION

That Council

- a) endorse the minor amendments to the Terms of Reference of the Northern Midlands Council Bicycle Advisory Committee; and
- b) endorse the minor amendments to the Memorandum of Understanding of the Local Recycling Committee; and
- c) note the proposal to advertise for membership of the Committees for the membership term to 30 June 2026.

#### 1 PURPOSE OF REPORT

The purpose of the report is to endorse the minor amendments to:

1. The Terms of Reference (TOR) of the Northern Midlands Council Bicycle Advisory Committee; and
2. The Memorandum of Understanding (MOU) of the Local Recycling Committee.

#### 2 INTRODUCTION/BACKGROUND

##### 2.1 Bicycle Advisory Committee

Council established the Committee as a special committee of the Northern Midlands Council, pursuant to section 24 of the *Local Government Act 1993* and endorsed the Terms of Reference (TOR) of the Committee at the 28 June 2021 Council Meeting (min. ref. 212/21).

Amendments to the TOR and Membership appointments were endorsed at the 16 May 2022 Council meeting (min. ref. 22/170).

Endorsement of minor amendments to the TOR is now sought prior to advertising for membership of the Committee for the 2024-2026 term.

The amendments to TOR bring the membership term in line with the membership terms of the District Committees.

##### 2.1.1 Purpose of the Committee

To provide advice and recommendations on:

- Preparation of the Northern Midlands Council: Municipal Bicycle and Shared Path Plan; and
- Implementation of actions identified in the Northern Midlands Council: Municipal Bicycle and Shared Path Plan that include:
  - Planning for the development of bicycle pathways and routes which link key assets of our municipality;
  - Prioritisation of developments, ensuring changes are coordinated and reflect the needs of the community and users;
  - Improvements to the safety of users and community members accessing the bicycle pathways;
  - Opportunities to increase participation in cycling usage across the municipality.

##### 2.1.2 Membership

Membership of the Bicycle Advisory Committee shall comprise of nine (9) members.

Membership comprises:



- Two Northern Midlands Council Councillors (currently Crs Lambert and McCullagh);
- One Health Sector Representative;
- One Recreation Sector Representative;
- Four Community Members representing the Cycling Community;
- Project and Building Compliance Manager or Delegate.

The office of a member becomes vacant if the member is absent from 3 consecutive ordinary meetings of the Committee.

### 2.1.3 Meeting Procedures / Communication

Meetings are to be governed in accordance with the procedures stated in the TOR, and in the event that the TOR is silent in respect to a procedure, reference is to be made to the Local Government (Meeting Procedures) Regulations 2015 for the appropriate procedure.

Councillor and Officer representatives are participating members entitled to move and vote on any decisions made by the committee.

If the Bicycle Advisory Committee wishes Council to investigate a matter it must put a motion to the Northern Midlands Council for consideration.

A decision by the Bicycle Advisory Committee is to be made by consensus (half the members present at a meeting, plus one). In the event the decision is split, the Chair is to make the final decision.

## 2.2 Local Recycling Committee

The Local Recycling Committee was established as a special committee of the Northern Midlands Council on 20 January 2020 (min. ref. 008/20) pursuant to section 24 of the *Local Government Act 1993*.

### 2.2.1 Purpose of the Committee

The purpose of the Local Recycling Committee is to:

- Provide a focal point for information relating to waste disposal and recycling between the Northern Midlands Council and the community;
- Identify and prioritise achievable local recycling initiatives;
- Consider and provide feedback to the Northern Midlands Council in respect to key strategic recycling issues.

### 2.2.2 Membership

Membership of the Local Recycling Committee shall comprise of a of eight (9) members.

Membership comprises:

- Seven Community Members
- Two Councillors (currently Crs Adams and Brooks);
- One Council Officer

Members of the Committee will be deemed to vacate their position if they are absent without leave from three (3) consecutive meetings of the Committee.

