



**NORTHERN
MIDLANDS
COUNCIL**

MINUTES

ORDINARY MEETING OF COUNCIL

MONDAY, 21 JULY 2025



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;

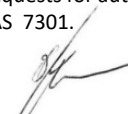
A member of the public may only use an audio recorder, or any other recording and/or transmitting device, to record the proceedings of a meeting of Council with the written permission of the General Manager for the express purpose proposed. The Northern Midlands Council reserves the right to revoke such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



MINUTES of the Ordinary Meeting of the Northern Midlands Council held on 21 July 2025 at 5.01pm in person at the Council Chambers, 13 Smith Street, Longford.

1 ATTENDANCE

PRESENT

Mayor Mary Knowles OAM, Cr Dick Adams OAM, Cr Alison Andrews AM, Cr Richard Archer, Cr Matthew Brooks, Cr Richard Goss, Cr Andrew McCullagh, Cr Paul Terrett.

In Attendance

Mr Des Jennings - General Manager, Miss Maree Bricknell - Corporate Services Manager, Mr Leigh McCullagh - Works Manager, Mr Trent Atkinson - Project & Building Compliance Manager, Ms Brandie Strickland - Statutory Planner (to 7.20pm), Ms Tatiana Paniagua - Executive Officer, Ms Kristy Nutting - Executive Officer, Mr Ben Badcock - IT Officer (to 7.20pm), Mrs Lee Viney - Executive Assistant.

APOLOGIES

Deputy Mayor Janet Lambert.



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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.

No Declarations of Interest were received.



5 PROCEDURAL

5.1 CONFIRMATION OF COUNCIL MEETING MINUTES

5.1.1 Confirmation Of Minutes: Ordinary Council Meeting

MINUTE NO. 25/214

DECISION

Cr Adams/Cr McCullagh

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 23 June 2025, be confirmed as a true record of proceedings.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil

RECOMMENDATION

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 23 June 2025, be confirmed as a true record of proceedings.

5.1.2 Confirmation Of Minutes: Special Council Meeting

MINUTE NO. 25/215

DECISION

Cr Adams/Cr Archer

That the Open Council Minutes of the Special Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday 7 July 2025, be confirmed as a true record of proceedings.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil

RECOMMENDATION

That the Open Council Minutes of the Special Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday 7 July 2025, be confirmed as a true record of proceedings.

5.2 DATE OF NEXT COUNCIL MEETING

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 18 August 2025.



5.3 MOTIONS ON NOTICE BY A COUNCILLOR

The following Notice of Motion has been received.

5.3.1 Notice Of Motion - Cleveland - Improvements To Township

Responsible Officer: Maree Bricknell, Acting General Manager

MINUTE NO. 25/216

DECISION

Cr Terrett/Cr McCullagh

That Council accept Councillor Terrett's motion and bring a further report back to a future Council meeting.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil

OFFICER'S RECOMMENDATION

That Council

- a) accept Councillor Terrett's motion and bring a further report back to a future Council meeting.
- or
- b) officers take no further action at this time.

Councillor Terrett has requested the below Notice of Motion be included in the Agenda for the Council Meeting to be held on 21 July 2025.

NOTICE OF MOTION

That council prepare a report to look at possible town improvements, on the Midlands Highway, to create a better visual streetscape for the township of Cleveland.

BACKGROUND

Cleveland was established in 1842 as a stopping point on the coach route between Hobart and Launceston. It is said that in its early years, Cleveland was a gathering point for travellers before they ventured onward through the dangers of Epping Forest, a notorious area for bushrangers.

Today it has a population of approximately 50, however the town has over 10,000 vehicle movements per day. The Midland Highway is undergoing upgrades as part of the Midland Highway 10 Year Action Plan, which aims to improve safety and efficiency.

The town is one of our many villages which could be visually improve with better signage acknowledging its history which could give it unique appeal.



Some properties are close to the highway and concern has also been raised about speeding in the town and the lack of vehicle barriers to protect the homes along the highway.

OFFICER'S COMMENTS

This road is not under council jurisdiction and therefore falls within the responsibility of State Growth. The local community has previously taken initiative to enhance the area by installing interpretation panels that share their local history. As a result, the location is already an attractive and welcoming place for visitors.

Individual property owners continue to maintain and beautify their frontages to a high standard, and further improvements beyond possible tree planting are considered minimal.

It is noted that no budget allocation has been provided in 2025-2026.

ATTACHMENTS

Nil

5.4 COUNCILLOR QUESTIONS ON NOTICE

No Questions on Notice were received.



6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES

MINUTE NO. 25/217

DECISION

Cr Adams/Cr Andrews

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

Carried Unanimously

Minutes of meetings of the following Committees are attached:

Date	Committee	Meeting
2 July 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

7.1 LONGFORD DISTRICT COMMITTEE

No motions were recorded for Council's consideration at the ordinary meeting of the Longford Local District Committee held on 2 July 2025.



8 INFORMATION ITEMS

MINUTE NO. 25/218

DECISION

Cr Adams/Cr McCullagh

That the Information Items be received.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil

At approximately 5.12pm following conclusion of the discussion relating to Item 8. Information Items and prior to Public Question and Statements being heard, Council commenced with Item 13.1 Development Services: Monthly Report.

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
19/05/2025	Special Council Workshop Discussion: <ul style="list-style-type: none">Budget 2025/2026
02/06/2025	Council Workshop Discussion included: <ul style="list-style-type: none">Budget 2025-26Longford Historic Motorsport Museum and Exhibition; Review of Council Committees; Motivity Fitness – Invitation to Present at a Future Workshop; 10 Minute Briefing.
16/06/2025	Special Council Workshop Discussion included: <ul style="list-style-type: none">Budget 2025-26Policy Review – Dog Management Draft Policy for Review; Swimming Pool Analysis 2024/2025 Season Review.
23/06/2025	Council Workshop Discussion: <ul style="list-style-type: none">Council Meeting Agenda items
	Council Meeting
07/07/2025	Special Council Workshop Discussion: <ul style="list-style-type: none">Budget 2025-26
	Special Council Meeting Discussion: <ul style="list-style-type: none">Budget 2025-26
	Council Workshop <ul style="list-style-type: none">Presentations – NTDC TRANSlink; Draft Amendment 14/2024: Rezone 4 Ridgeside Lane, 38 Arthur Street, 95 Logan Road and Part of 211 Logan Road, Evandale (Traders In Purple); Discussion included: <ul style="list-style-type: none">St Georges Square Amenities Upgrade – Information Item; 10 Minute Briefing – Proposed timeframe for consultation period for Dog Management Policy.



Date Held	Purpose of Workshop
21/07/2025	Council Workshop Discussion: <ul style="list-style-type: none"> Council Meeting Agenda items

8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 18 June 2025 to 15 July 2025 are as follows:

Date	Activity
18.June 2025	Attended LGAT General Management Committee meeting, online, Gipps Creek
20 June 2025	Attended Meeting with Inspector Fox, Longford
20 June 2025	Attended NTDC meeting, online, Longford
23 June 2025	Attended TasWater AGM, Launceston
23 June 2025	Attended meeting with Reconciliation Tasmania, online
23 June 2025	Attended Council Workshop and Meeting, Longford
24 - 27 June 2025	Attended National General Assembly of Local Government (NGA), Canberra
25 June 2025	Attended ALGWA Networking Breakfast NGA 2025, Canberra
25 June 2025	Attended Climate Mayors Initiative, Canberra
25 June 2025	Attended dinner with NTDC Board members and politicians
4 July 2025	Attended Radio interview with ABC Breakfast w Kim Napier
4 July 2025	Attended Campbell Town District High School, Campbell Town
4 July 2025	Attended Liberal promotion of Longford Childcare Centre proposal, Longford
5 July 2025	Attended Landcare Working Group meeting, Rossarden
7 July 2025	Attended Workshop and Special Budget Meeting, Longford
10 July 2025	Attended interview with journalist re vandalism
11 July 2025	Attended NTDC - State Election Priorities Session
11 July 2025	Attended TRANSlink Intermodal Facility - Steering Committee July Meeting
15 July 2025	Attended TasWater -Northern Midlands Irrigation Scheme Site Visit, Campbell Town
	Attended to email, phone, media and mail inquiries

8.3 GENERAL MANAGER'S ACTIVITIES

General Manager's Activities Attended & Planned for the period 16 June to 11 July 2025 are as follows:

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

Date	Activity
16/06/2025	Attended Special Council Workshop
20/06/2025	Attended Circular North Steering Committee meeting
21/06/2025	Attended Lions Train Park Event
23/06/2025	Attended Council Workshop and Meeting
24 – 27/06/2025	Attended ALGA NGA Conference, Canberra
03/07/2025	Met with TRANSlink Project Manager
04/07/2025	Attended TEER Strategy & Partnerships meeting
07/07/2025	Attended Special Council Workshop, Special Council Meeting & Workshop
08/07/2025	Met with TasNetworks Officers



8.4 PETITIONS

PURPOSE OF REPORT

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

OFFICER'S COMMENT

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

Section 57. Petitions

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

(1) A person may lodge a petition with a council by presenting it to a councillor or the general manager.

(2) A person lodging a petition is to ensure that the petition contains –

(a) a clear and concise statement identifying the subject matter and the action requested; and

(b) in the case of a paper petition, a heading on each page indicating the subject matter; and

(c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and

(d) a statement specifying the number of signatories; and

(e) at the end of the petition –

(i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and

(ii) in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.

(3) In this section –

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

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

petition means a paper petition or electronic petition;

signatory means –

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

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

58. Tabling petition

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

(a)

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

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

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

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

(b) it is defamatory; or

(c) any action it proposes is unlawful.

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

PETITIONS

No petitions received.

ATTACHMENTS

Nil



8.5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

Mayor Mary Knowles OAM, Deputy Mayor Janet Lambert and Mr Des Jennings attended the Australian Local Government Association (ALGA) National General Assembly (NGA) and the following is an extract from the Communique provided by ALGA following the meeting.

Australian Local Government Association - National General Assembly 2025: 24-27 June 2025

More than 1,300 local government leaders from across Australia gathered in Canberra from 24- 27 June for the 31st National General Assembly of Local Government (NGA).

We were welcomed to country for the National General Assembly by Ngunnawal woman and Co-Chair of ACT Reconciliation Council, Selina Walker. The Assembly recognised the Ngunnawal and Ngambri peoples as traditional custodians of the ACT and recognised any other people or families with connection to the lands of the ACT and region. The Assembly paid its respects to their elders past, present and emerging, and acknowledged the vital and ongoing contributions First Nations peoples continue to make to our nation.

Her Excellency the Honourable Ms Sam Mostyn AC, Governor-General of Australia, formally opened the Assembly and spoke about the role of community leadership and local engagement in building national resilience and unity, including the importance of teaching our younger generation the importance of civic governance.

We heard from a range of Federal Ministers across the Assembly including: The Honourable Kristy McBain MP, Senator the Hon Katy Gallagher, The Honourable Julian Hill MP, The Honourable Josh Wilson MP, The Honourable Darren Chester MP, Dr Anne Webster MP and the Honourable Kevin Hogan MP. There was broad acknowledgement from Ministers that councils play a critical role in supporting their communities and that the role has expanded significantly, as has the financial pressure councils face. That is why local government is calling for urgent action to ensure the financial sustainability of councils.

Delegates heard from Mark Bouris AM and Dr Merriden Varrall who unpacked global economic forces shaping Australia's local economies, including trends in trade, security, and investment.

Jason Clarke, world leading consultant on issues of leadership and innovation, closed Day 1 of the NGA with an energising and practical presentation on how councils can take bold ideas and translate them into tangible, community-focused change.

Day 2 of the NGA featured the launch of ALGA's exciting new research "Adapting Together: Local Government Leadership in a Changing Climate". The report finds that Australia's councils are expected to spend more than \$2 billion over the next five years to future-proof their communities from the changing climate, resulting in up to \$4.7 billion in avoided costs to communities.

ALGA President Mayor Matt Burnett noted "Climate-resilient infrastructure is expensive and takes time to build, so we need sustainable funding from the Federal Government to implement long-term planning and adaptation now and into the future". That is why "We are asking the Government for a new \$400 million climate adaptation fund, distributed to all Australia's councils each year, to deliver ongoing and sustainable place-based climate solutions" Mayor Burnett said.

Councils considered the way AI is shaping the future with presentations from Stephen Scheeler, founder of The Digital CEO and co-founder and CEO of Omniscient, and Tim Golsby-Smith, co-founder and CEO of myLot.

The 2025 NGA saw the return of concurrent listening sessions providing an interactive platform for delegates to engage directly with federal agencies and sector experts on key policy issues. The listening sessions included:

- Housing and community infrastructure – where the discussion covered a range of challenges from housing affordability, the prohibitive cost of housing infrastructure, ideas around housing and homelessness.
- Emergency management capacity and capability – where attendees shared examples of what has worked in their communities and highlighted remaining challenges. This included the need for long-term funding certainty and better integration of local knowledge in disaster preparedness and recovery frameworks.
- Local government jobs and skills – where attendees highlighted key issues attracting workers to the regions, promoting council careers to young values-led workers, better access to local training, cost-shifting concerns, migrant workforce support, and housing shortages as a major staffing barrier.
- Safer roads - discussed infrastructure funding and general maintenance, speed management, driver behaviour, and the broader questions of regional vs urban specific problems.

Motions and Assembly Outcomes

- Almost 190 motions were debated across a range of policy areas including financial sustainability, roads, disaster resilience, health, housing, and climate. Motions passed by the NGA will be referred to relevant Ministers for response and also used by the ALGA Board to inform national policy positions.

Following the NGA attendees received the following advice and link to listening sessions:

Speaker presentations and recordings

The speaker presentations we have permission to share from the 2025 NGA will be published on ALGA's website in the coming weeks.

Photos from the NGA

Some highlights are already available via the link below, ensure that you continue to check this link in the coming days to view the updated images as they are loaded.

[Access photos here](#)

NGA resolutions

All resolutions carried during the 2025 NGA will be published on ALGA's website once they have been considered by the ALGA Board.



8.6 132 & 337 CERTIFICATES ISSUED

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

S132. Certificate of liabilities

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

S337. Council land information certificate

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

	No. of Certificates Issued 2024/2025 year												Total	Total	Total
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	2024/2025 YTD	2023/24	2022/23
132	133	79	83	86	75	73	60	71	78	41	81	36	896	820	763
337	42	41	34	24	49	32	15	42	45	21	52	21	418	379	391

8.7 ANIMAL CONTROL

Prepared by: Maree Bricknell, Corporate Services Manager

Item	Income/Issues 2023/2024		Income/Issues for June 2025		Income/Issues year to date 2024/2025	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,100	\$108,319	8	245	3,864	102,278
Dogs Impounded	8	\$1,408	2	168	14	3,141
Euthanised	2				3	627
Re-claimed	6		1		10	
Re-homed/Dogs Home			1		1	
New Kennel Applications	7	\$1,170			16	1,070
Renewed Kennel Licences	82	\$3,844			82	4,100
Infringement Notices (paid in full)	95	\$20,266	1	202	59	12,935
Legal Action						
Livestock Impounded	2	\$724			3	150
TOTAL		\$135,731		\$615		\$124,302



Audits:

Ongoing including Dangerous Dogs, Kennel Licences, Fire Hazards.

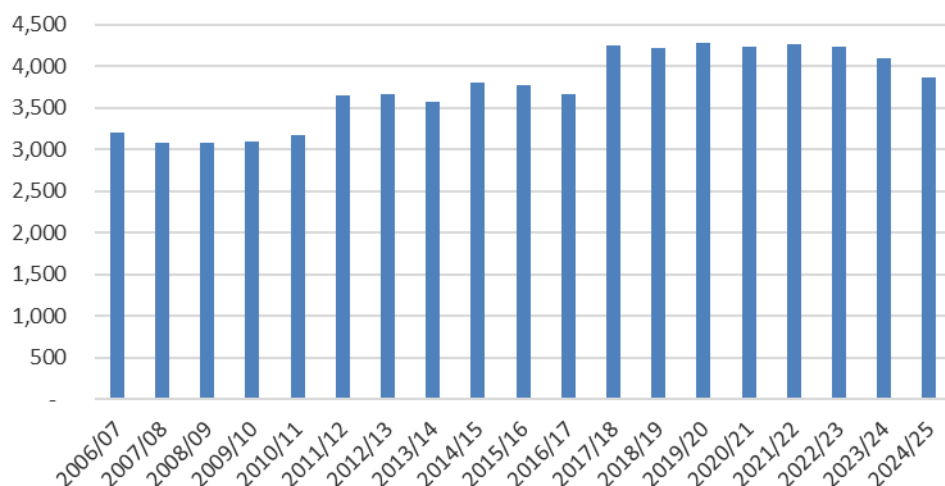
Microchips:

2 dogs microchipped.

Attacks:

0 attacks

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	129	3	13	20	9	14	4	12	12	9	12	15	6
Routine Mobile/Market stall Food Inspections	71	0	14	1	14	0	0	0	3	21	0	18	0
Preliminary Site Visits – Licensed Premises	22	3	2	1	2	2	4	4	1	0	1	2	0
On-site wastewater Assessments	35	1	2	3	5	2	5	2	4	4	2	2	3
Complaints/Enquiries – All Types	74	2	7	3	11	6	1	6	5	9	6	8	10
Place of Assembly approvals	8	0	1	0	1	2	1	1	0	0	0	2	0
Notifiable Diseases	9	0	0	0	0	1	0	2	2	2	1	1	0

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	74	4	3	3	13	6	8	6	6	7	10	8	4
Building & Planning	77	52	36	260	2	4	3	21	38	36	36	13	42	33	32	17
Community Services	54	44	59	52	1	4	3	5	3	11	6	2	3	9	5	1
Corporate Services	48	23	26	353	1	2	37	23	30	34	38	35	56	49	48	59
Governance	15	21	19	18	-	1	-	3	8	2	1	0	0	1	2	0
Waste	12	11	14	21	2	4	3	-	1	3	-	2	3	1	2	1
Works	368	352	415	446	29	37	33	32	39	46	46	46	55	35	48	37

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

Date	Recipient	Purpose	Amount \$
9-Jul-24	Hunter McGee	Representation - U16 Touch Football Tasmanian Team	100
11-Jul-24	Judy Gurr	Representation - Senior Womens Tasmanian Team	100
11-Jul-24	Denise Middap	Representation - Senior Womens Tasmanian Team	100
11-Jul-24	Rhianna Morrison	Representation - U18 Lawn Bowls Tasmanian Team	100
6-Sep-24	Lucy Johnston	Representation - Aust Interschools National Equestrian Team	100
27-Nov-24	Ryan Sanson	Representation - Tas Junior 8 Ball Team	100
27-Nov-24	Jordan Sanson	Representation - Tas Junior 8 Ball Team	100
25-Mar-25	Levi Springer	Representation – National Indoor Cricket Championships	100
17-Apr-25	Haile Lowe	Representation – International Netball Festival	100
4-Jun-25	Cameron Herbert	Representative - U18 Boys Tassie Thunder Touch Football	100
11-Jun-25	Debbie Mahar	Representative - Tasmanian Para Bowls State Team	100
11-Jun-25	Hunter McGee	Representative - U15 School Sports Aust Championships	100
25-Jun-25	Lucy Johnston	Representative – Pony Club National Championships	100
25-Jun-25	Coby Praciak	Representative – U15 State Football Team Championships	100
6-Sep-24	Campbell Town District High School	Inspiring Positive Futures Program	7,273
16-Apr-24	Cressy District High School	Inspiring Positive Futures Program	8,000
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



Date	Recipient	Purpose	Amount \$
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-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
17-Feb-25	Longford Show Society	Planning Permit Amendment fee remission	450
7-Jan-25	C Whitchurch	Education Bursary - 1st instalment	1,000
22-Jan-25	Mia Tubb	Education Bursary - 1st instalment	1,000
25-Feb-25	Hunter McGee	Education Bursary - 1st instalment	1,000
25-Feb-25	Charlie Richardson	Education Bursary - 1st instalment	1,000
16-Apr-25	Cressy Bowls Club	Planning Application remission for clubhouse alterations	305
		TOTAL	\$28,778

8.11 ACTION ITEMS: COUNCIL MINUTES

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



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						<p>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.</p> <p>05/02/2025 Executive Assistant Item listed for next Workshop.</p> <p>12/03/2025 Executive Assistant Officers preparing report.</p> <p>04/04/2025 Engineering Officer Report to be prepared for May Workshop and presentation to May Council Meeting.</p> <p>06/05/2025 Engineering Officer Council officers are reviewing the location of underground services to determine what impact this may have on any future works at this location. 27/05/2025 Executive Assistant Scheduled for workshop discussion.</p>
2023-08-21 Ordinary Meeting of Council - Open Council	7 4.3	LLDC Recommendation: Mill Dam - 5 July 2023	In progress	That Council receive a report regarding the Mill Dam reserve area and future ownership thereof.	Executive Assistant, Executive Officer, Executive Officer	<p>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.</p> <p>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 for 14/02/25. 20/02/2025 Executive Assistant On site meeting for JBS Plant Manager, GM and Works Manager scheduled for early March. 08/04/2025 Executive Assistant Meeting held with JBS Plant Manager, Council Officers awaiting a response.</p>
2023-09-18 Ordinary Meeting of Council - Open Council	13.7	Campbell Town Swimming Pool	Completed	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	<p>24/01/2024 Executive Assistant Awaiting completion of review.</p> <p>12/03/2025 Executive Assistant Correspondence sent to CTDC 17/02/25, awaiting advice. 10/07/2025 Executive Assistant As per reports to July Meeting on Swimming Pool Analysis & Management Committees.</p>
2023-11-20 Ordinary Meeting of Council - Open Council	7 2.2	Longford Promotional Signs Welcome to Longford	In progress	That Council notes the LLDC request and refers the matter to the appropriate officer.	Engineering Officer, Tourism & Events Officer	<p>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 stone sign opposite</p>



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						Kingsley House needs to be reviewed as part of the approval process. A consultant has been engaged to carry out this work. 25/02/2025 Executive Assistant Works Manager advised Traffic Engineer to inspect by 14 March. 04/04/2025 Engineering Officer Report has been received from Traffic Engineer and a report is being prepared for a future Council meeting 27/05/2025 Engineering Officer Report from consultant has been sent to the Department of State Growth, awaiting response 16/06/2025 Engineering Officer Follow-up email sent to Department of State Growth. Awaiting response. 15/07/2025 Executive Assistant Letter to Minister pending election result.
2024-01-29 Ordinary Meeting - Open Council	5 3.2	Motion on Notice: Strategic Property Committee	In progress	That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting.	Executive Officer, Executive Officer	31/01/2024 Executive Officer Report is being prepared, to be presented to a future Council meeting. 07/03/2024 Executive Officer Report delayed due to staffing resources and competing priorities. Report to be presented to a future Council meeting. 04/04/2025 Executive Officer Report is being prepared for Council meeting and is intended to be presented at an upcoming council meeting. 16/06/2025 Executive Officer Finalising the report has been delayed due to competing priorities. To be completed as soon as staff are able.
2024-02-19 Open Council Meeting	7 3.1	Reduction in Speed Limit	In progress	That Council requests the Department of State Growth to carry out a review of the speed limits in Wellington and Marlborough Streets in Longford. Committee request: LLDC request NMC to approach local state members 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 Department of State Growth 07/02/2025 Engineering Officer Awaiting response from the Department of State Growth 07/04/2025 Engineering Officer Awaiting response from the Department of State Growth 06/05/2025 Engineering Officer Awaiting response from the Department of State Growth 27/05/2025 Engineering Officer Awaiting response from the Department of State Growth 16/06/2025 Engineering Officer Awaiting response from Department of State Growth 15/07/2025 Executive Assistant Letter to Minister pending election result.
2024-02-19 Open Council Meeting	7 3.2	Bike Path Extension	In progress	That Council requests an update from the Department of State Growth on the matter and provides advice to the Committee. Committee request: LLDC request NMC revisit the earlier letter from the Minister for State Growth Michael Ferguson, regarding a bike path between Longford roundabout and Pateena Road, requesting an update, including a timeline for completion, of this missing link.	Engineering Officer, Executive & Communications Officer	13/03/2024 Executive Assistant Officer to contact the Department of State Growth as election has been called. 13/03/2024 Engineering Officer Council Officer has contacted Vanessa King, manager project delivery at the Department of State Growth and requested an update on this project. Awaiting response. 12/04/2024 Engineering Officer Response received from Luke Middleton of the Department of State Growth. The general manager has written to the Department of State Growth after receiving this response and advised that Council will continue to lobby for this path to be constructed as part of the Illawarra upgrade works to be carried out by the Department of State Growth. 09/05/2024 Engineering Officer 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



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						Engineering Officer Awaiting response from the Department of State Growth 07/02/2025 Engineering Officer Awaiting response from the Department of State Growth 07/04/2025 Engineering Officer Awaiting response from the Department of State Growth 06/05/2025 Engineering Officer Awaiting response from the Department of State Growth 27/05/2025 Engineering Officer Awaiting response from the Department of State Growth 16/06/2025 Engineering Officer Awaiting response from Department of State Growth 15/07/2025 Executive Assistant Letter to Minister pending election result.
2024-03-18 Ordinary Open Council Meeting	15.2	Conara Park Proposal	In progress	That Council accept the ownership and control of the State Growth land known as Conara Park for community purposes and restrict vehicular access to the site including the playground area.	Corporate Services Manager	14/05/2024 Executive Assistant Awaiting transfer documents from Department of State Growth. 25/02/2025 Executive Assistant Corporate Services Manager has sent reminders to DSG - awaiting response. 12/05/2025 Executive Assistant Awaiting transfer documents from DSG. 15/07/2025 Executive Assistant Letter to Minister pending election result.
2024-04-22 Ordinary Open Council Meeting	7 3.1	Pedestrian Crossing Wellington and Marlborough Streets	Completed	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. 10/07/2025 Executive Assistant No budget available. Noted for future funding sources/grant applications.
2024-08-19 Open Council - Ordinary Meeting	14.3	Policy Review: Dog Management	Completed	That 2) a further report be presented to a Council workshop for discussion on Kennel Licencing.	Animal Control and Compliance Officer, Animal Control and Compliance Officer, 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. 13/02/2025 Executive Officer Officers are currently preparing a report for Council workshop in May 2025. 04/04/2025 Executive Officer Report has been drafted for review at May 2025 council workshop. 06/05/2025 Executive Officer Updated Dog Management Policy has been prepared for review at Council workshop. 28/05/2025 Executive Officer Updated Dog Management Policy has been prepared for review at Council workshop (June). 02/07/2025 Executive Officer Draft report and updated policy tabled at the June ordinary meeting. Motion moved to start public consultation on the newly amended Dog Management policy with a view to bring a report on this back to Council in the future.
2024-10-21 Open Council - Ordinary Meeting	7 3.2	Illawarra Road Bridges review - Weight rating and usage	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. 07/04/2025 Engineering Officer Awaiting response from the Department of State Growth 13/05/2025 Engineering Officer Awaiting response from Department of State Growth 27/05/2025 Engineering Officer Awaiting response from the Department of State Growth 16/06/2025 Engineering Officer Awaiting response from the Department of State Growth 15/07/2025 Executive Assistant Letter to Minister pending election result.
2024-11-18 Open Council - Ordinary Meeting	14.2	Proposed Community Garden at Perth	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. 08/04/2025 Executive Assistant Awaiting NRM Design work. 13/05/2025 Executive Assistant Council Officer to follow up on progress. 28/05/2025 Project Officer Parents for Climate Change contact reports she is following the matter up with NRM North and will report back.
2024-11-18 Open Council -	14.4	Management Committees: Review of	Completed	That a) Council accept and endorse the proposed changes to the Management Agreement	Executive Assistant, 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



