



**NORTHERN  
MIDLANDS  
COUNCIL**

# **AGENDA**

**ORDINARY MEETING OF COUNCIL**

**MONDAY, 21 OCTOBER 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").

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

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

Marree 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 21 OCTOBER 2024 AT 5PM AT THE COUNCIL CHAMBERS, LONGFORD

MAREE BRICKNELL

ACTING GENERAL MANAGER

16 OCTOBER 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 INTEREST

In accordance with

- part 5 of the *Local Government Act 1993*,
  - in particular, section 48(2) of the *Local Government Act 1993*;
- regulation 8(2) of the *Local Government (Meeting Procedures) Regulations 2015*;
- schedule 1, part 2 of the *Local Government (Code of Conduct) Order 2024*; and
- section 28U of the *Local Government Act 1993* requires compliance with the Code of Conduct

the Mayor requests Councillors and staff to indicate whether they have, or are likely to have, an interest in any item on the Agenda.

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## 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, 16 September 2024, be confirmed as a true record of proceedings.

##### OR

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 16 September 2024, subject to the following amendment:

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

MINUTE NO. 24/0294

##### DECISION

Deputy Mayor Lambert/Cr Brooks

Council resolved to accept the following Declarations of Interest:

- Mayor Mary Knowles - Closed Council Item 3.3 - Update on Defamation Proceedings – Pecuniary Interest

- Councillor Dick Adams - Closed Council Item 4.3 - Funding Request

~~- Mr Des Jennings – Closed Council Item 3.3 – Update on Defamation Proceedings~~

*Carried Unanimously*

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, 18 November 2024.



### 5.3 MOTIONS ON NOTICE BY A COUNCILLOR

The following Notices of Motion have been received.

#### 5.3.1 Notice Of Motion: Sale Of Campbell Town Hall

*Responsible Officer:* Des Jennings, General Manager

##### **OFFICER'S RECOMMENDATION**

That Council Officers prepare a report on the maintenance, restoration and future use of the building prior to considering whether to proceed with the sale of Campbell Town Hall, or not.

Councillor Terrett has requested the below Notice of Motion be included in the Agenda for the Council Meeting to be held on 21 October 2024.

##### **NOTICE OF MOTION**

1. That Council does not proceed with the sale of the Campbell Town Hall.
2. That Council Officer's prepare a report on the maintenance, restoration and future use of the building.

##### **BACKGROUND**

###### Significance of the Campbell Town Hall

The Campbell Town Hall is a significant icon in Campbell Town and is an important building in the heritage precinct. Built in 1939, the land was gifted to the Campbell Town Municipality by local resident Miss Leake.

The clock tower erected in memory of Walter Henry Tofft, medical director at Campbell Town hospital in the late 1800s. Through its history it was a significant social hub for the people of Campbell Town. Today it serves as the home for Service Tasmania and the Campbell Town Museum and Information Centre.

The sale of the building gives no assurance to the people of Campbell Town that these would remain. Maintenance and restoration are required to the Town Hall; however, this expenditure would encourage greater usage of the building.

Council has previously invested in maintenance and restoration of a number of buildings and sporting facilities which do not make profits for the Council. The retention of this significant building as public land is vital invigorating Campbell Town and essential in preserving the town's heritage.

In 2019 Council completed the redevelopment of the Campbell Town War Memorial Oval Multifunction Centre which provides modern meeting and catering facilities as well as football clubrooms and male and female changeroom facilities. The use of the Multifunction Centre since its completion has been overwhelming with regular bookings occurring at the facility. This has resulted in the need for additional meeting venues in the Campbell Town area and increased usage of the Town Hall by the community.

In 2021, Council engaged Watershed Solutions to undertake a review of the Campbell Town Hall to identify possible future usage and opportunities for the building. The report summary states the hall is a valuable community asset.

A range of possible future usages for the hall were identified in the report including as an agritourism centre, regional arts centre, heritage museum and/or business hub, as well as the sale of the building to enable a private operator to develop



the asset into the future. Other future management options were proposed in the report including a community management body independent of Council. The report highlights a number of issues that need to be addressed if the hall is to play a sustainable role in the area's economic future. These include the need for capital investment to refurbish/redevelop the facility and identifying a viable commercial/community use for the hall that generates sufficient income to meet ongoing costs.

#### Legislative requirements

##### Sale of Public Land

Section 178 of the Act requires a council to do certain things before selling, exchanging or disposing of public land owned by it. In essence the Act requires councils to notify the community regarding any proposal to sell public land and provide the community with an opportunity to have their views heard.

##### Deciding to sell public land – Open meeting

Under sub-regulation 15(3)(c) of the Local Government (Meeting Procedures) Regulations 2015, (the Regulation) a council must not close a meeting where it is considering proposals for the council to deal with public land under section 178 of the Act.

The Regulation highlights the importance to keep the sale of public land in open session so that the community has access to relevant details associated with the sale including the decisions made by the council and the reasons behind those decisions.

As per sub-regulation 15(4) of the Regulations, the only instance in which a council may consider proposals to deal with public land in closed session is when it is considering a matter relating to actual or possible legal action by or involving council.

##### Sales history

On 15 March 2021 (Minute Reference 122/21) Council unanimously decided to sell the Town Hall in Campbell Town and initiated the sale process in accordance with sections 177 and 178 of the Local Government Act 1993.

On 30 March 2021 letters were sent to Service Tasmania, the Campbell Town Museum and Information Centre, and the Campbell Town Local District Committee advising them of the decision, explaining the process to them, confirming that Council will ensure the current tenants of the facility have a suitable alternative option available to them, prior to progressing the sale.

On the 13 April 2021 a site notice was placed on the front of the Campbell Town Hall in accordance with section 178(4) (ab) of the Local Government Act 1993.

Following the June 2023 ordinary meeting, an update was requested from Knight Frank regarding the sale status. Knight Frank have advised that there have been 38 enquiries on the property, with six of those made since April 2023. None of these eventuated.

The Agent advised that there is resistance from the market and that the property required rezoning. In August 2023 Council resolved that the property be rezoned from Community Purpose Zone to Business General.

The building is currently listed for sale with Elders Real Estate for offers over \$600,000.

##### Service Tasmania

Council has entered a new lease with Service Tasmania, a current tenant located within the Town Hall, Campbell Town building.

##### Campbell Town Museum and Tourist Information Centre

Despite assurances that an alternative site will be found for the museum and visitor information centre, no site has yet been identified.

The Hall has now been on the market for over three and half years, in that time the building has continued to deteriorate through the minimal maintenance that has occurred. This has had a negative impacted on the sales price and potentially demand.



Given the lack of a buyer for the Town Hall it is proposed to take the building of the market and seek alternative funding arrangements for the restoration of the hall as a community asset.

#### **OFFICER'S RECOMMENDATION**

- 1) Pursuant to the Local Government Act 1993 Section 63, the General Manager must ensure that Council receives advice from persons who have the necessary qualification or experience to give such advice, information or recommendation on the matter before Council.

#### **BACKGROUND**

The Northern Midlands Council is continuously reviewing its assets, in particular its buildings and the use and ongoing cost to maintain its facilities.

In 2019 Council completed the redevelopment of the Campbell Town War Memorial Oval Multifunction Centre which provides modern meeting and catering facilities as well as football clubrooms and male and female changeroom facilities. The use of the Multifunction Centre since its completion has been overwhelming with regular bookings occurring at the facility. The facility is particularly popular for meetings. This led Council to consider its other similar facilities in Campbell Town and whether or not consolidation of these assets is required.

Council engaged Watershed Solutions to undertake a review of the Campbell Town Town Hall to identify possible future usage and opportunities for the building. A copy of the Watershed Solutions report is attached to this report.

The report summary states the hall is a valuable community asset, however since the opening of the Campbell Town War Memorial Oval complex, the hall has been underutilised.

A range of possible future usages for the hall were identified in the report including as an agritourism centre, regional arts centre, heritage museum and/or business hub, as well as the sale of the building to enable a private operator to develop the asset into the future. Other future management options were proposed in the report including a community management body independent of Council.

The report highlights a number of issues that need to be addressed if the hall is to play a sustainable role in the area's economic future. These include the need for capital investment to refurbish/redevelop the facility and identifying a viable commercial/community use for the hall that generates sufficient income to meet ongoing costs.

Council has accepted the report however has also expressed the need to take the following matters into consideration when making any decision in relation to the Town Hall:

- The need to minimise the duplication of Council owned assets in the town;
- The commercial opportunities associated with selling the hall;
- The return on investment of the hall;
- The impact of the sale of the hall on the current tenants.

The Campbell Town Hall has two permanent tenants: Service Tasmania and the Campbell Town Museum and Information Centre. The Hall is used for a monthly market and is the regular meeting place of the Campbell Town District Forum.

From January to September 2024 the following use was recorded at the Hall (including Forum meetings and markets):

Campbell Town Hall – 197.94 hours

Vaughan Room – 148.5 hours

Supper Room – 73 hours

The Campbell Town Hall is primarily hired as a meeting space. The Campbell Town War Memorial Oval facility could easily accommodate these bookings with the facilities and IT equipment available being of a greater standard than that available at the Hall.

Sale of the Hall could result in commercial benefit to the town. Opportunity exists to convert the Hall into a private enterprise in accordance with current planning scheme requirements.



The Hall is in need of external painting and other ongoing maintenance. The estimated cost to paint the exterior of the Hall is \$150,000 (July 2021).

An opportunity for the use of sale proceeds may be to invest them in the Campbell Town Main Street Redevelopment project.

#### **ATTACHMENTS**

Nil



### 5.3.2 Notice Of Motion: Community Strategies

Responsible Officer: Des Jennings, General Manager

#### OFFICER'S RECOMMENDATION

That Council note updates are to be provided within the Annual Report.

Councillor Terrett has requested the below Notice of Motion be included in the Agenda for the Council Meeting to be held on 21 October 2024.

#### NOTICE OF MOTION

That a report be prepared annually giving an update on the progress of the five community strategies approved at the 22 April 2024 ordinary council meeting.

#### BACKGROUND

At the 22 April 2024 ordinary council meeting the council approved (Item 14.1 Local Community Strategies) the following strategies:

- Arts and Culture
- Communications and Community Engagement
- Economic Development
- Health and Wellbeing
- Youth

These strategies contain several key projects and policy developments, including the development of a Positive Aging Plan and a Disability Action Plan.

It is important that the community be kept informed on the development and implementation of the actions detailed in the strategies

#### OFFICER'S RECOMMENDATION

- 1) Pursuant to the Local Government Act 1993 Section 63, the General Manager must ensure that Council receives advice from persons who have the necessary qualification or experience to give such advice, information or recommendation on the matter before Council.

RECOMMENDATION: That Council note updates are to be provided within the Annual Report.

#### ATTACHMENTS

Nil



### 5.3.3 Notice Of Motion: Drummond Street Pine Trees

Responsible Officer: *Des Jennings, General Manager*

#### OFFICER'S RECOMMENDATION

That Council Officers support Deput Mayor Lambert's motion.

Deputy Mayor Lambert has requested the below Notice of Motion be included in the Agenda for the Council Meeting to be held on 21 October 2024.

#### NOTICE OF MOTION

To bring back a report to the next council meeting detailing all options regarding the future of the pine trees in Drummond Street Perth. Report to include action taken to date with all known parties, including but not limited to, council, landowner (owner of the trees), State Growth, residents and other relevant parties, regarding options for the safe removal of the pine trees, setting out individual parties' legal and financial responsibilities, and the heritage status of the trees.

#### BACKGROUND

1. A public meeting was recently held with residents who are concerned with the deteriorating condition of the Pine Trees in Drummond Street Perth. This has been ongoing for many years and has become an urgent issue since the recent storm event where a huge tree limb fell over the boundary fence and onto Drummond Street.
2. Many residents opposite the trees have experienced issues over the years including debris constantly clogging their gutters, even getting into the roof cavities, and coming out through bathroom vents.
3. There is a real danger of injury to pedestrians, motorists and residents living opposite these trees in Drummond Street.
4. The landowner was invited to the community meeting or to meet with the community member who initiated the meeting, to discuss the communities' concerns, including future options for the quick and safe removal of the Drummond Street pine trees.

#### ATTACHMENTS

Nil



## 5.4 COUNCILLOR QUESTIONS ON NOTICE

No Questions on Notice were received.

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## 5.5 CODE OF CONDUCT PANEL DETERMINATION

### 5.5.1 Determination Report: Local Government Act 1993 (Section 28ZJ)

*Report Prepared by: Des Jennings, General Manager*

In accordance with section 28ZK of the *Local Government Act 1993* (the Act) the Code of Conduct Panel has made its determination in relation to the complaint lodged by Councillor Paul Terrett against Councillor Mary Knowles. A copy of the Determination Report is attached.

As per section 28ZK (2) of the *Local Government Act 1993* (the Act), copies of this determination report received on 18 September 2024 have been provided to the complainant, the councillor against whom the complaint was made, the Northern Midlands Council's General Manager, and to the Director of Local Government.

Section 28ZK (7) of the *Local Government Act 1993* requires that any person who receives a determination report must keep the determination report confidential until the report is included within an item on the agenda for a meeting of the relevant council.

In accordance with section 28ZK (4) of the Act, this Report is being tabled at the first meeting of the Council at which it is practicable to do so and which is open to the public.

#### ATTACHMENTS

1. Code of Conduct Determination Report - Northern Midlands Council - Councillor Terrett against Councillor Knowles [5.5.1.1 - 11 pages]
- 

### 5.5.2 Determination Report: Local Government Act 1993 (Section 28ZJ)

*Report Prepared by: Des Jennings, General Manager*

In accordance with section 28ZK of the *Local Government Act 1993* (the Act) the Code of Conduct Panel has made its determination in relation to the complaint lodged by Councillor Andrew McCullagh against Councillor Mary Knowles. A copy of the Determination Report is attached.

As per section 28ZK (2) of the *Local Government Act 1993* (the Act), copies of this determination report received on 1 October 2024 have been provided to the complainant, the councillor against whom the complaint was made, the Northern Midlands Council's General Manager, and to the Director of Local Government.

Section 28ZK (7) of the *Local Government Act 1993* requires that any person who receives a determination report must keep the determination report confidential until the report is included within an item on the agenda for a meeting of the relevant council.

In accordance with section 28ZK (4) of the Act, this Report is being tabled at the first meeting of the Council at which it is practicable to do so and which is open to the public.



**ATTACHMENTS**

1. Code of Conduct Determination Report - Northern Midlands Council - Councillor Mc Cullagh against Councillor Knowles [5.5.2.1 - 6 pages]
-



## 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
3 September 2024	Ross District Committee	Ordinary
10 September 2024	Evandale Community Centre & Memorial Hall Management Committee	Ordinary
11 September 2024	Morven Park Management Committee	Ordinary
11 September 2024	Ross Community Sports Club Inc	Ordinary
17 September 2024	Campbell Town District Committee	Ordinary
20 September 2024	Longford Town Hall Committee	Ordinary
1 October 2024	Campbell Town District Committee	Ordinary
1 October 2024	Ross District Committee	Ordinary
1 October 2024	Evandale District Committee	Ordinary
1 October 2024	Perth Community Centre Management Committee	AGM
1 October 2024	Perth Community Centre Management Committee	Ordinary
2 October 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 the Council Committees, recommendations of Committees are listed for Council's consideration in the Agenda Item 7 below.



## 7 COUNCIL COMMITTEES - RECOMMENDATIONS

### 7.1 CAMPBELL TOWN DISTRICT COMMITTEE

At the ordinary meetings of the Campbell Town District Forum held on September 17<sup>th</sup>, 2024, and October 1<sup>st</sup>, 2024, the following motions were recorded for Council's consideration:

#### 7.1.1 Footpaths Upgrades

**Officer Recommendation:**

That Council endorse the decision from the August 2024 Council Meeting

**Committee Recommendation:**

The committee believes that the footpaths in the previous minutes are higher usage with report to pedestrians and that council should revisit the decision with a view to pedestrian safety, namely priority to be given for Grant Street to Pedder Street where there has been a serious fall. Bridge Street to King Street and William Street to Bond Street footpath.

**Officer Comment:**

Officers note request for future grant applications.

Background:

**Minute no 24/0260 Council Meeting 19 August 2024**

That it be recommended to Council that:

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

Campbell Town has a high aging population using walkers, wheelchairs and motorised scooters. The motorised scooters are forced to use the busy roads. Some pathways are not even gravelled so it is impossible for those using a walker or wheelchair access. Safety measures for vulnerable road users should be the top priority for the street works not street scaping. A fully paved lap around Campbell Town would be help vulnerable road users especially those using walkers and wheelchairs to enjoy a safe and secure quality of life.

#### 7.1.2 Christmas Lights/ Banners

**Officer Recommendation:**

That Council places the banners in accordance with special events and holidays.

**Committee Recommendation:**

If there are any lights/banners available to be placed for Christmas, Council can be requested for assistance.

**Officer Comment:**

There are no available decorations at Council. The council can assist in the placement of lights or banners if the District Committee has sourced them.



### 7.1.3 Special Funding For Footpath Extension

**Officer Recommendation:**

That Council note the request and the decision from the August 2024 Council Meeting.

**Committee Recommendation:**

That special grant funding be investigated to extend the sidewalk along High Street from Grant Street to Bridge Street, which currently limits community access and poses significant public safety risks. In this circumstance, applying funding from The Vulnerable Road User Program (also known as the VRUP).

**Officer Comment.**

Officer investigates grant availability. The preliminary estimate could be between \$250,000 and \$500,000. Even with grant funding Council still must pay a contribution cost of 40%.

Background:

*MINUTE NO. 24/0260 Council Meeting 19 August 2024*

*DECISION*

*That council investigate additional funding sources and grants when available. Carried Unanimously*

*Committee Recommendation:*

*That it be recommended to Council that:*

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

At the ordinary meeting of the Evandale District Committee held on 1 October 2024 the following motion was recorded for Council's consideration:

### 7.2.1 Community Centre Entrance - Safety Concerns

**Officer Recommendation:**

That Officer assesses the risk after work has been completed.

**Committee Recommendation:**

That council install an awning to address the slip hazard at the entrance to the Community Centre at the back of the building.

**Officer Comment:**

The contractor will be going to realign the existing door, fit new weather seals, fit new hinges and fit a flashing above the door to stop the ingress of water. Some time back the committee requested a ramp at the back entrance to the facility, a ramp and landing is of no use if it isn't a smooth transition from the landing to the buildings finished floor level inside, hence some ingress of water under the door.

The composite decking used for the new ramp and landing is widely used and designed to be of a non-slip nature.

The quotation for the awning is only for a roof structure, no stormwater drainage, no fees, this proposed structure will not stop the driving rain reaching the door in question.

**Background:**

The entrance from the car park is a safety issue. This is a regularly used entrance with high foot traffic. The rain gets inside and pools both inside and outside of the door making a very dangerous slip hazard. There have been slips and near bad accidents. Maintenance staff have been out to inspect the door. There have been attempts at resealing the door which was not successful. There has been a glazier to come and replace the door however that is also a significant cost and does not rectify the slip hazard outside the entrance to the building. An awning would completely rectify the safety issue. Quotation is attached.

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### 7.3 LONGFORD DISTRICT COMMITTEE

At the ordinary meeting of the Longford Local District Committee held on 2nd October 2024 the following motion/s were recorded for Council's consideration:

#### 7.3.1 Acknowledgement And Thanks

**Officer Recommendation:**

That Council notes the thanks and acknowledges the Longford Garden Club Volunteers for their dedication to improving the garden beds adjacent to the Village Green Information Shelter.

**Committee Recommendation:**

The LDC thanks the NMC and Works Manager Leigh McCullagh and acknowledges the Longford Garden Club and volunteers for their assistance and support in completing the landscaping of the Village Green Visitor Information Shelter Garden beds on the corner of Archer and Wellington Streets.

**Officer Comment:**

Council notes the thanks and acknowledges the Longford Garden Club volunteers have contributed to making good the garden beds.

#### 7.3.2 Illawarra Road Bridges Review - Weight Rating And Usage

**Officer Recommendation:**

That Council follow up the request to the Department of State Growth.

**Committee Recommendation:**

The LDC requests NMC to approach Department of State Growth to provide weight ratings for the bridges on Illawarra Road between Mountford Hill and Bishopsbourne Road to verify their suitability for their current and future use, since there are no plans to strengthen them as part of the heavy vehicle freight corridor, and to detail their unsuitability for pedestrian and bicycle access.

**Officer Comment:**

Email has been sent to the Department of State Growth. Awaiting their response.

#### 7.3.3 Longford District Committee Facebook Page

**Officer Recommendation:**

That Council notes the Facebook page for set up for Longford District Committee.

**Committee Recommendation:**

The LDC will resurrect the Longford District Committee Facebook Page and link it with the NMC email set up for residents to contact LDC members.

**Officer Comment:**

The email has been set up and ready for the committee to use. Future news and events can be shared from the Council's social media to the Longford District Committee page. The District Committee needs to monitor the Facebook page to ensure that all posts are respectful as they will be responsible for any defamatory comments.



## 7.4 ROSS DISTRICT COMMITTEE

At the ordinary meetings of the Ross Local District Committee held on 3 September 2024 and 1 October 2024 the following motions were recorded for Council's consideration:

### 7.4.1 Ross Bike Rack - Location

**Officer Recommendation:**

That council notes the committee's recommendation and assess the viability of the location

**Committee Recommendation:**

That Council install the second location for the new bike racks to be at the Bridge Street Playground at the entrance area to the pool and use a green finish to the concrete slab to help it blend more harmoniously with the surroundings and have a more visually appealing and subtle appearance.

**Officer Comment:**

Officer will review the finish to the concrete slab.

### 7.4.2 Dark Sky Certification

**Officer Recommendation:**

That council supports Ross Township's bid to be a Dark Sky Community.

**Committee Recommendation:**

That Council supports Ross Township's application for DarkSky Certification as the 5<sup>th</sup> location in Australia due to Ross' unique position of a dark night sky and unrestricted horizons and request to formally ask TasNetworks to install a shade/cap on the light pole of Church Street to block out light on the Southern and Western sides.

**Officer Comment:**

Letter of support can be written to TasNetworks to request capping of the streetlight to minimise light pollution.

**Background:** *The area at Church Street is ranked at level 1 for a dark sky. The Ross township is considered a level 2 rating. The committee seeks to apply for certification to be listed as a Dark Sky Place. The International **DarkSky** Places Program is a conservation-based program rooted in grassroots advocacy to protect **dark skies** and the nocturnal environment. The DarkSky Approved program provides objective, third-party certification for lighting products, lighting designs, and installed lighting projects that minimize glare, reduce light trespass, and reduce light pollution. To be certified, they must: Restrict the amount of upward-directed light. **A Dark Sky Community is a town, city, municipality that has shown exceptional dedication to the preservation of the night sky through the implementation and enforcement of a quality outdoor lighting ordinance, dark sky education, and citizen support of dark skies.** Stargazing enthusiasts journey to Tasmania to be mesmerised by dark skies and constellations. Renowned as a haven for nature lovers with its pristine landscapes, remote wilderness areas, and minimal light pollution.*

*President of Dark Skies Tasmania, Landon Bannister, says the rise of astro-tourism happened organically. He sees it as part of a broader shift toward reconnecting with nature. "It's really important to embrace darkness. One of the most beautiful things about stargazing is to just take the time to let your eyes dark adapt. We spend so much time under artificial light now."*

*The desire to see stars benefits rural communities. Urban billboards, car parks and multi-story office buildings lit up throughout the night are some of the biggest sources of light pollution.*



*Bannister says you have to drive around three hours from cities like Melbourne and Sydney to see the Milky Way – and even further from cities in the US and Europe. **But in places like New Zealand and Tasmania, you only need to drive 30 minutes out of town to see the drifts of light that give the Milky Way its name.***

### 7.4.3 Disability Parking

**Officer Recommendation:**

That Officers assess providing a disability car park and recommend appropriate location.

**Committee Recommendation:**

Committee recommends that a disabled parking bay be marked out at Bridge Street adjacent to the clinic with disability access to alight from both left- and right-hand sides of the car.

**Officer Comment:**

Bridge Street location is not able to comply with parking standards. Other possible locations will be investigated.

**Background:**

The Bridge Street location would be able to have disability access to alight from both sides of the car. The current car park only has access to alight from one side of the car. There is an acceptable location between the driveway and the gate at Bridge Street carparking area.

Committee noted that the present disabled parking area which is on the western side of the Ross Town Hall was unsuitable site as it does not give disabled passengers enough space to alight the vehicle on the left-hand side and on the driver's side there is potential danger of other vehicles passing too closely.

Suggestion is that more disabled parking needs to be provided closer to the centre of the main street with space to alight from both sides of the vehicle on both sides.

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## 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
7 October 2024	<b>Council Workshop</b> Discussion included: <ul style="list-style-type: none"> <li>Heritage Planning Item</li> <li>Hedge removal/replacement</li> <li>Australia Day 2025</li> <li>Mayoral Alliance for the Pacific (PALM Scheme)</li> <li>Community Group Expo</li> <li>Funding application</li> <li>Grounds maintenance</li> <li>Funding support request</li> </ul>
14 October 2024	<b>Council Workshop</b> <ul style="list-style-type: none"> <li>Professional Development Training</li> </ul>
21 October 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 10 September to 15 October are as follows:

Date	Activity
11 September 2024	Attended meeting Council Chambers
11 September 2024	Attended Probus Annual Luncheon, Longford
11 September 2024	Attended Executive Meeting, Council Chambers
14 September 2024	Attended Presidents NTFA Grand Final Luncheon, Launceston
15 September 2024	Officiated at the opening of Evandale Festival of Rail, Evandale
16 September 2024	Attended NMC Workshop and Council Meeting
17 September 2024	Attended ABC Radio interview, Mayors Forum, Launceston
17 September 2024	Officiated Citizenship Ceremony, Council Chambers, Longford
18 September 2024	Officiated Opening of the Longford War Memorial Hall, Longford
18 September 2024	Attended AGM of Heritage Highway, Campbell Town
20 September 2024	Attended meeting Tasmanian Game Council, Longford
20 September 2024	Attended NMBA Annual Business Leader Event and AGM, Perth
23 September 2024	Attended ABC Monday Mayor radio interview
24 September 2024	Attended online LGAT Health and Wellbeing Workshop
25 September 2024	Attended meeting with Break O'Day Councillor, Launceston



Date	Activity
25 September 2024	Attended NRM North Annual General Meeting, Launceston
28 September 2024	Attended Rossarden Landcare meeting, Rossarden
30 September 2024	Attended Red Cross meeting, Longford
3 October 2024	Attended meeting with Sunisa Nathan, advisor of Andrew Jenner MP, Longford
7 October 2024	Attended meeting with resident, Longford
7 October 2024	Attended Executive Meeting, Council Chambers
7 October 2024	Attended Council Workshop
14 October 2024	Attended meeting with resident, Avoca
14 October 2024	Attended WorkSafe Training Workshop, Longford
15 October 2024	Attended LGAT GMC meeting, Hobart
	Attended to email, phone, media and mail inquiries

### 8.3 GENERAL MANAGER'S ACTIVITIES

General Manager's and Acting Activities Attended & Planned for the period 7 September to 14 October 2024 are as follows:

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

Date	Activity
13 September	Met with Ratepayer, Evandale
16 September	Met with solicitors re contract/agreement
16 September	Attended Council meeting and workshop
18 September	Attended opening of the redeveloped Longford War Memorial Hall
19 September	Met with developer, Perth
19 September	Attended Work Health & Safety and Code of Conduct Training
23 September	Met with Councillor Adams
25 September	Met with funding body representatives re Longford Urban Design Project
26 September	Met with Northern Region Recovery Coordinator
7 October	Attended Council workshop
14 October	Attended Professional Development Workshop for Councillors

### 8.4 PETITIONS

#### PURPOSE OF REPORT

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

#### OFFICER'S COMMENT

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

##### Section 57. Petitions

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

- (1) A person may lodge a petition with a council by presenting it to a councillor or the general manager.
- (2) A person lodging a petition is to ensure that the petition contains –
  - (a) a clear and concise statement identifying the subject matter and the action requested; and
  - (b) in the case of a paper petition, a heading on each page indicating the subject matter; and
  - (c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and
  - (d) a statement specifying the number of signatories; and
  - (e) at the end of the petition –
    - (i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and
    - (ii) in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning



*of the petition, has not been changed.*

(3) *In this section –*

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

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

**petition** means a paper petition or electronic petition;

**signatory** means –

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

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

**58. Tabling petition**

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

(a) . . . . .

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

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

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

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

(b) *it is defamatory; or*

(c) *any action it proposes is unlawful.*

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

## PETITIONS

No petitions received.

## ATTACHMENTS

Nil

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

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

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## 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			
132	133	79	83										295	820	763
337	42	41	34										117	379	391

## 8.7 ANIMAL CONTROL

Prepared by: Maree Bricknell, Corporate Services Manager

Item	Income/Issues 2023/2024		Income/Issues for September 2024		Income/Issues year to date 2024/2025	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,100	\$108,319	834	21,471	3,278	81,756
Dogs Impounded	8	\$1,408			2	45
Euthanised	2				1	214
Re-claimed	6				2	209
Re-homed/Dogs Home						
New Kennel Applications	7	\$1,170			82	4,220
Renewed Kennel Licences	82	\$3,844			3	150
Infringement Notices (paid in full)	95	\$20,266	5	808	8	2,027
Legal Action						
Livestock Impounded	2	\$724				
<b>TOTAL</b>		<b>\$135,731</b>		<b>\$22,279</b>		<b>\$88,622</b>

### Audits:

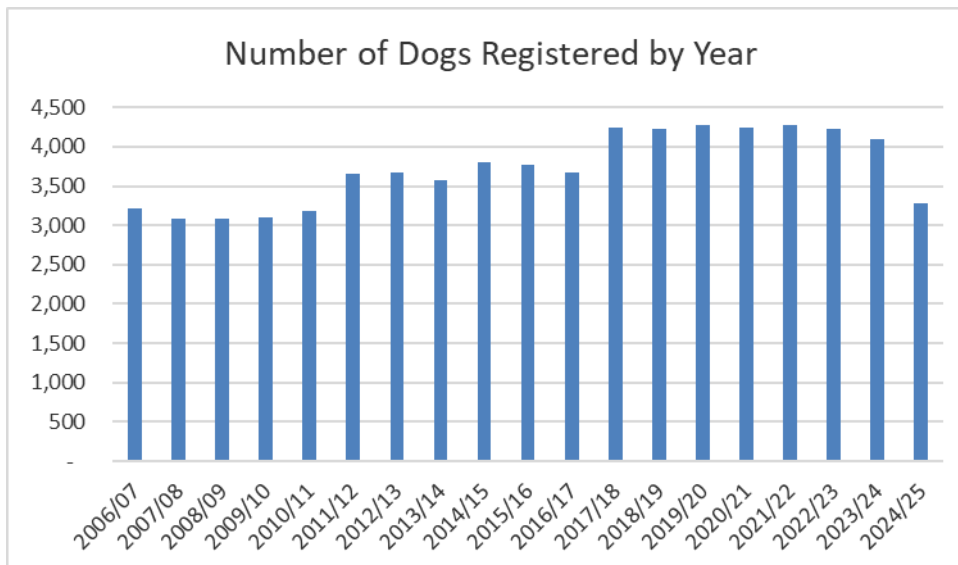
Ongoing including Dangerous Dogs, Kennel Licences, Fire Hazards.

