



**NORTHERN
MIDLANDS
COUNCIL**

AGENDA

ORDINARY MEETING OF COUNCIL

MONDAY, 17 FEBRUARY 2025

Des Jennings
GENERAL MANAGER



QUALIFIED PERSONS ADVICE

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

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

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

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

LIVESTREAMING AND RECORDING OF COUNCIL MEETINGS

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

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

Closed Council Meetings will not be live streamed or recorded.

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

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

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

The provision for audio recording of Council meetings in this policy:

- only applies to formal Council meetings (ordinary meetings, special meetings and Annual General meetings);
- does not apply to closed sessions of Council;
- does not apply to Committees of Council;
- the recording will not replace written minutes and a transcript of the recording will not be prepared by Council;
- the recording may be used by Council staff to assist with the preparation of the minutes;
- the minutes of a meeting, once confirmed by Council, prevail over the audio recording of the meeting;

A member of the public may only use an audio recorder, or any other recording and/or transmitting device, to record the proceedings of a meeting of Council with the written permission of the General Manager for the express purpose proposed. The Northern Midlands Council reserves the right to revoke such permission at any time.

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

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


Des Jennings
GENERAL MANAGER



GUIDELINES FOR COUNCIL MEETINGS

EXPECTATIONS OF COUNCILLOR CONDUCT

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

MEETING CONDUCT

- People attending Council Meetings are expected to behave in an appropriate manner.
- The following is not acceptable:
 - Offensive or inappropriate behaviour;
 - Personal insults; and
 - Verbal abuse.
- Pursuant to section 41 of the *Local Government Act 1993*, it is an offence if a member of the public hinders or disrupts a council meeting.
- In the case of any inappropriate outburst or derogatory behaviour, an apology from the offending party or parties will be requested. Anyone at the meeting, if they feel offended in any way by any such behaviour specified above, should immediately bring the behaviour to the notice of the Chairperson by the way of a Point of Order.
- The Chairperson has the right to evict from a meeting any person who is not behaving to an appropriate standard.

PUBLIC QUESTIONS AND STATEMENTS

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

Public question time is to commence at approximately 5.30pm and is to be conducted in accordance with the following guidelines:

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

REPRESENTATIONS ON PLANNING ITEMS

A maximum of four persons per item (two for and two against) will be permitted to address Council on a planning item. After the representation has been made, Councillors are permitted to ask questions of the party who made the representation.

PETITIONS

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



NOTICE IS HEREBY GIVEN THAT THE NEXT MEETING OF THE NORTHERN MIDLANDS COUNCIL WILL BE HELD ON MONDAY 17 FEBRUARY 2025 AT 5.00PM AT THE COUNCIL CHAMBERS, 13 SMITH STREET, LONGFORD.



DES JENNINGS
GENERAL MANAGER
12 FEBRUARY 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.

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.



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, 20 January 2025, subject to the following amendments:

Item 5.3.1 Notice Of Motion: Request For General Manager, Mayor And Deputy Mayor To Stand Aside:

At approximately 6.14pm, Deputy Mayor vacated the chair to speak. Councillors Archer and Terrett Goss were nominated to take the chair and a ballot was taken. At 5 votes to 3, Councillor Archer took the chair at approximately 6.16pm.

...

At approximately 5.22pm 6.22pm Councillor Archer indicated that the time allocated had been exhausted.

Item 7.3.3 ~~Forgotten Doomed~~ Battalion 2/40 Memorial

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, 17 March, 2025.



5.3 MOTIONS ON NOTICE BY A COUNCILLOR

No Motions on Notice were received.

5.4 COUNCILLOR QUESTIONS ON NOTICE

Deputy Mayor Janet Lambert has submitted one (1) Question on Notice to the General Manager.

1. Are there any staff or councillors accessing any additional support through council's insurers?

The following response is provided:

No, no member of the Council's staff is accessing support through the Council's insurers.

Yes, at least one Councillor is currently accessing support through the Council's insurers.



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
14 January 2025	Ross Community Sports Club Inc	Ordinary
5 February 2025	Longford District Committee	Ordinary

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

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

7 COUNCIL COMMITTEES - RECOMMENDATIONS

No Committee Recommendations were received.



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
03/02/2025	<p>Council Workshop</p> <p>Presentations</p> <ul style="list-style-type: none"> Reconciliation Tasmania <p>Discussion included:</p> <ul style="list-style-type: none"> Independent Review Governance Updates Feral Ducks – Campbell Town, Ross, Evandale and Longford Campbell Town District High School - Student Letters - Valentine Park 10 Minute Briefing/Discussion
17/02/2025	<p>Council Workshop</p> <p>Discussion:</p> <ul style="list-style-type: none"> Council Meeting Agenda items <p>Council Meeting</p>

8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 15 January 2025 to 11 February 2025 are as follows:

Date	Activity
15 January 2025	Attended Fire Services Awards event, White Sands
16 January 2025	Attended NTDC TRANSLink Agreement meeting, Longford
20 January 2025	Attended meeting with Kerry Vincent MLC, Longford
20 January 2025	Attended presentation Young Citizen of the Year 2025 Ollie Morrison, Longford
20 January 2025	Attended NMC Workshop and Council Meeting, Longford
23 January 2025	Attended meeting with Skyview Estate, Longford
26 January 2025	Officiated at Citizenship Ceremony and Australia Day 2025, Perth
28 January 2025	Attended Tas Women in Leadership Summit online pre-meeting, Gipps Creek
29 January 2025	Attended LGAT LG Meeting & General Regulations online Forum, Gipps Creek
30 January 2025	Attended meeting with Ms Tabatha Badger MP, Longford
3 February 2025	Attended NMC Workshop, Longford
4 February 2025	Attended meeting with Campbell Town District Committee, Campbell Town
4 February 2025	Attended meeting with Campbell Town District High School Acting Principal, Campbell Town
4 February 2025	Attended meeting with Evandale District Committee, Evandale
4 February 2025	Attended Penny Farthing Sponsor Event, Evandale
5 February 2025	Attended online DPAC Engagement Workshop, Amendments to LG Act, Gipps Creek
7 February 2025	Attended City Mission 170 Anniversary presentation, St Leonards
8 February 2025	Attended Launceston Horticultural Society Flower Show, Evandale
	Attended to email, phone, media and mail inquiries



8.3 GENERAL MANAGER'S ACTIVITIES

General Manager's Activities Attended & Planned for the period 14 January to 7 February 2025 include:

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

Date	Activity
16 January	Attended TRANSlink Intermodal Facility Project Inception Meeting
20 January	Met with Minister for Local Government, Kerry Vincent
20 January	Attended Council Workshop and Council Meeting
22 January	Met with service provider supporting regional councils to attract and retain staff
23 January	Met with Developer
24 January	Attended Regional meeting for Northern General Managers
26 January	Attended Australia Day event at Perth
30 January	Met with Tabatha Badger MP, Greens Member for Lyons
3 February	Attended Council Workshop
7 February	Met with Angela Offord, Independent Candidate for Lyons

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 were received.

ATTACHMENTS

Nil

8.5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

The following report was filed by Councillor Brooks.

ALGA NATIONAL ROADS, TRANSPORT & INFRASTRUCTURE CONGRESS, Margaret River, Western Australia 3-4 December, 2024

ROADS TO RECOVERY PROGRAM 2024-2029 FUNDING PERIOD

The Roads to Recovery Program (RTR) supports the construction and maintenance of local roads, facilitating greater accessibility and improving safety, economic and social outcomes for Australians.

The program operates on a 5 year funding period with \$4.4 billion available from July 1, 2024 to 30 June 2029. From 2027-28 the RTR Program will provide \$1 billion nationally each year.

Who Can Receive the Funding:

Every local government area in Australia is allocated a portion of RTR funding for local road construction and maintenance. Funding is provided directly to 551 responsible Councils, State or Territory Governments and associations to decide on and schedule projects that deliver on local priorities.

What Kind of Projects are Funded:

RTR Funding can be used by funding recipients to deliver projects that relate to the construction and/or maintenance of a local road (including asphalt, gravel and dirt roads).

This may include:

- road surfacing, including the repair of potholes;
- traffic signs and traffic control equipment;
- street lighting, bridges and tunnels;
- some footpaths and bicycle paths; and
- drainage works.

There is no requirement for Local, State or Territory Governments to co-contribute to RTR funded projects. RTR funding may be used on projects that are funded by other government programs as long as the project meets the requirements of both programs.

How Much Funding is Available:

Each funding recipient is able to receive up to the amount specified for the 5 year funding period as set out in the National Land Transport Roads to Recovery list.

Funding recipients are able to schedule any number of projects at any value to use their allocated funding amount throughout the 5 year period. Funding is available, as long as recipients follow the simple rules and procedures.

PROCEDURES FROM ADMIN SET OUT:

When is the Funding Available:

Funding recipients can nominate a project at any time via the Infrastructure Management System (IMS) portal. More information can be found at: <https://investment.infrastructure.gov.au/about/local-initiatives/roads-recovery-program>.

SAFER LOCAL ROADS AND INFRASTRUCTURE PROGRAM (SLRIP)

SLRIP is an application based, merit assessed program that provides funding for eligible projects to Local, State or Territory Governments which address current and emerging priorities in road infrastructure needs. The program commenced on 1 July 2024 and consolidates the former Bridges Renewal Program and the Heavy Vehicle Safety and Productivity Program and introduces new focus areas. The Heavy Vehicle (HV) Rest Area Initiative sits underneath the SLRIP with its own separate focus area. Projects funded under the SLRIP must directly address at least one of the following focus areas:

- Road safety
- Productivity
- Bridge renewal
- Road resilience
- Road sustainability
- HV rest areas



How Much Funding is Available:

Funding of at least \$200 million per year will be available under the program, with a maximum of \$5 million per project.

Who Can Apply:

Applications can only be made by State, Territory or Local Governments. To be eligible, projects must:

1. directly address one focus area;
2. be on a public road;
3. be for construction on an existing or proposed road; and
4. be a whole or completed project.

What Kind of Projects Can Receive Funding Under the Program:

- Improving road safety e.g. re-alignment of roads, shoulder sealing, rumble strips and safety barriers ;
- widening and sealing roads for HV access;
- construction of new or upgraded HV rest areas;
- replacement and/or strengthening of bridges, culverts or causeways;
- upgrading/raising of roads to improve flood resilience; and
- additional road linkages between communities to reduce risk of isolation during an emergency.

Application Timeframe:

Up to 6 weeks – projects checked for eligibility and assessed. More information is available from:

www.investment.infrastructure.gov.au/slrp-guidelines

BLACK SPOT PROGRAM

The Black Spot Program funds low cost safety measures such as:

- traffic signals;
- roundabouts;
- line marking;
- guard rails;
- street lighting;
- pedestrian crossings, refuges and fencing.

Funding under the program is progressively increasing to \$150 million each year.

Eligibility

Intersections: Urban – three casualty crashes over a 5 year period.

Regional/Rural – two casualty crashes over a 5 year period.

Road length: Urban – average of 0.2 casualty crashes per km per year over the length in question for a 5 year period.

Regional/Rural – average of 0.13 casualty crashes per km per year over the length in question for a 5 year period.

High Risk Sites: Urban/Regional/Rural – high risk sites that don't have a crash history may also be nominated.

To nominate a black spot simply complete this form: www.investment.infrastructure.gov.au/bsp-nomination-form.pdf

ACTIVE TRANSPORT FUND

The Australian Government has committed to \$100 million from 2024/25 to 2028/29 to the new National Active Transport Fund. This supports the Government's commitment to safe and accessible active transport options. This program will provide funding for the construction of new or upgrade of existing bicycle and walking paths across Australia to encourage an increase in active transport use.

Applications will need to address one or more of the following priorities:

- Creating safer environments for cyclists and pedestrians;
- Supporting zero emissions travel; and
- Promoting active and liveable communities.

To be eligible under the program, projects must be for the upgrade of an existing, or the construction of a new bicycle or walking path within a public road corridor or public road asset.

THE PATH TO NET ZERO – Decarbonising Australia's Transport System

Current state – Australia's transport operational emissions have increased by 10.5% since 2005, despite recent volatility due to the impacts of the Covid pandemic.

Policy Recommendations

1. All levels of Government should adopt an "Avoid-Shift-Improve" approach to decarbonise the transport sector.
2. Planning Authorities in State and Local Government should set mandated targets supported by regulations that ensure that all new housing and other carbon developments are delivered in locations that offer:



- high quality, high frequency public transport within a reasonable walking distance;
 - a mix of land uses, so that residents are able to reach their daily needs within a 15 minute walk or ride;
 - less than 30% single detached houses; and
 - excellent street layouts with at least 4-5 intersections per square kilometre.
3. Should remove minimum car parking mandates for urban developments and significantly reduce the demand for car parking in line with world's best practice.
 4. All levels of Government should roll out:
 - publicly accessible Electric Vehicle (EV) charging infrastructure; and
 - support micro freight operations for last minute deliveries.

Commitments at a Glance

- Collaborate with other professional and industry associates;
- Advocate for improved access to, and information about active and public transport;
- Advocate for governments and other stakeholders to achieve net zero across the transport sector; and
- Enlarge the transport profession capacity to evaluate decarbonisation related challenges and opportunities by curating resources, promoting training and sharing technical expertise.

Challenges to Electric Vehicle (EV) adoption are as follows:

- Around 1% of Australia's vehicle fleet are EVs; and
- EV sales of 98,436 in 2023 were (EV Council) a low share in most jurisdictions.

Infrastructure Gaps for Public Transport

1. Public transport is most effective at getting workers into our CBD, but less effective for many other types of trips;
2. Minimal public transport outside of the capital cities; and
3. Bike networks are generally fragmented and do not always meet world's best practice – road safety is critical.

Future Outlook

We need to:

1. Emphasis on mode shift and sustainable transport;
2. increase investment in clean energy and EVs; and
3. long term focus on reducing transport emissions.

Australia's transport emissions need to reduce by 43%. Further information is available from www.aitpm.com.au.

Local Government Housing Innovation Program Called MAV – working closely with Local Government to deliver:

- Community Champions of Change (Building Social Licence for Housing Growth and Change Project);
- advancing Artificial Intelligence (Innovative planning);
- exploring under-utilised council owned land; and
- prototypes for the adaptive re-use of council owned buildings for housing.

Innovations in Road Construction

- Is your Council ready;
- Is your team capable, skilled and resourced;
- Have a Road Safety Strategy;
- Understand road infrastructure risk;
- Crash risk mapping;
- Prioritise Network Infrastructure Program; and
- Network Safety Plan (NSP).

What is NSP – An assessment of a road safety risk across a road network; supplemented by the cost of specific road safety interventions to reduce that risk.

Local Government manage over 73% of Australia's road network.

Flood Risk Assessment - How much resilience should be provisioned for what road?

Next Generation iPAVE4 – this machine brings us:

1. dual measurement beams;
2. additional sensors and improved sensor technology;
3. smaller reporting intervals;
4. improved temperature control system; and
5. ground penetrating radar.



Road Safety

- 1295 road deaths in the past 12 months to October 24
- 5.2% increase from the same time last year;
- 1063 deaths in the calendar year to date; and
- 3.6% increase from the same time last year.

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	86	75	73	60						589		763
337	42	41	34	24	49	32	15						237	379	391



8.7 ANIMAL CONTROL

Prepared by: Maree Bricknell, Corporate Services Manager

Item	Income/Issues 2023/2024		Income/Issues for January 2025		Income/Issues year to date 2024/2025	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,100	\$108,319	75	2,740	3,720	97,594
Dogs Impounded	8	\$1,408	1	118	7	991
Euthanised	2				3	1,212
Re-claimed	6				2	209
Re-homed/Dogs Home						
New Kennel Applications	7	\$1,170			86	4,490
Renewed Kennel Licences	82	\$3,844			4	200
Infringement Notices (paid in full)	95	\$20,266	5	1,818	21	5,259
Legal Action						
Livestock Impounded	2	\$724			1	50
TOTAL		\$135,731		\$4,676		\$110,005

Audits:

Ongoing including Dangerous Dogs, Kennel Licences - always checking system and properties to ensure if needed, or not; Fire Hazards – ongoing inspections and following up complaints when received; Dog Registration Audit - commenced.

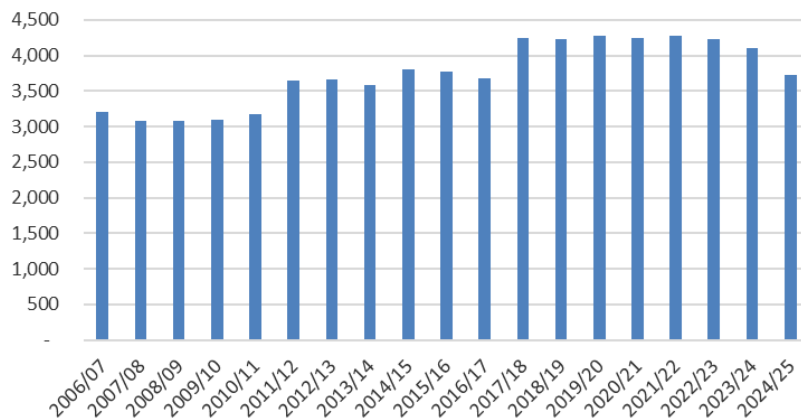
Microchips:

1 dog microchipped.

Attacks:

2 attacks - 1 Infringements sent to owners – 1 dog euthanised.

Number of Dogs Registered by Year



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	75	3	13	20	9	14	4	12					
Routine Mobile/Market stall Food Inspections	29	-	14	1	14	0	-	0					
Preliminary Site Visits – Licensed Premises	18	3	2	1	2	2	4	4					
On-site wastewater Assessments	20	1	2	3	5	2	5	2					
Complaints/Enquiries – All Types	36	2	7	3	11	6	1	6					
Place of Assembly approvals	6	-	1	-	1	2	1	1					
Notifiable Diseases	3	-	-	-	-	1	-	2					

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 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	43	4	3	3	13	6	8	6					
Building & Planning	77	52	36	140	2	4	3	21	38	36	36					
Community Services	54	44	59	33	1	4	3	5	3	11	6					
Corporate Services	48	23	26	165	1	2	37	23	30	34	38					
Governance	15	21	19	15	-	1	-	3	8	2	1					
Waste	12	11	14	13	2	4	3	-	1	3	-					
Works	368	352	415	262	29	37	33	32	39	46	46					



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
27-Nov-24	Ryan Sanson	Representation - Tas Junior 8 Ball Team	100
27-Nov-24	Jordan Sanson	Representation - Tas Junior 8 Ball Team	100
6-Sep-24	Campbell Town District High School	Inspiring Positive Futures Program	7,273
16-Oct-24	Campbell Town District High School	End of year school presentation –Secondary	100
16-Oct-24	Campbell Town District High School	End of year school presentation - Primary	50
16-Oct-24	Perth Primary School	End of year school presentation - Primary	50
16-Oct-24	Longford Primary School	End of year school presentation-Primary	50
16-Oct-24	Cressy District High School	End of year school presentation - Secondary	100
16-Oct-24	Cressy District High School	End of year school presentation - Primary	50
16-Oct-24	Evandale Primary School	End of year school presentation - Primary	50
16-Oct-24	Isacc Chapman	Education Bursary - 2nd instalment	1,000
23-Oct-24	Oliver Walker	Education Bursary - 2nd instalment	1,000
23-Oct-24	Breeanna Farrell	Education Bursary - 2nd instalment	1,000
30-Oct-24	Dylan Copolov	Education Bursary - 2nd instalment	1,000
6-Nov-24	Emily Boweman	Education Bursary - 2nd instalment	1,000
22-Jan-25	Mia Tubb	Education Bursary - 1st instalment	1,000
7-Jan-25	C Whitchurch	Education Bursary - 1st instalment	1,000
27-Nov-24	Helping Hand Association	Contribution	1,500
27-Nov-24	Perth Fire Brigade	Contribution towards Christmas Lolly Run 2024	200
27-Nov-24	Longford Fire Brigade	Contribution towards Christmas Lolly Run 2024	200
		TOTAL	\$17,322.73

8.11 ACTION ITEMS: COUNCIL MINUTES

Meeting Date	Item No.	Item	Meeting Type	Status	Action Required	Assignees	Action Taken
21/10/2024	7.3.2	Illawarra Road Bridges review - Weight rating and usage	Ordinary Meeting of Council	Awaiting external response	That Council follow up the request to the Department of State Growth.	Engineering Officer, Executive & Communications Officer	31/10/2024 Executive & Communications Officer Enquiry has been sent to Department of State Growth.
9/12/2024	5.3.3	Notice of Motion: Update Council's Webpage for Community Organisations	Ordinary Meeting of Council	Awaiting external response	That Council Officers prepare a report on the following notice of motion to be presented to a future Council Meeting: That the Council update its webpage to have an interactive page to list all the community organisations in the Northern Midlands. And that, if needed, a budget item be listed so funds can be allocated to achieve this outcome.	Corporate Services Manager, Executive & Communications Officer	10/01/2025 Executive & Communications Officer Discussion with IT 05/02/2025 Executive Assistant Report being prepared for future meeting. 10/02/2025 Executive & Communications Officer The online directory and search engine costs being investigated
20/01/2025	14.4	Perth Train Park	Ordinary Meeting of Council	Awaiting external response	That Council note the report and endorse the following way forward with the ongoing development of the Perth Train Park: a. Continue to maintain the park and its existing infrastructure; and b. Consider the content and type	Corporate Services Manager, Project Officer, Works Manager	30/01/2025 Project Officer The Perth Lions Club has been advised of the Council decision. Council Officers await the Club's provision of information for interpreting the history of Perth and trains.



Meeting Date	Item No.	Item	Meeting Type	Status	Action Required	Assignees	Action Taken
					of interpretation regarding the history of trains and Perth provided by the Perth Lions Club, and include the cost of such in the 2025/26 budget deliberations.		
18/11/2024	16.1	Pine Trees Located on Private Property at Drummond Street, Perth	Ordinary Meeting of Council	Awaiting external response	That Council a) seek legal advice before meeting with the Property Owner; and b) meet with the Property Owner to discuss a way forward in relation to the removal of the trees.	Executive Officer, Executive Officer, Executive Officer, Works Manager	27/11/2024 Executive Officer A letter with the corresponding attachments was sent on 27 November 2024 to an external lawyer (Anthony Spence - Page Seager), seeking legal advice regarding this matter, in accordance with the decision made at the Council meeting on 18 November 2024.
20/01/2025	7 2.3	Proposed Relocation of the Stone Longford Entrance Wall to the Woolmers End of Longford	Ordinary Meeting of Council	Awaiting external response	That Council notes the Committee's recommendation for the Longford Entrance Wall, to remain in situ or in close proximity to its current location.	Executive & Communications Officer, Works Manager	10/02/2025 Executive Assistant To be discussed with State Growth.
21/10/2024	7 4.3	Disability Parking	Ordinary Meeting of Council	Awaiting internal response	That Officers assess providing a disability car park and recommend appropriate location.	Engineering Officer, Executive & Communications Officer, Works Manager	11/11/2024 Executive & Communications Officer 3 Locations are under reviewed 10/02/2025 Executive & Communications Officer Ross District Committee has identified possible location.
21/10/2024	7 4.1	Ross Bike Rack - location	Ordinary Meeting of Council	Awaiting internal response	That Council notes the committee's recommendation and assesses the viability of the location.	Executive & Communications Officer, Project & Building Compliance Manager, Works Manager	11/11/2024 Executive & Communications Officer Location is under review
20/01/2025	7 3.1	EV Charging Station Design	Ordinary Meeting of Council	Completed	That Council note the recommendation and liaise further with the Committee as the matter progresses - for Ross District Committee's input into the designs of the Skins of the NRMA EV charging stations before the final design decision is made.	Executive & Communications Officer, Senior Planner, Works Manager	07/02/2025 Senior Planner Council's Senior Planner contacted NRMA and requested contact be made before the designs progress, for liaison with the Ross District Committee.
20/01/2025	7 3.3	Forgotten Battalion 2/40 Memorial	Ordinary Meeting of Council	Completed	That Council supports the Committee request subject to RSL approval - in principle to add an additional plaque/stone to the existing memorial subject to RSL and community feedback.	Executive & Communications Officer	10/02/2025 Executive & Communications Officer Forgotten Battalion 2/40 AIF should be noted as Doomed Battalion. There is an 80th reunion of family and friends on the 23 February 2025 at the Ross Cenotaph. After consultation with the RSL and the community there will be a ceremony for the 2/40th and a temporary memorial plaque laid at the Cenotaph.
20/01/2025	7 1.3	Heritage Tunnel and Watercourse	Ordinary Meeting of Council	Completed	That the council's planning department will consult with the developer and the Tasmanian Heritage Council regarding the Committee's motion.	Senior Planner	06/02/2025 Senior Planner Council's Senior Planner consulted with the Tasmanian Heritage Council and provided their response, including the Heritage Council's "Evandale-Launceston Water Scheme Development Guidelines" to the proponent of the subdivision.
20/01/2025	16.1	Maintenance and Possible	Ordinary Meeting of Council	Completed	That Council endorse: i. Continued maintenance of the Perth Cemetery and ii.	Works Manager	10/02/2025 Executive Assistant Maintenance ongoing.



Meeting Date	Item No.	Item	Meeting Type	Status	Action Required	Assignees	Action Taken
		Improvements, Perth Cemetery			Expansion of the cemetery into the vacant land adjacent to the lawn cemetery as needed.		
20/01/2025	7 1.1	Master Plan: Pioneer Park, Evandale	Ordinary Meeting of Council	Completed	That Council ... a. consider any activity or works currently being done in Pioneer Park to be in keeping with the overall scheme of the Master Plan; and b. provide a copy of the Master Plan report.	Executive & Communications Officer, Works Manager	10/02/2025 Executive & Communications Officer Evandale District Committee has been provided the report and master plan via email
18/11/2024	5 3.1	Notice of Motion: Perth General Cemetery	Ordinary Meeting of Council	Completed	That Council Officers prepare a report to be presented to a future Council Meeting on the maintenance and possible improvements to the Perth General Cemetery.	Works Manager	03/12/2024 Executive Assistant Council Officers to investigate and provide possible options. 10/02/2025 Executive Assistant Report to Council 20 January 2025.
20/01/2025	14.2	Pioneer Park Master Plan	Ordinary Meeting of Council	Completed	That Council: a. note the response to the community consultation report that has been provided by Lange Design; b. accept the finalised Pioneer Park Landscape Master Plan; and c. 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 full implementation of the plan.	Project Officer	28/01/2025 Project Officer The Council decision at the 20 January 2025 Council Meeting is noted. Council Officers will apply for external funding for implementation of components of the plan as the opportunity arises.
20/01/2025	15.7	Policy Review: Festivals, Events and Promotions	Ordinary Meeting of Council	Completed	That Council endorse the amended Festivals, Events and Promotions Policy.	Executive Assistant	31/01/2025 Executive Assistant Policy Manual and Website updated.
20/01/2025	15.5	Policy Review: Information and Communication Technology Resources and Electronic Communications Acceptable Use	Ordinary Meeting of Council	Completed	That Council endorse the amended Information and Communication Technology Resources and Electronic Communications Acceptable Use Policy.	Executive Assistant	31/01/2025 Executive Assistant Policy Manual and Website updated.
20/01/2025	15.6	Policy Review: Information Technology Security	Ordinary Meeting of Council	Completed	That Council endorse the amended Information Technology Security Policy.	Executive Assistant	31/01/2025 Executive Assistant Policy Manual and Website updated.
20/01/2025	14.3	Preserving and Promoting the History of the Township of Perth	Ordinary Meeting of Council	Completed	That Council note the avenues via which Council works to preserve and promote the history of Northern Midlands townships.	Project Officer	28/01/2025 Project Officer Council's decision to note the report to the 20 January 2025 Council Meeting regarding the avenues via which Council works to preserve and promote the history of Northern Midlands towns is noted.
18/11/2024	9.1	Public Questions	Ordinary Meeting of Council	Completed	Question on Notice, Mr John Izzard re 26a Tannery Road, Longford - TASCAT Settlement Letter query.	Executive Officer	03/12/2024 Executive Assistant Advice to be provided to Mr Izzard. 10/02/2025 Executive Officer A letter was sent to Mr Izzard on 19/Dec/2024



Meeting Date	Item No.	Item	Meeting Type	Status	Action Required	Assignees	Action Taken
							letting him know that he needs to apply for a RTI to obtain the letter he is asking for.
20/01/2025	15.4	Request for Memorandum of Understanding for Northern Midlands Council Volunteer SES Unit at Campbell Town	Ordinary Meeting of Council	Completed	That Council agree to enter into a Memorandum of Understanding with the Tasmanian State Emergency Service in relation to the provision and maintenance of the Northern Midlands Volunteer SES Unit at Campbell Town from 28 February 2025 commencing at \$15,000 per annum plus Hobart CPI June quarter, for the first 3 year period.	Corporate Services Manager	11/02/2025 Executive Assistant MoU signed.
29/01/2024	7 4.4	Train Park	Ordinary Meeting of Council	Completed	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. 31/01/2025 Executive Assistant Report tabled 20 January 2025.
20/01/2025	7 3.2	Uniform Concrete Colour	Ordinary Meeting of Council	Completed	The current concrete colour used is preferred to maintain a more consistent and seamless look in the township.	Executive & Communications Officer, Works Manager	10/02/2025 Executive Assistant Noted and brown concrete is the preferred colour.
21/10/2024	5 3.2	Notice of Motion: Community Strategies	Ordinary Meeting of Council	Completed	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.	General Manager	03/12/2024 Executive Assistant Update provided in Annual Report. Annual updates to be scheduled in the Annual Report.
20/01/2025	7 2.1	A-Doubles and B-Doubles 24 Hour Access on Illawarra and Longford Main Roads	Ordinary Meeting of Council	In progress	That Council Officer investigates and seeks clarification from the Department of State Growth - on when approval for 24-hour access was given to A-Doubles and B-Doubles to access Illawarra Road and Longford main streets, due to noise and vibration issues causing damage to heritage buildings.	Engineering Officer	24/01/2025 Engineering Officer Council officers have contacted the Department of State Growth regarding this matter and are awaiting a response 07/02/2025 Engineering Officer Awaiting response from the Department of State Growth
20/01/2025	7 1.2	Bicycle Racks - Location and Style	Ordinary Meeting of Council	In progress	That Council ... consider any bike rack installation to be located so that it is not within the streetscape and, where possible be sympathetic to the heritage look of the town with the use of antique-style bike racks.	Executive & Communications Officer, Works Manager	10/02/2025 Executive Assistant Works Manager to investigate.
19/02/2024	7 3.2	Bike Path Extension	Ordinary Meeting of Council	In progress	That Council requests an update from the Department of State Growth on the matter and provides advice to the Committee. Committee request: LLDC request NMC revisit the earlier letter from the Minister for State Growth Michael Ferguson, regarding a bike path between Longford	Engineering Officer, Executive & Communications Officer	13/03/2024 Executive Assistant Officer to contact the Department of State Growth as election has been called. 13/03/2024 Engineering Officer Council Officer has contacted Vanessa King, manager project delivery at the Department of State Growth and requested an update on this project. Awaiting response. 12/04/2024 Engineering Officer Response received



Meeting Date	Item No.	Item	Meeting Type	Status	Action Required	Assignees	Action Taken
					roundabout and Pateena Road, requesting an update, including a timeline for completion, of this missing link.		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 08/11/2024 Engineering Officer Awaiting response from Department of State Growth 28/11/2024 Engineering Officer Awaiting response from Department of State Growth 10/01/2025 Engineering Officer Awaiting response from the Department of State Growth 07/02/2025 Engineering Officer Awaiting response from the Department of State Growth
18/11/2024	14.5	Campbell Town Hall	Ordinary Meeting of Council	In progress	That Council: a) note the costings for the maintenance and restoration of the Campbell Town Hall, and the suggestions for future use of the hall, and b) to proceed with the sale of the Campbell Town Hall in the short term and Council to reassess in 6 months.	Corporate Services Manager, Project Officer	25/11/2024 Project Officer Noted 03/12/2024 Executive Assistant Contract has been provided to one interested party.
18/09/2023	13.7	Campbell Town Swimming Pool	Ordinary Meeting of Council	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.
20/01/2025	14.1	Changing Places Facilities Program	Ordinary Meeting of Council	In progress	That Council a. note the background to the Changing Places Facilities Program; b. approve the nomination of Campbell Town as a location for a Changing Places Facility; and c. allocate funds in the 2025-2026 and the 2026-2027 Council Budgets towards the project (if the nomination is approved by the Grant Program's Delegate).	Corporate Services Manager, Project Officer	28/01/2025 Project Officer The State Government representative for this funding program has been advised of the Council's decision at the 20 January 2025 Council Meeting. Council Officers await advice as to the way forward with the application. 30/01/2025 Project Officer The Manager of the Campbell Town Health and Community Service has been contacted to discuss the possibility of locating the facility in the grounds of the Service.
18/03/2024	15.2	Conara Park Proposal	Ordinary Meeting of Council	In progress	That Council accept the ownership and control of the State Growth land known as Conara Park for community purposes and restrict	Corporate Services Manager	14/05/2024 Executive Assistant Awaiting transfer documents from Department of State Growth.