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
Ordinary Meeting		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 Officer	response but 2 (Evandale & Liffey) Report being prepared for the April Council Meeting 07/03/2025 Executive Officer Further responses received from Ross Recreation Ground Management Committee and Morven Park. these responses will form part of the report to Council in April. 21/03/2025 Executive Officer Report is prepared and ready for presentation at the April council meeting. 08/04/2025 Executive Assistant Draft report considered at Workshop 7 April and to be listed for further consideration at the May Workshop. 06/05/2025 Executive Officer Report has been prepared for Council but has been deferred until a later date. 16/06/2025 Executive Officer Report to be presented at the June Council meeting for Council decision on recommendations. 02/07/2025 Executive Officer New motion moved at the June ordinary meeting regarding the tabling of the report to the July meeting.
2024-11-18 Open Council - Ordinary Meeting	14.5	Campbell Town Hall	Completed	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, Executive Officer, Executive Officer, Project Officer	25/11/2024 Project Officer Noted 03/12/2024 Executive Assistant Contract has been provided to one interested party. 12/03/2025 Executive Officer No further correspondence received from the real estate agent regarding the sale inquiry. Council officer is following up with the agent and if no response received, Council Officers will look at changing to a different agent or an open listing with multiple agents attempting to sell the property. 04/04/2025 Executive Officer Report into current position of sale is being presented at the Council Workshop 07 April 2025. and will be presented to the April Council Meeting. 28/04/2025 Executive Officer Offer presented to Council at April meeting. Council agreed to proceed with accepting one offer, a contract is being prepared for signing by all parties. 06/05/2025 Executive Officer Contract is being drafted by Rae & Partners. It will be prepared for review in the coming week.
2024-12-09 Open Council - Ordinary Meeting	5 3.2	Notice of Motion: Wellington Street Longford	Completed	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. 07/04/2025 Engineering Officer DSG has committed to undertake repairs 13/05/2025 Engineering Officer Works currently being carried out by contractor.
2025-01-20 Open Council - Ordinary Meeting	5 3.1	Notice of Motion: Request for General Manager, Mayor and Deputy Mayor to Stand Aside	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	Corporate Services Manager, Executive Officer, Executive Officer	11/02/2025 Executive Assistant Seeking legal advice.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				regard to requesting the General Manager stands down, including contract provisions.		
2025-01-20 Open Council - Ordinary Meeting	7 1.2	Review of the Location and Number of 60km/hr Signs on Woolmers Lane	Completed	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 07/04/2025 Engineering Officer Final report received from traffic engineer. Concealed entrance signage has been installed. Additional works to be carried out in accordance with the report 27/05/2025 Engineering Officer Additional works to be carried out by Councils Works Department in accordance with the report 16/06/2025 Engineering Officer Additional works to be carried out by Councils Works Department in accordance with the report 15/07/2025 Executive Assistant Works Manager confirmed works have been completed.
2025-01-20 Open Council - Ordinary Meeting	7 1.3	Proposed Relocation of the Stone Longford Entrance Wall to the Woolmers End of Longford	In progress	That Council notes the Committee's recommendation for the Longford Entrance Wall, to remain in situ or in close proximity to its current location.	Engineering Officer, Executive & Communications Officer, Works Manager	10/02/2025 Executive Assistant To be discussed with State Growth. 11/03/2025 Executive Assistant Works Manager awaiting report from Traffic Engineer. 07/04/2025 Engineering Officer Report has been received and is being reviewed by Council Officers 12/05/2025 Executive Assistant Report sent to DSG for comment. 27/05/2025 Executive Assistant No response received, further follow up email sent 26 May 2025. 16/06/2025 Engineering Officer Awaiting response from the Department of State Growth 15/07/2025 Executive Assistant Letter to Minister pending election result.
2025-01-20 Open Council - Ordinary Meeting	15.2	Policy Review: Councillors Allowances, Travelling and Other Expenses	In progress	That the item be deferred.	Corporate Services Manager, Executive Officers; General Manager	05/02/2025 Executive Assistant To be resubmitted to future meeting. 11/03/2025 Executive Assistant Executive Officers drafting report for May meeting. 12/05/2025 Executive Assistant Report to be drafted for July Workshop. 14/07/2025 Executive Assistant Report drafted for August Meeting.
2025-01-20 Open Council - Ordinary Meeting	15.3	New Policy: Legal Assistance for Employees	In Progress	That the item be deferred.	Corporate Services Manager, Executive Officers, General Manager	05/02/2025 Executive Assistant To be resubmitted to future meeting. 11/03/2025 Executive Assistant Executive Officers drafting report for May meeting. 12/05/2025 Executive Assistant Draft report to be prepared for June Workshop. 14/07/2025 Executive Assistant Draft Report prepared for August Meeting.
2025-03-17 Open Council - Ordinary Meeting	5 3.2	Notice of Motion: Amendment of Dog Registrations Terms and Conditions and Continuation of Responsible Dog Ownership Positive Information Campaign	Completed	That Council 1. Continue the positive community information campaign highlighting responsible dog ownership, in particular, effective control of dogs on and off lead as per Dog Control Act 2000; and 2. Add the following clause to the Terms and Conditions of dog registration forms - paper and online: I have read and understand my rights and obligations as a responsible dog owner and will abide by the rules and regulations set out in the Northern Midlands Council dog policy, and The Dog Control Act 2000. I will abide by the rules relating to effective control of dogs on and off a lead.	Animal Control and Compliance Officer, Animal Control and Compliance Officer, Executive Officer, Executive Officer	07/04/2025 Executive Assistant Updated Policy being drafted by Council Officers. 06/05/2025 Executive Officer The amendment to the Dog Registration Terms and Conditions, approved by Councillors, has been included in the updated Dog Management Policy drafted by Officers for the May Council Workshop/Meeting. 13/05/2025 Executive Assistant To be re-listed for future Workshop. 02/07/2025 Executive Officer Policy in relation to Dog Management and Responsible Dog Ownership presented to the Council at June Ordinary meeting. Draft policy to be put to the community for consultation with a further report to come back to Council in the future.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				Information relating to the Northern Midlands Council Dog Policy and The Dog Control Act 2000 can be found at the following link: https://northernmidlands.tas.gov.au/living/animals/dog-control .		
2025-04-14 Open Council- Ordinary Meeting	14.1	Swimming Pool Analysis: 2024/2025 Season	Completed	That Council a) receive this report; and b) discuss the operations of the three Northern Midlands Council Pools at the next Council Workshop to allow Council officers the opportunity to complete a detailed end of season review.	Executive Officer	12/05/2025 Executive Assistant Draft report prepared for June Workshop. 14/07/2025 Executive Assistant Report listed for July Meeting.
2025-05-19 Open Council - Ordinary Meeting	14.1	Proposed Electric Vehicle Charging Station, Longford	Awaiting external response	That Council a) notes the proposal from Energy ROI to install electric vehicle (EV) chargers at Lyttleton Street, Longford, as supported through the Tasmanian Government's ChargeSmart 3 Electric Vehicle Charging Grants Program; and b) supports the proposal in principle, subject to the outcome of community consultation; and c) authorises the General Manager to undertake public consultation on the proposal, at the cost of Energy ROI, including referral to the Longford District Committee for comment; and d) receives a further report following completion of the consultation process for consideration of landowner consent and lease arrangements; and e) investigate other sites and report back to Council.	General Manager, Project Officer	28/05/2025 Project Officer EnergyROI is investigating another site in Longford: outcome awaited.
2025-06-23 Open Council - Ordinary Meeting	5.3.1	Notice of Motion: Driver Reviver Station Location Campbell Town	Completed	That Council support the SES to find an appropriate location, other than Valentines Park, to set up the Driver Reviver Station in Campbell Town.	Works Manager	27/06/2025 Executive Assistant SES advised that Valentines Park is no longer available for future Driver Reviver stations and War Memorial Oval is now preferred location - email sent by Works Manager 27/06/25.
2025-06-23 Open Council - Ordinary Meeting	7.1.1	Ross Township Entry Signs - Dual Naming MAKALA	Awaiting external response	That Council a) approve the Committee request to investigate the aboriginal name of Ross; and b) investigate updating the entry sign to Ross to include the aboriginal name.	Executive & Communications Officer	30/06/2025 Executive & Communications Officer Email to investigate Palawa kani sent to Tasmanian Aboriginal Centre
2025-06-23 Open Council -	13.3	Policy Update: Exempt Temporary Buildings or	Completed	That Council endorse the amendments to the Exempt Temporary Buildings or	Executive Assistant	04/07/2025 Executive Assistant Policy and Policy Manual updated.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
Ordinary Meeting		Works (Including Shipping Containers) Policy		Works (including shipping containers) Policy.		
2025-06-23 Open Council - Ordinary Meeting	14.1	Community Directory	Completed	That Council do not continue the support of the Northern Midlands Business Association in the hosting and continuing compilation of the Community Directory for the region.	Executive & Communications Officer	30/06/2025 Executive & Communications Officer Community Directory will continue to be promoted to clubs and organisations
2025-06-23 Open Council - Ordinary Meeting	14.2	Northern Midlands Council Climate Resilience Strategy 2025-2028	In progress	That Council endorse in principle the draft Northern Midlands Council Climate Resilience Strategy 2025 - 2028, NMC Climate Change Webpage and associated Media Release; and b) that as changes to flood zones occur the strategy will be updated to reflect these changes.	Executive & Communications Officer, IT Systems Officer, IT Systems Officer	30/06/2025 Executive & Communications Officer Web Page to be designed
2025-06-23 Open Council - Ordinary Meeting	14.3	Australian Local Government Association (ALGA): Attendance at Australian Local National Local Roads Transport & Infrastructure Congress 2025	In progress	That Cr Brooks be authorised to attend the 2025 ALGA National Local Roads, Transport & Infrastructure Congress at Bendigo from 11 to 12 November 2025.	Executive Assistant	30/06/2025 Executive Assistant Registration and travel bookings in progress.
2025-06-23 Open Council - Ordinary Meeting	14.4	Northern Midlands Business Association: Nomination to Board	Completed	Council support and endorse Councillor Lambert. as a Council representative for the board of the Northern Midlands Business Association (NMBA).	Executive & Communications Officer	30/06/2025 Executive & Communications Officer NMBA has been notified of the nomination
2025-06-23 Open Council - Ordinary Meeting	14.5	Policy Review: Dog Management Policy and Code of Responsible Dog Ownership	In progress	a) approve the release of the amended draft policy and code for formal community consultation to seek feedback and invite public submissions from residents and stakeholders; and b) note that a further report will be provided to Council following the consultation period summarising the feedback received and recommending any necessary final changes prior to adoption.	Executive Officer, Executive Officer	10/07/2025 Executive Officer Draft report and updated policy tabled at the June ordinary meeting. Motion moved to start public consultation on the newly amended Dog Management policy with a view to bring a report on this back to Council in the future.
2025-06-23 Open Council - Ordinary Meeting	15.2	Audit Committee: Expressions of Interest - Membership	Completed	That Council appoint Ms Carolyn Harris as member of the Northern Midlands Council Audit Committee for a term of four years.	Corporate Services Manager	10/07/2025 Executive Assistant Notified of appointment.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
2025-06-23 Open Council - Ordinary Meeting	15.3	Municipal Budget	Completed	That Council a) propose an increase of 5.5% General Rate; b) propose a \$25 Waste Management Fee; c) propose a 10% kerbside fee; and d) to be brought back to a Special Council Meeting and Special Workshop on Monday 7 July, 2025 commencing at 4.00pm.	Corporate Services Manager, Executive Assistant	30/06/2025 Executive Assistant Listed for Special Workshop and Special Meeting 7 July 2025.
2025-06-23 Open Council - Ordinary Meeting	16.1	Policy Review: Heavy Vehicles Using Council Bridges	Completed	That Council endorse the Heavy Vehicles Using Council Bridges Policy.	Executive Assistant, Works Manager	30/06/2025 Executive Assistant Policy and Policy Manual updated.
2025-06-23 Open Council - Ordinary Meeting	16.2	Policy Update - Private Works and Driveway Entrances	Completed	That Council endorse the Private Works and Driveway Entrances Policy.	Executive Assistant, Works Manager	30/06/2025 Executive Assistant Policy and Policy Manual updated.
2025-07-07 Special Open Council Meeting	5.1	Municipal Budget	Completed	That Council approve... an increase of 5.5% General Rate... a \$0 Waste Management Fee ... a 10% increase in kerbside collection charges.	Corporate Services Manager	Completed.

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

Resource Sharing Summary 1/7/24 to 30/6/25 As at 30/6/2025	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council - Service Provided by NMC to MVC		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts and Plant Hours	356.5	41,965
Total Services Provided by NMC to Meander Valley Council		\$41,965
Service Provided by Meander Valley Council to NMC		
Total Service Provided by MVC to NMC		\$0.00
Net Income Flow	356.5	\$41,965
Private Works and Council Funded Works for External Organisations	Hours	Amount \$
• Fire Abatement – 10-18 Gray Street Avoca		987.00
• Fire Abatement – 2 Nicolson Court Campbell Town		693.00
• Fire Abatement – 61 Main Street Cressy		404.25
• Fire Abatement – 16 Logan Road Evandale		210.00
• Fire Abatement – 61 Main Street Cressy		367.50
• Fire Abatement – 17 Blenheim Street Avoca		504.00
• Mowing grounds - Evandale Anglican Church		349.13
• Mowing grounds – Evandale Uniting Church		349.67
• Cleaner – Evandale War Memorial Hall		1,004.93
• Cleaner – Evandale Community Centre		1,933.10
• Cleaner – Ross Recreation Ground		203.76
• Monitoring Lake Leake - Elizabeth Water Trust		530.27
• Ground Maintenance– Avoca School		7,463.45
• Youl – Roadside hedge trimming		389.77
• Cleaner & ground maintenance– Avoca Ash Centre		325.13
• Cleaner – Avoca Town Hall		244.46
• Removal of cricket cover – Longford, Perth & Evandale Rec Grounds		8,308.25
• Fire Hazard - Austral Bricks Tas		1,132.09
• Flocon Hire - Andrew Walters Construction		677.27



	262.5	\$26,077.03
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8.13 VANDALISM

Prepared by: Leigh McCullagh, Works Manager

Incident	Location	June 2025	Estimated Cost of Damages	
			Total to Date 2024/25	Total 2023/24
Soap Dispensers stolen/flooding of toilets	Various	\$ 400		
TOTAL COST VANDALISM		\$ 400	\$ 44,850	\$ 28,300

8.14 YOUTH PROGRAM UPDATE

Prepared by: Mitchell Langley, Youth Officer

PCYC Program

Active Northern Midlands Youth- Campbell Town and Cressy

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

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	04.06.2025	20	
	11.06.2025	25	
	18.06.2025	15	
	25.06.2025	65	"The sessions for June all ran indoors, conjointly with school-supervised activities. Solid support on final session especially. "
Cressy			
	05.06.2025	20	
	12.06.2025	40	
	19.06.2025	50	
	26.06.2025	30	"A little quieter this month but weather a little cooler probably affecting support. "

Free2B Girls Program- Longford and Campbell Town

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

Free2B Girls recommences in Term 3.

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

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

	Date of Session	Attendance	
Evandale			
	04.06.2025	1	Not held (One child turned up, session not held).
	11.06.2025	0	Not held (No one turned up).
	18.06.2025	0	Not held (No PCYC staff available).
	25.06.2025	0	Not held (No PCYC staff available). "No sessions held here during the month, continuing to reflect the lack of local support, despite weekly positive acknowledgements on the local community Facebook page (where the sessions were promoted). Perhaps time to direct the Taiko



	Date of Session	Attendance	
			Drumming (or alternatively, an activity program) elsewhere within the N.M.C.?"

	Date of Session	Attendance	Comment
Perth			
	05.06.2025	7	
	12.06.2025	5	
	19.06.2025	3	

Meetings/Programs

Mitchell Langley represents Council on the Northern Youth Coordinating Committee and the Northern Midlands Interagency Meetings.

Breakfast Club- Cressy:

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

Quote from students:

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

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

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

SPARK:

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

Enterprize:

Youth officer has been working with Enterprize program coordinator to assist with delivering young entrepreneur programs to youth across The Northern Midlands. Currently working on delivering a program similar to Illuminate Education Week, but aimed at Year 9-10 students.

Youth Advisory Group:

Youth Officer has generated a lot of interest from young people across the Northern Midlands and is hoping to host the first meeting of the new Youth Advisory Group in Week 3 of Term 3.

Motivity Fitness:

Delivering free fitness classes for young people once a week. YO is currently in the process of transitioning this program into an after-school sports program.

PCYC activities:

PCYC continues to service multiple schools across the Northern Midlands and deliver lunch time activities aimed at inclusion, leadership and developing social skills.

Evandale Primary:

Youth Officer has been working with Evandale Primary staff and student leaders to deliver a Chess club. The Chess Club has high attendance and occurs every Monday at lunchtime. Youth Officer hopes to see Evandale Primary compete in local chess competitions in the future.

Perth Primary:

Youth Officer has been working with Perth Primary student parliament to brainstorm ideas for an after-school recreation program. Current ideas include after school Drama, Basketball, Football, Soccer, Dance and Gaming.

Cressy Distract High School.



Youth Officer has been given the green light by CDHS staff to commence Wednesday lunch time Mario Kart tournaments. Youth Officer and CDHS student leaders will host Mario Kart Tournaments (And other games) each Wednesday. Youth Officer and CHDS student leaders hope this program will encourage further participation and social connections for students.

Illuminate Education:

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

Mental Health Week Expo 2025:

Youth Officer is working with Campbell Town District High School and Cressy District High School to bring two separate Mental Health Week events. YO is communicating with service providers to bring a variety of groups to participate in the events. Dates have been set for the end of Term 3 and beginning of Term 4.

Reclink Program:

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

8.15 INTEGRATED PRIORITY PROJECTS & STRATEGIC PLANS UPDATE

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

CURRENT AT 8 July 2025

INTEGRATED PRIORITY PROJECTS PLAN:

Progress Report:

	Not Started (obstacles)	On Hold	On Track	Completed	
	Project		Status	\$	Scheduled
1	Progress: Economic health and wealth - grow and prosper				
	Foundation Projects				
4.1	Main Street Upgrades: Campbell Town, Longford & Perth	Gov	Campbell Town 2022 Election Commitment secured through the Priority Community Infrastructure Program (PCIP) DA approved.	Budget allocation 2024/25 plus contribution from \$8m Federal Govt Election Commitment 2022.	2,450,000 Received State Growth Permit. Community drop-in session held 1 May 2025. Tenders closed 11 June – going to July Council Meeting.
		Gov	Longford DA submitted.	Budget allocation 2024/25 from Federal Govt Election Commitment 2019. Federal funding must be expended by 30 June 2025 at the latest. Funds proposed for streetscape upgrade approved for reallocation to the Longford-Mill Dam shared pathway at the April 2024 Council Meeting.	1,793,628 Progress reports submitted. Variation of completion date request (to December 2025) approved. Shared pathway development underway. Tender out for toilet block
		C&D	Perth 2022 Election Commitment secured through the PCIP DA approved.	Contribution from \$8m Federal Govt Election Commitment 2022.	In progress, completion Nov 2025
4.1	Longford Memorial Hall Upgrade	Gov	Federal Govt Election Commitment 2019; Local Roads and Community Infrastructure allocation.	Main Building & BBQ shelter completed.	Completed.
4.4	TRANSLink Intermodal Facility	Gov	Included in NMC Priority Projects document. Business Case and application	Federal Election commitment of \$5m for planning stage. Further \$30m commitment subject	5,000,000 Funding agreement signed. Contract signed with preferred



Project		Status		\$	Scheduled
			submitted 20 November 2023 to secure the 2022 Election Commitment. Funding secure and funding agreement being finalised.. Approved by NTDC as a Northern Tas Priority Project.	to planning stage.	external service provider – NTDC. Work underway. First milestone report submitted 11 June 2025.
Enabling Projects					
5.1	Perth Sports Precinct & Community Centre	Gov	Concept master plan developed October 2020. Included in NMC Priority Projects document.	Valuation received.	Nominated as a Project of Regional Priority.
5.1	Ben Lomond Public Shelter Development	Gov	Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania Included in NMC Priority Projects document. Govt has completed new public shelter. Government has committed to development of a master plan.	Staff resources only to support grant funding applications.	Not scheduled at this stage.
5.3	Campbell Town – Town Hall Sale or Lease	Gov	Agent appointed – all offers to be presented to Council.		Ongoing
5.3	Longford Library & Exhibition Building on the Village Green	Gov	Longford Motor Sport Museum Included in NMC Priority Projects document.	No budget allocation staff resources only.	
5.3	Power Undergrounding in Evandale, Longford & Perth	Works	Awaiting funding streams to come available. Included in NMC Priority Projects document.	No budget allocation staff resources only.	Not scheduled at this stage. Evandale submitted for State Govt 2025/26 Budget consideration.
5.4	Subdivisions (several – Cressy, Evandale, Longford & Perth)	C&D	Council to identify opportunities to provide infrastructure and secure funding. Included in NMC Priority Projects document.	Drainage easement secured at Evandale. Detention basin secured at TRANSlink.	Detention works not scheduled at this stage.
2 People: Cultural and society – a vibrant future that respects the past					
Enabling Projects					
5.1	Recreation Ground Upgrades)	Gov	Campbell Town, Evandale and Cressy NMC Priority Projects document. Funding to be sought for oval upgrades.		Not scheduled at this stage.
		Gov	Cressy Recreation Ground Cricket Australia & State Govt funding secured towards the upgrade of the practice facility, car park and dump point.		Sealing of car park for future budget.
			Perth Recreation Ground Amenities, topdressing, cricket net upgrade.		Completed.
			Longford Recreation Ground Irrigation system install and preparation for 2 nd ground.		Completed.
5.1	Swimming Pool Upgrades (several)	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	Allocation 2024/25 Budget allocation 2023-24 towards	50,000 Completed.



Project		Status		\$	Scheduled
			per the current funding model) whilst structurally/operationally safe to do so.	WHS issues.	
5.2	Shared Pathways	Gov	Applications submitted to Growing Regions Program and Better Active Transport Tas program. Included in NMC Priority Projects document. Hobart Road shared pathway submitted to NTDC as a Northern Tas Priority Project.	Funding secured through the Better Active Transport in Tas grant program: Funding applications submitted to Active Transport Fund. Illawarra Road shared pathway submitted for State Govt 2025/26 Budget consideration.	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	Perth South Esk River Parklands	Gov	Building Better Regions Fund grant secured towards the extension of the walkway, installation of footbridge and BBQ. Included in NMC Priority Projects document.		Completed.
4.3	Sheepwash Creek Corridor & Open Space	Gov	Grants secured for major new/improved infrastructure. Included in NMC Priority Projects document.	Commonwealth Government Disaster Ready funding successfully sought.	3,700,000 Scheduled.
4.5	Municipal Tree Planting Program		Annual program implemented. Included in NMC Priority Projects document.	Included in annual operating budget.	Ongoing.
Enabling Projects					
5.1	Conara Park Upgrade	Gov	Concept prepared: awaiting funding opportunities. Included in NMC Priority Projects document.	Negotiating with State Growth.	Awaited Agreement for Council to take control of Park, and improve as funds permit.
5.3	Redevelop Bartholomew Park Cressy	Gov	Liaising with Local District Committee to establish/prepare plans for upgrade.		Completed.

- Open Spaces and Active Infrastructure Grants Programs: soccer field and half-basketball courts – State Government Open Spaces funding secured for 4 half basketball courts and a playground. Acquittal report being prepared.
- Tas Active Infrastructure grant (\$70,000) secured for the junior soccer field at Perth. Acquittal report approved.
- Laycock Street Park LRCI funding allocation approved – work completed.
- Ross Men's Shed Extension: Grant Agreement signed. 80% completion report submitted June 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. Progress report submitted July 2025.
- Longford Community/Neighbourhood House – lobbying State Government. Submitted for State Govt Budget 2025/26 consideration.
- Longford Caravan Park Amenities – completed.
- Secombe 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 Two 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 signed and submitted. Design and planning underway.

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

Prepared by: Fiona Dewar, Tourism and Events Officer

Tourism update:



- Events:
 - o Draft update of the Event Management Guide.
 - o 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.
 - o Update and distribute “What’s On” events list.
 - o Update NMC website calendar.
 - o Update the Australian Tourism Data Warehouse database.
 - o Share electronic flyers for upcoming events to the statewide Yellow i Visitor Information network and the 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.
 - o Events held in the Northern Midlands during June include:
 - Clarendon Unearthed, Nile.
 - Perth Train Park Event.
 - Driver Reviver. Campbell Town.
 - Business Excellence Awards Roadshow.
 - Ben Lomond Xmas in July. Blessington.
 - Events at Symmons Plains.
 - Various exhibitions, markets, and workshops in the municipality.
- Northern Midlands Visitor Centres Group:
 - o Visitor numbers to the Northern Midlands Visitor Centres in the financial year 2024-25: 58,572. This shows steady growth post covid, i.e. 2023-24: 46,064, 2023-23: 37,206, 2021-22: 32,860
 - o Ross is an Associate member of the Tasmanian Visitor Information Centre (TVIN). The TVIN May newsletter provided an update on the latest TVIN visitor survey results which highlighted the value visitor centres add to the visitor experience. Most of the White i centres in the NM participated in the surveys. Top visiting states are Victoria, New South Wales, and Queensland. International visitors are starting to come back, with most from Germany, the UK, and USA. 74% said their visit to a Visitor Centre made their trip better, many discovering local tips, walks, or experiences they wouldn’t have found online. Visitors loved friendly, knowledgeable team members, personalised travel advice, learning about hidden gems, maps, and a warm welcome. The surveys reinforced that in-person visitor servicing still matters, and the work by team members does make a difference.
 - o Disseminate updates and information from TVIN, emergency alert agencies, DSG roadworks updates, etc.
- Industry, Interpretation, Other Projects:
 - o Support, and attend the Great Customer Experience workshop hosted by Tasmanian Hospitality Association and supported by Visit Northern Tasmania at the Campbell Town Hotel on 3 June 2025. This was attended by business and tourism operators from Campbell Town, Ross, Evandale, and Ben Lomond. The session focused on helpful insights and tips on delivering great customer service, as well as sharing ideas and practical tools to help local operators work together to enhance visitor experiences and promote the region more effectively. Attendees were able to make new connections, and left with actionable insights. THA also provide business health checks and operators were encouraged to take advantage of that free service.
 - o Update the Events & Tourism page on Council’s website.
 - o 12.6.25: Attend meeting with Longford Historical Society regarding the future of Voices from the Graves experience.
 - o Perth War Memorial Park refurbishment plan: planning in progress and seeking funding.
 - o Eleven tourism operators in the Northern Midlands contributed special offers to Tourism Tasmania’s Off Season campaign.



- o In April 2025 Tourism Tasmania reported the total visitors to Tasmania was 1.31m, up 4.2%, spending a total of 12.55m nights, up 2.7%, and spending \$3.41b, an average spend of \$2,604 per person. (source: Tourism Tasmania).

HHTRA update:

- 19.6.25: Meet with Australian Institute of Architects re potentially holding one of their Open House weekends in the Northern Midlands.
 - Working with social media consultant planning the boost of upcoming events.
 - The Heritage Highway Operators private facebook group resource, has 86 members as of 30 June.
 - 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.
-



8.17 APPEAL AGAINST REFUSAL OF APPLICATION FOR 5 LOT SUBDIVISION AT 30 PATON STREET, LONGFORD

Prepared by: Paul Godier, Senior Planner

Application for subdivision

Council received an application to create three 600m² residential lots, a public open space lot of 409m² and a balance lot of 5,471m² at 30 Paton Street, Longford.

Council's 'Longford Flood Map 1% AEP Climate Change Flood Depth Map' shows a depth of around 2m on the site and the Paton Street access to the site. The site is therefore subject to the Flood Prone Areas Hazard Code of the Tasmanian Planning Scheme – Northern Midlands (the planning scheme).

To comply with the provisions of the planning scheme, Council required the applicant to provide a flood hazard report. The applicant provided a flood risk assessment prepared by Poortenaar Consulting.

Council had the Poortenaar assessment reviewed by WMA Water (authored by Elizabeth Saunders). WMA Water made the observation that:

If the site was subject to 2m of flood water, it would correspond to a flood hazard classification between H4 and H5 as defined by the Australian Disaster Resilience Handbook 7, This level of flooding is unsafe for people and vehicles and potentially buildings depending on the velocity.

The WMA Water review confirmed that the Poortenaar Consulting report used the correct risk-based matrix which is based on best practice use of two resources to determine the risk of the development. However, when WMA used the same risk-based matrix the 'likelihood' rating was found to be higher than that identified in the Poortenaar Consulting report. The 'likelihood' increased from "Unlikely" to "Likely" using a "worst-case" scenario.

A "worst-case" scenario could consider the likelihood of the site being impacted by the 1% AEP flood over the design life of the residential dwelling, noting that the NMC 2023 report indicates that the levee could overtop currently in this flood event. If the design life is 100 years, the likelihood of the site being impacted is 64%. This would equate to a rating of "Likely" using the same rating table adopted by the report.

When WMA used the matrix to consider 'consequence' the rating was found to be "minor" which is appropriate noting that the area is covered by an emergency management plan and residents would have more than 12 hours warning to evacuate. However, while some levels of consequence were considered in the Poortenaar Consulting report the WMA report identifies that:

There is no discussion on how the ratings were derived or discussion on the specific impact to the Site. Without an understanding of the flood impact to the site, it is difficult to determine an appropriate consequence... If the flooding was in the order of 2 m, it would be unsafe for people and vehicles and potentially to a building's structural stability. It is unlikely that a category of "Very Low" [minor] is reflective of this.

The WMA report further identified that the Poortenaar Consulting report relied on Council raising the levee level as a mitigation measure to achieve the risk rating calculated which may not be appropriate as there are no set time frames for this to be undertaken.

The application received no representations, so was not taken to a Council meeting for a decision. The application was refused under delegation on the grounds that it did not comply with clause C12.7.1 P1 of the Flood Prone Areas Hazard Code of the planning scheme which require that lots within a plan of subdivision in an area identified as flood-prone, must not create an opportunity for use or development that cannot achieve a tolerable risk from flood.

Appeal

The applicant appealed the refusal.

The appellant engaged Poortenaar Consulting to provide evidence.



Council engaged WMA Water to provide evidence. The author of the WMA Water review (Elizabeth Saunders) had left WMA Water. WMA Water therefore provided evidence from Daniel Wood who had provided expert opinions for other similar matters in Tasmania. Mr. Wood is based in WMA Water's Brisbane office but attended meetings and the hearing via video conference.

The Tribunal's decision is attached. Paragraph 15 of the decision states that the focus of the hearing was on the question of tolerable risk.

Paragraphs 20 and 21 of the decision state that Mr. Poortenaar provided evidence that if the levee was overtopped flood waters would spill in a broad flow, inundating 26ha of low-lying area on the west side of Longford, and affecting approximately 350 properties. Some properties, including the three proposed building lots and the balance lot, would be inundated by up to 2m, and Mr. Poortenaar considered that a flood depth of 2m at the site would correspond to a flood rating between H4 and H5. H4 is unsafe for people and vehicles. H5 is unsafe for vehicles and people, with buildings vulnerable to structural damage and some less robust building types vulnerable to failure.

At paragraph 30, Mr. Wood said that the depth of flow through the site at 2m would create a very high hazard that would be unsuitable for people and vehicles to enter and would put property and buildings at risk. Buildings would need to be designed to be compatible with that risk. He observed that not every conceivable flood can be accounted for, and it is never possible to completely eliminate risk.