### 2.2.3 Meeting Procedures / Communication

Meetings are to be governed in accordance with the procedures stated in the MOU, and in the event that the MOU is silent in respect to a procedure, reference is to be made to the Local Government (Meeting Procedures) Regulations 2015 for the appropriate procedure.

Councillor and Officer representatives are participating members entitled to move and vote on any decisions made by the committee.



If the Local Recycling Committee wishes Council to investigate a matter it must put a motion to the Northern Midlands Council for consideration.

A decision by the Bicycle Advisory Committee is to be made by consensus (half the members present at a meeting, plus one). In the event the decision is split, the Chair is to make the final decision.

### 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

1.3 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:**

2.1 Strategic, sustainable, infrastructure is progressive

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

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

3.4 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:

**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)*

5.1 Recreation - Shared Pathways:

*Development of shared pathways for pedestrians and cyclists along major roads, including Old Hobart Road (Breadalbane roundabout to Youngtown); Breadalbane roundabout to Launceston Airport; Illawarra Road (Pateena /Illawarra Road intersection to Longford); Leighlands Road; Cressy Road (Cressy to Longford).*

### 4 POLICY IMPLICATIONS

N/a

### 5 STATUTORY REQUIREMENTS

*Local Government Act 1993*

*Local Government (Meeting Procedures) Regulations 2015*



## 6 FINANCIAL IMPLICATIONS

N/a

## 7 RISK ISSUES

There is a risk to Council if it fails to develop and maintain a positive relationship with the community through its special committees, it could result in an inadequate awareness and understanding of the communities priorities by Council, and could be seen as a lack of engagement with the community, poor public image and reputation.

## 8 CONSULTATION WITH STATE GOVERNMENT

N/a

## 9 COMMUNITY CONSULTATION

N/a

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council can endorse, not endorse the amendments to the

- Terms of Reference for the Bicycle Advisory Committee
- Memorandum of Understanding for the Local Recycling Committee

## 11 OFFICER'S COMMENTS/CONCLUSION

Subject to the endorsement by Council of the proposed amendments it is proposed to advertise for membership of these Committees in the next issue of the Courier due to be published on 29 August 2024; the Examiner on Wednesday, 28 August and 31 August 2024; as well as Facebook and Council's website.

The closing date for the receipt of membership applications for the commencement of the term is 9 October 2024, with a membership report to be prepared for the 21 October 2024 Council meeting.

### 11.1 Bicycle Advisory Committee

The Bicycle Advisory Committee last met on 1 May 2024.

Some members have indicated that they do not wish to reapply for membership of the Committee and it is hoped that the proposal to advertise for membership will attract applicants to fill the vacancies.

### 11.2 Local Recycling Committee

Due to resignations from the Local Recycling Committee and not being able to achieve a quorum, the Committee has not met in its official capacity since October 2023. It is hoped that the proposed advertising campaign for membership will reinvigorate this Committee.

## 12 ATTACHMENTS

1. Local Recycling Committee MOU FINAL updated 15 August 2024 [**14.1.1** - 3 pages]
2. Bicycle Advisory Committee TOR FINAL updated 15 August 2024 [**14.1.2** - 4 pages]



## 14.2 POLICY UPDATES: COUNCIL CHAMBERS, LONGFORD & USE OF AND AUSTRALIA DAY AWARDS AND VOLUNTEER RECOGNITION

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

### RECOMMENDATION

That Council endorse the minor amendments to the following policies:

- a) Council Chambers, Longford – Use Of; and
- b) Australia Day Awards and Volunteer Recognition.

### 1 PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement for the minor updates to the following policies

- a) Council Chambers, Longford – Use Of; and
- b) Australia Day Awards and Volunteer Recognition.

### 2 INTRODUCTION/BACKGROUND

A review of the policies has resulted in the following amendments being recommended. In the attached policy documents recommended amendments have been highlighted and deletions include strikethrough.

#### a) Council Chambers, Longford – Use Of

The review found the need for only minor amendments to such as the date for the next review and use of the facility by external parties.

#### b) Australia Day Awards and Volunteer Recognition

The review found the need for only minor amendments such as the date and timing of the next review; and to timing of Councillors being notified of award recipients.