### 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	36	3	13	20									
Routine Mobile/Market stall Food Inspections	15	-	14	1									
Preliminary Site Visits – Licensed Premises	6	3	2	1									
On-site wastewater Assessments	6	1	2	3									
Complaints/Enquiries – All Types	12	2	7	3									
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	10	4	3	3									
Building & Planning	77	52	36	9	2	4	3									
Community Services	54	44	59	8	1	4	3									
Corporate Services	48	23	26	40	1	2	37									
Governance	15	21	19	1	-	1	-									
Waste	12	11	14	9	2	4	3									
Works	368	352	415	99	29	37	33									

### 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
22/04/2024	14.2	Proposed Junior Soccer Field at the Perth Recreation Ground	Completed	That Council note the report and approve the allocation of \$91,855 from Capital Works in the 2024 -2025 Council Budget towards the development of a junior soccer field at the Perth Recreation Ground.	Corporate Services Manager, Project Officer	27/04/2024 Project Officer Service Agreement awaited from State Government 06/05/2024 Project Officer The funding agreement is awaited from the State Government. 09/08/2024 Executive Assistant Project progressed to Tender stage. 16/10/2024 – Executive Assistant Tender awarded, contractor commencing week of 14/10/2024.
22/07/2024	5 3.1	Notice of Motion: Department of State Growth - Longford Roadworks	Completed	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	General Manager	08/08/2024 Executive Assistant Letter sent 24 July 2024. Response awaited. 03/10/2024 Executive Assistant Response received from Minister on 1 August, advising that the Department is finalising concept designs for future works to the roundabout as part of the Illawarra Road Upgrade Project, and community consultation proposal. Correspondence in relation to the proposed Tannery Road fuel station received on 7 August, with on-site meeting held with Minister Ferguson and Mr Mark Shelton MP on 21 August 2024.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				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.		
19/08/2024	7 1.2	Off Lead Dog Park - Campbell Town	Completed	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 20/09/2024 Executive & Communications Officer District Committee will suggest locations. Works recommends small off lead area in King Street near the Caravan Park.
19/08/2024	7 1.3	Outdoor Basketball Court / Half Court	Completed	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
16/09/2024	13.2	Policy Update: Mobile Food Vendors	Completed	That Council endorse the amendments to the Mobile Food Vendors Policy.	Executive Assistant, Project & Building Compliance Manager	20/09/2024 Executive Assistant Policy and policy manual updated.
16/09/2024	14.2	Policy Updates: Council Chambers, Longford & Use of and Australia Day Awards and Volunteer Recognition	Completed	That Council endorse the minor amendments to the following policies: a) Council Chambers, Longford - Use Of; and b) Australia Day Awards and Volunteer Recognition.	Executive Assistant	20/09/2024 Executive Assistant Policies and policy manual updated.
29/01/2024	14.2	Proposed Public Shower Facilities in the Northern Midlands	Completed	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.
16/09/2024	7 2.1	Public Shower Longford Memorial Hall	Completed	That Council will consider the outcome of the pilot program for consideration in upgrading facilities in other areas.	Executive & Communications Officer, Project & Building Compliance Manager	20/09/2024 Executive & Communications Officer District Committee notified
19/08/2024	7 3.1	Pull over/ Viewing Platform - Alternative Location	Completed	That Council investigates alternate viewing locations.	Engineering Officer, Executive & Communications Officer	24/09/2024 Executive & Communications Officer Locations in report are deemed unsuitable due to line-of-sight concerns. Area at Woolmer's Bridge has parking also suitable for disabled parking and picnic tables. 15/10/2024 Executive Assistant Advice to be provided to Committee.
20/05/2024	14.1	Report on Notice of Motion: Longford Town Hall Management Committee	Completed	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	General Manager	17/07/2024 Executive Assistant Report to be prepared. 03/10/2024 Executive Assistant No further action required as Local Government (Code of Conduct) Order 2024 and Local Government Act 1993 legislate in regard to pecuniary and non-pecuniary



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				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.		interests in matters. In addition Council's Code of Conduct for Elected Members provides Councillors with guidelines for their conduct in their duty as an elected member. Council officers are in the process of preparing a report on the future of both Management and District Committees for presentation at a Workshop.
19/08/2024	13.2	Review of State Planning Provisions: Agricultural Worker Accommodation	Completed	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	14/10/2024 Senior Planner Submission sent.
16/09/2024	14.3	Review: Public Interest Disclosures Procedures	Completed	That Council endorse the Public Interest Disclosure Procedures as amended and submit to the Ombudsman for approval.	Executive Assistant, Executive Officer	03/10/2024 Executive Officer Council endorsed the Public Interest Disclosure Procedures as amended and it was submitted to the Ombudsman for approval.
16/09/2024	7 1.1	Road marking to make safe vehicle entrance to Ringwood Hotel	Completed	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.	Executive & Communications Officer	20/09/2024 Executive & Communications Officer Works notified
19/08/2024	14.2	Australian Local Government Association (ALGA): Attendance at Australian Local Roads Transport & Infrastructure Congress 2024	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.
16/09/2024	14.1	Bicycle Advisory Committee (Terms of Reference) & Local Recycling Committee (Memorandum of Understanding)	In progress	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.	Executive & Communications Officer, Executive Assistant	20/09/2024 Executive Assistant Advertising commenced. Report to November 2024 Council meeting.
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	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



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				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.		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 11/10/2024 Engineering Officer Awaiting response from the Department of State Growth
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. 11/10/2024 Engineering Officer Awaiting announcement of new round of Vulnerable Road User Grant Funding
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



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						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 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
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	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	Administration / Records Management Officer, Corporate	13/05/2024 Executive Assistant Request submitted to Place Names Tasmania. 21/05/2024 Administration / Records Management Officer Maefred



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		and Mayfred Close		subdivision at 7 Cracraft Street (and confirm the correct spelling of the name).	Services Manager	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.
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 Executive Assistant Report to June 2024 Council meeting. 09/08/2024 Executive Assistant To be reassessed as Budget Allocation substantially reduced by Council.
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 11/10/2024 Engineering Officer Proposed road closure and works are currently being advertised in accordance with the Local Government Highways Act
16/09/2024	16.1	Proposed Closure of Part of Youl Road, Perth	In progress	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.	Engineering Officer, Works Manager	11/10/2024 Engineering Officer Proposed road closure and associated works are currently being advertised in accordance with the Local Government Highways Act
20/05/2024	13.2	Proposed Electric Vehicle	In progress	That Council agree in principle to the NRMA's EV Charging Station	Senior Planner	14/06/2024 Senior Planner Consulting with adjoining landowner



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		Charging Station, Ross		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.		regarding access. 08/08/2024 Senior Planner Alternative sites to be identified for discussion at a Council workshop.
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 11/10/2024 Engineering Officer Awaiting response from minister
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 11/10/2024 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 timeline 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



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						<p>State Growth. 04/05/2023 Engineering Officer Garry Hills from the Department of State Growth has advised that they are in the process of organising and independent report on the safety of the intersection 15/06/2023 Executive Assistant Further contact made with DSG, requested that a timeline be provided for provision of the independent traffic study for Sticky Beaks Corner. 11/07/2023 Executive Assistant Subject to available funding, DSG have advised they have an in-principle agreement in place to review the works. 10/08/2023 Engineering Officer Council officers have requested an update on when this project will commence from the Department of State Growth and are still awaiting a response 28/09/2023 Executive Assistant Further correspondence sent to General Manager of State Roads requesting update and timeline for review. 26/10/2023 Engineering Officer Awaiting response from Department of State Growth 13/11/2023 Engineering Officer Awaiting response from State Growth 01/12/2023 Engineering Officer Awaiting response from Department of State Growth 1/12/23 14/02/2024 Executive Assistant Letter sent to Minister. 13/05/2024 Executive Assistant Meeting scheduled with the General Manager of State Roads. 10/07/2024 Engineering Officer Awaiting information from the Department of State Growth 09/08/2024 Engineering Officer Discussed with Garry Hills (Department of State Growth) 9/8/24. Garry advised that it is anticipated that a consultant will be engaged soon. 03/09/2024 Engineering Officer Awaiting further information from DSG 11/10/2024 Engineering Officer Report received from DSG. Council officers are currently reviewing the findings of the report</p>
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	<p>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</p>



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						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.
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).
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 30/09/2024	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	77.5	8,192
Street Sweeper - Plant Hire Hours		
<b>Total Services Provided by NMC to Meander Valley Council</b>		\$8,192
<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>77.5</b>	<b>\$8,192</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>56.5</b>	<b>3,997</b>
	<b>56.5</b>	<b>\$3,997</b>



### 8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	September 2024	Estimated Cost of Damages	
			Total to Date 2024/25	Total 2023/24
Waste Transfer Station - Fittings stolen from toilet	Campbell Town	\$ 1,000		
Vandalism at Valentines Park toilets	Campbell Town	\$ 1,000		
Vandalism at Victoria Square toilets	Longford	\$ 400		
Vandalism at Train Park	Perth	\$ 2,200		
<b>TOTAL COST VANDALISM</b>		<b>\$ 4,600</b>	<b>\$ 8,200</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			
	4/9	35	
	11/9	55	
	18/9	30	
	25/9	22	
Cressy			
	12/9	45	
	26/9	55	

#### 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 September as follows:

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	4/9	18	
	11/9	15	
	18/9	15	
Longford			
	3/9	13	
	10/9	13	
	17/9	11	

#### 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 September as follows:



Session Venue	Date of Session	Attendance	Comment
Perth			
	5/9	16	
	12/9	15	
	19/9	10	
	26/9	6	
Evandale			
	4/9	45	Held at School
	18/9	3	Held at Community centre due to rain

Youth Gym Exercise Class- Longford

Motivity 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			
	4/9	12	
	11/9	9	
	18/9	15	
	25/9	13	

Taiko Drumming - Longford

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

Session Venue	Date of Session	Attendance	Comment
Perth			
	2/9	15	
	9/9	14	
	16/9	15	
	23/9	7	

Meetings/Programs

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

**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 held in September. The event was 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. Service Providers involved include PCYC, Vinnies, Salvation Army, Youth Health North, Rural Alive and Well, Headspace, Anglicare, Nebhub and Libraries Tasmania. Highlights included free lunch provided by Salvation Army and Hot Chocolate with Vinnies.

**Memorial Hall Opening:**

Longford Primary Students supported the opening of the Longford Memorial Hall by performing the Taiko Drums alongside PCYC, showcasing the talent and skills of young people.

**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 commenced 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.

**Evandale- Social Inclusion:**

Joining the Evandale Primary School Student Leaders to run social lunchtime activities focusing on physical movement and engaging with one another. These sessions are well attended amongst students and receiving favorable feedback.

**Rhythms- Perth:**

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

**Breakfast Club support:**

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

**Leadership sessions:**

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

**Social Connections:**

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

**Leadership SLC Workshop:**

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

**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 October 2024

### INTEGRATED PRIORITY PROJECTS PLAN:

Progress Report:

Not Started (obstacles)
  On Hold
  On Track
  Completed

Project	Status	\$	Scheduled		
<b>1 Progress: Economic health and wealth - grow and prosper</b>					
<b>Foundation Projects</b>					
4.1 <i>Main Street Upgrades: Campbell Town, Longford &amp; Perth</i>	Gov	<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, Working through State Growth requirements.
	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 being progresses.
	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.



	Project			Status	\$	Scheduled
5.3	Longford Library & exhibition Building on the Village Green	Gov		<b>Longford Motor Sport Museum</b> Included in NMC Priority Projects document.	No budget allocation staff resources only.	
5.3	Power Undergrounding in Evandale, Longford & Perth	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	Subdivisions (several – Cressy, Evandale, Longford & Perth)	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	Recreation Ground Upgrades)	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.
				<b>Longford Recreation Ground</b> Irrigation system install and preparation for 2 <sup>nd</sup> ground.		Completed.
5.1	Swimming Pool Upgrades (several)	Gov		<b>Covering of Campbell Town &amp; Cressy Swimming Pools</b> Included in NMC Priority Projects document.		Not scheduled at this stage.
		Gov		<b>Cressy:</b> Solar system replacement <b>Ross:</b> Pool operation to continue (as per the current funding model) whilst structurally/operationally safe to do so.	Allocation 2024/25 Budget allocation 2023-24 towards WHS issues.	50,000 Completed prior to season opening.
5.2	Shared Pathways	Gov		Applications submitted to Growing Regions Program and Better Active Transport Tas program. Included in NMC Priority Projects document. Hobart Road shared pathway submitted to NTDC as a Northern Tas Priority Project.	Funding secured through the Better Active Transport Tas grant program: Growing Regions Funding application not successful.	Hobart Road shared pathway design 90% complete.
<b>4 Place: Nurture our heritage environment</b>						
<b>Foundation Projects</b>						
4.2	Perth South Esk River Parklands	Gov		Building Better Regions Fund grant secured towards the extension of the walkway, installation of footbridge and BBQ. Included in NMC Priority Projects document.		Completed.
4.3	Sheepwash Creek Corridor & Open Space	Gov		Grants secured for major new/improved infrastructure. Included in NMC Priority Projects document.	Commonwealth Government Disaster Ready funding successfully sought. Budget allocation 2024/25.	3,700,000 Scheduled.



	Project			Status	\$	Scheduled
4.5	Municipal Tree Planting Program			Annual program implemented. Included in NMC Priority Projects document.	Included in annual operating budget.	Ongoing.
<b>Enabling Projects</b>						
5.1	Conara Park Upgrade	Gov		Concept prepared: awaiting funding opportunities. Included in NMC Priority Projects document.	Negotiating with State Growth.	Awaited
5.3	Redevelop Bartholomew Park Cressy	Gov		Liaising with Local District Committee to establish/prepare plans for upgrade.		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 nearing completion.
- Ross Men’s Shed Extension: Grant Agreement signed. First and second progress reports submitted.
- 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.
- Application submitted to Community Energy Upgrades Fund Round One for solar system at the Longford Community Sports Centre. Outcome awaited.
- Application submitted to Community Climate Change Action Grants for solar and backup battery for Longford Town Hall. Outcome awaited.

## 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.
- Industry, Interpretation, Other Projects:
  - 19.9.2: Attend Work Health & Safety Training

### HHTRA update:

- 18.9.24: facilitate and attend Annual General Meeting and industry function at Campbell Town.
- Work with TICT Tassie Tourism Ambassador Program to develop a midlands module in the program course. Completed and launched at the HHTRA AGM 18.9.24.
- Progress next workshop and meeting.
- Ongoing marketing activities include website blog posts and social media. Working with Destination Southern Tasmania to whom the HHTRA outsource digital marketing activities and webpage maintenance.
- Administrative tasks/correspondence etc.



### **8.17 DEVELOPMENT ASSESSMENT PANELS (DAP) DRAFT BILL FOR COMMENT**

Prepared by: *Paul Godier, Senior Planner*

The Tasmanian State Planning Office advises that the draft Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2024 (draft Bill) is out for consultation.

On 21 July 2023, the Premier announced the development of new legislation to allow certain types of development applications to be determined by independent Development Assessment Panels (DAP), appointed by the Tasmanian Planning Commission. If approved, the draft Bill will provide an alternate approval pathway outside of Councils' decision-making functions.

The draft Bill also provides for the Minister to direct a planning authority to prepare a draft amendment to its Local Provisions Schedule (LPS) under certain circumstances where a review under section 40B of the Land Use Planning and Approvals Act 1993 (the Act) has been exhausted.

A Position Paper on a proposed DAP framework was open for consultation from 19 October to 30 November 2023, receiving over 540 submissions.

A review of submissions has informed a revised DAP framework. The Report on Consultation on the DAP Position Paper is attached.

The outcomes from the consultation have been used to prepare the draft DAP Bill.

The draft Bill is on consultation for 5 weeks from 7 October to 12 November 2024.

#### **ATTACHMENTS**

1. Report-on- Consultation- DA P- Framework- Position- Paper- October-2024 [**8.17.1** - 76 pages]
2. Development- Assessment- Panel- Fact- Sheet-for-consultation-of- DA P- Bill- Oct-2024 [**8.17.2** - 5 pages]
3. Land- Use- Planning-and- Approvals- Amendment- Development- Assessment- Panels- Bill-2024 [**8.17.3** - 54 pages]

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### **8.18 LONGFORD PUBLIC SHOWER FACILITY**

Prepared by: *Lorraine Green*

As part of the redevelopment of the Memorial Hall on the Longford Village Green, Council has installed a shower in one of the cubicles at the front of the Memorial Hall. The shower facility is open 24 hours, and insertion of a \$2 coin in the operating box provides a warm, 4 minute shower. A second \$2 coin can be inserted if required.

Free access by the insertion of a token is available for people who are financially stressed e.g. homeless, couch surfing, or without a permanent home.

The Helping Hand Association has tokens to give out to their clients as required. Tokens can also be collected from Riverlands Centre, 159 Wellington Street, between 9am – 12noon Monday, Tuesday, Thursday and Friday, except public holidays.

A poster is being prepared to promote the availability of the shower facility. The poster will be on local noticeboards and Council's website and Facebook page.

#### **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 Items 11.1 - 11.4.

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: PLN24-0033; 196A Evandale Rd Western Junction; 2 Warehouses with 17 Tenancies
- PLAN 11.2: PLN24-0059; 163A, 165 & 167 Wellington St Longford; Draft Amendment 15/2024
- PLAN 11.3: PLN24-0016; Draft Amendment 13/2024; Flood Hazard Mapping - report to Commission
- PLAN 11.4: PLN24-0113; 8A Park St Ross; Multiple Dwellings (2)



## 11 PLANNING REPORTS

### 11.1 PLN24-0033; 196A EVANDALE RD WESTERN JUNCTION; 2 WAREHOUSES WITH 17 TENANCIES

*File:* 201800.092; PLN24-0033  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Paul Godier, Senior Planner

#### RECOMMENDATION

That application PLN24-0033 to develop and use the land at 196A Evandale Road Western Junction for Warehouses x 2 with a total of 17 tenancies, including works within Evandale Road be approved subject to the following conditions:

#### 1 Layout not altered

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

- P0 – P13 Prime Design Project PD23055:  
P0 Cover Sheet, June 2024  
P1 Drawing No. 01, Rev 08, 27.06.2024  
P2 Drawing No. 02, Rev 08, 27.06.2024  
P3 Drawing No. 03, Rev 08, 27.06.2024  
P4 Drawing No. 04, Rev 08, 27.06.2024  
P5 Drawing No. 05, Rev 08, 27.06.2024  
P6 Drawing No. A-01, Rev 08, 27.06.2024  
P7 Drawing No. A-02, Rev 08, 27.06.2024  
P8 Drawing No. A-03, Rev 08, 27.06.2024  
P9 Drawing No. A-04, Rev 08, 27.06.2024  
P10 Drawing No. B-01, Rev 08, 27.06.2024  
P11 Drawing No. B-02, Rev 08, 27.06.2024  
P12 Drawing No. B-03, Rev 08, 27.06.2024  
P13 Drawing No. B-04, Rev 08, 27.06.2024
  
- P14 – P32 Rare. Engineering drawings Project No. 240001:  
COV, Rev 0, 22-05-2024  
C000 Rev 0, 22-05-2024  
C101 Rev 0, 22-05-2024  
C301 Rev 0, 22-05-2024  
C401 Rev 1, 17-06-2024  
C411 Rev 0, 22-05-2024  
C412 Rev 0, 22-05-2024  
C421 Rev 1, 15-07-2024  
C422 Rev 0, 22-05-2024  
C424 Rev 0, 22-05-2024  
C431 Rev 1, 15-07-2024  
C501 Rev 2, 17-06-2024  
C511 Rev 0, 22-05-2024  
C512 Rev 0, 22-05-2024  
C513 Rev 0, 22-05-2024  
C601 Rev 1, 17-06-2024  
C701 Rev 0, 22-05-2024  
C702 Rev 0, 22-05-2024



- D1 Planning Supporting Report, Woolcott Surveys, Revision 2, 6<sup>th</sup> June 2024
- D2 Traffic Impact Assessment, Midson Traffic Pty Ltd, May 2024
- D3 Statement of Heritage Impact on Clairville, Gayle Plunkett Architect, April 2024 (updated June/July 2024)
- D4 Tree Report, Adam's Tree Services, 19/08/2024
- D5 Stormwater Management Report, rare., Issue No. 01, Revision No. A, 16/07/2024

## 2 Revised Landscape Plan Required

Prior to the issue of a building permit under the Building Act 2016, or the commencement of development, whichever occurs first, a revised landscape plan must be submitted to the approval of the council's General Manager in consultation with Council's Heritage Adviser and the adjoining owner at 198 Evandale Road.

## 3 Heritage Assessment

- Prior to the issue of a building permit under the Building Act 2016, or the commencement of development, whichever occurs first, a full photographic assessment of the gatehouse/Gate Keeper's Lodge on 198 Evandale Road (Title Reference 185827/2) must be undertaken by a suitably qualified heritage professional to record any existing cracks or deterioration of the stucco finish, with permission of the owner as required.
- The photographs must be provided to Council before the issue of of a building permit under the Building Act 2016 and will allow a record of existing structure with/without cracks as the reference point on which to commence monitoring.
- With the permission of the owner 198 Evandale Road, any existing cracks found in the gatehouse/Gate Keeper's Lodge may be monitored using Tell-tale crack monitors, measuring of cracks via two screws (one each side of the crack) or vibration monitors, with a record of dimensions. Note evidence of existing cracks before work commences as start point, with monitoring at the end of construction of Stage 1, the end of Stage 2 (if within 12 months) and then 6 or 12 months after that for a final to determine if any change.

## 4 Tree Protection

- Before the development commences, temporary barriers must be installed, including relevant signage, in accordance with AS 4970-2009 Protection of trees on development sites around the Tree Protection Zones (TPZ) and Structural Root Zone (SRZ) as detailed in the Tree Report and below:

Bluegum Tree 1

TPZ: 15m

SRZ: 4.5m

Bluegum Tree 2

TPZ: 15m

SRZ: 5m

Bluegum Tree 3

TPZ: 13m

SRZ: 3.4m

Bluegum Tree 4

TPZ: 12m

SRZ: 3.6m

Vegetation Row on Boundary

TPZ: 5m

SRZ: 2.3m

- Heavy machinery must not be allowed in any Tree Protection Zone (TPZ) unless written advice from an arborist is provided to council that the use of heavy machinery is unavoidable and will not have a detrimental impact on the subject tree(s).
- There must be no below ground excavation be conducted in the Structural Root Zone (SRZ) under any circumstances.

## 5 External Lighting

- All external lighting must face away from the adjoining property at 196 Evandale Road (Title Reference 185827/2).



- All external lighting must be hooded and directed so as to not to cause nuisance, threat or hazard to the operation of Launceston Airport.

## 6 Council's Works Department conditions

- The development must be provided with a connection to the stormwater system. Note that the stormwater system in Evandale Road is owned by the Department of State Growth and their approval is required to connect to this system
- A revised Stormwater System Management Plan must be provided for the private stormwater system, detailing how the onsite detention and water sensitive urban design (WSUD) will meet Council's requirements and to its satisfaction.
- The detention and WSUD systems must be generally in accordance with the Stormwater Management Report Rev A (Rare, 2024) and drawing set 240001 Rev 0 (Rare). Adjustment to the permissible site discharge (PSD) determined in the Rev A report is required. The pre-developed impervious fraction and PSD flow rate must be revised and based off the undeveloped site based on actual pre-developed impervious/pervious areas.
- The updated Stormwater Management Plan must be accompanied by For Construction drawings and an Operation and Maintenance (O&M) plan of the system. For construction drawings must include 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.
- The revised Stormwater Report, For Construction drawings, and the O&M plan must be provided to Council for approval prior to a connection being made from the private site drainage, detention, and WSUD to the public stormwater system.
- The Operation and Maintenance Manual must:
  - 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; and
  - 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.
- A stainless steel or aluminium sign with minimum 200mm x 100mm dimensions with the following wording and to a design approved by Council's Engineering Supervisor must be permanently fixed and visible on the detention system:

*This is an on-site stormwater detention system required by the Northern Midlands Council. It is an offence to reduce the volume of the tank, basin, storage, or to interfere with the outlet or system controls. The system must be cleaned of debris and sediment on a regular basis by the owner. This plate must not be removed.*
- Concentrated stormwater must not be discharged into neighbouring properties
- Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- All driveways and hardstand areas must be designed to allow stormwater run-off to be adequately drained to the Council stormwater system.
- A plumbing permit is required prior to commencing any plumbing or civil works within the property.
- Detailed As-Constructed drawings of the WSUD and OSD systems are to be included as an annexure to the Operation and Maintenance Manual.
- The As-constructed drawings must provide:
  - Locations and sizes of pipes, pits, detention areas, volumes, tanks, outlets, WSUD elements etc.
  - Invert levels and surface levels for pipes, manholes, detention, WSUD elements etc.
  - Location and relative level of the connection to the public stormwater system
  - Details of any bypass systems
- Certification of the drawings must be provided by a suitably qualified person confirming that the drawings are a true and accurate reflection of the installed OSD and WSUD systems, that the systems have been installed to the relevant standards, and that the system will meet Councils performance requirements



### 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.

#### Works in State road reserve

- 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.
- 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.

#### Pollutants

- The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- 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.

### **7 TasWater conditions**

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2024/00290-NMC) – attached at Appendix A.

### **8 Works In Department Of State Growth Road Reserve**

Any access works within the State Road Reservation will require a permit, as per the link below.

[https://www.transport.tas.gov.au/road\\_permits/permits\\_and\\_bookings/new\\_or\\_altered\\_access\\_onto\\_a\\_road\\_driveways](https://www.transport.tas.gov.au/road_permits/permits_and_bookings/new_or_altered_access_onto_a_road_driveways)

### **9 Launceston Airport**

a. The maximum luminous intensity, at 3 degrees above horizontal, of any proposed lighting or illuminated signage must not exceed 150 cd. Should any external lighting cause confusion, distraction or glare to pilots in the air, under Regulation 94 of the Civil Aviation Regulations 1988 (CAR1988), CASA may seek that the lighting be modified, shielded or extinguished to ensure aviation safety.

b. Due to the proximity to the prescribed airspace surfaces (OLS) for Launceston Airport, any plant or equipment that extends to a height greater than the building development during construction (such as cranes) may infringe the OLS and must be referred to Launceston Airport for written approval prior to use. Approval from CASA and Airservices Australia may be required, and this process may take 12 weeks or longer to obtain.

c. Landscaping, certain planting, standing water and waste have the potential to attract wildlife which can increase the risk of wildlife transiting across aircraft flight paths. In relation to the proposed landscaping, Launceston Airport encourages the proponent to contact the Launceston Airport Operations Department and discuss options for reducing the risk associated with aircraft bird strikes.

### **10 Landscaping**

- In accordance with council policy, a bond of 1.5 times the cost of the planting component of landscape works must be provided prior to the issue of a building permit and will be refunded if the landscape works are completed within the timeframe mentioned in this permit. The bond shall not be taken in lieu of these works. If works are not completed within the specified time frame, the bond may be applied to ensure compliance.
- Landscaping, all plantings and an automated watering system, must be completed within three months (or an alternative date agreed to by the Council's General Manager in writing) of issue of certificate of occupancy or commencement of use, whichever occurs first, and then maintained for the duration of the use.
- Replacement plantings must be undertaken as appropriate to maintain landscaping consistent with the endorsed plan.

### **11 Driveways and Parking Areas**

- Prior to the commencement of use, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be provided to the satisfaction of the General Manager including delineation of each car space and all access lanes by line-marking or raised pavement markers.



- Parking spaces constructed and designated for use by persons with disabilities must be in accordance with Australian Standards AS/NZ 2890.6 2009 and located closest to the main entry point to the building.

**NOTES**

- A. The issue of this planning permit does not certify compliance with the *Building Code of Australia*, the *Disability Discrimination Act 1992* or any other applicable legislation.
- B. It is the responsibility of the developer/property owner to ensure that pollutants such as mud, silt or chemicals are not released from the site.
- C. 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.

ADVICE – Tasmanian Heritage Council

*Arborist's recommendations to be applied to ensure that appropriate care is taken to protect all significant plantings, including Bluegums and hawthorn hedging on the adjoining heritage listed site:*

- *Opposite side of the affected land parcel to be used for all required earthworks;*
- *No incursion of heavy machinery into Tree Protection Zones; and*
- *No excavation within defined Structural Root Zones.*

*Tree Protection Zones and Structural Root Zones should be defined and monitored under supervision of a consulting arboriculturist for the duration of the work – Ref. AS 4970-2009 Protection of trees on development sites.*

## 1 INTRODUCTION

This report assesses an application for two warehouses with a total of 17 tenancies, including works within Evandale Road against the relevant provisions of the *Tasmanian Planning Scheme – Northern Midlands (SPP version 7 effective 26th June 2024 and LPS 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**

- NORS1.7.3 – Materials and Presentation
- C2.6.5 Pedestrian Access
- C3.5.1 Traffic Generation

**3 APPLICATION DETAILS AND TIMEFRAMES**

<b>Application Number:</b>	PLN24-0033
<b>Address:</b>	196A Evandale Road, Western Junction
<b>Existing use/development:</b>	Vacant
<b>Applicant:</b>	Prime Design
<b>Use classification:</b>	Storage
<b>Zone:</b>	General Industrial
<b>Particular Purpose Zone/Specific Area Plan:</b>	Translink Specific Area Plan
<b>Applicable codes:</b>	C1.0 Signs Code C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code
<b>Application must be determined by:</b>	25 October 2024
<b>Recommendation:</b>	<b>Approval subject to conditions detailed in “recommendation” above.</b>

**4 SUBJECT SITE AND LOCALITY**

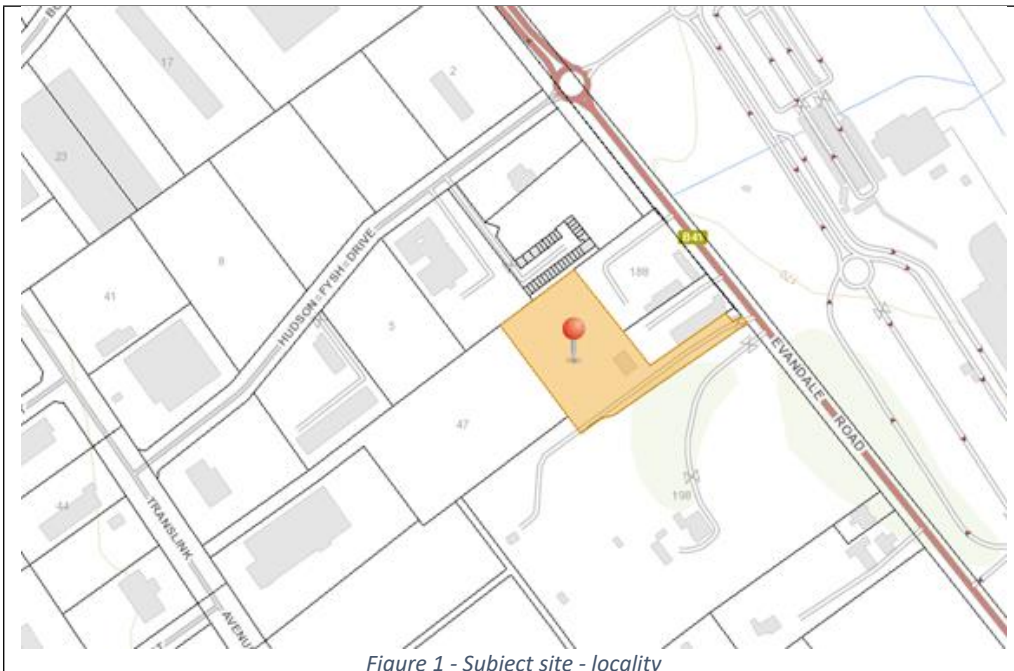


Figure 1 - Subject site - locality

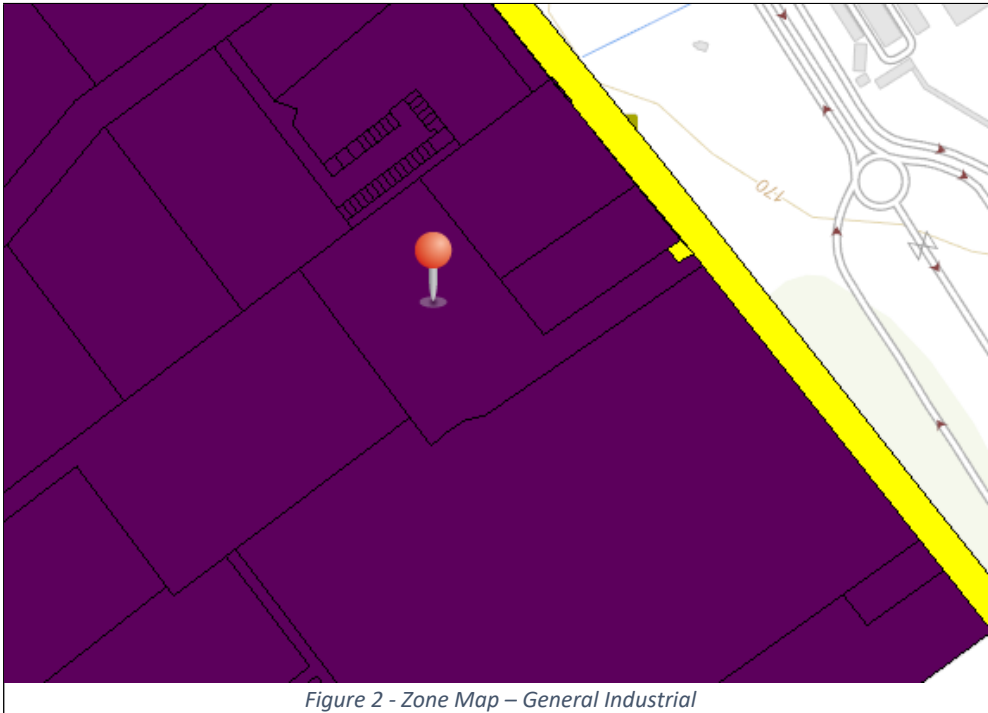


Figure 2 - Zone Map – General Industrial



Figure 3 - Aerial image of the site and surrounding area



Figure 4 - Access to subject site from Evandale Road



Figure 5 - shed to be demolished on 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	X
7.7	Buildings Projecting onto Land in a Different Zone	-
7.9	Demolition	X
7.10	Development Not Required to be Categorised into a Use Class	-
7.11	Use or Development Seward of the Municipal District	-
7.12	Sheds on Vacant Sites	-
7.13	Temporary Housing	-



CODE		Applicable	Exemption Applied
C1.0	Signs Code	X	
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	-	
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	-	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	X
NOR-S2.0	Campbell Town Specific Area Plan	-
NOR-S3.0	Cressy Specific Area Plan	-
NOR-S4.0	Devon Hills Specific Area Plan	-
NOR-S5.0	Evandale Specific Area Plan	-
NOR-S6.0	Longford Specific Area Plan	-
NOR-S7.0	Perth Specific Area Plan	-
NOR-S8.0	Ross Specific Area Plan	-

**The relevant Scheme definitions are:**

Table 6.2 Use Class	
Storage	Use of land for storage or wholesale of goods, and may incorporate distribution. Examples include boat and caravan storage, self storage, contractors yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and woodyard.
Table 3.1 Planning Terms and Definitions	
Building	Means as defined in the Act: <i>building includes –</i> <i>(a) a structure and part of a building or structure; and</i> <i>(b) fences, walls, out-buildings, service installations and other appurtenances of a building; and</i> <i>(c) a boat or a pontoon which is permanently moored or fixed to land;</i>
Development	Means as defined in the Act: <i>development includes –</i> <i>(a) the construction, exterior alteration or exterior decoration of a building; and</i> <i>(b) the demolition or removal of a building or works; and</i> <i>(c) the construction or carrying out of works; and</i> <i>(d) the subdivision or consolidation of land, including buildings or airspace; and</i> <i>(e) the placing or relocation of a building or works on land; and</i> <i>(f) the construction or putting up for display of signs or hoardings –</i>



*but does not include any development of a class or description, including a class or description mentioned in paragraphs (a) to (f), prescribed by the regulations for the purposes of this definition;*

Per the applicable zone use class table, the proposed use Storage is Permitted. Per NOR-S1.5.4 – Area 4 use class table, the proposed use Storage is Permitted. Clause 6.10.2 states that consideration of the purpose of the zone, local area objectives, code, specific area plan and/or site-specific qualification is only required when determining an application for a Discretionary use.

## 5.1 STATE PLANNING PROVISIONS – ZONE PROVISIONS

### ASSESSMENT OF THE GENERAL INDUSTRIAL 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 Permitted per the use table.

#### 19.3 Use Standards

19.3.1 Discretionary Uses		
Description	Assessment	
A1 No Acceptable Solution	A1 Not applicable, the use is listed under the Translink SAP as Permitted.	
19.4 Development Standards for Buildings and Works		
Clause	Description	Assessment
19.4.1	Building height	A1 Not applicable, NOR-S1.7.1 in in substitution of this clause.
19.4.2	Setback	A1 Not applicable, NOR-S1.7.2 in in substitution of this clause.
19.4.3	Landscaping	A1 Not applicable, NOR-S1.7.5 in in substitution of this clause.
19.5 Development Standards for Subdivision – Not applicable.		