At paragraph 51 the Tribunal considered that there are matters that would be addressed in the assessment of a development application for a residential dwelling on a lot, which would be subject to the development standards in the Code. Those standards include cl C12.6.1, which requires that buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk having regard to the type, form, scale and intended duration of the development. Residential uses are either no permit required or permitted in the General Residential Zone under the use table in cl 8.2. However, cl C12.6.1 contains no acceptable solution, requiring each development to meet performance criteria and so establishing a discretion to grant or refuse a permit for no permit required and permitted uses: see cl 6.6.1(b), cl 6.7.1(b) and cl 6.7.2(b) of the Scheme.

At paragraph 52 the Tribunal determined that the proposed development is able to secure the benefit of providing residential building lots in circumstances where the flood hazard can be managed through hazard management measures and was satisfied that lots 1-3 and 5 do not create the opportunity for use or development that cannot achieve a tolerable risk from flood. Lot 4 is to be provided for public open space.

As required by the Tribunal, Council filed draft permit conditions including construction of stormwater connections, driveway crossovers, kerb, channel, and footpath, extension of sealed road for frontage, and provision of public open space.

The Tribunal has directed Council to issue a permit with the conditions as attached.

The appeal was listed in the Council agenda each month from November 2024 as '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'.

ATTACHMENTS

1. J 131-2025 - Decision - 1 July 2025 [8.17.1 - 9 pages]
2. J 106-2025 - Decision - 28 May 2025 (Corrected 1 July 2025) [8.17.2 - 11 pages]



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

At approximately 5.26pm, following conclusion of discussion and decision on Item 14.2 Local Government Association of Tasmania (LGAT): Motions for the November 2025 General Meeting, Council commenced with Item 9. Public Question & Statements from 5.30pm and items listed under Items 11 and 12 relating to Planning as listed in the Agenda for the meeting.

No public questions were forthcoming.



10 COUNCIL ACTING AS A PLANNING AUTHORITY

MINUTE NO. 25/225

DECISION

Cr Archer/Cr McCullagh

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 11.6.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil

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 11.6.

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: PLN25-0072: 13790 Midland Highway, Epping Forest - 2 Lot Subdivision

Ms Chloe McCreary, Epping Forest

Ms McCreary provided the following statement, from which she read:

Madam Mayor and Councilors,

Thank you for the opportunity to speak today.

I'm here to raise my objection to the proposed subdivision at 13790 Midland Highway, Epping Forest — application PLN-25-0072.

I want to make it clear from the outset that I understand development is a part of regional growth. This is not a blanket objection to progress, but a request for careful planning and appropriate safeguards for our community.

As has been raised in previous meetings, we are concerned about commercial intensification and its future impact on the quality of life for residents — particularly those of us living on Barton Road. Over time, even small-scale changes can gradually shift land use from rural to commercial, and this creates real and lasting consequences for those living nearby. What makes this more concerning is that our properties on Barton Road are zoned rural, not residential, meaning we are not afforded the same planning protections that apply to residents in residential zones — even though we experience the same impacts from nearby development.



I would respectfully ask the Mayor and Councilors to consider this from our perspective: if your own family home were located directly next to this establishment — and you were aware that, in previous applications, the proprietors of The Confessional had expressed intent to attract more truck traffic and patrons if subdivision did occur — would you not feel apprehensive?

As local residents, our concerns are grounded in our lived experience. Since the approval of the current establishment, we've already experienced a range of negative impacts as you are already aware such as road degradation, damage to neighbors' driveways from trucks turning in and out of the property, and a significant reduction in privacy in our own home — six days a week. These issues remain unresolved, and they affect our daily quality of life.

Our concern is that this proposed subdivision could open the door to even greater activity, bringing long-term consequences that, once set in motion, may be very difficult or impossible to reverse.

Considering this, if the Council is inclined to approve the subdivision, I strongly urge you to include a restrictive clause on the title of the subdivided lot to protect the surrounding residents. Specifically, the clause should state:

"The Owner agrees that no new buildings, structures, or infrastructure shall be constructed or erected on the Confessional Lot other than those in existence at the date of this Agreement, except minor alterations or maintenance of existing structures."

Considering this risk, if Council is inclined to approve the subdivision, I would like to strongly urge you to impose a restrictive covenant on the title of the newly created lot. Specifically, I propose the clause could be worded as follows:

"The Owner of this subdivision agrees that no new buildings, structures, or infrastructure shall be constructed or erected on the newly created Confessional Lot other than those in existence at the date of this Agreement, except minor alterations or maintenance of existing structures."

Legally registered with any future sale, this covenant would ensure that no matter who purchases the lot, it cannot be used for further development, commercial ventures, or new structures—effectively protecting our community in indefinitely.

In summary, we are simply asking for fair and balanced protections. Barton Road residents should not be left vulnerable to creeping commercial development due to a technicality in zoning. We all deserve the same consideration when decisions are made that affect our homes, environment, and way of life.

Thank you for your time and consideration.

PLAN 11.2: *PLN25-0103: 32 Archer Street, Cressy - Front & Side Fence*

Mr Roger Gard, Cressy

- The fence has already been erected at 1.8 without a permit.
- Previous fence had been at 1.3 metres for around 30 years.
- Owns cottage built in 1900 and maintains gardens to suit.
- Renovated and built a sunroom on side where new fence is.
- Height of new fence blocks sunlight, especially in winter
- Several new homes built nearby, with new footpath on this side.
- Safety concerns with height of fence as vehicles , unable to see if pedestrians or children using bikes or the footpath.
- Neighbour has a large 4 wheel drive and the vehicle is across footpath before being able to see past the fence, which is a danger to pedestrians.
- Has written to neighbour through a lawyer suggesting alternatives, with a copy sent to the council, but has not received a reply.
- Safety concerns for young families moving into new homes, with three houses yet to be built.

Mr Paul Clayton, Cressy

- Consideration given to issues raised:
- Property has two driveways, entering property from the high side and exiting on the low side , with no danger to pedestrians.
- Neighbour's sunroom receives full sunlight from morning until afternoon with time-lapse photos available.
- The fence has already been cut to 1300 without permission.
- Discussions with council who advised fence of 1800 was allowed without a permit, with only the first 4.5 metres of the frontage to be cut.
- Fence at front has not yet been cut but was intending to obtain the permit.



PLAN 11.3: PLN25-0097: 92 Main Street, Cressy - Part Change of Use to General Retail & Hire

Mr Ashley Brook, Launceston

Mr Brook provided the following statement from which he read:

Good evening Councillors,

Thank you for the opportunity to speak. My name is Ashley Brook from 6ty°, and we are the applicant for this planning permit. I'm here on behalf of our client, Damian Bennett, who is the landowner of 92 Main Street, Cressy.

This application proposes a modest 66m² retail building on land zoned Local Business. It presents an opportunity to activate this part of Main Street, support local business, and contribute to the vitality of the local area.

In response to the representations, we'd like to briefly address the key matters raised:

Heritage: The site is not heritage listed, and no heritage provisions apply to the assessment.

Impact on Private Open Space: The development maintains appropriate separation from adjoining properties and retains a suitable area of private open space for the existing dwelling on the site.

Categorisation and Appropriateness of the Proposal: The proposal falls within the *General Retail and Hire* use class. The Local Business zoning applying to the property is entirely supportive of this type of use.

Car Parking: The proposal will rely on on-street car parking in Main Street and Church Street, with the exception of an accessible space to be provided on-site. Both streets have sufficient capacity to meet anticipated parking demand.

Height and Frontage Setback – Impact on Streetscape: The proposed building is appropriately designed and sited to be compatible with the character of the area. While the zone provisions encourage building to the frontage, the proposed setback from Main Street responds to TasNetworks' safety requirements for clearance from overhead powerlines.

Impact on Visibility for Road Users:

Access and parking arrangements are safe and suitable for the proposed use, maintaining road network efficiency.

Additional Vehicle Movements: The expected increase in vehicle movements is minimal and well within the capacity of the road network.

Pedestrian Entrance in Church Street: The building entrance in Church Street will be clearly visible and encourages pedestrian access and interaction.

In summary, this is a modest, well-considered development that aligns with planning scheme requirements and responds appropriately to the matters raised. We respectfully request that Council support the recommendation for approval.

Thank you for your time.

PLAN 11.4: PLN-25-0067: 15 Youl Road, Perth - Shed (Vary Southern Side Setback and Building Envelope)

No representations were forthcoming.

PLAN 11.5: PLN25-0077: 5 Affleck Court Perth - Multiple Dwellings x 2 and Retirement Village

Mr David Chalmers, Perth

Mr Chalmers provided the following statement, from which he read:

Thank you Mayor Knowles and Good evening Councillors,

My wife Nerrilee and I, are the owners of 1- 3 George Street Perth, an adjoining property to the proposed development at 5 Affleck Court.

There are several concerns that existing property owners have about the proposed development, but the one directly impacting us is the stormwater risk the development poses to our property. We have outlined these risks to you in several emails, supported by photos of the extent of flooding in our property and the damage it causes.

We strongly object to the contentions in the report provided to you by Council officers that asserts that this development will not add to stormwater flows through our property, nor that detention is required.

It is indisputable that the stormwater easement through our property is inadequate to cope with existing water flows. All the stormwater from West Perth flows through our property, and Council Officers understand that flooding through the



easement is already causing dangerous erosion on our property, floods well beyond the extent of the easement and has damaged fencing and landscaping in the past.

We are seriously concerned that the report's conclusion-that the proposed development will not add to the already over-capacity flows through the easement on our property - is based on the assumption made in the report that stormwater from the proposed development will flow through the easement on our property before water from other areas of Perth does, thus will not add to peak flows. However, this is only true if rainfall begins evenly across Perth. What happens for instance, if a slow moving storm cell crosses Gibbet Hill and moves south at walking pace - say 4km/hr towards Affleck Court. It will take half an hour before rain begins to fall on the proposed new development. But our Stormwater easement will already be flooding due to the rainfalls to the north and west. The proposed development in this scenario will add significantly to peak flows through our property. In other words, half an hour's rainfall will arrive in the easement prior to the Affleck Court run-off, causing high volume flow.

You are being presented with a glib, shallow and flawed assertion that the development will not increase water flows through our property. There has been no hydrological modelling presented to validate this conclusion. Any increase in stormwater flow through this already stressed easement has the potential to worsen the significant flooding we have experienced in recent years.

The Report dismisses detention as a solution to the additional storm water the DA will produce. The DA states that Council Officers advised its proponents October 2024 that they were assured of a detention waiver. Council's own policy states that Council may consider a waiver for on-site stormwater detention where either the downstream drainage system has been upgraded to accommodate the increase in runoff from the site or the natural overland flow path is to the road or to an area Council deems as low risk. Neither of these conditions have been met, but no other explanation is given for the recommendation in the report to waive detention.

We respectfully request that Council not accept the recommendations in the current report and require a thorough, evidence-based hydrological analysis on stormwater flow and detention before any further decisions on the DA are made.

Mayor Knowles indicated that the time allocated had been exhausted.

Ms Jan Davis, Westbury

Ms Davis provided the following statement from which she read.

Good evening Councillors,

I am speaking on behalf of adjacent and adjoining property owners to strongly object to the proposed development at 5 Affleck Court Perth.

- 1. Stormwater -A Serious Risk** - The most critical issue is stormwater. Currently, all runoff from West Perth is funnelled through a single corridor at 1-3 George Street. This system is already beyond safe capacity. Even minor rain events have caused severe erosion, property damage, and flooding-causing thousands of dollars in repairs. Yet, this development proposes no stormwater detention measures. Approving it without upgrades or conditions will make an already dangerous situation worse and could put Council in breach of the Urban Drainage Act 2013.
- 2. Sewer Constraints** - The proposal relies on connecting through private property at 2 William Street without owner consent. There are also known sewer capacity issues in Perth - has TasWater provided a Service Planning Advice Notice? This is a major unresolved risk.
- 3. Parking** - The officers' report indicates that the proposal requires 25 parking spots, however the actual proposal only allows for 22 spots. It goes on to say that in Affleck Court there is "over 70m of street parking available (not including any space within the head of the cul-de-sac) ... it is considered that there is sufficient provision for visitors to proposed unit 1 & 2 to park on-street and still be within reasonable walking distance of the site." However, elsewhere the report states that the parking criteria has not been met as advertised, due to the access problems with people parking on both sides of the cul de sac leaving only a 2m wide gap. To solve this problem, the officers' recommendation is for line marking around the majority of the cul de sac thus leaving only 32.2m of available on street parking (not inc the head of the cul de sac). So the original solution to the lack of parking was that there was over 70m of street parking available, but now the proposal only allows for 32.2m-which effectively bans on-street parking. This means there is not adequate parking for the proposal, which will affect the residents in the cul de sac. For some bizarre reason, the officers have assumed that couples over 55 (ie the target for the retirement villages) are unlikely to have 2 cars and therefore won't need 2 car parking spaces.

"It is therefore reasonable to consider that of the 16 parking spaces available to residents (excluding the garage and tandem parking bay associated with unit 11) there will be some provision for visitors to park within the site for short



periods. For example, if there is only one vehicle associated with each unit there will be 4 spaces free within the site for use by visitors. There is also provision within the street for visitors to park without impacting on the functionality of the head of the cul-de-sac. Having regard to the nature and intensity of the use and car parking required, the size of the dwellings, the number of bedrooms and the pattern of parking in the surrounding area the number of car parking spaces proposed on-site meets the reasonable needs of the use of the site. The performance criteria is therefore satisfied." So the proposal is deemed to meet the criteria on the basis of some very unrealistic assumptions-including on-street parking -when other recommendations have effectively removed on street parking. In other words, the proposed solution to the original parking issues will make the situation even worse than before. Furthermore, the proposal to ban parking in Affleck Court has been made without any consultation with residents and is a denial of the principles of natural justice.

4. Zoning Non-Compliance - The site is zoned Community Purpose, intended for community facilities, not permanent housing. No rezoning application has been lodged. Approving this would set a troubling precedent.

5. Lot Sizes - The maths are not mathing for this proposal. Lot 1 (5 Affleck Court) is assessed under the general residential code. The area of this lot is 900m², which the officers' report indicates provides for minimum lot sizes of 450m². The documentation indicates that this is compliant with the planning scheme requirement of 400m². In either case (450m² or 400m²), there is no provision for roading, common areas, etc. Lot 2 -the retirement village -is zoned community purpose, for which there is no minimum lot size stipulated in the planning scheme, as it is not meant for permanent housing. If one accepts that housing is an appropriate use, then general residential zoning lot sizes should be the standard - which is 325m² for multiple dwellings. Lot 2 has an area of 3,659m². The proposal is for 10 units: 10*325m² =3,250m² - again, without any provision for roading, common areas, etc. It would therefore seem the proposal does not meet the requirements of the planning scheme.

6. Access and Safety - Lot 2 - the retirement village - has no street frontage, relies on a right-of-way, and offers inadequate turning space. Service vehicles, including ambulances, rubbish collection etc would have to reverse in. That's unsafe for elderly residents.

7. Incomplete and Inconsistent Plans - The advertised plans are stamped "Superseded" and don't match the application details. Council and the community cannot make an informed decision without accurate information. In summary, this proposal:

- Increases flooding risk,
- Increases the risk of overloading the stormwater and sewage systems,
- Removes street parking without consultation,
- Conflicts with the planning scheme,
- Compromises road safety and access requirements
- And is based on incomplete information.

We respectfully ask Council to refuse the application unless these issues are fully addressed. Thank you.

Mayor Knowles indicated that the time allocated had been exhausted.

Ms Sarah Henley, Loreto Community Housing

Has a list of stormwater issues and happy to look at that further and it could include onsite detention/rainwater tanks if needed.

Ms Henley provided the following statement, from which she read.

Key concerns raised by the community:

- Noise: The village is residential in nature, with typical household noise.
- Traffic & Parking: The site will generate minimal traffic and includes 22 compliant parking spaces.
- Property Values: Planning laws don't consider property values, but retirement villages often enhance neighborhood stability.
- Local Character: The development aligns with the residential nature of the area and supports older community members.
- Environmental Impact & Infrastructure: TasWater and Council have confirmed adequate infrastructure; stormwater details are attached.
- Flooding: The site is not flood-prone, and relevant codes do not apply.
- Emergency Access: Road access meets all standards.
- Sewer Capacity: TasWater has no objections.
- Density: The proposal complies with zoning and the Perth Specific Area Plan.



Data

	1 Bed Priority	1 Bed General	2 Bed Priority	2 Bed General	TOTAL
Perth	28	10	23	2	63
Cressy	10	2	4	1	17
Longford	56	21	23	3	103
Evandale	31	8	22	1	62
Campbell Town	15	4	6	0	25

270 on the waitlist

This development focuses on supporting a frequently overlooked group—people over 55—by providing safe, affordable, and accessible housing.

The initiative promotes independent living, reduces healthcare strain, and enables older residents to downsize, freeing up larger homes for families.

It also enhances social connection, reduces isolation, and offers environmental benefits through energy-efficient design. Overall, it contributes to a healthier, more inclusive, and sustainable community.

The Perth Specific Compatibility Plan:

The plan highlights a growing need for smaller, diverse housing options due to declining household sizes and slow population growth. To meet this demand, it recommends:

- Promoting semi-detached and medium-to-high density housing
- Consolidating development in areas with adequate infrastructure
- Encouraging a range of housing types to support a diverse and inclusive community
- Offering affordable, low-maintenance homes that suit changing demographics

These goals align closely with the proposed retirement village development.

Mayor Knowles indicated that the time allocated had been exhausted.

Reverend Gannon, Longford

- Reverend Gannon is the rector of Christ Church Longford and the parish of Perth, who own the land for this development.
- Very keen to provide affordable housing to people providing an opportunity for people to stay locally.
- Community purpose land which can be used for retirement village.
- Will assist people in the community.

PLAN 11.6: PLN25-0055: 20 Union Street, Longford - Ambulance Station

No representations were forthcoming.



11 PLANNING REPORTS

11.1 PLN25-0072: 13790 MIDLAND HIGHWAY, EPPING FOREST - 2 LOT SUBDIVISION

File: 303600.02; PLN25-0072
Responsible Officer: Des Jennings, General Manager
Report prepared by: Rebecca Green, Planning Consultant

MINUTE NO. 25/226

DECISION

Cr McCullagh/Cr Andrews

That application PLN25-0072 to develop and use the land at 13790 Midland Highway Epping Forest for a 2-lot subdivision be approved subject to the following conditions:

1 Layout not altered

The use and development must be in accordance with the endorsed documents, except as varied by Condition 2:

- P1 Subdivision Plan, D.J. McCulloch & Associates, Job No: 1978-2463, Plan Number: 6324-03DA, Dated: 24/04/2025.
- P2 Subdivision Plan, D.J. McCulloch & Associates, Job No: 1978-2463, Plan Number: 6324-03DA BALANCE, Dated: 24/04/2025.
- D1 Planning Application Cover Letter, Design to Live, Dated: 5 May 2025.
- D2 Agricultural Land Capability Assessment, Strata Geoscience and Environmental, Dated: May 2025.
- D3 Bushfire Assessment Report, RJK Consulting Engineers, Job No: 24/25 TAS 057, Version : V2, Dated: 13/05/2025.

2 Amended plans required

Prior to the commencement of any works, an amended Subdivision Plan must be provided to the Council's Planning Department approval, detailing:

- A widened Right of Way (Private) to benefit Balance on Lot 1, to reflect the true width of the existing gravel driveway; and
- The Balance provided with a minimum 12.0m wide frontage and access strip to Barton Road. Once approved, the amended plan will form part of the approved documentation.

3 TasWater conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2025/00552-NMC) – Attached at Appendix A.

4 Department of State Growth conditions

- a) Public road frontage and legal access for Lot 1 is to and via Barton Road only.
- b) An appropriately worded covenant restricting access to Barton Road only for Lot 1 must be included in the created Schedule of Easements.

5 Bushfire

Prior to sealing of the Final Plan of Subdivision, written advice from an accredited bushfire practitioner must be submitted to Council advising that all recommendations and requirements of the Bushfire Hazard Report by Ridsen Knightley dated 13/05/2025 (job No. 24/25 TAS 057) have been implemented, including requirements regarding water supply, access, and vegetation / fuel hazard management.

Final Plan of Subdivision

- 6 The Final Plan of Subdivision and Schedule of Easements must be submitted for sealing, together with a copy of the Survey Notes.
- 7 Unless this permit specifically provides otherwise, the Final Plan of Subdivision will not be sealed by Council and/or TasWater where applicable until all conditions of this permit have been satisfied.
- 8 Prior to the sealing of the Final Plan of Subdivision, any existing services that are disturbed during the subdivision,



including any damage to road, kerb and channel, nature strip and footpath, must be reinstated to the satisfaction of Council.

Carried

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Cr Brooks

RECOMMENDATION

That application PLN25-0072 to develop and use the land at 13790 Midland Highway Epping Forest for a 2-lot subdivision be approved subject to the following conditions:

1 Layout not altered

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2 Amended plans required

Prior to the commencement of any works, an amended Subdivision Plan must be provided to the Council's Planning Department approval, detailing:

- A widened Right of Way (Private) to benefit Balance on Lot 1, to reflect the true width of the existing gravel driveway; and
- The Balance provided with a minimum 12.0m wide frontage and access strip to Barton Road. Once approved, the amended plan will form part of the approved documentation.

3 TasWater conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2025/00552-NMC) – Attached at Appendix A.

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Final Plan of Subdivision

- 6 The Final Plan of Subdivision and Schedule of Easements must be submitted for sealing, together with a copy of the Survey Notes.
- 7 Unless this permit specifically provides otherwise, the Final Plan of Subdivision will not be sealed by Council and/or TasWater where applicable until all conditions of this permit have been satisfied.
- 8 Prior to the sealing of the Final Plan of Subdivision, any existing services that are disturbed during the subdivision, including any damage to road, kerb and channel, nature strip and footpath, must be reinstated to the satisfaction of Council.



1 INTRODUCTION

This report assesses an application for 2 lot subdivision against the relevant provisions of the *Tasmanian Planning Scheme – Northern Midlands* (SPP version 7 effective 26 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 representations is included in section 5.5 of this report.

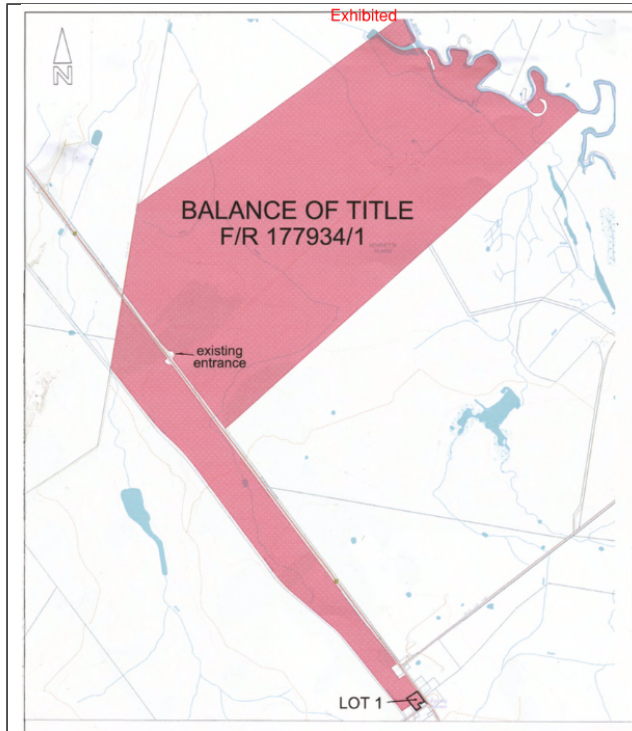
3 APPLICATION DETAILS AND TIMEFRAMES

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:	25 July 2025
Recommendation:	Approval subject to conditions.

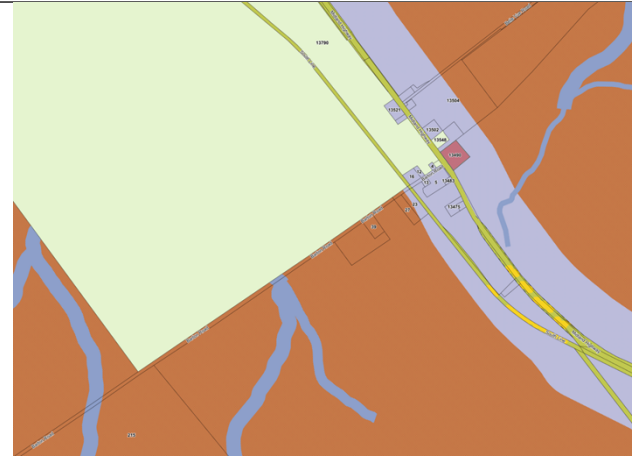


4 SUBJECT SITE AND LOCALITY

Subject site



Zone Map



Aerial image of the site and surrounding area





Photographs of subject site



5 PLANNING SCHEME ASSESSMENT

This assessment has been made by a suitably qualified person and a professional recommendation has been provided for the Planning Authority to consider. The professional recommendation detailed further in this report considers (where



relevant) previous decisions and case law of the Tasmanian Civil and Administrative Tribunal (TASCAT) and is an unbiased assessment of the applicable standards and the suitability of the proposed development.

GENERAL PROVISIONS		Applicable (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	-	
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: <ul 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	<p>A1 Relies on performance criterion P1.</p> <p>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 widened to a minimum 12.0m and the right of way to reflect the width of the gravel driveway, providing access to the lower road hierarchy. An amended plan of subdivision would be required should the proposal be approved and can be conditioned appropriately.</p>

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

DISCRETIONS

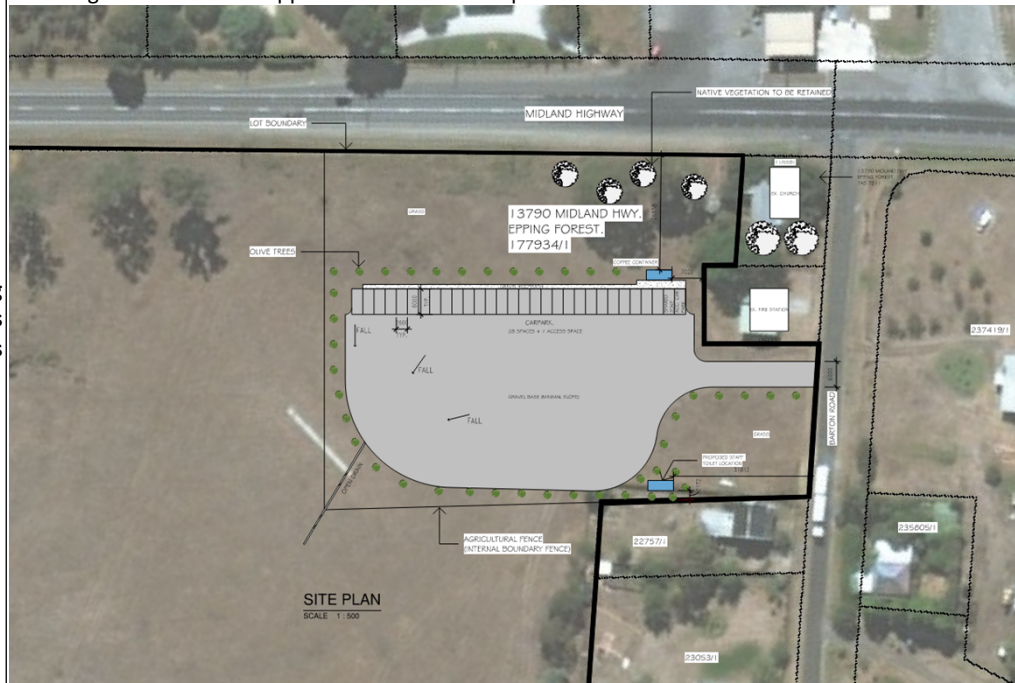
- d. current irrigation practices and the potential for irrigation;
- (ii) all new lots must be not less than 1ha in area;
- (iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;
- (iv) all new lots must be provided with a frontage or legal connection to a road 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:
 - (i) the balance lot provides for the operation of an agricultural use, having regard to:
 - 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.

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.

The existing approved use utilises approximately 8,370m² for the carparking and parklands. The proposed lot for 'The Confessional' is 0.837ha.

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 only a use or development existing at the effective date (9 November 2022).

The image below is of the approved use and development.



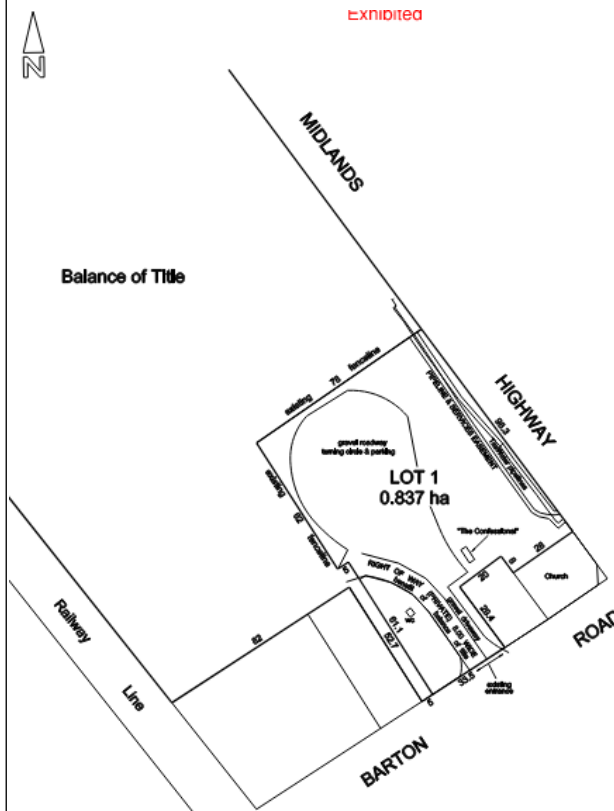
Assessing
Officers
Comments

The proposed Plan of Subdivision clearly shows that the boundaries of proposed Lot 1 provides for 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 it curtilage.