### 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

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

N/A



**6 FINANCIAL IMPLICATIONS**

N/A

**7 RISK ISSUES**

It is important for Council to set out its guidelines for the provision of services within the municipality.

**8 CONSULTATION WITH STATE GOVERNMENT**

N/A

**9 COMMUNITY CONSULTATION**

N/A

**10 OPTIONS FOR COUNCIL TO CONSIDER**

Council can accept or reject the minor amendments to the policies.

**11 OFFICER'S COMMENTS/CONCLUSION**

That Council consider the policy amendments as highlighted in the attachments.

**12 ATTACHMENTS**

1. Australia Day and Volunteer Recognition - DRAFT [14.2.1 - 2 pages]
2. COUNCIL CHAMBER S, LONGFORD – USE OF - DRAFT [14.2.2 - 1 page]



### 14.3 REVIEW: PUBLIC INTEREST DISCLOSURES PROCEDURES

Responsible Officer: Des Jennings, General Manager

Report prepared by: Tatiana Paniagua, Executive Officer & Gail Eacher, Executive Assistant

#### RECOMMENDATION

That Council endorse the Public Interest Disclosure Procedures as amended and submit to the Ombudsman for approval.

#### 1 PURPOSE OF REPORT

The purpose of this report is for Council to endorse updated procedures for reporting disclosures of improper conduct or detrimental action in accordance with the *Public Interest Disclosures Act 2002*.

#### 2 INTRODUCTION/BACKGROUND

The purpose of the *Public Interest Disclosures Act 2002* is to:

- encourage and facilitate disclosures of improper conduct by public officers and public bodies;
- protect persons making those disclosures, and others, from detrimental action;
- provide for the matters disclosed to be properly investigated and dealt with; and
- provide all parties involved in the disclosures with natural justice.

Pursuant to section 60 of the *Public Interest Disclosures Act 2002* Council is required to develop a set of procedures to establish a system for reporting disclosures. The procedures must be approved by the Ombudsman and must be reviewed every three years. A review of Council's current procedures was due in April 2024; however, Council officers were not able to meet this timeline due to a number of other matters which have taken precedent. The Ombudsman has been appraised of the situation and advised that this report and the reviewed Northern Midlands Council Procedures in relation to the *Public Interest Disclosures Act 2002* would be presented to the 16 September 2024 meeting of Council and that Council's endorsement would be sought.

The Ombudsman has updated the model Public Interest Disclosure Procedures subsequent to the endorsement by Council of the Procedures in 2021.

The minor amendments to the Northern Midlands Council Procedures have been made to reflect subsequent amendments by the Ombudsman, some formatting and omissions. The attached marked-up document reflects the minor amendments, with additions highlighted and deletions highlighted and strikethrough.

#### 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

Not applicable.



#### **4 POLICY IMPLICATIONS**

Council's Whistleblowing Policy has been reviewed, amendments were endorsed by Council at the 19 August 2024 Council Meeting and the updated policy has been provided to the Ombudsman.

#### **5 STATUTORY REQUIREMENTS**

It is a legislative requirement that Council adopt Public Interest Disclosure Procedures. The governing legislation is the *Public Interest Disclosures Act 2002*.

#### **6 FINANCIAL IMPLICATIONS**

There are no financial implications identified in endorsing the minor amendments to the model procedures.

#### **7 RISK ISSUES**

If Council does not review its procedures and submit to the Ombudsman it will be in breach of the *Public Interest Disclosures Act 2002*.

#### **8 CONSULTATION WITH STATE GOVERNMENT**

The Public Interest Disclosure Procedures have been adopted from the Model Procedures prepared by the Ombudsman.

#### **9 COMMUNITY CONSULTATION**

Not applicable.

#### **10 OPTIONS FOR COUNCIL TO CONSIDER**

To endorse the minor amendments to the Public Interest Disclosure Procedures or not.

#### **11 OFFICER'S COMMENTS/CONCLUSION**

Council has been using the model Public Interest Disclosure Procedures prepared by the Ombudsman since 2014.