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

### ASSESSMENT OF SPECIFIC AREA PLAN PROVISIONS: TRANSLINK

#### 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.

#### NOR-S1.6 Use Standards

NOR-S1.6.1 External lighting		
Description	Assessment	
A1 External lighting must be hooded and directed so as to not to cause nuisance, threat or hazard to the operation of Launceston Airport.	A1 Complies, a condition will be placed on the permit.	
NOR-S1.6.2 Environmental quality		
Description	Assessment	
A1 Emissions must not cause a hazard to the safe operation of Launceston Airport.	A1 Complies.	
A2 Emissions must not cause a hazard to the residents in the Devon Hills Low Density Area.	A2 Complies.	
NOR-S1.6.3 Residential use – Not applicable as the proposal is not for a residential use.		



<b>NOR-S1.6.4 Liquid and solid fuel depot - Not applicable.</b>		
<b>NOR-S1.6.5 General retail and hire</b>		
<b>NOR-S1.6.6 Car parking numbers</b>		
Description	Assessment	
A1 Car parking numbers must be no less than the number specified in Table C2.1.	A1 Table C2.1 specifies 1 space per 200m <sup>2</sup> of the site area or 1 space per 2 employees, whichever is greater. This equates to a requirement for 46 spaces (staff numbers are unknown – based on an overall site area of approximately 9,110m <sup>2</sup> ). The provision of 54 spaces satisfies the requirements of Acceptable Solution A1 of Clause C2.5.1 of the Planning Scheme.	
<b>NOR-P1.7 Development Standards for Buildings and Works</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>
NOR-S1.7.1	Building height	A1 Area 1 - Not applicable.
		A2 Area 2 - Not applicable.
		A3 Area 3 - Not applicable.
		A4 Area 4 - Complies, buildings will have a maximum height of 7.405m (must be no higher than 12m).
		A5 Area 5 - Not applicable.
		A6 Area 6 - Not applicable.
NOR-S1.7.2	Setback	A1 Area 1 - Not applicable.
		A2 Area 2 - Not applicable.
		A3 Area 3 - Not applicable.
		A4 Area 4 – Requirements are: Minimum 20m from Evandale Main Road, minimum 5m to the side boundary, and minimum 10m to the rear boundary Proposal is 86m from Evandale Road, a minimum of 5m from side boundaries and 10m from the rear boundary – complies.
		A5 Area 5 - Not applicable.
		A6 Area 6 - Not applicable.
NOR-S1.7.3	Materials and presentation	A1 Areas 1, 2, 3, & 6 - Not applicable.
		A2 Areas 1, 2, & 3 - Not applicable.
		A3 Within Areas 4, 5 and 6 construction must be of masonry and/or brick. Cladding is largely to be Trimdek in monument. Does not comply with A3. Complies with the performance criteria of “The use of a variety of materials or other techniques to help reduce the interpreted scale of the building”.
		A4 Within Areas 4, 5 and 6 developments must be designed and located to minimise visual impact from Evandale Main Road – complies.
		A5 Within Areas 4, 5 and 6 colours must be muted and in tones compatible with the rural and landscaped setting of the area – complies.
NOR-S1.7.4	Site coverage	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.



		A4 Complies, 35.3% area coverage, 10.3% landscaped area shown on plans – Site Plan and Site Landscaping Plan.
NOR-S1.7.5	Open space and landscaping	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.
		A4 Area 4 – the first 10m from Evandale Road must be used for landscaping, excluding those areas sealed for driveway access - Complies.
		A5 Not applicable.
		A6 Not applicable.
		A7 Landscaping must be provided for development of vacant land or where landscaping has not previously been undertaken and be provided with an automatic watering system. Condition required.
		A8 Not applicable.
NOR-S1.7.6	Outdoor storage areas	A1 Complies.
		A2.1 Complies.
		A2.2 Complies.
NOR-S1.7.7	Fencing	A1.1 Complies.
		A1.2 Complies.
NOR-S1.7.8	Stormwater	A1 Complies.
NOR-S1.7.9	Parking and internal circulation	A1 Complies.
		A2 Complies.
		A3 Complies, all external area shall be sealed and drained.
NOR-S1.7.10	Buffer areas – applies to those sites closest to the Devon Hills residential area.	A1 Not applicable
		A2 Not applicable.
		A3 Not applicable.
NOR-S1.7.10	Heritage – To recognise and protect the cultural heritage significance of the Clairville historic site and to provide for future development that is compatible with the identified values.	A1 Developments within 100m of the historic Clairville property must be sympathetic to the cultural significance of the site and Council may require additional landscaping, mounding or other measures to ameliorate potential impacts. Complies.
<b>NOR-P2.7 Development Standards for Subdivision – Not applicable.</b>		

### 5.3 STATE PLANNING PROVISIONS – CODE PROVISIONS

#### C1.0 SIGNS CODE

##### Code Purpose

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

Sign Type	Definition
Blade Sign	Means a sign that projects vertically from the ground by a single form in which the supports/structure of the sign are concealed within.



C1.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C1.6.1	Design and siting of signs	A1 Complies. Blade sign is located within General Industrial zone as an applicable zone. The maximum vertical dimension is 3.6m and the maximum horizontal dimension is 1.2m.
		A2 Not applicable.
		A3 Complies.
C1.6.2	Illuminated signs	A1 Complies, sign is not illuminated.
C1.6.3	Third party sign	A1 Not applicable.
C1.6.4	Signs on local heritage places and in local heritage precincts and local historic landscape precincts	A1 Not applicable.

## 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 Table C2.1 specifies 1 space per 200m <sup>2</sup> of the site area or 1 space per 2 employees, whichever is greater. This equates to a requirement for 46 spaces (staff numbers are unknown – based on an overall site area of approximately 9,110m <sup>2</sup> ). The provision of 54 spaces satisfies the requirements of Acceptable Solution.
C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 Not applicable, no requirement set for Storage use class.
C2.5.3	Motorcycle parking numbers (Refer to table C2.4)	A1 Not applicable, no requirement as per Clause C2.2.2.
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 Complies.
C2.6.2	Design and layout of parking areas	A1.1 Complies.
		A1.2 Complies.
C2.6.3	Number of accesses for vehicles	A1 Complies, a single existing access is provided
		A2 Not applicable.



C2.6.4	Lighting of parking areas within the General Business and Central Business zone	A1 Not applicable.
C2.6.5	Pedestrian Access	A1.1 Does not comply.
		A1.2 Complies.
C2.6.6	Loading Bays	A1 Not applicable.
		A2 Not applicable.
C2.6.7	Bicycle parking and storage facilities within the General Business and Central Business zone	A1 Not applicable.
		A2 Not applicable.
C2.6.8	Siting of parking and turning areas	A1 Not applicable.
		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>C2.6.5</b>	<b>Pedestrian access</b>
P1	<p>Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <ul style="list-style-type: none"> <li>a) the characteristics of the site;</li> <li>b) the nature of the use;</li> <li>c) the number of parking spaces;</li> <li>d) the frequency of vehicle movements;</li> <li>e) the needs of persons with a disability;</li> <li>f) the location and number of footpath crossings;</li> <li>g) vehicle and pedestrian traffic safety;</li> <li>h) the location of any access ways or parking aisles; and</li> <li>i) any protective devices proposed for pedestrian safety.</li> </ul>
<b>Assessing Officers Comments</b>	<p>The application provide a traffic impact assessment which states:</p> <p><i>The development provides 1.0-metre pedestrian footpaths adjacent to the parking areas. These paths connect to the tenancies within the development. Within the main car parking area (adjacent to the tenancies), a pedestrian footpath is located between the parking spaces and the building wall. Within the main manoeuvring area the footpath provision is located behind the parking space, thus more than 2.5 metres from the parking aisle.</i></p> <p><i>a. Characteristics of site. The site is an industrial development. Parking within the driveway will be for staff and little parking activity will occur during general activities associated with the access (truck movements, etc). The movement of vehicles and pedestrians only relates to activity be very low by virtue of the short and narrow access that services the development.</i></p> <p><i>b. Nature of the use. The use is industrial, which is consistent with land use in the surrounding area.</i></p> <p><i>c. Number of parking spaces. A total of 54 on-site parking spaces are proposed, accessed via a single driveway access.</i></p> <p><i>d. Frequency of vehicle movements. The peak traffic generation will be 19 vehicles per hour, which represents slightly greater than 1 vehicle every three minutes on average. The low traffic generation coupled with the low vehicle speeds will result in an acceptable safety environment for shared use between pedestrians and vehicles.</i></p> <p><i>e. Needs of persons with a disability. Not applicable.</i></p> <p><i>f. Location and number of footpath crossings. Not applicable.</i></p> <p><i>g. Vehicle and pedestrian safety Parking within the driveway will be for staff and little parking activity will occur during general activities associated with the access (truck movements, etc). The movement of vehicles and pedestrians only relates to activity associated with the industrial estate and would be expected by all road users. A 1-metre footpath will be painted adjacent to the parking spaces to provide separation from the driveway. As noted in d above, the low traffic</i></p>



**DISCRETIONS**

	<p>generation coupled with the low vehicle speeds will result in an acceptable safety environment for shared use between pedestrians and cars.</p> <p><i>h. Location of access ways or parking aisles. The development has a relatively simple layout with a main driveway access and a central manoeuvring area within the main section of the industrial site. Parking is accessed at 60-degrees to the access, and 90-degrees within the main area. There is one internal junction within the site.</i></p> <p><i>i. Protective devices. No pedestrian protective devices are included in the design.</i></p> <p>Based on the above assessment, the development meets the requirements of Performance Criteria P1 of Clause C2.6.5 of the Planning Scheme.</p>
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**C3.0 ROAD AND RAILWAY ASSET CODE**

**Code Purpose**

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

C3.5 Use Standards		
Clause	Description	Assessment
C3.5.1	Traffic generation at a vehicle crossing, level crossing or new junction.	A1.1 Not applicable.
		A1.2 Not applicable.
		A1.3 Not applicable.
		A1.4 Does not comply
		A1.5 Complies
C3.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C3.6.1	Habitable buildings for sensitive uses within a road or railway attenuation area.	A1 Not applicable.
C3.7 Development Standards for Subdivision		
Clause	Description	Assessment
C3.7.1	Subdivision for sensitive uses within a road or railway attenuation area.	A1 Not applicable.

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

**DISCRETIONS**

C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	
P1	<p>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> <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>



**DISCRETIONS**

<b>Assessing Officers Comments</b>	<p>The application provided a traffic impact assessment which states:</p> <p><i>The following is relevant with respect to the development proposal:</i></p> <p>a. <i>Increase in traffic. The traffic generation of the development is likely to be 153 vehicles per day. The traffic generation is considered to be low with a peak hour traffic generation of 19 vehicles per hour which can be absorbed in at the site's access at a high level of efficiency.</i></p> <p>b. <i>Nature of traffic. The traffic will be commercial in nature, consistent with traffic currently utilising the surrounding network.</i></p> <p>c. <i>Nature of road. Evandale Road is a major collector road that provides access to commercial properties including the airport and other industrial and commercial sites. The nature of the road is consistent with the type of traffic that will be generated by the development proposal.</i></p> <p>d. <i>Speed limit and traffic flow. Evandale Road carries approximately 11,000 vehicles per day. The general urban speed limit of 80-km/h is applicable to Evandale Road.</i></p> <p>e. <i>Alternative access. No alternative access is possible or considered necessary.</i></p> <p>f. <i>Need for use. The access is required to service the car parking and loading areas associated with the proposed development.</i></p> <p>g. <i>Traffic impact assessment. This report documents the findings of a traffic impact assessment.</i></p> <p>h. <i>Road authority advice. Council requires a TIA to be prepared for the proposed development.</i></p> <p>Based on the above assessment, the access arrangements associated with the proposed development satisfy the requirements of Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme.</p>
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**5.4 REFERRALS**

<p><b><u>Council's Infrastructure &amp; Works Department</u></b></p> <p>Council's Engineering Officer, Jonathan Galbraith, and Engineering Supervisor, Cameron Oakley, provided the attached advice. Their recommended conditions are included in the conditions of approval.</p>
<p><b><u>TasWater</u></b></p> <p>TasWater issued a Submission to Planning Authority Notice on 21 June 2024 (TasWater Ref: TWDA 2024/00290-NMC) providing conditions of approval. The Planning Permit will condition the development to be in accordance with the Submission to Planning Authority Notice.</p>
<p><b><u>TasNetworks</u></b></p> <p>TasNetworks reported that the development is not likely to adversely affect TasNetworks' operation.</p>
<p><b><u>Tasmanian Heritage Council</u></b></p> <p>The THC issued a Notice of No Interest on 10 September 2024 (Ref: 06-88-94 THC), because the works are located outside of the part of the place that is subject to provision of the Act.</p> <p>The following advice was provided:</p> <p><i>"Arborist's recommendations to be applied to ensure that appropriate care is taken to protect all significant plantings, including Bluegums and hawthorn hedging on the adjoining heritage listed site:</i></p> <ul style="list-style-type: none"> <li>- <i>Opposite side of the affected land parcel to be used for all required earthworks;</i></li> <li>- <i>No incursion of heavy machinery into Tree Protection Zones; and</i></li> <li>- <i>No excavation within defined Structural Root Zones.</i></li> </ul> <p><i>Tree Protection Zones and Structural Root Zones should be defined and monitored under supervision of a consulting arboriculturist for the duration of the work – Ref. AS 4970-2009 Protection of trees on development sites."</i></p>
<p><b><u>Heritage Advisor</u></b></p> <p>Council's Heritage Advisor, David Denman, advised that he has no objections to the proposal, stating:</p> <p><i>"The subject site is an internal lot, and the southern access driveway is the predominant area of the site that adjoins the heritage listed Clairville property. The proposal includes extensive landscape screen planting to this particular boundary line. However, I recommend that a more detailed landscape plan be provided for approval at the building permit stage.</i></p> <p><i>I also suggest that a row of pittosporum shrubs be planted between the proposed trees to the full length of the south boundary. This together with the existing trees on the Clairville side of the boundary will adequately screen the historic property from the proposed development.</i></p> <p><i>Given the internal location of the proposed building and the existing and proposed screening, I consider the building style and materials to be acceptable."</i></p>
<p><b><u>Department of State Growth</u></b> (Road Authority)</p>



The Department advised Council on 9 September 2024 that, “Following a review of the related documents and based on the finding of the TIA, the Department has no objections to the proposed development. However, any access works within the State Road Reservation will require a permit, as per the link below.

[https://www.transport.tas.gov.au/road\\_permits/permits\\_and\\_bookings/new\\_or\\_altered\\_access\\_onto\\_a\\_road\\_driveways](https://www.transport.tas.gov.au/road_permits/permits_and_bookings/new_or_altered_access_onto_a_road_driveways)”.

This is included in the conditions of approval.

#### **Launceston Airport**

Launceston Airport provides the following comments relating to the proposal on 9 September 2024:

- A very small portion of the subject site is located between the 20 and 25 ANEF contours as mapped and laid out in the Launceston Airport Master Plan 2020, however the building type (light industrial) is ‘acceptable’ according to AS2021-2025.
- The site is located within one of the Windshear Assessment Envelopes as mapped and laid out in the Master Plan, however the proposed building appears to be below the 1:35 surface set out in NASF Guideline B.
- The site is located within Maximum Lighting Zone C as mapped and laid out in the Master Plan where the maximum intensity of light sources measured at 3 degrees above the horizontal is 150 candela (cd).
- At a maximum height of 7m, the proposed buildings do not infringe the Launceston Airport Prescribed Airspace surfaces. However, plant or equipment that extends to a height greater than the building during construction may infringe the OLS.
- The application appears to include landscaping that may increase the risk of attracting wildlife.

Launceston Airport does not object to the development application, however, requests that the following conditions be added to the planning permit.

a. The maximum luminous intensity, at 3 degrees above horizontal, of any proposed lighting or illuminated signage must not exceed 150 cd. Should any external lighting cause confusion, distraction or glare to pilots in the air, under Regulation 94 of the Civil Aviation Regulations 1988 (CAR1988), CASA may seek that the lighting be modified, shielded or extinguished to ensure aviation safety.

b. Due to the proximity to the prescribed airspace surfaces (OLS) for Launceston Airport, any plant or equipment that extends to a height greater than the building development during construction (such as cranes) may infringe the OLS and must be referred to Launceston Airport for written approval prior to use. Approval from CASA and Airservices Australia may be required, and this process may take 12 weeks or longer to obtain.

c. Landscaping, certain planting, standing water and waste have the potential to attract wildlife which can increase the risk of wildlife transiting across aircraft flight paths. In relation to the proposed landscaping, Launceston Airport encourages the proponent to contact the Launceston Airport Operations Department and discuss options for reducing the risk associated with aircraft bird strikes.

Their recommended conditions are included in the conditions of approval.

## **5.5 REPRESENTATIONS**

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

The Planning Authority has been provided with a copy of the representations by way of all representations in full being provided to Councillors for their consideration in accordance with clause 6.10 of the Scheme. A copy of the representations has not been included as an attachment to this report as the Land Use Planning and Approvals Act 1993 does not require that representations be published as part of the Council agenda.

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

<b>Issue</b>	Gate Keepers Lodge: The Lodge is a rare example of a style of building and is a significant visual feature of the district. The amount of vehicle movements in such a close proximity to the Lodge has a high potential to cause damage to the building, especially as heavy vehicles will be using the drive. The issues are clearly highlighted in the heritage assessment attached to the application. The recommendations of this report should form part of the permit if granted.
<b>Assessing Officers Comment</b>	The heritage assessment states: <i>It would be appropriate to carry out a full photographic assessment of the structure to record any existing cracks or deterioration of the stucco finish – with permission of the owner as required. The photographs will allow a record of existing structure with/without cracks as the reference point on which to commence monitoring. It may also be prudent to monitor any existing cracks found in the structure (using Tell-tale crack monitors, measuring</i>



	<p><i>of cracks via two screws (one each side of the crack) or vibration monitors) with a record of dimensions. Note evidence of existing before work commences, as start point, with monitoring at end of construction of Stage 1, end of Stage 2 (if within 12 months) and then 6 or 12 months after that for a final to determine if any change.</i></p> <p>A condition regarding this has been recommended.</p>
<b>Issue</b>	<p>Trees: As identified in the Tree Report attached to the application, the mature trees close to the development need to be protected as identified. These trees are extremely important to the historic and cultural significance of Clairville and procedures need to be in place to ensure they are protected.</p>
<b>Assessing Officers Comment</b>	<p>The Tree Report states:  <i>When planning all required earthworks, it is recommended that the opposite side of the land parcel is used. When conducting works on the site it is recommended that no heavy machinery be allowed in the Tree Protection Zone (TPZ) where avoidable to prevent damage to the existing canopy along with unnecessary compaction.</i>  <i>It is also recommended that no below ground excavation is to be conducted in the Structural Root Zone (SRZ) under any circumstances.</i>  <i>A temporary barrier should be installed prior to works defining the TPZ and SRZ.</i></p> <p><i>Bluegum Tree 1</i>  TPZ: 15m  SRZ: 4.5m</p> <p><i>Bluegum Tree 2</i>  TPZ: 15m  SRZ: 5m</p> <p><i>Bluegum Tree 3</i>  TPZ: 13m  SRZ: 3.4m</p> <p><i>Bluegum Tree 4</i>  TPZ: 12m  SRZ: 3.6m</p> <p>A condition regarding this has been recommended.</p>
<b>Issue</b>	<p>Lighting: It is unclear in the advertised plans how external lighting may cause an impact on Clairville. We ask that a condition be placed on the plan so that all external lighting is facing away from Clairville towards the NW rather than shining into Clairville from the NW. We are already disturbed by the amount of security lighting that spills into the property from other developments, especially towards our NW boundary.</p>
<b>Assessing Officers Comment</b>	<p>The applicant has advised that all lighting will face away from Clairville and that having lighting facing away from neighbouring properties is standard practice.</p> <p>A condition regarding this has been recommended.</p>
<b>Issue</b>	<p>Planting screen: It would be unreasonable to ask for the 6m wide planting screen condition as placed on the developments on the southern boundary because the access to the site would be largely impossible. It is unclear how wide the planting screen would be on the advertised plans but a minimum of 3m of dense planting would be needed to effectively screen the development from Clairville.</p>
<b>Assessing Officers Comment</b>	<p>In response the applicant has provided measurements showing the planting will be at least 3m wide:</p>
<b>Issue</b>	<p>This development shouldn't be approved until an adequate solution has been found to upgrade the Western Junction Sewage Treatment Plant (STP) to meet current and future demands. In a meeting with Taswater representatives on the 28<sup>th</sup> June 2024 we were advised by Taswater representatives that the STP at Western Junction is receiving inflows in the order of 2.8 x over its design capacity. Our understanding is that any further approved developments will further increase the load on an already over capacity STP, with the potential to further increase adverse environmental impacts on the receiving environment of the outflows from the Western Junction STP. Our property is directly impacted by the outflows from the Western Junction STP. The</p>



	impact of the current over capacity of the Western Junction STP is excess outflows are discharged directly into Briarly Creek which flows across our property and surrounding neighbours. This tributary flows into Rose Rivulet, which flows to the North Esk at Corra Linn.
<b>Assessing Officers Comment</b>	Would be happy to negotiate with the developer, Council and Council's Heritage Adviser ways of protecting WW2 bunker on boundary of Clairville
<b>Issue</b>	Recommended condition 2 allows for this to occur.
<b>Assessing Officers Comment</b>	The application was referred to TasWater which provided a response approving of the application.

## 5.6 OBJECTIVES OF THE LAND USE PLANNING AND APPROVALS ACT 1993

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

## 5.7 STATE POLICIES

The proposal is consistent with all State Policies.

## 5.8 STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

### Strategic Plan - Statutory Planning

The proposal does not conflict with the Strategic Plan 2021-2027.

### Council Policy – Landscaping Requirements for Development Proposals

A bond of 1.5 times the cost of the planting component of landscape works is required prior to the commencement of use.

### Council Policy – On-Site Stormwater Detention

Applies – see Works & Infrastructure referral.

### Council Policy – Pumped Stormwater Connection

Not applicable to this application.

### Council Policy – Stormwater Quality Management

Applies – see Works & Infrastructure referral.

## 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-24-0033 public exhibition documents [**11.1.1** - 215 pages]
2. SPA N- Submission to Planning Authority Notice - PL N 24-0033 ~ NMC [**11.1.2** - 3 pages]
3. Response Referral Airport PL N-24-0033 - Lot 2 off Evandale Road Western Junction [**11.1.3** - 2 pages]



## 11.2 PLN24-0059; 163A, 165 & 167 WELLINGTON ST LONGFORD; DRAFT AMENDMENT 15/2024

File: 13/026/007/179; PLN24-0059

Responsible Officer: Des Jennings, General Manager

Report prepared by: Paul Godier, Senior Planner

### RECOMMENDATION

A. That, under section 38(2)(a) of the *Land Use Planning and Approvals Act 1993*, Council as planning authority, decide to agree to prepare draft amendment 15/2024 to the Northern Midlands Local Provisions Schedule.

And

B. That, under section 40F(2)(a) of the *Land Use Planning and Approvals Act 1993*, Council as planning authority, certify draft amendment 15/2024 of the Northern Midlands Local Provisions Schedule as meeting the LPS criteria.

#### Draft Amendment 15/2024 of the Northern Midlands Local Provisions Schedule

Amend the scheme maps by rezoning 163A Wellington Street (F.R 181140/1), part of 165 Wellington Street (F.R 181140/2) and part of 167 Wellington Street (F.R 157129/5), Longford from Agriculture to Low Density Residential as follows:



And

C. That, under section 40Y(2) of the *Land Use Planning and Approvals Act 1993*, Council as planning authority, grant a permit to develop the land 167 Wellington Street, Longford for a 2 Lot Subdivision subject to the following conditions:

#### 1 Endorsed Documents

The development must be in accordance with endorsed documents:

- *Proposed 2 Lot Subdivision*, Woolcott Surveys, Job Number L230702, 3/08/2024, V1.3, Sheet 1/2; and
- *Proposed 2 Lot Subdivision*, Woolcott Surveys, Job Number L230702, 3/08/2024, V1.3, Sheet 2/2.

#### 2 Stormwater

- Lot 2 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.



- All existing stormwater pipes and connections must be located.
- Where required, pipes are to be rerouted to provide an independent system for each lot.
- Certification must be provided that stormwater services have been separated between the lots.

**3 TasWater Conditions**

Water and Sewer services must be provided in accordance with TasWater’s Submission to Planning Authority Notice (TWDA 2024/00448-NMC, 18/07/2024)

**4 Public Open Space Contribution**

In accordance with Council’s Public Open Space Contribution Policy, a cash contribution in lieu of land towards public open space must be provided. The developer must provide a current valuation of the land within the Low Density Residential Zone (Lot 2, 1755m<sup>2</sup>) calculated in accordance with s117(2) of Local Government (Building and Miscellaneous Provisions) Act 1993 and prepared by a suitably qualified person, having regard to the following:

- The valuation is to be based on the status of the land as at the date of valid lodgement of the final plan, inclusive of any works required to facilitate the subdivision but excluding any improvements in existence at the time of lodgement of the application for subdivision (i.e. existing structural improvements on the land, such as a dwelling/outbuildings); and
- The valuation must be completed not more than 3 months prior to the date of valid lodgement of the final plan

**5 Bushfire Hazard Report Requirements**

The works required by the endorsed Bushfire Hazard Report are to be completed to the satisfaction of the Tasmanian Fire Service or a practitioner accredited by the Tasmanian Fire Service. Documentation of compliance is to be submitted to the satisfaction of Council.

**1 INTRODUCTION**

This report:

- Assesses a draft amendment of the Northern Midlands Local Provisions Schedule to rezone 163A Wellington Street (F.R 181140/1), part of the access strip to 165 Wellington Street (F.R 181140/2) and part of 167 Wellington Street (F.R 157129/5) from the Agriculture Zone to the Low Density Residential Zone; and
- Assesses a development application for a 2 lot subdivision to create a 1,755m<sup>2</sup> vacant title at the western end of 167 Wellington Street leaving a balance parcel of 2.28ha including the existing dwelling, outbuildings and agricultural land.

The applicant advises that:

*Whilst the amendment is proposed to allow the current owners of the ‘Howard land’ (167 Wellington Street) to subdivide off a portion of the site that is excess to needs and is currently vacant, the proposed amendment will reflect the actual use of the land which is currently not agricultural nor does it have the potential to be utilised for agriculture in the future. The proposed subdivision will allow the owners of the Howard land to build a new dwelling on the smaller lot suitable to their needs into retirement and sell off the larger lot with the existing dwelling. The owners like the location they live in but the larger land area is becoming more difficult to maintain. The area to be subdivided off is a paddock situated between the owner’s dwelling and the dwelling to the east.*

**Planning Instrument:**

Tasmanian Planning Scheme - Northern Midlands version 11, effective date 16 April 2024.

**2 APPLICATION DETAILS AND TIMEFRAMES**

<b>Application Number:</b>	PLN24-0059
<b>Address:</b>	163A, 165 and 167 Wellington Street, Longford
<b>Existing use/development:</b>	1 dwelling on each of the titles
<b>Applicant:</b>	Commercial Project Delivery
<b>Classification Under the Scheme:</b>	Planning scheme amendment and application for subdivision



<b>Zone:</b>	Agriculture Zone General Residential Zone (access strips)
<b>Decision Date:</b>	Decision whether or not to agree to the amendment must be made by 25 <sup>th</sup> October 2024
<b>Recommendation:</b>	That Council as planning authority agree to, and certify the draft amendment, and grant a planning permit for a 2 lot subdivision

### 3 STATUTORY REQUIREMENTS

#### *Land Use Planning and Approvals Act 1993*

##### **37. Request for amendment of LPSs**

- (1) A person may request a planning authority to amend an LPS that applies to the municipal area of the planning authority.
- (2) A request under subsection (1) is to be in a form approved by the planning authority or, if a form has been approved by the Commission, is to be in that form.
- (3) A request under subsection (1) by a person to a planning authority to amend the zoning or use or development of one or more parcels of land specified in an LPS must, if the person is not the owner, or the sole owner, of the land –
  - (a) be signed by each owner of the land; or
  - (b) be accompanied by the written permission of each owner of the land to the making of the request.

##### **38. Decision in relation to request**

- (1) A planning authority, before deciding whether to prepare a draft amendment of an LPS in relation to a municipal area in accordance with a request under section 37(1), must be satisfied that such a draft amendment of an LPS will meet the LPS criteria.
- (2) A planning authority, within 42 days after receiving a request under section 37(1) or a longer period allowed by the Commission, must –
  - (a) decide to agree to the amendment and prepare a draft amendment of the LPS; or
  - (b) decide to refuse to prepare the draft amendment of the LPS.

##### **40T. Permit application that requires amendment of LPS**

- (1) A person who requests a planning authority under section 37 to amend an LPS may also, under this subsection –
  - (a) make an application to the planning authority for a permit, which permit could not be issued unless the LPS were amended as requested; and
  - (b) request the planning authority to consider the request to amend the LPS and the application for a permit at the same time.

##### **40W. Determination of amendment where concurrent permit application sought**

- (1) A planning authority to which a request is made under section 40T(1) may agree, or refuse to agree, to the request.

##### **40X. Permit application may be considered concurrently with application for LPS amendment**

A planning authority that has –

- (a) decided under section 40W(1) to agree to a request under section 40T(1); and
- (b) decided under section 40D to prepare a draft amendment of an LPS to which a request under section 40T(1) relates –

may consider the application under section 40T(1) for a permit at the same time as it prepares the draft amendment of an LPS.

##### **40Y. Determination of concurrent permit application**

- (1) A planning authority that agrees to a request under section 40T(1) must determine under subsection (2) the application under section 40T(1) for a permit that accompanies the request, before it complies with section 40G in relation to the draft amendment of an LPS to which the request relates.
- (2) A planning authority that agrees to a request under section 40T(1) must determine the application under section 40T(1) for a permit that accompanies the request by –
  - (a) granting the permit unconditionally or subject to the conditions or restrictions that the planning authority thinks fit and imposes on the permit; or
  - (b) refusing to grant the permit.
- (3) A planning authority, in determining under subsection (2) an application for a permit under section 40T(1) –
  - (a) must seek to further the objectives set out in Schedule 1 ; and
  - (b) must take into consideration any matters prescribed for the purposes of this section that are relevant to the application.
- (4) The determination by a planning authority under subsection (2) of an application under section 40T(1) for a permit is to be made by reference to the provision of the planning scheme as in force at the date of the decision, as if the scheme had been amended in accordance with the draft amendment of the LPS, to which the application for the permit relates, that the planning authority has decided under section 40D to prepare.
- (5) Sections 51 , 52 , 53 , 54 , 55 , 56 , 57 , 58 and 59 do not apply in relation to an application under section 40T(1) for a permit.

#### 4 ASSESSMENT

##### 4.1 Proposal

The application requests an amendment to the Northern Midlands Local Provisions Schedule by rezoning 163A Wellington Street (F.R 181140/1), part of the access strip to 165 Wellington Street (F.R 181140/2) and part of 167 Wellington Street (F.R 157129/5) from the Agriculture Zone to the Low Density Residential Zone.

##### 4.2 Zone and Land Use

The land is in the Agriculture Zone with access strips in the General Residential Zone (see Figure 1).



Base image from theLIST ([www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)). © State of Tasmania.

Figure 6- Zone Map (Source: Planning Scheme Amendment Application, Commercial Project Delivery)

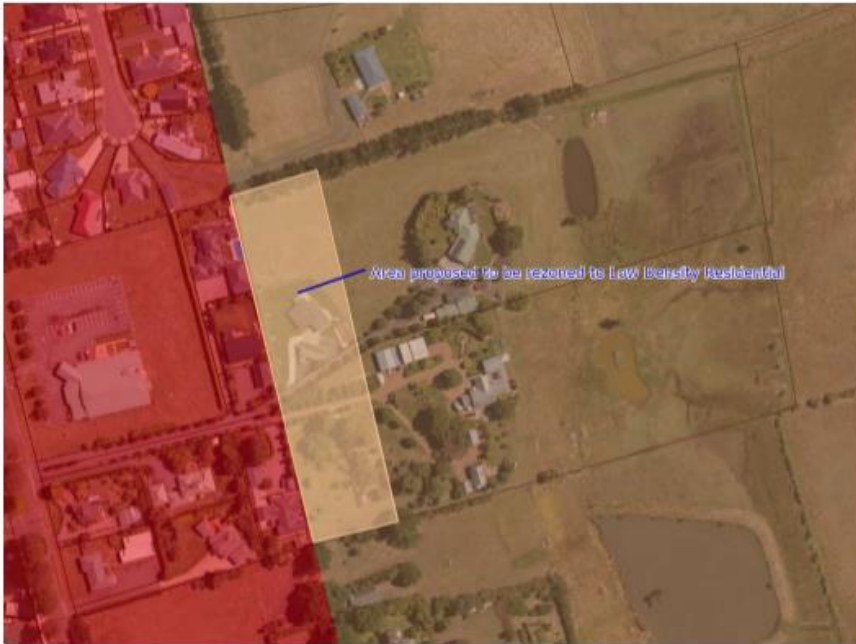


Figure 7 – Proposed rezoning (Source: Planning Scheme Amendment Application, Commercial Project Delivery)

#### 4.3 Subject Site and Locality

The subject site comprises three titles:

- 163A Wellington Street (181140/1);
- 165 Wellington Street (181140/2); and
- 167 Wellington Street (157129/5).



Figure 8- Location plan

The site is situated on the eastern edge of Longford. All lots are accessed via an access strip from Wellington Street.

163A Wellington Street has an area of 4,403m<sup>2</sup> and contains a dwelling.

165 Wellington Street has an area of 2.1723ha and is best considered as a lifestyle block and has a residential dwelling present (Pinion Advisory Agricultural Assessment Report, 8/7/2024).

167 Wellington Street has an area of 2.45 hectares. The eastern area of the property is covered by degraded pasture land with the balance of the land being covered by landscaped gardens, the residential dwelling and various sheds and outbuildings (Pinion Advisory Agricultural Assessment Report, 8/7/2024).

The subject site adjoins general residential land to the west and lifestyle lots containing dwellings to the north. The land which wraps around to the south and eastern boundary is used for grazing and contains a dwelling..