Meeting Date	Item No.	Item	Meeting Type	Status	Action Required	Assignees	Action Taken
					vehicular access to the site including the playground area.		
21/08/2023	7 4.3	LLDC Recommendation: Mill Dam - 5 July 2023	Ordinary Meeting of Council	In progress	That Council receive a report regarding the Mill Dam reserve area and future ownership thereof.	Executive Assistant, Executive Officer, Executive Officer	12/09/2023 Executive Assistant Meeting set for discussion on master plan for the precinct. 11/10/2023 Executive Assistant Design requested, plan awaited. 14/02/2024 Executive Assistant Plan received. To be listed for Council Workshop. 07/03/2024 Executive Officer Matter considered by Councillors at Workshop Monday 4 March 2023. Further concept plan to be prepared and presented back to the Councillors for endorsement prior to public consultation. 30/04/2024 Executive Officer Matter to be further presented to Councillors at a workshop after July 2024. 08/08/2024 Executive Assistant Listed for discussion at 5 August 2024 Council Workshop. 11/11/2024 Executive Assistant Response to August 2024 letter awaited. Follow up correspondence prepared. 05/02/2025 Executive Assistant Meeting scheduled with landowner.
20/11/2023	7 2.2	Longford Promotional Signs Welcome to Longford	Ordinary Meeting of Council	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 08/11/2024 Engineering Officer Report received from consultant. Council Officers are currently discussing permit requirements with DSG 28/11/2024 Engineering Officer Report received from consultant. Council Officers are currently discussing permit requirements with DSG 10/01/2025 Engineering Officer Awaiting further comment from DSG 07/02/2025 Engineering Officer DSG have indicated that the construction and location of the existing



Meeting Date	Item No.	Item	Meeting Type	Status	Action Required	Assignees	Action Taken
							stone sign opposite Kingsley House needs to be reviewed as part of the approval process. A consultant has been engaged to carry out this work.
9/12/2024	16.1	Main Street, Cressy Footpath and Kerb Works	Ordinary Meeting of Council	In progress	That Council re-direct the funds allocated in the 2024/2025 budget from the replacement of the existing kerb and footpath in Main Street Cressy from the intersection with Spencers Lane to number 83 Main Street, Cressy to the construction of a new stormwater main from the corner of Charles and Church Streets to number 71 Main Street Cressy.	Engineering Officer	10/01/2025 Engineering Officer Council officers are currently finalising design work for the proposed new main 07/02/2025 Engineering Officer Design work complete. Council officers are preparing documentation for contractors to complete these works
18/11/2024	14.4	Management Committees: Review of Management Agreement	Ordinary Meeting of Council	In progress	That a) Council accept and endorse the proposed changes to the Management Agreement for the Management Committees as attached; and b) Council, in relation to minute reference 24/0171, determines not to restrict close associates of elected members from becoming Council volunteers and Special Committee members; and c) the Management Agreement be sent to Management Committee's for signature; and d) this Management Agreement be effective from the date signed by the Committee to 30 June 2026; and e) a further report be brought to Council in regard to future direction of the Management Committees and the assistance to be provided if they wish to transition to Incorporated Bodies.	Executive Assistant, Executive Officer, Executive Officer, Executive Officer	03/12/2024 Executive Assistant Management Agreements updated, to be forwarded to Committees together with cover letter. 10/02/2025 Executive Officer New Management Committee Agreements have been sent to the Committees. No response but 2 (Evandale & Liffey) Report being prepared for the March Council Meeting
20/05/2024	14.2	Master Plan: Pioneer Park, Evandale	Ordinary Meeting of Council	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. 11/11/2024 Executive Assistant Consultation period completed. Feedback provided to consultant.
29/01/2024	5.3.3	Motion on Notice: Heritage Committee	Ordinary Meeting of Council	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.



Meeting Date	Item No.	Item	Meeting Type	Status	Action Required	Assignees	Action Taken
29/01/2024	5 3.2	Motion on Notice: Strategic Property Committee	Ordinary Meeting of Council	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.
9/12/2024	5 3.2	Notice of Motion: Wellington Street Longford	Ordinary Meeting of Council	In progress	That Council Officers prepare a report for consideration by Council at a future Council Meeting, exploring the responsibility for funding and the timeframe of road repairs to Wellington Street Longford by the State Government, as well as Council budget consideration for the undertaking of concurrent works.	Engineering Officer, General Manager	14/01/2025 Executive Assistant Report being drafted.
22/04/2024	7 3.1	Pedestrian Crossing Wellington and Marlborough Streets	Ordinary Meeting of Council	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.
20/01/2025	7 4.2	Plan of Development for Devon Hills Walk/Bikeway	Ordinary Meeting of Council	In progress	That Council Officers review the existing shared path markings and signage, seek advice from a Traffic Engineer and develop a plan to carry out upgrade works as required.	Engineering Officer, Executive & Communications Officer, Project & Building Compliance Manager, Works Manager	05/02/2025 Project & Building Compliance Manager Noted 10/02/2025 Executive Assistant Review to be undertaken by Works Manager.
18/11/2024	14.2	Proposed Community Garden at Perth	Ordinary Meeting of Council	In progress	That Council a) note the request by the local group, Parents for Climate Change, to develop a community garden at Perth; and b) approve the request in-principle subject to the provision of a site plan by Parents for Climate Change for consideration by Council.	Project Officer	03/12/2024 Executive Assistant Council Officers to meet with Parents for Climate Change and NRM North for site inspection on 6/12/24.
19/02/2024	7 3.1	Reduction in Speed Limit	Ordinary Meeting of Council	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 08/11/2024 Engineering Officer Awaiting response from minister 28/11/2024 Engineering Officer Awaiting response from Department of State Growth 10/01/2025 Engineering Officer Awaiting response from the



Meeting Date	Item No.	Item	Meeting Type	Status	Action Required	Assignees	Action Taken
							Department of State Growth 07/02/2025 Engineering Officer Awaiting response from the Department of State Growth
20/01/2025	16.2	Request for Bus Shelter at Devon Hills Road Intersection	Ordinary Meeting of Council	In progress	That Council continues to monitor passenger usage at the Devon Hills Bus stop; That Council negotiate with TassieLink to alter the route to go up to the fire shed; and In the event that TassieLink declines, the Council installs a bus stop sign and seat, and carries out additional sealing works, on the western side of Devon Hills Road, but does not apply for funding to construct a bus shelter at this time.	Engineering Officer, Executive & Communications Officer, Works Manager	24/01/2025 Engineering Officer Bus stop signs have been ordered. Sealing works have been programmed to be completed by Council's Works staff. 07/02/2025 Engineering Officer Sign has been ordered. Council officers have requested advice from a traffic engineer regarding the standards for installing a seat on the side of a road with a 70km speed limit.
20/01/2025	7 2.2	Review of the Location and Number of 60km/hr Signs on Woolmers Lane	Ordinary Meeting of Council	In progress	That Council act immediately to improve the safety of the Woolmers Lane and Brickendon Street corner as soon as the Traffic Engineer's report is received.	Engineering Officer	24/01/2025 Engineering Officer Concealed entrance signs have been ordered. Officers from the Department of state growth have been contacted to confirm whether their approval is required to install a 60 ahead sign. 07/02/2025 Engineering Officer Draft report received, Council officers are currently reviewing this report with the traffic engineer
21/10/2024	7 1.3	Special funding for footpath extension	Ordinary Meeting of Council	In progress	That Council note the request and the decision from the August 2024 Council Meeting: That special grant funding be investigated to extend the sidewalk along High Street from Grant Street to Bridge Street [Campbell Town]... applying funding from The Vulnerable Road User Program (also known as the VRUP).	Engineering Officer, Executive & Communications Officer, Works Manager	31/10/2024 Executive & Communications Officer Committee has been informed. 10/01/2025 Engineering Officer Awaiting the announcement of the next round of vulnerable road user funding 07/02/2025 Engineering Officer Awaiting announcement of next round of vulnerable road user funding
20/01/2025	7 4.1	Speed Hump Installation - Devon Hills/Loop Road	Ordinary Meeting of Council	In progress	That Council investigate the installation of speed humps along the Devon Hills/Loop Road for safety reasons and to reduce excessive speeding in this area.	Engineering Officer, Executive & Communications Officer	24/01/2025 Engineering Officer The Department of State Growth have confirmed that they are responsible for giving approval for the installation of speed humps and advised that they would be unlikely to give approval at this location. Council officers to investigate other options for lowering vehicle speeds.
18/03/2024	7 3.2	Speed Limit Change: Illawarra Road	Ordinary Meeting of Council	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 08/11/2024 Engineering Officer Awaiting response from Department of State Growth 28/11/2024 Engineering Officer Awaiting response from Department of State Growth



Meeting Date	Item No.	Item	Meeting Type	Status	Action Required	Assignees	Action Taken
							10/01/2025 Engineering Officer Awaiting response from the Department of State Growth 07/02/2025 Engineering Officer Awaiting response from the Department of State Growth
20/03/2023	16.1	Sticky Beaks Cafe Corner (cnr Wellington and Marlborough Streets): Upgrades and Safety	Ordinary Meeting of Council	In progress	That the JMG report Option Two (steel bollards) be revisited and that a time-line be put in place to implement this recommendation should that be an approved solution. Further that a report be undertaken to develop a detailed analysis for the intersection and the traffic flows in the centre of Longford.	Engineering Officer, General Manager, Works Manager	23/03/2023 Executive Assistant Meeting arranged with Garry Hills, Dept. of State Growth. 17/04/2023 Engineering Officer Council officers met with Garry Hills on March 30, 2023. The Department of State Growth has agreed to do engage a consultant to carry out an independent traffic study of the intersection. Awaiting further information from the Department of State Growth. 04/05/2023 Engineering Officer Garry Hills from the Department of State Growth has advised that they are in the process of organising and independent report on the safety of the intersection 15/06/2023 Executive Assistant Further contact made with DSG, requested that a timeline be provided for provision of the independent traffic study for Sticky Beaks Corner. 11/07/2023 Executive Assistant Subject to available funding, DSG have advised they have an in-principle agreement in place to review the 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 Draft Report received from DSG. Council officers are currently reviewing the findings of the report 08/11/2024 Engineering Officer Council Officers have reviewed draft report and provided comment to DSG, awaiting their response. 28/11/2024 Executive Assistant Awaiting reply from



Meeting Date	Item No.	Item	Meeting Type	Status	Action Required	Assignees	Action Taken
							DSG - emailed 28/11. 30/12/2024 Engineering Officer The Safe Systems report on the Stickybeaks Corner intersection has been reviewed by Council. The report included some recommendations for Council and DSG. Council provided comments on these recommendations on October 16. Response has now been received from DSG advising that they have noted Council's comments on the Stickybeaks Corner Safety Audit and don't have any further comments. 05/02/2025 Executive Assistant Item listed for next Workshop.
20/01/2025	5.3.1	Notice of Motion: Request for General Manager, Mayor and Deputy Mayor to Stand Aside	Ordinary Meeting of Council	In progress	That Council: i. clarify circumstances surrounding the repayment of \$11,000 and the categorisation of it as private legal advice; and ii. seek advice regarding employment of law elements that Council as the employer of the General Manager may need to take as to a position it takes with regard to requesting the General Manager stands down, including contract provisions.	Corporate Services Manager, Executive Officer, Executive Officer	11/02/2025 Executive Assistant Seeking legal advice.
20/01/2025	15.3	New Policy: Legal Assistance for Employees	Ordinary Meeting of Council	On hold	That the item be deferred.	Corporate Services Manager	05/02/2025 Executive Assistant To be resubmitted to future meeting.
20/01/2025	15.2	Policy Review: Councillors Allowances, Travelling and Other Expenses	Ordinary Meeting of Council	On hold	That the item be deferred.	Corporate Services Manager	05/02/2025 Executive Assistant To be resubmitted to future meeting.
19/08/2024	14.3	Policy Review: Dog Management	Ordinary Meeting of Council	On hold	That 2) a further report be presented to a Council workshop for discussion on Kennel Licencing.	Executive Officer, Executive Officer	11/11/2024 Executive Assistant Report to be prepared for discussion at forthcoming Council workshop. 11/11/2024 Executive Assistant On hold pending outcome of review being conducted by RSPCA.
22/04/2024	7.5.1	Ross Community Sports Club Management Committee: Memorial for Sue Kay	Ordinary Meeting of Council	On hold	That the Works Manager discuss with the Committee and the husband of Sue Kay as to a suitable memorial.	Executive Officer, Executive Officer	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. 28/11/2024 Executive Assistant Awaiting RLDC confirmation of wording. 28/11/2024 Executive Assistant Awaiting RLDC confirmation of wording.



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

Resource Sharing Summary 1/7/24 to 30/6/25 As at 31/1/2025	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts	202.5	23,852
Street Sweeper - Plant Hire Hours		
Total Services Provided by NMC to Meander Valley Council		\$23,852
Service Provided by Meander Valley Council to NMC		
Wages and Oncosts		
Plumbing Inspector Services		
Engineering Services		
Total Service Provided by MVC to NMC		
Net Income Flow	202.5	\$23,852
Total Net		
Private Works and Council Funded Works for External Organisations	Hours	Amount \$
Works Department Private Works Carried Out	134	13,402
	134	\$13,402

8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	January 2025	Estimated Cost of Damages	
			Total to Date 2024/25	Total 2023/24
Graffiti and damage to vinyl flooring at Laycock St toilets	Longford	\$ 1300		
Plumbing removed at Old Bridge Rd toilets	Perth	\$ 2000		
Vandalism at Victoria Square toilets	Longford	\$ 400		
Vandalism at Valentines Park toilets	Ross	\$ 1200		
Vandalism at Cressy toilets	Cressy	\$ 200		
TOTAL COST VANDALISM		\$ 5,100	\$ 28,800	\$ 28,300

8.14 INTEGRATED PRIORITY PROJECTS & STRATEGIC PLANS UPDATE

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

CURRENT AT 31 JANUARY 2025

INTEGRATED PRIORITY PROJECTS PLAN:

Progress Report:

Project	Status	\$	Scheduled
1 Progress: Economic health and wealth - grow and prosper			
Foundation Projects			
4.1 Main Street Upgrades: Gov	On Track		
Campbell Town, Longford & Perth			
	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
	DA submitted.	Budget allocation 2024/25 from Federal Govt Election Commitment	1,793,628
			Finalising tender documentation, Working through State Growth requirements.
			Grant Variation approval. Progress



Project		Status	\$	Scheduled
				report submitted. Variation of completion date submitted.
	C&D	Perth 2022 Election Commitment secured through the PCIP DA approved.		In progress, completion Nov 2025
4.1	<i>Longford Memorial Hall Upgrade</i>	Gov		Complete.
4.4	<i>TRANSLink Intermodal Facility</i>	Gov	5,000,000	Funding agreement signed. Contract signed with preferred external service provider – NTDC. Inception meeting held. Variation of milestone completion dates submitted.
Enabling Projects				
5.1	<i>Perth Sports Precinct & Community Centre</i>	Gov		Nominated as a Project of Regional Priority.
5.1	<i>Ben Lomond Public Shelter Development</i>	Gov		Not scheduled at this stage.
5.3	<i>Campbell Town – Town Hall Sale or Lease</i>	Gov		Ongoing
5.3	<i>Longford Library & exhibition Building on the Village Green</i>	Gov		
5.3	<i>Power Undergrounding in Evandale, Longford & Perth</i>	Works		Not scheduled at this stage. Evandale submitted for State Govt 2025/26 Budget consideration.
5.4	<i>Subdivisions (several – Cressy, Evandale, Longford & Perth)</i>	C&D		Detention works not scheduled at this stage.
2 People: Cultural and society – a vibrant future that respects the past				
Enabling Projects				
5.1	<i>Recreation Ground Upgrades</i>	Gov		Not scheduled at this stage.



Project		Status	\$	Scheduled
	Gov	Funding to be sought for oval upgrades. Cressy Recreation Ground Cricket Australia & State Govt funding secured towards the upgrade of the practice facility, car park and dump point.		Sealing of car park for future budget.
		Perth Recreation Ground Amenities, topdressing, cricket net upgrade.		Completed.
		Longford Recreation Ground Irrigation system install and preparation for 2 nd ground.		Completed.
5.1	Gov	Covering of Campbell Town & Cressy Swimming Pools Included in NMC Priority Projects document.	-	Not scheduled at this stage.
	Gov	Cressy: Solar system replacement Ross: Pool operation to continue (as per the current funding model) whilst structurally/operationally safe to do so.	50,000	In progress.
5.2	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.		Hobart Road shared pathway design 90% complete. Awaiting communication with State Growth regarding land consent/agreement
4 Place: Nurture our heritage environment				
Foundation Projects				
4.2	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	Gov	Grants secured for major new/improved infrastructure. Included in NMC Priority Projects document.	3,700,000	Scheduled.
4.5		Annual program implemented. Included in NMC Priority Projects document.		Ongoing.
Enabling Projects				
5.1	Gov	Concept prepared: awaiting funding opportunities. Included in NMC Priority Projects document.		Agreement for Council to take control of Park, and improve as funds permit.
5.3	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 – State Government Open Spaces funding secured for 4 half basketball courts and a playground, and Tas Active Infrastructure grant (\$70,000) secured for the junior soccer field at Perth.
- Laycock Street Park LRCI funding allocation approved – work completed.
- Ross Men’s Shed Extension: Grant Agreement signed. First and second progress reports submitted. Onsite work to commence second quarter 2025.



- 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. Submitted for State Govt Budget 2025/26 consideration.
- Longford Caravan Park Amenities – substantially complete.
- Seacombe Street Reserve Raised Pavement Platform – Vulnerable Road User grant of \$50,000 secured – work nearing completion (light to be installed)
- 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. Grant secured and grant deed awaited.
- Application submitted to Growing Regions Grants Program Round Two for the development of the Northern Midlands Multi-Purpose Sport and Recreation Complex. Application withdrawn.

8.15 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.
- Events held in the Northern Midlands during January included:
 - Longford Cup New Year’s Day Picnic Races
 - GoatFest
 - Morven Park Movie Night
 - Northern Midlands Visitor Centres Group:
 - Disseminate updates and information from TVIN, emergency alert agencies, DSG roadworks updates, etc.
 - Industry, Interpretation, Other Projects:
 - Work with locals to progress interpretation signage on the Perth-15 pound canon.
 - Progress planning for Governor’s February visit.
 - Progress Longford Legends next inductions.

HHTRA update:

- Working with social media consultant planning the boost of events in the region during February.
- The Heritage Highway Operators private Facebook group, as of January 2025, has 79 members.
- 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.
- Carry out administrative tasks/correspondence etc. as required.



8.16 ACTIVE TRANSPORT FUND

Prepared by: *Lorraine Green*

This Australian Government Program commenced in October 2024 to provide funding for the design and construction of new or existing bicycle and walking pathways to encourage the use of active transport. The program is an application-based, merit-assessed funding program, open to all state and territory governments and Local Government Authorities. Applications must directly address at least one of the program's focus areas – being road safety, reducing transport emissions and/or active and liveable communities.

Council submitted two applications.

One application sought funding towards the completion of the Youngtown to West Perth shared pathways network (with a State Government 'Better Active Transport In Tasmania' grant of \$436,500 already secured to commence the pathway between Youngtown and Breadalbane). The total project cost is estimated at \$2,776,922 and Council is eligible to apply for 50% of the project cost. Thus a grant of \$1,388,461 was requested.

The other application sought funding to complete the shared pathway between Longford and Perth that currently terminates at the Illawarra/Pateena Roads intersection. The total project cost is estimated at \$6,792,260, and Council is eligible to apply for 50% of the project cost. Thus a grant of \$3,396,310 was requested. If the grant is secured, Council will enter into negotiations with State Growth with regard to providing funding towards the project.

ATTACHMENTS

Nil



9 PUBLIC QUESTIONS AND STATEMENTS

PUBLIC QUESTIONS AND STATEMENTS

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* makes provision for Public Question Time during a Council meeting.

Public question time is to commence at approximately 5:30pm and is to be conducted in accordance with the following guidelines:

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

PUBLIC QUESTIONS



10 COUNCIL ACTING AS A PLANNING AUTHORITY

RECOMMENDATION

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda Items 11.1 to 11.5.

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: PLN24-0213: 13790 Midland Highway, Epping Forest, 2 Lot Subdivision

PLAN 11.2: P05-075: Amend Permit for Motor Vehicle Repairs at 41 High Street, Longford

PLAN 11.3: PLN24-0031: 6B Saundridge Rd, Cressy, Multiple Dwellings x3

PLAN 11.4: PLN24-0147: 31 Arthur St Evandale, Dwelling and Outbuilding

PLAN 11.5: PLN24-0107: 139 Evandale Rd Western Junction, Demolition of Existing Buildings, Development of Long Term Carpark



11 PLANNING REPORTS

11.1 PLN24-0213: 13790 MIDLAND HIGHWAY, EPPING FOREST, 2 LOT SUBDIVISION

File: 303600.02; PLN24-0213
Responsible Officer: Des Jennings, General Manager
Report prepared by: Rebecca Green, Consultant Planner

RECOMMENDATION

That application PLN-24-0213 to develop the land at 13790 Midland Highway, Epping Forest for 2 Lot Subdivision be refused as the application does not comply with the performance criterion P1 (c) of clause 21.5.1. Specifically: The proposed development is not for the excision of a use or development existing at the effective date (9 November 2022, being the date on which the Northern Midlands Local Provisions Schedule came into effect).

1 INTRODUCTION

This report assesses an application for a 2-lot subdivision against the relevant provisions of the Tasmanian Planning Scheme – Northern Midlands (SPP version 8 effective 23rd October 2024 and LPS version 13 effective 29th October 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.

In the case of the exercise of discretion to refuse or approve the application, items a) and b) above must be considered only as far as each matter is relevant to the particular discretion being exercised.

All applicable standards and requirements in this planning scheme

Compliance with the applicable standards consists of complying with the Acceptable Solution or satisfying the Performance Criteria for that standard. Where an application complies with an Acceptable Solution, the corresponding Performance Criteria cannot be considered. Where an application does not comply with an Acceptable Solution, the application must be assessed against the corresponding Performance Criteria. An assessment of the applicable standards pertaining to this application is included in section 5 of this report.

Any representations received pursuant to and in conformity with section 57(5) of the Act.

The council as the Planning Authority is obliged to consider the views raised by the community by way of representation received during the public notification period. However, decisions made by the Planning Authority must be in accordance with the Act and the planning scheme. This means that Council as the Planning Authority can only consider matters raised in representations that insofar as those matters are relevant to the particular discretion being exercised. Consideration of matters that are not relevant to the particular discretion being exercised risks a decision being made that cannot stand up to challenge through the Tasmanian Civil and Administrative Tribunal. An assessment of the representation/s is included in section 5.5 of this report.

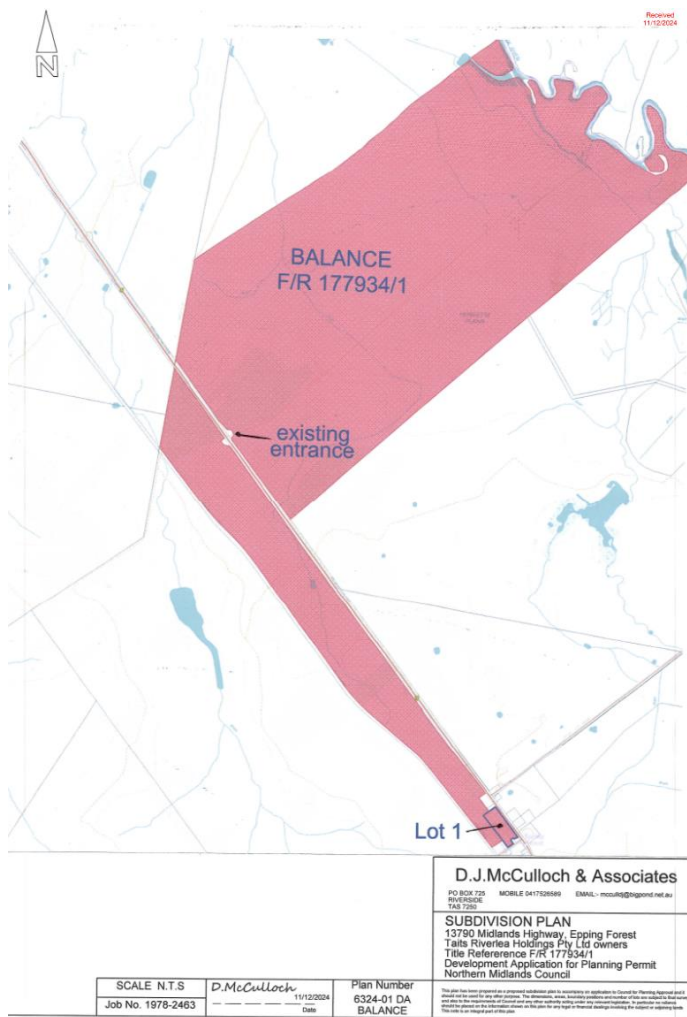


3 APPLICATION DETAILS AND TIMEFRAMES

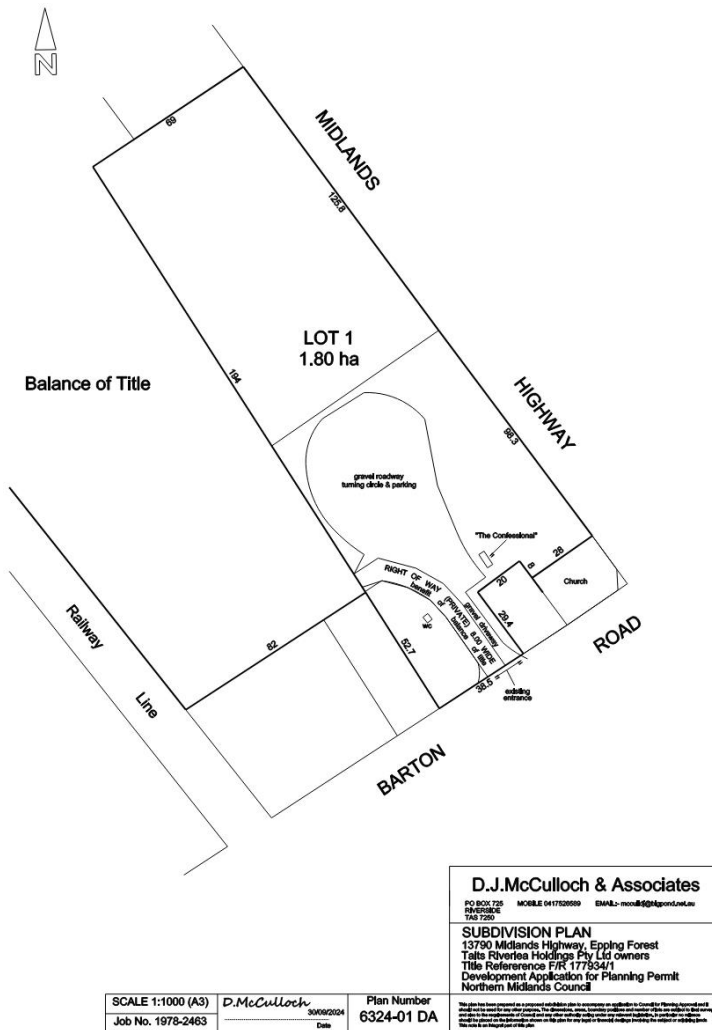
Existing use/development:	Resource Development and Food Services
Use classification:	Not applicable. Clause 6.2.6 states that subdivision does not need to be categorised into one of the Use Classes.
Zone:	21.0 Agriculture
Particular Purpose Zone/Specific Area Plan:	Not applicable
Applicable codes:	C2.0 Parking and Sustainable Transport Code C13.0 Bushfire-Prone Areas Code
Application must be determined by:	21 February 2025
Recommendation:	Refusal as the application does not comply with performance criterion 21.5.1 P12 (c).