The minor amendments to the Northern Midlands Council Procedures have been made to reflect subsequent amendments by the Ombudsman, some formatting and omissions. The attached marked-up document reflects the minor amendments, with additions highlighted and deletions ~~highlighted and strikethrough~~.

#### **12 ATTACHMENTS**

1. Northern Midlands Council Public Interest Disclosures 2024 review [14.3.1 - 34 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 August 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 August 2024.

#### 2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 31 August 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 2024-25 BUDGET

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

##### SUMMARY FINANCIAL REPORT

For Month Ending: 31-Aug-24 2

A. Operating Income and Expenditure						
	Budget	Year to Date Budget 25%	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$14,648,178	-\$14,648,178	-\$14,416,150	-\$232	98.4%	Raised in July 2024
Recurrent Grant Revenue	-\$5,560,473	-\$1,390,118	-\$125,961	-\$1,264	9.1%	75% FAGS grants paid 23/24
Fees and Charges Revenue	-\$3,112,403	-\$518,734	-\$582,449	\$64	112.3%	
Interest Revenue	-\$879,650	-\$146,609	-\$8,538	-\$138	5.8%	Timing variance
Reimbursements Revenue	-\$119,799	-\$19,967	-\$28,872	\$9	144.6%	
Other Revenue	-\$2,257,598	-\$376,266	\$24,215	-\$400	-6.4%	Timing variance
	-\$26,578,101	-\$17,099,872	-\$15,137,755	-\$1,962	88.5%	
Employee costs	\$8,432,058	\$1,405,343	\$1,181,873	\$223	84.1%	



Material & Services Expenditure	\$6,953,018	\$1,158,836	\$980,111	\$179	84.6%	
Depreciation Expenditure	\$7,656,898	\$1,276,150	\$1,276,150	\$0	100.0%	
Government Levies & Charges	\$1,238,375	\$206,396	\$171,197	\$35	82.9%	
Councillors Expenditure	\$225,424	\$37,571	\$34,696	\$3	92.3%	
Interest on Borrowings	\$22,225	\$3,704	\$0	\$4	0.0%	
Other Expenditure	\$1,028,080	\$171,347	\$787,618	-\$616	459.7%	Pensioner Rebates
Plant Expenditure Paid	\$601,400	\$100,233	\$231,065	-\$131	230.5%	
	\$26,157,478	\$4,359,580	\$4,662,710	-\$303	107.0%	
	-\$420,623	-\$12,740,293	-\$10,475,045			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$418,967	\$69,828	\$0	\$70	0.0%	*Asset recognition EOY
Underlying (Surplus) / Deficit	<b>-\$1,656</b>	<b>-\$12,670,465</b>	<b>-\$10,475,045</b>			1*
Capital Grant Revenue	-\$14,135,645	-\$2,355,941	-\$25,000	-\$2,331	1.1%	
Subdivider Contributions	-\$375,608	-\$62,601	0	-\$63	0.0%	* Not recognised until EOY
Capital Revenue	<b>-\$14,511,253</b>	<b>-\$2,418,542</b>	<b>-\$25,000</b>			

**Budget Alteration Requests**

- For Council authorisation by absolute majority

**Budget**      **Budget**      **Actuals**  
**Operating**      **Capital**

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

**August**

No changes

**July**

Fees & Charges - Gas Cylinder

Disposal Fee      \$10.00 per item

New fee

Fees & Charges - Childcare

Vacation Care      \$104.00

Full Vacation Day Rate to match Long Day Care Day Rate

Inspiring Positive Futures Program -

High Schools      Acc 501101      \$16,000.00

Omitted from Budget

Climate Change Action Plan      Acc 101010.053      \$29,759.09

Omitted from Budget

Grant Income - Bus Stop DDA

Compliance      325043.5      **-\$25,500.00**

23 Panec Street, Conara      707877.5      \$10,000.00

81 Main Road, Perth      0.6      \$7,750.00

96A Main Road, Perth      0.7      \$7,750.00

Lake Leake Cottage Access Ramp      707965      Fund from Building Improv Program