Figure 9 - Entrance to subject site from Wellington Street



Figure 10 - Area proposed for subdivision

#### 4.4 Permit/Site History

163A Wellington Street

- P18-0195 – Visitor accommodation

165 Wellington Street

- DA184/96 – House
- DA70/96 – Shed
- P76/99 - Shed
- P06-256 – Barn/machinery shed
- P07-157 – 2 lots into 5 lots
- P10-260 – Farm shed
- P11-313 (BA withdrawn) – ancillary apartment



- P12-009 – House extension (awning)
- P12-041 – Light industrial use
- PLN19-0010 – Subdivision

167 Wellington Street

- DA112/2001 – Alteration – shed to granny flat
- DA118/01 – Ancillary apartment
- DA137/2001 – Shed
- DA154/01 – Garage
- DA28/97 – House & demo of existing
- DA53/96 – Garage
- P07-157 – 2 lots into 5 lots
- P13-085 – Dwelling extensions and garages

#### **4.5 Notice to agencies and State authorities**

If Council as planning authority certifies the draft amendment, before exhibiting the draft amendment of an LPS, Section 40FA of the Land Use Planning and Approvals Act requires the planning authority to notify:

*(a) the relevant agencies; and*

*(b) those State Service Agencies, or State authorities, that the planning authority considers may have an interest in the draft amendment of the LPS.*

#### **TasWater**

TasWater advised on 18/07/2024 and provided a Submission to Planning Authority Notice (TWDA 2024/00448-NMC).

#### **Department of State Growth**

Department of State Growth advised on 14 June 2024 that following a review of the related documents, the Department has no objections.

#### **Council's Works and Infrastructure Department**

Council's Works and Infrastructure Department advised on 13 June 2024 of no comment to make.

#### **4.6 Notice of exhibition in relation to the draft amendment**

Section 40G of the Land Use Planning and Approvals Act requires:

*(1) A planning authority, as soon as practicable after providing to the Commission a copy of a draft amendment of an LPS, must ensure an exhibition notice in relation to the draft amendment of an LPS is published in accordance with this section.*

*(2) The exhibition notice is to be published once before, and once within 14 days after, the first day of the exhibition period, in a newspaper that is published in Tasmania and circulates generally in the area to which the draft amendment of an LPS relates.*

*(3) The exhibition notice is to –*

*(a) specify the period that is to be the exhibition period in relation to the draft amendment of the LPS; and*

*(b) specify that the draft amendment of the LPS is or will be –*

*(i) available for viewing by the public, during the exhibition period, at premises, that are offices of the planning authority, specified in the notice; and*

*(ii) available for viewing and downloading by the public, during the exhibition period, at an electronic address specified in the exhibition notice; and*

*(c) contain an invitation to all persons and bodies to, within the exhibition period, make to the planning authority a representation in relation to the draft amendment of the LPS by submitting the representation to –*

*(i) the premises specified in the notice in accordance with paragraph (b)(i) ; or*

*(ii) an electronic address specified in the notice.*

*(4) The exhibition period, in relation to a draft amendment of an LPS, is to be a period of 28 days –*

*(a) beginning on the day on which the draft amendment of the LPS begins to be available for viewing by the public at exhibition premises in accordance with section 40H ; and*



*(b) excluding any days on which the exhibition premises are closed during normal business hours.*

Any representations received during the exhibition period will be considered by the Council as planning authority for reporting on to the Tasmanian Planning Commission.

#### **4.7 Assessment Against LPS Criteria**

*34(2) The LPS criteria to be met by a relevant planning instrument are that the instrument –*

***(a) contains all the provisions that the SPPs specify must be contained in an LPS***

The proposed rezoning has no impact on provisions required to be contained in an LPS.

***(b) is in accordance with section 32***

Under section 32:

*(3) An LPS may, if permitted to do so by the SPPs, include*

*(a) a particular purpose zone...*

*(b) a specific area plan, being a plan consisting of –*

*(i) a map or overlay that delineates a particular area of land; and*

*(ii) the provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions, of the SPPs.*

*(c) a site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.*

*(4) An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –*

*(a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*

*(b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

The draft amendment is in accordance with section 32.

***(c) furthers the objectives set out in Schedule 1***

#### ***Schedule 1, Part 1 – Objectives of the Resource Management and Planning System of Tasmania***

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

The proposed rezoning will not impact on the attainment of this objectives. None of the subject lots contain any threatened flora or fauna species and do not contribute to significant ecological processes within the locality.

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

The proposal provides for fair, orderly and sustainable use and development consistent with this objective.

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

If the draft amendment is certified by the planning authority it will be placed on public notification in accordance with the Land Use Planning and Approvals Act allowing for representations to the draft amendment to be submitted.

*(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)*



The draft amendment facilitates economic development in accordance with the objectives.

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

Notice of the draft amendment has been given to relevant agencies and State authorities.

**Schedule 1, Part 2 – Objectives of the Planning Process Established by this Act**

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

The proposed rezoning will allow for a different range of uses to occur on the rezoned lots.

Table 1, below, provides a comparison of the ‘no permit required’, ‘permitted’ and ‘discretionary’ uses within the existing Agriculture Zone and the proposed Low Density Residential Zone.

**Table 1 – Comparison between allowable uses under existing and proposed zones**

Agriculture Zone	Low Density Residential Zone
<i>No permit required</i>	
Natural and Cultural Values Management	Natural and Cultural Values Management
Passive Recreation	Passive Recreation
-	Residential (if for a single dwelling)
Resource Development (if: a) on land other than prime agricultural land; or b) an agricultural use, excluding plantation forestry, on prime agricultural land if it is dependent on the soil as the growth medium or conducted in a manner which does not alter, disturb or damage the existing soil profile or preclude it from future use as a growth medium)	-
Utilities (If for minor utilities)	Utilities (If for minor utilities)
<i>Permitted</i>	
Food Services (if associated with Resource Development or Resource Processing)	-
General Retail and Hire (if associated with Resource Development or Resource Processing)	-
Pleasure Boat Facility (if for a boat ramp)	-
Residential (if for: a) a home-based business in an existing dwelling; or b) alterations or extensions to an existing dwelling)	Residential (if for a home-based business)
-	Visitor Accommodation
<i>Discretionary</i>	
Bulky Goods Sales (if: a) a supplier for Extractive Industry, Resource Development or Resource Processing; b) a garden and landscape supplier; or c) a timber yard)	-
-	Business and Professional Services (if for a consulting room, medical centre, veterinary centre, child health clinic, or for the provision of residential support services)
-	Community Meeting and Entertainment (if for a place of worship, art and craft centre, or public hall)
Domestic Animal Breeding, Boarding or Training	-
Educational and Occasional Care	Educational and Occasional Care (if not for a tertiary institution)
Emergency Services	Emergency Services
Extractive Industry	
Food Services (if not listed as Permitted)	Food Services (if not for a take away food premises with a drive through facility)
General Retail and Hire (if not listed as Permitted)	General Retail and Hire (If for a local shop)



Manufacturing and Processing (if for: a) the manufacturing of agricultural equipment; or b) the processing of materials from Extractive Industry.	-
Research and Development	-
Residential (if: a) not restricted by an existing agreement under section 71 of the Act; and b) not listed as Permitted)	Residential (if not listed as No Permit Required or Permitted)
Resource Development (if not listed as No Permit Required)	-
Resource Processing	-
-	Sports and Recreation (if for a fitness centre, gymnasium, public swimming pool or sports ground)
Storage (if for a contactors yard; freezing and cooling storage; grain storage; a liquid, solid or gas fuel depot; or a woodyard)	-
Tourist Operation	-
Transport Depot and Distribution (if for the transport and distribution of agricultural produce and equipment)	-
Utilities (if not listed as No Permit Required)	Utilities (if not listed as No Permit Required)
Visitor Accommodation	-

There are fewer allowable uses in the Low Density Residential Zone than in the Agricultural Zone and those uses are more suitable for site that is developed for residential purposes and abuts land in the General Residential Zone.

The status of the residential use class is a key difference between the two zones. The residential use class has a no permit required status in the Low Density Residential Zone whilst the tests to develop a dwelling in the Agriculture Zone require demonstration that it is required as part of an agricultural use.

Given the size and location of the land proposed to be rezoned, the change in status of the Residential Use class is appropriate as the land has all the characteristics of urban residential land.

Multiple dwellings are discretionary in the Low Density Residential Zone and Clause 10.4.1 requires a minimum site area per dwelling of 1200m<sup>2</sup> to meet the performance criteria. With an area of 4403m<sup>2</sup>, #163A Wellington Street could potentially have two additional dwellings built on it subject to access limitation. The area of land to be rezoned on 167 Wellington Street is approximately 3500m<sup>2</sup> and could potentially have two dwellings built on it if it were not subdivided.

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

Consistent with that system, the planning authority determines whether to prepare the draft amendment and approve the application for planning permit.

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

The proposal is consistent with this objective.

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

The proposed amendment is consistent with local, regional and state policies.

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

The Act allows for a development application to be assessed in conjunction with a scheme amendment.

*(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation*



The proposal is consistent with this objective.

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

The subject site is not an area or place of scientific, aesthetic, architectural or historical interest.

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

The draft amendment will not have a negative impact on public infrastructure. The site is capable of being connected to existing services.

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

The application provided an Agricultural Assessment Report which finds that the site is covered by class 4 and 5 land.

***(d) is consistent with each State policy***

**State Policy on the Protection of Agricultural Land 2009**

The application provided an Agricultural Assessment Report which considers this policy and finds that:

*Due to a combination of the proposed location of the development and associated setback distances, presence of amenity vegetation and nature of the adjacent land use activity would ensure no potential for negative impacts and/or conflict between non-agricultural and agricultural land use as a result of the proposed rezoning Agriculture to Low Density Residential of the parcel of land on the western boundary of the subject property nor that of the property at 165 [actually 163A] Wellington Street title 181140/1.*

The draft amendment does not impact on the State Policy on the Protection of Agricultural Land.

**Tasmanian State Coastal Policy 1996**

The subject site is not in a coastal zone and the Coastal Policy does not apply.

**State Policy on Water Quality Management 1997**

The site has access to a 150mm stormwater main, allowing for connection to the reticulated system.

**National Environmental Protection Measures (NEPMs)**

In accordance with the State Policies and Projects Act 1993, a NEMP is taken to be a State Policy. The following NEMPs are therefore State policies:

- Air Toxics*
- Ambient Air Quality*
- Assessment of Site Contamination*
- Diesel Vehicle Emissions*
- Movement of Controlled Waste between States and Territories*
- National Pollutant Inventory*
- Used Packaging Materials*

None of the NEPMs apply to the subject site and proposed amendment.

***(d) satisfies the relevant criteria in relation to the TPPs***

Such criteria have been addressed in the provision and approval of the LPS and are not impacted on by the proposed draft amendment.

- (e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates***

The Northern Tasmania Regional Land Use Strategy (NRLUS) shows the site as being in an Urban Growth Area - Supporting Consolidation Area (see below). The proposal is consistent with the RLUS which requires that Land considered for rezoning within or contiguous to an Urban Growth Area should:

- Be physically suitable;
- Exclude areas with unacceptable risk of natural hazards, including predicted impact of climate change;
- Exclude areas with significant biodiversity values;
- Be appropriately separated from incompatible land uses; and
- Be a logical expansion of an existing urban area, or be of sufficient size to support efficient social and economic infrastructure.

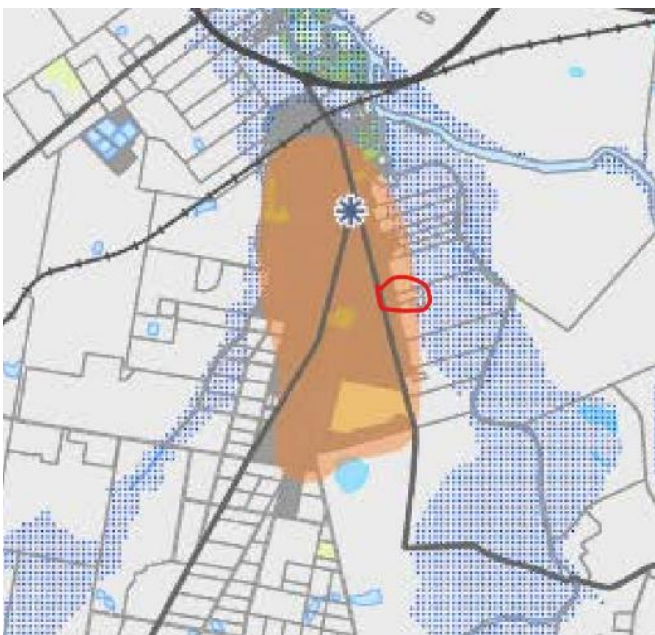
**D** REGIONAL LAND USE CATEGORIES

Map D.3 Regional Framework Plan: Northern Townships (Longford, Perth and Evandale)



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NORTHERN TASMANIA REGIONAL LAND USE STRATEGY



**(f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates**

The current strategic plan for the Northern Midlands is the Northern Midlands Council Strategic Plan 2021-2027. The plan **focuses** on the unique elements of the Northern Midlands, an enviable place to live, work and play. The Plan is based upon four key priorities:

Lead: Serve with honesty, integrity, innovation and pride

Progress: Economic health and wealth – grow and prosper

People: Cultural and society – a vibrant future that respects the past



Place: Nurture our heritage environment

Each priority is supported by four strategic outcomes that describe what the Council aims to achieve, and that are consistent with its vision.

Actions and projects to achieve these outcomes will be included in the Council's Annual Plan. Performance measures will be included in the Annual Plan to enable the Council to track its progress against each of the strategic outcomes.

**(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates**

While the site is not in close proximity to another municipal area, the draft amendment's consistency with the RLUS ensures a similar consistency and co-ordination with the LPSs of adjacent municipal areas.

**(h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019**

The site is not in the vicinity of the Tasmanian Gas Pipeline.

## 5 ASSESSMENT OF PLANNING APPLICATION FOR A 2 LOT SUBDIVISION

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 (Y/-)
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	Y
7.7	Buildings Projecting onto Land in a Different Zone	-
7.8	Port and Shipping in Proclaimed Wharf Areas	-
7.9	Demolition	-
7.10	Development Not Required to be Categorised into a Use Class	Y (see clause 6.2.6)
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 (Y/-)	Exemption Applied
C1.0	Signs Code	-	
C2.0	Parking and Sustainable Transport Code	Y	
C3.0	Road and Railway Asset Code	Y	
C4.0	Electricity Transmission Infrastructure Protection Code	-	
C5.0	Telecommunications Code	-	
C6.0	Local Historic Heritage Code	-	
C7.0	Natural Assets Code	-	
C8.0	Scenic Protection Code	-	
C9.0	Attenuation Code	-	
C10.0	Coastal Erosion Hazard Code	-	
C11.0	Coastal Inundation Hazard Code	-	
C12.0	Flood-Prone Areas Hazard Code	Y	
C13.0	Bushfire Prone Areas Code	Y	
C14.0	Potentially Contaminated Land Code	-	
C15.0	Landslip Hazard Code	-	
C16.0	Safeguarding of Airports Code	Y	C16.4.1 (a)



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

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

## 5.1 STATE PLANNING PROVISIONS – ZONE PROVISIONS

### ASSESSMENT OF LOW DENSITY RESIDENTIAL ZONE PROVISIONS

10.6 Development Standards for Subdivision		
Clause	Description	Assessment
10.6.1	Lot Design	A1 Complies. The proposed lot size is 1755m <sup>2</sup> The lot is capable of containing the requisite minimum area on a gradient no steeper than 1 in 5.
		A2 Does not have at least 20m frontage - relies on performance criteria.
		A3 Complies. Lot 1 has access via a 5m wide access strip to Wellington Street and Lot 2 via a Right of Way across the access strip.
10.6.2	Roads	A1 Not applicable.
10.6.3	Services	A1 Complies. Lot 1 is connected to a reticulated water supply service and the plan of subdivision proposes a new water connection to service Lot 2.
		A2 Complies. Lot 1 is connected to a reticulated water supply service and the plan of subdivision proposed a new connection for Lot 2.
		A3 Complies. Lot 1 is connected to reticulated stormwater system and the plan of subdivision proposes a new connection for Lot 2.

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

DISCRETIONS	
10.6.1	<b>Lot Design</b>
P2	<p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ol style="list-style-type: none"> <li>the width of frontage proposed, if any;</li> <li>the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>the topography of the site;</li> <li>the functionality and useability of the frontage;</li> <li>the ability to manoeuvre vehicles on the site; and</li> <li>the pattern of development existing on established properties in the area,</li> </ol> <p>is not less than 3.6m wide.</p>



**DISCRETIONS**

<b>Assessing Officers Comments</b>	Proposed Lot 1 will retain its existing frontage to Wellington Street via the 5m wide access strip. Proposed Lot 2 will be provided with a right of way across the access strip serving Lot 1. Performance criteria met.
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**ASSESSMENT OF THE AGRICULTURE ZONE PROVISIONS**

**21.5 Development Standards for Subdivision**

Clause	Description	Assessment
21.5.1	Lot Design	A1 Must be assessed against the performance criteria.
		A2 Must be assessed against the performance criteria.

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

**DISCRETIONS**

<b>21.5.1</b>	<b>Lot Design</b>
P1	<p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>a) provide for the operation of an agricultural use, having regard to:               <ul style="list-style-type: none"> <li>(i) not materially diminishing the agricultural productivity of the land;</li> <li>(ii) the capacity of the new lots for productive agricultural use;</li> <li>(iii) any topographical constraints to agricultural use; and</li> <li>(iv) current irrigation practices and the potential for irrigation;</li> </ul> </li> <li>b) be for the reorganisation of lot boundaries that satisfies all of the following:               <ul style="list-style-type: none"> <li>(i) provides for the operation of an agricultural use, having regard to:                   <ul style="list-style-type: none"> <li>a. not materially diminishing the agricultural productivity of the land;</li> <li>b. the capacity of the new lots for productive agricultural use;</li> <li>c. any topographical constraints to agricultural use; and</li> <li>d. current irrigation practices and the potential for irrigation;</li> </ul> </li> <li>(ii) all new lots must be not less than 1ha in area;</li> <li>(iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;</li> <li>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use; and</li> <li>(v) it does not create any additional lots; or</li> </ul> </li> <li>c) be for the excision of a use or development existing at the effective date that satisfies all of the following:               <ul style="list-style-type: none"> <li>(i) the balance lot provides for the operation of an agricultural use, having regard to:                   <ul style="list-style-type: none"> <li>a. not materially diminishing the agricultural productivity of the land;</li> <li>b. the capacity of the balance lot for productive agricultural use;</li> <li>c. any topographical constraints to agricultural use; and</li> <li>d. current irrigation practices and the potential for irrigation;</li> </ul> </li> <li>(ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;</li> <li>(iii) any existing buildings for a sensitive use must meet the setbacks required by clause 21.4.2 A2 or P2 in relation to setbacks to new boundaries; and</li> <li>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use.</li> </ul> </li> </ul>
<b>Assessing Officers Comments</b>	The proposal complies with a) as demonstrated in the Pinion Advisory Agricultural Assessment Report.
P2	<p>Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>a) the topography of the site;</li> <li>b) the distance between the lot or building area and the carriageway;</li> <li>c) the nature of the road and the traffic, including pedestrians; and</li> </ul>



## DISCRETIONS

	d) the pattern of development existing on established properties in the area.
<b>Assessing Officers Comments</b>	Proposed Lot 1 will retain its existing frontage to Wellington Street via the 5m wide access strip – the proposal complies.

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

Not applicable as subdivision is not occurring within the area of the specific area plan

### 5.3 STATE PLANNING PROVISIONS – CODE PROVISIONS

## C2.0 PARKING AND SUSTAINABLE TRANSPORT CODE

The Code applies to all development.

### C2.5 Use Standards

Clause	Description	Assessment
C2.5.1	Car Parking Numbers (Refer to table C2.1)	A1 The existing dwelling on Lot 1 retains sufficient area within the garage for the required 2 car parking spaces. Proposed Lot 2 has sufficient space for car parking for future residential development. Complies.

### C2.6 Development Standards for Buildings and Works

Clause	Description	Assessment
C2.6.1	Construction of parking areas	A1 Not applicable. Parking areas to the existing house exist. Parking areas to a future house on lot 1 will be assessed at time of a future application.
C2.6.2	Design and layout of parking areas	A1.1 Not applicable. Parking areas to the existing house exist. Parking areas to a future house on lot 1 will be assessed at time of a future application. A1.2 Not applicable.
C2.6.3	Number of accesses for vehicles	A1 Complies. The single frontage has one access and this will remain unchanged. A2 Not applicable.
C2.6.4	Lighting of parking areas within the General Business and Central Business zone	A1 Not applicable.
C2.6.5	Pedestrian Access	A1.1 Not applicable. A1.2 Not applicable.
C2.6.6	Loading Bays	A1 Not applicable. A2 Not applicable.
C2.6.7	Bicycle parking and storage facilities within the General Business and Central Business zone	A1 Not applicable. A2 Not applicable.
C2.6.8	Siting of parking and turning areas	A1 Not applicable. A2 Not applicable.



**C3.0 ROAD AND RAILWAY ASSET CODE**

C3.5 Use Standards		
Clause	Description	Assessment
C3.5.1	Traffic generation at a vehicle crossing, level crossing or new junction.	A1.1 Not applicable.
		A1.2 Complies, no new access is proposed.
		A1.3 Not applicable.
		A1.4 Table C3.1 allows for an increase in annual average daily traffic to and from the site of 20% or 40 vehicle movements, whichever is the greater. The subdivision will allow for a single dwelling. With 7.4 trips per day (refer to Guide to Traffic Generating Developments – updated surveys) the proposal complies.
		A1.5 Complies.
C3.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C3.6.1	Habitable buildings for sensitive uses within a road or railway attenuation area.	A1 Not applicable.
C3.7 Development Standards for Subdivision		
Clause	Description	Assessment
C3.7.1	Subdivision for sensitive uses within a road or railway attenuation area.	A1 Not applicable.

**C12.0 FLOOD-PRONE AREAS CODE**

C12.7 Development Standards for Subdivision		
Clause	Description	Assessment
C12.7.1	Subdivision within a flood-prone hazard area	A1 Complies. Proposed Lot 1 (balance) contains land within the Flood Prone Hazard Area, however the existing dwelling on this lot is located wholly outside of the Hazard Area. Proposed Lot 2 is situated wholly outside of the Flood Prone Hazard Area. The access for both lots is wholly located outside of the Flood Prone Hazard Area.

**C13.0 BUSHFIRE-PRONE AREAS CODE**

C13.6 Development Standards for Subdivision		
Clause	Description	Assessment
C13.6.1	Provision of hazard management areas	A1 Complies. A Bushfire Assessment Report and Bushfire Hazard Management Plan prepared by Ridsen Knightley BFP-115 accompanies application demonstrating compliance.
C13.6.2	Public and fire fighting access	A1 Complies. A Bushfire Assessment Report and Bushfire Hazard Management Plan prepared by Ridsen Knightley BFP-115 accompanies application demonstrating compliance.
C13.6.3	Provision of water supply for fire fighting purposes	A1 Not applicable.
		A2 Complies. A Bushfire Assessment Report and Bushfire Hazard



		Management Plan prepared by Risdén Knightley BFP-115 accompanied the application demonstrating compliance.
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## 6 FINANCIAL IMPLICATIONS TO COUNCIL

Assessment of the application is within budget allocation.

## 7 Local Government (Building and Miscellaneous Provisions) Act 1993

Section 83	Approval of plan of subdivision	Yes	No
83 (1)(a)	Does the council require the owner to sell to it for a nominal consideration any land shown on the plan as set apart for a public open space or for drainage purposes?		X
83(1)(b)	Does the council require the owner to mark on the plan in respect of any proposed way, the words "to be acquired by the highway authority"?		X
83(5)(a)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not provide means of drainage for all or some specified kind of effluent from the block?		X
83(5)(a)(iii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not permit a septic tank?		X
83(5)(b)(i)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a septic tank?		X
83(5)(b)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a specific form of on-site sewerage treatment?		X
83(7)	Does the council require the final plan of subdivision to note, in respect of a block, that the council has been advised by a regulated entity, within the meaning of the <i>Water and Sewerage Industry Act 2008</i> , that the entity cannot or will not –		
83(7)(a)	provide a supply of water to the block?		X
83(7) (b)	provide means of sewerage for all or some specified kind of effluent from the block?		X
<b>Section 84</b>	<b>Council not to approve subdivision</b>	<b>Yes</b>	<b>No</b>
84(1)(c)	Does the subdivision include any road or other works whereby drainage will be concentrated and discharged into any drain or culvert on or under any State highway, and the Minister administering the <i>Roads and Jetties Act 1935</i> has first not approved so much of the application as affects the drainage?		X
	<b>If 'yes', refuse the subdivision.</b>		
<b>Section 85</b>	<b>Refusal of application for subdivision</b>	<b>Yes</b>	<b>No</b>
	<b>Council may refuse the application for subdivision if it is of the opinion:</b>		
85(a)	that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is;		X
85(b)	that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of;		X
85(ba)	that the land is not suitable for an on-site effluent disposal system for all or specified kinds of effluent from each block;		X
85(c)	that the site or layout will make unduly expensive the arrangements for supply of water and electricity, connection to drains and sewers and the construction or maintenance of streets;		X
85(d)	that the layout should be altered to include or omit –		
85(d)(i)	blind roads;		X
85(d)(ii)	alleys or rights of way to give access to the rear of lots;		X
85(d)(iii)	public open space;		X
85(d)(iv)	littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake;		X
85(d)(v)	private roads, ways or open spaces;		X
85(d)(vi)	where the ground on one side is higher than on the other, wider roads in order to give reasonable access to both sides;		X
85(d)(vii)	licences to embank highways under the <i>Highways Act 1951</i> ;		X



85(d)(viii)	provision for widening or deviating ways on or adjoining land comprised in the subdivision;		X
85(d)(ix)	provision for the preservation of trees and shrubs;		X
85(e)	that adjacent land of the owner, including land in which the owner has any estate or interest, ought to be included in the subdivision;		X
85(f)	that one or more of the lots is by reason of its shape in relation to its size or its contours unsuitable for building on;		X
85(g)	that one or more of the lots ought not to be sold because of –		
85(g)(i)	easements to which it is subject;		
85(g)(ii)	party-wall easements;		
85(g)(iii)	the state of a party-wall on its boundary.		
<b>Section 86</b>	<b>Security for payment</b>	<b>Yes</b>	<b>No</b>
	Does council require security for payments and the execution of works for -		
86(2)(c)	if the land is not located within 30 metres of the existing public storm water system as shown on the map made available under section 12 of the <i>Urban Drainage Act 2013</i> , payment for a public storm water system by, from, or from within, the land as determined by the council so that all lots may have connecting drains and the concentrated natural water may be lawfully disposed of and for the laying of storm water connections from a place on the boundary of each lot to the public storm water system in accordance with the by-laws of the council and to the satisfaction of its engineer;		X
86(2)(d)	the works required for the discharge of the owner's obligations under <u>section 10 of the <i>Local Government (Highways) Act 1982</i></u> in respect of the highways opened or to be opened on the subdivision;		X
86(2)(e)	the making and draining of footways that are not part of a road and of private roads and similar footways serving 3 lots or more;		X
86(2)(f)	the filling in of ponds and gullies;		X
86(2)(g)	the piping of watercourses.		X
	<b>If 'yes':</b>		
	council may refuse to approve the application until such security is given.		
	See section 86 (3) for the form of the security.		
	See section 86 (4) for when the works are to be executed.		
<b>Section 107</b>	<b>Access orders</b>	<b>Yes</b>	<b>No</b>
107 (2)	Is work of a substantial nature needed to provide access for vehicles from a highway onto the block?		X
	If 'yes', council may refuse to seal the final plan under which the block is created until the owner has carried out the work specified in the order within the specified period or given the council security for carrying out that work if called upon by it to do so.		
<b>Section 108</b>	<b>Road widening</b>	<b>Yes</b>	<b>No</b>
108 (1) (a)	Does council, in respect of an existing highway, require to obtain a dedication of land for widening or diverting? (compensation is not payable for the dedication of land which lies within 9 metres of the middle line of the highway of a parcel into which the land is subdivided and on which no building stands)		X
108 (1) (b)	Does council, in respect of an existing highway, require to obtain a licence to embank?		X
<b>Division 8</b>	<b>Public Open Space</b>	<b>Yes</b>	<b>No</b>
Section 116	Does council require and accept the land proposed for public open space?		X
Section 117	Does council require and accept payment instead of increasing public open space?	X	

#### ASSESSMENT OF PUBLIC OPEN SPACE PROPOSAL

The application involves subdivision 1755m<sup>2</sup> of land within the Low Density Residential Zone create one lot. Per Division 8 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, 5% of the total land may be required for public open space or payment may be accepted instead of the provision of land.

The application has been reviewed against Council's Public Open Space Contribution Policy (Minute No. 24/064) in determining the suitability of land for Public Open Space. The criteria below has been considered to ensure any land received is suitable for the intended purpose. While it may not be possible for all Public Open Space to meet each criterion;



not meeting a certain criterion may provide justification as to the unsuitability and refusal of certain land being accepted as public open space.

#### **CRITERIA FOR LAND CONTRIBUTIONS**

- |  |  |
|--|--|
| 1. <b>Accessibility</b>  | 8. Financially viable to upkeep/Maintenance & management |
| 2. <b>Amenity</b>  | 9. Frontage/Location/Linkages & Visibility               |
| 3. <b>Connectivity</b>   | 10. Services/Easements                                   |
| 4. <b>Multifunctional – biodiversity/ecological/recreational</b> | 11. Size   |
| 5. <b>Character/site values</b>                                  | 12. Shape  |
| 6. <b>Strategically identified</b>                               | 13. Community benefit                                    |
| 7. <b>Clear of hazards/good condition</b>                        |  |

Per the policy, land will not be accepted as open space that Council cannot manage in the future and/or does not provide any benefit to the community. Land used for the following purposes will not be accepted by Council for public open space as part of the 5% allocation:

- Stormwater drainage swales and natural water courses that would otherwise form part of the drainage within the subdivision,
- Land containing above or below ground infrastructure that would limit the use of the land or landscaping treatments, and
- Pedestrian footways or other kinds of ways dedicated under section 95 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

The application proposes to create 1 lot of 1,755m<sup>2</sup> in the Low Density Residential Zone. It is recommended that a cash contribution in lieu of land be required through the conditions of this permit.

## **8 OPTIONS**

### **Decision in relation to request**

The planning authority can:

- decide to agree to the amendment and prepare a draft amendment of the LPS; or
- decide to refuse to prepare the draft amendment of the LPS.

### **Preparation of draft amendment**

If the planning authority decides to agree to the amendment, it must prepare a draft amendment. A draft amendment has been prepared as shown in the recommendation of this report.

### **Certification of draft amendment**

- The planning authority must consider whether it is satisfied that the draft amendment meets the LPS criteria, see section 4.7.
- If the planning authority satisfied that the draft amendment meets the LPS criteria, it must certify the draft as meeting the requirements of the Land Use Planning and Approvals Act; or
- If the planning authority is not satisfied that the draft amendment meets the LPS criteria it must modify the draft so that it meets the requirements and then certify the draft as meeting those requirements.

### **Permit:**

The planning authority can:

- Approve the application for a permit subject to conditions; or
- Refuse the application for a permit.

## **9 DISCUSSION**

As discussed in this report, the draft amendment is in accordance with the LPS criteria. It is recommended that the planning authority certify the draft amendment and approve the draft permit. The draft amendment and draft permit will then be placed on public exhibition and any representations received considered by the planning authority before providing a report on the representations to the Tasmanian Planning Commission.

## **10 ATTACHMENTS**

1. APPLICATION FOR M- Planning 2 [**11.2.1** - 1 page]
2. Consent of registered land owner PL N 24-0059 [**11.2.2** - 1 page]
3. cpd planning application PS Amendment Rezoning version 29.7.24 PL N 24-0059 [**11.2.3** - 151 pages]
4. LAND OWNER CONSENT SIGNED [**11.2.4** - 2 pages]
5. Part 5 Agreement PL N 24-0059 [**11.2.5** - 9 pages]



6. SPAN Taswater 167 WELLINGTON S T, LONGFORD Current - Submission to Planning Authority Notice - Co [11.2.6 - 4 pages]



### 11.3 PLN24-0016; DRAFT AMENDMENT 13/2024; FLOOD HAZARD MAPPING - REPORT TO COMMISSION

*File:* 13/026/007/177; PLN24-0016  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Paul Godier, Senior Planner

#### RECOMMENDATION

That, under section 40K of the *Land Use Planning and Approvals Act 1993*, Council as Planning Authority endorse the statements in relation to the representations contained in this report, and that the Planning Authority recommend that the Tasmanian Planning Commission give its final approval to the Draft Amendment.

### Report to the Tasmanian Planning Commission Under Section 40K of the *Land Use Planning and Approvals Act 1993*

**Subject:** DRAFT AMENDMENT 13-2024 TO APPLY THE FLOOD-PRONE AREA OVERLAY TO THE PLANNING SCHEME MAPS AT PERTH, CAMPBELL TOWN AND ROSS

**Date:** 21 OCTOBER 2024

**File no:** 13/026/007/177 (Ref no: PLN-24-0016)

Council published an exhibition notice in relation to the draft amendment in accordance with section 40G of the Act on 06 April and 13<sup>th</sup> April 2024. The exhibition period ended 8<sup>th</sup> May 2024.

Section 40K of the Act requires the planning authority to provide the Commission with a report in relation to the draft amendment within 35 days after the end of the exhibition period. It is noted that the Commission has since granted an extension of this period until 25<sup>th</sup> October 2024.

The report is to contain –

**(a) a copy of each representation made under section 40J in relation to the draft amendment before the end of the exhibition period in relation to the draft amendment, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and**

A total of nine (9) representations were received during the exhibition period.

**(b) a copy of each representation, made under section 40J in relation to the draft amendment after the end of the exhibition period in relation to the draft amendment, that the planning authority, in its discretion, includes in the report; and**

A total of one (1) representation was received after the exhibition period.

**(c) a statement of the planning authority's opinion as to the merit of each representation included under paragraph (a) or (b) in the report, including, in particular, as to –**

**(i) whether the planning authority is of the opinion that the draft amendment ought to be modified to take into account the representation; and**

Statement: The representations raised issues that are relevant to the future use and development of their land. Having taken the representations into account, the planning authority is of the opinion that the draft amendment should not to be modified. This is discussed later in this report.



**(ii) the effect on the draft amendment, and the LPS to which it relates, as a whole, of implementing the recommendation; and**

Statement: The issues raised in the representations do not impact on the draft amendment, or compliance with the LPS criteria.

**(d) a statement as to whether it is satisfied that the draft amendment of an LPS meets the LPS criteria; and**

Statement: The Planning Authority is satisfied that the draft amendment meets the Local Provisions Schedule criteria in accordance with section 34(2) of the *Land Use Planning and Approvals Act 1993*, as per the original assessment and certification as its meeting of the 18th March 2024 (minute reference 24/098).