DISCRETIONS



The proposal therefore will excise only a use or development existing at the point in time of 9 November 2022 and would provide for a lot with an area for that existing use and development.

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 Department of State Growth has raised concern of the further reduction of the remaining 38.5m frontage to Barton Road for the Balance to 5.0m as a result of the subdivision, if approved.

The existing gravel access is wider than the 8.0m proposed for the right of way, and appears to be approximately 12.5m. The Balance must retain public road frontage and the ability for practical access to Barton Road in its own right. The 5.0m wide fee simple strip is not considered adequate, particularly for future development access purposes and/or if separate access were to be required or is desired. Ideally, the Balance, being the larger portion of land, would retain the majority of frontage to Barton Road. The Midland Highway is a declared limited access road and public frontage to and access (or the ability to gain separate practical access) via a lower road in the hierarchy (Barton Road) of an adequate measurement must be retained for the Balance, particularly having regard to possible future development of and development access to the Balance. A wider fee simple strip would provide an access for larger agricultural machinery associated with the current use of the property or for future development of the property.

The proposal does comply with the performance criterion P1 (c) as the Lot 1 is for excision of a use or development existing at the effective date, and together with conditions in relation to amended frontage to Balance to Barton Road provides sufficient frontage and legal connection to a road that is sufficient for the intended use. Performance criteria met.

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 Ridsen Knightley BFP-115 demonstrates compliance.
C13.6.2	Public and fire fighting access	A1 Complies. Bushfire Assessment Report prepared by Ridsen 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 Ridsen Knightley BFP-115 demonstrates compliance.

5.4 REFERRALS

<p><u>Council's Infrastructure & Works Department – NMC</u> Council's Engineer (Jonathan Galbraith) reported on 22 May 2025 that the Department has no comment.</p>
<p><u>TasWater</u> TasWater issued a Submission to Planning Authority Notice on 06th May 2025 (TasWater Ref: TWDA 2025/00552-NMC). The Planning Permit will condition the development to be in accordance with the Submission to Planning Authority Notice.</p>
<p><u>TasNetworks</u> TasNetworks reported that based on the information provided, the development is unlikely to adversely affect TasNetwork's operations.</p>
<p><u>TasRail</u> TasRail reported on 28 May 2025 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 07 May 2025.</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>, it was recommendation/opinion of the Department that:</p> <ul style="list-style-type: none"> - the Balance must retain a sufficient shared boundary with Barton Road to allow for construction of a separate access for larger vehicles associated with the current agricultural use of the property or for possible future development purposes should such an access be desired/required in the future. The fee simple strip for the Balance is to be of a suitable width (having regard to true property boundaries) to accommodate this. Five metres is not considered adequate for approx. 85ha of agricultural land that currently has an access over double that width. The Midland Highway is a declared limited access road and public road frontage to and access/future access via the lower road in the hierarchy must be retained for the Balance. - It is understood the illegal access along the Midland Highway boundary of proposed Lot 1 have been closed by fencing (although the support structures for the gate that was removed are still in situ). 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 and via 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>Their recommended conditions are included in the conditions of approval.</p>



5.5 REPRESENTATIONS

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

Representation 1

As a resident of Barton Road, the representor has concerns like others in the community regarding the potential implications of this development.

Planner response

Although concerns have been raised, no details in regard to the specific issues have been provided, and therefore it is difficult to respond to the representation as it lacks detail. The proposal is for subdivision of 2 lots only and the relevant provisions of the Planning Scheme have been addressed within this report.

Representation 2

The representor would appreciate the opportunity to discuss this potential development with the Mayor and local council member at the scheduled council meeting to ensure that the views of affected community members are considered in the planning process.

Planner response

Although concerns have been raised, no details in regard to the specific issues have been provided, and therefore it is difficult to respond to the representation as it lacks detail. The proposal is for subdivision of two lots only and the relevant provisions of the Planning Scheme have been addressed within this report.

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 <u>Roads and Jetties Act 1935</u> 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 <u>Highways Act 1951</u> ;		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 <u>Urban Drainage Act 2013</u> , 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 Local Government (Highways) Act 1982</u> in respect of the highways opened or to be opened on the		X



	subdivision;		
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-25-0072 Public Exhibition Documents [11.1.1 - 61 pages]
2. DSG [11.1.2 - 7 pages]
3. SPAN Taswater 13790 MIDLAND HIGHWAY, EPPING FOREST 5 - Submission to Planning Authority Notice [11.1.3 - 2 pages]
4. Tasmanian Heritage Council Notice of No Interest W A 8644 [11.1.4 - 1 page]
5. Response Referral - Tas Networks PLN 25-0072 13790 Midland Hwy Epping Forest - CN 25-112155 [11.1.5 - 4 pages]
6. Tas Rail Response [11.1.6 - 2 pages]



11.2 PLN25-0103: 32 ARCHER STREET, CRESSY - FRONT AND SIDE FENCE

File: 100600.04; PLN25-0103
Responsible Officer: Des Jennings, General Manager
Report prepared by: Brandie Strickland, Statutory Planner

MINUTE NO. 25/227

DECISION

Cr McCullagh/Cr Brooks

That application PLN-25-0103 to develop and use the land at 32 Archer Street Cressy for a front boundary fence and partial side boundary fence be approved subject to the following conditions:

1 Layout not altered

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

- P1 Site Plan by the applicant dated 04/06/2025
- P2 Elevations by the applicant undated.

2 Design of front boundary fence

- a) Notwithstanding the above condition, the section of the fence proposed along the front boundary (parallel with Archer Street) must have an overall height of not more than 1.8m and where parts of the fence extend above 1.2m from natural ground, the fence must have a uniform transparency of at least 30% (excluding any posts or uprights).
- b) Notwithstanding Condition 1 above, the sections of the side boundary fence within 4.5 of the front boundary must have a total height of no more than 1.3m (solid). Where any parts of the side boundary fence within 4.5m of the front boundary extend above 1.3m from natural ground, the fence must have a uniform transparency of at least 30% (excluding any posts or uprights) and have an overall height of not more than 1.8m.
- c) Prior to the commencement of any works on site amended plans must be provided to Council showing the design of fence as required by condition 2a) and 2b) above. Once approved these plans will form part of the endorsed documents.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil



RECOMMENDATION

That application PLN-25-0103 to develop and use the land at 32 Archer Street Cressy for a front boundary fence and partial side boundary fence be approved subject to the following conditions:

1 Layout not altered

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

- P1 Site Plan by the applicant dated 04/06/2025
- P2 Elevations by the applicant undated.

2 Design of front boundary fence

- a) Notwithstanding the above condition, the section of the fence proposed along the front boundary (parallel with Archer Street) must have an overall height of not more than 1.8m and where parts of the fence extend above 1.2m from natural ground, the fence must have a uniform transparency of at least 30% (excluding any posts or uprights).
- b) Notwithstanding Condition 1 above, the sections of the side boundary fence within 4.5 of the front boundary must have a total height of no more than 1.3m (solid). Where any parts of the side boundary fence within 4.5m of the front boundary extend above 1.3m from natural ground, the fence must have a uniform transparency of at least 30% (excluding any posts or uprights) and have an overall height of not more than 1.8m.
- c) Prior to the commencement of any works on site amended plans must be provided to Council showing the design of fence as required by condition 2a) and 2b) above. Once approved these plans will form part of the endorsed documents.

1 INTRODUCTION

This report assesses an application for a 1.8m solid boundary fence located along the front boundary of the property and within 4.5m of the front boundary along the side boundaries against the relevant provisions of the *Tasmanian Planning Scheme – Northern Midlands* (SPP version 10 Effective 29 January 2025 and LPS version: 13 effective 29 October 2024).

An exemption exists for fences (including free-standing walls) within 4.5m of a frontage, located in particular zones including the General Residential zone. The exemption listed as clause 4.6.3 states that no approval is required for a fence within 4.5m of a frontage if the development is not more than a height of:

- 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).

Where a fence does not meet the exemption it must be assessed against the relevant provisions of the scheme. In determining the assessment, the fence must be considered both as a fence but also as a building per the definitions as defined in the *Land Use Planning and Approvals Act 1993*.

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 is included in section 5.5 of this report.

3 APPLICATION DETAILS AND TIMEFRAMES

Existing use/development:	Single dwelling and outbuilding – residential use
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 C16.0 Safeguarding of Airports Code
Application must be determined by:	21 July 2025
Recommendation:	Approval subject to conditions.

4 SUBJECT SITE AND LOCALITY

Subject site



Zone Map





Aerial image of the site and surrounding area



Photographs of subject site



5 PLANNING SCHEME ASSESSMENT

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

GENERAL PROVISIONS		Applicable (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	-	-
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



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	
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	
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>

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

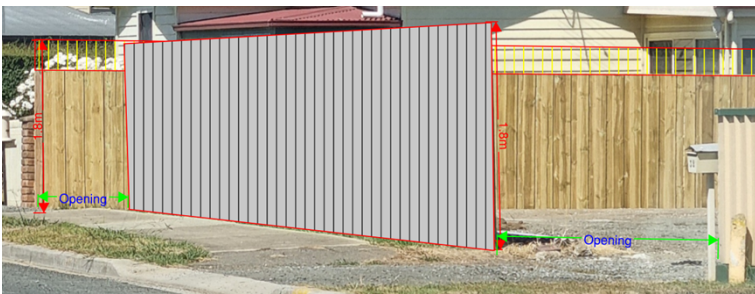
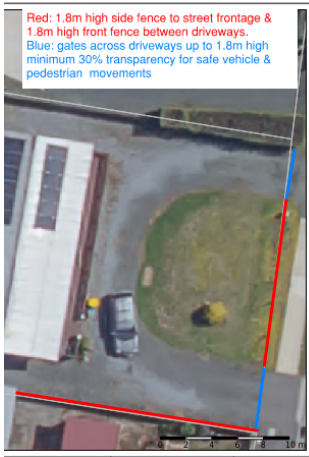
Zone Purpose

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.

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 development is a front boundary fence. It is located along the front boundary which is the most appropriate location for the development. As a front boundary fence the proposed location within the site is

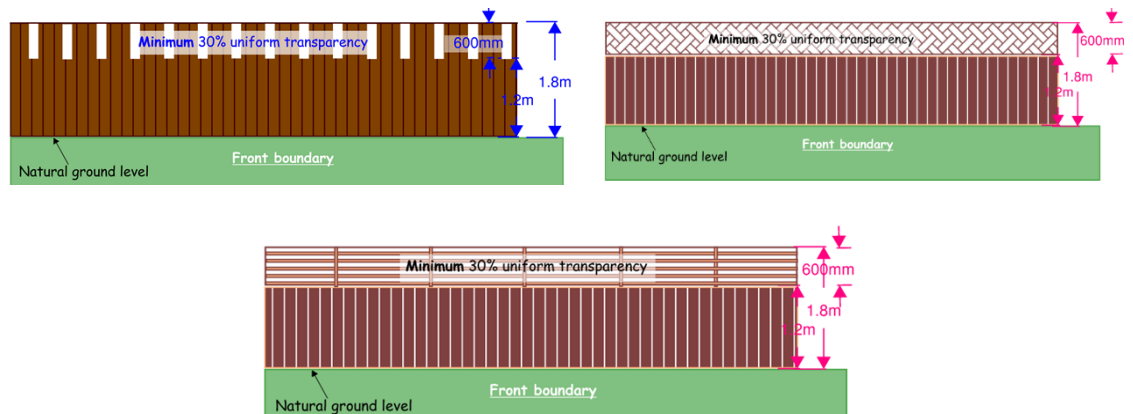
DISCRETIONS

	compatible with the streetscape as most properties in the street have some form of front boundary fence or structure within 4.5m of the frontage. The performance criteria is met.
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 proposed development is a 1.8m solid front boundary fence. Being located along the front boundary and along the side boundaries for the first 4.5m of the site, the proposal will not cause an <i>unreasonable</i> loss of amenity to any adjoining residence by way of unreasonable overshadowing of private open space or a habitable room within the dwelling. With an overall height of only 1.8m the structure will have no impact on any existing or future solar installations. The performance criteria is satisfied.</p>
8.4.7 Front fences for all dwellings	
P1	<p>A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> a) provide for security and privacy while allowing for passive surveillance of the road; and b) be compatible with the height and transparency of fences in the street, having regard to: <ul style="list-style-type: none"> i) the topography of the site; and ii) traffic volumes on the adjoining road.
Assessing Officers Comments	<p>The term fence is not defined within the Scheme and so its common meaning is to be taken. The Macquarie Dictionary definition of a fence is <i>an enclosure or barrier, of wire or wood, around or along a field, garden etc.</i></p> <p>It is important to determine the meaning of the term when considering this provision as there are several properties within the ~300m of Archer Street which have mature vegetation (hedges) which act in addition to a built form (wire, metal, wood, stone) or in substitution of a structure but that achieve the same outcome; the enclosure of an area to prevent or control access. However, as plantings, these are not <i>buildings</i> or <i>structures</i> and therefore are not considered comparable as fences.</p> <p>Having regard to the performance criteria a) the structure does not readily allow for passive surveillance of the street being 1.8m high with no transparency. However, the structure does not extend the complete length of the front boundary as the property has 2 existing vehicle accesses with a circular driveway within the property. See images below. The front boundary fence will cover ~13m of the ~22m frontage leaving over 4.5m per vehicle crossing to the north and south of the front boundary free of structures and able to allow for passive surveillance of the road. The design and placement of the structure will allow for security and privacy within the site.</p> <div style="display: flex; justify-content: space-around;">   </div> <p>There are no topographical constraints applicable to the site and the traffic volumes within Archer Street are relatively low being a local street with mainly local traffic using the road. Therefore, the proposal must simply be compatible with the height and transparency of fences in the street to satisfy the performance criteria. Compatibility is inherently subjective. However, 'compatibility' has been tested in the tribunal multiple times and is understood by professionals within the field to have the accepted definition requiring a proposal to be "...consistent with ... Not necessarily the same [as], but at least similar to, or in harmony or broad</p>

DISCRETIONS

correspondence with the surrounding area" (Henry Design and Consulting v Clarence City Council & Ors [2017] TASRMPAT 11 para. 50).

As stated, the proposed fence will be 1.8m high with no transparency within the structure. There are other examples of solid front fences within Archer Street, but these are not quite as tall as the proposed structure. There are also examples of 1.6-1.8m front fences within the street, though these have a much greater transparency than the proposed structure and resemble fencing like pool fencing. With no other front boundary fences within the street of similar height and transparency the proposed structure along the front boundary is not compatible with the street. However, should the top 600mm of the fence be altered to allow 30% uniform transparency 30% as the exemption prescribes, then the fence could be considered in keeping with the character of the existing fences within the street. A permit condition is recommended to approve the proposed fence subject to the design being altered to comply with the exemption clause 4.6.3. Examples of compliant fence designs that are compatible with the street are provided below.



Turning to the height of the fence along the side boundary but within 4.5m of the frontage, this element of the fence is considered to be generally compatible with the existing fences within the street. There are a number of properties within Archer Street which have side boundary fences built to the frontage that are solid and above 1.2m height (~1.4-1.6m). However, the Road Authority has commented that due to the nature of the street as it turns from King Street to Archer Street and the placement of the footpath within the road reserve the proposed height of 1.8m (solid) would create an opportunity for a traffic conflict for existing traffic. The Road Authority has recommended that the overall height of the fence should be gradually lowered within 4.5m of the frontage to a height of no more than 1.3m (solid) as the fence approaches the front boundary. To improve the compatibility of the structure with the existing pattern of fences in the street and to reduce the potential for traffic conflicts with vehicles existing the site a permit condition has been recommended requiring the design of the front fence and the section of the side fence highlighted above to be altered.



Compliance with the permit condition will ensure the proposed development is consistent with the existing fences in the area and that the performance criteria is met.

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 NPR per the use table.



5.3 STATE PLANNING PROVISIONS – CODE PROVISIONS

NOR-S3.7 Development Standards for Buildings and Works		
Clause	Description	Assessment
NOR-S3.7.1	Residential density for multiple dwellings	A1 Not applicable.

C2.0 PARKING AND SUSTAINABLE TRANSPORT CODE

This code applies to all development and use, but there are no provisions relevant to development for fencing. The proposal has no impact on the existing parking layout on site, the number of parking bays required or the number of site accesses.

5.4 REFERRALS

Council's Infrastructure & Works Department – NMC

Road Authority

As the **Road Authority** per the *Roads and Jetties Act 1935*, concerns were raised regarding the visibility of oncoming vehicular traffic and pedestrian traffic for vehicles existing the site because of the height and solid nature of the boundary fence. It was recommended that the side fence height be reduced from 1.8m as it approached the street to ensure that a vehicle existing at the site could better see any pedestrian, cyclist or vehicle already within the street. This has been captured in the recommended permit conditions.

Stormwater Authority

No comment.

5.5 REPRESENTATIONS

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

Representation	<p>Visibility and traffic safety</p> <ul style="list-style-type: none">a fence height of 1.8 metres will create a traffic hazard by impeding visibility of oncoming traffic, cyclists and pedestrians when exiting private property onto the street <p>Aesthetic and harmony</p> <ul style="list-style-type: none">The differential in fence heights is not in keeping with the aesthetic of the area <p>The imposition on amenity of adjoining land owner</p> <ul style="list-style-type: none">The overall height of the fence will impact on solar access to the adjoining dwelling and yard
Officer comments	<p>Standard vehicle crossovers are a minimum of 3.6m wide which allows for a much wider access than the width of a standard vehicle meaning that there will be suitable distance for a pedestrian to see a vehicle preparing to exit the site onto the road. Given the length and arrangement of the internal driveway any vehicle exiting the site will be doing so slowly and so there is also suitable time for pedestrians to view the front of a car as it approaches the crossover. The width of the nature strip along Archer Street and outside the subject site is over 3m and allows for suitable visibility of traffic existing the site to view left and right for oncoming traffic and exit the site safely.</p> <p>The design and character of the front boundary fence has been assessed in section 5.1 of this report and through compliance with recommended permit conditions, will be compatible with the street.</p> <p>The overall height of the fence is less than that of a single dwelling and will not cause the property to the south to be overshadowed <i>unreasonably</i>. While some shadow will be cast by the proposed side boundary fence within 4.5m of the frontage, the industry standard for assessing impact on an adjoining property by way of overshadowing supports this application. With more than 50% of the dwelling and private open space of the dwelling receiving more than 3 hours of sun to more than 50% of the site on the winter solstice, the shadow that is caused by the development will not be <i>unreasonable</i>.</p>



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

What is the purpose of the Policy?	What developments are affected?	Where does the Policy apply?
State Policy on the Protection of Agricultural Land 2009		
Comments: Not applicable to this application.		
State Coastal Policy 1996		
Comments: Not applicable to this application.		
State Policy on Water Quality Management 1997		
Comments: Not applicable to this application.		

The proposal is consistent with all State Policies in so far as relevant.

5.8 STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES/STRATEGIC PROJECTS

Strategic Plan - Statutory Planning	
Lead - Serve with honesty, integrity, innovation and pride <u>Strategic outcomes:</u> 1.1 Council is connected to the community 1.2 Councillors serve with integrity and honesty	Progress - Economic health and wealth – grow and prosper <u>Strategic outcomes:</u> 2.1 Strategic, sustainable, infrastructure is progressive 2.2 Proactive engagement drives new enterprise



1.3 Management is efficient, proactive and responsible 1.4 Improve community assets responsibly and sustainably	2.3 Collaborative partnerships attract key industries 2.4 Support and attract wealth-producing business and industry
People - Culture and society – a vibrant future that respects the past <u>Strategic outcomes:</u> 3.1 Sympathetic design respects historical architecture 3.2 Developments enhance existing cultural amenity 3.3 Public assets meet future lifestyle challenges 3.4 Towns are enviable places to visit, live and work	Place - Nurture our heritage environment <u>Strategic outcomes:</u> 4.1 Cherish and sustain our landscape 4.2 Meet environmental challenges 4.3 Eco-tourism strongly showcases our natural beauties 4.4 Our heritage villages and towns are high value assets
Comments: The proposal is consistent with this plan.	

Strategic Projects
Comments: <u>Not applicable.</u> The proposal is consistent with Community Infrastructure and Health and Wellbeing Priority Project.

Council Policy – Stormwater Quality Management
This policy applies to: <ul style="list-style-type: none"> All urban developments Exemptions will be applied as per Tasmanian Stormwater Policy Guidance and Standards for Development (Version 1, 2021) S2.4.2 Table 4: <ul style="list-style-type: none"> A single dwelling on a single lot that will be connected to the existing public stormwater system; Development creating new impervious area less than 500m²; A subdivision creating new lots greater than 5000m² in area, and with new roads and footpaths less than 500m² in area; Subdivisions which are solely for the purpose of creating road reserve, public open space, public infrastructure, littoral or riparian reserve or minor boundary adjustments. Comments: <u>Not applicable</u>

Council Policy – Landscaping Requirements for Development Proposals
This policy applies to: <ul style="list-style-type: none"> all applications where landscaping is required under the zone/specific area plan/code provisions. <ul style="list-style-type: none"> If for single dwellings where landscaping is required, a landscape plan shall be submitted. A bond of \$500 is also required prior to the commencement of use. For multiple dwellings, a bond of \$500 per dwelling is required prior to the commencement of use. For commercial and industrial development, a bond of 1.5 times the cost of the planting component of landscape works is required prior to the commencement of use. Comments: <u>Not applicable</u>

Council Policy – On-Site Stormwater Detention
This policy applies to: <ul style="list-style-type: none"> All commercial, industrial and special use (e.g. community, educational, recreational) buildings or structures Multiple dwellings, and where The existing drainage system is unable to accommodate an increase in stormwater discharge from the site. Refurbishment of existing buildings and hardstand which does not increase the impervious area of the site is exempt from this policy. There may be instances where Council will specify alternative requirements based on identified local conditions. Council may consider waiving a requirement for on-site stormwater detention where: <ul style="list-style-type: none"> The downstream drainage system has been upgraded to accommodate the increase in runoff from the site for all storm events up to and including the 1% AEP event; or Where the natural overland flow path is to the road or to an area Council deems as low risk (i.e. not to a developed/developable neighbouring property) Council may only require the 20 year ARI (5% AEP) storm to be detained. Comments: <u>Not applicable</u>



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Council Policy – Pumped Stormwater Connection
<p>This policy applies to:</p> <ul style="list-style-type: none">• All urban residential properties <p>Where an existing property is unable to be drained to Council’s stormwater system via gravity Council may consider allowing pumped stormwater systems in the following situations:</p> <ul style="list-style-type: none">• Where the proposed drainage is for an existing or proposed single residential dwelling or a development where intensification of use is not proposed; or• Where basement level pump-out systems for disposal of seepage water and runoff from incidental areas is required, e.g., basement or subsoil drainage pumps; or• In special circumstances, where consent is given at the discretion of the General Manager <p>Comments: <u>Not applicable</u></p>

Council Policy – Public Open Space Contribution
<p>This policy applies to applications for subdivision.</p> <p>Comments: <u>Not applicable.</u></p>

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. PLN-25-0103 Attachment 1 [11.2.1 - 5 pages]



11.3 PLN25-0097: 92 MAIN STREET, CRESSY - PART CHANGE OF USE TO GENERAL RETAIL AND HIRE

File: 109000.98; PLN25-0097
Responsible Officer: Des Jennings, General Manager
Report prepared by: Brandie Strickland, Statutory Planner

MINUTE NO. 25/228

DECISION

Cr McCullagh/Cr Brooks

That application PLN-25-0097 to develop and use the land at 92 Main Street Cressy for General Retail and Hire (retail premises (new building)) with associated parking and signage be approved subject to the following conditions:

1 Layout not altered

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

- P1 Site plan by 6ty dated 28.05.25 Project No. 25.074 Drawing Ap002 Revision 004.
- P2 Floor plan by 6ty dated 28.05.25 Project No. 25.074 Drawing Ap100 Revision 004.
- P3 Elevations by 6ty dated 28.05.25 Project No. 25.074 Drawing Ap200 Revision 004.
- D1 Planning Report by 6ty dated 28.05.25
- D2 Planning Report – Parking Assessment by 6ty dated 28.05.25 Issue 2.

2 Access

- a) A concrete driveway crossover and apron must be constructed from the edge of the road to the property boundary to service the new structure in accordance with Council Standard Drawing TSD R09.
- b) Access works must not commence until an application for vehicular crossing has been approved by Council.

3 TasWater conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2025/00611-NMC) – Attached at Appendix A.

4 Hours of operation

The use must only operate between the following times:

- 7.00am and 9.00pm Monday to Saturday
- 8.00am and 9.00pm Sunday and public holidays

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil



RECOMMENDATION

That application PLN-25-0097 to develop and use the land at 92 Main Street Cressy for General Retail and Hire (retail premises (new building)) with associated parking and signage be approved subject to the following conditions:

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1 INTRODUCTION

This report assesses an application for a partial change of use of the site to General Retail and Hire for a retail premises (new building) with associated parking and signage at 92 Main Street Cressy against the relevant provisions of the *Tasmanian Planning Scheme – Northern Midlands* (SPP version 10 effective 25 January 2025 and LPS version: 11 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

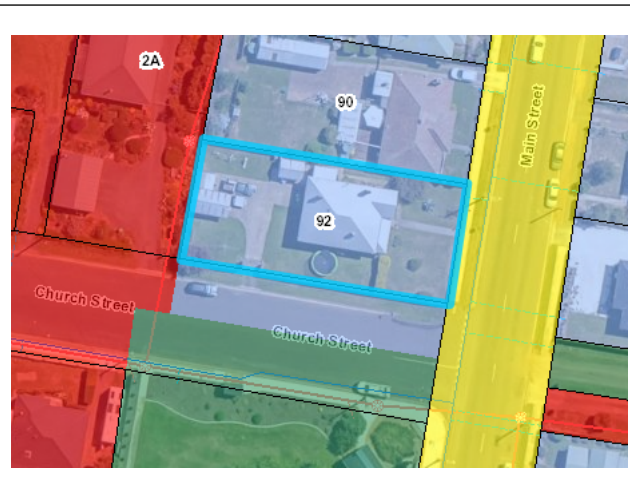
Existing use/development:	Residential - single dwelling
Use classification:	General Retail and Hire
Zone:	Local Business
Particular Purpose Zone/Specific Area Plan:	NOR-S3.0 Cressy Specific Area Plan
Applicable codes:	C1.0 Signs Code C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code C16.0 Safeguarding of Airports Code
Application must be determined by:	21 July 2024
Recommendation:	Approval subject to conditions.

4 SUBJECT SITE AND LOCALITY

Subject site



Zone Map



Aerial image of the site and surrounding area



Photographs of subject site



5 PLANNING SCHEME ASSESSMENT

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

GENERAL PROVISIONS		Applicable (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	Y	-
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

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	
General Retail and Hire	use of land for selling goods or services, or hiring goods. Examples include an adult sex product shop, amusement parlour, beauty salon, betting agency, bottle shop, cellar door sales, commercial art gallery, department store, hairdresser, market, primary produce sales, local shop, shop, shop front dry cleaner and supermarket.
Table 3.1 Planning Terms and Definitions	
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 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 (general retail and hire) is No Permit Required. Clause 6.10.2 states that consideration of the purpose of the zone, local area objectives, code, specific area plan and/or site-specific qualification is only required when determining an application for a Discretionary use.

5.1 STATE PLANNING PROVISIONS – ZONE PROVISIONS

ASSESSMENT OF LOCAL BUSINESS ZONE PROVISIONS

Zone Purpose

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

14.3 Use Standards

14.3.1 All Uses		
Description		Assessment
A1 Hours of Operation		A1 Complies - Hours of operation to be within 7.00am to 9.00pm Monday to Saturday; and 8.00am to 9.00pm Sunday and public holidays.
A2 External lighting		A2 No external lighting proposed but security lighting will be baffled.
A3 Commercial vehicle movements and the unloading and loading of commercial vehicles		A3 No commercial vehicle movements proposed.
14.3.3 Retail Impact		
Description		Assessment
A1 Gross floor area of Bulky Goods Sales and General Retail and Hire uses		A1 Complies. Gross floor area of general retail and hire use is 66m².
14.4 Development Standards for Buildings and Works		
Clause	Description	Assessment
14.4.1	Building height	A1 5.24m complies.
14.4.2	Setbacks	A1 Building not built to the frontage. Relies on performance criteria.
		A2 Building setback >10m from the General Residential zone. Complies.
		A3 Building not within 10m of GR zone. Complies.
14.4.3	Design	A1 Does not provide external lighting to illuminate external vehicle parking areas and pathways. Relies on performance criteria.
		A2 Less than 40% of the total surface area consisting of windows or doorways. Relies on performance criteria
14.4.4	Fencing	A1 No fencing proposed.
		A2 The proposal does not involve a common boundary fence with any property within a residential zone.
14.4.5	Outdoor storage areas	A1 The proposal does not involve any outdoor storage areas.
14.4.6	Dwellings	A1 Complies – dwelling to retain private open space of acceptable area provisions.
		A2 Complies – the dwelling will retain existing storage space of acceptable area dimensions.