**B. Balance Sheet Items**

	Year to Date Actual	Monthly Change	Same time last year	Comments
<b>Cash &amp; Cash Equivalents Balance</b>	Year to Date			
- Opening Cash balance	\$19,266,373	\$17,802,605		
- Cash Inflow	\$8,217,549	\$7,096,719		
- Cash Payments	-\$4,612,736	-\$2,028,138		
- Closing Cash balance	\$22,871,186	\$22,871,186		
Account Breakdown				
- Trading Accounts	\$4,272,042			
- Investments	\$18,599,144			
	\$22,871,186			

**Summary of Investments**

	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value
Tas Corp 24hr Call Account	1/08/2024	31/08/2024	4.35	\$5,829	\$5,850
Commonwealth 24hr Call Account	1/07/2024	31/07/2024	0.25	\$0	\$0
Commonwealth Business Online Saver Account	31/08/2024	1/09/2024	4.35	\$3,877,218	\$3,877,680
Westpac Corporate Regulated Interest Account	1/06/2024	30/06/2024	4.35	\$396,453	\$396,453
CBA	30/06/2024	4/11/2024	4.97	\$2,000,000	\$2,034,586





	Budget	(\$,000)	17%	Comments
Renewal	\$22,620,291	\$508,332	2%	
New assets	\$9,600,296	\$264,382	3%	
Total	\$32,220,587	\$772,713	2%	
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	\$53,221	2%	
- Fleet Replacement Program	\$1,602,000	\$0	0%	
- Lfd Urban Streetscape Improvements	\$1,393,628	\$56,221	4%	
- Ashby Road reconstruction	\$1,135,790	\$255,185	22%	
- Lfd Caravan Park Amenities replacement	\$625,000	\$99,257	16%	
- Lfd Laycock Street Reserve	\$500,768	\$344,686	69%	
- 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%	95.2%	-40.1%	↘
- Own Source Revenue / Total Revenue	79%	99%	-20.1%	↘
Sustainability Ratio				
- Operating Surplus / Operating Revenue	0.0%	69.2%	-69.2%	↘
- Debt / Own Source Revenue	35.3%	49.4%	-14.1%	↔
Efficiency Ratios				
- Receivables / Own Source Revenue	34.2%	74.8%	-40.6%	↘
- Employee costs / Revenue	31.7%	7.8%	23.9%	↗
- Renewal / Depreciation	295.4%	39.8%	255.6%	↗
Unit Costs				
- Waste Collection per bin	\$13.56	\$1.66		↔
- Employee costs per hour	\$70.27	\$42.51		↗
- Rate Revenue per property	\$1,916.55	\$1,886.19		↔
- IT per employee hour	\$5.45	\$10.41		↘

E. Employee & WHS scorecard		
	YTD	This Month
Number of Employees	105	105
New Employees	6	1
Resignations	8	5
Total hours worked	27,804	14,001
Medical Treatment Injury	3	1
Safety Incidents Reported	0	0
Hazards Reported	0	0
Workplace Inspections	5	2
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	0
Open W/Comp claims	2	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	\$11,053	% change for same period last year -91%
- Green Waste	\$77,811	\$60,216	\$4,786	\$1,975	% change for same period last year -97%
- Concrete	\$4,861	\$4,767	\$375	\$185	% change for same period last year -95%
- Tyres	257	\$0	\$417	\$7,385	
Total Takings	\$229,719	\$213,732	\$17,273	\$20,598	



Tonnes Disposed

WTS Refuse Disposed Tonnes	1298	1276	106	0	% change for same period last year	-100%
WTS Green Waste Disposed Tonnes	5970	0	444	0		
WTS Concrete Disposed Tonnes	0	0	-	0		
Kerbside Refuse Disposed Tonnes	2341	2507	209	0	% change for same period last year	0%
Kerbside Recycling Disposed Tonnes	1035	1029	86	92	% change for same period last year	-104%
Fogo Disposed Tonnes	488	1308	109	91		
Total Waste Tonnes Disposed	11132	6120	954	183		