4 SUBJECT SITE AND LOCALITY

Subject site



^ Proposed Lot 1 and Balance



^Detail of Proposed Lot 1

Image of the site and surrounding area



^Subject site from Barton Road



^Subject site from Midland Highway

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 (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	-
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	Y
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	-	Does not apply, as not for sensitive use
C4.0 Electricity Transmission Infrastructure Protection Code	-	
C5.0 Telecommunications Code	-	
C6.0 Local Historic Heritage Code	Y	C6.2.3 as listed on Tasmanian Heritage Register
C7.0 Natural Assets Code	Y	C7.7.1(e) is met with no works within the area
C8.0 Scenic Protection Code	Y	C8.4.1(d) is met as no works proposed
C9.0 Attenuation Code	-	
C10.0 Coastal Erosion Hazard Code	-	
C11.0 Coastal Inundation Hazard Code	-	



CODE		Applicable (Y/-)	Exemption Applied
C12.0	Flood-Prone Areas Hazard Code	-	
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	-

The relevant Scheme definitions are:

Table 6.2 Use Class	
Not Applicable	In accordance with CLAUSE 6.2.6 development which is for subdivision, a sign, land filling, retaining walls or coastal protection works does not need to be categorised into one of the Use Classes.
Table 3.1 Planning Terms and Definitions	
subdivide	means to divide the surface of a lot by creating estates or interests giving separate rights of occupation otherwise than by: <ol style="list-style-type: none"> a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building; b) a lease of airspace around or above a building; c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years; d) the creation of a lot on a strata scheme or a staged development scheme under the Strata Titles Act 1998; or e) an order adhering existing parcels of land.
subdivision	means the act of subdividing or the lot subject to an act of subdividing.

The proposed development (subdivision) does not need to be categorised into a use class. Clause 7.10.1 states that an application for development that is not required to be categorised into one of the Use Classes under sub-clause 6.2.6 of this planning scheme and to which 6.8.2 applies, excluding adjustment of a boundary under sub-clause 7.3.1, may be approved at the discretion of the planning authority. In exercising its discretion, the Planning Authority must have regard to the purpose of the zone, local area objectives, code, specific area plan and/or site-specific qualifications.

5.1 STATE PLANNING PROVISIONS – ZONE PROVISIONS

ASSESSMENT OF THE AGRICULTURE 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 development (subdivision) does not need to be categorised into a use class.



21.3.1 Discretionary Uses		
Not applicable.		
21.4 Development Standards for Buildings and Works		
Not applicable.		
21.5 Development Standards for Subdivision		
Clause	Description	Assessment
21.5.1	Lot Design	A1 Relies on performance criterion P1.
		A2 Complies. Existing accesses are to be retained. No works are proposed. The Department of State Growth has required a change to the Plan of Subdivision relating to the Balance lot and requires frontage to Barton Road be provide, a right of way is not acceptable as the only means of access to the lower road hierarchy. An amended plan of subdivision would be required should the proposal be approved and can be conditioned appropriately.

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

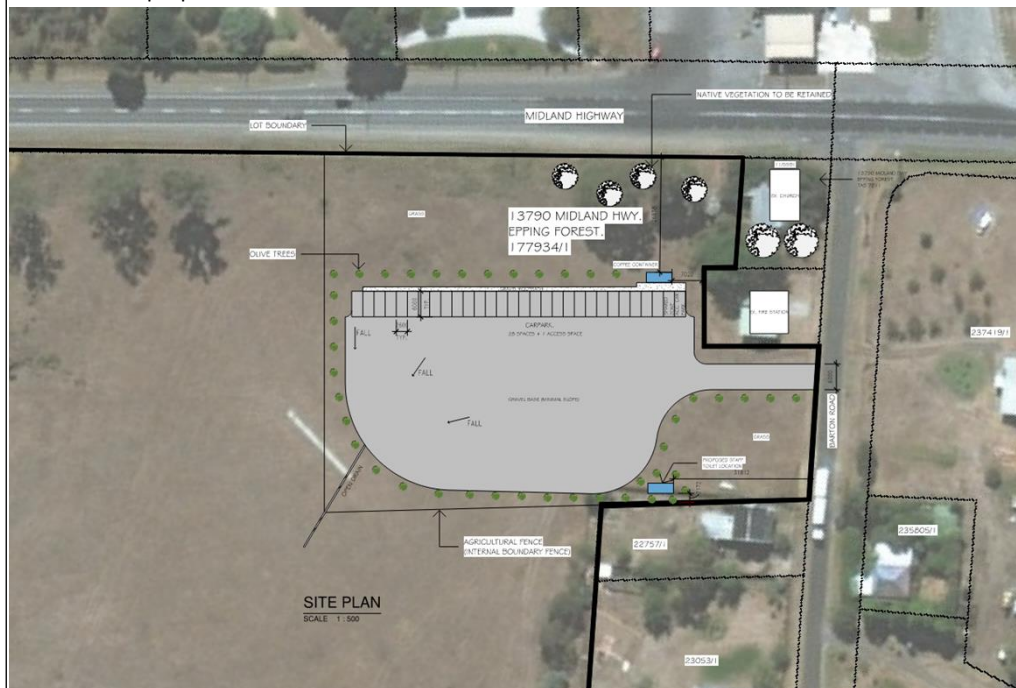
DISCRETIONS	
21.5.1	Lot Design
P1	<p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> a) provide for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> (i) not materially diminishing the agricultural productivity of the land; (ii) the capacity of the new lots for productive agricultural use; (iii) any topographical constraints to agricultural use; and (iv) current irrigation practices and the potential for irrigation; b) be for the reorganisation of lot boundaries that satisfies all of the following: <ul style="list-style-type: none"> (i) provides for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> a. not materially diminishing the agricultural productivity of the land; b. the capacity of the new lots for productive agricultural use; c. any topographical constraints to agricultural use; and d. current irrigation practices and the potential for irrigation; (ii) all new lots must be not less than 1ha in area; (iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2; (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 (v) it does not create any additional lots; or 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"> (i) the balance lot provides for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> a. not materially diminishing the agricultural productivity of the land; b. the capacity of the balance lot for productive agricultural use; c. any topographical constraints to agricultural use; and d. current irrigation practices and the potential for irrigation; (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; (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 (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.
Assessing Officers Comments	The proposal relies upon assessment against P1 (c). The current configuration of the land is largely agricultural use with a small section at the south for the coffee shop known as 'The Confessional' which includes parking and access and a landscaped area. The coffee shop was approved by planning permit PLN20-0286 on 19 March 2021

DISCRETIONS

The existing approved use utilises approximately 8,500m² for the carparking and parklands. The proposed lot for 'The Confessional' is 1.8ha, which the application states allows for future expansion of parking for larger vehicles, and additional space for parklands expansions.

The performance criterion is to provide for the excision of a use or development at the effective date, that satisfies a number of sub-criteria. The critical fact is that the subdivision is not for only a use or development existing at the effective date (9 November 2022). The performance criterion does not provide for consideration of a future use or development.

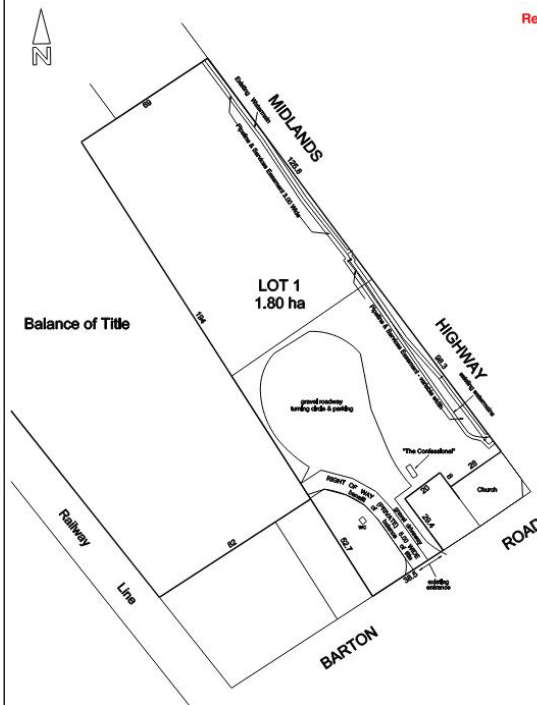
The image below is of the approved use and development, which equates only for an area approximately half of the size of the lot proposed.



The proposed Plan of Subdivision clearly shows that the boundaries of proposed Lot 1 exceeds the approved use and development existing at the effective date.

'Excision' is not defined in the Scheme or in LUPAA and should be given its ordinary meaning. 'Excision' is the noun form of the verb excise. The Macquarie Dictionary defines excise as: "to expunge, as a passage or sentence" or "to cut out or off, as a tumour". Neither definition is directly applicable to excision in the sense used in P1, but they both involve the removal of a smaller part leaving a larger remainder which retains its pre-excision structure or substance. Excision as far as this application is concerned, entails separating the coffee shop, carparking and includes its curtilage.

DISCRETIONS



The proposal therefore will not excise only a use or development existing at the point in time of 9 November 2022 and would provide for a lot around double the size of the land area for that existing use and development. The line shown on the land below "Lot 1 1.80ha" and above the car park area outlines the extent of the approved use and development and clearly outlines that the area of proposed Lot 1 is not to excise that area only.

Lot 1 will not adversely affect the agricultural use of the remaining Balance lot. There is currently no agricultural significance to that portion of the title and the existing access will be sufficient to maintain the current agricultural use of the Balance. There is no sensitive use that would require to meet the setbacks in clause 21.4.2 and both titles will have a frontage to a road with existing approved crossovers that are currently being use for and are suitable for the existing use on each lot.

The proposal does not comply with the performance criterion P1 (c) as the Lot 1 is not for excision of a use or development existing at the effective date.

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

Not applicable.

5.3 State Planning Provisions – Code Provisions

C2.0 PARKING AND SUSTAINABLE TRANSPORT CODE

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 development (subdivision) does not need to be categorised into a use class.

C2.5 Use Standards

Clause	Description	Assessment
C2.5.1	Car Parking Numbers (Refer to table C2.1)	A1 Existing food services use on Lot 1 retains existing parking within the lot boundaries. Existing dwelling on Balance retains existing parking within the lot boundaries. Each lot is of sufficient size that any future use can accommodate onsite car parking.



C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 Not applicable.
C2.5.3	Motorcycle parking numbers (Refer to table C2.4)	A1 Not applicable.
C2.5.4	Loading Bays	A1 Not applicable.
C2.5.5	Number of car parking spaces within the GenRes Zone	A1 Not applicable.
C2.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C2.6.1	Construction of parking areas	A1 Not applicable.
C2.6.2	Design and layout of parking areas	A1.1 Not applicable.
		A1.2 Not applicable.
C2.6.3	Number of accesses for vehicles	A1 Complies, no changes to existing accesses.
		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.
C2.7 Parking Precinct Plan		
Clause	Description	Assessment
C2.7.1	Parking precinct plan	A1 Not applicable.

C13.0 BUSHFIRE-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 development (subdivision) does not need to be categorised into a use class.

C13.5 Use Standards		
Clause	Description	Assessment
C13.5.1	Vulnerable Uses	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.



C13.5.2	Hazardous Uses	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.
C13.6 Development Standards for Subdivision		
Clause	Description	Assessment
C13.6.1	Provision of hazard management areas	A1 Complies. Bushfire Assessment Report prepared by Risden Knightley BFP-115 demonstrates compliance.
C13.6.2	Public and fire fighting access	A1 Complies. Bushfire Assessment Report prepared by Risden Knightley BFP-115 demonstrates compliance.
C13.6.3	Provision of water supply for fire fighting purposes	A1 Not applicable.
		A2 Complies. Bushfire Assessment Report prepared by Risden Knightley BFP-115 demonstrates compliance.

5.4 REFERRALS

<p><u>Council's Infrastructure & Works Department – NMC</u> Council's Engineer (Jonathan Galbraith) reported on 12 December 2024 Condition to impose on a permit was provided should an approval be granted.</p>
<p><u>TasWater</u> TasWater issued a Submission to Planning Authority Notice on 17/01/2025 (TasWater Ref: TWDA 2024/01457-NMC). Conditions to impose on a permit were provided should an approval be granted.</p>
<p><u>TasNetworks</u> TasNetworks reported on 17 December 2024 that the development is not likely to adversely affect TasNetworks' operations.</p>
<p><u>TasRail</u> TasRail reported on 23 December 2024 that TasRail had reviewed the available documentation and confirmed that they have no objections to the proposal.</p>
<p><u>Tasmanian Heritage Council</u> The THC issued a Notice of No Interest on 12 December 2024 (Ref: 10-47-52THC).</p>
<p><u>Department of State Growth</u> <u>Road Authority</u> As the Road Authority per the <i>Roads and Jetties Act 1935</i>, Midland Highway, the following opinion/recommendation of the Department was provided:</p> <ul style="list-style-type: none"> The Balance must retain public road frontage and the ability for practical access to Barton Road in its own right, i.e., not solely reliant upon a right-of-way over proposed Lot 1 (the two lots are to have separate and direct road frontage). The subdivision plan is to be reconfigured to allow retention of direct public road frontage for the Balance to Barton Road of a suitable amount. Retention of an appropriate amount of public road frontage to Barton Road will also cater for possible future development of and access to the Balance. The Midland Highway is a declared limited access road in this area and public road frontage to and access via the lower road in the hierarchy must be retained for the Balance. It is understood that the illegal access along the Midland Highway boundary of proposed Lot 1 had been closed by fencing. All access to proposed Lot 1 is to be via Barton Road only and this is to be a condition of any subdivision approval issued. Proposed Lot 1 has no legal right of access to the Midland Highway and, therefore, the Midland Highway is not, in this instance, a public road for the purposes of providing frontage for or access to that lot. Public road frontage and legal access for proposed Lot 1 is to Barton Road only. An appropriately worded covenant restricting access to Barton Road only for proposed Lot 1 is to be included in the created Schedule of Easements. <p>Conditions to impose on a permit regarding frontage to Barton Road to Balance and amended Plan of Subdivision required, and restriction of access to Lot 1 from Midland Highway can be undertaken should an approval be granted.</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 four (4) representations were received. Representations in full have been separately provided to the Planning Authority.

Issue 1

Condition of rural road (Barton Road) not being built to endure large amounts of traffic and trucks. Severe deterioration as a result of heavy traffic and large vehicles.

Planner's Comment:

The concern relates to the condition of Barton Road. The subdivision is not expected to increase traffic movements on Barton Road, as no additional use is proposed to that already approved. The concern of the condition of the road is outside the scope of the assessment of the proposed subdivision. This is a matter for consideration of the Road Authority separately.

Issue 2

Trucks use private driveway to "swing wide" to gain access to parking in Confessional causing damage to road and drains.

Planner's Comment:

The access to the approved use and development on proposed Lot 1 to Barton Road was designed and constructed to satisfy the requirements of AS 2890. There should be no need to "swing wide", however, the subdivision proposal is not able to consider the driving ability of road users. This is a matter for consideration of the Road Authority separately.

Issue 3

Water does not drain properly from Confessional car park area affecting local school bus access at nearby bus stop.

Planner's Comment:

The concern raised relates directly to the existing approved use (PLN-20-0286) of an area of proposed Lot 1 and does not necessarily relate to the subdivision proposal subject to this assessment. Any non-compliance with the existing approved use and development is a separate matter for consideration outside the scope of this assessment.

Issue 4

Vehicles parking in "no standing" zones due to Confessional signage displayed on highway.

Planner's Comment:

The concern raised relates directly to the existing approved use (PLN-20-0286) of an area of proposed Lot 1 and does not necessarily relate to the subdivision proposal subject to this assessment. Any non-compliance with the existing approved use and development is a separate matter for consideration outside the scope of this assessment.

Issue 5

Sightlines diminished due to illegal parking, safety concern.

Planner's Comment:

Concern appears to be related to Issue 4. See comment above.

Issue 6

Trading hours are random, and closed signs are not erected to re-direct traffic so large vehicles turn in Barton Road and damage it.



Planner's Comment:

The concern raised relates directly to the existing approved use (PLN-20-0286) of an area of proposed Lot 1 and does not necessarily relate to the subdivision proposal subject to this assessment. A Traffic Impact Assessment was considered at the time of assessment of the use and development existing on proposed Lot 1. The access to the approved use and development on proposed Lot 1 to Barton Road was designed and constructed to satisfy the requirements of AS 2890. Any non-compliance with the existing approved use and development is a separate matter for consideration outside the scope of this assessment.

Issue 7

Lack of privacy due to increased traffic.

Planner's Comment:

The concern raised relates directly to the existing approved use (PLN-20-0286) of an area of proposed Lot 1 and does not necessarily relate to the subdivision proposal subject to this assessment.

Issue 8

Impact on property values.

Planner's Comment:

Not a relevant consideration under the Planning Scheme, no further comment required.

Issue 9

Carpark already very large, never full.

Planner's Comment:

The subject application is for subdivision only, no further development including car park expansion is proposed. Any car park expansion would be subject to a separate planning application.

Issue 10

Gravel surface increases dust and pollution.

Planner's Comment:

The concern raised relates directly to the existing approved use (PLN-20-0286) of an area of proposed Lot 1 and does not necessarily relate to the subdivision proposal subject to this assessment. The surface material complied with the planning scheme requirement at the time of approval.

Issue 11

Not enough infrastructure which is family friendly to justify subdivision.

Planner's Comment:

It is unclear what type of infrastructure this comment relates to, however the existing use of an area of proposed Lot 1 is approved. No further use or development, other than subdivision, is proposed. Sufficient infrastructure services i.e. water connection etc. has been considered by the relevant Authority.

Issue 12

Road would need widening and give way sign installed.

Planner's Comment:

The proposal does not include any intensification or new use and no additional access points proposed to either Road other than those already approved. Road widening due to the subdivision proposal is not warranted in this case.



Issue 13

Increased noise and air pollution.

Planner's Comment:

The proposal is for subdivision only. No further development or use is proposed that would provide for any increase in noise or air pollution.

Issue 14

Agricultural land should be preserved as such to maintain a sustainable balance between urban and rural areas.

Planner's Comment:

Assessment is provided within this report against the provisions of the Agriculture Zone.

Issue 15

Safety concerns for local children.

Planner's Comment:

The proposal is for subdivision only. Use of the site exists. It is difficult to understand how the proposed subdivision will cause any difference relating to safety for local children.

5.6 OBJECTIVES OF THE LAND USE PLANNING AND APPROVALS ACT 1993

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

- (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and
- (b) to provide for the fair, orderly and sustainable use and development of air, land and water; and
- (c) to encourage public involvement in resource management and planning; and
- (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c) ; and
- (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.

The objectives of the planning process established by the Act are, in support of the objectives set out above of this Schedule

–

- (a) to require sound strategic planning and co-ordinated action by State and local government; and
- (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; and
- (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; and
- (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; and
- (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; and
- (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; and
- (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and
- (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; and
- (i) to provide a planning framework which fully considers land capability.

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



5.7 STATE POLICIES

The proposal is consistent with all State Policies.

5.8 STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan - Statutory Planning

The proposal is consistent with this policy.

6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

7 OPTIONS

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

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

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

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

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

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

The proposed conditions of approval 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 Local Government (Building and Miscellaneous Provisions) Act 1993 ASSESSMENT OF PROPOSAL

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
Section 84	Council not to approve subdivision	Yes	No
84(1)(c)	Does the subdivision include any road or other works whereby drainage will be concentrated and discharged into any drain or culvert on or under any State highway, and the Minister administering the <i>Roads and Jetties Act 1935</i> has first not approved so much of the application as affects the drainage?		X
	If 'yes', refuse the subdivision.		
Section 85	Refusal of application for subdivision	Yes	No
	Council may refuse the application for subdivision if it is of the opinion:		
85(a)	that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is;		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;		X
85(g)(ii)	party-wall easements;		X
85(g)(iii)	the state of a party-wall on its boundary.		X
Section 86	Security for payment	Yes	No
	Does council require security for payments and the execution of works for -		
86(2)(c)	if the land is not located within 30 metres of the existing public 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
	If 'yes':		
	council may refuse to approve the application until such security is given.		
	See section 86 (3) for the form of the security.		
	See section 86 (4) for when the works are to be executed.		
Section 107	Access orders	Yes	No
107 (2)	Is work of a substantial nature needed to provide access for vehicles from a highway onto the block?		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.		
Section 108	Road widening	Yes	No
108 (1) (a)	Does council, in respect of an existing highway, require to obtain a dedication of land for widening or diverting? (compensation is not payable for the dedication of land which lies within 9 metres of the middle line of the highway of a parcel into which the land is subdivided and on which no building stands)		X
108 (1) (b)	Does council, in respect of an existing highway, require to obtain a licence to embank?		X
Division 8	Public Open Space	Yes	No
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

9 ATTACHMENTS

1. PL N-24-0213 public exhibition documents [11.1.1 - 60 pages]
2. Response DSG Referral Midland Highway, Epping Forest - PL N 24-0213 [11.1.2 - 3 pages]
3. SPAN Tas Water [11.1.3 - 2 pages]



11.2 P05-075: AMEND PERMIT FOR MOTOR VEHICLE REPAIRS AT 41 HIGH STREET, LONGFORD

File: 106700.38; P05-075
Responsible Officer: Des Jennings, General Manager
Report prepared by: Paul Godier, Senior Planner

RECOMMENDATION

That planning permit P05-075 to develop and use the land at 41 High Street, Longford for motor vehicle repairs be amended under section 56 of the *Land Use Planning and Approvals Act 1993* by replacing endorsed document D2 (letter from Mathew Smith dated 14 June 2005) with the letter from Mathew Smith dated 9 January 2025.

1 INTRODUCTION

This report assesses an application to amend a planning permit for motor vehicle repairs at 41 High Street, Longford.

Condition 7 of the permit is:

Specified operator only

An agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 in accordance with endorsed document D2 shall be entered into and registered on the property title at the expense of the applicant.

Endorsed document D2 is a letter from Mathew Smith dated 14 June 2005 stating, “We would like to add to the conditions list a Part 5 agreement that if we sell the mechanical premises the land revert to residential”.

Mathew Smith wrote to Council on 9 January 2025 advising that:

“Daimon Shelton is looking to purchase 41 High Street, Longford. I am therefore requesting that the current permit operator for P05-075 be amended from M & B Smith to Daimon John Shelton and retain the Part 5 agreement on title, once settlement is complete.

Since July 2017, Daimon has been employed at Mathew Smith Mechanical, where he has successfully completed his light vehicle trade certificate. Daimon has assumed more of a managerial role in recent years, handling customer service, scheduling and ordering of parts.

The business began operation in October 2005, and I have always maintained a clean work environment, Daimon will continue to operate at the same standard.

I would also like to mention that throughout the time the business has been in operation, there have been no complaints, and I have built relationships with the current neighbours.

All customers have a great relationship with Daimon, and if the transfer is approved, customers have advised that they will continue to support the business.

Mr. Smith has been advised that if the permit is amended, he will then have to engage a lawyer to submit to Council a new Part 5 Agreement in the name of the new owner.

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 to amend the permit pursuant to Section 56(1) of the Act and the planning scheme that was in effect when the permit was issued (the Northern Midlands Planning Scheme 1995).



The request is made pursuant to section 56 of the *Land Use Planning & Approvals Act 1993* (i.e. amendments to permits). The original application was made pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application).

56. Minor amendments of permits issued by a planning authority

(1) *The owner of land, or a person with the consent of the owner, may request the planning authority in writing to amend a permit which applies to that land and which is a permit issued by the planning authority.*

3 APPLICATION DETAILS AND TIMEFRAMES

Existing use/development:	Motor vehicle repair business and a single dwelling
Use classification and Zone:	Light Industry (motor vehicle repair) was approved on 27 June 2005 under the <i>Northern Midlands Planning Scheme 1995</i> when the land was in the Rural General Zone.
Particular Purpose Zone/Specific Area Plan	N/a
Codes	N/a
Application must be determined by:	21 February 2025
Recommendation:	Approve the amendment to the permit.

4 SUBJECT SITE AND LOCALITY



^Subject site and surrounds



^Subject site from High Street

When the permit for motor vehicle repairs was approved in 2005, the land was in the Rural Zone and the use was discretionary. The land has since been rezoned to General Residential

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.

5.1 S.56 LUPAA

*The planning authority may amend the permit if it is satisfied that the amendment –
(aa) is not an amendment of a condition or restriction, specified in the permit, that is required, imposed or amended by the Appeal Tribunal; and*

Comment: The permit was not decided by appeal.

(a) does not change the effect of a condition or restriction, specified in the permit, that is required, imposed or amended by the Appeal Tribunal;

Comment: The permit was not decided by appeal.

(b) will not cause an increase in detriment to any person;

Comment: There is no record of complaints regarding noise or other pollution from the site. Conditions remain on the permit regarding hours of operation (8am – 6pm Monday to Friday) and that the amenity of the area must not be detrimentally affected by the use or development through the emission or noise, light, vibration, smell, fumes, smoke,



vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil. It is considered that the amendment to change the specified operator will not cause an increase in detriment to any person.

(c) does not change the use or development for which the permit was issued other than a minor change to the description of the use or development.

Comment: The amendment does not change the use or development for which the permit was issued.

5.2 Referrals

No referrals were required.

5.3 REPRESENTATIONS

Notice of the original application was given in March 1995. Six representations were received. Concerns raised were:

- Operation hours, including out-of-hours entry for emergency maintenance.
- Noise pollution.
- Tuning and servicing of racing cars.
- Noise of car engines after normal trading hours.
- Noise barriers.
- Decreased land value.
- Storage of flammable materials.
- Additional vehicle entry to Paton Street.
- Additional traffic.
- Signage.
- Welding equipment.
- Storage of vehicles and parts.
- Increased traffic in street with no footpaths or gutters.
- Parking and storage of vehicles awaiting repair.
- Disposal of discarded parts, oil spillage and contamination.
- Inappropriate use in essentially residential area, unsightly.
- Adjacent to sawmill site which is likely to be closed and subdivided for residential use.

If the amendment is approved, Council must notify representors to the original application and all adjoining owners and occupiers, who may appeal the decision to amend the permit to the Tasmanian Civil and Administrative Tribunal.

5.4 OBJECTIVES OF THE LAND USE PLANNING AND APPROVALS ACT 1993

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

- (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and
- (b) to provide for the fair, orderly and sustainable use and development of air, land and water; and
- (c) to encourage public involvement in resource management and planning; and
- (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and
- (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.

The objectives of the planning process established by the Act are, in support of the objectives set out above of this Schedule

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



- (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; and
- (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; and
- (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; and
- (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and
- (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; and
- (i) to provide a planning framework which fully considers land capability.

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

5.5 STATE POLICIES

The proposal is consistent with all State Policies.

6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

7 OPTIONS

Council can:

- Approve the amendment; or
- Refuse the amendment.

8 ATTACHMENTS

1. Planning Permit P 05-075 [**11.2.1** - 2 pages]
 2. D 1 Letter from Mathew Smith 14 June 2005 [**11.2.2** - 1 page]
 3. Letter from Mathew Smith 9 January 2025 [**11.2.3** - 1 page]
-



11.3 PLN24-0031: 6B SAUNDRIDGE RD CRESSY MULTIPLE DWELLINGS X3

File: 111900.06; PLN24-0031
Responsible Officer: Des Jennings, General Manager
Report prepared by: Brandie Strickland, Statutory Planner

RECOMMENDATION

That application PLN-24-0031 to develop and use the land at 6b Saundridge Road, Cressy for 3x multiple dwellings in addition to the existing cemetery be approved subject to the following conditions:

1 Endorsed Documents

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

1. P1 Site plan 1:500 dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 2/16
2. P2 Site plan 1:200 dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 3/16
3. P3 Strata plan dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 4/16
4. P4 Landscape plan dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 5/16
5. P5 Parking and turning plan dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 6/16
6. P6 Floor plans dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 7/16
7. P7 External services plan dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 8/16
8. P8 Unit 1 elevations dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 9/16
9. P9 Unit 1 elevations dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 10/16
10. P10 Unit 2 elevations dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 11/16
11. P11 Unit 2 elevations dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 12/16
12. P12 Unit 3 elevations dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 13/16
13. P13 Unit 3 elevations dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 14/16
14. P14 Shadow diagrams dated 16/09/2024 by Design to Live Job No. SNDR6B Drawing 16/16
15. D1 Onsite detention report by RJK Consulting Engineers dated 30/09/2024, Project 24/25 TAS 004, Revision 3
16. D2 Statement of Historical Archaeological Potential (SHAP) and Archaeological Method Statement (AMS) – 6b Saundridge Road Cressy by Southern Archaeology dated 18/05/2024 Version Draft 2.
17. D3 Results of further archaeological analysis (GPR and Metal Detection) – 6b Saundridge Road Cressy by Southern Archaeology dated 21/11/2024 Version Draft 3.
18. D4 Results of further archaeological analysis (Brief on Machine Excavation) – 6b Saundridge Road Cressy by Southern Archaeology dated 16/12/2024 Version Final.