**(e) any recommendations in relation to the draft amendment that the planning authority thinks fit.**

The Northern Midlands Council recommends that the Tasmanian Planning Commission give its final approval to the Draft Amendment.

**Representations**

The ten (10) representations have been provided in full separately to each Councillor.

**Statement of the planning authority's opinion as to the merit of each representation**

**Representation 1: Address not provided**

A summary of the issues raised within the representation and officer response is provided below:

<b>Representation issue</b>	<b>Response</b>
What are council proposing?	The proposed amendment includes replacing the current flood-prone hazard area overlay maps under the Local Provisions Schedule which includes land at Perth, Campbell Town and Ross.
Why do the council think it is necessary to amend the scheme at this time?	The amendments are required to ensure the overlay maps reflect the latest 1% Annual Exceedance Probability plus climate change scenario flood mapping available to Council for these areas. In West Perth, the overlay maps also consider planned culvert upgrades that are to be completed by 2028/2029.
What are the consequences for individual landowners?	It may be that land will be subject to the flood-prone hazard overlay, when previously it wasn't. This will mean that this overlay will need to be considered as part of any future use or development on the land, if the proposed draft amendment is approved.
What rights and options do affected landowners have?	The updated flood mapping is based on recent modelling/mapping. Any landowner concerns are considered in the draft amendment process.
What are the implications for land usage, property values, insurances and council rates?	While it is understood that there will be impacts to the existing landowners that may have land not previously identified to be at risk, it is important that the new data is incorporated, and the current public maps are updated to provide clarity and transparency of known flood risks in the area. This is consistent with the approach other Councils have taken when updating the flooding overlays including Glenorchy City Council and Clarence City Council.  Consideration of property value, insurance and rates are outside of the scope of the planning assessment.
It is only portion of my property that floods. 3 years ago when we brought there was no mention of this in our	Flood studies undertaken in 2020 and 2022 by Entura, primarily assessed the Elizabeth River, which flows west through Campbell Town. It is necessary to update the flood mapping overlays as the current overlay in the LPS is not a true indication of the hazard risk

<p>solicitor investigation report so the council is changing the goal posts.</p>	<p>in Campbell Town. The new mapping takes into consideration the 5% AEP, 2% AEP 1% AEP and 1% AEP plus climate change scenarios. An AEP or annual exceedance probability is the probability on average that a given flood height will be equalled or exceeded in any one year. The mapping indicates that the predicted actual flooding will extend east to west along the boundary of Elizabeth River as well as along the watercourse running south to north to the east to the east of the Midland Highway.</p>
<p>We suggest council needs to look at the infrastructure near our property where all council water runs onto our property the council need to remove this flood prone from our area.</p>	<p>No address was listed for this representation. For this reason, it is unclear if any works/infrastructure would help.</p>

The representation does not raise any issues that require modification to the draft amendment. The issues raised in the representation also do not impact on the draft amendment, or compliance with the LPS criteria.

The Northern Midlands Council recommends that the Tasmanian Planning Commission give its final approval to the Draft Amendment and does not request modification to the draft amendment.

**Representation 2: 33 Bedford Street, Cambell Town**



A summary of the issues raised within the representation and officer response is provided below:

Representation issue	Response
<p>The current flood prone hazard area appears to not affect our property, yet in the proposed flood hazard overlay, the flood area extends right up to the house. On what grounds/research has this proposal been made?</p>	<p>The proposed amendment includes replacing the current flood-prone hazard area overlay maps under the LPS which includes land at Campbell Town. The updated flood mapping is based on recent modelling/mapping. The updates are required to ensure the overlay maps reflect the latest 1% AEP plus climate change scenario flood mapping available to Council for these areas.</p> <p>It is important that the new data is incorporated into the planning maps to provide clarity and transparency of known flood risks in the area.</p>
<p>At what point in (presumably) the foreseeable future would this overlay come into effect.</p>	<p>The overlay is expected to come into effect seven (7) days after the Tasmanian Planning Commission gives its final approval to the Draft Amendment</p>
<p>Given that, in the 19 ½ years that we have resided on this property, with no significant flooding, even during the worst we have seen in 2016, and with increasing drought levels, why has this proposed</p>	<p>The Council cannot comment on specific events that may have occurred in 19 ½ years however, the mapping shows 1% AEP <u>with</u> climate change loading, which predicts 1% AEP flooding to 2090.</p>

flood hazard suddenly increased, and by so much?	
Assuming this overlay plan will be passed by the Council, what effect, if any, will that have on our rates?	This is not a relevant planning matter.
Has the Council given consideration to any possible increases in insurance premiums, especially given the increasing cost of living which is leading many people to either reduce their level of insurance cover or even give up their cover altogether.	While it is understood that there will be impacts to the existing landowners that may have land not previously identified to be at risk, it is important that the new data is incorporated, and the current public maps are updated to provide clarity and transparency of known flood risks in the area. This is consistent with the approach other Councils have taken when updating the flooding overlays including Glenorchy City Council and Clarence City Council.
As to resale prospects, would the increased flood risk lead to any alteration to the saleability of such properties, which, like ours, were not affected before? For example, would certain building requirements be affected because of this increased flood risk?	Council cannot comment on impact to property values. However, there may be additional planning and building requirements for land identified as flood prone.

The representation does not raise any issues that require modification to the draft amendment. The issues raised in the representation also do not impact on the draft amendment, or compliance with the LPS criteria.

The Northern Midlands Council recommends that the Tasmanian Planning Commission give its final approval to the Draft Amendment and does not request modification to the draft amendment.

**Representation 3: 156 Bridge Street, Campbell Town**





A summary of the issues raised within the representation and officer response is provided below:

Representation issue	Response
<p>Placing the Club in a 'flood zone' will significantly increase the insurance premium that we have to pay, as it will all affected landowners. We currently pay over \$6000 p.a., and we are informed that this will increase by thousands of dollars if this amendment goes ahead, and we are placed in a flood zone.</p>	<p>While it is understood that there may be impacts to the existing landowners that may have land not previously identified to be at risk, it is important that the new data is incorporated, and the current public maps are updated to provide clarity and transparency of known flood risks in the area.</p>
<p>As noted in the Entura Hydrological Modelling assessment, para. 4, 4th para. – 'The impact of this limitation is thought to be negligible on floods for Campbell Town'. It is also noted in the ERA report where it is stated several times that this is a 'climate change projection'.</p> <p>Whilst it is currently popular to believe that climate change is a real event, there is not actually any scientific evidence that this is the case, just many opinions, and not simply the weather cycles that have been occurring for thousands of years.</p>	<p>Council are obliged to consider the effects of climate change and the 1% AEP plus climate change is considered best practice.</p>
<p>It seems that while Council is happy to have many of its ratepayers, who are already struggling to get through the cost-of-living crisis (which actually is real), they are happy to impose further significant costs on them due to something that may (or more likely, probably not), happen sometime in the future.</p>	<p>It is important that the new data is incorporated, and the current public maps are updated to provide clarity and transparency of known flood risks in the area.</p>
<p>We also understand that a Campbell Town Tourist Park is being proposed by the Council for the area behind the Club. How can this be approved if it is in a flood zone, which it will be under this proposed model? We would presume that the plans for this Tourist Park will have to be rejected otherwise the Council would be seen to be hypocritical, knowing that it approved an application for a future flood zone.</p>	<p>If land is subject to flooding, this does not automatically result in the refusal of a planning application. Rather the associated risks will need to be considered and are dependent on the extent of the flooding and the use proposed. This will need to be done on a case-by-case basis.</p>
<p>The Bowls Club has been here since 1937 and not once in its 87 years has it flooded.</p>	<p>Climate change flooding is predicted to just touch the southern boundary of the bowls club. Noting that it is only land effected by the overlay that will be subject to consideration of flooding.</p>

The representation does not raise any issues that require modification to the draft amendment. The issues raised in the representation also do not impact on the draft amendment, or compliance with the LPS criteria.

The Northern Midlands Council recommends that the Tasmanian Planning Commission give its final approval to the Draft Amendment and does not request modification to the draft amendment.

**Representation 4: 10 Forster Street, Campbell Town**



A summary of the issues raised within the representation and officer response is provided below:

<b>Representation issue</b>	<b>Response</b>
<p>This property has been owned by my family for over 80 years and there has never been any flood damage to this property over this time frame.</p>	<p>Noted.</p>
<p>The Elizabeth River in Campbell Town and downstream has been largely cleared over the past decades and I would suggest that the chances of a flood greater than (causing more damage) than any in the past 80 years is extremely unlikely and would still not cause any damage to my property.</p>	<p>The subject property is located at confluence of Johnstons Creek and the Elizabeth River. The clearing was considered in the modelling prepared by Entura.</p>
<p>I ask the Northern Midlands council to advise me on what impact they believe would occur on my property in the very unlikely event that a flood bigger than any in the previous 80 years occurs with consideration to the amount of land potentially affected on my property and any actions that may be made to avoid this impact.</p>	<p>The predicted flooding in this area is a combination of flooding from the Elizabeth River, and from the local creek. The overlay shows only the north-western corner of the property (CT133571/1) is affected. The dwelling lies against the eastern boundary of the property, so it is not impacted. The amount of land can be estimated by the representor, but we estimate the area affected to be 327 m<sup>2</sup>. As the impacts areas on the property appear to be garden beds, no mitigation actions are suggested. The property owner can seek their own independent advice on this, however.</p>
<p>I am concerned that if my property is listed as a potential flood-prone area that my property value and property insurance will be negatively impacted.</p>	<p>While it is understood that there may be impacts to the existing landowners that may have land not previously identified to be at risk, it is important that the new data is incorporated, and the current public maps are updated to provide clarity and transparency of known flood risks in the area.</p>

The representation does not raise any issues that require modification to the draft amendment. The issues raised in the representation also do not impact on the draft amendment, or compliance with the LPS criteria.

The Northern Midlands Council recommends that the Tasmanian Planning Commission give its final approval to the Draft Amendment and does not request modification to the draft amendment.

**Representation 5: 35 Badajos Street, Ross**



A summary of the issues raised within the representation and officer response is provided below:

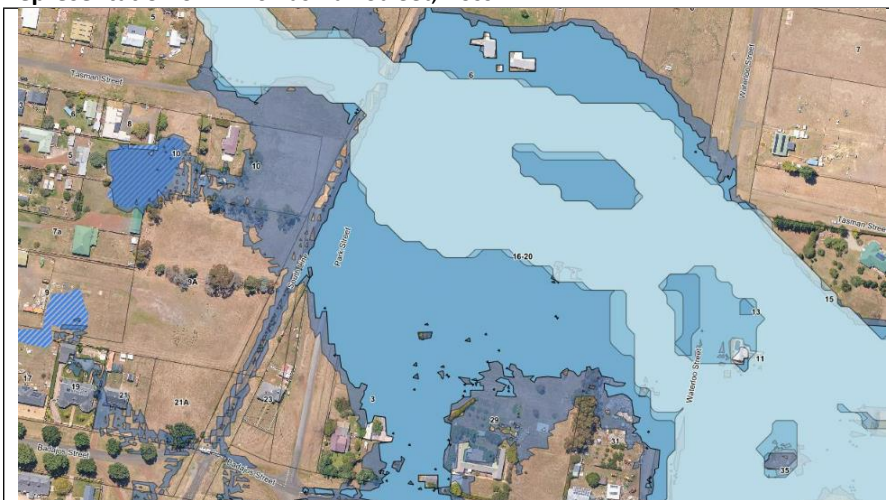
Representation issue	Response
<p>Our property sits on the corner of Badajos and Waterloo streets (35 Badajos St). Directly to the south of our property there is a drainage channel that collects stormwater from the houses on Badajos St and directs it to the corner of Badajos and Waterloo streets. The problem here is that there is no connecting culvert or channel to remove this water. This means in periods of heavy rainfall it collects in the channel and then overflows across the surface of the road, presenting a hazard. The other effect of this lack of drainage is that it seeps under the road, making the median strip and our property a boggy mess. On the other side of the intersection, there is a drainage channel that collects runoff from along the recreation oval and then through a culvert under the road directs it to the median strip adjacent to our property on</p>	<p>The flood overlay is based on riverine flooding from Downs Creek and the Macquarie River. They are not representative of local runoff and drainage issues. The issues stated are noted, but not relevant to the proposed flood overlay.</p>

<p>Waterloo St. The outfall is a few meters from our boundary.</p>	
<p>I am concerned that the current drainage system empties onto our property causing an extensive area to become inundated and boggy after high rainfall events. If an extreme rainfall event or flood was to occur, to what extent and level could damage occur from the stormwater? I also have concerns about the potential health implications of the storm water draining onto our property.</p>	<p>This is a localised drainage issue, rather than a riverine issue upon which the flood overlay is based. The issues stated are noted, but not relevant to the proposed flood overlay.</p>
<p>The poor drainage system around the intersection of Badagos and Waterloo streets could be easily rectified by connecting the existing channels and culverts, and creating a new channel along Waterloo street to direct storm water to Downs Creek.</p>	<p>This is a localised drainage issue, rather than a riverine issue upon which the flood overlay is based. The issues stated are noted, but not relevant to the proposed flood overlay.</p>

The representation does not raise any issues that require modification to the draft amendment. The issues raised in the representation also do not impact on the draft amendment, or compliance with the LPS criteria.

The Northern Midlands Council recommends that the Tasmanian Planning Commission give its final approval to the Draft Amendment and does not request modification to the draft amendment.

**Representation 6: 12-20 Tasman Street, Ross**



A summary of the issues raised within the representation and officer response is provided below:

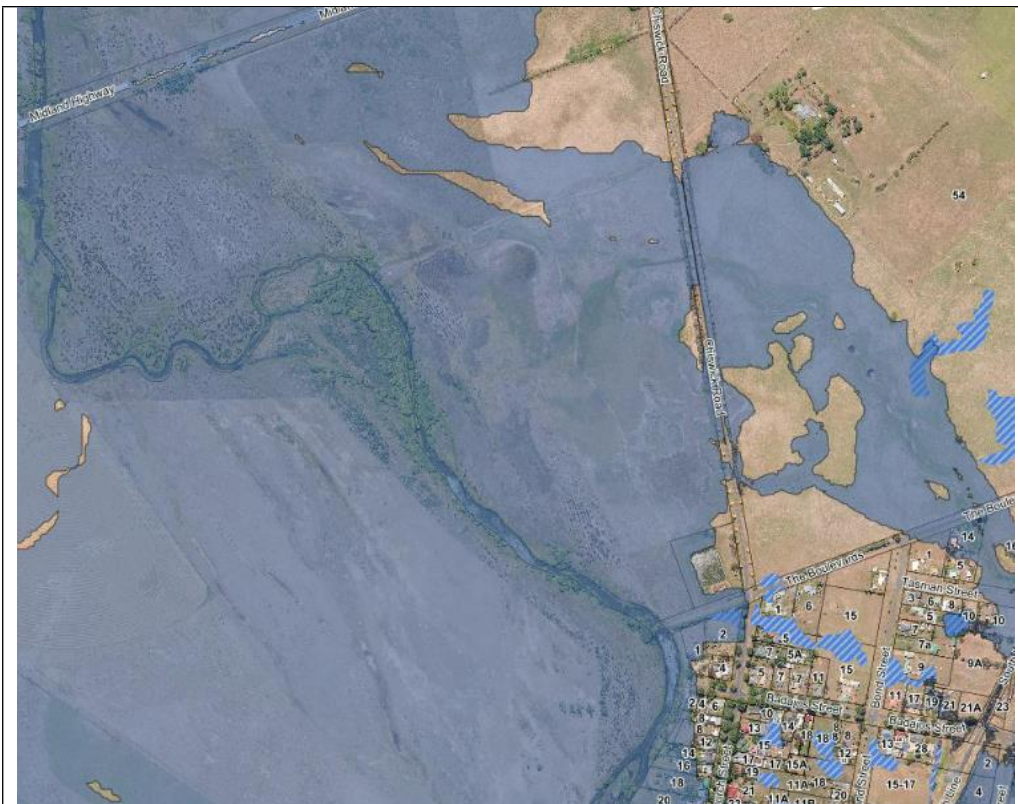
Representation issue	Response
<p>There is a significant dip on the corner of the property and the area used to hold water after heavy rains and through most of winter. A few years ago Council installed an earthen footbridge to the west of the TasWater pumping station and since that time have had increasing problem with flooding.</p>	<p>The dip on the north-east corner of the property is Downs Creek. The footbridge was not installed by Council, and it is no longer there. The wet area is a creek, servicing a large catchment extending some 8km to the south-east. It is not surprising it does not dry out, as some ephemeral creeks do. The area in question is quite flat, so water does sit within the creek in some locations. Widening and clearing of the creek may help somewhat, however that would large project of significant expense, requiring land acquisition and/or the creation of easements and significant upgrades to road and rail culverts.</p>
<p>The area near the footbridge does not dry out and therefore does not get mown or cleared as it used to. The vegetation gets</p>	

<p>thicker each with further slows down the flow of water and in turn means the area is wetter which then means it doesn't get mown and therefore the vegetation gets thicker which slows down the flow of water.</p> <p>When there is a major rain event, or even prolonged rain, the earthen footbridge is holding back the flow of water all along the length of Downs Creek which is endangering the houses adjacent to the creek to flooding. Therefore, believes the propensity for flooding in this area, which is noted on the proposed plan, has been significantly increased by Council activity.</p>	<p>In summary, the footbridge was not installed by Council and is no longer present.</p>
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The representation does not raise any issues that require modification to the draft amendment. The issues raised in the representation also do not impact on the draft amendment, or compliance with the LPS criteria.

The Northern Midlands Council recommends that the Tasmanian Planning Commission give its final approval to the Draft Amendment and does not request modification to the draft amendment.

**Representation 7:** Regarding Downs Creek crossing of Chiswick Road, northern entrance to Ross



A summary of the issues raised within the representation and officer response is provided below:

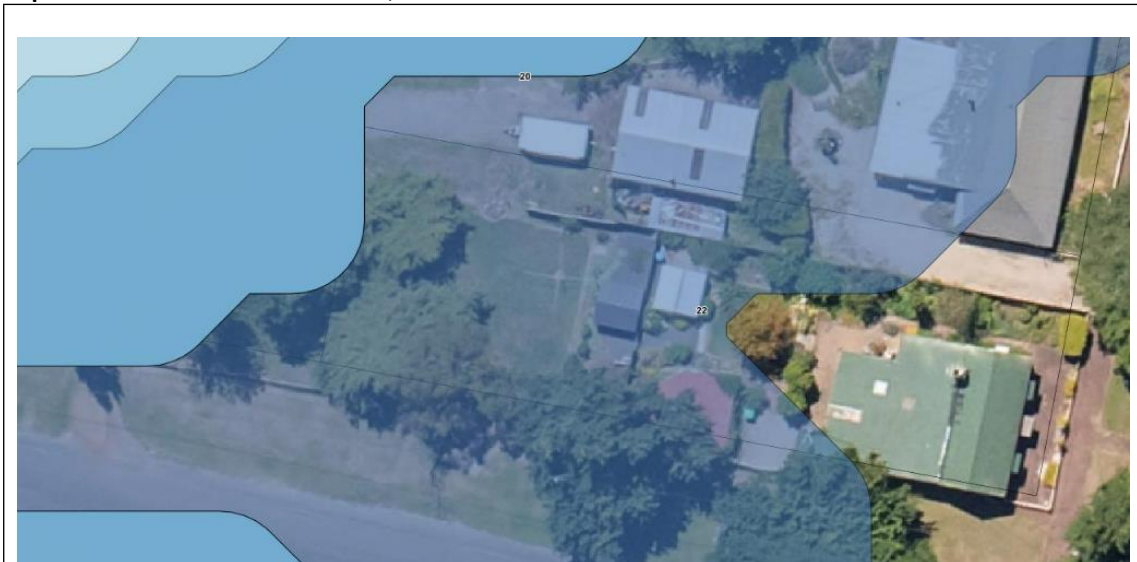
<b>Representation issue</b>	<b>Response</b>
<p>Would like to suggest looking at the effect of the culvert that carries Downs Creek under the road into/out of Ross under heavy flood conditions.</p> <p>In the heavy downpour of Spring 2022, the culvert struggled to facilitate the flow of</p>	<p>The flood footprint is very wide at Chiswick Road. This is where the Macquarie River flooding meets Downs Creek flooding in a large event. An enlarged culvert may help alleviate flooding immediately east of Chiswick Road in a Downs Creek flood, however in a combined Downs Creek/Macquarie River the area</p>

<p>water, effectively damming the creek. From memory this was a rain event of roughly 70mm on saturated soils. See attached photos.</p> <p>My concern is that in more severe conditions the road could be submerged, isolating the town. I suggest the installation of additional culverts around Downs Creek to reduce this risk.</p>	<p>becomes a flood plain and it would not achieve any significant improvements.</p> <p>In the experience of Council staff water over the road signs have been installed very rarely on the road. Floodwaters from Downs Creek hit the road embankment and spread out over the paddock/flood plain.</p>
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The representation does not raise any issues that require modification to the draft amendment. The issues raised in the representation also do not impact on the draft amendment, or compliance with the LPS criteria.

The Northern Midlands Council recommends that the Tasmanian Planning Commission give its final approval to the Draft Amendment and does not request modification to the draft amendment.

**Representation 8: 22 Church Street, Ross**



A summary of the issues raised within the representation and officer response is provided below:

Representation issue	Response
<p>I have owned my property since 2001, during this time there have been a number of significant flooding events within Tasmania. Not once has the increased level of water in the Macquarie River even got close to impacting any part of my property</p>	<p>The Council cannot comment on specific events that may have occurred in Tasmania previously. The mapping shows 1% AEP with climate change loading, which predicts 1% AEP flooding to 2090.</p>
<p>What are council proposing?</p>	<p>The proposed amendment includes replacing the current flood-prone hazard area overlay maps under the LPS which includes land at Ross.</p>
<p>Why do the council think it is necessary to amend the scheme at this time?</p>	<p>The updates are required to ensure the overlay maps reflect the latest 1% AEP plus climate change scenario flood mapping available to Council for these areas. In West Perth, the overlay maps also consider planned culvert upgrades that are to be completed by 2028/2029.</p>
<p>What are the consequences for individual landowners?</p>	<p>It may be that land will be subject to the flood-prone hazard overlay, when previously it wasn't. This will mean that this overlay will need to be considered as part of any future use or</p>

	development on the land, if the proposed draft amendment is approved.
What rights and options do affected landowners have?	The updated flood mapping is based on recent modelling/mapping. Any landowner concerns are considered as appropriate in the draft amendment process.
What are the implications for land usage, property values, insurances and council rates?	It is important that the new data is incorporated, and the current public maps are updated to provide clarity and transparency of known flood risks in the area. This is consistent with the approach other Councils have taken when updating the flooding overlays including Glenorchy City Council and Clarence City Council.  Property values, insurance and Council rates are not relevant planning matters.

The representation does not raise any issues that require modification to the draft amendment. The issues raised in the representation also do not impact on the draft amendment, or compliance with the LPS criteria.

The Northern Midlands Council recommends that the Tasmanian Planning Commission give its final approval to the Draft Amendment and does not request modification to the draft amendment.

**Representation 9:** 11 Waterloo Street, Ross



A summary of the issues raised within the representation and officer response is provided below:

Representation issue	Response
For such a significant amendment to the planning scheme the Council could surely introduce the topic with an explanation in layman’s language that would at least give us the chance to understand what’s going on here. It’s obvious what you are proposing has enormous implications for	The proposed amendment includes replacing the current flood-prone hazard area overlay maps under the LPS which includes land at Ross.

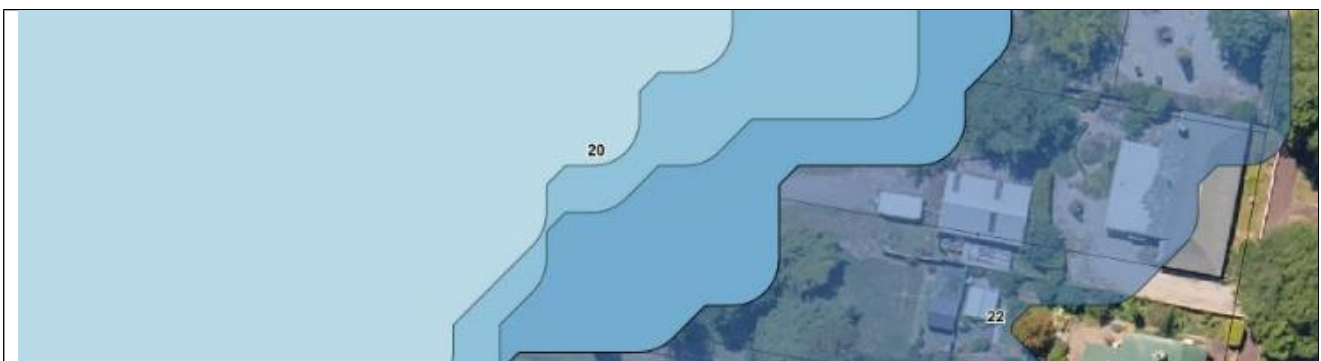


those ratepayers whose land is directly impacted your proposed amendment.	
Why do the council think it is necessary to amend the scheme at this time.	The updates are required to ensure the overlay maps reflect the latest 1% AEP plus climate change scenario flood mapping available to Council for these areas. In West Perth, the overlay maps also consider planned culvert upgrades that are to be completed by 2028/2029.
What are the consequences for individual landowners.	It may be that land will be subject to the flood-prone hazard overlay, when previously it wasn't. This will mean that this overlay will need to be considered as part of any future use or development on the land, if the proposed draft amendment is approved.
What rights and options do affected landowners have.	The updated flood mapping is based on recent modelling/mapping. Any landowner concerns are considered as appropriate in the draft amendment process.
What are the implications for land usage, property values, insurances and council rates.	It is important that the new data is incorporated, and the current public maps are updated to provide clarity and transparency of known flood risks in the area. This is consistent with the approach other Councils have taken when updating the flooding overlays including Glenorchy City Council and Clarence City Council.  Property values, insurance and Council rates are not relevant planning matters.

The representation does not raise any issues that require modification to the draft amendment. The issues raised in the representation also do not impact on the draft amendment, or compliance with the LPS criteria.

The Northern Midlands Council recommends that the Tasmanian Planning Commission give its final approval to the Draft Amendment and does not request modification to the draft amendment.

**Representation 10: 20 Church Street Ross**



A summary of the issues raised within the representation and officer response is provided below:

Representation issue	Response
We have a property at 20 Church St Ross, which according to your proposed amended flood draft will be affected by the predicted 100 year (or 1%) flood levels.	The mapping shows 1% AEP with climate change loading, which predicts 1% AEP flooding to 2090.
The two main flood events for Ross are the 1929 and 1969 floods, both considered as the 1% floods. Local knowledge refers to the 1963 (or 64) event as also quite significant. I have made enquires to	Refer to the following comments provided by Hydrodynamica:  <i>The traditional way to determine the likely 1% flood discharge was to utilise data from a good flow gauging station that accurately measures flows (i.e. one with a good flow rating curve and long</i>



<p>council as to what information it holds on what the extent of these floods were within Ross. At time of writing, I have been unable to establish that council has ANY data within their records of where previous 1% floods actually extended to within Ross. This point I make is very important within the discussion later in regard to flood mapping as provided in council's report.</p>	<p><i>record of say 50years) nearby or one further away from which likely flows can be determined by catchment scaling.</i></p> <p><i>In the absence gauging stations flows were estimated from cross sectional areas and slopes which was a very rough method, historical flows estimated by that method should be treated with extreme caution.</i></p> <p><i>There was no good data on flows in 1929 and 1969 in the Macquarie around Ross. A search of the Entura library catalogue (past Hydro Electric Commission reports) and discussions with members of Tasmania's hydrological community has not found any previous flood studies for Campbell Town and Ross.</i></p> <p><i>Any previous flood levels recorded for Ross did not have a discharge or AEP allocated to it, prior to our study. To allocate the 1% AEP classification to the 1929 and 1969 flood levels at Ross would be dubious.</i></p> <p><i>Consequently, Entura were engaged in our project to estimate the hydrological inputs (hydrographs associated with AEP's) to the hydrodynamic model flows using their calibrated runoff routing model.</i></p> <p><i>To achieve a calibration of the hydrodynamic model it is also preferable to have captured peak flood levels along the waterway for a flood event of know discharge. For the Elizabeth River at Campbell Town and the Macquarie at Ross Council sent out letters to all properties in or close to the expected flood footprint. Unfortunately, the response for observations was limited and ultimately not particularly useful in terms of peaks elevation values or in the timing of the observations.</i></p> <p><i>The hydrodynamic model used observed data from the 2009 flood for calibration purposes.</i></p> <p><i>The calibration of the hydrodynamic model for Campbell Town is considered reasonable. The calibration for Ross is considered to be adequate until further spatial flood peak data can be acquired. If new 'accurate' flood peak data could be captured for large floods exceeding 100 to 200 m3/sec at Campbell Town and 300 m3/sec and above at Ross an improved calibration may be possible. To my knowledge it is Northern Midlands Council's intention to carry out such data acquisition.</i></p> <p><i>However, for now the April 2022 is the best information available, so freeboard should be added where possible to any new developments or critical infrastructure.</i></p>
<p>The local council (then Ross Council) used current data of flood levels to make what it considered as proper decisions with planning their infrastructure. One such example is the location of an access manhole to the sewage drains running to/and from the pump station located on High Street near the river. The manhole is located on our property. I was informed by Northern Midlands Council many years</p>	<p>It is not possible to comment on what Ross Council may/may not have said. There are historical 'flood data' books which document historical observations and provide estimates of historical AEPs).</p>



<p>ago that the manhole opening is positioned at 300mm above the known 1% flood levels. This is significant to note when looking at the map provided at the bottom of this document.</p>	
<p>A substantial native plantation has been established on the Western side of the river within the last 12 or so years. It is located on the Western bank of the river parallel to properties located on Church Street, between High and Badajos Streets. I was on the local Ross local Committee where I expressed concerns how the plantation would affect flooding as well as increased fire risk within the village as it is upwind from the prevailing wind. As I recall the plantation was put there by an organisation, perhaps Greening Australia. I fully endorse greening up and the importance of tree planting. However the location of such planting can easily be a substantial contributor to damming up the river within Ross village. Not just from slowing water flow but also creating a barrier for flood litter to build up resulting in an even slower flow, resulting in pushing up the water level in the immediate vicinity.</p>	<p>Refer to the following comments provided by Hydrodynamica:</p> <p><i>We cannot model flows of unknown magnitude, which reached unverified peak levels while flowing over terrain that had uncertain roughness values and extents for vegetation which has been removed.</i></p>
<p>Please show any data evidence indicating the researchers have considered the positive impact of removal of obstacles for water flow since 1969. If no consideration has been made then data provided within this report cannot be considered as anywhere near accurate.</p>	<p>The modelling was based on current conditions.</p>
<p>Please show any data evidence that the researchers have considered the impact of the more recent native plantation has on the flood levels. If no consideration has been made, why not? If consideration has been made, council needs to show what impact the plantation has on flood levels. It needs to be seriously dealt with as a major contributor to extra flooding levels.</p>	<p>As per above, Hydrodynamica has responded to state the following:</p> <p><i>We cannot model flows of unknown magnitude, which reached unverified peak levels while flowing over terrain that had uncertain roughness values and extents for vegetation which has been removed.</i></p>
<p>The map doesn't specify whether it is the previous version of the 1% flood or if it indicates the "normal average flood level".</p>	<p>The modelling was based on current conditions</p>
<p>It is vital to be fully aware of facts pertaining to implications of climate change in our physical environment. However, the key word is FACTS. It is a fact that land clearing immediately downstream HAS decreased flood levels for Ross, there is little or no indication this fact has been considered in council's models. It is a fact that the more recent</p>	<p>The existing surface types considered in mapping model.</p>



<p>tree plantation already mention WILL have an impact on flood levels, at the very least, within the immediate area around High Street.</p>	
<p>Current maps are very misleading as to the levels as already discussed. Especially the more low-resolution map (new 1% flood level is indicated with blue lines) as it covers entire blocks of land, not indicating the true level of councils version of the predicted levels. This is the map that is intended to be provided to potential buyers of real estate in Ross. This misleading information is extremely detrimental to real estate values. An example is the overall map indicates our property at 20 Church Street will be totally inundated in the event of the new 1% flood. The reality is as indicated on the more detailed ap the low water will nearly lap up to the back corner of the building.</p> <p>Insurance companies used this data to assess risk. This very misleading data is detrimental to the insurance premiums of properties affected. It is of great concern that future planning and future welfare of the existing real estate and infrastructure of Ross will be based on ill-informed and inaccurate data.</p>	<p>While it is understood that there may be impacts to the existing landowners that may have land not previously identified to be at risk, it is important that the new data is incorporated and the current public maps are updated to provide clarity and transparency of known flood risks in the area.</p> <p>Refer to the following comments provided by Hydrodynamica in relation to existing mapping:</p> <p><i>The traditional way to determine the likely 1% flood discharge was to utilise data from a good flow gauging station that accurately measures flows (i.e. one with a good flow rating curve and long record of say 50years) nearby or one further away from which likely flows can be determined by catchment scaling.</i></p> <p><i>In the absence gauging stations flows were estimated from cross sectional areas and slopes which was a very rough method, historical flows estimated by that method should be treated with extreme caution.</i></p>

The representation does not raise any issues that require modification to the draft amendment. The issues raised in the representation also do not impact on the draft amendment, or compliance with the LPS criteria.

The Northern Midlands Council recommends that the Tasmanian Planning Commission give its final approval to the Draft Amendment and does not request modification to the draft amendment.

## 8 ATTACHMENTS

1. PL N-24-0016 public exhibition documents [11.3.1 - 179 pages]



## 11.4 PLN24-0113; 8A PARK ST ROSS; MULTIPLE DWELLINGS (2)

File: 401600.112; PLN24-0113  
Responsible Officer: Des Jennings, General Manager  
Report prepared by: Brandie Strickland, Statutory Planner

### RECOMMENDATION

That application PLN-24-0113 to develop and use the land at 8A Park Street, Ross for multiple dwellings x2 be refused on the grounds that the proposal does not satisfy the performance criteria P1 of clause NOR-S6.7.1 or P1.2 of clause C2.5.1. Specifically:

- the proposed density does not provide a density of multiple dwellings that is compatible with the density of existing development on established properties within the area; or provide for a significant social or community benefit, and
- the number of car parking spaces does not meet the reasonable needs of the use by omitting a dedicated visitor parking bay.