## 5 OFFICER COMMENTS

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

## 6 ATTACHMENTS

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



## 16 WORKS REPORTS

### 16.1 PROPOSED CLOSURE OF PART OF YOUL ROAD, PERTH

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

#### RECOMMENDATION

That Council commence the process to close a 505m section of Youl Road, from intersection of Edward towards Cromwell streets (as described within this report and associated plan) in order to upgrade stormwater drainage and to develop the area as public open space for recreation, including shared pathways.

#### 1 PURPOSE OF REPORT

The purpose of this report is to identify the section of Youl Road, Perth which is to be closed to upgrade stormwater drainage and to develop the area as public open space for recreation.

#### 2 INTRODUCTION/BACKGROUND

Council received and considered a report at the 20 May 2024 Council meeting, at which time the following was the decision of Council:

**MINUTE NO. 24/0174**

**DECISION**

*Cr Andrews/Cr Archer*

*That Council progress the closure of Youl Road, between Edward and Drummond streets, develop the area as public open space and upgrade stormwater drainage.*

*Carried Unanimously*

The 20 May 2024 report noted the following:

*As a result of the construction of the Perth bypass, Council and the Department of State Growth entered into discussions regarding transferring several roads in the Perth area from the Department of State Growth to Council ownership. One of these roads was Youl Road. In February 2024 Council was advised that these roads had been transferred to Council. Council plan to carry out upgrade works on the northern section of Youl Road from Edward Street to Main Road.*

*Council officers undertook a traffic count on Youl Road from March 7 – 14 2024. The count indicated that the average daily traffic is 238 vehicles per day. This is a very low count for an urban street and indicates that the road only has limited usage. By way of comparison other counts done on streets in Perth have recorded the following vehicles count numbers:*

- *Arthur Street – 2200 vehicles per day*
- *Clarence Street – 1900 vehicles per day*
- *Fairtlough Street (near George St) - 520 vehicles per day*
- *Frederick Street (near Fore St) - 350 vehicles per day*
- *Seccombe Street (outside park) - 510 vehicles per day*

*Stormwater drainage works will also be undertaken once the proposed rail culvert upgrades are completed as part of the Federal Disaster Ready Fund Grant funding Council was successful in securing. These drainage works will link Sheepwash Creek formally through the new culverts and contribute to an overall reduction in the flood risk affecting the area.*



The proposal is to close a 505 metre section of Youl Road to vehicular traffic from the intersection with Edward Street (at coordinate E513783, N5397679) to the intersection with Cromwell Street (at coordinate E516463, N5397280) to develop the area as public open space and upgrade stormwater drainage.

The road will be replaced with a shared path for pedestrians and cyclists and connect to the proposed rail underpass which will provide pedestrians with safe access to Perth's main road and the shopping area. Road upgrade works including kerb and channel, a parking area, and a minor road realignment will be constructed at the intersection of Edward Street and Youl Road.

It should be noted that the section of Youl Road between Edward and Cromwell streets, as described above, does not provide any direct access to private property.

### **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:**

1.4 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

**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

**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

#### **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.*

4.3 Sheepwash Creek Corridor & Open Spaces:

*Sheepwash Creek has the potential to become an attractive, appealing open space corridor complemented by its associated open spaces. Implementation of these projects would make this a reality and enhance Perth's natural charm.*

### **4 POLICY IMPLICATIONS**

The Sheepwash Creek upgrade is one of Council's foundation projects which is expected to have a transformation effect on the community by reducing flood risk and providing more public open space.