2 TasWater conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2024/00315-NMC) – Attached at Appendix A.

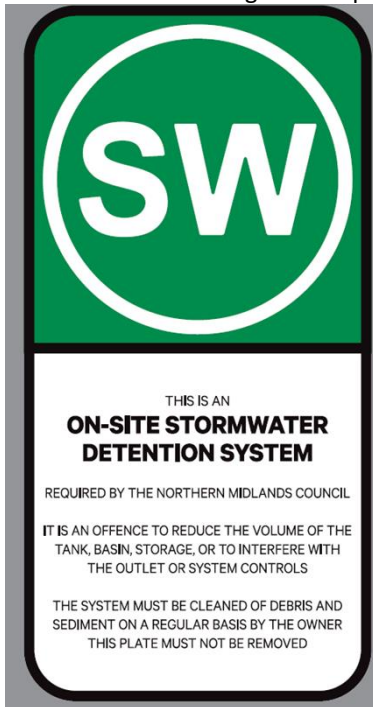
3 Stormwater

As the Stormwater Service Provider Council's Works Department require the following:

- a. A Stormwater System Management Plan is to 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.
- b. The Stormwater Management Plan is to 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.
- c. The Stormwater Report, For Construction drawings, and the O&M plan are to 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.

d. The Operation and Maintenance Manual must:

1. Provide a detailed description of the OSD and WSUD systems as well as the components included in the system covered in the manual; provide a comprehensive detailed explanation of all major operating procedures to ensure that the systems work as designed; and
2. Detail the preventive and corrective maintenance programs that must be adopted to ensure the systems are in a proper working order, including maintenance schedules, procedures, and test requirements.
3. A connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.
 - a. A stainless steel or aluminium sign with minimum 200mm x 100mm dimensions with the following design and wording shall be permanently fixed and visible on the detention system:



- b. Concentrated stormwater must not be discharged into neighbouring properties
- c. Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- d. All driveways and hardstand areas must be designed to allow stormwater run-off to be adequately drained to the Council stormwater system.
- e. A plumbing permit is required prior to commencing any plumbing or civil works within the property.
- f. 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:

4. Locations and sizes of pipes, pits, detention areas, volumes, tanks, outlets, WSUD elements etc.
5. Invert levels and surface levels for pipes, manholes, detention, WSUD elements etc.
6. Location and relative level of the connection to the public stormwater system
7. 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.
8. A fee of \$2000 per dwelling is to be paid in lieu of onsite stormwater quality management, in accordance with Council's Stormwater Quality Management Policy **prior to issue of building permit.**

4 Access, driveways and parking

1. **Prior to works commencing on site**, a concrete driveway crossover must be constructed for each dwelling from the edge of the road to the property boundary in accordance with Council standards.
2. Access works must not commence until an application for vehicular crossing has been approved by Council.
3. All works must be done in accordance with Council Standard Drawing TSD-R09 and to the satisfaction of the Works Manager.



4. Driveways and parking areas must be sealed in accordance with the endorsed documents prior to the occupation of the units.
5. All parking bays must be delineated by line marking or other clear physical means.
6. The visitor parking bay must be clearly delineated and identified by a sign or other physical means as 'Visitor Bay' prior to the occupation of the units.
7. Prior to the occupation of the units a sign must be installed at the driveway frontage visible from the street which states 'Shared area – Pedestrian access only to cemetery' (or similar) to prevent visitors to the cemetery parking onsite.

5 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.

6 Pollutants

1. The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
2. 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 Works damage bond

Prior to the issue of a building permit, or the commencement of development authorised by this permit, a \$1000 bond must be provided to Council, which will be refunded if Council's infrastructure is not damaged.

- a) This bond is not taken in place of the Building Department's construction compliance bond.
- b) The nature strip, crossover, apron and kerb and gutter and stormwater infrastructure must be reinstated to Council's standards if damaged.
- c) The bond will be returned after building completion if no damage has been done to Council's infrastructure and all engineering works are done to the satisfaction of the Works & Infrastructure Department.

8 Nature strips

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

9 Landscaping

Per Council's policy a bond of \$500 per dwelling must be paid to Council prior to works commencing on site 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.

10 Fences

1. All fences (and parts thereof) within 4.5m of the front boundary must have an overall height of not more than:
 - a. 1.2m above existing ground level if the fence is solid; or
 - b. 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights).
2. All side and rear fences (not within 4.5m of the frontage) must have an overall height of not more than 1.8m above existing ground level.

11 Archaeological report

All recommendations of the Results of further archaeological analysis (Brief on Machine Excavation) – 6b Saundridge Road Cressy by Southern Archaeology dated 16/12/2024 Version Final must be followed including but not limited to:



1. A copy of the Unanticipated Discovery Plan (UDP) be kept on site during the duration of works and be followed if suspected Aboriginal heritage is found during works.
2. Special note regarding the protocols in Section 10.3 - Aboriginal Heritage Protocol (Historical and Other Contexts) and Section 10.4 – Cease Work Protocol (Human Remains and Burials) must be taken.
3. A copy of Section 10.3 - Aboriginal Heritage Protocol (Historical and Other Contexts) and Section 10.4 – Cease Work Protocol (Human Remains and Burials) must be kept on site during works and adhered to if any Aboriginal material, human remains or burials are identified during works.
4. The Call Back Protocol (Unanticipated Discovery Plan for European Heritage Features or Objects) developed for the study area must be applied to any archaeological remains or material discovered during works within the Survey 1 and Survey 2 areas and outside of these areas (anywhere else on the property).
5. If archaeological remains, materials or other unanticipated discoveries are made during works that seem to be unrelated to the 1892 buildings identified in this report the contractor or worker must:
 - a. Cease work in that area.
 - b. Notify the proponent (Design to Live) of the find.
 - c. Notify Heritage Tasmania or a qualified archaeologist and request they visit the site to identify and/or record the find and make recommendations on how to proceed.
6. A copy of the Unanticipated Discovery Plan (Appendix 2) must be kept onsite during any sub-surface work and followed if unanticipated finds are encountered.
7. The Cease Work Protocol (CWP) Human Remains and Burials must be enacted where excavation or works identify human remains or human burials or other related significant archaeology.

In addition to the above:

8. A meeting with all relevant persons who will be undertaking works on the site must be held prior to major contractors commencing on site to discuss what triggers the Call Back Protocol. Council must be notified of the time and date of this meeting at least 48 hours prior to it occurring and Council planners may be in attendance.
9. If Cease Work Protocols (CWP) are triggered Council must be notified within 24 hours.
10. Council must be notified at least 24 hours prior to any works being undertaken. Works includes any change to the natural or existing condition or topography of land including the removal, destruction or lopping of trees and the removal of vegetation or topsoil.

1 INTRODUCTION

This report assesses an application for multiple dwellings (x3) (residential use) in addition to the existing cemetery (crematoria and cemeteries use) against the relevant provisions of the *Tasmanian Planning Scheme – Northern Midlands* (SPP version 8 effective 23 October 2024 and LPS version: 13 effective from 29 October 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.

In the case of the exercise of discretion to refuse or approve the application, items a) and b) above must be considered only as far as each matter is relevant to the particular discretion being exercised.

All applicable standards and requirements in this planning scheme

Compliance with the applicable standards consists of complying with the Acceptable Solution or satisfying the Performance Criteria for that standard. Where an application complies with an Acceptable Solution, the corresponding Performance Criteria cannot be considered. Where an application does not comply with an Acceptable Solution, the application must be assessed against the corresponding Performance Criteria. An assessment of the applicable standards pertaining to this application is included in section 5 of this report.

Any representations received pursuant to and in conformity with section 57(5) of the Act.

The council as the Planning Authority is obliged to consider the views raised by the community by way of representation received during the public notification period. However, decisions made by the Planning Authority must be in accordance with the Act and the planning scheme. This means that Council as the Planning Authority can only consider matters raised in representations that insofar as those matters are relevant to the particular discretion being exercised. Consideration of matters that are not relevant to the particular discretion being exercised risks a decision being made that cannot stand up to challenge through the Tasmanian Civil and Administrative Tribunal. An assessment of the representation/s is included in section 5.5 of this report.

3 APPLICATION DETAILS AND TIMEFRAMES

Existing use/development:	Crematoria and Cemeteries
Use classification:	Residential
Zone:	General Residential
Particular Purpose Zone/Specific Area Plan:	NOR-S3.0 Cressy Specific Area Plan
Applicable codes:	C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code C6.0 Local Historic Heritage Code C7.0 Natural Assets Code C16.0 Safeguarding of Airports Code (exempt)
Application must be determined by:	14 February 2025
Recommendation:	Approval subject to conditions.

4 SUBJECT SITE AND LOCALITY

Subject site



Aerial image of the site and surrounding area

Zone Map



Photographs of subject site



5 PLANNING SCHEME ASSESSMENT

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

GENERAL PROVISIONS		Applicable (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	-
7.7	Buildings Projecting onto Land in a Different Zone	-
7.9	Demolition	-
7.10	Development Not Required to be Categorised into a Use Class	-
7.11	Use or Development Seaward of the Municipal District	-
7.12	Sheds on Vacant Sites	-
7.13	Temporary Housing	-

CODE	Applicable (Y/-)	Exemption Applied
C1.0	-	-
C2.0	Y	-
C3.0	Y	-
C4.0	-	-
C5.0	-	-
C6.0	Y	-
C7.0	-	-
C8.0	-	-
C9.0	-	-
C10.0	-	-
C11.0	-	-
C12.0	-	-
C13.0	-	-
C14.0	-	-
C15.0	-	-
C16.0	Y	C16.4.1



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	Y
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	
Crematoria and Cemeteries (existing use)	use of land for the burial or cremation of human or animal remains, and if land is so used, the use includes a funeral chapel.
Residential (proposed use)	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.
Building	Means as defined in the Act: <i>building includes –</i> (a) <i>a structure and part of a building or structure; and</i> (b) <i>fences, walls, out-buildings, service installations and other appurtenances of a building; and</i> (c) <i>a boat or a pontoon which is permanently moored or fixed to land;</i>
Development	Means as defined in the Act: <i>development includes –</i> (a) <i>the construction, exterior alteration or exterior decoration of a building; and</i> (b) <i>the demolition or removal of a building or works; and</i> (c) <i>the construction or carrying out of works; and</i> (d) <i>the subdivision or consolidation of land, including buildings or airspace; and</i> (e) <i>the placing or relocation of a building or works on land; and</i> (f) <i>the construction or putting up for display of signs or hoardings –</i> <i>but does not include any development of a class or description, including a class or description mentioned in paragraphs (a) to (f), prescribed by the regulations for the purposes of this definition;</i>
Works	Means as defined in the Act: <i>works includes any change to the natural or existing condition or topography of land including the removal, destruction or lopping of trees and the removal of vegetation or topsoil, but does not include forest practices, as defined in the Forest Practices Act 1985, carried out in State forests.</i>

Per the applicable zone use class table, the proposed use (residential) 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.

8.4 Development Standards for dwellings		
Clause	Description	Assessment
8.4.1	Residential density for multiple dwellings	A1 Superseded by NOR-S3.7.1
8.4.2	Setbacks and building envelope for all dwellings	A1 Front setback 2.8m. Relies on Performance Criteria.
		A2 Garage setback 11m
		A3 Vary 3D building envelope because of frontage. Relies on Performance Criteria.
8.4.3	Site coverage and private open space for all dwellings	A1 a) Site coverage 383/2013= 19% Complies. b) U1 POS 121.6m ² ; U2 POS 83.6m ² ; U3 POS 161.34m ² . Complies
		A2a) All units have an overall area of 24m ² with a 4m minimum width that his behind the dwelling and has a gradient of <10%. Complies.
8.4.4	Sunlight to private open space of multiple dwellings.	A1 U3 is north of U2 and U2 is north of U1. Northerly units comply with b).
8.4.5	Width of openings for garages and carports for all dwellings	A1 width of opening within 12m of frontage not >6m. Complies
8.4.6	Privacy for all dwellings	A1 Not applicable. No balcony, deck, roof terrace, parking space, or carport with finished floor >1m above existing ground level.
		A2 Not applicable. No window or glazed door to a habitable room of a dwelling with finished floor >1m above existing ground level.
		A3 Unit 1 has a sill height of 1.7m above surface level. Unit 2 W2.2 is obscure glazing. Habitable room windows of Unit 3 face private parking. All units comply with shared driveway/parking space privacy requirements.
8.4.7	Frontage fences for all dwellings	A1 No front fence details provided/proposed.
8.4.8	Waste storage for multiple dwellings	A1 Waste storage for each unit is located behind the building line.

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

DISCRETIONS	
8.4.2	Setbacks and building envelope for all dwellings
P1	A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.
Assessing Officers Comments	The proposed setback of 2.8m varies the acceptable 4.5m setback and thus the performance criteria is relied upon. There are numerous examples of existing buildings within 4.5m of the front boundary along Sandridge road, including within 100m of the subject site. Examples of such properties include 10 Saundridge Road, 23 Charles Street, 8 Saundridge and the more recently developed 6A Saundridge. These addresses and more are identified in the image below (in blue) surrounding the subject site (yellow). The images below demonstrate that the proposed setback is compatible with the streetscape in terms of location on the site and the height, bulk and scale of the development when viewed from the street (Saundridge Road). The performance criteria is met.

DISCRETIONS



Image 1 Subject site (yellow) and surrounding area. Source: the LIST



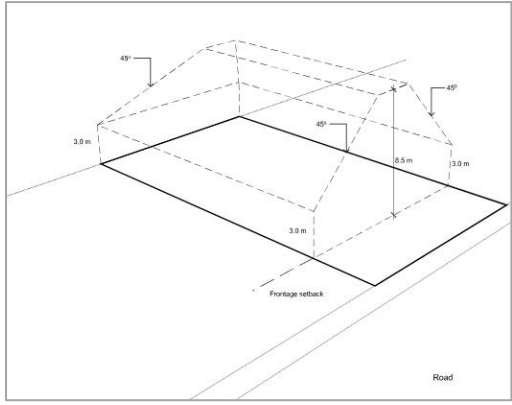
Image 2 Outbuilding of #23 Charles Street visible (left) with #8 Sandridge and currently vacant subject site to the right. Source Google Streetview.

P3

The siting and scale of a dwelling must:

- a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:
 - i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;
 - ii) overshadowing the private open space of a dwelling on an adjoining property;
 - iii) overshadowing of an adjoining vacant property; or
 - iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;
- b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and
- c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:
 - i) an adjoining property; or
 - ii) another dwelling on the same site.

DISCRETIONS

Assessing Officers Comments	<p>The proposed front setback triggers a variation of the 3D building envelope as per Figure 8.1 right.</p> <p>The site is long and narrow with a N-S orientation. The site is located on the northerly aspect of Saundridge Road with the Cressy District High School located on the southern side of the Road. To the east there are multiple dwellings and to the west there is a single dwelling with outbuildings. Given the location and orientation of the site in addition to the low nature of the development (single storey units) the proposed variation to the building envelope will have negligible impact on the adjoining land to the east or west. The proposed variation will not result in unreasonable loss of amenity to either adjoining property, nor will it result in any unreasonable reduction in sunlight to areas of private open space, habitable rooms or solar installations on adjoining residences. The proposed setback provides separation between dwellings which is consistent with the established pattern of development within the street. The proposal therefore satisfies the performance criteria.</p>	
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5.2 LOCAL PLANNING PROVISIONS – PARTICULAR PURPOSE PROVISIONS / SPECIFIC AREA PLAN PROVISIONS

ASSESSMENT OF SPECIFIC AREA PLAN PROVISIONS: CRESSY

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-S3.7 Development Standards for Buildings and Works		
Clause	Description	Assessment
NOR-S3.7.1	Residential density for multiple dwellings	A1 (400m ² minimum required) Proposed density 671m ² . Complies.

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)	<p>A1 6 Parking spaces required, 7 proposed. Complies.</p> <p>$N = A + (C - B)$ $N = 0 + (7 - 1)$ $N = 6$</p> <p>N = Number of on-site car parking spaces required (6)</p> <p>A = Number of existing on site car parking spaces (0)</p>



		<p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 (1) <i>Cemetery use requires 1 space per employee + 1 visitor space + 1 space per 4 chapel seats per Table C2.1.</i></p> <p>C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1. (7) <i>Residential use = 2 per unit + 1 dedicated visitor parking bay.</i></p>
C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 Table C2.1 states that 1 space per 50 chapel seats is required. The Crematoria and Cemeteries use is existing and is not proposed to change, furthermore there is no chapel associated with the cemetery therefore no bicycle parking is required.
C2.	Motorcycle parking numbers (Refer to table C2.4)	A1 No requirement for uses that require <20 car parking spaces.
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	A1.1 Concrete driveway with stormwater controlled to public system. Complies
C2.6.2	Design and layout of parking areas	<p>A1.1 Complies.</p> <ul style="list-style-type: none"> i. i. Gradient of access: <25% ii. 4+ cars – enter/exit in forward gear: iii. Access width: >4.5m. Passing Bays: Space to pass onsite iv. Parking dimensions: <ul style="list-style-type: none"> Garage U1 2.9 x 6m with 2.4w door & 6.6m manoeuvring. Outdoor U1 3.1x6m & 6.6m manoeuvring. Garage U2 3 x 6m with 2.4w door & 5.8 - 6.6m manoeuvring. Outdoor U2 3.1x6m & 6.6m manoeuvring. Garage U3 3 x 6m with 2.4w door & 5.8 - 6.6m manoeuvring. Outdoor U3 3.1x6m & 5.8m manoeuvring. Visitor Parking 3.1x6m & 5.8m manoeuvring. v. Access and manoeuvring width: Manoeuvring 5.88-6.6m vi. Vertical clearance: 2.1m achievable vii. Delineation shown. <p>A1.2 Not applicable.</p>
C2.6.3	Number of accesses for vehicles	<p>A1 One access to Saundridge Road. Complies.</p> <p>A2 Not applicable.</p>
C2.6.4	Lighting of parking areas within the General Business and Central Business zone	A1 Not applicable – not within the listed zones.
C2.6.5	Pedestrian Access	<p>A1.1 Not applicable – less than 10 vehicle parking spaces.</p> <p>A1.2 Not applicable.</p>
C2.6.6	Loading Bays	<p>A1 Not applicable.</p> <p>A2 Not applicable.</p>
C2.6.7		A1 Not applicable.



	Bicycle parking and storage facilities within the General Business and Central Business zone	A2 Not applicable.
C2.6.8	Siting of parking and turning areas	A1 Not applicable.
		A2 Not applicable.
C2.7 Parking Precinct Plan		
Clause	Description	Assessment
C2.7.1	Parking precinct plan	A1 Not applicable.

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 NPR 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. Not applicable – Saundridge Road is not a category 1 road.
		A1.2 New vehicle crossing proposed. Relies on performance criteria.
		A1.3 Not applicable. The site is not within 50m of a rail network.
		A1.4 The number of vehicle movements to and from the site will be less than 40vm/d. Based on the RTA Guidelines the total number of predicted vehicle movements using the proposed access will be ~18vm/d. Complies.
		A1.5 Saundridge Road is not a major road but vehicles can enter/exit in forward direction.
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 – not within 50m of a railway or major road.

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"> a) any increase in traffic caused by the use; b) the nature of the traffic generated by the use; c) the nature of the road; d) the speed limit and traffic flow of the road; e) any alternative access to a road; f) the need for the use; g) any traffic impact assessment; and h) any advice received from the rail or road authority. 	



DISCRETIONS

Assessing Officers Comments	The proposed development will provide a vehicle crossing where none exists. This access will be in accordance with the requirements of the Road Authority and subject to separate approval under the <i>Roads and Jetties Act 1935</i> as works are proposed within the road reserve. Per the requirements of the road authority as captured in the recommended conditions of approval, the proposed vehicle access will be constructed in accordance with Council Standard Drawing TSD-R09 and to the satisfaction of the Works Manager. The proposed vehicular traffic to and from the site will have negligible effects on the safety or efficiency of Saundridge road. The performance criteria is met.
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C6.0 LOCAL HISTORIC HERITAGE CODE

Code Purpose

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

C6.6 Development Standards for Local Heritage Places	Not applicable. The site is not a Local Heritage Place.	
6.7 Development Standards for Local Heritage Precincts and Local Historic Landscape Precincts	Not applicable. The site is not within a Local Heritage Precinct not a Local Historic Landscape Precinct.	
6.8 Development Standards for Places or Precincts of Archaeological Potential		
Clause	Description	Assessment
C6.8.1	Building and works	A1 No acceptable solution. Relies on Performance Criteria.
6.9 Significant Trees		
Clause	Description	Assessment
C6.9.1	Significant trees	A1 Per NOR-C6.5.1 there are no significant trees registered in Cressy.

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

DISCRETIONS

C6.8.1 Building and works	
P1	Building and works on places or precincts of archaeological potential must not cause an unacceptable impact on archaeological evidence, having regard to: (a) the nature of the archaeological evidence, either known or potential; (b) measures proposed to investigate the archaeological evidence to confirm statements of potential; (c) strategies to avoid, minimise or control impacts arising from building, works and demolition; (d) measures proposed to preserve significant archaeological evidence in situ; and (e) any advice contained in a statement of archaeological potential.
Assessing Officers Comments	To satisfy the performance criteria it must be proved that the proposed building and works will not cause an unacceptable impact on archaeological evidence. Archaeological evidence is defined as <i>the remains of former structures and surfaces, construction debris, demolition debris, fabric, fittings and finishes, modified landforms, burials, subsurface features and deposits, artefacts, discarded waste or by-products, residues, or pollen.</i> Three reports were prepared by Southern Archaeology – Archaeological and Heritage Consultants and provided by the applicant for consideration against this criteria. The reports contain a statement of historical archaeological potential (SHAP) as required by the Scheme, a written and illustrated site history, plans depicting the main historical phases of site development and land use, a disturbance history and a written statement of archaeological significance and potential, accompanied by an archaeological sensitivity plan depicting the likely surviving extent of important archaeological evidence which takes into consideration key phases of site development and land use and the impact of disturbance. Both the SHAP and accompanying Archaeological Method Statement (AMS) were prepared having regard to the Tasmanian Planning Scheme- Northern Midlands, the <i>Coroners Act 1995</i> , the <i>Burra Charter 2013</i> and the <i>Historic Cultural Heritage (HCH) Act 1995</i> .



DISCRETIONS

The *Statement of Historical Archaeological Potential (SHAP) and Archaeological Method Statement (AMS) – 6b Saundridge Road Cressy (May 2024)* as the first report was provided in response to an information request by Council. In summary, the report identified 2 areas within the site that had Potential Historical Archaeology Sensitivity (PHSAS) based on primary research. Given the medium-high sensitivity of these areas on site it was determined that there was potential for the proposed buildings and works to cause an unacceptable impact on archaeological evidence. It was concluded that further investigation was required to determine what archaeological evidence may be on site in the areas to be developed and to assess what impact there may be on any such evidence if the proposed development were to occur. In short, further investigations were required to be undertaken to determine if the performance criteria could be met.

Following the recommendations of the first report ground penetrating radar (GPR) and metal detector investigation was undertaken within two separate survey areas. The *Statement of Historical Archaeological Potential (SHAP) and Archaeological Method Statement (AMS) – 6b Saundridge Road Cressy (November 2024)* was the second report provided which discussed the findings of the GPR and metal detector investigations. Within survey area 1 the GPR results did not reveal likely potential for burials within the Survey 1 area (although it was acknowledged that results were inconclusive). However, some shallow anomalies were identified and were supported by metal detecting analysis suggesting possible features associated with the historic buildings on the site. Similarly for survey area 2 GPR results did not reveal likely potential for burials (although it was again acknowledged that results for this were inconclusive). However, within survey area 2 which is proximal to the existing graves some very large and distinctive (although potentially shallow) anomalies were identified and were supported by metal detecting analysis suggesting possible features in this area. As burials could not be totally ruled out the proposed works could potentially have an unacceptable impact to the archaeological remains in the area. Therefore, further investigation (archaeological excavation) was required in the area to determine the significance of the identified anomalies.

Archaeological excavation of the site was undertaken, and the findings of that investigation were shared in the third report provided to Council – the *Results of Further Archaeological Works (Brief on Machine Excavation) – 6b Saundridge Road Cressy (December 2024)*. Of the several trenches investigated over the whole site there were no human remains, or *significant* archaeological evidence uncovered. No burials or graves were uncovered though there were several stone, brick alignments and artefacts (e.g. coins, nails, horseshoes) uncovered to the western side of the property in line with the location of the buildings present in 1892. Based on the expertise of the report authors having regard to the level of investigation undertaken to date there will not be any unacceptable impact to significant archaeology in the study area if the proposed buildings and works are to be developed.

The proposed multiple dwelling development will not cause an unacceptable impact on archaeological evidence as determined in the above reports. Notwithstanding, conditions of approval are recommended to ensure that appropriate care is taken during site works to ensure that any archaeological evidence uncovered during construction is identified and recorded appropriately as to not result in an unacceptable impact occurring to *significant* archaeology.

5.4 REFERRALS

Council's Infrastructure & Works Department – NMC

Council's Engineer (Cameron Oakley) and Engineering Officer (Jonathan Galbraith) reviewed the proposed development and considered the proposal in line with Councils policies.

Road Authority

As the Road Authority per the *Roads and Jetties Act 1935*, it was commented that a crossover would need to be installed at the site and the installation must be to their satisfaction, following lodgement and approval of a separate application. The proposed development would not have any significant impact on the road network and there is sufficient space along the frontage to allow for collection of waste and recycling.

Stormwater Authority

As the Stormwater Authority per the *Urban Drainage Act 2013*, it was reported that onsite detention was required and while the wrong calculations were made by RJK, the outcome was in line with Councils on-site stormwater detention policy. It was also identified and accepted that the applicant has nominated for a monetary contribution in lieu of on-site works in accordance with Councils Stormwater Quality Management policy.

Their recommended conditions are included in the conditions of approval.



TasWater

TasWater issued a Submission to Planning Authority Notice on 25/03/24 (TasWater Ref: TWDA 2024/00315-NMC).
The Planning Permit will condition the development to be in accordance with the Submission to Planning Authority Notice.

TasNetworks

TasNetworks reported that, based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

5.5 REPRESENTATIONS

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

Representor 2 summary -

The second representor objects to residential development on the site as it contains graves which are regularly visited and no allowance has been made for public access to the cemetery. The objection states concerns around public liability if visitors to the cemetery injure themselves within the private residential setting. Further concerns were raised about the impact of visitors to the cemetery on the privacy of the residents. It was proposed by the representor that a boundary adjustment should be undertaken to allow for separate access to the cemetery for public and vehicular access for the maintenance of graves.

Response – The development proposal includes an access strip of 1.25m to the grave sites at the rear of the lot which will not be otherwise disturbed by the proposed development. This is a delineated access that will allow foot traffic to the graves and a sign will be installed at the front of the property identifying that the driveway area is a shared area with pedestrian access to the cemetery only, no vehicle traffic. Currently there is no vehicle access to the site so the proposed allowance for formal pedestrian traffic is considered an improvement on the current condition of the site. Regarding privacy, a certain level of compassion must be applied wherein those that own/reside in one of the units will be aware that they are residing on land that is otherwise a cemetery and can expect a certain presence from members of the public visiting graves. The Scheme does not require separate access provisions for pedestrians where the number of parking spaces provided on site is less than 10, which is the case here where only 6 spaces are required. As with any unit development with shared access and driveway provisions, a reasonable level of care must be taken by all drivers and pedestrians on the site. No Torrens subdivision or boundary adjustment is proposed nor is any such development necessary to allow pedestrians to access the area shown as strata lot 4 on plan 4/16 of the proposal plans. The maintenance of the grave sites and the cemetery is the responsibility of the **cemetery manager** per Part 4 of the *Burial and Cremation Act 2019*. Though not relevant to the assessment of this application under the Act, the liability of the land should someone visiting the site be injured is the responsibility of the landowner and/or the body corporate if one exists under the *Strata Titles Act 1998* which requires insurance for such circumstances.

Representor 1 summary -

The first representation objects to the development on the grounds that the site is a cemetery with historical significance, thus it is not an appropriate site for such development. The representor goes further to object to the removal of the existing oak tree as it is an appealing part of the aesthetic environment.

Representor 3 summary -

The third representor raises concerns for the heritage protection of villages like Cressy and Longford and refers to other applications which have no bearing on the development at hand. The representor objects to the removal of the large oak tree from the site and Cressy's landscape.

Representor 4 summary -

The fourth representor objects to the removal of the large oak tree from the site and Cressy's landscape stating that it is a 'significant tree' which adds significant value to the community. The representor states the age of the tree to be around 100years old and states that no vegetation plan was provided with the development application.

Response - The natural assets code (C7.0) which regulates vegetation removal which is not otherwise exempt within the planning scheme does not apply to the General Residential zone unless for subdivision. The removal of vegetation in this situation is not directly assessable by the planning authority as there are no specific provisions for the removal of vegetation within the General Residential zone which is not identified as a 'significant tree' per C6.9 (Local Historic Heritage Code, NOR-Table C6.5). The existing oak tree (pictured below) is not identified within the *Tasmanian Planning Scheme – Northern Midlands* as being a 'significant tree'. It is not registered on the current significant tree register per NOR-Table C6.5 and thereby the protections awarded to listed trees under the Local Historic Heritage Code (clause C6.9) do not apply to the tree in question. Within a residential setting, vegetation is not explicitly protected. Having said that, an approval for vegetation removal under the Act does not imply approval for vegetation to be removed under any other head of power including but not limited to the *Historic Cultural Heritage Act 1995* or the *Environmental Protection and Biodiversity Conservation Act 1999*.