## 1 INTRODUCTION

This report assesses an application for 2 multiple dwellings at 8A Park Street, Ross with works within 21 High Street, Ross for service connection and upgrade 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
- C2.5.1 – Car parking numbers
- C2.6.1 – Construction of parking areas
- C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area
- C6.7.3 Buildings and works, excluding demolition
- C12.6.1 Buildings and works within a flood-prone hazard area

**3 APPLICATION DETAILS AND TIMEFRAMES**

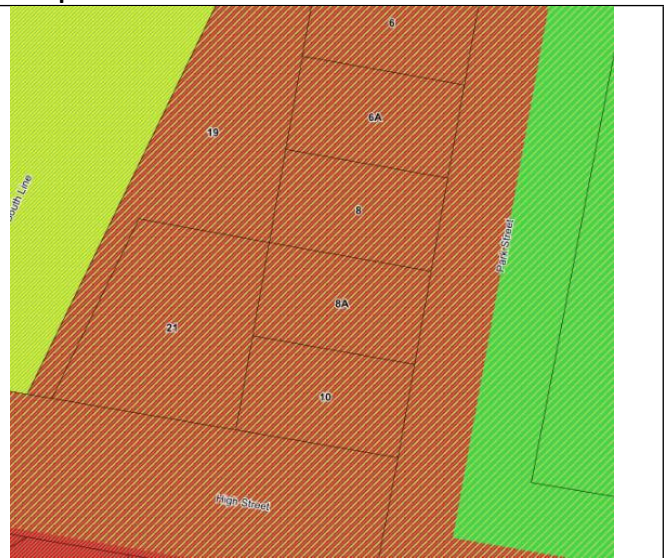
<b>Application Number:</b>	PLN24-0113
<b>Address:</b>	8A Park St Ross (works within 21 High Street Ross)
<b>Existing use/development:</b>	Vacant
<b>Applicant:</b>	Wilson Homes Pty Ltd
<b>Use classification:</b>	Residential
<b>Zone:</b>	General Residential
<b>Particular Purpose Zone/Specific Area Plan:</b>	NOR-S8.0 Ross Specific Area Plan
<b>Applicable codes:</b>	C2.0 Parking and Sustainable Transport Code C6.0 Local Historic Heritage Code C7.0 Natural Assets Code (exempt) C12.0 Flood Prone Areas Hazard Code C16.0 Safeguarding of Airports Code (exempt)
<b>Application must be determined by:</b>	21 <sup>st</sup> October 2024
<b>Recommendation:</b>	<b>Refusal on the grounds that the performance criteria is not satisfied.</b>

**4 SUBJECT SITE AND LOCALITY**

**Subject site**



**Zone Map**



Aerial image of the site and surrounding area



Photograph of subject site



**5 PLANNING SCHEME ASSESSMENT**

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

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

CODE	Applicable	Exemption Applied
C1.0 Signs Code	-	
C2.0 Parking and Sustainable Transport Code	Y	-
C3.0 Road and Railway Asset Code	Y	
C4.0 Electricity Transmission Infrastructure Protection Code	-	
C5.0 Telecommunications Code	-	
C6.0 Local Historic Heritage Code	Y	
C7.0 Natural Assets Code	Y	Only applies to subdivisions
C8.0 Scenic Protection Code	-	
C9.0 Attenuation Code	-	
C10.0 Coastal Erosion Hazard Code	-	



CODE	Applicable	Exemption Applied
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	Y	C16.4.2

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

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

The relevant Scheme definitions are:

Table 6.2 Use Class	
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	
Dwelling	Means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.
Multiple Dwellings	Means 2 or more dwellings on a site.

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

## 5.1 STATE PLANNING PROVISIONS – ZONE PROVISIONS

### 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

8.4 Development Standards for dwellings		
Clause	Description	Assessment
8.4.1	Residential density for multiple dwellings	A1 This clause is superseded by NOR-S8.7.1
8.4.2		A1 Seatback from primary frontage is 4.5m



	Setbacks and building envelope for all dwellings	A2 NA – there are no carports/garages A3 building height, side and rear setbacks comply with 3D building envelope.
8.4.3	Site coverage and private open space for all dwellings	A1a) Overall site coverage is 22.5% b) Each unit has 60m <sup>2</sup> or more of private open space (U1 = 87.6m <sup>2</sup> , U2 = 140.4m <sup>2</sup> ) A2a) Private open space for each unit meets the 24m <sup>2</sup> area requirement; 4m minimum dimension, <10% gradient and is in line with or behind the associated unit. Acceptable solution met.
8.4.4	Sunlight and overshadowing for all dwellings	A1 Not applicable – no unit is north of another.
8.4.5	Width of openings for garages and carports for all dwellings	A1 Not applicable
8.4.6	Privacy for all dwellings	A1 Not applicable – no finished floor level greater than 1m above natural ground level A2 Not applicable – no finished floor level greater than 1m above natural ground level A3 Complies with acceptable solution.
8.4.7	Frontage fences for all dwellings	A1 Not applicable – no front fence proposed
8.4.8	Waste storage for multiple dwellings	A1 Provision for 2 bins on site for each dwelling – Acceptable Solution satisfied.

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

### ASSESSMENT OF SPECIFIC AREA PLAN PROVISIONS: ROSS

#### 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.

NOR-S8.7 Development Standards for Buildings and Works		
		Assessment
NOR-S6.7.1	Residential density for multiple dwellings	A1 Acceptable density 400m <sup>2</sup> , proposed density 351.5m <sup>2</sup> - relies on performance criteria
NOR-S6.7.2	Roof form and material	A1 Not applicable as the Local Historic Heritage Code applies.
NOR-S6.7.3	Wall material	A1 Not applicable as the Local Historic Heritage Code applies.
NOR-S6.7.4	Windows	A1 Not applicable as the Local Historic Heritage Code applies.
		A2 Not applicable as the Local Historic Heritage Code applies.
		A3 Not applicable as the Local Historic Heritage Code applies.

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

### DISCRETIONS

NOR-S6.7.1 Residential density for multiple dwellings	
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

**DISCRETIONS**

(ii) wholly or partly within 400m walking distance of a Village Zone, Local Business Zone, or General Business Zone.

Satisfying the performance criteria relies on demonstrating compliance with two of the three-part criteria above. Part 1, the proposal must not exceed the capacity of infrastructure services. Part 2, the proposal must satisfy a) or b).

The proposal has been reviewed by the Works and Infrastructure Department (stormwater) and TasWater (water and sewer). It has been confirmed that the units will not exceed the capacity of the infrastructure service. Therefore part 1 of the criteria is met.

Compatibility with the density of the existing development on established properties within the area is arguably subjective. However, 'compatibility' has been tested in the tribunal multiple times and is understood by professionals within the field to have the accepted definition requiring a proposal to be "...consistent with ... Not necessarily the same density, but at least similar to, or in harmony or broad correspondence with the surrounding area" (Henry Design and Consulting v Clarence City Council & Ors [2017] TAsRMPAT 11 para. 50).

In the context of compatibility with density, standard practice as tried and tested within the appeals court is typically to determine if the quantifiable density is within the range of existing density within established properties in the area. For example, if the highest density development of multiple dwellings was 250m<sup>2</sup> and the lowest density within the same area was 500m<sup>2</sup> then the proposed 351.5m<sup>2</sup> would fit within that range and would be considered compatible. This is the industry standard method of determining compatibility of density as tested in Henry Design and Consulting v Clarence City Council & Ors [2017] TAsRMPAT 11, Green v Launceston City Council [2024] TAsCAT 27 and Clarence City Council v Drury [2021] TAsSC 5.

**Assessing  
Officers  
Comments**

Within Ross there are limited examples of existing multiple dwellings with which to draw the compatible density range. At 5 Church St (see image below – pink) the density of multiple dwellings is 499.25m<sup>2</sup>. Given the acceptable solution allows for a density of 400m<sup>2</sup> it can be calculated that the minimum density compatible with the character of the area is 400m<sup>2</sup> and that anything below this is not compatible.

The proposed density of 351.5m<sup>2</sup> sits outside of the compatible range and so is not considered compatible in the quantitative sense. The proposal therefore does not satisfy a).





## DISCRETIONS

	<p>Criteria b) provides a pathway for higher density unit development where it can be demonstrated that the dwellings provide for significant social or community benefit.</p> <p>Social and community benefit in the context of housing development is defined within <i>Jacobs v Hobart City Council</i> [2023] TASCAT 158 as housing that “provides security for those most in need, which will benefit the tenants and the pool of people seeking affordable housing specifically, and benefit society more broadly by reducing rental stress and homelessness. The nature of the benefit to society generally means that it is not necessary to determine the extent of ‘the community’” (paragraph 26).</p> <p>With only two dwellings proposed, the proposal does not provide significant social or cultural housing and therefore b) is not satisfied, regardless of walking distance to public transport or business zoning.</p> <p>As the proposal fails to satisfy a) or b) of the criteria, the proposal has not demonstrated compliance with the performance criteria.</p>
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### 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 5 parking spaces required per table C2.1. 4 car parking bays, 2 per dwelling. No visitor parking. Relies on performance criteria
C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 None required per table C2.1
C2.5.3	Motorcycle parking numbers (Refer to table C2.4)	A1 None required per table C2.4.
C2.5.4	Loading Bays	A1 None required
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 Gravel in the General Residential zone. Relies on performance criteria
C2.6.2	Design and layout of parking areas	A1.1 Complies with AS2890. A1.2 Not applicable.
C2.6.3	Number of accesses for vehicles	A1 one access to Park Street A2 Not applicable
C2.6.4	Lighting of parking areas within the GenBus and CentBus zone	A1 Not applicable – not within the listed zones.
C2.6.5	Pedestrian Access	A1.1 Not applicable – less than 10 vehicle 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 – not within the listed zones.
		A2 Not applicable – not within the listed zones.
C2.6.8	Siting of parking and turning areas	A1 Not applicable
		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	<p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> <li>a) the nature and intensity of the use and car parking required;</li> <li>b) the size of the dwelling and the number of bedrooms; and</li> <li>c) the pattern of parking in the surrounding area.</li> </ul>
<b>Assessing Officers Comments</b>	<p>To meet the acceptable solution the development must provide 2 parking bays per unit and 1 dedicated visitor parking space. No visitor parking space has been provided on site, instead, on-street parking is relied upon. Therefore, the performance criteria is relied upon.</p> <p>The nature of the use is residential and despite the development being multiple dwellings the intensity of the use is reasonably low. Each unit consists of 2 bedrooms and while shared housing is unlikely given the location, it cannot be ruled out. Therefore, it is reasonable to assume that 2 adults could occupy each unit, each owning their own car. The parking spaces on site will therefore likely be utilised by the occupants of the dwelling, leaving nowhere on site for guests to park without impeding a turning area on site or limiting access.</p> <p>Having regard to the nature and intensity of the use, size of the dwellings and pattern of parking in the area, the omission of a dedicated visitor parking bay on site is here considered unreasonable given the lack of formal all-weather parking provisions within reasonable walking distance of the site. The applicant poses the justification of the omission by stating that "... a total of four bedrooms across two dwellings is no more likely to demand dedicated visitor parking than a single four or five bedroom dwelling...To not provide a visitor space is not unreasonable where a single dwelling need not otherwise provide one for the same number of bedrooms". This statement is partially true. Single dwellings in the general residential zone have no requirement for a dedicated visitor bay, however, single dwellings of 4+ bedrooms in other zones have a requirement to provide for 1 space per bedroom or 2 spaces per 3 bedrooms. This means that a dwelling of 4 or more bedrooms would ideally provide 3+ parking spaces on site.</p> <p>With only a single residence in the general residential zone or any other zone, a visitor to the site is there to visit a member of the household. It is reasonable to allow that visitor to park tandem to the occupants' vehicles and within the driveway, even if that "parks in" the occupants vehicles. However, within a multiple dwelling setting, it is unreasonable to permit a visitor to the site to impede the accessibility of another unit's resident/s to enter or leave the site. Therefore, the proposal does not satisfy the performance criteria as it does not meet the reasonable needs of the use.</p>
<b>C2.6.1</b>	<b>Construction of parking areas</b>
P1	<p>All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:</p> <ul style="list-style-type: none"> <li>a) the nature of the use;</li> <li>b) the topography of the land;</li> </ul>



## DISCRETIONS

	<ul style="list-style-type: none"> <li>c) the drainage system available;</li> <li>d) the likelihood of transporting sediment or debris from the site onto a road or public place;</li> <li>e) the likelihood of generating dust; and</li> <li>f) the nature of the proposed surfacing.</li> </ul>
<b>Assessing Officers Comments</b>	The proposed parking, access ways, manoeuvring and circulation spaces will all be readily identifiable, compact gravel and constructed so that they are usable in all weather conditions. The nature of the use is residential so traffic movements and numbers will be low (~12-16vm/d) and slow in nature. Given the low number of movements and short driveway area the show nature of vehicle movements within the site is unlikely to generate dust or result in the transport of sediment or debris from the site onto a road or public place. The proposal therefore satisfies the performance criteria.

## C3.0 ROAD AND RAILWAY ASSET CODE

### Code Purpose

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

C3.5 Use Standards		
Clause	Description	Assessment
C3.5.1	Traffic generation at a vehicle crossing, level crossing or new junction.	A1.1 Not applicable - No new vehicle crossing
		A1.2 Not applicable – No new junction
		A1.3 Not applicable – No new level crossing
		A1.4 Acceptable solution met – less than 40vm/d
		A1.5 Not applicable – not a Cat 1-3 road.
C3.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C3.6.1	Habitable buildings for sensitive uses within a road or railway attenuation area.	A1 Dwellings within 50m of railway line but the noise levels within the site are 59 dB(A) (LAeq, 24hr) and 84 dB(A) (LAMax) which is in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2<sup>nd</sup> edition, July 2008</i> . The Acceptable Solution is met.

## 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.

6.7 Development Standards for Local Heritage Precincts and Local Historic Landscape Precincts		
Clause	Description	Assessment
C6.7.1	Demolition within a local heritage precinct	A1 Not applicable
C6.7.2	Demolition within a local historic landscape precinct	A1 Not applicable
C6.7.3	Buildings and works, excluding demolition	A1 Relies on performance criteria as works will be visible from a public place (road).

		A2 Not applicable – no front fence or gate proposed, just internal timber fences
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From the table above, where the acceptable solution has not been met, the performance criteria is addressed below.

DISCRETIONS		
<b>C6.7.3</b>	<b>Buildings and works, excluding demolition</b>	
<b>P1.1</b>	<p>Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</li> <li>(b) the character and appearance of the surrounding area;</li> <li>(c) the height and bulk of other buildings in the surrounding area;</li> <li>(d) the setbacks of other buildings in the surrounding area; and</li> <li>(e) any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule.</li> </ul>	
<b>Assessing Officers Comments</b>	<p>The proposed development will be visible from a public place (the street) and therefore relies on the performance criteria.</p> <p>The streetscape and townscape values identified in the Local Provisions Schedule for Ross include “the intact core of a nineteenth century townscape, with its rich and significant built fabric and the village atmosphere. Its historic charm, wide tree lined streets and quiet rural environment all contribute to its unique character. Its traditional buildings comprise simple colonial forms that are predominantly one storey, while the prominent elements are its significant trees and Church spires.”</p> <p>The design and siting of the buildings and works (including driveway) are compatible with the precinct having regard to the above values. The dwellings are proposed to be single story Georgian forms with brickwork construction, multipaned windows, and roof pitches exceeding 22° as shown in the artists impression below. Such design elements are consistent with the performance criteria and were supported by Council’s heritage advisor who reviewed the proposal as part of Council’s referral process. The proposal satisfies the performance criteria.</p>	
		

### C12.0 FLOOD-PRONE AREAS 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.

C12.5 Use Standards		
Clause	Description	Assessment
C12.5.1	Uses within a flood-prone area	A1 No acceptable solution – relies on performance criteria

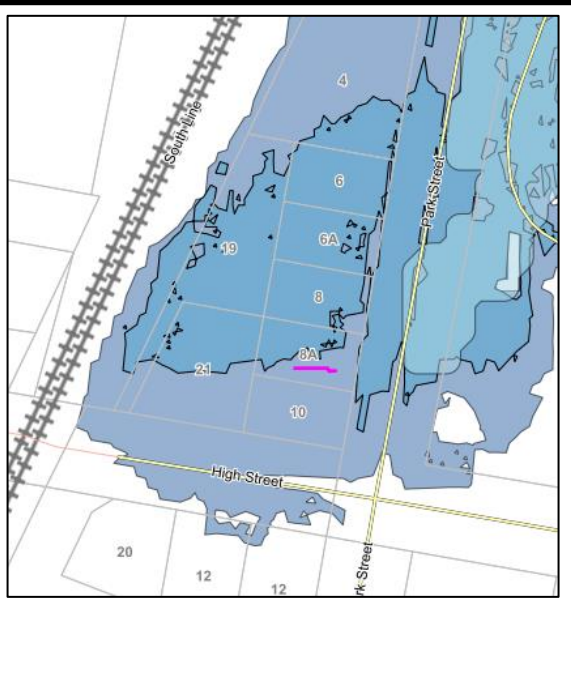


C12.5.2	Critical use, hazardous use or vulnerable use	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.
		A4 Not applicable.
<b>C12.6 Development Standards for Buildings and Works</b>		
<b>Clause</b>	<b>Description</b>	<b>Assessment</b>
C12.6.1	Buildings and works within a flood-prone hazard area	A1 Dwellings within flood prone area. Relies on PC

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

<b>DISCRETIONS</b>	
<b>C12.5.1</b>	Uses within a flood-prone hazard area
<b>P1.2</b>	A flood hazard report also demonstrates that: a) any increase in the level of risk from flood does not require any specific hazard reduction or protection measures; or b) the use can achieve and maintain a tolerable risk from a 1 % annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.
<b>Assessing Officers Comments</b>	Per Council's mapping program the site is identified as flood prone (1% Climate Change event – see image right). As a result, the performance criteria is relied upon.  The flood prone potential of the land was considered at the time of subdivision and a finished floor level requirement of 300mm above natural ground level was imposed on the land through a Section 71 agreement.  The proposed residential use can achieve and maintain a tolerable risk from a 1 % annual exceedance probability flood event for the intended life of the use, without requiring any flood protection measures, simply by imposing a finished floor level of at least 300mm above ground level. The proposal satisfies the performance criteria.
<b>C12.6.1</b>	Buildings and works within a flood-prone hazard area
<b>P1.1</b>	Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to: a) the type, form, scale and intended duration of the development; b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures; c) any advice from a State authority, regulated entity or a council; and d) the advice contained in a flood hazard report.
<b>P1.2</b>	A flood hazard report also demonstrates that the building and works: a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures

**DISCRETIONS**

<p><b>Assessing Officers Comments</b></p>	<p>Per Council’s mapping program the site is identified as flood prone (1% Climate Change event – see image right). As a result, the performance criteria is relied upon.</p> <p>The flood prone potential of the land was considered at the time of subdivision and a finished floor level requirement was imposed on the land through a Section 71 agreement to ensure that future dwellings could achieve a tolerable risk. Therefore, the site, while technically being flood prone can accommodate development with a tolerable risk with a finished floor level of 300mm above natural ground level.</p> <p>The proposed development has a finished floor level of at least 300mm above ground level (181.79) and therefore satisfies the performance criteria.</p>	
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**5.4 REFERRALS**

<p><b>Council’s Infrastructure &amp; Works Department – NMC</b> Council’s Engineering Officer (Jonathan Galbraith) raised no objection to the proposal.</p> <p><b>Road Authority</b> As the <b>Road Authority</b> per the <i>Roads and Jetties Act 1935</i>, it was commented that the proposed traffic movements can be accommodated within the existing network with ease and there is no need for additional works outside of the site.</p> <p><b>Stormwater Authority</b> As the <b>Stormwater Authority</b> per the <i>Urban Drainage Act 2013</i>, it was reported that the proposal was unlikely to negatively impact the existing network. The works proposed within the neighbouring lot are acceptable.</p>
<p><b>TasWater</b> TasWater issued a Submission to Planning Authority Notice on the 18/07/2024 (TasWater Ref: TWDA 2024/00829-NMC). Conditions to impose on a permit were provided should an approval be granted.</p>
<p><b>TasNetworks</b> TasNetworks reported that the development was unlikely to affect the network.</p>
<p><b>TasRail</b> TasRail raised no objection to the development but requested notes be placed on any approval.</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 no representations were received.



## 5.6 OBJECTIVES OF THE LAND USE PLANNING AND APPROVALS ACT 1993

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

## 5.7 STATE POLICIES

The proposal is consistent with all State Policies.

## 5.8 STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

### Strategic Plan - Statutory Planning

The proposal is consistent with the plan, specifically outcome 3.1.

### Council Policy – Stormwater Quality Management

The proposal has a total impervious area of less than the prescribed trigger, therefore is exempt from the requirements of the policy.

### Council Policy – Landscaping Requirements for Development Proposals

The proposal will be landscaped and if the application were to be approved, would be conditioned in accordance with the policy.

## 6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

## 7 OPTIONS

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

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

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

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

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

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

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

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



**8 ATTACHMENTS**

1. PL N-24-0113 Agenda Attachment [**11.4.1** - 34 pages]
2. Submission to Planning Authority Notice TWDA 2024 00829 [**11.4.2** - 2 pages]
3. Tasrail Standard Notes May 2024 OPERATIONAL Lines [**11.4.3** - 1 page]



## 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.

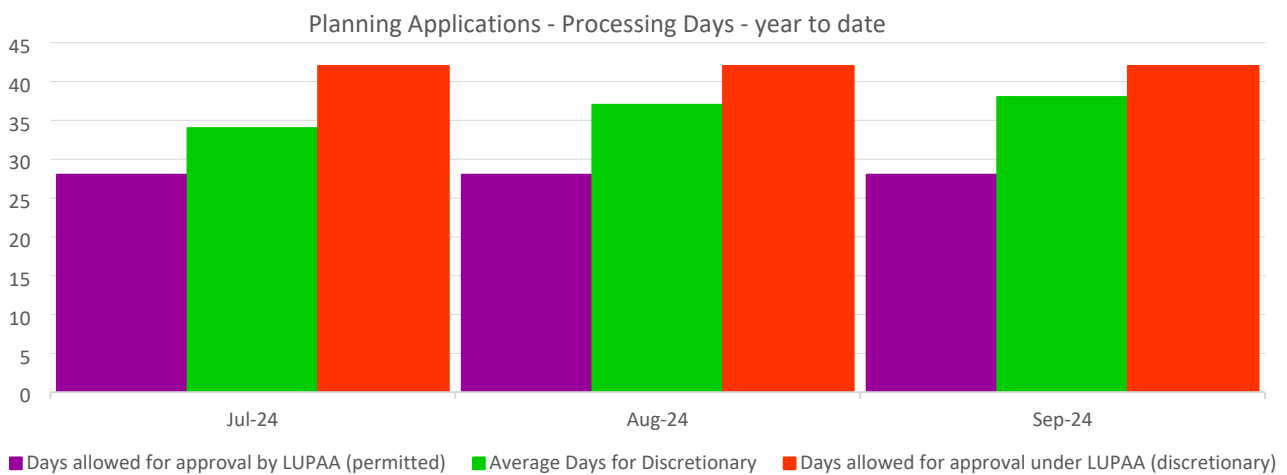
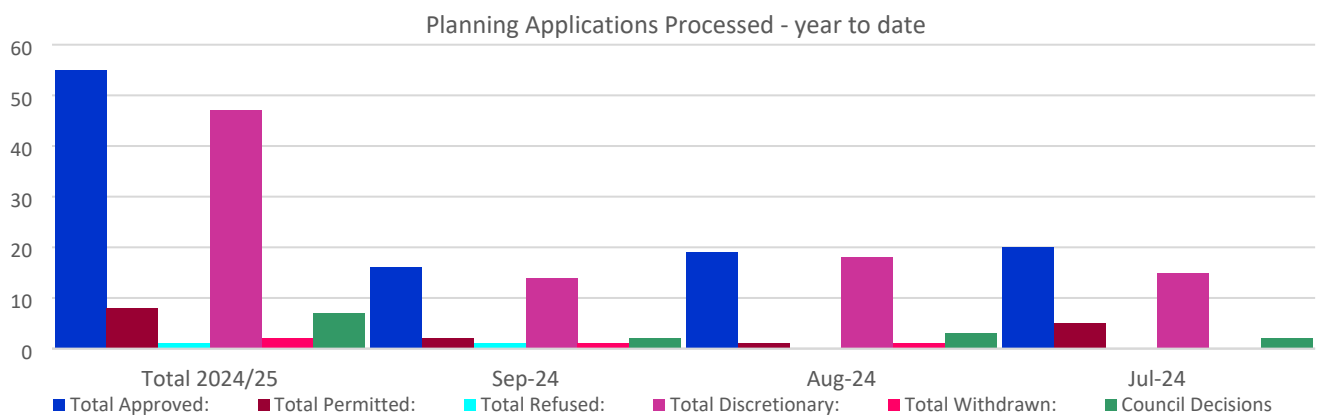
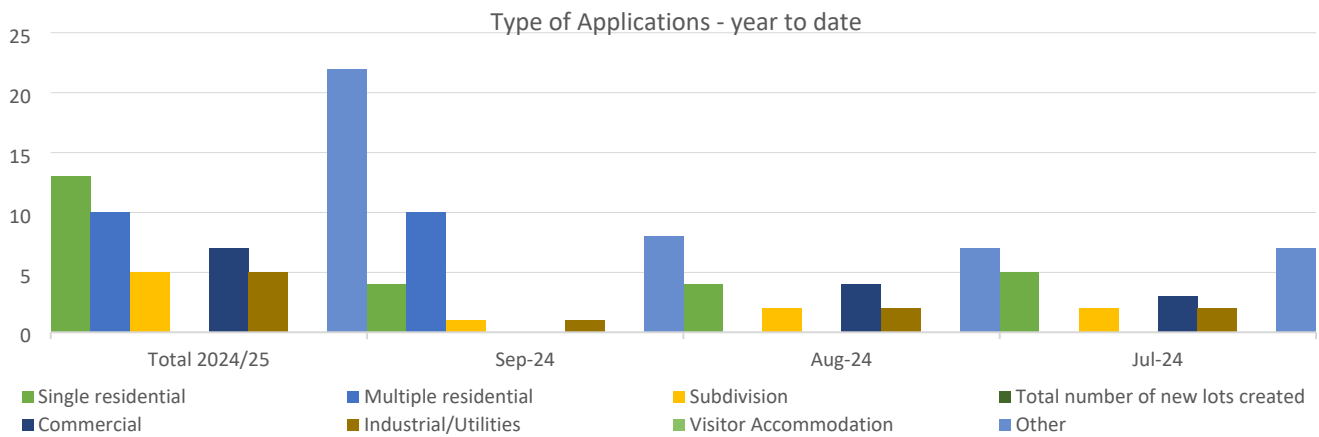
#### 1 PURPOSE OF REPORT

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	44	11	12	21									
Applications on STOP for further information				52	45	47									
Single residential	48	36	13	5	4	4									
Multiple residential	31	69	10	0	0	10									
Subdivision	34	27	5	2	2	1									
Total number of new lots created	203	72	0	0	0	0									
Commercial	27	25	7	3	4	0									
Industrial/Utilities	12	15	5	2	2	1									
Visitor Accommodation	8	11	0	0	0	0									
Total permitted	1	0	0	0	0	0									
Total discretionary	7	11	0	0	0	0									
Other (includes all residential development on existing dwellings [alterations/ additions, sheds, solar, fences, pools etc.])	85	47	22	7	7	8									
Total No. Applications Approved:	228	182	55	20	19	16									
Total Permitted:	33	18	8	5	1	2									
Average Days for Permitted	11	15	11.83	13	7	15.5									
Days allowed for approval by LUPAA	28	28	28	28	28	28									
Total Exempt under IPS:	83	93	21	8	4	9									
Total Refused:	5	4	1	0	0	1									
Total Discretionary:	198	164	47	15	18	14									
Average Days for Discretionary:	33.3	33.17	36.33	34	37	38									
Days allowed for approval under LUPAA:	42	42	42	42	42	42									
Total Withdrawn:	39	44	2	0	1	1									
Council Decisions	36	27	7	2	3	2									
Appeals lodged by the Applicant	6	2	0	0	0	0									
Appeals lodged by third party	2	0	0	0	0	0									



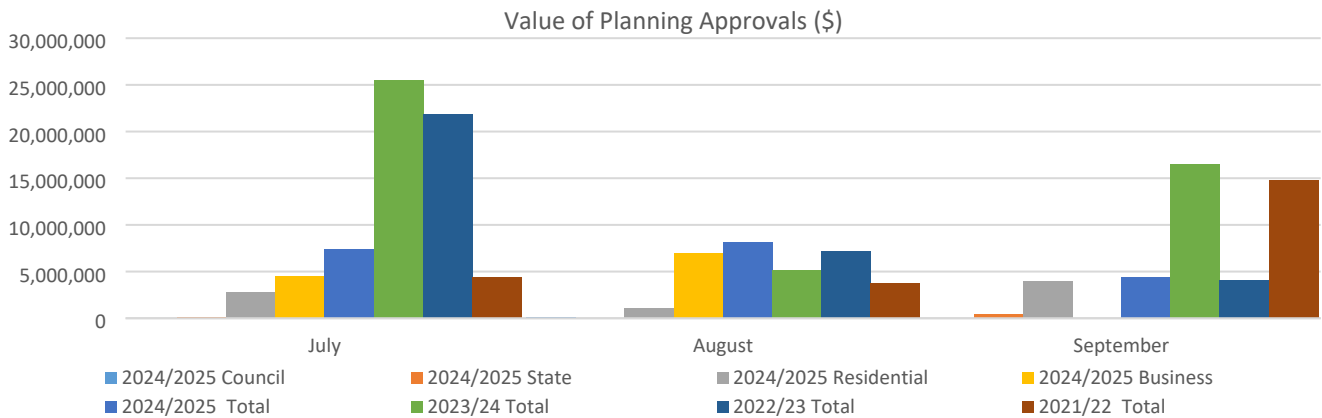
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
PLN-23-0085 - 1	15 residential lot subdivision incl. filling of land, & 1 road lot & 2 footway lots, 2.4m high fence along East St boundary & infrastructure works in William St and East St	7A William Street & William St & East St, Campbell Town TAS 7210	Woolcott Land Services	28	A
PLN-23-0095 - 2	Alterations and Additions to Existing Dwelling (Heritage Listed, Evandale SAP, Second crossover) Amendment - Adjust height of garage to meet new eave height	23 Macquarie Street, Evandale TAS 7212	Blackman Creative	16	A
PLN-23-0122 - 1	2 Lot Subdivision & Multiple Dwellings x 3 (1 Existing, 2 New) Amendment - Variation to side setbacks, changed floor plan	76 Pakenham Street, Longford TAS 7301	Prime Design	12	A



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
PLN-24-0002 - 1	4 Lot Subdivision from 2 Lots (Bushfire Prone, Cressy SAP) Amendment - boundary adjustment Lot 1 and Lot 3	Valley View & Boston Manor, 1 & 3 Saundridge Road, Cressy TAS 7302	Woolcott Land Services	9	A
PLN-24-0087	Classroom and 2 offices	181 Fairtlough Street, Perth TAS 7300	Wilkin Design & Drafting Pty Ltd	38	D
PLN-24-0093	Subdivision (Boundary reorganisation) - 4 Lots	Barbrook, 455 White Hills Road, Evandale TAS 7212	Commercial Project Delivery	38	D
PLN-24-0103	Remove Silver Birch Tree and replace with new 3.0m tall Silver Birch Tree (Local Heritage Precinct)	13 Smith Street, Longford TAS 7301	Northern Midlands Council	42	D
PLN-24-0112	Outbuilding Shed	42 Fairtlough Street, Perth TAS 7300	Wilkin Design & Drafting Pty Ltd	39	D
PLN-24-0120	Deck and Verandah Extension (Heritage Listed Place, Site Coverage)	8 Stieglitz Street, Avoca TAS 7213	P Bravo	32	D
PLN-24-0121	Single Dwelling at 74A Pakenham Street with access over 74 Pakenham Street. (Longford SAP)	74A Pakenham Street, Longford TAS 7301	Prime Design	28	D
PLN-24-0123	Demolition and Extension to Dwelling (Vary side setback - brick boundary wall, Longford SAP)	19 Lewis Street, Longford (access over F.R. 147369/2) TAS 7301	Design To Live	39	D
PLN-24-0125	Dwelling in the Rural zone - vary front and side setbacks	3-5 Walter Street, Rossarden TAS 7213	Engineering Plus	42	D
PLN-24-0128	Outbuilding (Shed) Development in Future Urban Zone, Natural Assets Code.	1A Cemetery Road, Perth TAS 7300	The Shed Company	41	D
PLN-24-0131	Outbuilding (farm shed) Natural Assets code, Scenic protection code.	548 Pateena Road, Longford TAS 7301	Ms Devereux & Mr Geeves	41	D
PLN-24-0141	Front fence (vary front boundary setback, building envelope and fence height - solid 1.7m)	2 Stocker Street, Longford TAS 7301	Mr D Bellchambers	33	D
PLN-24-0143	Demolition of existing dwelling, new dwelling & new shed (Vary site coverage and setback to Agriculture zone, Parking and Sustainable Transport Code and Scenic Protection Code)	477 Pateena Road, Longford TAS 7301	A Friend Designs	32	D
PLN-24-0133	Outbuilding (Garage)	U 8/15 Lewis Street, Longford TAS 7301	Mr D Kelly	26	P
PLN-24-0152	Outbuilding (Hay Shed)	674 Cressy Road, Longford TAS 7301	Ms P Logan	5	P
<b>COUNCIL DECISIONS</b>					
PLN-24-0091	Multiple dwellings x 6 (vary density) (stormwater main proposed in 55 and 57 Hobhouse Street)	102 Marlborough Street, 55 & 57 Hobhouse Street, Longford TAS 7301	Wilson Homes Pty Ltd	41	C
PLN-24-0106	Multiple Dwellings (4 new, 1 existing) (C2.0 Parking and Sustainable Transport, C6.0 Local Historic Heritage - Local Heritage Precinct, C9.0 Attenuation)	30 Marlborough Street, Longford TAS 7301	Woolcott Land Services	42	C
<b>COUNCIL DECISIONS - REFUSAL</b>					
<b>DELEGATED DECISIONS - REFUSAL</b>					
PLN-23-0232	Subdivision (4 lots and balance)	30 Paton Street, Longford TAS 7301	Mr S Hookway	42	R