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

DISCRETIONS

14.4.2 Setbacks	
P1	Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to: a) providing small variations in building alignment to break up long building façades;



DISCRETIONS	
	<ul style="list-style-type: none"> b) providing variations in building alignment to provide a forecourt space for public use, such as outdoor dining or landscaping; c) the avoidance of concealment spaces; d) the ability to achieve passive surveillance; and e) the availability of lighting.
Assessing Officers Comments	<p>The proposed building is not built to the frontage on Main Street but is built to the frontage on Church Street. To comply with the acceptable solution of this clause the building must be built to the frontage of the lot (on all sides). As the building will be setback 2.56m from the Main Street frontage the proposal relies on assessment against the performance criteria.</p> <p>The building has a proposed setback of 2.56m from the Main Street frontage which is compatible with the streetscape along Main Street as there are existing buildings within 100m of the site that have varying setbacks of 0m to around 10m. The proximity of the building to the street minimises opportunities for crime and anti-social behaviour as there are windows along both sides of the building which face a street. As the building is modest there will not be any long facades so there is no need for the building to provide variations to the alignment or façade. The design and placement of the building does not create opportunity for concealed spaces but allows for passive surveillance of the street.</p> <p>The proposal satisfies the performance criteria.</p>
14.4.3 Design	
P1	<p>New buildings must be designed to be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> a) minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places; b) minimising the visual impact of security shutters or grilles and roof-top service infrastructure, including lift structures; and c) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.
Assessing Officers Comments	<p>The streetscape is dominated by single dwellings and residential development which are setback from the frontage, however there are existing non-residential developments within 100m of the site which have buildings constructed to the front boundary. The proposed building will be compatible with the streetscape as the building is only 66m² and all associated mechanical plant and other service infrastructure will be relatively minor in scale and appropriately located. Placement of such features not along the south or eastern elevation of the building will minimise visual impacts when viewed from the street.</p> <p>Having regard to b and c of the performance criteria, the proposed building does not include security shutters or grilles over the windows, nor does it include any lift structure. The business will operate predominantly during daylight hours, minimising the need for lighting of the car parking space and associated pathway. There will therefore be low-level light spill during operating hours which will provide sufficient illumination for these areas.</p> <p>The performance criteria is satisfied.</p>
P2	<p>New buildings or alterations to an existing façade must be designed to be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> a) how the main pedestrian access to the building addresses the street or other public places; b) windows on the façade facing the frontage for visual interest and passive surveillance of public spaces; c) providing architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces; d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and e) the need for provision of awnings over a public footpath.
Assessing Officers Comments	<p>Having regard to the sub criteria a-e the performance criteria is satisfied in that the building will be compatible with the streetscape. The pedestrian entrance on the western wall of the proposed building is located near the Church Street frontage and will therefore be suitably visible from the road.</p> <p>Given the relatively small size of the building and the presence of windows along facades facing the street there are limited opportunities to provide public art along the building frontage. However, windows facing Main Street and Church Street will provide visual interest and contribute to an active frontage as will signage on other parts of the façade.</p> <p>As previously stated, the building does not include security shutters or grilles over the windows and as there is no need for provision of awnings over a public footpath.</p>



DISCRETIONS

The proposal satisfies the performance criteria.

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

ASSESSMENT OF SPECIFIC AREA PLAN PROVISIONS: CRESSY

The site is identified within the Specific Area Plan of Cressy as shown in Figure NOR-S3.2.1. However, the assessable criteria of this plan does not apply to the Local Business zone. Therefore, there are no provisions relevant to assess the application against.

5.3 STATE PLANNING PROVISIONS – CODE PROVISIONS

C1.0 SIGNS CODE

Code Purpose

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

Sign Type	Definition
Building Fascia Sign	means a sign attached to the fascia of a building.
Window Sign	means a sign attached to the inside or outside of a window including windows painted or covered in an opaque finish, for the display of advertisements relating to the goods or services available inside the premises.

C1.6 Development Standards for Buildings and Works

Clause	Description	Assessment
C1.6.1	Design and siting of signs	A1 Relies on performance criteria
		A2 Signs are >2m from the general residential zone.
		A3 1 window sign, 1 building fascia sign per frontage
C1.6.2	Illuminated signs	A1 Not applicable
C1.6.3	Third party sign	A1 Not applicable.
C1.6.4	Signs on local heritage places and in local heritage precincts and local historic landscape precincts	A1 Not applicable

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

DISCRETIONS

C1.6.1	Design and siting of signs
P1.1	(a) be located within an applicable zone for the relevant sign type as set out in Table C1.6; and (b) be compatible with the streetscape or landscape, having regard to: (i) the size and dimensions of the sign; (ii) the size and scale of the building upon which the sign is proposed; (iii) the amenity of surrounding properties; (iv) the repetition of messages or information; (v) the number and density of signs on the site and on adjacent properties; and (vi) the impact on the safe and efficient movement of vehicles and pedestrians.
Assessing Officers Comments	Within the Local Business zone building fascia signs must (a) not project above, or below, the fascia of the building; (b) not exceed two thirds the depth of the fascia and must not exceed 1m in vertical dimension; and (c) not project more than 200mm from the vertical face of the fascia.

DISCRETIONS

The proposed building fascia sign does not comply with b and therefore must be assessed against the performance criteria.

Window signs are exempt from assessment if they

- (a) do not occupy an area of more than 10% of each window area;
- (b) are on or behind a ground floor level window;
- (c) are not illuminated sign or third party sign; and
- (d) are not located on a site that is a local heritage place, in a local heritage precinct or local heritage landscape precinct listed under the Local Historic Heritage Code.

The proposed window sign does not comply with a and therefore must be assessed against the performance criteria.

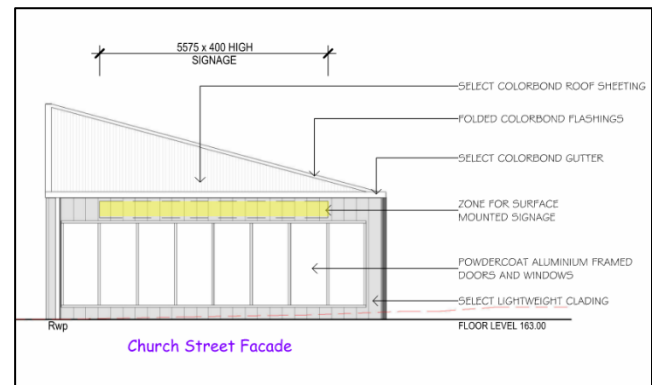
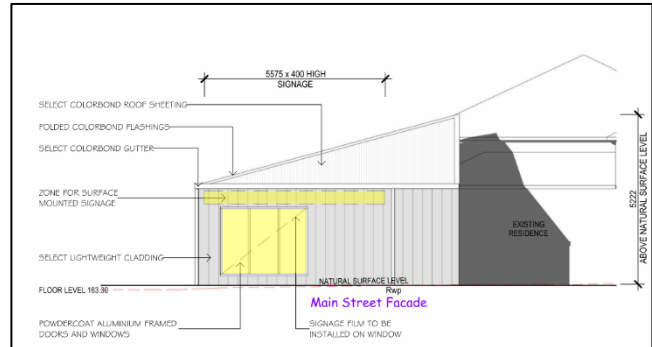
Along the Main Street façade there will be a building fascia sign and film installed to the window sign as highlighted in the image right.

Along the Church Street façade there will be another building fascia sign as highlighted in the second image.

The signage is located within the Local Business zone which is an applicable zone for both sign types as set out in Table C1.6. Therefore, the proposal complies with a of the performance criteria.

The level and style of signage proposed is compatible with the streetscape and setting. The building fascia signs are positioned above the line of sight but allow the business to be identified from both frontages which efficient for the movement of vehicles and pedestrians. With only 1-2 signs per frontage the number and density of signs on the site is sympathetic to the number and density of signs existing on businesses within the streetscape including the IGA express to the south. The size of the signs is compatible with the area of wall and window available on each façade of the building and will not be visually intrusive or repetitive. With only 1 sign on the Church Street frontage and 1 of each sign type on the Main Street frontage there is no repetition of messages or information. The proposed signage type, location and style is compatible with the streetscape and will not negatively impact on the amenity of the surrounding area, especially given the lack of illumination proposed and the operating hours proposed by the business.

The performance criteria is satisfied.



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 Relies on performance criteria as 2 spaces are required per Table C2.1 for the additional general retail and hire use, but only 1 space is provided.
C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 No bicycle parking on site – 1 required per Table C2.1



C2.	Motorcycle parking numbers (Refer to table C2.4)	A1 No motorcycle parking on site, none required by Table C2.4
C2.5.4	Loading Bays	A1 No loading bay required
C2.5.5	Number of car parking spaces within the GenRes Zone	Not applicable – not a residential zone
C2.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C2.6.1	Construction of parking areas	A1 Complies. Trafficable areas to be sealed (paved and sealed material to be determined). Stormwater controlled to Council system
C2.6.2	Design and layout of parking areas	A1.1 Complies with a): access is relatively flat, with width of access is >3m, the parking space dimensions comply with Table C2.3 and a combined access and manoeuvring width of 6.8m is proposed. The parking space will be delineated by line markings or other physical means and will be unobstructed vertically.
		A1.2 As close to access as practicably possible and incorporated into overall car park design. Complies with AS2890.6:2009
C2.6.3	Number of accesses for vehicles	A1 Performance criteria relied upon as there are 2 accesses to Church Street.
		A2 Not the central business zone or a pedestrian priority street
C2.6.4	Lighting of parking areas within the General Business and Central Business zone	A1 Not applicable. Not a listed zone.
C2.6.5	Pedestrian Access	A1.1 Not required as the use does not require more than 10 parking spaces.
		A1.2 Footpath width 2m and not steeper than 1:14.
C2.6.6	Loading Bays	A1.1 Not applicable.
		A1.2 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 The manoeuvring area of the parking space is behind the building line of Main Street and in line with the building line of Church Street. The acceptable solution is met.
		A2 Not applicable. Not within the central business zone.
C2.7 Parking Precinct Plan		
Clause	Description	Assessment
C2.7.1	Parking precinct plan	A1 Not applicable.

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

DISCRETIONS	
C2.5.1	Car parking numbers
P1.1	<p>The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> a) the availability of off-street public car parking spaces within reasonable walking distance of the site; b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> (i) variations in car parking demand over time; or (ii) efficiencies gained by consolidation of car parking spaces; c) the availability and frequency of public transport within reasonable walking distance of the site; d) the availability and frequency of other transport alternatives; e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; g) the effect on streetscape; and



DISCRETIONS	
	h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.
Assessing Officers Comments	<p>Based on the floor area of the proposed building, three parking spaces are required on site but the proposal only provides for one space, therefore the performance criteria is relied upon. The presence of a single disability parking space on the site will meet the reasonable needs of the use having regard to the existing constraints on the site (dwelling and private open space). Most visitors to the site will utilise on-street parking for short periods given the high turn over associated with the intended use. There are several other uses within the vicinity of the site that also utilise on-street parking for varying lengths of time such as the daycare centre on the opposite side of Church Street and visitors using the public toilets on the same site.</p> <p>Having regard to criteria a-h -</p> <ul style="list-style-type: none"> a) There are no off-street public car parking spaces available within reasonable walking distance of the site; b) There is no scope to share spaces within the site with only a single space for disabled access being provided; c) A bus stop is available on the opposite side of Church Street outside of Bartholomew Park. The bus service is infrequent at 5 trips per day, during business hours; d) There are no other transport alternatives available to this site other than pedestrian access from the local residential areas; e) Car parking on the balance of the site is constrained by the existing residence; f) There is parallel on-street parking available on both Church Street and Main Street which is available, safe and easily accessible; g) Vehicles presently park on both street frontages given the proximity of the site to the childcare opposite and the public toilets in Bartholomew Park so the presence of cars parking within the street to use the proposed shop will have negligible impact on the streetscape; h) An assessment of the parking demand was undertaken by Mark Walters (6ty) and this assessment confirms that there is sufficient parking available within the vicinity of the site to meet the reasonable needs of the proposed use. <p>The proposal satisfies the performance criteria.</p>
C2.5.2 Bicycle parking numbers	
P1	<p>Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.
Assessing Officers Comments	<p>Table C2.1 states that 1 bicycle parking space is required on site, yet none is proposed. Therefore, the proposal is assessed against the performance criteria.</p> <p>It is anticipated that some customers may cycle to the site however, given the nature of the proposed use, demand for bicycle parking is expected to be low and visits will generally be of short duration. Informal bicycle parking can occur within the site, which is considered appropriate in this context. Given the lack of available bicycle parking facilities in the vicinity of the site the proposal does not rely on any existing or planned bicycle parking facilities in the surrounding area.</p> <p>The proposed lack of <i>formal</i> bicycle parking is considered reasonable given the needs of the use.</p>
C2.6.3 Numbers of accesses for vehicles	
P1	<p>The number of accesses for each frontage must be minimised, having regard to:</p> <ul style="list-style-type: none"> a) any loss of on-street parking; and b) pedestrian safety and amenity; c) traffic safety; d) residential amenity on adjoining land; and e) the impact on the streetscape.
Assessing Officers Comments	<p>The proposed additional access to the site from Church Street will result in the loss of 1 on-street car park which will have negligible impact on the functionality of the street. There will also be negligible impact on pedestrian safety and amenity given the number of parking spaces provided on site as the traffic entering/exiting the site will be low. With the location of the crossing being some 21m from the intersection and some 20m from the adjoining General Residential zoned property, there will be no impact on residential amenity or traffic safety. As Church Street is over 45m wide, there is suitable provision for a second crossover to the site that will not have any adverse impacts on the streetscape.</p> <p>The performance criteria is satisfied.</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 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. Church Street is not a Category 1 road.
		A1.2 Relies on performance criteria.
		A1.3 Not applicable.
		A1.4 The number of vehicle movements using the existing vehicle assess is not proposed to change.
		A1.5 Not applicable.
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 as the building is not for habitable purposes.

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; andh) any advice received from the rail or road authority.
Assessing Officers Comments	<p>The proposed vehicle crossing has been approved in principle by the road authority but as written consent was not provided prior to the application being lodged, the proposal must be assessed against the performance criteria.</p> <p>The proposed access will have minimal effects on the safety of the crossing or the intersection between Church Street and Main Street. The road network can easily accommodate the likely traffic movements associated with the use as determined in the parking assessment completed by Mark Walters, which forms part of the application. There will be a negligible increase in traffic within the existing network as a result of the intended use of the site. With only one parking space on site with sharp right-angled parking alignment, the nature of the traffic entering and exiting the site will be slow and will therefore not create an unsafe situation for vehicles on the street or pedestrians. There is no alternative access that can be used as the existing site access is associated with the dwelling that is also located on site. There is need for businesses to be located within this zone as the Local Business zone is the most appropriate zone to locate businesses within. The proposal therefore satisfies the performance criteria as the vehicular traffic to and from the site will not compromise the safety of the vehicle crossing, intersection, or efficiency of the road network.</p>

5.4 REFERRALS

Council's Infrastructure & Works Department – NMC

Road Authority

As the **Road Authority** per the *Roads and Jetties Act 1935*, no objection was raised to the installation of a second vehicle access onto Church Street but a permit condition was recommended requiring the crossover to be installed in accordance with the standard drawings for residential areas.

Stormwater Authority

As the **Stormwater Authority** per the *Urban Drainage Act 2013*, no objection was raised to the proposed development.

Their recommended conditions are included in the conditions of approval.

TasWater

TasWater issued a Submission to Planning Authority Notice on 05/06/2025 (TasWater Ref: TWDA 2025/00611-NMC).

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

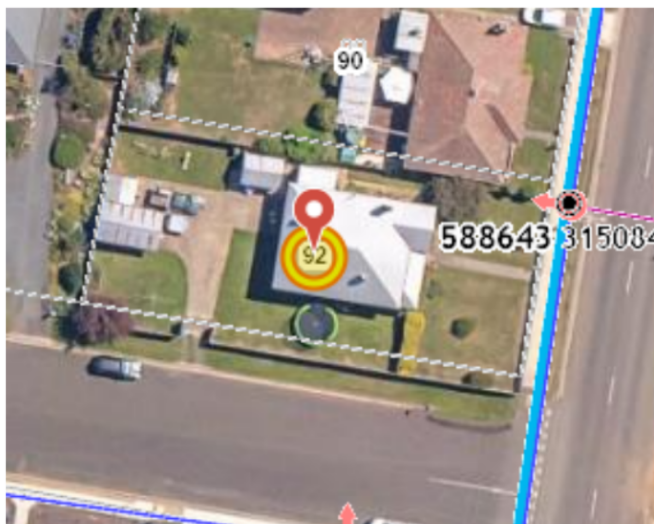
TasNetworks

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

TasNetworks has an overhead powerline on Main St on the side of the property with High Voltage and Low Voltage lines as marked in the screenshot right with the royal blue and dark blue solid lines. An easement of 12m (6m either side of the centreline) is required which is covered by a deemed easement. Further information regarding Easements can be found on the TasNetworks website:

<https://www.tasnetworks.com.au/easements>

It is noted from drawing AP002 REV 004, that the new development will have a clearance of 6m to the centre of the powerline which would meet this requirement.



5.5 REPRESENTATIONS

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

Representation 1	<ul style="list-style-type: none"> Although not formally listed as Historically Heritage, this property is publicly recognised and is historically significant to the township of Cressy as the old Headmaster's House. The proposed development site is non-compliant with the Cressy Specific Area Plan (Tasmanian Planning Scheme- Northern Midlands Local Provisions Schedule) clause NOR-S8.3.8.2. and NOR-S3.2 and NOR-S8.3.8.2. The proposed setback of the building is not compatible with the streetscape as there are no buildings within 310mm of the front boundary along Church Street. There is a Childcare Centre directly opposite the Proposed Development in Bartholomew Park with direct access from Church Street which was not identified, acknowledged or included in the proposal. Bartholomew Park directly opposite the Proposed Development attracts children. Plan lacks staff parking shown on the plans and no consideration has been given to staff/parent/child access to the childcare centre's entrance pathway off Church Street. There is a bus stop along Church Street which limits parking options. There are existing conflicts with vehicles within Church Street. The second site access proposed is too close to the corner to park directly outside of the proposed development. Unappealing rural township streetscape. Church street has no buildings 310mm to the front boundary. Any external light over the entrance door or coming from inside will be a concern if left on overnight.
Officer comments	<p>The site is not within a Local Heritage Precinct, is not a place of heritage significance as defined within the scheme and is not registered on the Tasmanian Heritage Register, therefore there are no heritage provisions applicable to the assessment of the application.</p> <p>While the site falls within the mapped Specific Area Plan (SAP), that plan does not have any clauses that apply to the Local Business zone, only development standards that apply to the General Residential zone.</p>



	<p>Therefore, there are no clauses within the SAP that the application must be assessed against. The application has been assessed against the relevant standards of the scheme and found to meet the relevant standards.</p> <p>As discussed in Section 5.3 of this report, the proposed parking and access is suitable for the intended use.</p> <p>The proposed building design and placement has also been assessed against the relevant design standards of the zone and found to be compatible with the character of the area and the provisions of the Scheme.</p>
Representation 2	<ul style="list-style-type: none">• Despite the zoning of the land the proposed development is completely inappropriate for the location.• The design of the new construction is out of character for the area and will detract from the overall streetscape of the main street.• The parking surrounding the development is not suitable as only on-street parking is available.• The street width already creates issues for 2way traffic if vehicles are parked either side of the street.• Vehicles parking on the street makes it difficult for heavy vehicles to use the road and enter/exit private land in the vicinity of the site.• The on-street parking in Church Street adjacent to the development is quite often occupied by visitors to the public toilets located in the park or by staff of the childcare centre located within the park.
Officer comments	<p>The land is zoned Local Business and so is an appropriate place for a business to be located.</p> <p>As discussed above, the proposed building design and placement has been assessed against the relevant design standards of the zone and found to be compatible with the character of the area and the provisions of the Scheme.</p> <p>As discussed in Section 5.3 of this report, the proposed parking and access is suitable for the intended use and compatible with the safety and efficiency of the road network.</p> <p>The occurrence of registered vehicles parking legally on a public road is not a matter that the Planning Authority should look to prevent/prohibit where it has been deemed by a traffic expert to be suitable and safe for the broader community road network.</p>

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	
<p>Lead - Serve with honesty, integrity, innovation and pride</p> <p><u>Strategic outcomes:</u></p> <ul style="list-style-type: none">1.1 Council is connected to the community1.2 Councillors serve with integrity and honesty1.3 Management is efficient, proactive and responsible1.4 Improve community assets responsibly and sustainably	<p>Progress - Economic health and wealth – grow and prosper</p> <p><u>Strategic outcomes:</u></p> <ul style="list-style-type: none">2.1 Strategic, sustainable, infrastructure is progressive2.2 Proactive engagement drives new enterprise2.3 Collaborative partnerships attract key industries2.4 Support and attract wealth-producing business and industry
<p>People - Culture and society – a vibrant future that respects the past</p> <p><u>Strategic outcomes:</u></p> <ul style="list-style-type: none">3.1 Sympathetic design respects historical architecture3.2 Developments enhance existing cultural amenity3.3 Public assets meet future lifestyle challenges3.4 Towns are enviable places to visit, live and work	<p>Place - Nurture our heritage environment</p> <p><u>Strategic outcomes:</u></p> <ul style="list-style-type: none">4.1 Cherish and sustain our landscape4.2 Meet environmental challenges4.3 Eco-tourism strongly showcases our natural beauties4.4 Our heritage villages and towns are high value assets
<p>Comments: The proposal is consistent with this plan.</p>	

Strategic Projects
<p>Comments: <u>Not applicable</u></p>

Council Policy – Stormwater Quality Management
<p>This policy applies to:</p> <ul style="list-style-type: none">• All urban developments <p>Exemptions will be applied as per Tasmanian Stormwater Policy Guidance and Standards for Development (Version 1, 2021) S2.4.2 Table 4:</p> <ul style="list-style-type: none">• A single dwelling on a single lot that will be connected to the existing public stormwater system;• Development creating new impervious area less than 500m²;• A subdivision creating new lots greater than 5000m² in area, and with new roads and footpaths less than 500m² in area;• Subdivisions which are solely for the purpose of creating road reserve, public open space, public infrastructure, littoral or riparian reserve or minor boundary adjustments. <p>Comments: <u>Not applicable – exempt as development is creating new impervious area less than 500m².</u></p>

Council Policy – Landscaping Requirements for Development Proposals
<p>This policy applies to:</p> <ul style="list-style-type: none">• all applications where landscaping is required under the zone/specific area plan/code provisions.<ul style="list-style-type: none">○ If for single dwellings where landscaping is required, a landscape plan shall be submitted. A bond of \$500 is also required prior to the commencement of use.○ For multiple dwellings, a bond of \$500 per dwelling is required prior to the commencement of use.○ For commercial and industrial development, a bond of 1.5 times the cost of the planting component of landscape works is required prior to the commencement of use. <p>Comments: <u>Not applicable – no landscaping requirements within the zone.</u></p>



Council Policy – On-Site Stormwater Detention
<p>This policy applies to:</p> <ul style="list-style-type: none">• All commercial, industrial and special use (e.g. community, educational, recreational) buildings or structures• Multiple dwellings, and where• The existing drainage system is unable to accommodate an increase in stormwater discharge from the site. <p>Refurbishment of existing buildings and hardstand which does not increase the impervious area of the site is exempt from this policy. There may be instances where Council will specify alternative requirements based on identified local conditions.</p> <p>Council may consider waiving a requirement for on-site stormwater detention where:</p> <ul style="list-style-type: none">• The downstream drainage system has been upgraded to accommodate the increase in runoff from the site for all storm events up to and including the 1% AEP event; or• Where the natural overland flow path is to the road or to an area Council deems as low risk (i.e. not to a developed/developable neighbouring property) Council may only require the 20 year ARI (5% AEP) storm to be detained. <p>Comments: <u>Not applicable</u></p>
Council Policy – Pumped Stormwater Connection
<p>This policy applies to:</p> <ul style="list-style-type: none">• All urban residential properties <p>Where an existing property is unable to be drained to Council's stormwater system via gravity Council may consider allowing pumped stormwater systems in the following situations:</p> <ul style="list-style-type: none">• Where the proposed drainage is for an existing or proposed single residential dwelling or a development where intensification of use is not proposed; or• Where basement level pump-out systems for disposal of seepage water and runoff from incidental areas is required, e.g., basement or subsoil drainage pumps; or• In special circumstances, where consent is given at the discretion of the General Manager <p>Comments: <u>Not applicable</u></p>
Council Policy – Public Open Space Contribution
<p>This policy applies to applications for subdivision.</p> <p>Comments: <u>Not Applicable</u></p>

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-25-0097 Attachment 1 [**11.3.1** - 56 pages]
 - 2. ECM 1431026 v 1 P D 25 44691 92 MAIN S T, CRESSY 5 - Submission to Planning Authority Notice - Co [**11.3.2** - 2 pages]
 - 3. Tas Networks Response [**11.3.3** - 3 pages]
-



11.4 PLN-25-0067: 15 YOUL ROAD, PERTH - SHED (VARY SOUTHERN SIDE SETBACK AND BUILDING ENVELOPE)

File: 108500.23; PLN25-0067
Responsible Officer: Des Jennings, General Manager
Report prepared by: Rebecca Green, Consultant Planner

MINUTE NO. 25/229

DECISION

Cr McCullagh/Cr Archer

That application PLN-25-0067 to develop and use the land at 15 Youl Road, Perth TAS 7300 for an Outbuilding (shed) (vary southern side setback and building envelope) be approved subject to the following conditions:

1 Layout not altered

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

- P1 Cover Page, Engineering Plus, 05/0582025, Ref A00
- P2 Site Plan, Engineering Plus, 05/0582025, Ref A01 Rev B
- P3 Shadow Plan 1, Engineering Plus, 05/0582025, Ref A02 Rev B
- P4 Shadow Plan 2, Engineering Plus, 05/0582025, Ref A03 Rev B
- P5 Shed Plan and Elevations, Ranbuild, 13/02/2025, 435936-GA rev B 1/6

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil

RECOMMENDATION

That application PLN-25-0067 to develop and use the land at 15 Youl Road, Perth TAS 7300 for an Outbuilding (shed) (vary southern side setback and building envelope) be approved subject to the following conditions:

1 Layout not altered

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

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- P4 Shadow Plan 2, Engineering Plus, 05/0582025, Ref A03 Rev B
- P5 Shed Plan and Elevations, Ranbuild, 13/02/2025, 435936-GA rev B 1/6

1 INTRODUCTION

This report assesses an application for an outbuilding (shed) (vary southern side setback and building envelope) against the relevant provisions of the *Tasmanian Planning Scheme – Northern Midlands* (SPP version 10 effective 29 January 2025 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. No representations were received.

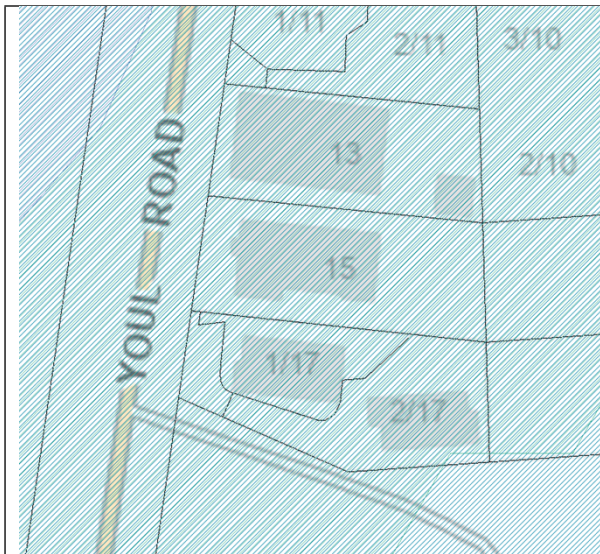
3 APPLICATION DETAILS AND TIMEFRAMES

Existing use/development:	Residential (single dwelling)
Use classification:	Residential (single dwelling)
Zone:	8.0 General Residential
Particular Purpose Zone/Specific Area Plan:	NOR-S7.0 Perth Specific Area Plan
Applicable codes:	C2.0 Parking and Sustainable Transport Code C7.0 Natural Assets Code C16.0 Safeguarding of Airports Code
Application must be determined by:	16/06/2025
Recommendation:	Approval subject to conditions.