Regarding the *appropriateness* of the application the planning authority is considering a residential development on residential zoned land which is an appropriate use and development of land within such a zone. Further, the heritage significance of the site has been assessed against the requirements of the scheme and the proposed development complies with the relevant tests.



5.6 OBJECTIVES OF THE LAND USE PLANNING AND APPROVALS ACT 1993

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

- (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and
- (b) to provide for the fair, orderly and sustainable use and development of air, land and water; and
- (c) to encourage public involvement in resource management and planning; and
- (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c) ; and
- (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.

The objectives of the planning process established by the Act are, in support of the objectives set out above of this Schedule

–

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



- (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and
- (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; and
- (i) to provide a planning framework which fully considers land capability.

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

5.7 STATE POLICIES

The proposal is consistent with all State Policies.

5.8 STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan - Statutory Planning

The proposal is consistent with this policy.

Council Policy – Stormwater Quality Management

The developer has opted for the monetary contribution in lieu of on-site works.

Council Policy – Landscaping Requirements for Development Proposals

Per Councils policy a bond of \$500 per dwelling is required prior to the commencement of use to ensure that landscaping works are completed. This is proposed as a condition of approval.

Council Policy – On-Site Stormwater Detention

While it is unclear as to how the consulting engineer come to the Permissible Site Discharge and total detention volume being provided, it appears our policy requirements are being met, and the development can be conditioned in accordance with this policy.

6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

7 OPTIONS

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

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

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

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

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



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

The proposed conditions of approval 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-24-0031 Agenda Report Attachments [11.3.1 - 247 pages]
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11.4 PLN24-0147: 31 ARTHUR ST EVANDALE, DWELLING AND OUTBUILDING

File: 200100.195; PLN24-0147
Responsible Officer: Des Jennings, General Manager
Report prepared by: Brandie Strickland, Statutory Planner

RECOMMENDATION

That application PLN-24-0147 to develop and use the land at 31 Arthur Street for a single dwelling and outbuilding, 29 Arthur Street for access via right of carriageway and 17 Coachmans Road for service connections be approved subject to the following conditions:

1 Layout not altered

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

- P1 Location Plan by Design to Live dated 20/12/2024 Job No. ARTH31 Drawing 2/10
- P2 Site Plan by Design to Live dated 20/12/2024 Job No. ARTH31 Drawing 3/10
- P3 Ground Floor Plan by Design to Live dated 20/12/2024 Job No. ARTH31 Drawing 4/10
- P4 Mezzanine Floor Plan by Design to Live dated 20/12/2024 Job No. ARTH31 Drawing 5/10
- P5 External Services Plan by Design to Live dated 20/12/2024 Job No. ARTH31 Drawing 6/10
- P6 Elevations North & South by Design to Live dated 20/12/2024 Job No. ARTH31 Drawing 7/10
- P7 Elevations East & West by Design to Live dated 20/12/2024 Job No. ARTH31 Drawing 8/10
- P8 Elevations 1-2 by Design to Live dated 20/12/2024 Job No. ARTH31 Drawing 9/10
- P9 Greenhouse by Design to Live dated 20/12/2024 Job No. ARTH31 Drawing 10/10

2 TasWater conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2024/01074-NMC) – Attached at Appendix A.

3 Stormwater

Prior to the commencement of any works on site the applicant must provide a stormwater design plan to Councils Works and Infrastructure Department for approval. The design must be prepared by a suitably qualified person and demonstrate that stormwater from all roofed, hardstand and driveway areas will be adequately drained to the Council system with no concentrated run-off to be discharged to neighbouring properties.

4 Pollutants

- a) The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- b) Prior to the commencement of the 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.

5 Nature strips

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



1 INTRODUCTION

This report assesses an application for a single dwelling and outbuilding at 31 Arthur Street with access via Right of Carriageway over 29 Arthur Street and service connections over 17 Coachmans Road, against the relevant provisions of the *Tasmanian Planning Scheme – Northern Midlands* (SPP version 8 effective 23 October 2024 and LPS version: 13 effective from 29 October 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.

In the case of the exercise of discretion to refuse or approve the application, items a) and b) above must be considered only as far as each matter is relevant to the particular discretion being exercised.

All applicable standards and requirements in this planning scheme

Compliance with the applicable standards consists of complying with the Acceptable Solution or satisfying the Performance Criteria for that standard. Where an application complies with an Acceptable Solution, the corresponding Performance Criteria cannot be considered. Where an application does not comply with an Acceptable Solution, the application must be assessed against the corresponding Performance Criteria. An assessment of the applicable standards pertaining to this application is included in section 5 of this report.

Any representations received pursuant to and in conformity with section 57(5) of the Act.

The council as the Planning Authority is obliged to consider the views raised by the community by way of representation received during the public notification period. However, decisions made by the Planning Authority must be in accordance with the Act and the planning scheme. This means that Council as the Planning Authority can only consider matters raised in representations that insofar as those matters are relevant to the particular discretion being exercised. Consideration of matters that are not relevant to the particular discretion being exercised risks a decision being made that cannot stand up to challenge through the Tasmanian Civil and Administrative Tribunal. An assessment of the representation/s is included in section 5.5 of this report.

3 APPLICATION DETAILS AND TIMEFRAMES

Existing use/development:	Vacant land at 31 Arthur Street. Dwelling and outbuildings at 29 Arthur Street and 17 Coachmans Road.
Use classification:	Residential
Zone:	General Residential
Particular Purpose Zone/Specific Area Plan:	NOR-S5.0 Evandale Specific Area Plan
Applicable codes:	C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code C13.0 Bushfire-Prone Areas Code (Exempt) C16.0 Safeguarding of Airports Code (Exempt)
Application must be determined by:	17 February 2025
Recommendation:	Approval subject to conditions.



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

CODE	Applicable (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	-	-
C13.0 Bushfire Prone Areas Code	Mapped, but code does not apply to development for residential use.	
C14.0 Potentially Contaminated Land Code	-	-
C15.0 Landslip Hazard Code	-	-
C16.0 Safeguarding of Airports Code	Y	C16.4.1

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	Y
NOR-S6.0	Longford Specific Area Plan	-
NOR-S7.0	Perth Specific Area Plan	-
NOR-S8.0	Ross Specific Area Plan	-



The relevant Scheme definitions are:

Table 6.2 Use Class	
Residential	Use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, 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.
Outbuilding	Means a non-habitable detached building of Class 10a of the <i>Building Code of Australia</i> and includes a garage, carport or shed.
Building	Means as defined in the Act: <i>building includes –</i> <ul style="list-style-type: none"> (a) a structure and part of a building or structure; and (b) fences, walls, out-buildings, service installations and other appurtenances of a building; and (c) a boat or a pontoon which is permanently moored or fixed to land;
Development	Means as defined in the Act: <i>development includes –</i> <ul style="list-style-type: none"> (a) the construction, exterior alteration or exterior decoration of a building; and (b) the demolition or removal of a building or works; and (c) the construction or carrying out of works; and (d) the subdivision or consolidation of land, including buildings or airspace; and (e) the placing or relocation of a building or works on land; and (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;</i>
Minor utilities	means use of land for utilities for local distribution or reticulation of services and associated infrastructure such as a footpath, cycle path, stormwater channel, water and sewer pipes, retention basin, telecommunication lines, gas pipelines or electricity substations and power lines up to but not exceeding 110kV.
Works	Means as defined in the Act: <i>works includes any change to the natural or existing condition or topography of land including the removal, destruction or lopping of trees and the removal of vegetation or topsoil, but does not include forest practices, as defined in the Forest Practices Act 1985, carried out in State forests.</i>

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

5.1 STATE PLANNING PROVISIONS – ZONE PROVISIONS

8.0 GENERAL RESIDENTIAL ZONE PROVISIONS

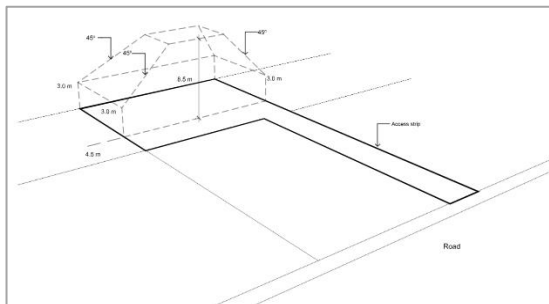
Zone Purpose

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 NPR per the use table.

8.3 8.4 Development Standards for dwellings		
Clause	Description	Assessment
8.4.1	Residential density for multiple dwellings	A1 Not applicable to single dwellings.
8.4.2	Setbacks and building envelope for all dwellings	A1 Not applicable. The site has no frontage (boundary which abuts a road).
		A2 Not applicable. The site has no frontage (boundary which abuts a road).

		A3 As an internal lot the proposed development varies the 3D envelope shown on Figure 8.3. Relies on Performance Criteria.
8.4.3	Site coverage and private open space for all dwellings	A1a) Site coverage is less than 50%. Complies. b) Not applicable to single dwellings. A2 the development provides for an area of POS that is at least 24m ² , has a minimum dimension of 4m, is located behind/beside the dwelling and has a gradient of <10%. Complies.
8.4.4	Sunlight to private open space of multiple dwellings	A1 Not applicable to single dwellings.
8.4.5	Width of openings for garages and carports for all dwellings	A1 Not applicable. No outbuildings within 12m of a frontage.
8.4.6	Privacy for all dwellings	A1 Not applicable. No balcony, deck, roof terrace, parking space, or carport with a FFL >1m above NGL. A2 Windows that have floor level more than 1m above existing ground level are setback >3m from side boundaries, >4m from rear boundaries thus comply with a). A3 Not applicable to single dwellings.
8.4.7	Frontage fences for all dwellings	A1 Not applicable
8.4.8	Waste storage for multiple dwellings	A1 Not applicable.

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

DISCRETIONS	
P3	<p>The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> a) not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property; ii) overshadowing the private open space of a dwelling on an adjoining property; iii) overshadowing of an adjoining vacant property; or iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on: <ul style="list-style-type: none"> i) an adjoining property; or ii) another dwelling on the same site.
Assessing Officers Comments	<p>The site is an internal lot as it sits predominately behind another lot and has access to a road by a right of way. The proposed development complies with the 3D building envelope shown in Image 1, except for the 'proposed dwelling (part 2)' which is located 1.7m from the boundary shared with the rear of #29. To comply with the envelope all development must be setback 4.5m, per the figure below, thus the envelope is varied, and the performance criteria must be met. The area of the dwelling that falls outside of the acceptable building envelope is identified in Image 2,3 and 4 below.</p> <div style="text-align: right;">  </div> <p style="text-align: right;"><i>Image 1 Figure 8.3 Building envelope for internal lots as required by clause 8.4.2 A3(a) and clause 8.5.1 A2(a)</i></p> <p>The proposal variation to the building envelope satisfies the performance criteria as the site is located to the south of 29 Arthur Street, so the protrusion of the 3D envelope will not cast shadow onto the adjoining property to the north. To the west there is a cemetery and to the east a large rural lot with a dwelling over 200m from the site. Therefore,</p>

DISCRETIONS

the proposed building will not cause unreasonable loss of amenity to the east and west adjoining properties by way of overshadowing. The separation proposed (1.7m) is consistent with the separation between established dwellings on adjoining properties as can be seen in Image 2.

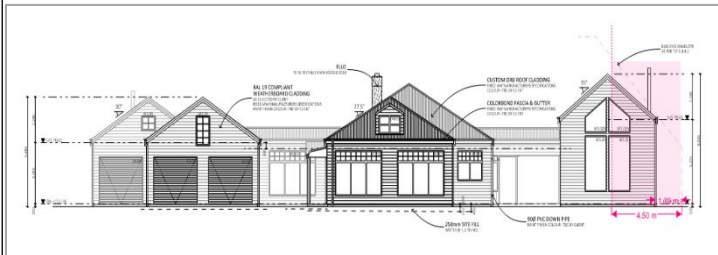


Image 3 Eastern elevation with area of building envelope protrusion highlighted



Image 4 Northern elevation with area of building envelope protrusion highlighted

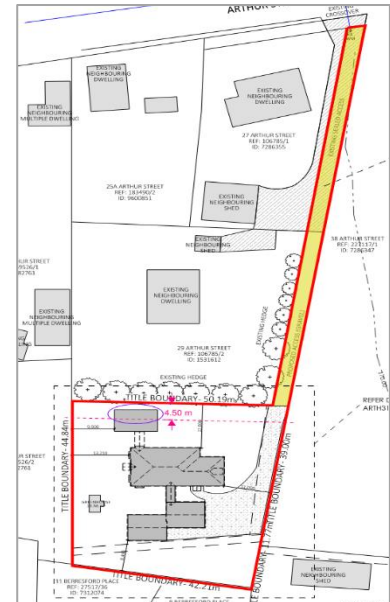


Image 2 Snip of site plan with area of development triggering discretion circled.

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

ASSESSMENT OF SPECIFIC AREA PLAN PROVISIONS: EVANDALE

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 NPR per the use table.

NOR-S5.7 Development Standards for Buildings and Works		
Clause	Description	Assessment
NOR-S5.7.1	Residential density for multiple dwellings	A1 Not applicable.
NOR-S5.7.2	Roof form and material	A1 Roof pitch ranges from 27.5° to 35°. Complies
NOR-S5.7.3	Wall material	A1 – Walls not visible from the road but visible from the cemetery (public place). Relies on Performance Criteria.
NOR-S5.7.4	Windows	A1 Window heads all 300mm below eaves. Complies.
		A2 Façade facing north has <30% of the total surface area consisting of windows. Complies.
		A3 Windows visible from the cemetery (public place). Relies on Performance Criteria.



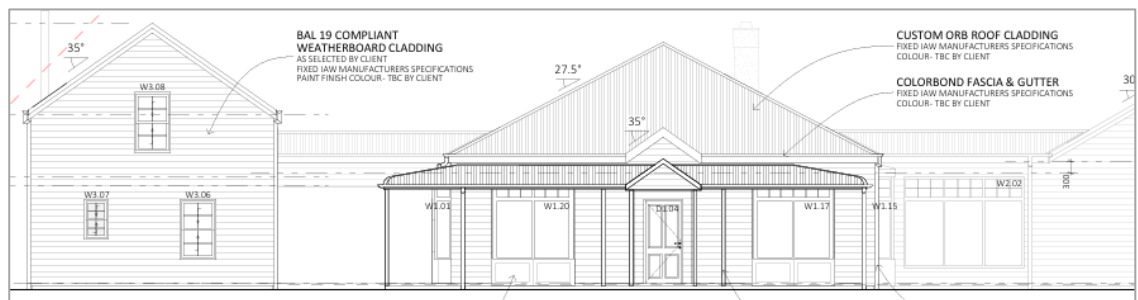
From the table above, where the acceptable solution has not been met, the performance criteria is addressed below.

DISCRETIONS	
NOR-S5.7.3	Wall materials
P1	<p>Wall materials of buildings, excluding outbuildings, places listed in Table C6.1, and sites located within the Evandale Historic Heritage Precinct listed in Table C6.2, must be compatible with the design and period of construction of the existing buildings on the site and in the street, and be compatible with the design and period of construction of the existing buildings or rural village character, having regard to:</p> <ul style="list-style-type: none"> a) use of bull-nosed timber weatherboards, or materials that have the appearance of bull-nosed timber weatherboards; or b) use of brickwork with mortar of a neutral earth colour and struck flush with the brickwork; or c) use of concrete blocks specifically chosen to: <ul style="list-style-type: none"> (i) blend with dressed sandstone; or (ii) rendered with coloured finishes in neutral earth tones.
Assessing Officers Comments	<p>The proposed dwelling will be constructed with a timber exterior which will be visible from the Council maintained park, through the vegetation and rural style fencing of the adjoining Catholic cemetery located to the west of the site. The proposed brick wall enclosing part of the yard and greenhouse will also be visible from the park and will screen a large portion of the western elevation from view. The site is currently vacant so to satisfy the performance criteria the wall must be compatible with the rural village character.</p> <p>The use of weatherboard cladding for the dwelling is compatible with the design and period of construction of the existing buildings in the street and is compatible with the rural village character. Many houses within proximity of the site have a timber façade and while some have bull-nosed weatherboard finish, many reflect the more modern period of construction. Evandale is characterised by its 'rural village' charm and the proposed dwelling is compatible with this character.</p> <p>As bricks are a common building material for dwellings and garages within the residential village setting the use of these materials for the construction of a 2.4m high wall is not out of character. The height of the wall is similar to the height of walls of single storey dwellings and so the design of the structure is not out of place within the rural village character. It also provides a contrast of character to the proposed timber construction of the proposed dwelling.</p> <p>The use of timber and brick within the site is compatible with the rural village character of Evandale and is compatible with the design and period of construction of the existing buildings in the street. The proposal satisfies the performance criteria.</p>
NOR-S5.7.4	Windows
P3	<p>Windows for new buildings and extensions to existing buildings, or alterations to existing buildings, excluding places listed in Table C6.1 and sites located within the Evandale Historic Heritage Precinct listed in Table C6.2, must be compatible with the design and period of construction of the existing buildings in the street, having regard to:</p> <ul style="list-style-type: none"> a) the period and style of the building; b) the use of multi-pane sashes conforming to the patterns per sash with size and profile glazing bars as shown in Figure NOR-S5.7.4 (b); c) the use of projecting brick or stone sills that match the existing if in a brick or masonry building; d) the use clear glass; and e) the division of large areas of glass panelling with vertical mullions to achieve a vertical orientation of glazing.
Assessing Officers Comments	<p>The proposed dwelling will be visible from the public park to the west of the site through the adjoining Catholic cemetery. As some of the windows of the proposed dwelling will be visible from the public space the proposed development must be assessed against the performance criteria.</p> <p>The existing buildings within Arthur Street have a range of window styles matching the style and period of each of the established dwellings. The existing dwellings at 21, 28 and 32 Arthur Street (examples below from Google Street View), have windows with multipane sashes, clear glass and/or division of large areas of glass panelling with vertical mullions to achieve a vertical orientation of glazing which is compatible with the design of the proposed dwelling.</p>

DISCRETIONS



The proposed windows (image below) are consistent with the older style of dwellings within the street and sympathetic to the newer homes. The proposal satisfies the performance criteria.



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 NPR per the use table.

C2.5 Use Standards		
Clause	Description	Assessment
C2.5.1	Car Parking Numbers (Refer to table C2.1)	A1 2+ spaces on site for residential parking.
C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 None required.
C2.	Motorcycle parking numbers (Refer to table C2.4)	A1 None required.
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 Gravel in the General Residential zone. Relies on performance criteria.
C2.6.2	Design and layout of parking areas	A1.1 The proposed access width is 3.6m for over 50m without a passing bay. Relies on performance criteria.
		A1.2 Not applicable.

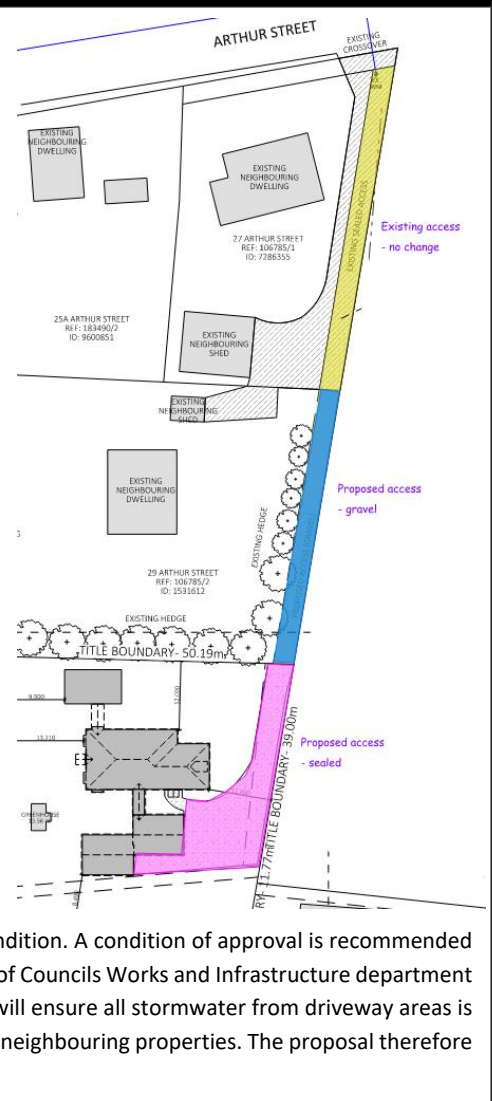


C2.6.3	Number of accesses for vehicles	A1 One access to Park Street. Complies.
		A2 Not applicable.
C2.6.4	Lighting of parking areas within the General Business and Central Business zone	A1 Not applicable – not within the listed zones.
C2.6.5	Pedestrian Access	A1.1 Not applicable – less than 10 vehicle 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 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.
C2.7 Parking Precinct Plan		
Clause	Description	Assessment
C2.7.1	Parking precinct plan	A1 Not applicable.

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

DISCRETIONS	
C2.6.1	Construction of parking areas
P1	<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"> a) the nature of the use; b) the topography of the land; c) the drainage system available; d) the likelihood of transporting sediment or debris from the site onto a road or public place; e) the likelihood of generating dust; and f) the nature of the proposed surfacing.

DISCRETIONS

<p>Assessing Officers Comments</p>	<p>The site at 31 Arthur Street is accessed via right of way over 29 Arthur Street. There is an existing gravel access (driveway) which serves the dwelling at #29 and runs parallel with the property in front (27 Arthur Street) as shown in the image right (yellow segment).</p> <p>To satisfy the performance criteria an access (driveway) must be installed over the land at #29 within the registered right of way (blue segment in image right) and also within the boundary of the subject site (#31 – pink segment in image right). The proposed section of driveway within the boundary of #29 (blue) will be gravel construction while the proposed driveway area within the boundaries of #31 (pink) will be sealed (concrete, asphalt or the like). The sealed parking, access ways, manoeuvring and circulation spaces within #31 meets the acceptable solution, however the proposed gravel area within #29 relies on performance criteria.</p> <p>The proposed gravel access way (blue) will be readily identifiable as the gravel will provide clear contrast to the existing grassed, yard of #29. The proposed material will be compacted gravel which is usable in all weather conditions and is unlikely to generate dust given the low number of vehicle movements likely to occur. The nature of the use is residential so traffic movements will be low (9 vm/d) and slow in nature. Given the low number of additional vehicle movements proposed and the nature of the material already in place (yellow) the transport of sediment or debris from the site onto the road is not likely to increase from the existing condition. A condition of approval is recommended requiring a stormwater design plan be provided to the satisfaction of Councils Works and Infrastructure department prior to any works commencing on site. Once approved, this plan will ensure all stormwater from driveway areas is adequately drained to the Council system and not discharged onto neighbouring properties. The proposal therefore satisfies the performance criteria.</p>	
<p>C2.6.2</p>	<p>Design and layout of parking areas</p>	
<p>P1</p>	<p>All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <ol style="list-style-type: none"> the characteristics of the site; the proposed slope, dimensions and layout; useability in all weather conditions; vehicle and pedestrian traffic safety; the nature and use of the development; the expected number and type of vehicles; the likely use of the parking areas by persons with a disability; the nature of traffic in the surrounding area; the proposed means of parking delineation; and the provisions of Australian Standard AS 2890.1:2004 - <i>Parking facilities, Part 1: Off-street car parking</i> and AS 2890.2 -2002 <i>Parking facilities, Part 2: Off-street commercial vehicle facilities.</i> 	
<p>Assessing Officers Comments</p>	<p>The length of the proposed driveway is over 100m and so in accordance with Table C2.2 the internal access way width must be no less than 3m wide and provide for a passing bay of 2m width, 5m length with entry/exit tapers every 30m. The right of way over #29 where the driveway for #31 is proposed is only 3.6m wide and so no passing bays can be accommodated in line with the requirements of this clause. Therefore, the proposal is assessed against the performance criteria for this variation.</p>	



DISCRETIONS

	<p>The relaxation of the three passing bay requirements is supported in this circumstance as the length of the ‘handle’ of the internal lot is approximately 107m before the title boundary of the subject site is reached and a driveway with of ~5m can be accommodated. The dimensions of the parking area, flat topography of the site and the proposed trafficable surface (gravel and sealed) will provide a safe and efficient path for the expected number and type of vehicles likely to use the access. The area within the boundaries of #31 provides for manoeuvring space so that vehicles can enter/exit the site in forward gear which improves the safety of the use of the driveway.</p> <p>Having regard to the criteria a through j above, the site is a flat lot within a residential setting. The proposed gravel construction will be usable in all weather conditions and is common for driveways in the area as observed during the site inspection. Several properties in the vicinity of the site have internal accesses with similar width and construction (gravel with no passing bays). Many of these properties have an access length of ~60m with no passing bay provisions within the ‘access handle’ of the lots. The nature of the development (single residence) lends to a low number of traffic movements according to the RTAS guidelines with ~9 vm/d. Given the length of the driveway and the nature of the area a low-speed environment will naturally be adopted by drivers and the linear construction of the lot allows for unimpeded visibility of the length of driveway to the crossover, thus improving safety of pedestrians and road users. The proposed layout and construction is generally in accordance with the Australian Standard for off-street parking and so the proposed variation is considered acceptable.</p> <p>All parking, access ways, manoeuvring and circulation spaces will be readily identifiable and constructed to provide convenient, safe, and efficient parking and vehicular movement on the site. Therefore, the performance criterion is met.</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 NPR 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. Not applicable – Arthur Street is not a category 1 road.
		A1.2 Not applicable. There is no proposed new junction, vehicle crossing, or level crossing proposed.
		A1.3 Not applicable. The site is not within 50m of a rail network.
		A1.4 The number of vehicle movements to and from the site using the existing crossing will not increase to over 40vm/d. The existing access serves 1 dwelling (~9vm/d) and with the addition of another single dwelling the total number of predicted vehicle movements using the existing access will double to ~18mv/d. Complies.
		A1.5 Arthur Street is not a major road but vehicles can enter/exit in forward direction.
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 – not within 50m of a railway or major road.



5.4 REFERRALS

Council's Infrastructure & Works Department – NMC

Council's Engineer (Johnathan Galbraith) reviewed the application and raised no objection to the proposed development.

Road Authority

As the **Road Authority** per the *Roads and Jetties Act 1935*, no objection was raised and no conditions imposed.

Stormwater Authority

As the **Stormwater Authority** per the *Urban Drainage Act 2013*, the location and capacity of the existing system was considered and the topography of the site. It was determined that no conditions of approval needed to be imposed on the permit as stormwater control has been considered and accounted for on the proposed plans. Should any nuisance occur there are provisions to require the rectification of this under the *Urban Drainage Act 2013*.

TasWater

TasWater issued a Submission to Planning Authority Notice on 09/01/2025 (TasWater Ref: TWDA 2024/01074-NMC).

The Planning Permit will condition the development to be in accordance with the Submission to Planning Authority Notice.

5.5 REPRESENTATIONS

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

The representor raised concerns that there was information missing from the online set of documents including a floor plan and details on the location of the entry points for water, sewerage and electricity services. Upon receipt of this representation, it was noted that the set of documents advertised online was indeed not a complete set. This unfortunately was due to processor error. As online exhibition of documents is not a requirement of the Act, rather a choice of Council for convenience of its residents, the application has not breached the requirements of the Act by not being completely exhibited online.

Per the requirements for public exhibition as specified in section 57. (4) of the Act a complete set of documents was open to inspection by the public in the foyer of the Council Office which showed the proposed entry points for all services. The 'access report' which is noted on the plans and marked TBC is a requirement of the building application as assessed under the *Building Act 2016* and not a requirement of the planning application as assessed under the *Land Use Planning and Approvals Act 1993*. The absence of this report from the planning application documentation is inconsequential, the relevant provisions of the planning scheme have been considered and assessed as being compliant with the performance criteria per the assessment above (Section 5.3).

The representor also raised concerns about the level of detail shown on the plans regarding internal drainage and potential stormwater drainage concerns from the site onto neighbouring lots. The planning application was reviewed by Engineering Officers of Council who act as the Stormwater Authority under the head of power of the *Urban Drainage Act 2013*. They have considered the proposal and are satisfied that the development can meet the requirements of the *Urban Drainage Act 2013* by controlling all stormwater onsite and directing it to the reticulated system as shown on the plans as to not create a nuisance to neighbouring lots. Conditions of approval have been recommended from the Engineering Officer to ensure no nuisance is created to any adjoining lot. Drainage details are also assessed in detail at the plumbing application stage of development under the provisions of the *Building Act 2016*, they are not particularly relevant at the planning application stage as there are little to no provisions of the Scheme which relate to the technicalities of plumbing onsite.

The representor raised concerns for the future development of land impacting on the access of #31 over #29. The land at #29 has a burdening right of way benefiting the property at #31. Rights of way cannot be removed without consent of all relevant property owners and more importantly cannot be obstructed to limit or inhibit access to a benefitting title. Should



#29 be developed in future, the registered right of way cannot be developed to restrict or inhibit the right of the owner of #31 to access their property.

5.6 OBJECTIVES OF THE LAND USE PLANNING AND APPROVALS ACT 1993

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

- (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and
- (b) to provide for the fair, orderly and sustainable use and development of air, land and water; and
- (c) to encourage public involvement in resource management and planning; and
- (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c) ; and
- (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.

The objectives of the planning process established by the Act are, in support of the objectives set out above of this Schedule

- (a) to require sound strategic planning and co-ordinated action by State and local government; and
- (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; and
- (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; and
- (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; and
- (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; and
- (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; and
- (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and
- (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; and
- (i) to provide a planning framework which fully considers land capability.

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

5.7 STATE POLICIES

The proposal is consistent with all State Policies.

5.8 STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan - Statutory Planning

The proposal is consistent with this policy.