## 5 STATUTORY REQUIREMENTS

The following Acts have relevance to this matter:

### 5.1 Local Government Highways Act 1982

#### 14. Closure and diversion of highways

(1) [Section 14 Subsection (1) amended by No. 87 of 1993, s. 5 ]If, in the opinion of the corporation, a local highway or part of a local highway should be diverted or closed for the public benefit, in the interests of public safety or because of lack of use, it may –

(a) if it is satisfied, in the case of a diversion of a highway, that standard requirements, if applicable, have been complied with; and

(b) not less than 28 days after a written notice of its intention to do so –

(i) has been served on each of the owners and occupiers affected;

(ii) has been served on the Transport Commission;

(iii) has been displayed in a prominent position at each end of the highway; and

(iv) has been published twice in separate issues of a local newspaper circulating in the municipality in which the highway is situated –

close or divert the highway in respect of all traffic or particular types of traffic or subject to the reservation of a footpath or some other highway that may be used only for limited purposes.

(2) A notice under [subsection \(1\)](#) may apply to 2 or more highways that are connected with one another.

(3) Subject to [subsection \(4\)](#) , a notice under [subsection \(1\)](#) shall contain a map or plan showing the proposed closure or diversion to which it relates.

(4) A notice under [subsection \(1\)](#) that is required to be published in a newspaper may, instead of containing such a map or plan as is referred to in [subsection \(3\)](#) , contain a statement of a place in the municipality in which the highway is situated where the plan may be inspected free of charge at all reasonable hours.

(5) An interested person may, before the expiration of a notice under [subsection \(1\)](#) , give written notice to the corporation of his objection to the proposed closure or diversion.

(6) [\[Section 14 Subsection \(6\) substituted by No. 68 of 2003, Sched. 1, Applied:15 Dec 2003\]](#) The corporation is to refer each objection that it is notified of under [subsection \(5\)](#) to the Magistrates Court (Administrative Appeals Division).

(7) [\[Section 14 Subsection \(7\) substituted by No. 68 of 2003, Sched. 1, Applied:15 Dec 2003\]](#) The Magistrates Court (Administrative Appeals Division) has power to receive and determine the objection as if it were an application to review the decision relating to the proposed closure or diversion and, in addition to its powers under the [Magistrates Court \(Administrative Appeals Division\) Act 2001](#) , the Court may make a local highway order –

(a) upholding the objection; or

(b) authorizing the proposed closure or diversion.

(8) [\[Section 14 Subsection \(8\) amended by No. 68 of 2003, Sched. 1, Applied:15 Dec 2003\]](#) An order under [subsection \(7\)\(b\)](#) may prohibit, in whole or in part, the closure or diversion authorized by the order until such conditions as may be specified in the order have been fulfilled, being conditions that the Magistrates Court (Administrative Appeals Division) considers proper to impose for the provision or preservation of the means of communication by highway or the means of access to a highway.

(9) [\[Section 14 Subsection \(9\) amended by No. 68 of 2003, Sched. 1, Applied:15 Dec 2003\]](#) Where the Magistrates Court (Administrative Appeals Division) makes an order under [subsection \(7\)\(b\)](#) , the Minister shall, as soon as possible after the making of the order, cause a notice containing particulars of the order to be published in the Gazette.

(10) A diversion of a highway that is opened under this section by a corporation is maintainable by the corporation.

#### 31. Obstructions for prohibition or restriction of vehicular traffic

(1) A corporation may, with the approval of the Transport Commission, construct or place obstructions in a local highway for the purpose of preventing or restricting the movement of vehicular traffic.

(2) Before making an application under this section for the approval of the Transport Commission, the corporation shall cause a notice to be published twice in separate issues of a local newspaper circulating in the municipality of its intention to make the application, specifying the situation and nature of the obstruction and stating that written representations may be made to the corporation with respect to the matter before such day as is specified in the notice, being a day not earlier than 28 days after its first publication.

(3) The Transport Commission shall not give its approval under this section in respect of an obstruction unless there has been submitted to the Commission a copy of the notice published under [subsection \(2\)](#) , together with evidence that it has been published as required by that subsection and copies of any representations made to the corporation in accordance with the



*notice and its comments on those representations.*

## **5.2 Urban Drainage Act 2013**

### **5. Council to provide adequate public stormwater systems**

*(1) A council must, in accordance with the objects of this Act, provide for such public stormwater systems as may be necessary to effectively drain the urban area of the council's municipal area.*

## **6 FINANCIAL IMPLICATIONS**

The proposed works are part of the Sheepwash Creek upgrade.