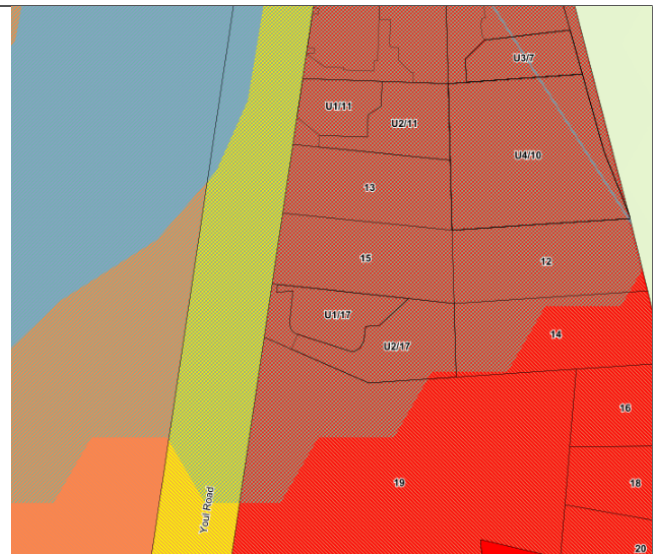


4 SUBJECT SITE AND LOCALITY

Code Overlays



Zone Map



Aerial image of the site and surrounding area

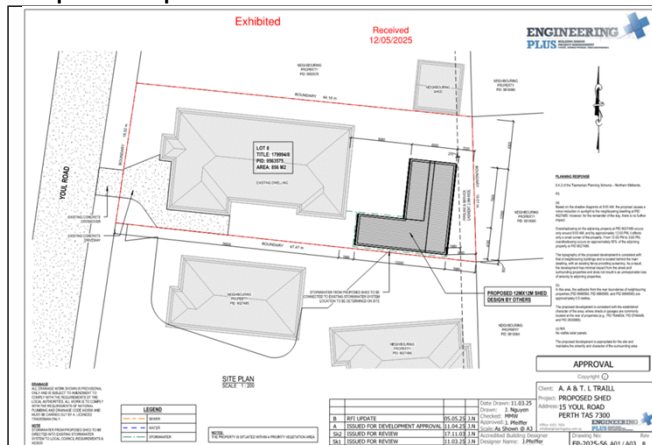


Photographs of subject site

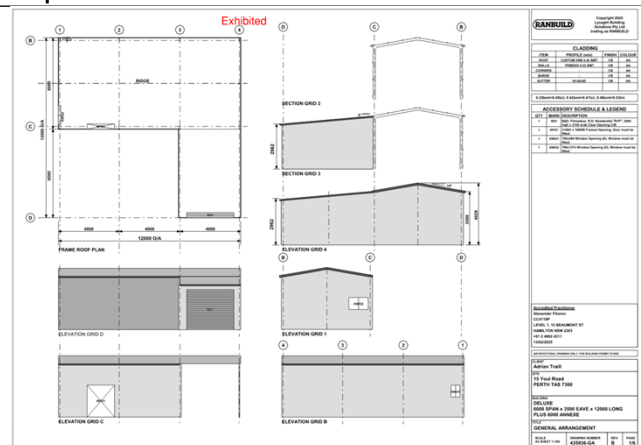




Proposed site plan



Proposed elevations



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	-
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	-
C4.0	Electricity Transmission Infrastructure Protection Code	-
C5.0	Telecommunications Code	-
C6.0	Local Historic Heritage Code	-
C7.0	Natural Assets Code	Y
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



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	Y
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	
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.
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>

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 Use Standards

8.3.1 Discretionary Uses	
Description	Assessment
A1 Hours of operation	Not applicable
A2 External lighting	Not applicable
A3 Commercial vehicle movements.	Not applicable
A4 No Acceptable Solution	Not applicable
8.3.2 Visitor Accommodation	
Description	Assessment



A1 a) must accommodate guests in an existing habitable building; and b) have a gross floor area of not more than 200m² per lot		Not applicable
A2 Not a strata lot		Not applicable
8.4 Development Standards for dwellings		
Clause	Description	Assessment
8.4.1	Residential density for multiple dwellings	A1 Not applicable
8.4.2	Setbacks and building envelope for all dwellings	A1 Complies – front setback = >4.5m from primary frontage
		A2 Complies – front setback = >5.5m from primary frontage.
		A3 Relies on performance criteria as length of wall within 1.5m of side boundary setback is >9m.
8.4.3	Site coverage and private open space for all dwellings	A1a) Complies – site coverage is <50% b) Not applicable
		A2a) Complies – existing area of POS not impacted by proposal.
8.4.4	Sunlight and overshadowing for multiple dwellings	A1 Not applicable.
8.4.5	Width of openings for garages and carports for all dwellings	A1 Not applicable. Outbuilding will not be within 12m of the primary frontage.
8.4.6	Privacy for all dwellings	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.
8.4.7	Frontage fences for all dwellings	A1 Not applicable.
8.4.8	Waste storage for multiple dwellings	A1 Not applicable.
8.5 Development Standards for Non-dwellings		
Clause	Description	Assessment
8.5.1	Non-dwelling development	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.
		A4 Not applicable.
		A5 Not applicable.
		A6 Not applicable.
8.5.2	Non-residential garages and carports	A1 Not applicable.
		A2 Not applicable.
8.6 Development Standards for Subdivision		
Clause	Description	Assessment
8.6.1	Lot Design	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.
		A4 Not applicable.
8.6.2	Roads	A1 Not applicable.
8.6.3	Services	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.

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

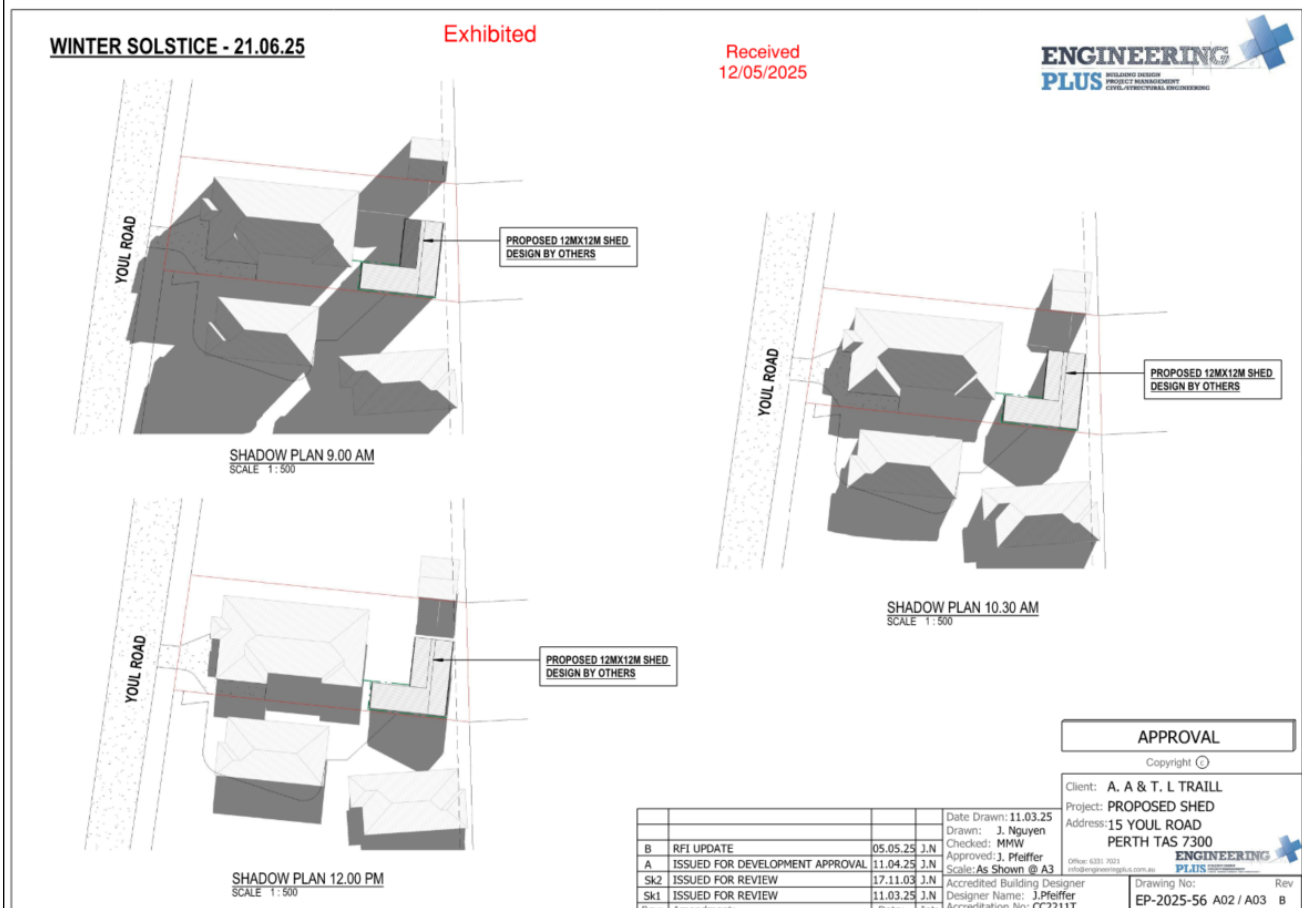
DISCRETIONS

8.4.2 Setbacks and building envelope for all dwellings

- P3 The siting and scale of a dwelling must:
- not cause an unreasonable loss of amenity to adjoining properties, having regard to:
 - reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;
 - overshadowing the private open space of a dwelling on an adjoining property;
 - overshadowing of an adjoining vacant property; or
 - visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;
 - provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and
 - not cause an unreasonable reduction in sunlight to an existing solar energy installation on:
 - an adjoining property; or
 - another dwelling on the same site.

Assessing Officers Comments

The proposed shed satisfies the performance criteria. Shadow will be cast but this will not cover more than 50% of the dedicated private open space of an adjoining property at Unit 2, 17 Youl Road, nor impact any solar installations. The plans below detail the approved Alfresco area of Unit 2, 17 Youl Road (dedicated 6m x 4m private open space).



^Shadow Plans – Proposed Shed at 15 Youl Road (9am, 10.30am, 12pm)

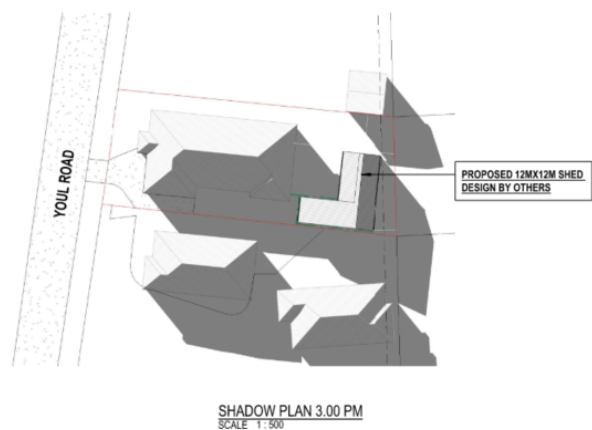
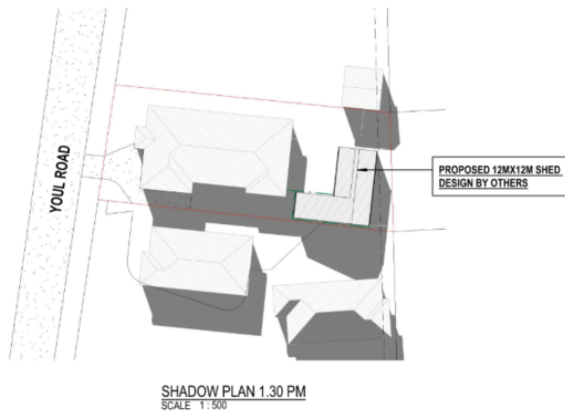


DISCRETIONS

WINTER SOLSTICE - 21.06.25

Exhibited

Received
12/05/2025



APPROVAL

Copyright ©

Client: A. A. & T. L. TRAILL

Project: PROPOSED SHED

Address: 15 YOUL ROAD

PERTH TAS 7300

Other: 6331 7033

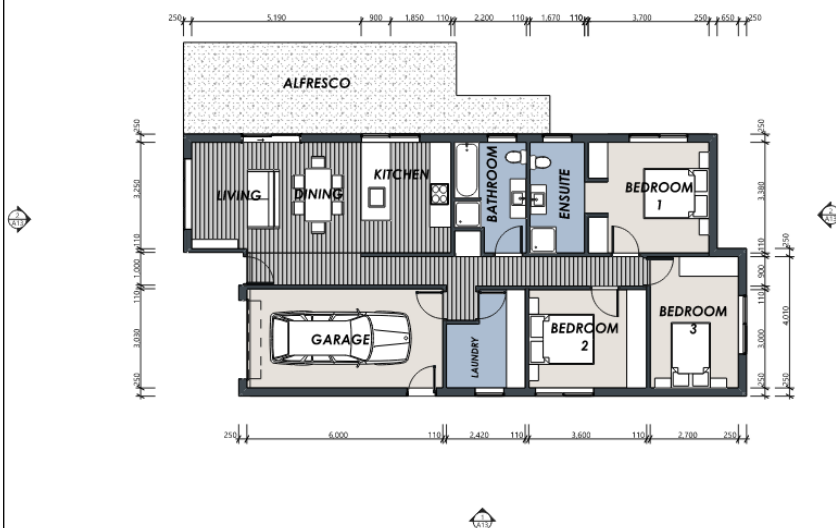
ENGINEERING PLUS

Drawing No: EP-2025-56 A03 / A03 B

Rev: B

B	RFI UPDATE	05.05.25	J.N	Date Drawn: 11.03.25
A	ISSUED FOR DEVELOPMENT APPROVAL	11.04.25	J.N	Drawn: J. Nguyen
Sk2	ISSUED FOR REVIEW	17.11.03	J.N	Checked: MMW
Sk1	ISSUED FOR REVIEW	11.03.25	J.N	Approved: J. Pfeiffer
Rev:	Amendment:	Date:	Int:	Scale: As Shown @ A3
				Accredited Building Designer
				Designer Name: J. Pfeiffer
				Accreditation No: CC2211T

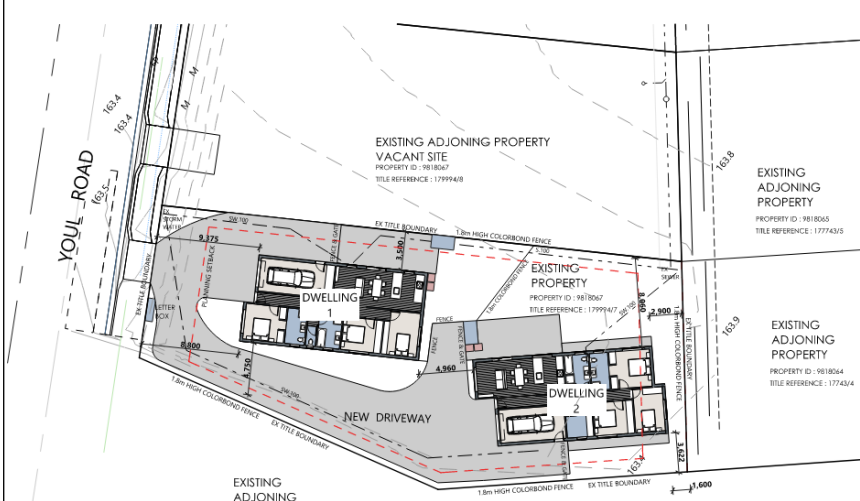
^Shadow Plans – Proposed Shed at 15 Youl Road (1.30pm, 3pm)



^ Approved alfresco area of Unit 2, 17 Youl Road (dedicated 6m x 4m private open space).



DISCRETIONS



^ Site plan of Unit 2, 17 Youl Road

There will be more than 50% of the southerly neighbouring site private open space free of shadow from the development for more than 3 hours on the winter solstice so the impact will not be unreasonable. The separation of the shed is consistent with that of existing outbuildings in the area. The performance criteria is met.

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

ASSESSMENT OF SPECIFIC AREA PLAN PROVISIONS: PERTH

Zone Purpose

Assessment against the SAP 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-S7.7 Development Standards for Buildings and Works		
Clause	Description	Assessment
NOR-S7.7.1	Residential density for multiple dwellings	A1 Not applicable, outbuilding proposed.
NOR-S7.8 Development Standards for Subdivision		
NOR-S7.8.1	Lot design in development precincts	A1 Not applicable, outbuilding proposed.
NOR-S7.8.2	Lot design	A1 Not applicable, outbuilding proposed.
NOR-S7.8.3	Internal lots	A1 Not applicable, outbuilding proposed.
NOR-S7.8.4	Roads	A1 Not applicable, outbuilding proposed.
		A2 Not applicable, outbuilding proposed.

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	A1 Complies. 2+ parking bays on site.



	(Refer to table C2.1)	
C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 No requirements per Table C2.1.
C2.5.3	Motorcycle parking numbers (Refer to table C2.4)	A1 No requirements per Table C2.4.
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 Existing construction, no change. Proposal is for a shed in the rear yard.
C2.6.2	Design and layout of parking areas	A1.1 Existing construction, no change. Proposal is for a shed in the rear yard.
		A1.2 Not applicable.
C2.6.3	Number of accesses for vehicles	A1 One access existing – no change
		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

C7.0 NATURAL ASSETS 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.

C7.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C7.6.1	Buildings and works within a waterway and coastal protection area or a future coastal refugia area	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.
		A4 Not applicable.
		A5 Not applicable.
C7.6.2	Clearance within a priority vegetation area	A1 Complies, no clearance of native vegetation required or proposed.



C7.7 Development Standards for Subdivision		
Clause	Description	Assessment
C7.7.1	Subdivision within a waterway and coastal protection area or a future coastal refugia area	A1 Not applicable.
C7.7.2	Subdivision within a priority vegetation area	A1 Not applicable.

5.4 REFERRALS

None required

5.5 REPRESENTATIONS

Notice of the application was given in accordance with Section 57 of the Act. A review of Council's Records management system after completion of the public exhibition period revealed that no representations were received.

5.6 OBJECTIVES OF THE LAND USE PLANNING AND APPROVALS ACT 1993

The 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 in so far as relevant.



5.8 STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES/STRATEGIC PROJECTS

Strategic Plan - Statutory Planning
Comments: The proposal is consistent with this plan and strategic outcomes.

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. PLN-25-0067 Public Exhibition Documents [11.4.1 - 8 pages]



11.5 PLN25-0077: 5 AFFLECK COURT, PERTH - MULTIPLE DWELLINGS X 2 AND RETIREMENT VILLAGE

File: 100250.05; PLN25-0077
Responsible Officer: Des Jennings, General Manager
Report prepared by: Brandie Strickland, Statutory Planner

DECISION

Cr McCullagh/

That Council obtain an extension from the applicant to provide further reports on the stormwater and parking.

The motion lapsed for want of a seconder.

DECISION

Cr Brooks/Cr Terrett

That Council refuse this application for the following reasons:

1. Incompatibility with neighbourhood character – the proposed density and cluster-style layout are significantly at odds with the prevailing character of Affleck Court – a low-density cul-de-sac of single dwellings on generously sized lots. While residential use is permissible, the scale and form do not integrate sensitively with the existing built environment and risks undermining the visual cohesion of the streetscape. Relevant provisions: Clause 10.4.1 – Residential character and amenity; Perth Specific Area Plan – Reinforcing low-density built form and compatible infill.
2. Access and traffic safety limitations – Although the submitted Traffic Impact Assessment suggest compliance concerns remain that the site's position at the closed end of a cul-de-sac restricts safe and efficient access, especially for emergency services, delivery vehicles and visitor parking. Relevant provisions – E5.0 Road and Rail Asset Code – Safe and practical vehicle access and AS2890.1 Parking Standards – Functionality for service/emergency vehicles.
3. Stormwater and drainage uncertainty – Residents have consistently raised historical concerns about pooling and stormwater runoff in this area. While reports have been provided, I do not believe there has been sufficient demonstration that the increased site coverage won't exacerbate localised drainage issues or impact neighbouring properties. Relevant provisions – E7.0 Stormwater Management Code – On-site detention and disposal and Schedule 6 – Site specific flood responsiveness (informal overlays).
4. Overdevelopment and lack of open space – the proposed number of dwellings constitutes a significant intensification of a relatively small site. The design offers minimal private or communal open space, which is essential for the health and wellbeing of older residents. This falls short of providing adequate residential amenity. Relevant provisions: Clause 10.4.3 – Private Open Space requirements and Perth Specific Area PLAN – Emphasis on liveability and amenity.
5. Social isolation and service disconnection – While I support the broader objective of providing housing for over 55's, this particular site is not well connected to public transport, health care or essential services. For a vulnerable and potentially mobility-limited demographic, this risks further social isolation and poor access to supports – contrary to the objectives of community-based aged housing. Relevant policy conflict – Objective of integrated, inclusive and service-supported residential.
6. Cumulative Impact and precedent – Approval of this development could set a precedent for similar high-density, multi-unit enclaves in inappropriate low-density residential areas across Perth. Infill development must be strategic, not piecemeal. This proposal lacks the contextual sensitivity and infrastructure integration required to support that growth.
7. The advertised plans were stamped 'superseded' and did not match the applicant details and the community were not fully informed.

Lost

Voting for the Motion:

Cr Adams, Cr Brooks and Cr Terrett

Voting Against the Motion:

Mayor Knowles, Cr Andrews, Cr Archer, Cr Goss and Cr McCullagh



MINUTE NO. 25/230

FORESHADOWED MOTION

Cr McCullagh/Cr Goss

That Council defer a decision for another 40 days for the council to seek further reports subject to the willingness of the applicant, for stormwater, traffic/parking and other matters raised.

Carried

Voting for the Motion:

Cr Adams, Cr Andrews, Cr Archer, Cr Goss and Cr McCullagh

Voting Against the Motion:

Mayor Knowles, Cr Brooks and Cr Terrett

RECOMMENDATION

That application PLN-25-0077 to develop and use the land at 5 Affleck Court & 'Perth (St Andrews) Cemetery' (folio of the Register 176329/1), Elizabeth Street, Perth for 2 multiple dwellings & a retirement village, and 'Perth (St Andrews) Cemetery' (folio of the Register 176329/1), Elizabeth Street, Perth for 2 lot subdivision, and 2 William Street, Perth for minor utilities (sewer connection) be approved subject to the following conditions:

1 Layout not altered

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

- P1 Site Plan by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -01 Revision 08.
- P2 Part site Plan by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -02 Revision 08.
- P3 Landscaping Plan by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -03 Revision 08.
- P4 Bin Enclosure Elevations by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -04 Revision 08.
- P5 Shadow Diagrams by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -05&6 Revision 08.
- P6 Turning Circles by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -07&8 Revision 08.
- P7 Floor Plan by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -U1/2-01 Revision 08.
- P8 Door and Window Schedule by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -U1/2-02 Revision 08
- P9 Elevations by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -U1/2-03 Revision 08
- P10 Elevations by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -U1/2-04 Revision 08
- P11 Roof Plan by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -U1/2-05 Revision 08
- P12 Floor Plan by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -U3/6-01 Revision 08.
- P13 Door and Window Schedule by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -U3/6-02 Revision 08
- P14 Elevations by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - U3/6-03 Revision 08
- P15 Elevations by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - U3/6-04 Revision 08
- P16 Roof Plan by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - U3/6-05 Revision 08
- P17 Floor Plan by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - U7/10-01 Revision 08.
- P18 Door and Window Schedule by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - U7/10-02 Revision 08
- P19 Elevations by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - U7/10-03 Revision 08
- P20 Elevations by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - U7/10-04 Revision 08
- P21 Elevations by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - U7/10-05 Revision 08
- P22 Roof Plan by Prime Design dated 30.04.25 Project & Drawing No. PD22070 – U7/10-06 Revision 08
- P23 Floor Plan by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - U11/12 -01 Revision 08.
- P24 Door and Window Schedule by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - U11/12 -02



Revision 08

- P25 Elevations by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - U11/12 -03 Revision 08
- P26 Elevations by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - U11/12 -04 Revision 08
- P27 Roof Plan by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - U11/12 -05 Revision 08
- P28 Gazebo Floor and Roof Plan by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - G-01 Revision 08
- P29 Gazebo Elevations by Prime Design dated 30.04.25 Project & Drawing No. PD22070 - G-02 Revision 08
- S1 Plan of Subdivision by Woolcott Land Services dated 24.03.25 Job No. L250316 Sheet 1/1 V2.0
- E1 Engineering drawing index and notes by Gandy and Roberts dated 17.03.25 Project No. 23.0414 Drawing C001 Revision F
- E2 Engineering Subdivision Plan by Gandy and Roberts dated 17.03.25 Project No. 23.0414 Drawing C020 Revision A
- E3 Engineering Siteworks Plan by Gandy and Roberts dated 17.03.25 Project No. 23.0414 Drawing C200 Revision D
- E4 Engineering Siteworks Plan by Gandy and Roberts dated 17.03.25 Project No. 23.0414 Drawing C201 Revision E
- E5 Engineering Stormwater Plan by Gandy and Roberts dated 29.04.25 Project No. 23.0414 Drawing C400 Revision E
- E6 Engineering Sewer Plan by Gandy and Roberts dated 17.03.25 Project No. 23.0414 Drawing C500 Revision D
- E7 Engineering Sewer Long Section by Gandy and Roberts dated 17.03.25 Project No. 23.0414 Drawing C501 Revision D
- E8 Engineering Water Plan by Gandy and Roberts dated 12.06.25 Project No. 23.0414 Drawing C600 Revision E
- E9 Engineering Details by Gandy and Roberts dated 17.03.25 Project No. 23.0414 Drawing C700 Revision D
- D1 Engineering Advice by Gandy and Roberts dated 29.04.25 Project No. 23.0414 Reference No. EA-C02
- D2 Traffic Impact Assessment by Midson Traffic Pty Ltd dated 01.12.23 and response letter dated 15.01.25
- D3 Report on Archaeological Testing St Andrews Cemetery by Praxis Environment dated December 2023

2 TasWater conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2025/00521-NMC) – Attached at Appendix A.

3 Tasmanian Heritage Council

All works must be undertaken in accordance with the Notice of Heritage decision issued 08.07.25 (THC Reference 8655)

4 Landscaping

- a) A bond of \$500 per dwelling shall be provided prior to the commencement of development authorised by this permit – the bond will be refunded if the landscape works are completed within the timeframe mentioned in this permit.
- b) Prior to the commencement of the use (occupation of the units) all landscaping must be completed, including installation of mailboxes, fencing details and garden sheds (where proposed) and must be generally in accordance with the endorsed plans.

5 Parking

- a) All parking bays must be delineated by line marking or other clear physical means.
- b) Notwithstanding condition 5a), the parking bay tandem to the garage of unit 11 must be identified by a sign or other physical means as being for the sole use of the resident or visitors of unit 11 only.
- c) Driveways and parking areas around each dwelling must be sealed in accordance with the endorsed documents prior to the commencement of use of the dwellings.



6 Front boundary fences

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).

7 Pollutants

- a) The developer/property owner must take all reasonable measures to ensure that pollutants such as mud, silt and chemicals are not released from the site during the construction period. Appropriate sediment, erosion and drainage measures must be installed before works commence and maintained throughout the whole construction period.
- b) 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.

8 Stormwater

- a) Concentrated stormwater must not be discharged into neighbouring properties.
- b) Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- c) All driveways and hardstand areas must be designed to allow stormwater run-off to be adequately drained to the Council stormwater system.
- d) Prior to the issue of a building permit, or the commencement of development authorised by this permit the applicant must provide a contribution to stormwater quality infrastructure in accordance with Council's standard fees and charges.

9 Property Access/Vehicle crossover

- a) The existing crossing at 5 Affleck Court must be removed and a new wider concrete driveway crossover and apron must be constructed from the edge of street to the property boundary in accordance with Council Standard Drawing TSD-R09 and to the satisfaction of the Works Manager.
- b) Driveway construction works must not commence until an application for vehicular crossing has been approved by Council.
- c) Twenty-four (24) hours notice must be given to the Works & Infrastructure Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.
- d) 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.

10 Road marking

- a) Prior to the commencement of the use (occupation of dwellings), solid yellow line marking indicating 'No Parking' must be applied to southern side of Affleck Court from the intersection of Clarence Street, following the arc of the cul-de-sac head and extend to just beyond the driveway of 2 Affleck Court. Line marking is to be continuous along the outer edge of the cul-de-sac with the exception of a 6m gap to the west of the vehicle access to 6 Affleck Court, a gap between the existing access to 3 & 4 Affleck Court and a 12m gap between the exiting line marking opposite the access to 7 Affleck Court and the driveway of 2 Affleck Court.
- b) Works within the road reserve must not be undertaken until an application for works in the road reserve is approved by Council.



- 11 Services and Easements
- Easements are required over all Council and third party services located in private property. The minimum width of easements is detailed in the Tasmanian Subdivision Guidelines. A lesser width may be approved for a private service prior to the lodgement of a Final Plan of Subdivision.
 - The proposed Right of Way shown on the plan of subdivision (S1 of the endorsed plans listed in Condition 1) must be modified to include the long narrow area for bin collection outside of unit 1 and adjoining the driveway as shown in the landscaping plan by Prime Design dated 30.04.25 Project & Drawing No. PD22070 -03 Revision 08 (P3 of the endorsed plans listed in Condition 1).
- 12 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.
 - This bond is not taken in place of the Building Department's construction compliance bond.
 - The nature strip, crossover, apron and kerb and gutter and stormwater infrastructure must be reinstated to Council's standards if damaged.
 - 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.
- 13 Payment in lieu of public open space
- Prior to the sealing of the Final Plan of Subdivision, the developer must pay to the Council a public open space contribution in accordance with s.117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* and Council's *Public Open Space Contribution Policy* (Minute No. 24/064) and as determined by section 4.5 of that policy.
- 14 Final Plan of Subdivision
- The Final Plan of Subdivision and Schedule of Easements must be submitted for sealing, together with a copy of the Survey Notes.
 - Unless this permit specifically provides otherwise, the Final Plan of Subdivision will not be sealed by Council and/or TasWater where applicable until all conditions of this permit have been satisfied.
 - The Final Plan of Subdivision must be endorsed to show any area that cannot be serviced by existing or new reticulated water, gravity sewer or gravity stormwater.
 - Prior to the sealing of the Final Plan of Subdivision, any existing services that are disturbed during the subdivision, including any damage to road, kerb and channel, nature strip and footpath, must be reinstated to the satisfaction of Council.

1 INTRODUCTION

This report assesses an application for:

- two multiple dwellings at 5 Affleck Court Perth;
- a 10-unit retirement village at the 'Perth (St Andrews) Cemetery' with access over 5 Affleck Court;
- a two-lot subdivision at the 'Perth (St Andrews) Cemetery' with access over 5 Affleck Court; and
- service connections within 2 William Street, Perth.

This application is assessed against the relevant provisions of the *Tasmanian Planning Scheme – Northern Midlands* (SPP version 10 effective 29 January 2025 and LPS version: 13 effective 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 representations is included in section 5.5 of this report.

3 APPLICATION DETAILS AND TIMEFRAMES

Existing use/development:	Vacant land; cemetery
Use classification:	Residential use (multiple dwellings and retirement village). No use class is assigned to subdivision.
Zone:	General Residential and Community Purpose
Particular Purpose Zone/Specific Area Plan:	NOR-S7.0 Perth 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
Application must be determined by:	21 July 2025
Recommendation:	Approval subject to conditions.