6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

7 OPTIONS

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

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

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



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

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

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

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

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

8 ATTACHMENTS

1. Agenda Attachment [11.4.1 - 16 pages]
-



11.5 PLN24-0107: 139 EVANDALE RD WESTERN JUNCTION, DEMOLITION OF EXISTING BUILDINGS, DEVELOPMENT OF LONG TERM CARPARK

File: 201800.12; PLN24-0107
Responsible Officer: Des Jennings, General Manager
Report prepared by: Rebecca Green, Consultant Planner

RECOMMENDATION

That application PLN24-0107 to develop and use the land at 139 Evandale Road, Western Junction for demolition of buildings and development of long term carpark – Stage 1 (Translink Specific Area Plan) be approved subject to the following conditions:

ENDORSED PLAN

1. The use and development must be in accordance with the endorsed documents, except as varied by Condition 2 below:
 - P1 Cover Sheet, Rare, 20-11-24, 241021, COV, Rev: A
 - P2 Concept Carpark Plan, Rare, 11-12-24, 241021, DA401, Rev: B
 - P3 Concept Entry Modifications Plan, Rare, 11-12-24, 241021, DA405, Rev: B
 - P4 Concept Carpark Plan Cross Sections – Sheet 1, Rare, 11-12-24, 241021, DA411, Rev: B
 - P5 Concept Carpark Plan Cross Sections – Sheet 2, Rare, 20-11-24, 241021, DA412, Rev: A
 - P6 Concept Site Service Plan Rare, 11-12-24, 241021, DA501, Rev: B
 - P7 Typical Sections, Rare, 20-11-24, 241021, C701, Rev: A
 - D1 Planning Report, Nova Land Consulting, 27/11/2024, L240422
 - D2 Traffic Impact Assessment, Hubble Traffic, December 2024
 - D3 Stormwater Management Report, Rare, 17/12/2024, 241021-RPT-001

AMENDED PLANS CONDITIONS

2. Prior to the commencement of development on site, amended plans are to be submitted and must be provided to the approval of Council's Senior Planner. The amended plans must demonstrate the removal of the internal pedestrian footpath located in the southwestern corner of the site, adjacent to the disabled parking spaces and leading to the front boundary. Once approved, the amended plans will form part of this permit.

TASWATER CONDITIONS

3. Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2024/01382-NMC) – attached at Appendix A.

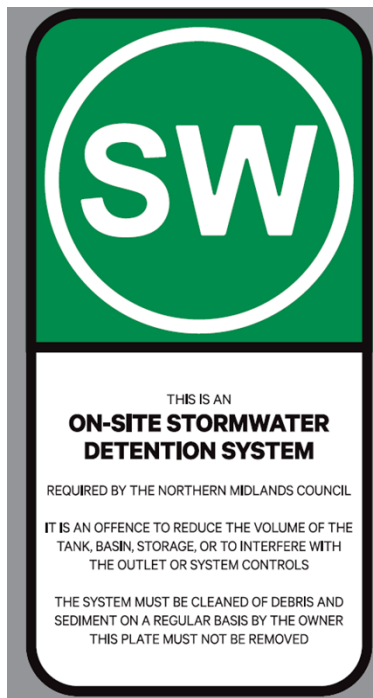
LAUNCESTON AIRPORT CONDITIONS

4. The maximum luminous intensity, at 3 degrees above horizontal, of any proposed lighting or illuminated signage must not exceed 0 cd in Zone A and 50 cd in zone B according to NASF Guideline E. 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.
5. Due to the proximity to the prescribed airspace surfaces (OLS) for Launceston Airport, any structures (such as light poles), plant or equipment that extends to a height greater than 170m AHD, including cranes during construction, 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.
6. 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 any proposed landscaping, and the infiltration basin, Launceston Airport encourages the proponent to contact the Launceston Airport Operations Department and discuss options for reducing the risk associated with aircraft bird strikes.
7. Stormwater must be managed on the subject site to ensure there are no drainage or flooding impacts on the adjacent airport site.

COUNCIL'S WORKS & INFRASTRUCTURE DEPARTMENT CONDITIONS

Stormwater

8. A Stormwater System Management Plan is to 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.
9. It is noted that the system drains on to an open drain on land owned by the airport. Any connection works to this drain must be done to the satisfaction of the property owner.
10. The Stormwater Management Plan is to 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.
11. The Stormwater Report, For Construction drawings, and the O&M plan are to 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.
12. 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 connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.
13. A stainless steel or aluminium sign with minimum 200mm x 100mm dimensions with the following design and wording shall be permanently fixed and visible on the detention system:



14. Concentrated stormwater must not be discharged into neighbouring properties.
15. Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.



16. All driveways and hardstand areas must be designed to allow stormwater run-off to be adequately drained to the Council stormwater system.
17. A plumbing permit is required prior to commencing any plumbing or civil works within the property.
18. 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 systemsCertification 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

19. 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.

Pollutants

- 20.1 The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- 20.2 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.

LANDSCAPING

21. Landscaping, all plantings and an automated watering system, shall be completed within three months of commencement of use and then maintained for the duration of the use. In accordance with council policy, a bond of 1.5 times the cost of planting components of landscape works must be provided prior to the commencement of development, 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. Replacement plantings shall be undertaken as appropriate to maintain landscaping consistent with the endorsed plan.

CAR PARKING

22. 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 site.

NOTES

- A. Any other proposed development and/or use, or substantial intensification of the use, will require a separate application to and assessment by the Council.
- B. 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.



1 INTRODUCTION

This report assesses an application for demolition of buildings and development of long term carpark – Stage 1 (Translink Specific Area Plan) 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.

In the case of the exercise of discretion to refuse or approve the application, items a) and b) above must be considered only as far as each matter is relevant to the particular discretion being exercised.

All applicable standards and requirements in this planning scheme

Compliance with the applicable standards consists of complying with the Acceptable Solution or satisfying the Performance Criteria for that standard. Where an application complies with an Acceptable Solution, the corresponding Performance Criteria cannot be considered. Where an application does not comply with an Acceptable Solution, the application must be assessed against the corresponding Performance Criteria. An assessment of the applicable standards pertaining to this application is included in section 5 of this report.

Any representations received pursuant to and in conformity with section 57(5) of the Act.

The council as the Planning Authority is obliged to consider the views raised by the community by way of representation received during the public notification period. However, decisions made by the Planning Authority must be in accordance with the Act and the planning scheme. This means that Council as the Planning Authority can only consider matters raised in representations that insofar as those matters are relevant to the particular discretion being exercised. Consideration of matters that are not relevant to the particular discretion being exercised risks a decision being made that cannot stand up to challenge through the Tasmanian Civil and Administrative Tribunal. An assessment of the representation/s is included in section 5.5 of this report.

3 APPLICATION DETAILS AND TIMEFRAMES

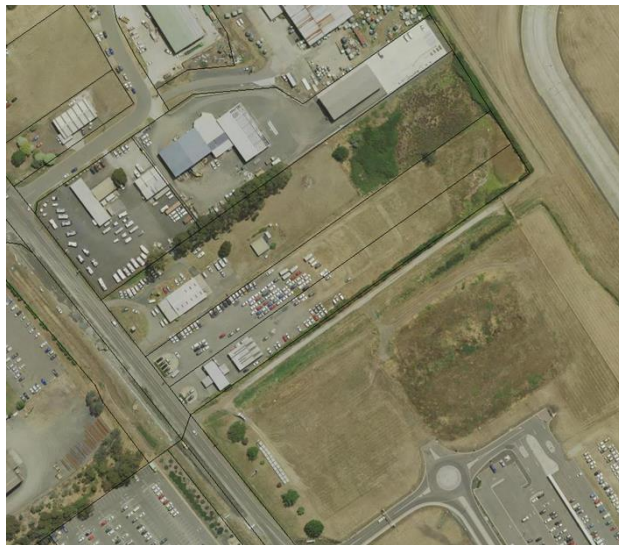
Existing use/development:	Bulky Goods Sales (car hire yard)
Use classification:	Vehicle Parking
Zone:	19.0 General Industrial
Particular Purpose Zone/Specific Area Plan:	NOR-S1.0 Translink Specific Area Plan
Applicable codes:	C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code C16.0 Safeguarding of Airports Code
Application must be determined by:	21 February 2025
Recommendation:	Approval subject to conditions.

4 SUBJECT SITE AND LOCALITY

Subject site



Aerial image of the site and surrounding area



Zone Map



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 (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	-
7.7	Buildings Projecting onto Land in a Different Zone	-
7.9	Demolition	Y, complies



7.10	Development Not Required to be Categorised into a Use Class	-
7.11	Use or Development Seaward of the Municipal District	-
7.12	Sheds on Vacant Sites	-
7.13	Temporary Housing	-

CODE	Applicable (Y/-)	Exemption Applied
C1.0 Signs Code	Y	Regulatory signage proposed, exempt Table C1.4.
C2.0 Parking and Sustainable Transport Code	Y	-
C3.0 Road and Railway Asset Code	Y	-
C4.0 Electricity Transmission Infrastructure Protection Code	-	
C5.0 Telecommunications Code	-	
C6.0 Local Historic Heritage Code	-	
C7.0 Natural Assets Code	-	
C8.0 Scenic Protection Code	-	
C9.0 Attenuation Code	-	
C10.0 Coastal Erosion Hazard Code	-	
C11.0 Coastal Inundation Hazard Code	-	
C12.0 Flood-Prone Areas Hazard Code	-	
C13.0 Bushfire Prone Areas Code	-	
C14.0 Potentially Contaminated Land Code	-	
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	Y, Area 2
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	
Vehicle Parking	Use of land for parking of motor vehicles. Examples include single and multi-storey car parks.
Table 3.1 Planning Terms and Definitions	
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> <i>but does not include any development of a class or description, including a class or description mentioned in paragraphs (a) to (f), prescribed by the regulations for the purposes of this definition;</i>



Per the applicable zone use class table, the proposed use Vehicle Parking 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 is Permitted per the use table in the SAP.

19.3 Use Standards

19.3.1 Discretionary Uses		
Description	Assessment	
A1 No Acceptable Solution	A1 Under Clause NOR-S1.5.2 of the Translink Specific Area Plan, the provisions of Clause 19.2 of the TPS are substituted by those of NOR-S1.5.2	
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		
Clause	Description	Assessment
19.5.1	Lot Design	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.
19.5.2	Services	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.

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

ASSESSMENT OF SPECIFIC AREA PLAN PROVISIONS: 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	A1 Complies, a condition will ensure compliance.
NOR-S1.6.2 Environmental quality	



Description		Assessment
A1 Emissions		A1 Complies.
A2 Emissions		A2 Complies.
NOR-S1.6.3 Residential use		
Description		Assessment
A1.1 Residential use		Not applicable.
A1.2 Residential use		Not applicable.
A1.3 Residential use		Not applicable.
NOR-S1.6.4 Liquid and solid fuel depot		
Description		Assessment
A1 Liquid and solid fuel depot		Not applicable.
NOR-S1.6.5 General retail and hire		
Description		Assessment
A1 General retail and hire		Not applicable.
NOR-S1.6.6 Car parking numbers		
Description		Assessment
A1 Car parking numbers		A1 Complies, Vehicle Parking has no requirements under Table C2.1 for a specific number of car parking spaces.
NOR-P1.7 Development Standards for Buildings and Works		
Clause	Description	Assessment
NOR-S1.7.1	Building height	A1 Not applicable.
		A2 Not applicable, there are no proposed buildings.
		A3 Not applicable.
		A4 Not applicable.
		A5 Not applicable.
		A6 Not applicable.
NOR- S1.7.2	Setback	A1 Not applicable.
		A2 Not applicable. The application contains no buildings.
		A3 Not applicable.
		A4 Not applicable.
		A5 Not applicable.
		A6 Not applicable.
NOR-S1.7.3	Materials and presentation	A1 Not applicable. No proposed buildings.
		A2 Not applicable, no proposed buildings.
		A3 Not applicable.
		A4 Not applicable.
		A5 Not applicable.
NOR-S1.7.4	Site coverage	A1 Not applicable.



		A2 Not applicable.
		A3 Not applicable.
		A4 a) Not applicable. b) A landscaped area with a minimum of 10% provided across the site. Landscaping is provided at the front and rear of the site. Landscaping within the rear of the site will comply with any OLS requirements, as noted on the submitted plans.
NOR-S1.7.5	Open space and landscaping	A1 Not applicable.
		A2 Complies. 11m of landscaping is currently provided at the front of the site, noting that there are three existing vehicle access points which are not being altered at this stage.
		A3 Not applicable.
		A4 Not applicable.
		A5 Not applicable.
		A6 Not applicable.
		A7 Complies. Landscaping is being provided on the site. Landscaping can be provided with an automated watering system and can be conditioned.
		A8 Relies on Performance Criteria.
NOR-S1.7.6	Outdoor storage areas	A1 Not applicable, no outdoor storage areas proposed.
		A2.1 Not applicable, no outdoor storage areas proposed.
		A2.2 Not applicable, no outdoor storage areas proposed.
NOR-S1.7.7	Fencing	A1.1 Complies. A 1.8m high chain mesh security fence is to be provided behind the boundary landscaped area. The fence will not extend into the 170m AHD OLS area.
		A1.2 Complies.
NOR-S1.7.8	Stormwater	A1 Complies. Stormwater detention will be utilised on site. The post development flows will not exceed pre development levels. A stormwater report provided by Rare Engineering accompanied the application. Stormwater is directed to the existing discharge point on the property.
NOR-S1.7.9	Parking and internal circulation	A1 Complies.
		A2 Complies.
		A3 Complies.
NOR-S1.7.10	Buffer areas	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.
NOR-S1.7.11	Heritage	A1 Not applicable.
NOR-P2.7 Development Standards for Subdivision		
Clause	Description	Assessment
NOR-1.8.1	Lot design	A1.1 Not applicable.
		A1.2 Not applicable.
		A1.3 Not applicable.
		A2.1 Not applicable.



		A2.2 Not applicable.
		A3.1 Not applicable.
		A3.2 Not applicable.
		A4.1 Not applicable.
		A4.2 Not applicable.
		A5 Not applicable.
		A6 Not applicable.
		A7 Not applicable.
		A8 Not applicable.
		A9 Not applicable.
		A10 Not applicable.
		A11 Not applicable.
		A12 Not applicable.
		A13 Not applicable.

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

DISCRETIONS	
P8	Landscaping provides effective screening of buildings and works from Evandale Main Road.
Assessing Officers Comments	The landscaping for the car parking area does not include mounding. The car park will not be visually intrusive or result in an impact. The existing landscaping will provide effective screening from Evandale Road, noting that the existing buildings will be demolished, reducing the current visual impact. Given that the existing use of the land is a car hire business, there will be no further impact in appearance when viewed from Evandale Main Road. Performance Criteria met.

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 Under Clause NOR-S1.6.6 of the Translink Specific Area Plan, the provisions of Clause C2.5.1 of the TPS are substituted by those of NOR-S1.6.6.
C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 Not applicable – no requirement.
C2.5.3	Motorcycle parking numbers (Refer to table C2.4)	A1 Not applicable, C2.2.2.
C2.5.4	Loading Bays	A1 Not applicable, C2.2.3.
C2.5.5	Number of car parking spaces within the GenRes Zone	A1 Not applicable, C2.2.4.



C2.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C2.6.1	Construction of parking areas	A1 Complies. The car parking spaces, and internal roadways will be constructed with a hard-wearing bitumen surface, with appropriate camber to direct surface water to centrally located pits, which is connected to an approved stormwater system. The design complies with A1.
C2.6.2	Design and layout of parking areas	A1.1 Complies. Car parking spaces have been designed to comply with the Standard user class 2, suitable for airport parking and long-term parking, where each space will be 2.5m wide, 5.4m long, supported with a minimum manoeuvring area of 6metres. The dimensions will ensure all vehicles will be able to enter and leave the development site in a forward-driving direction. The parking spaces shall be located on a gradient of less than five percent and will be delineated with line markings and supported with wheel stops where possible. The width of the internal roadways will be a minimum 5.5m for two-way traffic flow, complying with Table C2.2.
		A1.2 Complies. Six accessible parking spaces will be provided as near as practical to the main entry and exit, incorporating share zones.
C2.6.3	Number of accesses for vehicles	A1 Complies. The site currently has three access points to Evandale Main Road. No new access will be created.
		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 Relies on Performance Criteria.
		A1.2 Relies on Performance Criteria.
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.
C2.7 Parking Precinct Plan		
Clause	Description	Assessment
C2.7.1	Parking precinct plan	A1 Not applicable.

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

DISCRETIONS	
C2.6.5	Pedestrian access
P1	Safe and convenient pedestrian access must be provided within parking areas, having regard to: <ul style="list-style-type: none"> a) the characteristics of the site; b) the nature of the use; c) the number of parking spaces; d) the frequency of vehicle movements; e) the needs of persons with a disability;



DISCRETIONS

	<ul style="list-style-type: none"> f) the location and number of footpath crossings; g) vehicle and pedestrian traffic safety; h) the location of any access ways or parking aisles; and i) any protective devices proposed for pedestrian safety.
<p>Assessing Officers Comments</p>	<p>Under the acceptable solution, the planning scheme specifies pedestrian pathways should be separated from access ways or parking aisle, by either a horizontal distance of 2.5m or protective devices such as bollards, guard rails or planters. As these requirements are difficult to achieve with the subject site, wheel stops will be used to provide the necessary separation.</p> <ul style="list-style-type: none"> a) The site is rectangular in shape, with a narrow 50m wide road frontage, and 260m deep. Located on mostly flat terrain and within close proximity to Launceston Airport. b) The development is to provide additional car parking station to compliment the airport activities, and is expected to be a long-term parking option. c) A total 504 on-site car parking space, including six accessible spaces for Stage 1. d) It is estimated that the development could generate up to 150 vehicles per day, with a potential of 40 vehicles expected during peak hour. This represents a low generation rate, with one vehicle expected to be generated every two minutes during the busiest peak hour. e) The site is located with mostly flat terrain, with the gradients of the internal pathways expected to meet the DDA Code. f) The parking layout will be supported with one pathway, connecting all parking spaces to the entry and exit of the station. There is only one footpath crossing. g) The internal pathway will be delineated clearly defining the pedestrian pathway, and the operating speeds of vehicles will be moderated by speed humps. With the low number of vehicles using the station at any one time due to the long term nature, the conflict risk between vehicles and pedestrians will be low. h) The internal layout includes three parking access aisles and three circulating roadways, which are required to provide vehicular access to all on-site parking spaces. i) Wheel stops will be used to separate the internal pathway from vehicles. A 10km/h shared speed limit will be used to moderate the operating speed of vehicles, and where the footpath crosses the driveway, marked crossings will be used to provide priority to pedestrians. <p>The proposal complies with the performance criteria.</p>

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 Relies on Performance Criteria.
		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.
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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	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: <ol style="list-style-type: none"> any increase in traffic caused by the use; the nature of the traffic generated by the use; the nature of the road; the speed limit and traffic flow of the road; any alternative access to a road; the need for the use; any traffic impact assessment; and any advice received from the rail or road authority. 	
Assessing Officers Comments	The development will increase the use of the existing vehicular access with Evandale Main Road by more than 20 percent. <ol style="list-style-type: none"> The development is estimated to generate up to 300 vehicles per day, with 40 vehicles likely to occur within the busiest hour period. b) The development is for vehicle parking, specifically for light vehicles measuring less than 5.5m in length. These vehicles are compatible with the existing traffic on the surrounding road network. c) Evandale Road is the principal road providing vehicular access, with the section between Midland Highway and Launceston Airport constructed to a high standard, with dual lanes in each direction, and opposing traffic flows separated by a median barrier. Either side of the development, the intersections are managed by roundabouts, with each roundabout constructed to a suitable standard, capable of absorbing the additional traffic movements generated, without causing adverse impact. Available sight distance at the vehicular access is sufficient to ensure vehicles can enter and leave in a safe and efficient manner, without impacting other motorists. d) Evandale Road has a posted speed limit of 80 km/h. Traffic analysis and modelling determined Evandale Road has spare traffic capacity, to easily absorb the additional traffic generated by the development, without causing any deterioration in the level of service. e) None. f) This car parking (parking station) will provide customers with an additional parking option, to meet the increase in demand generated by uses in the area. g) A Traffic Impact Assessment accompanied the application and found no reason for the development not to proceed. h) No advice received at the time of lodgement of application. The proposal complies with the performance criteria.	

C16.0 SAFEGUARDING OF AIRPORTS 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.

C16.5 Use Standards		
Clause	Description	Assessment
C16.5.1	Sensitive use within an airport noise exposure area	A1 Not applicable, not a sensitive use.



C16.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C16.6.1	Buildings and works within an airport obstacle limitation area	A1 Not applicable. Launceston Airport is not Commonwealth-leased.
		A2 The car park does not extend into the area shown as OLS limitation area 170m AHD and is in accordance with C16.4.1a). Exempt from the code.
C16.7 Development Standards for Subdivision		
Clause	Description	Assessment
C16.7.1	Subdivision	A1 Not applicable.

5.4 REFERRALS

<p><u>Council's Infrastructure & Works Department – NMC</u> Council's Engineer (Jonathan Galbraith / Cameron Oakley) reported on 5 February 2025. Their recommended conditions are included in the conditions of approval.</p>
<p><u>TasWater</u> TasWater issued a Submission to Planning Authority Notice on 3/12/2024 (TasWater Ref: TWDA 2024/01382-NMC). The Planning Permit will condition the development to be in accordance with the Submission to Planning Authority Notice.</p>
<p><u>Department of State Growth</u> <u>Road Authority</u> As the Road Authority per the <i>Roads and Jetties Act 1935</i>, Department of State Growth provided on the 4 February 2025 the following comments/concerns:</p> <ul style="list-style-type: none"> • While we accept the revised TIA findings in relation to the operation and safety of the vehicle access, we do question if the arrangement that car park users will only travel by shuttle bus is going to always be workable - and expect some users will still try and attempt to walk to the airport. • The department's position is that the footpath along Evandale Road should be constructed as part of Stage 1. • However, if Council decide to grant a planning permit, we recommend that the proposed internal footpath link between the car park and the road reserve boundary be conditioned so that it is not provided until such time a footpath along Evandale Road is constructed. <p><u>Comment:</u> The car parking is a public car park and may not solely be utilised for parking for airport users. The behaviour of users cannot be governed by the Planning Authority. The implementation of a footpath along Evandale Road was initially explored, however the DSG as the Road Authority have advised they do not want to maintain such footpath, and as Council does not maintain any infrastructure in this section of road, Council is not willing at this stage to take on maintenance of such footpath. Therefore, as no authority is willing to take on future maintenance of a footpath, it was not included in the application subject to this assessment. The internal footpath has been recommended to be removed by way of a permit condition, the developer agrees with such a condition being imposed for Stage 1.</p>
<p><u>Launceston Airport</u> Launceston Airport reported on 20 January 2025. A number of concerns were raised and the correspondence has therefore been considered as a representation and considered later in this assessment. In the event that this development is to be approved, Launceston Airport requests four conditions be added to the planning permit.</p>



5.5 REPRESENTATIONS

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

Issue 1

Obstacle Limitation Surface

With the removal of any proposed development from the eastern end of the site (Stage 2), where the Obstacle Limitation Surface (OLS) is at its lowest, the likelihood of any OLS intrusion is significantly reduced. However, we will still need to know the height of any structure proposed on the site, that may intrude into the airport's OLS, particularly the height of any lighting poles. Unfortunately, this information has not yet been provided. We request that this information be provided for the Stage 1 development so that we can confirm there will be no intrusions, and therefore no controlled activity approval required under the Airports Act.

Comment:

The height of the proposed structures is shown on the submitted plans which were referred to the Airport and exhibited. The lighting plan shows the lighting heights. There is no development that exceeds the relevant OLS as indicated under the planning scheme overlay. The highest light is nominated in the lighting plans – Base RL: 179.90, Top RL: 176.70. The OLA heights are clearly shown on the proposal plans, which shows stage 1 works ending prior to the 170 AHD band.

Issue 2

Lighting

As previously advised, the site is located within Maximum Lighting Intensity Zones A and B as mapped and laid out in the Launceston Airport Master Plan where the maximum intensity of light sources measured at 3 degrees above the horizontal is 0 and 50 candela (cd) respectively, as set out in NASF Guideline E. We request the applicant confirm any proposed lighting on the site will comply with these requirements.

Comment:

The lighting details were provided within the Lighting Plan as completed by Decrolux.

Issue 3

Stormwater Management

In our previous response we requested information regarding the hydrology / stormwater management proposed for this development. The application now includes a Stormwater Management Report. We are in the process of reviewing this report and time to discuss with the applicant. We will provide further advice about this matter in due course.

Comment:

The development will ensure there is no change to the existing stormwater discharge point, nor will there be any intensification of flows leaving the site. There is no development proposed on the airport property. The proponent will continue to discuss with the airport, and advised that they will do this outside and separate to the planning process.

Issue 4

Passenger Access

In our previous response we requested information on how passengers will transit from the new carpark development site to the airport terminal. The revised application states that a shuttle bus will operate between the carpark and the airport, between 5am and 10.30pm (or as required). Whilst this proposal at least partly addressed the issue, our concern is that there is no footpath on the east side of Evandale Road for passengers who may choose to walk to the airport, or will need to walk to the airport between 10.30pm and 5am.

The application further states that it is the developer's intention to construct a footpath between the site and the airport, however details of these works are still being discussed with relevant authorities.



Comment:

The application does not propose a footpath on the eastern side of Evandale Road. No agreement has been reached with either DSG, Council, or the airport in relation to a possible footpath. At the time of the lodgment of the application, discussions were ongoing, however there have been unsuccessful to date. The shuttle bus will provide users of the carport with transport to and from the airport. There is no requirement under the planning scheme to provide a footpath or other means of amenity for pedestrians once users leave the site. The car park may not be used solely for airport parking. There is no direct tie between the parking facility and the airport, and the use of this site is vehicle parking which is a permitted use. For the airports purposes, it should be assumed that the shuttle bus will provide users with all access to and from the airport for users who wish to use the proposed development for airport parking.

5.6 OBJECTIVES OF THE LAND USE PLANNING AND APPROVALS ACT 1993

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

- (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and
- (b) to provide for the fair, orderly and sustainable use and development of air, land and water; and
- (c) to encourage public involvement in resource management and planning; and
- (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c) ; and
- (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.

The objectives of the planning process established by the Act are, in support of the objectives set out above of this Schedule –

- (a) to require sound strategic planning and co-ordinated action by State and local government; and
- (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; and
- (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; and
- (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; and
- (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; and
- (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; and
- (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and
- (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; and
- (i) to provide a planning framework which fully considers land capability.

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

5.7 STATE POLICIES

The proposal is consistent with all State Policies.

5.8 STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan - Statutory Planning

The proposal is consistent with this policy.

6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.



7 OPTIONS

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

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

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

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

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

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

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

The proposed conditions of approval 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-24-0107 public exhibition documents [11.5.1 - 85 pages]
 2. Annexure 5 - Car Park Lighting Plan [11.5.2 - 2 pages]
 3. Response DSG RFI PL N 24-0107 139 Evandale Rd WJ [11.5.3 - 1 page]
 4. Response Referral WI PL N 24-0107 139 Evandale Rd Western Junction [11.5.4 - 3 pages]
 5. SPAN 139 EVANDALE R D, WESTERN JUNCTION - Submission to Planning Authority Notice - Conditions DA 20 [11.5.5 - 2 pages]
-



12 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

RECOMMENDATION

That the Council cease to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, for the remainder of the meeting.



13 COMMUNITY & DEVELOPMENT REPORTS

13.1 DEVELOPMENT SERVICES: MONTHLY REPORT

Responsible Officer: *Des Jennings, General Manager*

RECOMMENDATION

That the report be noted.