Costs are estimated as follows:

• Convert approximately 505m of existing roadway to shared path	\$20,000
• Construct new kerb and channel	\$25,000
• Road widening works and construction of carparking	\$35,000
• Tree planting and public open space works	\$50,000
• Project management, design (not including stormwater), legal fees etc.	\$10,000
	<b>Total \$130,000</b>

Stormwater works are being funded separately as part of the culvert upgrade program.

Roadworks to be funded from the Youl Road kerb and channel construction project; and street trees / public open space works to be staged under Council's tree planting program.

Should the works not be undertaken to convert the area to flowpath, a new culvert would be required under the road as part of the Sheepwash Creek upgrade works. Based on the cost of similar culverts on Edward and Phillip Street the cost of such a culvert is likely to be in the order of \$500,000.

## **7 RISK ISSUES**

There is a risk that some community members may be concerned that closing this road will increase travel times to their property or direct more traffic onto other nearby roads. Any increase in travel times is likely to be less than one minute and Youl Road now only services a small number of properties so any traffic increases are not likely to be significant. The section of Youl Road that is to be closed is subject to flooding and is often closed when there is significant flooding in Sheepwash Creek.

There is a risk of delays in the construction work due to the complexities associated with constructing an underpass and drainage works in the rail corridor.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Council has consulted with the state government extensively regarding the transfer of Youl Road and other roads to Council.

In regard to the construction of the Perth Link Road, Council was notified by the State Government on 23 February 2024 that proclamations under section 3 of the *Highways Act 1951* and sections 7 and 52A under the *Roads and Jetties Act 1935* were published in the Government Gazette on 21 February 2024; and in particular of relevance to this matter, the transfer of Youl Main Road (Youl Road) from its intersection with Main Road, to its intersection with Drummond Street.

## **9 COMMUNITY CONSULTATION**

Council consulted with the community regarding the Sheepwash Creek Flood Mitigation Strategy over several years. The



concept plans of the proposed road closure and public is attached to this report.

In order for Council to progress the closure of Youl Road, Council must undertake consultation in accordance with the *Local Government Highways Act 1982*.

## **10 OPTIONS FOR COUNCIL TO CONSIDER**

Council can commence the process to close Youl Road, between Edward and Cromwell streets (as described within this report and associated plan) in order to upgrade stormwater drainage and to develop the area as public open space for recreation, including shared pathways; or not.

## **11 OFFICER'S COMMENTS/CONCLUSION**

The proposed road closure will allow other stormwater and flood mitigation works to be carried out in the area. Should Council choose to leave the road open and not carry out these works the cost of installing a culvert to mitigate flood in the area is likely to be much higher than the cost of the proposed road closure and associated works. A culvert will also be less hydraulically effective than an open flow path.

The works will provide an important pedestrian link between the western area of Perth and the main street area, shops and the school. Currently there are some sections of footpath missing and pedestrians are forced to walk on the road to reach the Perth Main Street.

In order to close the road Council is required to follow the process set out under either *sections 14 or 31* of the *Local Government Highways Act*, which requires Council to publicly advertise the planned closure for at least 28 days.

## **12 ATTACHMENTS**

1. youl rd conversion [**16.1.1** - 1 page]



## 17 ITEMS FOR THE CLOSED MEETING

### RECOMMENDATION

That Council move into the “Closed Meeting” with the General Manager, Corporate Services Manager, Works Manager, Project and Building Compliance Manager, Senior Planner, Executive Officer and Executive Assistants 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)
Development Proposal Update	15(2)(g)
Confidential Correspondence Received	15(2)(g)
Policy Update Mobile Food Vendors – Additional Information	15(2)(g)
Lease	15(2)(c) & (d)
Lease	15(2)(c) & (d)
Funding Request	15(2)(g)

#### *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 .....