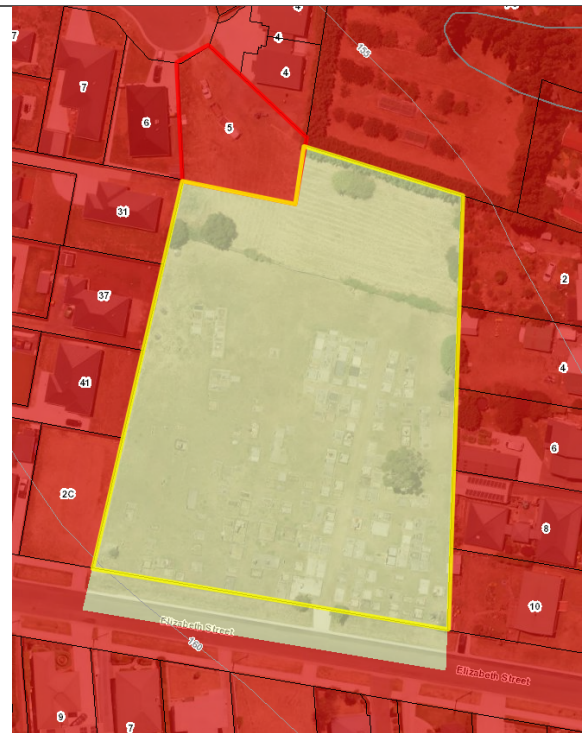


4 SUBJECT SITE AND LOCALITY

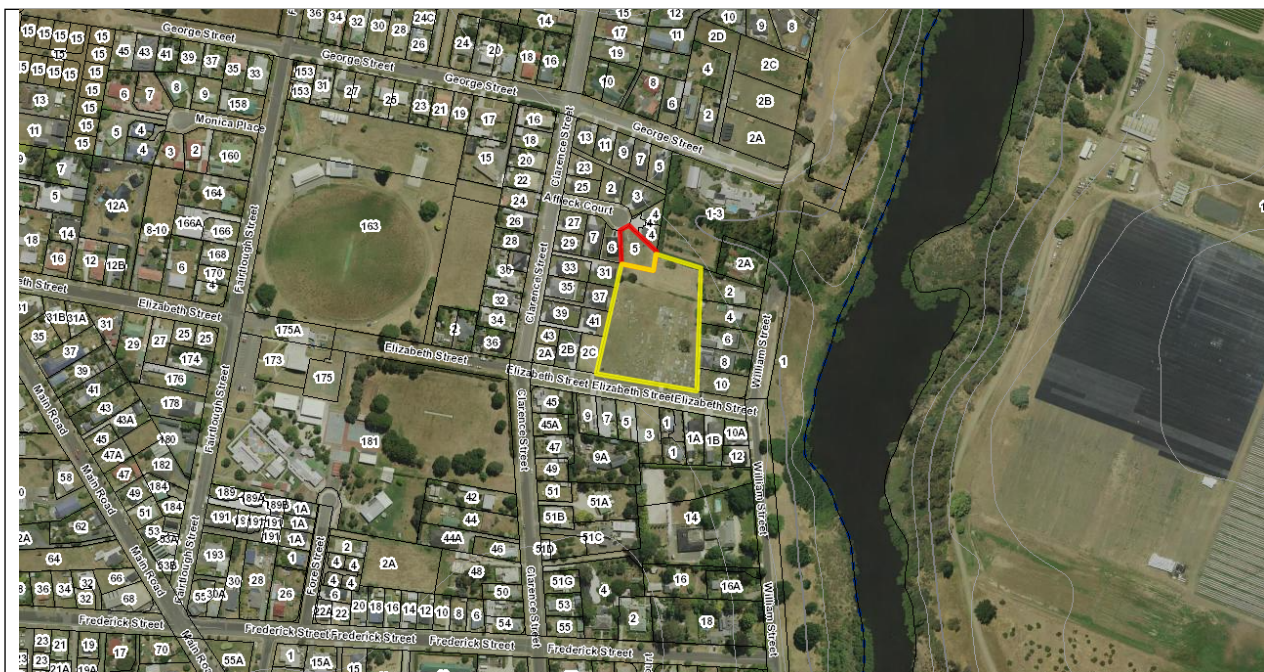
Subject site



Zone Map



Aerial image of the site and surrounding area





Photographs of subject site



5 PLANNING SCHEME ASSESSMENT

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

GENERAL PROVISIONS		Applicable (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	-

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	-



CODE	Applicable (Y/-)	Exemption Applied
C4.0 Electricity Transmission Infrastructure Protection Code	-	-
C5.0 Telecommunications Code	-	-
C6.0 Local Historic Heritage Code	Y	C6.2.3
C7.0 Natural Assets Code	Y	-
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

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	Y
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 .
Not Applicable	No use class is required to be assigned. This is in accordance with 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

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>



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.
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.
Multiple Dwellings	Means 2 or more dwellings on a site.
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.
Retirement Village	means use of land to provide permanent accommodation for retired people or the aged and includes communal recreational or medical facilities for residents of the village.
Subdivide	means to divide the surface of a lot by creating estates or interests giving separate rights of occupation otherwise than by: (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.
Vehicular access	means land over which a vehicle enters or leaves a road from land adjoining a road.
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 residential use (multiple dwelling) is permitted in the General Residential zone. The proposed residential use (retirement village) is permitted in the Community Purpose zone. Clause 6.10.2 states that consideration of the purpose of the zone, local area objectives, code, specific area plan and/or site-specific qualification is only required when determining an application for a Discretionary use.

The proposed development (subdivision) does not need to be categorized 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

8.0 GENERAL RESIDENTIAL ZONE PROVISIONS

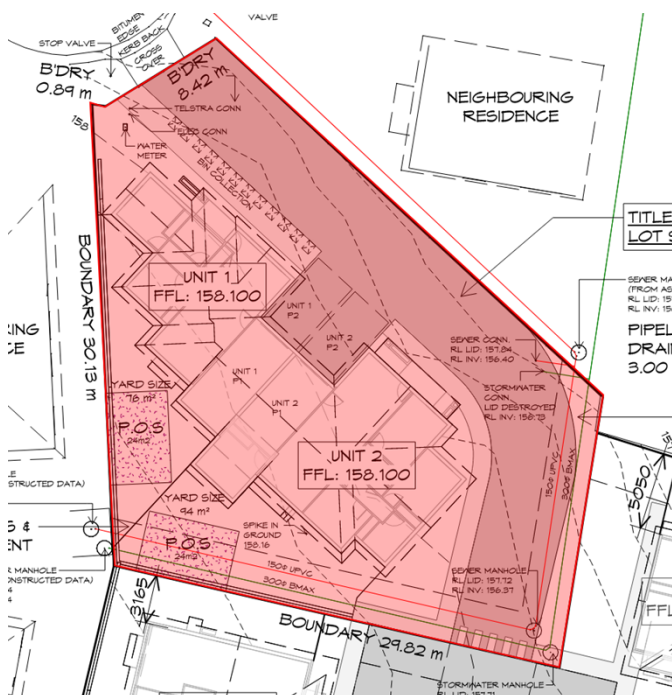
Zone Purpose

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). As the multiple dwellings and retirement village are permitted uses, only the subdivision requires assessment against Zone purpose.

8.1	Zone Purpose
8.1.1	To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.
Assessing Officers Comments	The proposed subdivision complies with this purpose as it provides for residential use and development that accommodates a range of dwelling types where full services are available.
8.1.2	To provide for the efficient utilisation of available social, transport and other service infrastructure.



Assessing Officers Comments	The proposed subdivision complies with this purpose in so far as relevant to the proposed use and development.
8.1.3	To provide for non-residential use that: <ul style="list-style-type: none"> a) primarily serves the local community; and b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
Assessing Officers Comments	The proposed subdivision complies with this purpose as the development does not inhibit the existing non-residential use of part of the land (cemetery).
8.1.4	To provide for Visitor Accommodation that is compatible with residential character.
Assessing Officers Comments	Not relevant to this proposal.

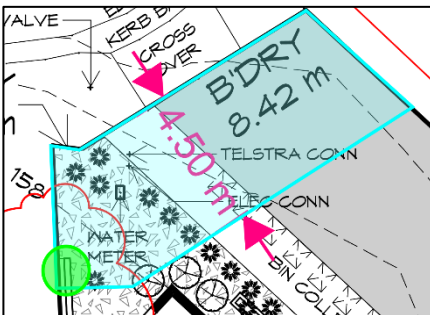


This assessment only applies to units 1 and 2 as they are within the General Residential Zone.

8.4 Development Standards for dwellings		
Clause	Description	Assessment
8.4.1	Residential density for multiple dwellings	A1 Superseded by NOR-S7.7.1
8.4.2	Setbacks and building envelope for all dwellings	A1 Unit 1 is 5.2m from front setback but retaining wall along western boundary is 3.39m from frontage. Relies on performance criteria.
		A2 Complies. >16m
		A3 The units comply with the 3D building envelope, but the proposed retaining wall is located on the western boundary and is proposed at just over 26m in length. This relies on the performance criteria.
8.4.3	Site coverage and private open space for all dwellings	A1a) Complies. Site coverage <50% (26%) b) Complies. Each unit has over 60m ² of private open space.

		A2a) Complies. Each unit has a 24m ² area with 4m minimum dimension in the rear yard with a gradient of <10%.
8.4.4	Sunlight and overshadowing for all dwellings	A1 Complies with b – the northern most multiple dwelling does not cause 50% of the private open space of the southern unit to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June.
8.4.5	Width of openings for garages and carports for all dwellings	A1 Not applicable – no garage within 12m of primary frontage.
8.4.6	Privacy for all dwellings	A1 Not applicable – no finished floor levels >1m above natural ground level. A2 Not applicable – no finished floor levels >1m above natural ground level. A3 Complies. The shared driveway is separated from windows to a habitable room of each unit by a horizontal distance of not less than 2.5m.
8.4.7	Frontage fences for all dwellings	A1 Not applicable. No front fence proposed.
8.4.8	Waste storage for multiple dwellings	A1 Complies. Each unit has storage area, for waste and recycling bins, that is not less than 1.5m ² per dwelling and is in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling.

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	<p>The <i>dwelling</i> is the main feature when viewed from the street and this is consistent with and compatible with the streetscape. The element that falls within the front boundary setback is a retaining wall that runs along the western boundary (not <i>along</i> the frontage) as shown highlighted in green in the image right. Given the orientation of the structure and the nature of the development the wall will be visually submissive when viewed from the street. The performance criteria is therefore met.</p> 
P3	<p>The siting and scale of a dwelling must:</p> <ol style="list-style-type: none"> not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ol style="list-style-type: none"> reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property; overshadowing the private open space of a dwelling on an adjoining property; overshadowing of an adjoining vacant property; or visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and not cause an unreasonable reduction in sunlight to an existing solar energy installation on: <ol style="list-style-type: none"> an adjoining property; or another dwelling on the same site.

DISCRETIONS

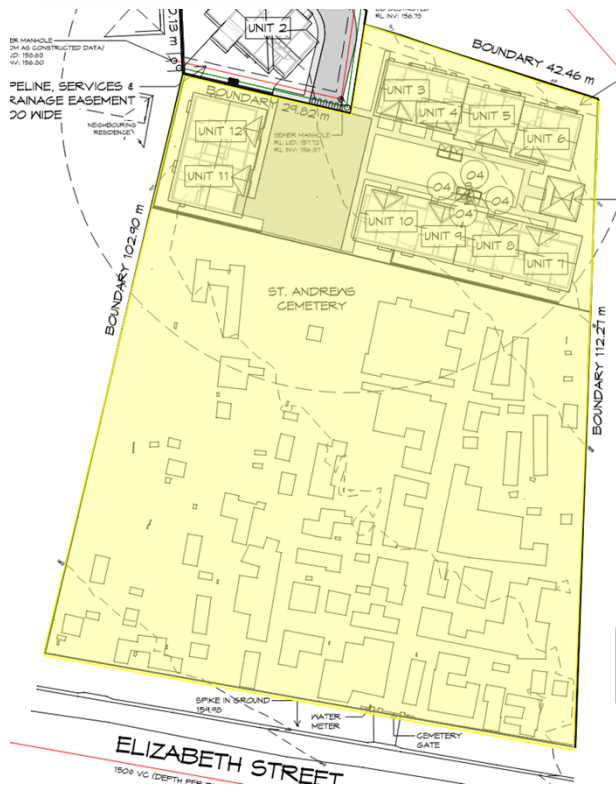
The proposed units comply with the building envelope. However, part of the development of the site includes the levelling of the building area and private open space area meaning that a retaining wall is required along the western boundary of the site. This retaining wall is ~26.26m in length and will retain a cut of up to 400mm. As the structure is retaining cut of land there will be no overshadowing impact caused to the neighbouring lot nor any reduction in sunlight. Retaining walls along with block walls for landscaping are common within the area, including along boundary lines so the separation of the structure from the neighbouring property is consistent with that existing on established properties in the area. The performance criteria is met.

ASSESSMENT OF THE COMMUNITY PURPOSE 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). As the multiple dwellings and retirement village are permitted uses, only the subdivision requires assessment against the Zone purpose.

27.1	Zone Purpose
27.1.1	To provide for key community facilities and services including health, educational, government, cultural and social facilities.
Assessing Officers Comments	The proposed subdivision complies with the zone purpose as it will place a retirement village (permitted use) on one title and the existing cemetery on a separate title.
27.1.2	To encourage multi-purpose, flexible and adaptable social infrastructure.
Assessing Officers Comments	The proposed subdivision complies with the zone purpose as it provides for housing in the form of a retirement village for over 55s.

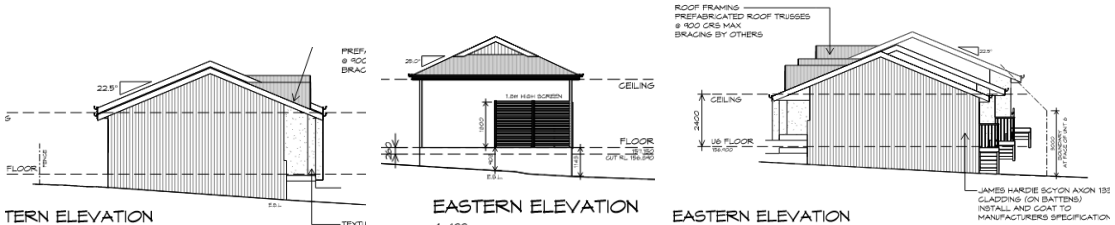


This assessment only applies to units 3-12 and the subdivision as they are within the Community Purpose Zone.


27.4 Development Standards for Buildings and Works		
Clause	Description	Assessment
27.4.1	Height (10m)	A1 Complies. All units are single storey, and the overall height of the units is less than 6m above natural ground level.
27.4.2	Setback	A1 Complies. Setback from frontage (Elizabeth Street) is >5m.
		A2 Relies on performance criteria as units 6, 7, 11, 12 and the gazebo are within 3m of the side boundaries.
		A3 No air extraction, pumping, refrigeration systems, compressors or generators within of a General Residential Zone.
27.4.3	Fencing	A1 No fencing proposed within 4.5m of a frontage within this zone.
27.4.4	Outdoor Storage Areas	A1 No outdoor storage areas proposed.
27.5 Development Standards for Subdivision		
Clause	Description	Assessment
27.5.1	Lot Design	A1 Both lots exceed the minimum requirement for area but as the cemetery cannot reasonably accommodate a building area clear of restrictions, the performance criteria is relied upon.
		A2 The performance criteria is relied upon as Lot 3 has a frontage greater than 10m though Lot 2 is reliant on a right of carriageway over the land at 5 Affleck Court, which is less than 10m.
		A3 Not applicable air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone
27.5.2	Services	A1 Each lot is connected to full water supply. Complies.
		A2 Each lot is connected to reticulated sewerage system. Complies.

		A3 Each lot is connected to public stormwater system. Complies.
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From the table above, where the acceptable solution has not been met, the performance criteria is addressed below.

DISCRETIONS		
27.4.2	Setback	
P2	<p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to:</p> <ul style="list-style-type: none"> a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; b) overlooking and reduction of privacy to adjoining properties; or c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property. 	
Assessing Officers Comments	<p>Units 6, 7 and the gazebo are within 3m of the eastern side boundary and therefore must be assessed against the performance criteria. Similarly, units 11 and 12 are within 3m of the western side boundary so these structures are also assessed against the performance criteria.</p> <p>An assessment of the proposed development was undertaken against the existing development on the neighbouring lots. It is clear from the proposed placement within the subject site that the development will not cause unreasonable loss of amenity to the adjoining property to the east which is within the General Residential zone. With over 30m separation between the proposed units and gazebo and the existing dwelling at 2 William Street there will not be any overshadowing of any habitable rooms or reduction in sunlight to any significant portion of the lots. The proposed dwellings are single storey with finished floor levels less than 1m above natural ground level and no windows on the eastern elevation so there is also minimal opportunity for overlooking beyond what the natural topography of the land allows for. The gazebo will in part have a finished floor level which sits more than 1m above the finished surface level but this is not a habitable room so will not be frequented as often as a room within a dwelling would and provision for privacy has been made with a 1.8m privacy screen meaning there is no <i>unreasonable</i> risk of overlooking and reduction in privacy to the adjoining property. With respect to the visual impact caused by the development when viewed from the adjoining property there is sufficient separation between the proposed development and the shared boundary to minimise what little 'bulk' of the building will be most dominant given the size of the buildings and their placement and orientation within the lot. Below are images of what will be visible when viewed from the adjoining lot if there were no existing boundary fences.</p> <div style="text-align: center;">  <p>TERN ELEVATION EASTERN ELEVATION EASTERN ELEVATION</p> </div> <p>Unit 11 and 12 are setback 2.996m from the western boundary and separated from the established neighbouring residence by over 10m. Due to the topography of the area, units 11 and 12 will be slightly lower than the existing dwelling at 31 Clarence Street with further lowering proposed for site works to flatten the building area as shown on the elevation below. This means that there is negligible opportunity for overlooking or reduction in privacy to the adjoining dwelling possible. There is also limited opportunity for overshadowing as both units are single storey and any shadow that is cast in the morning beyond that which is cast by the existing boundary fence, will not be unreasonable. As the units are single storey with roof pitch of 22.5° and wall length of just over 18m there will not be an unreasonable loss of amenity due to the perceived bulk or scale of the building when viewed from 31 Clarence Street. The proposal therefore satisfies the performance criteria.</p>	

DISCRETIONS

	
<p>27.5.1 Lot Design</p>	
<p>P1</p>	<p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ol style="list-style-type: none"> the relevant requirements for development of buildings on the lots; existing buildings and the location of intended buildings on the lots; the topography of the site; the presence of any natural hazards; adequate provision of private open space; and the pattern of development existing on established properties in the area.
<p>Assessing Officers Comments</p>	<p>Both lots proposed have sufficient useable area and dimensions suitable for their intended use. Lot 2 will have an overall area of 2,403m² which can accommodate the proposed retirement village as shown in the proposed plans. Lot 3 with 6,590m² will encompass the existing cemetery. Given the zone of the land and the existing cemetery the lots demonstrate that there is suitable provision for the intended buildings on lot 2 with no need for a building envelope to be provided for lot 3. There are no topographical constraints that need to be considered nor any natural hazards within the site. Both lots provide for adequate private open space in so far as is relevant for their existing and proposed uses. While there may not be another subdivision layout quite like the proposed design within the immediate vicinity the proposal is still generally consistent with the pattern of development existing on established lots. Given the size of the land, the zoning and the existing/proposed uses, it is not possible to find another site with such factors as to say that the proposal readily establishes a pattern or is consistent with an established pattern. However, there are multiple examples of other internal lots existing within the area which have frontages much narrower than the proposed right of way which acts in substitution of a direct frontage but provides the same legal right of access. When considered in the context of the whole area the proposed lots are not inconsistent with that established on existing properties in the area. The performance criteria is therefore satisfied.</p>
<p>P2</p>	<p>Each lot, or lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ol style="list-style-type: none"> the number of other lots which have the land subject to the right of carriageway as their sole or principle means of access; the topography of the site; the functionality and useability of the frontage; the anticipated nature of vehicles likely to access the site; the ability to manoeuvre vehicles on the site; the ability for emergency services to access the site; and the pattern of development existing on established properties in the area.
<p>Assessing Officers Comments</p>	<p>Proposed lot 2 will have legal connection to a road (Affleck Court) by a right of carriageway of 5.5m wide. This access is sufficient for the intended use of a retirement village as it allows for a wide driveway to serve the traffic generated by the proposed residential use. Only 1 lot will use this access as their sole means of access though it is acknowledged that this involves use by the residents of the proposed 10 units. As assessed within the traffic impact assessment which forms part of this application, the proposed access provides a functional access to the site suitable for the intended use. The access allows for vehicles to manoeuvre within the site with two-way traffic and suitable width provision for emergency services to access the site. The right of way access is acknowledged as being out of character with the pattern of development existing on established properties in the area as other internal lots in the area have a frontage to a road of around 3-4m. However, when considering that the right of way provides the same level of legal access to the site as a direct street frontage, the proposal is consistent with the character of established</p>



DISCRETIONS	
	properties in the area that serve multiple dwellings and for which there are numerous examples in the area. The proposal satisfies the performance criteria in that it provides legal connection to a road by a right of carriageway, that is sufficient for the intended use.
P3	Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: <ul style="list-style-type: none"> a) The topography of the site; b) the length of the access; c) the distance between the lot or building area and the carriageway; d) the nature of the road and the traffic; and e) the pattern of development existing on established properties in the area.
Assessing Officers Comments	There is an existing single vehicle crossover to 5 Affleck Court which will be required through permit conditions to be upgraded (widened) to serve the 5.5m driveway which services lot 2. Once widened there will be reasonable vehicle access provided to serve lot 2. There is an existing access to lot 3 off Elizabeth Street which will continue to provide reasonable vehicular access to a boundary of the lot having regard to the nature of the road and the use of the lot. The performance criteria will be met though compliance with permit conditions.

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

ASSESSMENT OF SPECIFIC AREA PLAN PROVISIONS: PERTH

SAP Purpose

Assessment against the SAP 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). As the multiple dwellings and retirement village are permitted uses, only the subdivision requires assessment against the SAP purpose.

NOR-S7.1	Purpose of the SAP
NOR-S7.1.1	To provide for residential use and development that is compatible with the unique and intact history and rural character of the town, its landscape setting along the riverbank and its views to the Ben Lomond Ranges and the Western Tiers.
Assessing Officers Comments	The proposed subdivision is consistent with this purpose.
NOR-S7.1.2	To provide for public and private transport links to Launceston.
Assessing Officers Comments	Not relevant to this proposal.
NOR-S7.1.3	To provide for the subdivision of key development sites and provide for appropriately located public open space for good pedestrian connectivity within Perth and to the river precinct.
Assessing Officers Comments	Allows for subdivision but is not a “key development site”. No POS proposed, cash in lieu required instead.
NOR-S7.1.4	To encourage subdivision that provides for large lots and minimises internal lots.
Assessing Officers Comments	The proposed subdivision is consistent with this purpose as both lots are large for the area and only one internal lot is proposed which connects most readily with 5 Affleck Court given its shared services/use so while there is technically an internal lot being created it will be used as an extension of an existing lot at the head of the cul-de-sac.
NOR-S7.1.5	That as part of any new subdivision new trees are provided to increase the township’s tree canopy cover.
Assessing Officers Comments	The proposed subdivision is not within a zone that triggers additional trees to be planted.



NOR-S7.7 Development Standards for Buildings and Works		
Clause	Description	Assessment
NOR-S7.7.1	Residential density for multiple dwellings	A1 Complies. Over the minimum 400m ² requirement (450m ² per unit).
NOR-S7.8 Development Standards for Subdivision		
There are no substituting clauses within the Specific Area Plan which apply to the Community Purpose Zone.		

5.3 STATE PLANNING PROVISIONS – CODE PROVISIONS

C2.0 PARKING AND SUSTAINABLE TRANSPORT CODE

Code Purpose

Assessment against the code purpose is only required when the use is discretionary (per 6.10.2) or there is no use class assigned to a development (per 7.10.3). As the multiple dwellings and retirement village are permitted uses, only the subdivision requires assessment against the Code purpose.

C2.1	Code Purpose
C2.1.1	To ensure that an appropriate level of parking facilities is provided to service use and development.
Assessing Officers Comments	Through assessment of C2.5.1 it is determined that an appropriate level of parking facilities is provided to service the proposed use and development within the site. The proposal is consistent with the code purpose.
C2.1.2	To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.
Assessing Officers Comments	The proposal does not conflict with the code purpose as it does not prohibit the ability of the residents to cycle, walk or utilise public transport.
C2.1.3	To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.
Assessing Officers Comments	The proposal is consistent with this purpose as appropriate access is provided for all users of the site.
C2.1.4	To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.
Assessing Officers Comments	The proposal is consistent with this code purpose as appropriate parking is provided on site for the intended use and there will not be an unreasonable loss of amenity to the surrounding area.
C2.1.5	To ensure that parking spaces and accesses meet appropriate standards.
Assessing Officers Comments	The proposal is consistent with this purpose as assessed under C2.5 and C2.6.
C2.1.6	To provide for parking precincts and pedestrian priority streets.
Assessing Officers Comments	Not relevant to this proposal as there are no parking precinct plans within Perth.

C2.5 Use Standards

Clause	Description	Assessment
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C2.5.1	Car Parking Numbers (Refer to table C2.1)	A1 Parking is not provided in accordance with Table C2.1. The proposal relies on performance criteria.
C2.5.2	Bicycle parking numbers (Refer to table C2.1)	A1 Not applicable. Bike parking is not required in accordance with Table C2.1.
C2.	Motorcycle parking numbers (Refer to table C2.4)	A1 Not applicable. Motorcycle parking is not required in accordance with Table C2.4.
C2.5.4	Loading Bays	A1 Not applicable.
C2.5.5	Number of car parking spaces within the GenRes Zone	A1 Not applicable – proposal is for residential use within the general residential zone.

C2.6 Development Standards for Buildings and Works

Clause	Description	Assessment
C2.6.1	Construction of parking areas	A1 Complies. All parking and accessways to be constructed of concrete per A1(a) and (c). The accessways will also be drained to the public stormwater system per A1(b)
C2.6.2	Design and layout of parking areas	A1.1 The proposal complies with b) – Australian Standard AS 2890 Parking Facilities, Part 1-6. A1.2 Not applicable.
C2.6.3	Number of accesses for vehicles	A1 Complies. One access proposed to each frontage. A2 Not applicable.
C2.6.4	Lighting of parking areas within the General Business and Central Business zone	A1 Not applicable – not within a listed zone.
C2.6.5	Pedestrian Access	A1.1 Relies on performance criteria. 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 – not within a listed zone. A2 Not applicable – not within a listed zone.
C2.6.8	Siting of parking and turning areas	A1 Not applicable – not within a listed zone. A2 Not applicable – not within a listed zone.

C2.7 Parking Precinct Plan

Clause	Description	Assessment
C2.7.1	Parking precinct plan	A1 Not applicable – no parking precinct plan for the area.

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

DISCRETIONS

C2.5.1	Car parking numbers
P1.2	The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to: <ul style="list-style-type: none"> a) the nature and intensity of the use and car parking required; b) the size of the dwelling and the number of bedrooms; and c) the pattern of parking in the surrounding area.

DISCRETIONS

Assessing Officers Comments

Within the site there are 2 residential uses: multiple dwellings and retirement village. The multiple dwellings require 2 spaces per dwelling plus 1 visitor space per Table C2.1 (5 total). The retirement village (based on the number of bedrooms and units) requires 17 spaces for the residents plus an addition 3 visitor parking bays (20 total). The total number of parking bays required for the site is 25 (21 for residents and 4 spaces for visitors). As there are 18 spaces provided to serve the retirement village use and 4 spaces to serve the multiple dwellings (units 1 & 2) the proposal must be assessed against the performance criteria.

Within Affleck Court there are currently six homes that have vehicular access to the court and provision for a minimum of 2 vehicles has been provided on site for each of the dwellings. Of the existing dwellings in the street there is provision for 3 or more cars on site meaning that visitors to those homes can park within the property boundary and not rely on on-street parking. With over 70m of street parking available (not including any space within the head of the cul-de-sac) it is considered that there is sufficient provision for visitors to proposed unit 1 & 2 to park on-street and still be within reasonable walking distance of the site.



Considering that retirement villages being designed for persons over 55 years of age are typically appealing to persons looking to downsize from larger family homes it is not unreasonable to consider that not all residents who occupy the units with 2 bedrooms will have 2 vehicles. It is therefore reasonable to consider that of the 16 parking spaces available to residents (excluding the garage and tandem parking bay associated with unit 11) there will be some provision for visitors to park within the site for short periods. For example, if there is only one vehicle associated with each unit there will be 4 spaces free within the site for use by visitors. There is also provision within the street for visitors to park without impacting on the functionality of the head of the cul-de-sac.

Having regard to the nature and intensity of the use and car parking required, the size of the dwellings, the number of bedrooms and the pattern of parking in the surrounding area the number of car parking spaces proposed on-site meets the reasonable needs of the use of the site. The performance criteria is therefore satisfied.