1 PURPOSE OF REPORT

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

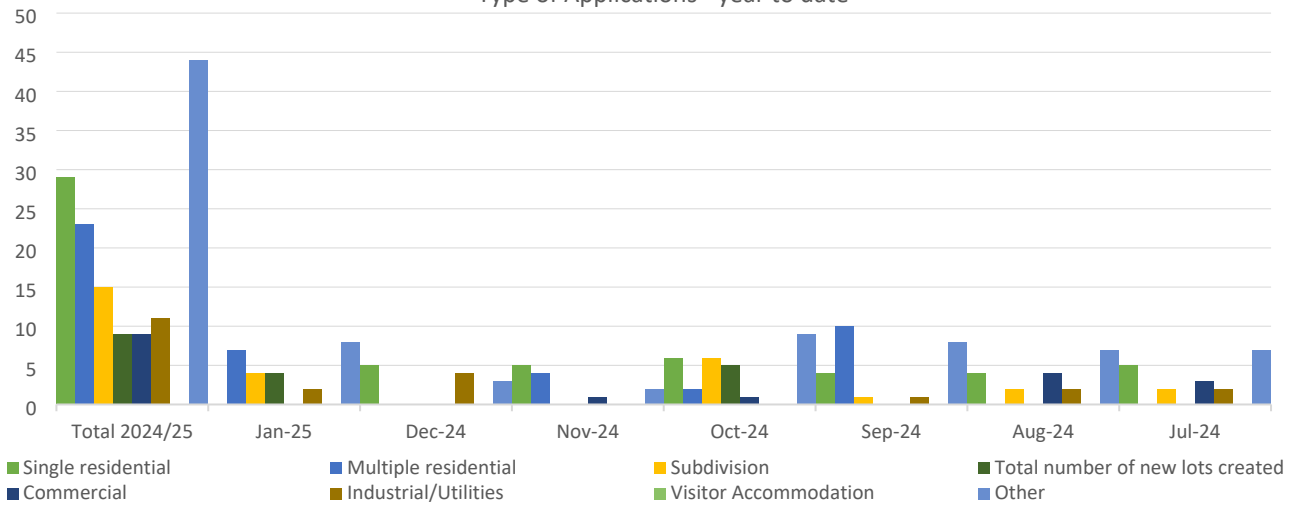
2 DEVELOPMENT SERVICES REPORTING

2.1 Planning Decisions

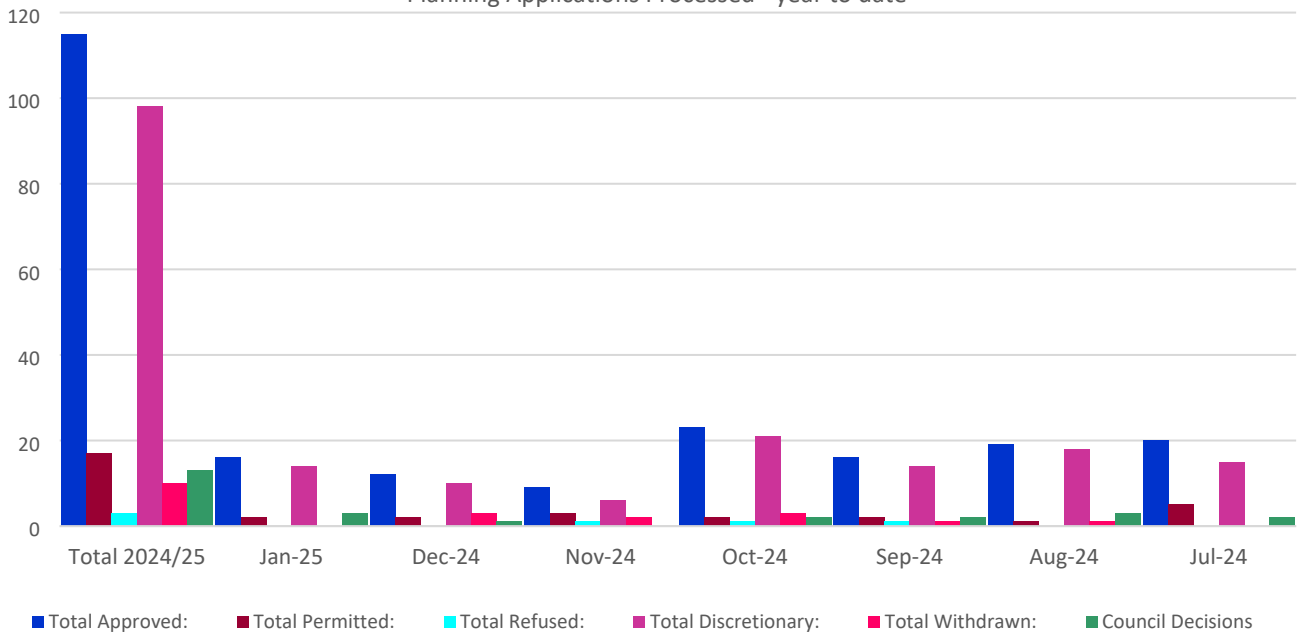
	2022/ 2023	2023/ 2024	Total YTD	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	195	116	117	11	12	21	14	18	16	25					
Applications on STOP for further information				52	45	47	31	30	42	43					
Single residential	48	36	29	5	4	4	6	5	5	0					
Multiple residential	31	69	23	0	0	10	2	4	0	7					
Subdivision	34	27	15	2	2	1	6	0	0	4					
Total number of new lots created	203	72	9	0	0	0	5	0	0	4					
Commercial	27	25	9	3	4	0	1	1	0	0					
Industrial/Utilities	12	15	11	2	2	1	0	0	4	2					
Visitor Accommodation	8	11	0	0	0	0	0	0	0	0					
Total permitted	1	0	0	0	0	0	0	0	0	0					
Total discretionary	7	11	0	0	0	0	0	0	0	0					
Other (includes all residential development on existing dwellings [alterations/ additions, sheds, solar, fences, pools etc.])	85	47	44	7	7	8	9	2	3	8					
Total No. Applications Approved:	228	182	115	20	19	16	23	9	12	16					
Total Permitted:	33	18	17	5	1	2	2	3	2	2					
Average Days for Permitted	11	15	11.47	13	7	15.5	13.5	16.3	10	5					
Days allowed for approval by LUPAA	28	28	28	28	28	28	28	28	28	28					
Total Exempt under IPS:	83	93	58	8	4	9	19	4	3	11					
Total Refused:	5	4	3	0	0	1	1	1	0	0					
Total Discretionary:	198	164	98	15	18	14	21	6	10	14					
Average Days for Discretionary:	33.3	33.17	37.93	34	37	38	38.5	41	36	41					
Days allowed for approval under LUPAA:	42	42	42	42	42	42	42	42	42	42					
Total Withdrawn:	39	44	7	0	1	1	3	2	3	0					
Council Decisions	36	27	13	2	3	2	2	0	1	3					
Appeals lodged by the Applicant	6	2	1	0	0	0	1	0	0	0					
Appeals lodged by third party	2	0	0	0	0	0	0	0	0	0					



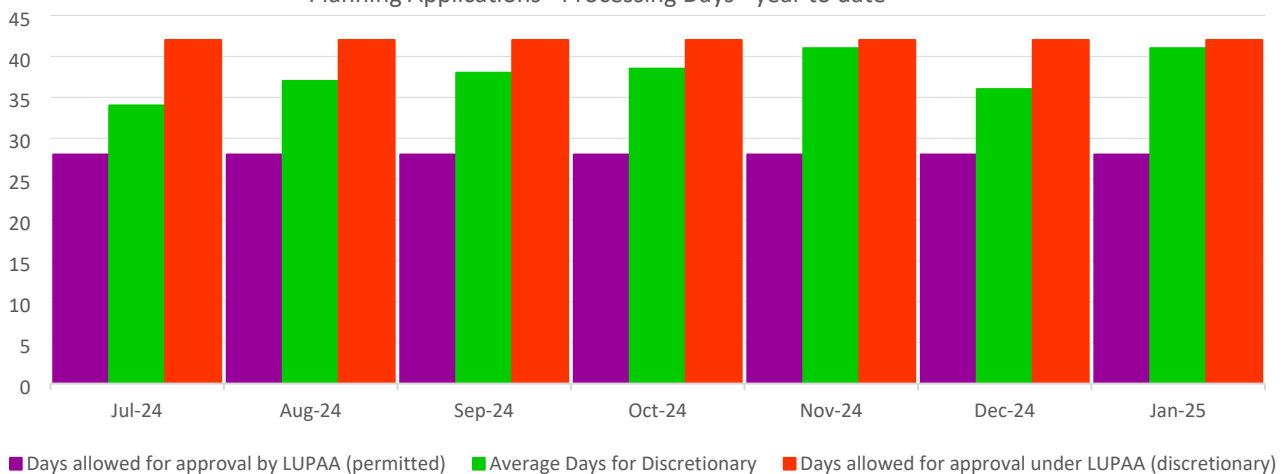
Type of Applications - year to date



Planning Applications Processed - year to date



Planning Applications - Processing Days - year to date





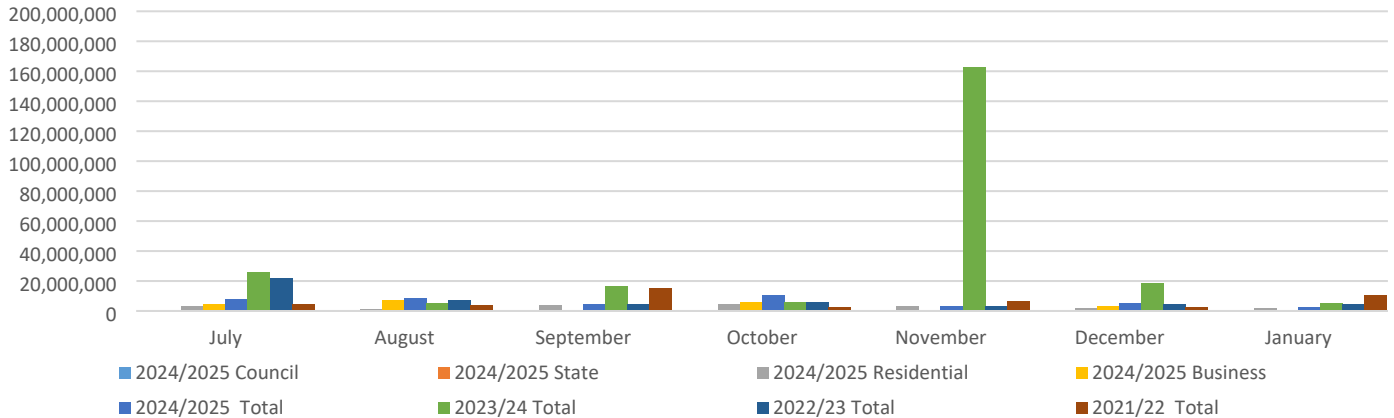
PLN-18-0312 - 1	Dwelling, shed & new access (vary setbacks, within Irrigation District, Road & Railway Assets Code, Water Quality Code, Gas pipeline corridor)	26 Wilmores Lane, Longford TAS 7301	My Build Collective	5	A
PLN-22-0164 - 2	Stormwater Discharge Change	86 Evandale Road (with access over CT180213/3 and CT150770/1), Western Junction TAS 7212	6ty° Pty Ltd	70	A
PLN-24-0188	Re-subdivision of 2 lots. Bushfire-Prone Areas Code. Natural Assets Code.	510 Green Rises Road, Cressy TAS 7302	Woolcott Land Services	42	D
PLN-24-0194	Subdivision - Boundary Adjustment 10 & 14 Church Lane Nile (Natural Assets Code)	10-14 Church Lane, Nile TAS 7212	Survey and Alignment Services	42	D
PLN-24-0200	Multiple Dwellings x 2 & Boundary Adjustment (Ross SAP, Local Historic Heritage Code)	8A Park Street and 21 High St, Ross TAS 7209	Wilson Homes Pty Ltd	42	D
PLN-24-0201	Outbuilding (Shed) (Vary side setback (N), Heritage Precinct)	10 Scone Street, Perth TAS 7300	The Shed Company	42	D
PLN-24-0203	Dwelling Extension (Sunroom) Longford SAP	11 Equus Court, Longford TAS 7301	Matthew Fletcher	42	D
PLN-24-0205	Retrospective alterations and additions to dwelling and outbuilding. Partial change use (additional use - Visitor Accommodation) (Ross SAP) (Local Historic Heritage Precinct)	4 Church Street, Ross TAS 7209	Mr Ian South	42	D
PLN-24-0209	Alterations to Fire Station. Vary design. Local Historic Heritage Code.	81A Main Road, Perth TAS 7300	Philp Lighton Architects Pty Ltd	42	D
PLN-24-0212	Vegetation removal (private garden) and construction of outbuilding - vary driveway construction. (Perth SAP)	31C Arthur Street, Perth TAS 7300	Laura/Todd Walduck/ Wilkin	42	D
PLN-24-0214	Water Tanks x 2 (Reduce Setback)	74D Marlborough Street, Longford TAS 7301	Woolcott Land Services	42	D
PLN-24-0222	Awning (vary southern side setback)	321 Cressy Road, Longford TAS 7301	Optimo Awnings Northern Pty Ltd	42	D
PLN-24-0227	Outbuilding Extension and dwelling addition (deck). Vary site coverage. Natural Asset Code.	239 Pateena Road, Longford TAS 7301	Mr Ken Cox	28	D
PLN-24-0215	Minor Boundary Adjustment	258 Point Road, Longford TAS 7301	PDA Surveyors	7	P
PLN-25-0004	Signage (Transom)	17 Church Street, Campbell Town TAS 7210	State Fire Commission - Tasmania Fire Service	2	P
PLN-24-0181	5 Lot Subdivision - Staged	1095 Bishopsbourne Road, Bishopsbourne	PDA Surveyors	42	C
PLN-24-0192	Multiple Dwellings x 5 (1 existing)	5 Horne Street, Longford	Design to Live	42	C
PLN-24-0196	Relocation of 1x outbuilding (shipping container), extension of outbuilding (roof between 2 containers), additional 1x outbuilding.	49 Lee Street, Rossarden	Ms E Van Hecke	42	C

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
October	0	0	4,443,000	5,856,800	10,299,800	5,562,210	5,353,500	2,638,795
November	0	0	2,866,200	37,231	2,903,431	162,356,200	3,023,616	6,052,219
December	0	50,000	1,898,500	2,924,615	4,873,115	18,389,000	4,154,613	2,319,458
January	0	52,000	1,975,648	0	2,027,648	5,255,000	4,366,000	10,548,446
YTD Total	125,000	640,000	19,023,695	20,309,646	40,098,341	215,082,539	41,529,880	31,670,035
Annual Total						255,377,879	76,384,582	91,715,427



Value of Planning Approvals (\$)



2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT	TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
PLN-23-0232	Appeal P2024/105 against refusal of application for 5 lot subdivision at 30 Paton Street. Preliminary Conference held 7 November 2024. Hearing listed for 26 and 27 February 2025.
P18-046/NC-24-0009	Appeal P2024/120 – appeal against Notice and Order Preliminary Hearing held 13 January 2025. Hearing set for 13 March 2025.
Decisions received	
-	-
TPC	TASMANIAN PLANNING COMMISSION
PLN-24-0016	Draft Amendment to apply the flood-prone area overlay to the Planning Scheme maps at Perth, Campbell Town and Ross. Section 40K report on representations presented to October 2024 Council meeting and sent to Tasmanian Planning Commission. Hearing set for 18 & 19 February 2025.
Decisions received	
-	-

2.4 Building Approvals

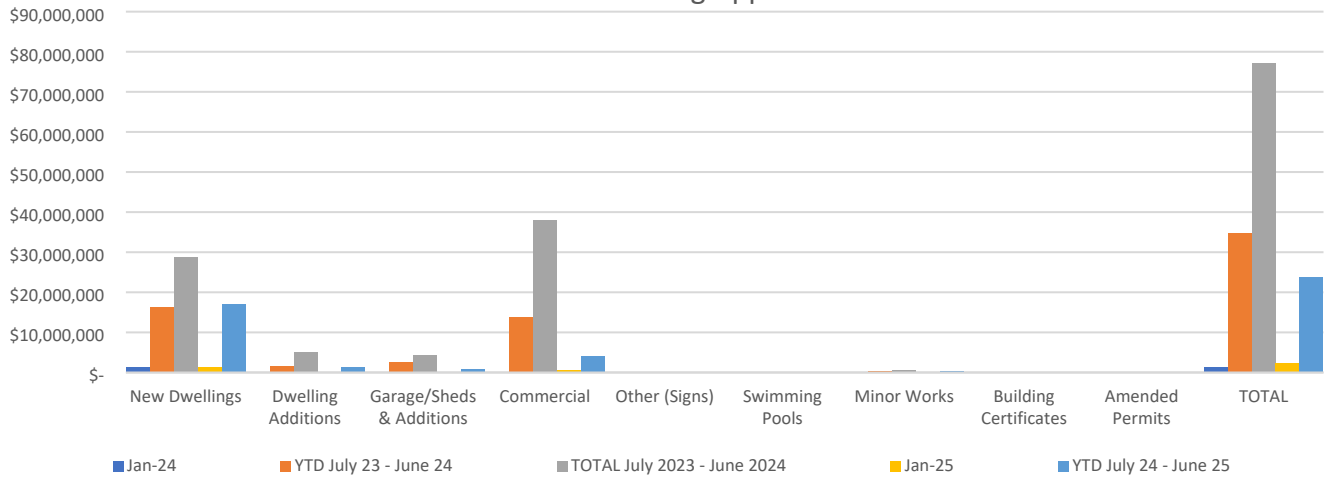
The following table shows a comparison of the number and total value of building works for 2023-2024 and 2024-2025.

	YEAR - 2023 - 2024				YEAR		YEAR - 2024 - 2025			
	Jan-24		YTD July 23 - June 24		TOTAL July 2023 - June 2024		Jan-25		YTD July 24 - June 25	
	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value
		\$		\$		\$		\$		\$
New Dwellings	1	1,250,000	56	16,317,734	89	28,811,896	3	1,280,000	52	17,108,863
Dwelling Additions	0	0	13	1,616,400	22	5,105,400	2	159,000	15	1,387,600
Garage/Sheds & Additions	4	184,998	32	2,738,834	57	4,240,824	2	180,000	22	945,304
Commercial	0	0	11	13,830,000	32	38,102,213	2	669,500	13	4,200,500
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	0	0	9	356,511	23	741,490	2	18,953	21	250,406
Building Certificates	0	0	0	0	0	0	0	0	0	0

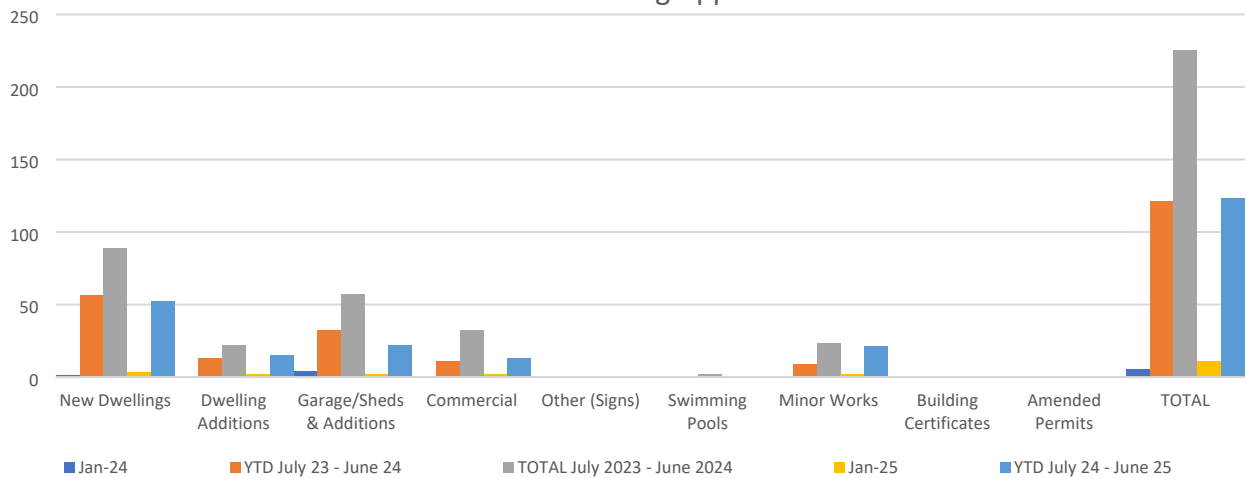


Amended Permits	0	0	0	0	0	0	0	0	0	0
TOTAL	5	1,434,998	121	34,859,479	225	77,115,823	11	2,307,453	123	23,892,673
Inspections										
Building	0		0		4		0		0	
Plumbing	32		226		453		21		236	

Value of Building Approvals



Number of Building Approvals



2.5 Planning, Building & Plumbing Compliance – Permit Review

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

Planning Permit Compliance Reviews	This Month	2024/2025	Total 2023/2024
Number of Inspections	8	31	49
Property owner not home or only recently started			
Complying with all conditions / signed off	2	4	9
Not complying with all conditions	6	27	
Re-inspection required	6	27	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	13	151	155
Property owner not home or only recently started			
Complying with all conditions / signed off	13	150	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	40	147	87
Commitment provided to submit required documentation			7
Re-inspection required	27	106	48
No Further Action Required	13	41	32
Building Notices issued	4	25	21
Plumbing Notices Issued		13	11
Building Orders issued	5	23	17
Plumbing Orders Issued		2	2
Emergency Order		2	
Infringements issued (Building/Plumbing)			1
Illegal Works - Planning	This Month	2024/2025	Total 2023/2024
Number of Inspections	5	8	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 13 commercial building approvals valued at a total of \$4,200,500 (year to date), compared to 11 commercial building approvals valued at a total of \$13,830,000 (year to date) for the previous year.

In total, there have been 123 building approvals valued at \$23,892,673 (year to date) for 2024/2025 compared to 121 building approvals valued at \$34,859,479 (year to date) for the previous year.



13.2 POLICY REVIEW: HERITAGE INCENTIVE SCHEME

Responsible Officer: Des Jennings, General Manager

Report prepared by: Paul Godier, Senior Planner

RECOMMENDATION

That Council's Heritage Incentive Scheme be amended as shown in the attachment by deleting ~~strikethroughs~~ and adding highlights.

1 PURPOSE OF REPORT

This report reviews and recommends amendments to Council's Heritage Incentive Scheme.

2 INTRODUCTION/BACKGROUND

Council's Policy Manual contains the Heritage Incentive Scheme which was last reviewed in December 2020. The Incentive Scheme is attached, with recommended changes identified by deletions ~~struck through~~ and additions highlighted.

Amendments are recommended to:

- The value of the incentive; and
- The timing in which applications must be made and work completed.

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

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:

- 4.4 Our heritage villages and towns are high value assets

3.2 Integrated Priority Projects Plan 2021

Not applicable.



4 POLICY IMPLICATIONS

Amendments to the Heritage Incentive Scheme are recommended in this report.

5 STATUTORY REQUIREMENTS

5.1 Local Government Act 1993

77. Grants and benefits

A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.

(1A) A benefit provided under subsection (1) may include –

(a) in-kind assistance; and

(b) fully or partially reduced fees, rates or charges; and

(c) remission of rates or charges under Part 9 .

(2) The details of any grant made or benefit provided are to be included in the annual report of the council.

6 FINANCIAL IMPLICATIONS

Council allocates \$5,000 per year to the Heritage Incentive Scheme.

7 RISK ISSUES

No risk issues are identified.

8 CONSULTATION WITH STATE GOVERNMENT

Not required for this matter.

9 COMMUNITY CONSULTATION

Not required for this matter.

10 OPTIONS FOR COUNCIL TO CONSIDER

The Incentive Scheme provides for a grant of 25%, to a maximum of \$500, of the cost of the work, credited against the property's rates. It states that the Council shall allocate a total of \$5,000 to the Heritage Incentive Scheme each financial year. There is no record of any applications having been made under the Heritage Incentive Scheme since 2020.

People may be more likely to make application if the grant is larger. The following options may be considered:

- Leave the Incentive scheme at 25%, to a maximum of \$500, of the cost of the work;
- Change to 50%, to a maximum of \$1,000, of the cost of the work;
- Change to 50%, to a maximum of \$2,500, of the cost of the work

11 OFFICER'S COMMENTS/CONCLUSION

Value of Incentive

Amendments to the value of the incentive are recommended as follows:

- 4.1 The value of the incentive shall be in the form of a grant of 25% 50%, to a maximum of \$500 \$1,000, of the



cost of the work, credited against the property's rates.

4.2 The Council shall allocate a total of \$5,000 each financial year.

Application and Completion Process

Amendments to the application and completion process are recommended as follows:

5.2 HERITAGE INCENTIVE GRANT APPLICATION

5.2.1 The application shall be made on the Heritage Incentive Application Form.

5.2.2 The application shall include all the required information.

5.2.3 The application shall include copies of any required Planning or Tasmanian Heritage Council approvals.

~~5.2.4 Applications open 1 July each year.~~

~~5.2.5 Applications close 30 November each year.~~

~~5.2.6 Applicants are advised of the outcome by 30 December.~~

~~5.2.7 Works are to be completed by 31 May.~~

5.2.8 ~~Works will be reviewed by 30 June.~~ Where completed in accordance with the approval, the grant will be credited against the following financial year's rates.

5.3 ASSESSMENT

5.3.1 Applications are assessed in order of receipt.

5.3.2 The Heritage Advisor will assess each application against the policy and accordingly approve or refuse the application.

5.3.3 The grant will be paid on successful applications in the order of their receipt, until the allocation is spent for that financial year.

5.3.4 Applications which may qualify for an incentive grant, and where the allocation has been spent, may re-apply in the following year.

5.4 COMPLETION

5.4.1 The works are to be completed in accordance with the approved application.

5.4.2 The works are to be completed by 31 May within 12 months of Heritage Incentive Scheme approval, or further time agreed to in writing.

5.4.3 The property owner shall advise Council in writing when the works are completed.

5.4.4 The property owner shall provide Council with copies of receipts relevant to the project.

12 ATTACHMENTS

1. DRAFT - AMENDED Heritage Incentive Scheme Policy [13.2.1 - 2 pages]
 2. CURRENT Heritage Incentive Scheme Policy [13.2.2 - 2 pages]
-



13.3 PROPOSAL FOR CHANGE OF STREET NAME - ECLIPSE CLOSE TO OBSERVATORY CLOSE, CAMPBELL TOWN

Responsible Officer: Des Jennings, General Manager
Report prepared by: Paul Godier, Senior Planner

RECOMMENDATION

That Council:

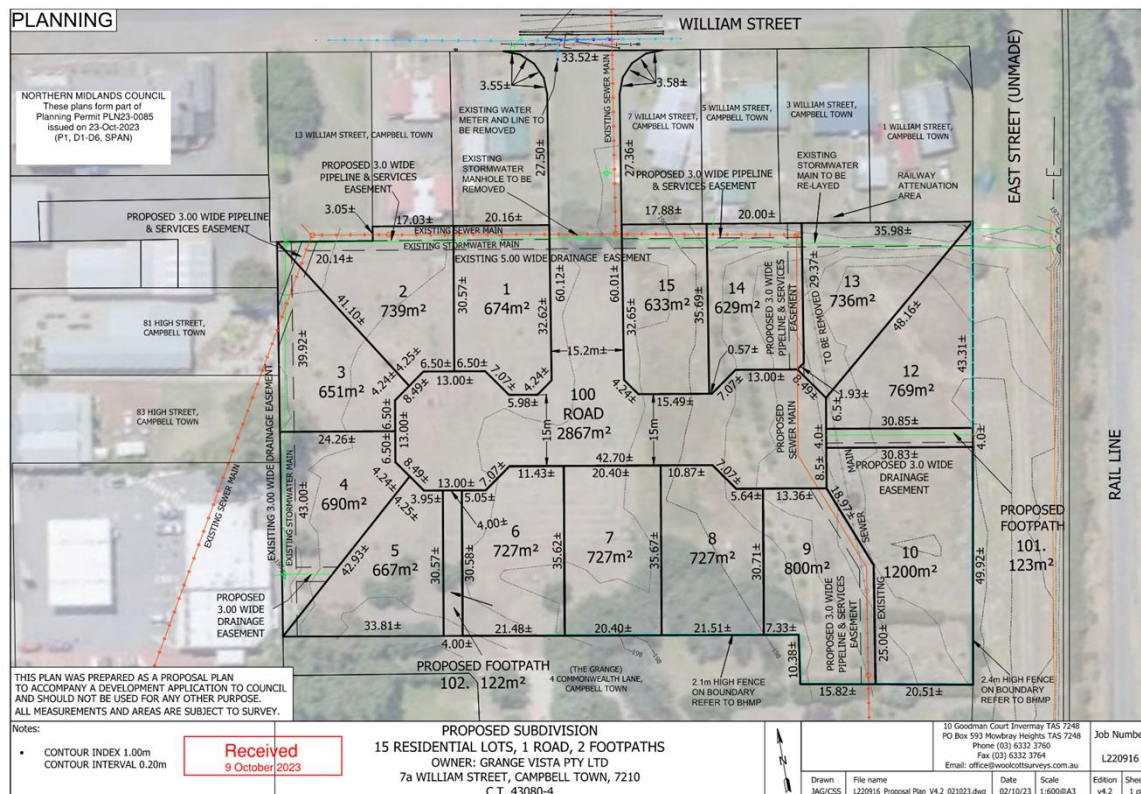
- a) Submit to Placenames Tasmania a proposal to change the name of Eclipse Close to Observatory Close;
- b) Include information to describe the historical links of the site with the 1874 observation of the transit of Venus as follows:
Transits of Venus - the movement of Venus across the face of the sun - occur in pairs that are eight years apart and then don't happen again for more than a hundred years. Two Venus transits occurred in 1874 and 1882. These rare alignments have been important for scientific research. Of particular significance, Venus transits provided observers with data that eventually led to a very close estimate of the astronomical unit - the distance between the earth and the sun. The United States organised eight 1874 transit stations. Two of these were in Australia. Both were in Tasmania. One was in Hobart and the other was in Campbell Town. At Campbell Town, the 1874 observations took place in what today is colloquially referred to as the 'Observatory Paddock', the site of this subdivision;
- c) Name the footpath heading from the subdivision towards Valentine Park 'Observatory Walk' and the footpath heading toward East Street 'Transit Walk'; and
- d) Advise Placenames Tasmania that it wants to retain 'Eclipse Close' as a Reserved name for future use.

1 PURPOSE OF REPORT

This report recommends that Council request Placenames Tasmania change the name of 'Eclipse Close' to 'Observatory Close'.

2 INTRODUCTION/BACKGROUND

In October 2023 Council approved a 15-lot residential subdivision at 7A William Street, Campbell Town.



^Approved subdivision layout. Proposed footpaths to connect to East Street, and Valentine Park subject to negotiation with the owner of the Grange.



Site and surrounds of the approved subdivision

Council requested the developer to provide three road names, with the suffix 'Close' for the new subdivision. The developer provided in order of preference Grange Close, Olive Close, and Eclipse Close. On 15 May 2024 Placenames Tasmania advised that the place name Eclipse Close is now official.

On its website, Placenames Tasmania provides the following background to the name Eclipse Close, "This development backs onto Valentine Park where the Transit of Venus Sundial is. This year, 2024, is the 100-year anniversary since the eclipse happened which this name commemorates".

In January 2025 information was provided to Council including the following from the "Journal of Astronomical History and Heritage" 18(2), 149–160 (2015), W Orchiston, A Buchanan, G Price, T Sprent:

Observing the 1874 transit of Venus was a major international enterprise that helped solve one of nineteenth century astronomy's leading challenges: to derive a realistic value for the solar parallax and hence for the astronomical unit (i.e. the Earth-Sun distance). The United States organised eight 1874 transit stations. Two of these were in Australia. Both were in Tasmania. One was in Hobart and the other was in Campbell Town. At Campbell Town, the 1874 observations took place in what today is colloquially referred to as the 'Observatory Paddock'.

7A William Street, which has received subdivision approval and the name Eclipse Close, contains the 'Observatory Paddock.'

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



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

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

There are no implications on Council policies.