## 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
September	5,000	400,000	3,989,000	0	4,394,000	16,503,664	4,097,900	14,817,000
<b>YTD Total</b>	<b>125,000</b>	<b>538,000</b>	<b>7,840,347</b>	<b>11,491,000</b>	<b>19,994,347</b>	<b>47,164,129</b>	<b>33,152,764</b>	<b>22,979,021</b>
<b>Annual Total</b>						<b>255,377,879</b>	<b>76,384,582</b>	<b>91,715,427</b>



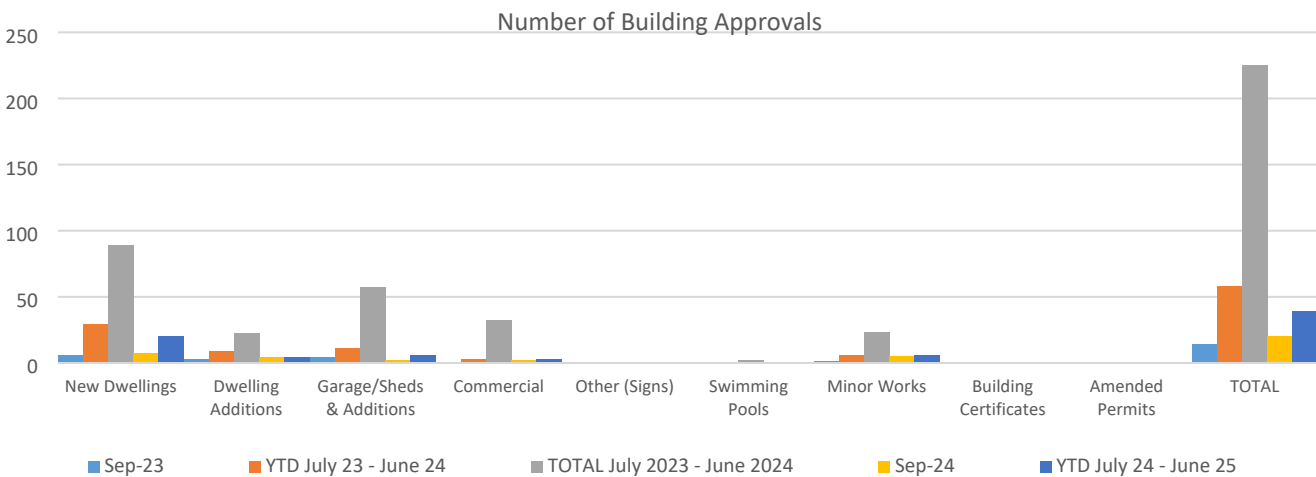
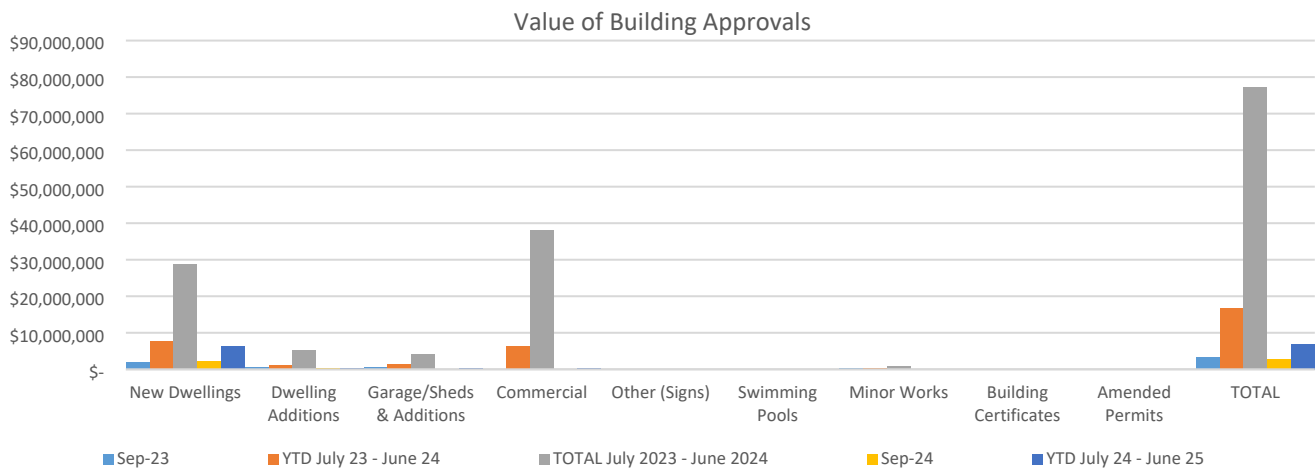
### 2.3 Matters Awaiting Decision by TASCAT & TPC

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 October 2024 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			
	Sep-23		YTD July 23 - June 24		TOTAL July 2023 - June 2024		Sep-24		YTD July 24 - June 25	
	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value
		\$		\$		\$		\$		\$
New Dwellings	6	1,868,369	29	7,772,181	89	28,811,896	7	2,140,000	20	6,202,780
Dwelling Additions	3	555,000	9	1,199,400	22	5,105,400	4	233,600	4	233,600
Garage/Sheds & Additions	4	584,000	11	1,270,000	57	4,240,824	2	64,304	6	254,304
Commercial	0	0	3	6,200,000	32	38,102,213	2	161,000	3	201,000
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	1	200,000	6	321,533	23	741,490	5	63,327	6	82,838
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>14</b>	<b>3,207,369</b>	<b>58</b>	<b>16,763,114</b>	<b>225</b>	<b>77,115,823</b>	<b>20</b>	<b>2,662,231</b>	<b>39</b>	<b>6,974,522</b>
<b>Inspections</b>										
Building	0		0		4		0		0	
Plumbing	27		103		453		36		123	



## 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	23	83	155
Property owner not home or only recently started			
Complying with all conditions / signed off	23	82	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	25	56	87
Commitment provided to submit required documentation			7
Re-inspection required	19	44	48
No Further Action Required	6	12	32
Building Notices issued	5	15	21
Plumbing Notices Issued	3	5	11
Building Orders issued	5	7	17
Plumbing Orders Issued	2	2	2
Emergency Order		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	
Infringements Issued			
No Further Action Required			2

### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

#### 3.1 Strategic Plan 2021-2027

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

**Progress: Economic health and wealth - grow and prosper**

**Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future**

**Strategic outcomes:**

2.1 Strategic, sustainable, infrastructure is progressive

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

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

**Strategic outcomes:**

3.1 Sympathetic design respects historical architecture

3.2 Developments enhance existing cultural amenity

3.4 Towns are enviable places to visit, live and work

**Place: Nurture our heritage environment**

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

**Strategic outcomes:**

4.1 Cherish and sustain our landscape

4.2 Meet environmental challenges

4.4 Our heritage villages and towns are high value assets

#### 3.2 Integrated Priority Projects Plan 2021

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

**Enabling Project/s:**

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

5.4 Subdivisions:

*Several at Cressy, Evandale, Longford & Perth - the Northern Midlands Council is a planning authority with responsibilities specified in the Land Use Planning and Approvals Act 1993 (LUPAA). These responsibilities include developing planning schemes, proposing amendments to planning schemes, supporting or rejecting changes proposed by others and making*



*decisions on individual developments in accordance with the planning scheme. Several significant subdivisions in the Northern Midlands region have recently been identified and are in various stages of conceptual design or planning.*

#### **4 STATUTORY REQUIREMENTS**

##### **4.1 Land Use Planning & Approvals Act 1993**

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

##### **4.2 Building Act 2016**

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

#### **5 RISK ISSUES**

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

#### **6 COMMUNITY CONSULTATION**

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

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

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

There have been 3 commercial building approvals valued at a total of \$201,000 (year to date), compared to 3 commercial building approvals valued at a total of \$6,200,000 (year to date) for the previous year.

In total, there have been 39 building approvals valued at \$6,974,522 (year to date) for 2024/2025 compared to 58 building approvals valued at \$16,763,114 (year to date) for the previous year.



## 14 GOVERNANCE REPORTS

### 14.1 NEW POLICY: PEOPLE MANAGEMENT

*Responsible Officer:* Des Jennings, General Manager

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

#### RECOMMENDATION

That Council endorse the People Management Policy.

#### 1 PURPOSE OF REPORT

It is recommended that Council adopt the new People Management Policy to comply with the requirements of s63(2) of the Local Government Act 1993 ("the Act").

#### 2 INTRODUCTION/BACKGROUND

The proposed Policy provides the framework to meet the requirements under the Act.

The proposed Policy sets forth people management principles that the General Manager is required to adopt in any people management policies, processes or systems. These principles are:

1. Robust recruitment and selection processes to demonstrate a fair, equitable and merit based process, that will also support inclusion and diversity in Council workplaces
2. Promotion of Inclusion and Diversity in the workplace, including recognising, valuing and utilising the diversity of workers in the workplace
3. Review and maintenance of policies, processes and systems that ensure all employees will be treated fairly and equally in regard to employee benefits and opportunities
4. Ensuring appropriate policies, processes and systems are in place to reduce the risk of harm to employees, and to protect employees from bullying, discrimination, vilification, victimisation, or sexual harassment in Council workplaces
5. Ensuring policies, processes or systems will be compliant with all applicable industrial laws, regulations, and statutory obligations

#### 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**

The principles outlined in this policy are required to be reflected in Council's internal Human Resource Policy suite. The obligations contained in the proposed policy are already being met in current policies and procedures and will not result in additional changes to be made to existing policies and procedures.

#### **5 STATUTORY REQUIREMENTS**

Section 63(2) of the act requires that:

*"The council is to adopt human resource policies and the general manager is to adopt human resource practices and procedures, in accordance with the policies adopted by the council, to ensure that –*

*(a) the council promotes fairness and equity in employment, including the provision of reasonable opportunities for members of the community to apply to be an employee of the council; and*

*(b) the appointment or promotion of a person as an employee of the council is based primarily on a merit assessment of the person; and*

*(c) all employees of the council receive fair and equitable treatment without discrimination."*

Additionally, this policy incorporates existing compliance obligations in regard to the following legislation:

- *Age Discrimination Act 2004 (Cth)*
- *Anti-Discrimination Act 1998 (Tas)*
- *Australian Human Rights Commission Act 1986 (Cth)*
- *Disability Discrimination Act 1992 (Cth)*
- *Fair Work Act 2009 (Cth)*
- *Local Government Act 1993 (Tas)*
- *Racial Discrimination Act 1975 (Cth)*
- *Sex Discrimination Act 1984 (Cth)*
- *Work Health and Safety Act 2012 (Tas)*
- *Work Health and Safety Regulations 2022 (Tas)*
- *Workers Rehabilitation & Compensation Act 1988 (Tas)*
- *Workplace Gender Equality Act 2012 (Cth)*

#### **6 FINANCIAL IMPLICATIONS**

No financial impact.

#### **7 RISK ISSUES**

No risk issues identified.

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

Not required.

#### **9 COMMUNITY CONSULTATION**

Not required.

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

1. That Council endorse the policy



2. That Council endorse the policy with amendment
3. That Council not endorse the policy

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

The proposed policy meets compliance obligations under s63(2) of the Act for Council and elected members to collectively provide an overarching set of people management principles which the General Manager is required to adopt when developing, reviewing and implementing Human Resource policies, practices and systems.

Obligation to comply with this policy rests solely with the General Manager as the responsible officer under the Act. The General Manager has an existing obligation under both legislation and their employment contract to comply with the requirements of Council policies.

#### **12 ATTACHMENTS**

1. People Management Policy October 2024 [14.1.1 - 3 pages]



## 14.2 COUNCIL CALENDAR: 2025 SCHEDULE OF COUNCIL MEETINGS AND WORKSHOP DATES

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

### RECOMMENDATION

That

i) Ordinary Council Meetings for the period January to December 2025 (commencing at 5.00pm) be held as follows:

- Monday, 20 January
- Monday, 17 February
- Monday, 17 March
- Monday, 14 April \*
- Monday, 19 May
- Monday 23 June \*
- Monday, 21 July
- Monday, 18 August
- Monday, 15 September
- Monday, 20 October
- Monday, 17 November
- Monday, 15 December

**\*Not third Monday in the month**

ii) Council Workshops for the period January to December 2025 (commencing at 5.15pm) be held as follows:

- Monday, 3 February
- Monday, 3 March
- Monday, 7 April #
- Monday, 5 May
- Monday, 2 June
- Monday, 7 July
- Monday, 4 August
- Monday, 1 September
- Monday, 6 October
- Tuesday, 4 November #
- Monday, 1 December

**# Not first Monday in the month**

iii) a Council Workshop be scheduled for 4pm, prior to each Ordinary Council Meeting for the period January to December.

iv) Annual General Meeting to be held on **Monday, 15 December 2025** or at an earlier date subject to statutory timelines being achievable.

v) Annual Municipal Bus Tour on Wednesday, **19 March, 26 March or 2 April 2025**.

vi) the Councillors Christmas function be held on Thursday, **20 November or 27 November 2025**.

vii) Council consider other dates for inclusion in the Annual Council Calendar.

## 1 PURPOSE OF REPORT

The purpose of this report is to set up a calendar of dates for the holding of Ordinary Council Meetings and workshops for the 2025 year and other scheduled meetings/ functions.



## 2 INTRODUCTION/BACKGROUND

In accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*, an Ordinary Meeting of a Council is to be held at least once in each month and the schedule as shown hereunder fulfils this requirement.

## 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

Not applicable.

## 5 STATUTORY REQUIREMENTS

*Local Government (Meeting Procedures) Regulations 2015.*

### 4. Convening council meetings

(1) *The mayor of a council may convene –*

(a) *an ordinary meeting of the council; and*

(b) *a special meeting of the council.*

(2) *The general manager of an existing council is to convene the first ordinary meeting of the council following an ordinary election.*

(3) *The Minister is to convene the first ordinary meeting of a newly established council on a date determined by the Minister.*

(4) *An ordinary meeting of a council is to be held at least once in each month.*

(5) *The general manager is to convene an ordinary meeting of a council if the mayor has not convened such a meeting in the previous calendar month.*

(6) *The mayor of a council, or the general manager if the mayor has not done so, must convene a special meeting of the council at the request of a majority of councillors or if the council so determines.*

(7) *A request for a special meeting of a council must –*

(a) *be in writing and signed by the councillors making the request; and*

(b) *include details of the subject matter and any motion to be dealt with by the meeting; and*

(c) *be lodged with the mayor.*

### 6. Times of meetings

(1) *A meeting is not to start before 5:00 p.m. unless otherwise determined by the council by absolute majority or by the council committee by simple majority.*

(2) *After each ordinary election, a council and a council committee are to review the times of commencement of their meetings.*

## 6 FINANCIAL IMPLICATIONS

Not applicable.

## 7 RISK ISSUES

Not applicable.



## 8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

## 9 COMMUNITY CONSULTATION

Not applicable.

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council can agree or not agree to the dates proposed.

## 11 OFFICER'S COMMENTS/CONCLUSION

Generally, with the exception of June and the occurrence of Easter, Council meetings are held on the third Monday of each month thereby providing Council staff adequate time to finalise data from the previous month and enabling the inclusion of accurate and complete information in the agenda.

The following key dates have been taken into consideration in determining possible suitable dates for the 2025 schedule:

- Easter weekend 18 April to 22 April
- School holidays 12 April to 27 April, 5 July to 20 July, 27 September to 12 October 2025
- LGAT Elected Members' Professional Development Weekend (usually February, to be confirmed)
- ALGA National General Assembly (NGA) of Local Government – (to be confirmed usually June/July)
- LGAT AGM – (usually July, to be confirmed)
- LGAT Local Government Conference (dates to be confirmed).
- Annual National Local Roads and Transport Congress (usually November/December, to be confirmed).

The following Ordinary Council Meeting dates are recommended for the period January to December 2025 each Council Meeting to be preceded by a Councillor Workshop at 4.00pm, with Council Meetings to commence at 5.00pm:

- Monday, 20 January
- Monday, 17 February
- Monday, 17 March
- Monday, 14 April \*
- Monday, 19 May
- Monday 23 June \*
- Monday, 21 July
- Monday, 18 August
- Monday, 15 September
- Monday, 20 October
- Monday, 17 November
- Monday, 15 December

***\*Not third Monday in the month***

The following Council Workshop dates are recommended for the period January to December 2025 (commencing at 5.15pm):

- Monday, 3 February
- Monday, 3 March
- Monday, 7 April #
- Monday, 5 May
- Monday, 2 June
- Monday, 7 July
- Monday, 4 August



- Monday, 1 September
- Monday, 6 October
- Tuesday, 4 November #
- Monday, 1 December

***# Not first Monday in the month***

The Annual General Meeting to be held on **15 December 2025** or at an earlier date subject to statutory timelines being achievable.

The Councillors Christmas function be held on either **20 November or 27 November 2025**.

In past years it has been common practice for Council to undertake a Municipal Bus Tour to inspect projects that have been identified for inclusion in the forthcoming budget and also to meet with District Committee representatives to discuss their issues of priority.

It should be noted that Easter is from 18 to 22 April in 2025, and the school holidays run from 12 to 27 April, it is therefore recommended that the Bus Tour should be held as early as possible to allow staff sufficient time for the municipal budget to be prepared.

Consideration should be given to the following dates for the annual Municipal Bus Tour:

- Wednesday 19 March
- Wednesday 26 March
- Wednesday 2 April
- Wednesday, 16 April (school holidays).

## **12 ATTACHMENTS**

1. Public holidays [**14.2.1** - 2 pages]



### 14.3 ANNUAL GENERAL MEETING 2024

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

#### RECOMMENDATION

That, the Northern Midlands Council hold its 2024 Annual General Meeting at the Longford Council Offices at 5pm, on Monday, 9 December 2024.

#### 1 PURPOSE OF REPORT

The purpose of this report is to determine a time and date for Council's General Meeting for 2024.

#### 2 INTRODUCTION/BACKGROUND

Section 72B of the *Local Government Act (LGA)* requires Council to hold an Annual General meeting no later than 15 December 2024.

The Annual Report is being prepared, and Council must advertise and invite electors to lodge submissions in relation to the Annual Report, as well as advertise the Annual General Meeting at least 14 days prior to the meeting.

#### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

##### 3.1 Strategic Plan 2021-2027

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

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

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

**Progress: Economic health and wealth - grow and prosper**

**Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future**

**Strategic outcomes:**

- 2.1 Strategic, sustainable, infrastructure is progressive

##### 3.2 Integrated Priority Projects Plan 2021

Not applicable.

#### 4 POLICY IMPLICATIONS

No policy implications.



## 5 STATUTORY REQUIREMENTS

The *Local Government Act 1993* requires Council to prepare an Annual Plan for the municipal area for each financial year. The Council is also required to prepare an Annual Report which provides a summary of the Annual Plan for the preceding financial year. The Act sets out the details of what must be provided in the Annual Report which includes a copy of the Audit opinion for the preceding financial year.

The *Local Government Act 1993* requires:

### **Section 72. Annual Report**

(2) *The General Manager is to*

(d) *advertise in a daily newspaper circulating in the municipal area the availability of the report, together with an invitation to electors to lodge submissions on the report with the council for discussion at its annual general meeting.*

### **Section 72B Annual General Meeting**

(1) *A council must hold an Annual General Meeting on a date that*

(a) *is not later than 15 December in each year; and*

(b) *is not before 14 days after the date of the first publication of a notice under subsection (2).*

(2) *a Council must publish a notice in a daily newspaper circulating in the municipal area or other prescribed newspaper specifying the date, time and place of the Annual General Meeting.*

## 6 FINANCIAL IMPLICATIONS

Council prepares the Annual Report externally and distributes the report by electronic means.

## 7 RISK ISSUES

Council has a responsibility under the *Local Government Act 1993* to hold an Annual General Meeting.

## 8 CONSULTATION WITH STATE GOVERNMENT

Not required, process is set out under the *Local Government Act*.

## 9 COMMUNITY CONSULTATION

The Annual General Meeting provides an opportunity for Council to inform and engage with the community on current issues within the community. The meeting provides an opportunity for the public to gauge the success of the Council over the twelve-month period taking into account the initiatives that were set in the preceding Annual Plan.

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council can set the Annual General Meeting any time on or before 15 December.

## 11 OFFICER'S COMMENTS/CONCLUSION

The Annual Report is currently being prepared and will be advertised for public comment when finalised.

It is recommended that the Annual General Meeting (AGM) be held at the Longford Council Office at 5pm, on Monday, 9 December 2024.

## 12 ATTACHMENTS

Nil



## 14.4 NORTHERN MIDLANDS MULTI-PURPOSE SPORT AND RECREATION COMPLEX FUNDING APPLICATION

*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Lorraine Green, Project Officer

### RECOMMENDATION

That Council:

- a) receive the information provided on the Australian Government's Growing Regions Program Round Two;
- b) receive the Project Business Case submitted with the application made to the Growing Regions Program Round Two;
- c) endorse/not endorse the recommendation that the Council include \$1,420,259 towards this project in the 2024-2025 Council Budget Mid-Year Review should this funding application be successful, and reimburse the funding allocation over two budget periods from Capital Works Program – Recreation Projects.

### 1 PURPOSE OF REPORT

The purpose of this report is to:

- I. provide Council with information on the Australian Government's Growing Regions Program Round Two;
- II. advise Council of the application submitted for funding through this grants program;
- III. Seek Council's advice regarding the Council contribution required should the funding application be successful.

### 2 INTRODUCTION/BACKGROUND

The Australian Government's Growing Regions Program Round Two funds projects that enhance regions by supporting liveable and connected communities by providing investment in community infrastructure. The program is intended to support projects that fill an unmet need, respond to local priorities, are well developed with mature planning and development in place, and provide broad benefits to a broad cross section of people within communities.

The funding round opened on 5 September and closed 10 October 2024.

Council officers submitted an application to fund the development of the Northern Midlands Multi-Purpose Sport and Recreation Complex. The project involves the further upgrading of the Longford Community Sports Centre by duplicating the existing 681.5 square metre stadium to create a new stadium totalling 1,716.5 square metres, that can operate as one space or be divided to create two discrete stadium spaces. The complex precinct also encompasses the facilities at the Longford Recreation Ground.

The rationale for the project, the social and economic benefits to be accrued, the cost effectiveness analysis, project plans, milestones, work schedule, financials and project management framework are detailed in the project's business case that is held as an Attachment.

### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

#### 3.1 Strategic Plan 2021-2027

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

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

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



- 1.3 Management is efficient, proactive and responsible
- 1.4 Improve community assets responsibly and sustainably

**Progress: Economic health and wealth - grow and prosper**

**Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future**

**Strategic outcomes:**

- 2.1 Strategic, sustainable, infrastructure is progressive

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

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

**Strategic outcomes:**

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

**3.2 Integrated Priority Projects Plan 2021**

Not applicable.

**4 POLICY IMPLICATIONS**

N/A

**5 STATUTORY REQUIREMENTS**

N/A

**6 FINANCIAL IMPLICATIONS**

Core Construction Management costed the project at \$2,840,459. Council is eligible to seek 50% of the project cost. The grant requested is \$1,420,200. The application states Council will include the balance of the project funding - \$1,420,259 – in the 2025-2026 Budget deliberations. Council could consider reimbursing the funding allocation over two budget periods from Capital Works Program – Recreation Projects.

**7 RISK ISSUE**

If Council doesn't include the balance of the project funding - \$1,420,259 – in the 2024-2025 Budget Mid-Year Review, the offer of funding will be declined if the project application is successful.

**8 CONSULTATION WITH STATE GOVERNMENT**

This project aligns with the goals of the State Government's 'Healthy Tasmania Five-Year Strategic Plan'.

**9 COMMUNITY CONSULTATION**

Council is progressively developing a suite of community strategies to reflect and further support Council's Strategic Plan 2021-2027. A 'Health and Well-Being Strategy' was identified as a priority for development. The draft health and wellbeing strategy that articulates Council's commitment to improving the quality of life within the Northern Midlands through building strong partnerships, delivering programs, and providing vital infrastructure and places, went out for extensive community consultation in mid 2023. There was consistently strong community support for Council to champion initiatives that encourage healthy lifestyles, physical activity and social engagement.



The duplication of the Longford Community Sports Centre was a key recommendation (listed at 6.4 and 17.8) of the 2023 Northern Tasmania Sports Facility Plan - held as an Attachment. The development of this plan was underpinned by extensive community consultation.

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

Council can either endorse/not endorse the recommendation that the Council include \$1,420,259 towards this project in the 2024-2025 Council Budget Mid-Year Review, should this funding application be successful.

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

This project is evidence of Council's unerring commitment to collaborating with the State Government to improve the health and wellbeing of our residents and visitors to the Northern Midlands. The project will also yield significant economic benefits for Council and the Northern Midlands more broadly.

#### **12 ATTACHMENTS**

1. 2024 GRP project plans [**14.4.1** - 10 pages]
2. 2024 GRP work schedule [**14.4.2** - 1 page]
3. 2024 GRP costings [**14.4.3** - 7 pages]
4. 2024 GRP business case [**14.4.4** - 14 pages]
5. Northern Tasmania Sports Facility Plan 2023 key recommendations [**14.4.5** - 10 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 30 September 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 30 September 2024.

#### 2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 30 September 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: 30-Sep-24 3

A. Operating Income and Expenditure						
	Budget	Year to Date Budget 25%	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$14,648,178	-\$14,648,178	-\$14,439,573	-\$209	98.6%	
Recurrent Grant Revenue	-\$5,585,973	-\$1,861,991	-\$335,164	-\$1,527	18.0%	75% FAGS grants paid 23/24
Fees and Charges Revenue	-\$3,112,403	-\$778,101	-\$833,994	\$56	107.2%	
Interest Revenue	-\$879,650	-\$219,914	\$29,533	-\$249	-13.4%	Timing variance
Reimbursements Revenue	-\$119,799	-\$29,950	-\$49,392	\$19	164.9%	
Other Revenue	-\$2,257,598	-\$564,400	-\$32,913	-\$531	5.8%	Timing variance
	-\$26,603,601	-\$18,102,533	-\$15,661,503	-\$2,441	86.5%	



Employee costs	\$8,432,058	\$2,108,015	\$1,906,582	\$201	90.4%	
Material & Services Expenditure	\$6,982,777	\$1,745,694	\$1,547,936	\$198	88.7%	
Depreciation Expenditure	\$7,656,898	\$1,914,225	\$1,914,225	\$0	100.0%	
Government Levies & Charges	\$1,238,375	\$309,594	\$385,121	-\$76	124.4%	
Councillors Expenditure	\$225,424	\$56,356	\$51,299	\$5	91.0%	
Interest on Borrowings	\$22,225	\$5,556	\$0	\$6	0.0%	
Other Expenditure	\$1,044,080	\$261,020	\$895,547	-\$635	343.1%	Pensioner Rebates
Plant Expenditure Paid	\$601,400	\$150,350	\$312,070	-\$162	207.6%	
	\$26,203,237	\$6,550,809	\$7,012,780	-\$462	107.1%	
	-\$400,364	-\$11,551,723	-\$8,648,724			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$418,967	\$104,742	\$0	\$105	0.0%	*Asset recognition EOY
Underlying (Surplus) / Deficit	\$18,603	-\$11,446,982	-\$8,648,724			1*
	\$0		\$0			
Capital Grant Revenue	-\$14,135,645	-\$3,533,911	-\$25,000	-\$3,509	0.7%	
Subdivider Contributions	-\$375,608	-\$93,902	0	-\$94	0.0%	* Not recognised until EOY
Capital Revenue	-\$14,511,253	-\$3,627,813	-\$25,000			

**Budget Alteration Requests**

- For Council authorisation by absolute majority

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

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

**September**

Lfd Hydrology Update Investigation	788667	\$50,000	In addition to original budget of \$30,000
	788668	-\$20,000	Defer project
	788656	-\$30,000	Defer project

**August**

No changes

**July**

Fees & Charges - Gas Cylinder Disposal Fee	\$10.00 per item		New fee	Full Vacation Day Rate to match Long Day Care Day Rate
Fees & Charges - Childcare Vacation Care	\$104.00			
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	

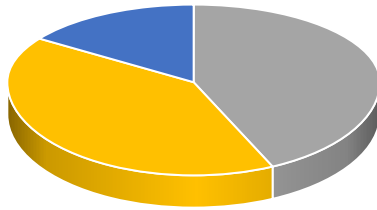
**B. Balance Sheet Items**

	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	\$22,871,186			
- Cash Inflow	\$10,229,018	\$2,011,469			
- Cash Payments	-\$7,442,593	-\$2,829,857			
- Closing Cash balance	\$22,052,798	\$22,052,798			
Account Breakdown					
- Trading Accounts	\$971,787				
- Investments	\$21,081,011				
	\$22,052,798				
<b>Summary of Investments</b>	<b>Investment Date</b>	<b>Maturity Date</b>	<b>Interest Rate%</b>	<b>Purchase Price</b>	<b>Maturity Value</b>
Tas Corp 24hr Call Account	1/09/2024	30/09/2024	4.35	\$5,851	\$5,871
Commonwealth 24hr Call Account	31/08/2024	30/09/2024	0.25	\$0	\$0



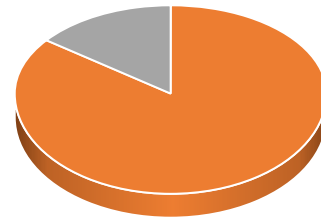
Commonwealth Business Online Saver Account	26/09/2024	30/09/2024	4.35	\$1,359,063	\$1,359,711
Westpac Corporate Regulated Interest Account	1/06/2024	30/06/2024	4.35	\$595,769	\$595,769
CBA	30/06/2024	4/11/2024	4.97	\$2,000,000	\$2,034,586
CBA	30/06/2024	7/10/2024	4.82	\$2,000,000	\$2,026,147
My State Financial	30/06/2024	18/12/2024	5.20	\$3,648,584	\$3,737,469
My State Financial - Online Saver Business	1/08/2024	31/08/2024	0.00	\$25	\$25
Westpac	30/06/2024	29/10/2024	5.15	\$1,067,513	\$1,085,738
Westpac - Stimulus Fund Investment	30/06/2024	16/12/2024	1.60	\$3,000,000	\$3,022,225
Westpac	30/06/2024	25/11/2024	5.09	\$3,000,000	\$3,061,917
Westpac	26/09/2024	28/01/2025	4.94	\$2,000,000	\$2,033,565
Westpac	26/09/2024	26/02/2025	4.99	\$3,000,000	\$3,062,751
<b>Total Investments</b>				<b>\$21,676,805</b>	<b>\$16,929,457</b>

Investments by Institution



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

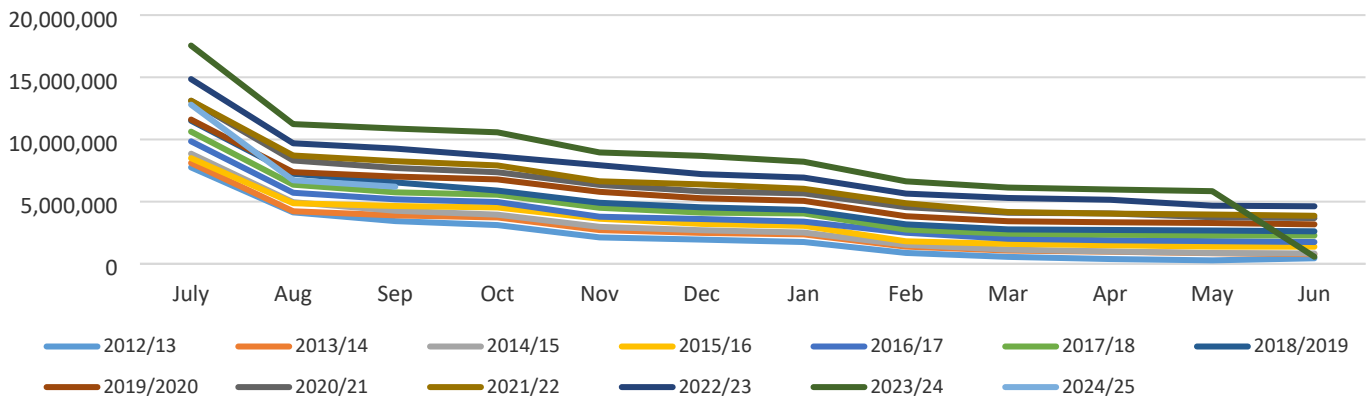
Total Investments by Rating (Standard & Poor's)



■ AA+ ■ AA- ■ BBB ■ Unrated

Rate Debtors	2024/25	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	-\$44,208		\$4,626,436	
Rates Raised	\$14,448,309		\$14,305,349	
	\$14,404,101		\$18,931,785	
Rates collected	\$7,585,037	52.5%	\$7,111,879	49.7%
Pension Rebates	\$596,909	4.1%	\$557,370	3.9%
Discount & Remissions	\$21,176	0.1%	\$27,430	0.2%
	\$8,203,122		\$7,696,679	
Rates Outstanding	\$6,200,979	43.1%	\$11,235,106	59.3%
Advance Payments received	-\$170,614	1.2%	-\$252,064	2.7%

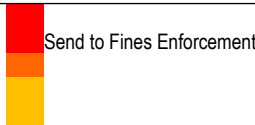
Outstanding Rates














<b>Trade Debtors</b>		
Current balance	\$539,569	
- 30 Days	\$241,344	
- 60 Days	\$33,915	
- 90 Days	\$50,569	
- More than 90 days	\$213,741	
Summary of Accounts more than 90 days:	-	
- Norfolk Plains Book sales	-	
- Hire/lease of facilities	-1,289	

■ Paid by outlet as sold



- Removal of fire hazards	3,545	
- Dog Registrations & Fines	18,068	
- Private Works	9,425	
- Regulatory Fees	6,783	
- Govt Reimbursements	177,210	
	-	

C. Capital Program				
	Budget	Actual (\$,000)	Target 25%	Comments
Renewal	\$22,645,791	\$2,229,421	10%	
New assets	\$9,600,296	\$1,508,904	16%	
<b>Total</b>	<b>\$32,246,087</b>	<b>\$3,738,325</b>	<b>12%</b>	
Major projects:				
- Ctown Urban Streetscape Improvements	\$8,234,000	\$259,926	3%	
- Pth Bridge/Culvert Replacements (4)	\$3,327,028	\$10,194	0%	
- Pth Urban Streetscape Improvements	\$3,141,000	\$63,349	2%	
- Fleet Replacement Program	\$1,602,000	\$238,011	15%	
- Lfd Urban Streetscape Improvements	\$1,393,628	\$468,395	34%	
- Ashby Road reconstruction	\$1,135,790	\$233,701	21%	
- Lfd Caravan Park Amenities replacement	\$625,000	\$384,710	62%	
- Lfd Laycock Street Reserve	\$500,768	\$454,767	91%	
- Elphinstone Road Reconstruction	\$365,000	\$0	0%	
- Pth Junior Soccer Field	161,855	\$2,566	2%	
* Full year to date capital expenditure for 2024/25 provided as an attachment.				

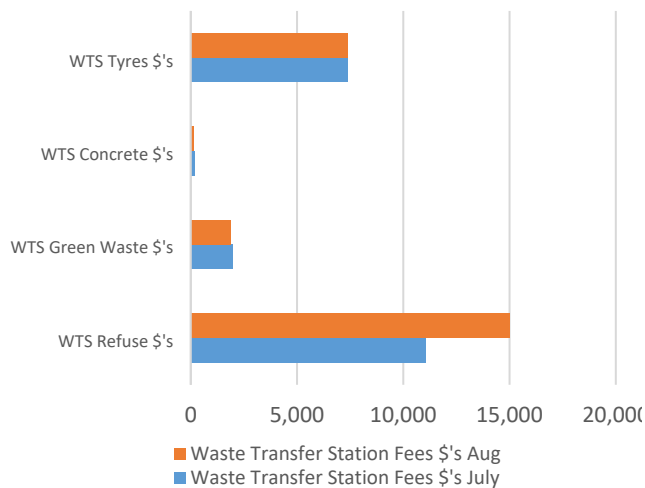
D. Financial Health Indicators					
	Target	Actual	Variance	Trend	
Financial Ratios					
- Rate Revenue / Total Revenue	55.1%	92.2%	-37.1%	↘	
- Own Source Revenue / Total Revenue	79%	98%	-18.9%	↘	
Sustainability Ratio					
- Operating Surplus / Operating Revenue	-0.1%	55.2%	-55.3%	↘	
- Debt / Own Source Revenue	35.3%	48.4%	-13.1%	↔	
Efficiency Ratios					
- Receivables / Own Source Revenue	32.1%	73.3%	-41.2%	↘	
- Employee costs / Revenue	31.7%	12.2%	19.5%	↗	
- Renewal / Depreciation	295.8%	116.5%	179.3%	↗	
Unit Costs					
- Waste Collection per bin	\$13.56	\$11.14		↔	
- Employee costs per hour	\$70.27	\$45.72		↗	
- Rate Revenue per property	\$1,916.55	\$1,889.25		↔	
- IT per employee hour	\$5.45	\$8.39		↘	

E. Employee & WHS scorecard		
	YTD	This Month
Number of Employees	109	109
New Employees	10	4
Resignations	8	0
Total hours worked	41,698	13,894
Medical Treatment Injury	4	1
Property Damage Incident		
Safety Incidents Reported	1	1
Hazards Reported	0	0
Workplace Inspections	5	0
Risk Incidents Reported	10	10
Insurance claims - Public Liability	0	0
Insurance claims - Industrial	0	0
Insurance claims - Motor Vehicle	0	0
IT - Unplanned lost time	2	1
Open W/Comp claims	2	0

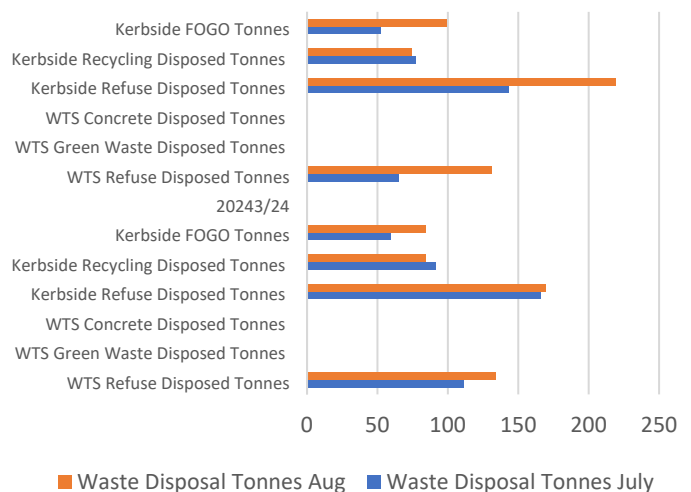


F. Waste Management						
Waste Transfer Station	2022/23	2023/24	2024/25 Budget	2024/25		
	Year to Date					
<b>Takings</b>						
- Refuse	\$146,790	\$148,749	\$23,391	\$26,047	% change for same period last year	-77%
- Green Waste	\$77,811	\$60,216	\$9,571	\$3,858	% change for same period last year	
- Concrete	\$4,861	\$4,767	\$750	\$316	% change for same period last year	
- Tyres	257	\$0	\$833	\$14,770		
Total Takings	\$229,719	\$213,732	\$34,546	\$44,991		
<b>Tonnes Disposed</b>						
WTS Refuse Disposed Tonnes	1298	1276	213	245	% change for same period last year	-74%
WTS Green Waste Disposed Tonnes	5970	0	888	0		
WTS Concrete Disposed Tonnes	0	0	-	0		
Kerbside Refuse Disposed Tonnes	2341	2507	418	335	% change for same period last year	-82%
Kerbside Recycling Disposed Tonnes	1035	1029	172	175	% change for same period last year	-77%
Fogo Disposed Tonnes	488	1308	218	143	% change for same period last year	-85%
Total Waste Tonnes Disposed	11132	6120	1908	898		

Waste Transfer Station Fees \$



Waste Disposal Tonnes 2024/25



**5 OFFICER COMMENTS**

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

**6 ATTACHMENTS**

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



## 15.2 POLICY REVIEW: COUNCILLORS ALLOWANCES, TRAVELLING AND OTHER EXPENSES

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

### RECOMMENDATION

That Council endorse the amended Councillors Allowances, Travelling and Other Expenses Policy.

## 1 PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of the updates to the Councillors Allowances, Travelling and Other Expenses 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.

### AMENDMENTS:

#### 1. COUNCILLOR'S TRAVELLING EXPENSES

1.3 For the purpose of the "Corporation's business solely" the following policy is to apply:

...

ii) Travelling outside the circumstances of (i) above, either generally or specifically up to 3,000 ~~2,000~~ kms or 12,000 ~~10,000~~ kms for the Mayor per annum in excess of which Council to consider claims submitted.

**OR**

1.4 In relation to policy provision 1.3 above, the policy does not apply if the Mayor opts to be provided exclusive use of a Council vehicle. In such circumstance, the vehicle is to be commensurate with the position of Mayor.

#### 6. CONFERENCES & SEMINARS

Council will make a budget allocation each year to reimburse delegates registration, travel costs and accommodation expenses ('mini-bar' expenses limited to \$20 ~~\$10~~ per day). Partners will be reimbursed for meals at state conferences and the 'major dinner' at Federal conferences.

...

Attendance to all conferences, seminars and training sessions with a cost in excess of \$300 ~~\$200~~ are to be in compliance with a resolution of the Council, except on emergency situations, where approval must be given by a unanimous approval from Council Executive.

### ADDITIONAL CLAUSE WITHIN POLICY:

#### 11. OTHER EXPENSES THE COUNCIL DETERMINES APPROPRIATE

The Council has determined that councillors are entitled to be reimbursed such expenses incurred by them in legal proceedings arising out of or in connection with the performance of their official duties as are approved by the council in accordance with the document annexed to this policy entitled "Legal Assistance for Councillors" adopted XX XXXXXXXX 2024- Min No. XX/XXX.



**ADDITION OF ANNEXURE TO POLICY:**

**ANNEXURE:**

**LEGAL ASSISTANCE FOR COUNCILLORS**

**Applicable Legislation:** Local Government Act 1993 (Act), s. 25(5), s. 63(2), and Schedule 5  
Legal Profession Act 2007

**1. PURPOSE**

The Council has adopted in accordance with clause 1(1) in Schedule 5 to the Act a policy in respect of payment of expenses incurred by councillors in carrying out the duties of their office.

The Council has determined to amend the policy to bring within the policy expenses incurred by councillors in legal proceedings arising out of or in connection with the performance of their official duties as councillors, the Council being satisfied that it may in particular circumstances determine in its discretion that it is appropriate to reimburse such expenses.

**2. DEFINITIONS**

**In this document:**

**approval** means an approval given by the Council under clause 4.1;

**approved lawyer** means:

(a) an Australian legal practitioner, as that term is defined in s. 6 of the Legal Profession Act 2007;

(b) who is a legal practitioner associate within the meaning of s. 7(2) of the Legal Profession Act 2007 and is, as a sole practitioner or an associate of a law practice, on the Council's panel of legal service providers; and

(c) is approved in writing by the Council or the General Manager under delegated authority;

**councillor** means a current or former councillor as defined in s. 3 of the Act, and for the purposes of this document shall be taken to include a person who is not a councillor but is appointed by the Council to a special committee under s. 24(2) of the Act, and who applies for approval under clause 4.1 in respect of legal representation costs incurred in connection with a legal proceeding that arises out of or in connection with that person's service on a special committee;

**functions** includes functions, powers and duties;

**legal proceeding** means litigation either commenced or threatened in a court or tribunal of competent jurisdiction, be it civil, criminal or investigative jurisdiction;

**legal representation** means the provision of legal services by an approved lawyer, to or on behalf of a councillor, in connection with a legal proceeding, including advice and representation.

**legal representation costs** are costs, including fees and disbursements, properly incurred in providing legal services.

**legal services** includes advice, representation or documentation that is provided by an approved lawyer.

**payment** by the Council of legal representation costs may be either by –  
(a) a direct payment to the approved lawyer (or the relevant firm); or  
(b) a reimbursement to the councillor.

**3. PAYMENT CRITERIA**

3.1 The Council will have regard to the following criteria in determining whether it will approve payment of the legal representation costs of a councillor:

(a) The legal representation costs must relate to a matter that arises out of or in connection with the performance, by the councillor, of his or her functions as a councillor.

(b) The legal representation costs must be in respect of a legal proceeding.

(c) The Council must be satisfied that the councillor acted in good faith and in the exercise or purported exercise of any power conferred on the councillor, or of any function imposed on that person, and did not act in a way that



constituted improper conduct.

(d) The legal representation costs must not relate to a matter that is of a personal or private nature.

#### 4. LEGAL REPRESENTATION COSTS THAT MAY BE APPROVED

4.1 If the criteria in clause 3 of this policy are satisfied, the Council may approve the payment of legal representation costs, upon such terms and conditions as the Council in its absolute discretion determines.

NOTE: Non-exhaustive examples of circumstances in which it may do so include the following:

(a) To enable a councillor to respond to, and if necessary defend in litigation, allegations of defamation or negligence in connection with the performance of his or her functions.

(b) To enable a proceeding, such as to obtain some form of restraining order or injunction, to be commenced and/or maintained in order to overcome resistance or obstruction to the proper performance of a councillor's powers, functions or duties, or where the conduct of a person has real potential to cause serious harm to the community's confidence in the Council, its councillors, and/or its employees.

4.2 In the case of a proceeding involving a code of conduct complaint against a councillor, legal costs will only be reimbursed where the Code of Conduct Panel makes a finding substantially favourable to the councillor after it has conducted a formal investigation of the matter of complaint.

4.3 The Council may not approve, unless under exceptional circumstances, the payment of legal representation costs for a proceeding in which a councillor seeks damages for defamation.

#### 5. APPLICATION FOR PAYMENT

5.1 A councillor who seeks assistance under this policy is to make an application in writing:

(a) In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, to the General Manager to be determined by the General Manager; and

(b) otherwise, to the General Manager to be determined by the Council.

5.2 The application is to give details of:

(a) the proceeding for which legal representation is sought;

(b) how the proceeding relates to the functions of the councillor making the application;

(c) the lawyer (or law firm) who is to be asked to provide the legal representation;

(d) a description of the legal services to be sought;

(e) an estimate of the legal representation costs; and

(f) why it would be in the interests of the Council for approval to be given.

5.3 The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct, in relation to the matter to which the application relates.

5.4 As far as reasonably practicable, the application is to be made before commencement of the legal representation to which the application relates.

5.5 The application is to be accompanied by a signed statement by the applicant that he or she:

(a) has read, and understands, the terms of this document;

(b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 9 and any other terms and conditions to which the approval is subject; and

(c) undertakes to repay to the Council any legal representation costs in accordance with the provisions of clause 9.

5.6 If a councillor to whom an approval has been given becomes entitled to receive any payment of costs, damages, or other monetary compensation in respect of the proceeding, that person must give to the person required to make such payment an irrevocable authority and direction to make such payment to the Council in such amount as the Council directs the councillor to so authorise and direct, and to do so before making any payment to the councillor.

5.7 An application is to be accompanied by a report prepared by the General Manager.



## **6. LEGAL REPRESENTATION COSTS – LIMIT**

6.1 The Council in approving an application in accordance with this policy is to set a limit on the costs to be paid, having regard to the estimated costs in the application.

6.2 A councillor may make a further application to the Council in respect of the same proceeding.

## **7 COUNCIL'S POWERS**

7.1 The Council may in respect of an application:

(a) seek any further information, including details of any insurance held by the councillor that might provide indemnity against liability for the legal representation costs; and

(b) refuse approval; or

(c) grant approval; or

(d) grant approval subject to conditions.

7.2 Conditions imposed under clause 7.1(d) may include, but are not limited to:

(a) a financial limit; and/or

(b) a requirement to enter into a formal agreement for approval and repayment, including the provision of such security for repayment as the Council shall require pursuant to this clause 7 or clause 9.

7.3 In assessing an application, the Council may have regard to any insurance benefits that are available to the applicant under any policy of insurance that would provide full or partial indemnity in any form against liability of the councillor in respect of the legal representation costs.

7.4 The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.

7.5 The Council may, subject to clause 7.6, determine that a councillor whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved:

(a) not acted in good faith, or acted unlawfully or in a way that constitutes improper conduct; or

(b) given false or misleading information in respect of the application; or

(c) breached any term or condition of the approval.

7.6 A determination under clause 7.5 (a) on the ground that a councillor has acted unlawfully may be made by the Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.

7.7 Where the Council makes a determination under clause 7.5, the Council may, in its absolute discretion, determine that the whole or any part of the legal representation costs paid by the Council are to be repaid by the councillor in accordance with clause 9.1(b).

## **8 APPROVAL OF PAYMENT FOR LEGAL REPRESENTATION COSTS IN EXCEPTIONAL CIRCUMSTANCES**

8.1 In the case of an urgent application under clause 5.1(a), the General Manager, the Mayor, or the Deputy Mayor may exercise, on behalf of the Council, any of the powers of the Council under clause 7.1(c) or clause 7.1(d) and 7.2, to a maximum of \$10,000 in respect of each application.

8.2 An application approved by the General Manager under clause 8.1, is to be submitted to the next ordinary meeting of Council, whereupon Council may exercise any of its powers under this policy, including its powers under clause 7.4.

## **9 REPAYMENT OF LEGAL REPRESENTATION COSTS**

9.1 A councillor whose legal representation costs have been paid by the Council is to repay to the Council:

(a) all or such part of those costs as the Council in its absolute discretion determines, having regard to any amount the councillor is entitled to recover from another party in respect of the legal representation costs, and regardless of whether the councillor takes action to recover such costs;

(b) all or such part of those costs as the Council has determined are to be repaid pursuant to clause 7.7.

9.2 The Council may determine:



(a) that the whole of any amount that is to be repaid to the Council pursuant to clause 9.1 be paid in one amount and the date on which that amount is due and payable; or

(b) that the amount to be repaid may be paid by instalments, in which case it shall fix the amount of each instalment and the date on which each instalment is due and payable.

9.3 Any amount to be repaid to the Council pursuant to clause 9.1 shall be due and payable not later than such date as the Council has determined under clause 9.2.

9.4 The Council may take action in a court of competent jurisdiction to recover any amount due to it under this document. If the Council has determined that an amount may be paid by instalments, then upon default in payment of any instalment by the due date for that instalment, the whole of the balance amount outstanding shall become immediately due and payable.

### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

#### 3.1 Strategic Plan 2021-2027

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

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

1.2 Councillors serve with integrity and honesty

1.3 Management is efficient, proactive and responsible

#### 3.2 Integrated Priority Projects Plan 2021

Not applicable.

### 4 POLICY IMPLICATIONS

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

### 5 STATUTORY REQUIREMENTS

Not applicable.

### 6 FINANCIAL IMPLICATIONS

As per policy provisions.

### 7 RISK ISSUES

Currency of Policies is important to ensure that they reflect economic and legislative changes.

### 8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

### 9 COMMUNITY CONSULTATION

Not applicable.

### 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 amendments to the policy.

**11 OFFICER'S COMMENTS/CONCLUSION**

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

**12 ATTACHMENTS**

1. AMENDED Councillors Allowances Travelling and Other Expenses Policy [15.2.1 - 9 pages]
2. Current Endorsed - Councillors Allowances Travelling and Other Expenses Policy [15.2.2 - 4 pages]



### 15.3 NEW POLICY: LEGAL ASSISTANCE FOR EMPLOYEES

*Responsible Officer:* Maree Bricknell, Corporate Services Manager

*Report prepared by:* Maree Bricknell, Corporate Services Manager

#### RECOMMENDATION

That Council endorse the Legal Assistance for Employees Policy.

#### 1 PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement of the newly developed Legal Assistance for Employees Policy.

#### 2 INTRODUCTION/BACKGROUND

The Council has adopted in accordance with clause 1(1) in Schedule 5 to the Act a policy in respect of payment of expenses incurred by councillors in carrying out the duties of their office.

That policy includes expenses incurred by councillors in legal proceedings arising out of or in connection with the performance of their official duties as councillors, the Council being satisfied that it may in particular circumstances determine in its discretion that it is appropriate to reimburse such expenses.

The Council has determined that, having regard to sections 28(2)(b)(iii) and 63(2) of the Act, this particular reimbursement benefit should also be available to Council employees in appropriate cases, on the same terms and conditions as it will be available to councillors.

#### 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

Development of new policies is essential to provide direction and clarity to both Councillors, Council Officers and the general public in order to provide consistent service in a professional and ethical manner.

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

#### 5 STATUTORY REQUIREMENTS

*Local Government Act 1993 s. 28(2)(b)(iii) and s. 63(2)*

*Legal Profession Act 2007*



**6 FINANCIAL IMPLICATIONS**

As per policy provisions.

**7 RISK ISSUES**

Currency of Policies is important to ensure that they reflect economic and legislative changes.

**8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable.

**9 COMMUNITY CONSULTATION**

Not applicable.

**10 OPTIONS FOR COUNCIL TO CONSIDER**

Council has the following options to consider:

- endorse the draft policy as presented; or
- endorse the draft policy with amendments; or
- receive the report and not endorse the draft policy.

**11 OFFICER'S COMMENTS/CONCLUSION**

That Council receive the report; and consider the draft policy as presented.

**12 ATTACHMENTS**

1. Legal Assistance for Employees Policy [15.3.1 - 4 pages]



## 15.4 POLICY REVIEW: PRIVATE WORKS AND DRIVEWAY ENTRANCES

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

### RECOMMENDATION

That Council endorse the amended Private Works and Driveway Entrances Policy.

## 1 PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of the updates to the Private Works and Driveway Entrances Policy.

## 2 INTRODUCTION/BACKGROUND

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

In addition to typographical and minor amendments, the following amendments to the policy should be noted:

### 2.1 Additions

#### (A) PURPOSE OF POLICY

The purpose of this Policy is to:

- (i) create a framework for the undertaking of private works on behalf of individuals, organisations and businesses that is transparent, objective and consistent;
- (ii) ensure a clear understanding of the roles and responsibilities of each party entering into private works activities; and
- (iii) ensure that all private works undertaken by Council are undertaken at market prices, ensuring an acceptable profit margin and full cost recovery to Northern Midlands Council that is consistent with the no advantage requirements of the Local Government Act 1993 and comply with the National Competition Policy and competitive neutrality principles.

#### (B) SCOPE

- (i) This policy applies to all private works undertaken by Council on behalf of any applicant.
- (ii) Works may include the supply of labour, materials, plant and services.

#### (C) POLICY STATEMENT

- (i) Priority for use of Council's plant, equipment, labour and other resources is to be given to Council's own work program at all times, before entering into a private works arrangement.
- (ii) It is Council's preference that all private works be undertaken by private contractors in the first instance.
- (iii) Council reserves the right to refuse a request for private works if it is deemed to be outside of Council's capabilities, resource availability or for any other reason deeming the works unachievable by Council.

#### (D) PRIVATE WORKS

- (i) Major Private Works (valued at over \$10,000 excl GST)  
Major Private Works will only be considered in the following circumstances:
  - There is no private contractor available to undertake the work; and
  - The project would be of strategic economic, social, or environmental benefit to the community; and
  - Workers and Council have the capacity to engage in the project; and
  - The project may provide a valuable training opportunity for workers.
- (ii) Major Private Works will require the consent of the General Manager.
- (iii) Minor Private Works (valued at under \$10,000 excl GST)
  - Minor Private Works will require the consent of a relevant manager.
- (iv) Plant Hire
  - Council does not hire out plant and equipment, with or without an operator.
- (v) Scope of Works



- A scope of works is to be included with estimates and quotes for all private works.
- The scope of works for Minor Private Works must be clearly outlined, including the works to be undertaken, permits required, estimated quantities of materials to be used and a timeframe in which the work is to be carried out.
- All scopes of works for Major Private Works must include design drawings, specifications where appropriate and all permits required to be provided to Council prior to commencement of works.
- Supervisors to ensure that a private works form is signed by the applicant prior to work being commenced.

**(vi) Costings**

- Minimum charge of one half an hour for plant and labour.
- Private works charges shall be wages at the appropriate overtime rate, plus on costs. Plant hire at the standard plant hire rate, which includes travelling to and from the place of work. Administration costs 15% on materials and labour.

**(vii) Council Employees, Elected Members, Volunteers, Consultants and Contractors**

- Council Employees, Elected Members, Volunteers, Consultants and Contractors must pay the same rates and charges for private works that would apply to anyone else.
- All other rules contained within this policy also apply to any Council Employees, Elected Members, Volunteers, Consultants and Contractors requesting private works.
- Council Employees, Elected Members, Volunteers, Consultants and Contractors must not gain an advantage over the general public; for example, they cannot get an advantage in relation to GST, or purchase items on Council's accounts to gain a corporate discount.
- Council Employees, Elected Members, Volunteers, Consultants and Contractors will not receive favourable payment terms.
- Applications for private works for Council Employees, Elected Members, Volunteers, Consultants and Contractors must be approved by the General Manager.
- Applications for private works for the General Manager require the approval of Council.

**(viii) Payment**

- Upon completion the relevant Department Manager will arrange for the private works to be invoiced.
- Payment terms are 30 days.
- The applicant is responsible for paying the invoiced amount in full by the due date.
- A deposit or milestone payment maybe required for Major Private Works.

**(E) DISPUTE RESOLUTION**

- (i)** Any disputes shall be addressed as per Council's relevant Department.

**(F) EXCLUSIONS**

- (i)** Section 201 of the Local Government Act 1993 grants the power for councils to abate public nuisances including fire risks and other nuisances. Where a private property fails to comply with a nuisance notice, councils are entitled to undertake the work themselves or engage a private contractor. Councils are then able to levy charges to abate nuisances in the same manner as rates and charges. These are therefore excluded from being classed as being private works.

## 2.3 Deletions

~~**(G) PRIVATE WORKS**~~

- ~~**(ii)** Supervisors and Managers should advise ratepayers of alternatives to Council undertaking the work and also encourage the use of local contractors to undertake private works on 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:**

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



**3.2 Integrated Priority Projects Plan 2021**

Not applicable.

**4 POLICY IMPLICATIONS**

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

**5 STATUTORY REQUIREMENTS**

Not applicable.

**6 FINANCIAL IMPLICATIONS**

As per policy provisions.

**7 RISK ISSUES**

Currency of Policies is important to ensure that they reflect economic and legislative changes.

**8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable.

**9 COMMUNITY CONSULTATION**

Not applicable.

**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 amendments to the policy.

**11 OFFICER'S COMMENTS/CONCLUSION**

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

**12 ATTACHMENTS**

1. AMENDED Private Works and Driveway Entrances Policy [15.4.1 - 4 pages]
2. Current Endorsed Private Works and Driveway Entrances Policy [15.4.2 - 2 pages]



## 15.5 ASSISTANCE FOR EVENTS: ROUND 2

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

### RECOMMENDATION

That Council allocate Round 2 Event assistance as per the following schedule:

		Grant Sought	Recommendation
Rotary Club of Longford	Northern Midlands Community Pacific Festival - Saturday 30th November 2024	\$250 in-kind; \$1,950 cash	\$ 2,000
Evandale Village Singers	Musical Equipment replacement	\$500 in-kind; \$1,500 cash	\$ 2,000
Events Northern Midlands Association	Verandah Music Festival - November	\$250 in-kind; \$2,000 cash	\$ 2,000
Woolmers Estate - Wendy Mitchell	Woolmers Annual Festival of Roses	\$2,000 in-kind/cash	\$ 2,000
Longford Cultural Society	Longford Community Show	\$1,477.25 in-kind/ cash	\$ 1,477
Tasmanian Hemp Association	Tasmanian Hemp Association Community Education Day	\$820 cash; \$530 in-kind	\$ 1,600
Evandale Village Fair	Evandale Village Fair & Penny Farthing	\$1,650 in-kind; \$1,650 cash	\$ 3,300
			\$ 14,377

### 1 PURPOSE OF REPORT

This report considers Round 2 requests for assistance during 2024-2025 by community, sporting and non-profit organisations holding festivals, events or other promotions within the northern midlands area.

### 2 INTRODUCTION/BACKGROUND

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

The maximum allocation to an event is \$2,000 except in the case of a major new event which can be eligible for a one-off seeding grant of up to \$3,500. Major events that are held annually are eligible for up to \$2,000 in-kind support each year.

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

Round 2 applications for 2024-2025 were advertised on 31<sup>st</sup> August and closed on 4<sup>th</sup> October 2024.

Seven applications seeking \$14,577.25 were received by Council, with seven grants recommended totalling \$14,377.



		Grant Sought	Recommendation
Rotary Club of Longford	Northern Midlands Community Pacific Festival - Saturday 30th November 2024	\$250 in-kind; \$1,950 cash	\$ 2,000
Evandale Village Singers	Musical Equipment replacement	\$500 in-kind, \$1,500 cash	\$ 2,000
Events Northern Midlands Association	Verandah Music Festival - November	\$250 in-kind; \$2,000 cash	\$ 2,000
Woolmers Estate - Wendy Mitchell	Woolmers Annual Festival of Roses	\$2,000 in-kind/cash	\$ 2,000
Longford Cultural Society	Longford Community Show	\$1,477.25 in-kind/ cash	\$ 1,477
Tasmanian Hemp Association	Tasmanian Hemp Association Community Education Day	\$820 cash; \$530 in-kind	\$ 1,600
Evandale Village Fair	Evandale Village Fair & Penny Farthing	\$1,650 in-kind; \$1,650 cash	\$ 3,300

### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

#### 3.1 Strategic Plan 2021-2027

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

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

1.1 Council is connected to the community

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

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

**Strategic outcomes:**

3.4 Towns are enviable places to visit, live and work

#### 3.2 Integrated Priority Projects Plan 2021

Not applicable.

### 4 POLICY IMPLICATIONS

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

### 5 STATUTORY REQUIREMENTS

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

### 6 FINANCIAL IMPLICATIONS

The support funding for Round 2 is funded from the annual allocation towards Events totalling \$75,000.

### 7 RISK ISSUES

Without support many of the small community events would not be able to continue.

### 8 CONSULTATION WITH STATE GOVERNMENT

Not applicable – local event management.

### 9 COMMUNITY CONSULTATION

Community groups promote their individual events. The funding rounds are advertised in the local papers and Facebook.



**10 OPTIONS FOR COUNCIL TO CONSIDER**

Approve or not approve some or all of the Round 2 event funding sought.

**11 OFFICER'S COMMENTS/CONCLUSION**

The above funding allocations are supported by the Tourism Officer.

**12 ATTACHMENTS**

Nil



## 16 WORKS REPORTS

### 16.1 CONSTRUCTION OF TRAFFIC OUTSTAND: OPPOSITE 16 ARTHUR STREET, EVANDALE

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

#### RECOMMENDATION

That Council

1. rescind its decision of 20 November 2023, minute reference 23/0424; and
2. remove the partially constructed traffic outstand; and
3. require the installation of two parabolic mirrors in accordance with the engineering advice provided by Glenn Allen on the 18 October 2024; and
4. that the additional mirror be installed at Council's expense.

#### 1 PURPOSE OF REPORT

The purpose of this report is for Council to consider traffic issues related to the hedge and 12 Macquarie Street, Evandale which has encroached into the road reserve.

#### 2 INTRODUCTION/BACKGROUND

##### 2.1 Discussions at Previous Council meetings

Since October 2017 Council officers have been in discussion with the owners of 12 Macquarie Street regarding a hedge that has encroached into the road reserve.

At the Council meeting on 21 October 2019 (minute reference 324/19) Council considered the matter and decided:

*Cr Goninon/Cr Brooks*

*That Council requires the owners of 12 Macquarie Street, Evandale, and any other locations in the municipality to remove their hedges in accordance with Council's Overhanging Tree Policy, and that Council officers notify the owners accordingly and proceed in accordance with Council's Overhanging Tree Policy.*

*Carried*

*Voting for:*

*Cr Adams, Cr Brooks, Cr Calvert, Cr Goninon, Cr Goss, Cr Polley*

*Voting against:*

*Mayor Knowles, Cr Davis, Cr Lambert*

The matter was again discussed at the Council meeting on 20 November 2023 (Minute Reference 23/0424) and the following decision was made:

*Deputy Mayor Lambert/Cr Terrett*

*That Council*

- *install a mirror at the driveway and the intersection, and a pedestrian outstand be constructed at the Owners expense; and*
- *the owners to continue with bi-annual trimming of the hedge, with the trimming to be reported and permission sought prior to works being undertaken.*

*Carried*

*Voting for the Motion:*

*Deputy Mayor Lambert, Cr Andrews, Cr Archer, Cr Brooks, Cr McCullagh and Cr Terrett*

*Voting Against the Motion:*

*Mayor Knowles, Cr Adams and Cr Goss*

## 2.2 Concerns from residents regarding the installation of the outstand

In accordance with the Council resolution the property owner at 12 Macquarie Street engaged a contractor to construct the outstand and works commenced in September 2024. On 16 September 2024 Council Officers received communication from the property owner at 16 Arthur Street, Evandale, who lives directly opposite where the outstand was being constructed. Mr Rowe stated that he was unaware of the Council decision to construct the outstand and that he believed it would make it difficult for vehicles to enter his property, especially small trucks or caravans. Councils Acting General Manager, Maree Bricknell, and Engineering Officer, Jonathan Galbraith, met the property owner on site and agreed to ask the property owner to halt all works until the matter could be reviewed by an engineer and then taken to Council for the previous decision to be reconsidered. The property owner made a number of alternative suggestions which he felt would have less impact on the entrance to his property.



## 2.3 Engineering Review

The traffic engineer who provided the previous advice, Geoff Brayford of JMG Engineers has now retired so Council Officers approached Glenn Allen a licensed Civil Engineer and asked him to review the previous advice and consider other possible solutions.

Mr Allen provided a response to Council on 8 October 2024. He advised that the outstand would make access to the driveway difficult for anything larger than a standard vehicle and stated that the “traffic calming device... is not optimal given the considerations for access to 16 Arthur Street.”

Mr Allen supported the previous recommendation for a parabolic mirror to be installed outside 16 Arthur Street and suggested that an additional mirror be installed on the opposite side of the road on the boundary between 12 Macquarie Street and 9 Arthur Street to provide through traffic with more awareness of entering vehicles.

Mr Allen also provided comment on the suggestions made by the property owner.

## 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.

**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

**Place: Nurture our heritage environment**

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

**Strategic outcomes:**

4.4 Our heritage villages and towns are high value assets

**3.2 Integrated Priority Projects Plan 2021**

Not applicable.

**4 POLICY IMPLICATIONS**

The hedge contravenes Council's Overhanging Tree Policy.

Council has not previously enforced the Policy in relation to this hedge, allowing it to reach this size.

**5 STATUTORY REQUIREMENTS**

*Local Government Act 1993*

*Local Government (Highways) Act 1982*

*Land Use Planning and Approvals Act 1993*

**6 FINANCIAL IMPLICATIONS**

Council has previously decided that these works will be the responsibility of the property owner. Based on this previous decision any new works will be the responsibility of the property owner.

Should Council decide to remove the partially completed outstand these works can be carried out by Council Staff and will take less than 2 hours. The materials purchased by the property owner are likely to be able to be returned to the supplier for a refund.

**7 RISK ISSUES**

The partially installed outstand makes access to Arthur Street more difficult and the property owner has raised concerns about it interrupting traffic flow on Arthur Street.

The hedge limits sight distance for vehicles entering Arthur St from the access to 12 Macquarie Street and there is a risk of an accident or injury.

**8 CONSULTATION WITH STATE GOVERNMENT**

Council has previously undertaken consultation with the National Trust and Heritage Tasmania regarding the hedge and both organisations have advised that this matter is not a heritage issue

**9 COMMUNITY CONSULTATION**

Since concerns were raised on September 16 Council have consulted with the owner of 12 Macquarie Street and the owners of the two properties directly opposite. All three property owners have expressed the view that they believe the Council should remove the island and look for other options.

**10 OPTIONS FOR COUNCIL TO CONSIDER**

Council could choose to either:



1. Remove outstand and install mirrors in accordance with the recommendations of the engineer Mr. Glenn Allen, or;
2. Instruct the property owner to complete the works as previously approved by Council.

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

It is recommended that Council remove outstand and install mirrors in accordance engineering recommendations. Although the island is semi-mountable the engineer has noted that it does restrict access to 16 Arthur Street and interferes with the flow of traffic along Arthur Street. The owners of both 16 and 18 Arthur Street have also advised Council that they are strongly opposed to the outstand remaining in place.

#### **12 ATTACHMENTS**

1. 2023-11-20 Open Council Minutes rs - overhanging trees hedge Macquarie St Evandale [**16.1.1** - 12 pages]



## 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)
Educational Bursary Awards	15(2)(g)
Independent Governance Review	15(2)(a) & (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 .....