In accordance with the *Tasmanian Place Naming Guidelines* 'Walk' is the appropriate road type suffix for the footpaths leading from the subdivision.

5 STATUTORY REQUIREMENTS

5.1 Place Names Act 2020

6 FINANCIAL IMPLICATIONS

There are no financial implications to Council.

7 RISK ISSUES

No risk issues are identified.

8 CONSULTATION WITH STATE GOVERNMENT

Placenames Tasmania has advised:

The name 'Observatory Close' does conform with the Guidelines and would be acceptable.

As you've confirmed that no residents/property owners will be impacted (as titles for the subdivision has not yet been issued) by a change to the road name and have support from the developer, I see no issues in proceeding with the alteration to 'Observatory Close'.

If you submit a new proposal for 'Observatory Close' in Placenames Tasmania, I can process the rescission of Eclipse Close and approve 'Observatory Close' in its place.

As an aside, since the name 'Eclipse Close' has already been accepted but would no longer be needed for this road, would Council want to retain 'Eclipse Close' as a Reserved name for future use? If Council approves, I would alter the status of the name to unofficial and mark it as reserved for use by NMC. This will essentially 'reserve' the accepted name to ensure that a duplicate isn't created and the name will be available for Council to allocate to a future road. See section 7.15 of the Guidelines for further explanation.

9 COMMUNITY CONSULTATION

The matter was brought to Council's attention by a community member.

The owner of the land advises of no objections to pursuing a change of name to 'Observatory Close' providing it does not hold up issue of titles.

The proposal to alter the road name must be referred to the Place Names Advisory Panel for review. Where the proposed name has a significant effect upon the community, for example, altering the name of a road which a number of residents are addressed to, the proposal may be advertised on the Placenames Tasmania Advertisements page and in the



major regional newspaper. As of 10 February 2025, titles for the new subdivision had not been issued. The only person impacted by the change of name is currently the developer, who has agreed to the change, providing it does not hold up issue of titles.

10 OPTIONS FOR COUNCIL TO CONSIDER

- A. Submit to Placenames Tasmania a proposal to change the name of Eclipse Close to Observatory Close including information to describe the historical links of the site with the 1874 transit of Venus observations*; **or**
- B. Retain the name of Eclipse Close and request Placenames Tasmania amend the information about it to describe the historical links of the site with the 1874 transit of Venus observations*;

AND

- C. Name the footpath heading from the subdivision towards Valentine Park 'Observatory Walk' and the footpath heading toward East Street 'Transit Walk'.

**Suggested wording: Transits of Venus - the movement of Venus across the face of the sun (and therefore an eclipse) - occur in pairs that are eight years apart and then don't happen again for more than a hundred years. Two Venus transits occurred in 1874 and 1882. These rare alignments have been important for scientific research. Of particular significance, Venus transits provided observers with data that eventually led to a very close estimate of the astronomical unit - the distance between the earth and the sun. The United States organised eight 1874 transit stations. Two of these were in Australia. Both were in Tasmania. One was in Hobart and the other was in Campbell Town. At Campbell Town, the 1874 observations took place in what today is colloquially referred to as the 'Observatory Paddock', the site of this subdivision.*

11 OFFICER'S COMMENTS/CONCLUSION

In recognition of the history of the site with the 1874 transit of Venus observations it is recommended that Council Submit to Placenames Tasmania a proposal to change the name of Eclipse Close to Observatory Close, with the following information to be recorded on Placenames Tasmania's website:

Transits of Venus - the movement of Venus across the face of the sun - occur in pairs that are eight years apart and then don't happen again for more than a hundred years. Two Venus transits occurred in 1874 and 1882. These rare alignments have been important for scientific research. Of particular significance, Venus transits provided observers with data that eventually led to a very close estimate of the astronomical unit - the distance between the earth and the sun. The United States organised eight 1874 transit stations. Two of these were in Australia. Both were in Tasmania. One was in Hobart and the other was in Campbell Town. At Campbell Town, the 1874 observations took place in what today is colloquially referred to as the 'Observatory Paddock', the site of this subdivision.

It is also recommended that Council name the footpath heading from the subdivision towards Valentine Park 'Observatory Walk' and the footpath heading toward East Street 'Transit Walk'.

Reservation of the name 'Eclipse Close'

Placenames Tasmania advises that since the name 'Eclipse Close' has already been accepted but would no longer be needed for this road, would Council want to retain 'Eclipse Close' as a Reserved name for future use? If Council approves, the status of the name would be altered to unofficial and marked as reserved for use by NMC.

There is potential for further subdivision in Campbell Town that could be named 'Eclipse Close'. It is therefore recommended that that Council advise Placenames Tasmania that it wants to retain 'Eclipse Close' as a Reserved name for future use.

12 ATTACHMENTS

Nil



14 GOVERNANCE REPORTS

14.1 NOMINATION AS COUNCIL'S REPRESENTATIVE TO THE TAMAR ESTUARY MANAGEMENT TASKFORCE (TEMT) COMMUNICATIONS AND ENGAGEMENT WORKING GROUP

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

RECOMMENDATION

That Council endorse the nomination of as the Northern Midlands Council's representative to the Tamar Estuary Management Taskforce (TEMT) Communications and Engagement Working Group

1 PURPOSE OF REPORT

The Tamar Estuary Management Taskforce (TEMT) is seeking the nomination of a representative of the Northern Midlands Council to the Communications and Engagement Working Group.

2 INTRODUCTION/BACKGROUND

At the meeting of the Tamar Estuary Management Taskforce held on Friday 1 November 2024, the Taskforce:

- was asked to provide out-of-session feedback on the Communications and Engagement strategy presented during session
- endorsed the creation of a TEMT Communications and Engagement Working Group and a Tasmanian Aboriginal Reference Group.

The priority of the TEMT Communications and Engagement Working Group is to recommend protocol options for approval of TEMT communications that will enable the incoming independent chair to represent the Taskforce publicly on Taskforce priorities.

The TEMT Secretariat have requested that an individual from Northern Midlands Council be nominated to form the initial membership of the TEMT Communications and Engagement Working Group and to facilitate the involvement of that individual in the Group.

Additional confidential information in relation to the working group has been provided in Closed Council.

The meetings will be at the CH Smith Building in Launceston, with the option to participate via Teams.

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

Place: Nurture our heritage environment

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



Strategic outcomes:

4.2 Meet environmental challenges

3.2 Integrated Priority Projects Plan 2021

Not applicable.

4 POLICY IMPLICATIONS

Not applicable.

5 STATUTORY REQUIREMENTS

Not applicable.

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

To endorse or not endorse the nomination of a Council representative the TEMT Communications and Engagement Working Group.

11 OFFICER'S COMMENTS/CONCLUSION

The priority of the TEMT Communications and Engagement Working Group is to recommend protocol options for approval of TEMT communications that will enable the incoming independent chair to represent the Taskforce publicly on Taskforce priorities.

The TEMT Secretariat have requested that an individual from Northern Midlands Council be nominated to form the initial membership of the TEMT Communications and Engagement Working Group and to facilitate the involvement of that individual in the Group.

Additional confidential information in relation to the working group has been provided in Closed Council.

12 ATTACHMENTS

Nil



14.2 FERAL DUCKS - CAMPBELL TOWN, ROSS, EVANDALE AND LONGFORD

Responsible Officer: *Des Jennings, General Manager*

Report prepared by: *Vivien Tan, Executive & Communications Officer*

RECOMMENDATION

That Council:

- A) approve funding for new signage and education initiatives to occur in the Northern Midlands river reserves regarding the feeding and dumping of domestic ducks; and
- B) approve funding to further progress the removal of the feral duck populations to better protect our native species and habitats.
- C) make information available on the Council website and social media platforms.

1 PURPOSE OF REPORT

To address the concerns of feral populations of the domestic mallard duck dumping and feeding in the Northern Midlands.

2 INTRODUCTION/BACKGROUND

The main concern is with the domestic mallard duck dumping and feeding in locations such as Campbell Town, Ross and Perth. There are also reports of mallard feeding spots at Honeysuckle Banks outside Evandale and the Mill Dam reserve in Longford. These self-sustaining populations are supported by people feeding them, which in turn results in more dumping, as people are more likely to dump unwanted/excess ducks in locations where they think they will survive. Feeding ducks can lead to health, behavioural and environmental issues. Ducks are more than capable of finding their own natural food that supports a healthy diet, and healthy population sizes. Feeding ducks unnatural diets can cause nutritional deficiencies which can result in conditions such as Angel wing. The increased populations of ducks caused by regular feeding can also cause increased fouling of waterways which, in turn, increases the chances of botulism. Ducks that are regularly fed may also become aggressive towards people, particularly children, in their attempts to demand food.

These feral populations impact native species through competition and by damaging waterway habitat by trampling bank vegetation and soils and degrading water quality. They are larger and more aggressive than our native ducks. It is very rare in Tasmania to see only native ducks being fed, as they cannot contend with the more aggressive and tamer mallards. Most concerning is their ability to crossbreed with Pacific Black Ducks (PBD) to create fertile hybrids. Hybridisation or crossbreeding of the introduced Mallard is a threat to our native ducks, in particular to the Pacific Black Duck. Hybridisation has resulted in the near extinction of duck species around the world. PBD are likely to become extinct in New Zealand due to introgressive hybridisation and are now extinct on Lord Howe and Norfolk islands. Feral mallard populations in rural areas are of concern as they act as stepping stones for PBD x Mallard hybrids and can assist in mallard genetics entering otherwise 'pure' PBD populations. Duck populations in Tasmania are a mix of wild and domestic mallards. Mallards are bigger and more aggressive than native duck species, and when there is a stable food and water source (bread, grain, lettuce, tubs of water etc.), their numbers can explode. This is bad news for our smaller, more timid native ducks. It doesn't take long for mallards to push out the smaller natives, who cannot compete with their numbers and size.

Tasmania is home to 11 species of native duck. Many fill differing niches throughout the state, providing a great introductory opportunity to bird spotting.



They can be found in and around our waterways including:

- rivers
- natural wetlands
- estuaries
- lakes and farm dams
- sewage settling ponds or dairy effluent ponds

They even occur in bushland where Wood Duck, Australian Shelduck, Grey Teal, Chestnut Teal and Pacific Black Duck nest in tree hollows. These hollows may be a few kilometres away from the nearest water body.

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.

Place: Nurture our heritage environment

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

Strategic outcomes:

- 4.1 Cherish and sustain our landscape
- 4.2 Meet environmental challenges

3.2 Integrated Priority Projects Plan 2021

N/A

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

The signage for the 5 townships to be funded through the signage allocation budget.

7 RISK ISSUES

Ducks can be a nuisance to some farmers by grazing crops and newly sown pasture. Additionally, they may foul pasture and watering points with their faeces.

Local council campaigns to reduce feral ducks have previously attracted public controversy.

There are many other councils in Tasmania that have introduced signage and webpages. Northern Midlands Council may be considered slow in addressing these feral duck concerns.

8 CONSULTATION WITH STATE GOVERNMENT

Council will reach out to Parks and Wildlife of the Department of Natural Resources and Environment Tasmania for support.



9 COMMUNITY CONSULTATION

Educating residents and tourists is important to help reinforce the message that feeding ducks encourages dumping of more ducks and the impact this has on the other species and native ducks. The message can be put out on websites, signs, QR codes to link to websites, Ducks of Tasmania books, possible letter box drops and social media.

Mallard ducks are classified as domestic stock under the *Nature Conservation Act 2002* and are technically someone's property. Feral ducks on private and public land are the responsibility of the owner of the ducks, or the landowner on which the ducks reside. The dumping of these ducks is illegal. Consideration to introduce council bylaws in ownership of ducks including permits/ poultry policy.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council has the option to allocate funding for new signage and education initiatives to occur in the Northern Midlands regarding feeding and dumping of domestic ducks, or not.

11 OFFICER'S COMMENTS/CONCLUSION

It is recommended that Council approve funding for new signage and education initiatives to occur in the Northern Midlands regarding the feeding and dumping of domestic ducks and further progress the removal of the feral populations to better protect our native species and habitats.

12 ATTACHMENTS

1. 1.9 a Ducks - Facebook Post, Ducks and Sample Signs [**14.2.1** - 3 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 28 February 2025; 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 28 February 2025.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 28 February 2025 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:

A. Operating Income and Expenditure						
	Budget	Year to Date Budget 25%	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$14,648,178	-\$14,648,178	-\$14,470,654	-\$178	98.8%	Raised in July 2024
Recurrent Grant Revenue	-\$5,585,973	-\$3,723,982	-\$624,225	-\$3,100	16.8%	75% FAGS grants paid 23/24
Fees and Charges Revenue	-\$3,112,403	-\$1,815,568	-\$1,958,353	\$143	107.9%	
Interest Revenue	-\$879,650	-\$513,130	-\$235,408	-\$278	45.9%	Timing variance
Reimbursements Revenue	-\$119,799	-\$69,883	-\$69,054	-\$1	98.8%	
Other Revenue	-\$2,257,598	-\$1,316,932	-\$473,267	-\$844	35.9%	Timing variance
	-\$26,603,601	-\$22,087,674	-\$17,830,961	-\$4,257	80.7%	
Employee costs	\$8,432,058	\$4,918,701	\$5,015,650	-\$97	102.0%	



Material & Services Expenditure	\$6,982,777	\$4,073,287	\$4,662,950	-\$590	114.5%	
Depreciation Expenditure	\$7,656,898	\$4,466,524	\$4,466,524	\$0	100.0%	
Government Levies & Charges	\$1,238,375	\$722,385	\$543,315	\$179	75.2%	
Councillors Expenditure	\$225,424	\$131,497	\$140,569	-\$9	106.9%	
Interest on Borrowings	\$22,225	\$12,965	\$0	\$13	0.0%	
Other Expenditure	\$1,044,080	\$609,047	\$942,630	-\$334	154.8%	Pensioner Rebates
Plant Expenditure Paid	\$601,400	\$350,817	\$374,696	-\$24	106.8%	
	\$26,203,237	\$15,285,222	\$16,146,334	-\$861	105.6%	
	-\$400,364	-\$6,802,452	-\$1,684,627			
Gain on sale of Fixed Assets	\$0	\$0	-\$67,044	\$67	0.0%	
Loss on Sale of Fixed Assets	\$418,967	\$244,397	\$57,451	\$187	23.5%	*Asset recognition EOY
Underlying (Surplus) / Deficit	\$18,603	-\$6,558,055	-\$1,694,220			1*
	\$0		-\$828,450			
Capital Grant Revenue	-\$14,135,645	-\$8,245,793	-\$1,723,802	-\$6,522	20.9%	
Subdivider Contributions	-\$375,608	-\$219,105	0	-\$219	0.0%	* Not recognised until EOY
Capital Revenue	-\$14,511,253	-\$8,464,898	-\$1,723,802			
	-		-			

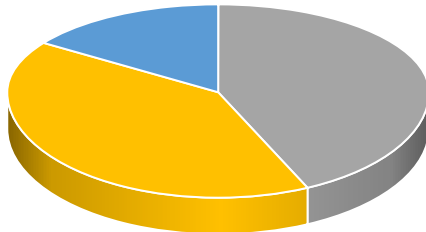
Budget Alteration Requests				
- For Council authorisation by absolute majority	Budget Operating	Budget Capital	Actuals	
<i>Capital works budget variances above 10% or \$10,000 are highlighted</i>				
January				
No budget changes for January 2025				
<i>Fees & Charges</i>				
			From	To
Lawn Cemetery Plot Allocation Fee			\$370.00	\$370.00 Excl GST
Lawn Cemetery Plot Allocation Fee - non-resident			\$481.00	\$481.00 Excl GST
Niche Wall Allocation Fee			\$158.00	\$158.00 Excl GST
Niche Wall Allocation Fee - non-resident			\$205.40	\$204.50 Excl GST
Rose Garden Allocation Fee			\$158.00	\$158.00 Excl GST
Rose Garden Allocation Fee - non resident			\$205.40	\$204.50 Excl GST

A. Balance Sheet Items				
	Year to Date Actual	Monthly Change	Same time last year	Comments
Cash & Cash Equivalents Balance	Year to Date			
- Opening Cash balance	\$19,266,373	\$15,714,211		
- Cash Inflow	\$18,872,174	\$2,934,788		
- Cash Payments	-\$21,625,382	-\$2,135,835		
- Closing Cash balance	\$16,513,164	\$16,513,164		
	-	-		
Account Breakdown				
- Trading Accounts	\$906,290			
- Investments	\$15,606,874			
	\$16,513,164			
	-			



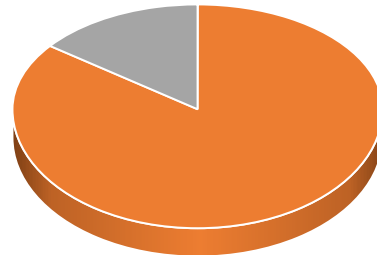
Summary of Investments	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value
Tas Corp 24hr Call Account	1/01/2025	31/01/2025	4.35	\$5,936	\$5,958
Commonwealth 24hr Call Account	6/01/2025	6/01/2025	0.25	\$0	\$0
Commonwealth Business Online Saver Account	29/01/2025	31/01/2025	4.35	\$1,304,782	\$1,305,093
Westpac Corporate Regulated Interest Account	1/12/2024	31/12/2024	4.35	\$1,552,449	\$1,552,449
	0.00	0/01/1900	0/01/1900	0.00	\$0
	0.00	0/01/1900	0/01/1900	0.00	\$0
CBA	6/12/2024	4/02/2025	4.74	\$1,000,000	\$1,007,792
My State Financial	18/12/2024	16/06/2025	5.05	\$3,743,707	\$3,836,940
My State Financial - Online Saver Business	1/01/2025	31/01/2025	0.00	\$25	\$25
Westpac - Stimulus	0/01/1900	0/01/1900	0.00	\$0	\$0
Westpac	25/11/2024	24/04/2025	4.98	\$3,000,000	\$3,061,397
Westpac	28/01/2025	3/02/2025	3.15	\$2,000,000	\$2,000,863
Westpac	26/09/2024	26/02/2025	4.99	\$3,000,000	\$3,062,751
Total Investments				\$15,606,899	\$15,833,268

Investments by Institution



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

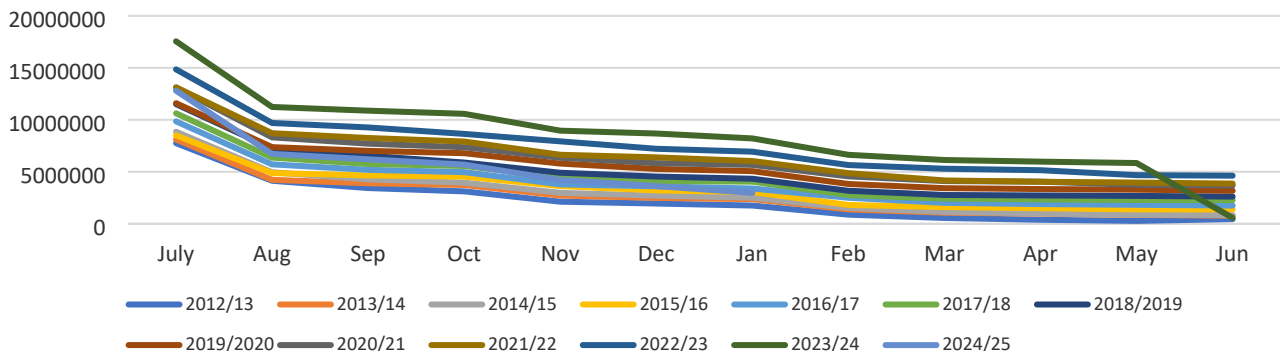
Total Investments by Rating (Standard & Poor's)









■ 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	\$14,495,127		\$14,423,988	
	\$14,450,920		\$19,050,424	
Rates collected	\$10,858,222	74.9%	\$9,501,715	65.9%
Pension Rebates	\$599,801	4.1%	\$566,022	3.9%
Discount & Remissions	\$21,367	0.1%	\$26,832	0.2%
	\$11,479,389		\$10,094,569	
Rates Outstanding	\$2,971,530	20.5%	\$8,955,856	47.0%
Advance Payments received	-\$290,268	2.0%	-\$350,825	2.4%

Outstanding Rates





Trade Debtors			
Current balance	\$1,776,786		
- 30 Days	\$1,511,506		
- 60 Days	\$13,883		
- 90 Days	-\$247		
- More than 90 days	\$251,644		
Summary of Accounts more than 90 days:	-		
- Norfolk Plains Book sales	-		 Paid by outlet as sold
- Hire/lease of facilities	6,942		
- Removal of fire hazards	17,029		 Send to Fines Enforcement
- Dog Registrations & Fines	20,194		
- Private Works	14,113		
- Regulatory Fees	7,007		
- Govt Reimbursements	186,359		

C. Capital Program				
	Budget	Actual (\$,000)	Target 58%	Comments
Renewal	\$23,951,009	\$4,861,470	20%	
New assets	\$9,921,984	\$2,719,639	27%	
Total	\$33,872,993	\$7,581,108	22%	
Major projects:				
- Ctown Urban Streetscape Improvements	\$8,234,000	\$279,812	3%	Design stage
- Pth Bridge/Culvert Replacements (4)	\$3,331,690	\$32,973	1%	Design stage
- Pth Urban Streetscape Improvements	\$3,141,000	\$483,043	15%	In progress
- Fleet Replacement Program	\$1,632,000	\$988,851	61%	In progress
- Lfd Urban Streetscape Improvements	\$1,713,985	\$597,121	35%	In progress
- Ashby Road reconstruction	\$1,135,790	\$313,786	28%	In progress
- Lfd Caravan Park Amenities replacement	\$625,000	\$726,758	116%	Complete
- Lfd Laycock Street Reserve	\$500,768	\$563,536	113%	Complete
- Elphinstone Road Reconstruction	\$365,000	\$313,440	86%	Complete
- Pth Junior Soccer Field	164,421	\$151,829	92%	Complete

* 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%	81.2%	-26.1%	↘
- Own Source Revenue / Total Revenue	79%	96%	-17.5%	↘
Sustainability Ratio				
- Operating Surplus / Operating Revenue	-0.1%	9.5%	-9.6%	↘
- Debt / Own Source Revenue	35.3%	43.1%	-7.8%	↔
Efficiency Ratios				



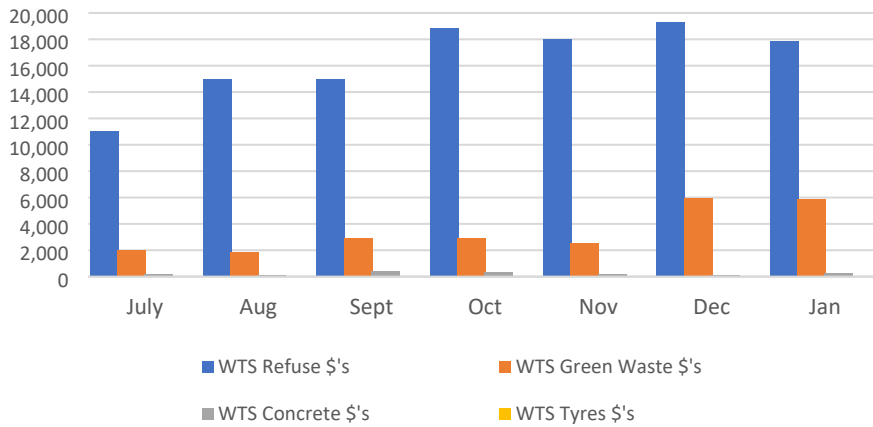
- Receivables / Own Source Revenue	22.6%	52.0%	-29.5%	↘	
- Employee costs / Revenue	31.7%	28.1%	3.6%	↗	
- Renewal / Depreciation	312.8%	108.8%	204.0%	↗	
Unit Costs					
		\$			
- Waste Collection per bin	\$13.56	11.28		↔	
- Employee costs per hour	\$70.27	\$49.26		↗	
- Rate Revenue per property	\$1,916.55	\$1,893.32		↔	
- IT per employee hour	\$5.45	\$4.62		↘	

B. Employee & WHS scorecard		
	YTD	This Month
Number of Employees	112	112
New Employees	18	1
Resignations	13	1
Total hours worked	101,810	15,462
Medical Treatment Injury	6	0
Property Damage Incident		0
Safety Incidents Reported	4	3
Hazards Reported	0	0
Workplace Inspections	49	0
Risk Incidents Reported	11	0
Insurance claims - Public Liability	0	0
Insurance claims - Industrial	0	0
Insurance claims - Motor Vehicle	0	0
IT - Unplanned lost time	5	1
Open W/Comp claims	3	0

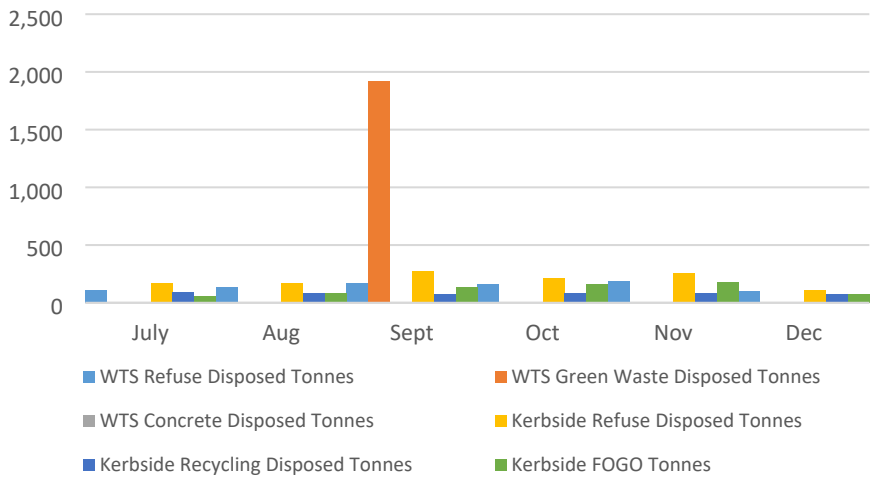
C. Waste Management						
Waste Transfer Station	2022/23	2023/24	2024/25 Budget Year to Date	2024/25		
Takings						
- Refuse	\$146,790	\$148,749	\$70,173	\$115,088	% change for same period last year	97%
- Green Waste	\$77,811	\$60,216	\$28,714	\$24,157	% change for same period last year	0%
- Concrete	\$4,861	\$4,767	\$2,250	\$1,686	% change for same period last year	-100%
- Tyres	257	\$0	\$2,500	\$0		
Total Takings	\$229,719	\$213,732	\$103,637	\$140,931		
Tonnes Disposed						
WTS Refuse Disposed					% change for same period last year	97%
WTS Green Waste Disposed						
WTS Concrete Disposed						
WTS Refuse Disposed	1298	1276	638	851	% change for same period last year	97%
WTS Green Waste Disposed	5970	0	2,665	1920		0%
WTS Concrete Disposed	0	0	-	0		0%
Kerbside Refuse Disposed					% change for same period last year	-36%
Kerbside Recycling Disposed						
Kerbside Recycling Disposed	1035	1029	515	497	% change for same period last year	-35%
Fogo Disposed	488	1308	654	683	% change for same period last year	-31%
Total Waste Disposed	11132	6120	5725	5140		



Waste Transfer Station Fees \$'s



Waste Disposal Tonnes



5 OFFICER COMMENTS

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

6 ATTACHMENTS

1. Monthly Financial Report - January 2025 [15.1.1 - 1 page]
2. Monthly Capital Financial Report - January 2025 [15.1.2 - 7 pages]



16 WORKS REPORTS

16.1 POLICY REVIEW - ILLAWARRA ROAD SIGNS ADVERTISING

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

RECOMMENDATION

That Council endorse the Illawarra Road Signs Advertising Policy.

1 PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of the updates to the Illawarra Road Signs Advertising Policy.

2 INTRODUCTION/BACKGROUND

A review of the policy has resulted in a minor amendment being recommended to the policy (see attached policy with amendment highlighted in yellow).

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

3.2 Integrated Priority Projects Plan 2021

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

Not applicable.

4 POLICY IMPLICATIONS

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

There are no financial implications for this policy.

7 RISK ISSUES

Currency of Policies is important to ensure that they reflect economic and legislative changes.



8 CONSULTATION WITH STATE GOVERNMENT

The signs were approved by the Department of State Growth and the time of installation.

There have been recent discussions with Department of State Growth regarding the relocation of the sign of the western side of the roundabout to a location that can be more easily accessed by Council staff when installing or removing temporary signage. If these works proceed they will be carried out by the Department of State Growth at their cost.

9 COMMUNITY CONSULTATION

Not applicable.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council has the following options to consider:

- Endorse the minor amendments to the policy;
- Make further amendments to the policy; or
- Reject the amendments to the policy

11 OFFICER'S COMMENTS/CONCLUSION

It is recommended that Council accept the policy with the minor amendment shown in the attachment.

12 ATTACHMENTS

1. DRAFT - AMENDED Illawarra Road Signs Advertising Policy [16.1.1 - 2 pages]
 2. CURRENT Illawarra Road Signs Advertising Policy [16.1.2 - 2 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 Officers and Executive Assistant to discuss Closed Council Items.

Item	Local Government (Meeting Procedures) Regulations 2015 Reference
Confirmation of Minutes	15(2)(g)
Applications for Leave of Absence	15(2)(h)
Personnel Matters	15(2)(a)
Action Items: Closed Council Status Report	15(2)(g)
Legal Matter	15(2)(i)
Personnel Matters	15(2)(a)
Legal Matter	15(2)(i)
Legal Matter	15(2)(i)
Cressy Pool Committee Request	15(2)(g)
Independent Governance Review – Development of Procedures	15(2)(g)
Independent Governance Review – Development of Policy	15(2)(g)
Legal Matter	15(2)(g)(i)
District Committee Membership	15(2)(g)

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

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



18 CLOSURE

RECOMMENDATION

That Council move out of the "Closed Meeting".

Mayor Knowles closed the meeting at