C2.6.5 Pedestrian access

P1

Safe and convenient pedestrian access must be provided within parking areas, having regard to:

- the characteristics of the site;
- the nature of the use;
- the number of parking spaces;
- the frequency of vehicle movements;



DISCRETIONS

	<ul style="list-style-type: none"> e) the needs of persons with a disability; 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.
Assessing Officers Comments	<p>Pedestrian footpaths are provided within the development but are not located 2.5 metres from the access way or protected by bollards or other protective devices, therefore the proposal must be assessed against the performance criteria.</p> <p>A traffic impact assessment (TIA) was included as part of this application which considers the performance criterion from the point of view of an expert. Within the assessment the author considers the nature of the site, the intended use, the number of parking bays and so on to determine if the pedestrian access provision proposed within the site are safe and convenient. See assessment below taken from the TIA.</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <ul style="list-style-type: none"> a. <u>Characteristics of site.</u> The site is a small-scale residential development that is primarily a retirement village. Pedestrian paths are provided and the traffic generation associated with the development is very low. Vehicle speeds will be very low by virtue of the short and narrow access that services the development. b. <u>Nature of the use.</u> The use is residential, which is consistent with land use in the surrounding area. c. <u>Number of parking spaces.</u> A total of 22 on-site parking spaces are proposed, accessed via a single driveway access. d. <u>Frequency of vehicle movements.</u> The peak traffic generation will be 3 vehicles per hour. The low traffic generation coupled with the low vehicle speeds will result in an acceptable safety environment for shared use between pedestrians and vehicles. e. <u>Needs of persons with a disability.</u> Not applicable. f. <u>Location and number of footpath crossings.</u> Not applicable. g. <u>Vehicle and pedestrian safety.</u> A 1-metre footpath is provided adjacent to the parking area and driveway. As noted in d above, the low traffic generation coupled with the low vehicle speeds will result in an acceptable safety environment for shared use between pedestrians and cars. h. <u>Location of access ways or parking aisles.</u> The development has a relatively simple layout with a main driveway access and a central manoeuvring area within the main section of the car park. Parking is accessed at 90-degrees within the main area. There are no internal junctions within the site. i. <u>Protective devices.</u> No pedestrian protective devices are included in the design. The low-speed and low volume environment associated with the site does not warrant the use of protective devices. </div> <p>The conclusion of this report is that the 1m wide footpath provided within the site has kerbing as a protective measure between the pathway and parking areas which provides safe and convenient provision for pedestrians to move within the site. The performance criteria is therefore satisfied.</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). As the multiple dwellings and retirement village are permitted uses, only the subdivision requires assessment against the Code purpose.

C3.1	Code Purpose
C3.1.1	To protect the safety and efficiency of the road and railway networks; and
Assessing Officers Comments	The proposal is consistent with this purpose. The safety and efficiency of the road network will not be compromised by the development as considered within the traffic impact assessment that forms part of the application.



C3.1.2	To reduce conflicts between sensitive uses and major roads and the rail network.
Assessing Officers Comments	The proposal is consistent with this purpose as there will not be any impact on major roads (category 1,2 or 3 as defined in the <i>State Road Hierarchy</i>) or rial networks (as defined in the <i>Rail Infrastructure Act 2007</i>).

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, Affleck Court and Elizabeth Street are not category 1 roads or limited access roads.
		A1.2 Not applicable – no new junction proposed.
		A1.3 Not applicable – no new private level crossing proposed.
		A1.4 Affleck Court is not a major road and so the acceptable number of vehicle movements to/from the site is 40vm/d. Using the rates from the RMS Guidelines the total traffic generated from the site will be 32 per day with a peak of 3 vehicles per hour. The acceptable solution is met.
		A1.5 Not applicable - Affleck Court and Elizabeth Street are not major roads.
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. Site is not within a road or rail attenuation area.
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. Site is not within a road or rail attenuation area.

C7.0 NATURAL ASSETS 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). As the multiple dwellings and retirement village are permitted uses, only the subdivision requires assessment against the Code purpose.

C7.1	Code Purpose
C7.1.1	To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.
Assessing Officers Comments	The proposal is consistent with this purpose as it does not impact water quality, natural assets or the function of a watercourse, wetland or lake.
C7.1.2	To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.
Assessing Officers Comments	Not relevant to this proposal.
C7.1.3	To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.



Assessing Officers Comments	Not relevant to this proposal.
C7.1.4	To minimise impacts on identified priority vegetation.
Assessing Officers Comments	The proposal does not impact on the only identified priority vegetation within the site and thus the proposal is consistent with the zone purpose.
C7.1.5	To manage impacts on threatened fauna species by minimising clearance of significant habitat.
Assessing Officers Comments	The proposal does not impact any threatened fauna species by clearing any <i>significant habitat</i> and thus the proposal is consistent with the zone purpose.

C7.6 Development Standards for Buildings and Works

Clause	Description	Assessment
C7.6.1	Buildings and works within a waterway and coastal protection area or a future coastal refugia area	Not applicable – the site is not within a waterway and coastal protection area.
C7.6.2	Clearance within a priority vegetation area	A1 Relies on performance criteria.

C7.7 Development Standards for Subdivision

Clause	Description	Assessment
C7.7.1	Subdivision within a waterway and coastal protection area or a future coastal refugia area	A1 Not applicable – the site is not within a waterway and coastal protection area.
C7.7.2	Subdivision within a priority vegetation area	A1 Relies on performance criteria.

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

DISCRETIONS	
C7.6.2	Clearance within a priority vegetation area
P1.1	<p>Clearance of native vegetation within a priority vegetation area must be for:</p> <ul style="list-style-type: none"> a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmanian Fire Service or an accredited person; b) buildings and works associated with the construction of a single dwelling or an associated outbuilding; c) subdivision in the General Residential Zone or Low Density Residential Zone; d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design; e) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.
P1.2	<p>Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <ul style="list-style-type: none"> a) the design and location of buildings and works and any constraints such as topography or land hazards; b) any particular requirements for the buildings and works; c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;



DISCRETIONS	
	<ul style="list-style-type: none"> d) any mitigation measures implemented to minimise the residual impacts on priority vegetation; e) any on-site biodiversity offsets; and f) any existing cleared areas on the site.
Assessing Officers Comments	<p>The proposed development falls within a mapped priority vegetation area and due to the nature of the development clearing is required of some trees and grass land. Therefore, the proposal must be assessed against the performance criteria.</p> <p>Based on a review of the priority vegetation within the area, the overlay is applied to the site because of the observed presence of <i>Dianella amoena</i> (grassland flaxlily) within the cemetery and potentially because of the observed presence of <i>Tachyglossus aculeatus</i> (short-beaked echidna) on surrounding properties. The proposal does not include removal of any priority vegetation or propose works within 40m of the grassland flaxlily or within 50m of the short-beaked echidna sightings. The vegetation that is proposed to be removed to facilitate the development is not considered priority vegetation per the code definition, though the trees are native vegetation.</p> <p>Having regard to the sub criteria of P1.1 and P1.2 above, the level of clearing required to facilitate the development is limited to a few isolated trees and grassland. As the development will provide significant long-term social benefit to the area, the development of part of the land within the overlay is considered reasonable. Given the layout of the development there are no additional mitigation measures or on-site biodiversity offsets required.</p> <p>The development of the land and clearing of vegetation within the overlay is to facilitate use and development that will result in social benefits to the community and the clearance of native vegetation within the priority vegetation area will have minimal adverse impacts on priority vegetation, the proposal satisfies the performance criteria.</p>
C7.7.2 Subdivision within a priority vegetation area	
P1.1	<p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:</p> <ul style="list-style-type: none"> a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmanian Fire Service or an accredited person; b) subdivision for the construction of a single dwelling or an associated outbuilding; c) subdivision in the General Residential Zone or Low Density Residential Zone; d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design; e) subdivision involving clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.
P1.2	<p>Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <ul style="list-style-type: none"> a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards; b) any particular requirements for the works and future development likely to be facilitated by the subdivision; c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings; d) any mitigation measures implemented to minimise the residual impacts on priority vegetation; e) any on-site biodiversity offsets; and f) any existing cleared areas on the site.
Assessing Officers Comments	<p>The proposed development complies with sub criteria f of P1.1. The site is wholly covered by the priority vegetation overlay but the proposed development involves a limited scale of clearing within the extent of priority vegetation on the site (as mapped).</p>



DISCRETIONS

As discussed under C7.6.2, the level of clearing required to facilitate the development is limited to a few isolated trees and grassland. As the development will provide significant long-term social benefit to the area, the development of part of the land within the overlay is considered reasonable. Given the layout of the development there are no additional mitigation measures or on-site biodiversity offsets required as no *priority vegetation* is proposed to be removed.

The development of the land will facilitate use that will result in social benefits to the community at the expense of only a limited scale of clearing of vegetation with a priority vegetation overlay. The clearance of native vegetation within the priority vegetation area will have minimal adverse impacts on priority vegetation, therefore the proposal satisfies the performance criteria.

5.4 REFERRALS

Council's Infrastructure & Works Department – NMC

Road Authority

As the **Road Authority** per the *Roads and Jetties Act 1935*, no objection was raised to the proposal. The traffic impact assessment was accepted by the Road Authority who did not challenge the findings of the assessment.

Stormwater Authority

As the **Stormwater Authority** per the *Urban Drainage Act 2013*, detention was considered counter-productive due to the proximity to the watercourse and the river. Due to the development being so close to the watercourse and river, it is expected that outflows from the development would have subsided before peak flows from the greater catchment, which extends back to Gibbett Hill Rise, reach the watercourse. If stormwater from the development is released quickly it will not coincide with the peak from the greater catchment.

WSUD is required, however the developer has the option to provide a contribution instead of installing WSUD on their site in line with Council's Water Quality Policy for use within the catchment.

It is not considered that the development will substantially change flooding within the watercourse, due to the timing of the peak from the upper catchment not being coincidental with timing of runoff from the development.

The issues raised within the representations therefore are for Council to liaise with the landowner of No. 1-3 George Street to address separately, if necessary. The watercourse sits within a 10m drainage easement and in the photographs, it would appear the flows would be contained within that 10m width. Hydraulically the efficiency of the watercourse is hampered by the encroachment of trees and tree roots and private landscaping within the easement. It is understood that Council has undertaken some work in the easement previously however the site is difficult to access with machinery, and there has been hesitation from the landowners to allow access.

TasWater

TasWater issued a Submission to Planning Authority Notice on 16/06/2025 (TasWater Ref: TWDA 2025/00521-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. As Per TasNetworks Service & Installation Rules, each title will require its own point of supply and consumer mains cannot be crossing separate titles. This will need to be maintained. As with any multiple dwellings, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to this development.

Tasmanian Heritage Council (THC)

The THC issued a Notice of Heritage Decision on 8 July 2025 (Ref: 8655). The Planning Permit will condition the development to be in accordance with the Notice of Heritage Decision per *Historic Cultural Heritage Act 1995*.

5.5 REPRESENTATIONS

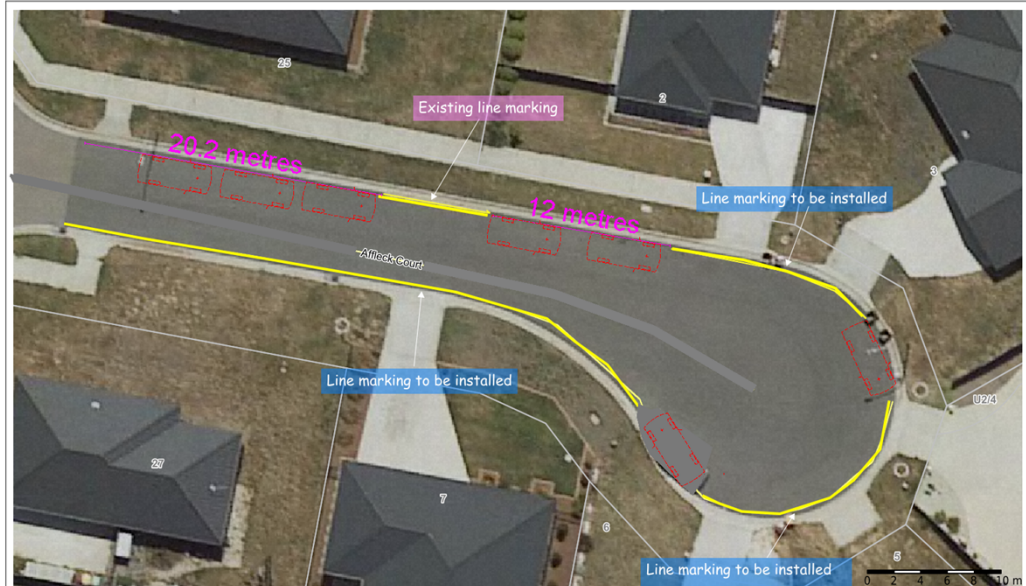
Notice of the application was given in accordance with Section 57 of the Act. A review of Council's Records management system after completion of the public exhibition period revealed that seven (7) representations were received.



Each representation has been considered individually but as there are several recurring themes throughout each of the submissions, the common themes have been captured and summarized below with a response to each point also provided for the consideration of the planning authority.

Theme 1	<p>Privacy and Noise Disturbance</p> <ul style="list-style-type: none"> Concerns raised that the construction and operation of aged care units will generate significant noise during the building phase, as well as ongoing noise once the facility is operational. The potential for additional noise from staff and residents and events or activities on the property could severely compromise the privacy and peaceful amenity of the area.
Officer's comments	<p>The noise generated from construction sites is not a matter that is assessable under the planning scheme. There are general provisions for noise nuisance that are regulated under the <i>Environmental Management and Pollution Control Act 1994</i> (EMPCA), but these sit outside of the scope of the planning authority. The planning scheme only provides for consideration of noise in the general residential zone and community purpose zone for discretionary or non-residential uses. The proposed use of the land is residential and therefore the planning scheme cannot prohibit or dictate the occurrence of construction noise on an approved building site nor impose restrictions on the residential use of the land. These units will become people's homes and people have a right to make a reasonable level of noise within their homes and properties. When the noise generated by a residential use extends outside of the acceptable parameters of noise regulations action can be taken by the Police or Council's Environmental Health Officer under EMPCA.</p>
Theme 2	<p>Traffic, Parking and Access</p> <ul style="list-style-type: none"> Aged care units typically require a significant number of staff, medical professionals, and visitors, which could lead to increased traffic on our already busy streets. The strain on local parking facilities and the potential for congestion may make it more difficult for current residents to park and safely navigate the area. The application does not provide adequate detail regarding access and manoeuvring of emergency service vehicles. Waste management and the process of managing 36 rubbish bins by elderly residents for collection at the end of the lot is also a very real, practical issue that should be considered further. The cul de sac is only 6 metres wide and it is already difficult at times to reverse out of a driveway when cars are parked in the cul-de-sac. When cars are parked on either side of the cul-de-sac there is only a 2-metre gap to pass through to turn in Clarence Street. A service truck/vehicle is 2.5 metres wide. If cars are parked on both sides of the cul-de-sac there is no room for a 2.5 metre wide truck to pass through. Performance Criteria 27.4.1 P(f) [27.5.1 P2 (f)?] has not been met, as the advertised documentation only addresses Lot 1 and does not demonstrate emergency services access for Lot 2. Service vehicle access requires reversing into the site, with vehicular access only possible to Unit 1. The design relies on vacant parking spaces for vehicle turning, which is unreliable and unsafe. A dedicated turning area should be provided. With no other community purpose-zoned land in Perth that relies on rights of way for access or lacks frontage, the proposal is not consistent with clause 27.5.1 P(g) [27.5.1 P2(g)?] as there is no established pattern of similar development in the area. Bin collection for Lot 2 is proposed within Lot 1, but no easements are provided to support this arrangement.
Officer's comments	<p>Per the scheme definition a retirement village is use land to provide permanent accommodation for retired people or the aged and includes communal recreational or medical facilities for residents of the village. The proposed use includes communal recreational space for residents but no medical facilities. There is not intended to be significant staff or medical professionals attending the site as there would be for another use such as residential care facility, respite centre or assisted housing.</p> <p>The existing constraints of the cul-de-sac (i.e. vehicles parking at the head and narrowing the access way) can be resolved by way of line marking along one side of the road and at the head of the cul-de-sac as pictured below. This would result in less parking occurring within the bowl of the cul-de-sac and has been</p>

recommended as a permit condition requiring the developer to undertake those works within the road reserve. As the proposal relies on the complete functionality of the cul-de-sac not being compromised by stationary vehicles in order to be able to operate as intended, then it is reasonable to require the works to be done under this permit prior to the commencement of the use. Such works would still allow for suitable parking provision within Affleck Court without compromising the amenity of existing residents.



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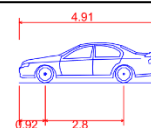
Base data from theLST. © State of Tasmania. For actual boundaries refer Title Plan.
Base image by TASMAR. © State of Tasmania.
Where shown, aerial photography is indicative only and should not be used as an accurate comparison of title boundaries.
Where shown, underground services are diagrammatic only. Actual location of services are to be confirmed on site.

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The planning scheme does not allow for the provision of functionality or practicality of retirees walking their bins to a designated spot for weekly/bi-weekly collection. The scheme only allows for the consideration of waste storage locations within the general residential zone. The proposal complies with the applicable standards of the scheme as assessed within this report. The inclusion of the bin collection area within the right of way had been considered and will be captured within the recommended permit conditions to ensure all users have right to use this space for communal services/functions.

As with many multiple dwelling developments provision is made for vehicle access and manoeuvring within the site in line with the planning scheme requirements and the Australian Standard. The standard and the scheme require consideration of vehicles of a B85 class of vehicle. As shown in application documents, a standard vehicle within the dimensions noted below can enter and manoeuvre with the site using the standard 3 point turn to ensure forward entry and exit.



B85 Vehicle (Realistic min radius) (2004)	
Overall Length	4.910m
Overall Width	1.870m
Overall Body Height	1.421m
Min Body Ground Clearance	0.159m
Track Width	1.770m
Lock-to-lock time	4.00s
Curb to Curb Turning Radius	5.750m

Ambulances and other emergency vehicles are larger than the B85 vehicle, though the scheme and the Australian Standard do not require vehicle access and parking to be designed to accommodate the exceptions, only the "common" vehicle. It is worth noting too that the proposed development is a retirement village for over 55's so the residents will not necessarily require external care. These are units for retirees to move into when they are downsizing and wish to live in a more communal setting. People who buy and move into these units will be aware of the design and so will be responsible for making appropriate life choices regarding their style of living based on their functional capacity. This style of development is more accommodating than existing single or multiple dwelling driveways and access provisions as see within the area. With the provision of a 6m wide access, there is sufficient provision for emergency vehicles to access the site and administer to the emergency, arguably more so than the 3m driveway with that would be required if there were only 2-3 multiple dwellings. The design does not provide



	<p>for turning within the site only when bays are vacant, as shown in the drawings there is suitable provision to turn within the manoeuvring bay without compromising a parked vehicle.</p> <p>Consistency of the proposed access arrangement has been considered within section 5.1 of this report and has been determined to be consistent with the established area.</p>
Theme 3	<p>Impact on Property Value</p> <p>Many residents in the neighbourhood have made significant investments in their properties, and the construction of a facility next door could potentially lower property values. The impact on the overall aesthetic and character of the area could deter future buyers, especially those who are seeking a quiet residential environment.</p>
Officer's comments	<p>Property values are not a relevant consideration of the planning authority as there are no applicable clauses within the scheme which relate to this matter.</p>
Theme 4	<p>Incompatibility with the Residential Zone and design comments</p> <ul style="list-style-type: none"> • The proposed development site forms part of Lot 1 Elizabeth Street, which is currently zoned Community Purpose under the Tasmanian Planning Scheme. This zone is intended for uses that provide community, health, education, or recreational service - not permanent residential accommodation. • The character of the area might be impacted by a commercial development like this. • The building design, scale, and activities associated with such a facility may not align with the overall aesthetic and atmosphere of the community. • The proposed subdivision and development of a retirement village introduces a residential use class that is fundamentally inconsistent with the purpose and intent of the Community Purpose Zone. • There is no evidence that a rezoning application has been lodged or approved to facilitate this change of use. As a result, the development as proposed is not permissible within the current zoning framework. • Subdividing the land to create a lot that is effectively landlocked, without direct road frontage, and reliant on access through another zone only adds to this inconsistency. • The application proposes the construction of ten units on Lot 2. Under the Perth Specific Area Plan (NOR-S7.0), Clause NOR-S6.7.1 requires a minimum site area of 400m² per dwelling for multiple dwellings. • The proposed density equates to 240m² per dwelling, which is inconsistent with the character of Perth. While the SAP does not apply to land zoned Community Purpose, the proposed density nevertheless remains out of character with the surrounding development. • The design requires elderly and possibly infirm occupants to park and walk (in some cases a considerable distance) to most units. • The design proposes bin collection for the ten units in Lot 2 within Lot 1, but it would appear no footpath has been provided for moving bins from units 3 - 10 to the sealed surface carpark surface on Lot 2. • This proposal does not appear compatible with NOR-S7.1.1 <ul style="list-style-type: none"> ○ It proposes a grossly intensified residential use of a site that relies upon access via an adjoining property (5 Affleck Court). ○ The predominant development within the precinct is of singular residential dwellings interspersed with limited multi-residential development of limited capacity. ○ The nett outcome is similar to the provision of 10 small internal lots disguised within a larger overall development • No detailed information has been provided to support the requirements of NOR-S7.1.5 other than generic references to limited landscape elements within the site plan • Consolidated development adjacent to an historic cemetery is also considered inappropriate without regard for its amenity & outlook and limits any legacy burials that may be associated with current plot arrangements
Officer's comments	<p>Assessment of the <i>relevant</i> provisions of the zones, codes and specific area plan standards has been undertaken in section 5.1 to 5.3 of this report.</p>



	<p>The density of the multiple dwellings has been considered against the applicable standard within the General Residential zone and found to be compatible with a density of 450m² which is above the 400m² requirement.</p> <p>The density of the retirement village units is not an applicable standard and thus the compatibility of this section of the development with the broader neighbourhood is not relevant.</p> <p>The proposed retirement village is (per the scheme definitions) a residential use class (not commercial) and is listed as a Permitted use within the use class table so the proposed use and development is entirely appropriate within the zone and setting. No scheme amendment is required and the application was lodged validly as a combined application for use (residential) and development (multiple dwellings, retirement village and subdivision).</p> <p>Adequate provision for access and manoeuvring has been provided as discussed in section 5.3 of this report.</p> <p>The design of the retirement village has been considered against the scheme in so far as relevant and found to be compliant with the applicable standards. The requirement for some residents to walk further than others is not a consideration of the planning authority nor is it unreasonable as occupants will be aware of the design of the development before purchasing/leasing a dwelling and can therefore make their own informed decisions as to whether to buy into the community or not based on their own individual needs and capabilities.</p> <p>Impacts of amenity on adjoining land have been considered within this report in so far as relevant to the applicable standards and the matters to which the planning authority may have regard. The relevant tests as detailed within the planning scheme have been met.</p>
Theme 6	<p>Services – Stormwater, Sewer & Water</p> <p>Services - Sewer</p> <ul style="list-style-type: none"> • There are known issues with sewer capacity in the Perth area. • Increased pressure on existing sewer with 12 new homes. • Has TasWater considered the impact of the development on the existing service and consented to the development? • Connection of services through the service easement within 2 William Street. <ul style="list-style-type: none"> ○ 2 William Street is burdened by a right of drainage easement ○ The owner has not provided consent for the works or been notified of the development by TasWater <p>Services - Stormwater</p> <ul style="list-style-type: none"> • Increased pressure on existing system with 12 new homes and more hard-stand areas. • Existing issues with stormwater on neighbouring lots will be exacerbated by the development (particularly within 1-3 George Street). <p>Services - Water</p> <ul style="list-style-type: none"> • Clause 27.5.2 cannot be met, as Lot 2 has no street frontage and the proposed boundaries are more than 30m from a water main.
Officer's comments	<p>Sewer</p> <p>Sewer capacity falls under the jurisdiction of TasWater as the managing authority. The assessment has been reviewed by TasWater and approval has been provided to Council as the Planning Authority. The Submission to Planning Authority (SPAN) which details development conditions as requested by TasWater have been included in the recommendations of this report.</p> <p>Consent from the landowner is not required for the lodgement of a planning application including works on the neighbouring land (2 William Street) per the provisions of the Act. However, no <i>works</i> can occur on any land without appropriate notification and approval granted under other heads of power and acts of legislation such as the <i>Water and Sewerage Industry Act 2008</i> and the <i>Building Act 2016</i>. Compliance with provisions of such acts is not the responsibility of the planning authority but rather the building surveyor and approved contractors.</p>

Stormwater

The application and a copy of the representations were provided to the Stormwater Authority for review and comment. Their comments can be found under Section 5.4 of this report but have been reiterated below.

Due to the development being so close to the watercourse and river, it is expected that outflows from the development will subside before peak flows from the greater catchment reach the watercourse. If stormwater from the development is released quickly (i.e. not detained on site) it will not coincide with the peak from the greater catchment or increase the existing situation which has been reported upon within the representations.

It is not considered that the development will significantly change flooding within the watercourse, due to the timing of the peak from the upper catchment not being coincidental with timing of runoff from the development.

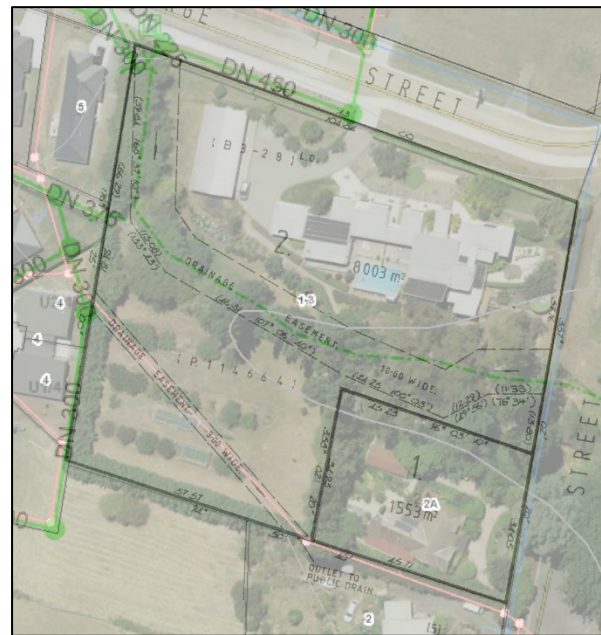
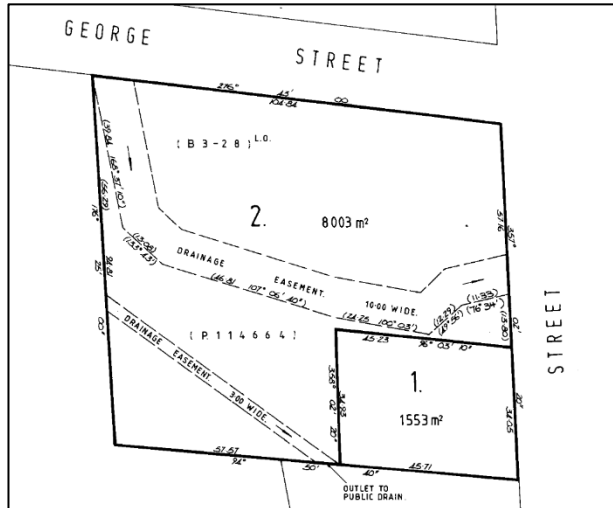
The issues identified within the representations regarding the watercourse that runs through 1-3 George Street and forms part of the urban stormwater network are not going to be exacerbated by this proposal. The matters raised instead highlight an existing issue that Council as the Stormwater Authority must address separately.

While stormwater from the development will be controlled and directed to the existing stormwater network to the north which then flows through 1-3 George Street following the natural flow path, the volume of stormwater added to the system during a rain event will not be noticeable.

It is important to note though that the matters raised in the representations are primarily matters for the Stormwater Authority regarding an existing condition and not matters for the planning authority with regard to the proposed development.

Water

As shown on the plan of subdivision by Woolcott Land Services, lot 2 will be provided with a connection to the water main so clause 27.5.2 is satisfied.



Theme 7

Consistency with Advertised Documents

- The application lists fourteen total units, but it appears only twelve units are proposed.
- It is difficult to make any informed comment on the proposed designs, as the engineering drawings are stamped "Superseded" and there is no information as to the current design.



Officer's comments	<p>The proposed development is multiple dwellings (x2) at 5 Affleck Court Perth, a retirement village (x10 units) and subdivision (2 lots) at the 'Perth (ST ANDREWS) Cemetery' Elizabeth Street Perth with access over 5 Affleck Court and service connections within 2 William Street Perth.</p> <p>The design in so far as relevant to the planning scheme and applicable standards was clearly and adequately displayed within the publicly exhibited documents at the Council office as prescribed by the legislation.</p>
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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

What is the purpose of the Policy?	What developments are affected?	Where does the Policy apply?
State Policy on the Protection of Agricultural Land 2009		
To conserve and protect agricultural land so that it remains available for the sustainable use and development of agriculture, recognising the particular importance of prime agricultural land. 'Agricultural use' includes use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding domestic animals and pets. It includes the handling, packing or	Proposed non-agricultural use and development that is 'discretionary 'or 'prohibited' on land zoned either Significant Agriculture or Rural Resources in planning schemes or land adjoining these zones but with a different zoning.	All agricultural land in Tasmania zoned either Significant Agriculture or Rural Resources in planning schemes.



storing of agricultural produce for dispatch to processors or markets and controlled environment agriculture and plantation forestry.		
Comments: The proposal is consistent with this state policy in that it does not impact or compromise agricultural land.		

State Coastal Policy 1996		
To protect the natural and cultural values of the coast, provide for sustainable use and development of the coast, and promote shared responsibility for its integrated management and protection.	Proposed use and development in a coastal area that is 'discretionary' or 'prohibited' under land use zones applying to coastal areas in planning schemes.	Tasmania's coastal area, including all islands except for Macquarie Island. The coastal zone includes State Waters (as defined in the Living Marine Resources Management Act 1995) and all land to a distance of 1km from the high water mark.
Comments: Not applicable to this application.		
State Policy on Water Quality Management 1997		
To achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of the RMPS.	Proposed use and development that may impact on surface or ground water quality in Tasmania.	All surface waters, including coastal waters, and groundwaters, other than: <ul style="list-style-type: none"> privately owned waters that are not accessible to the public and are not connected to, or flow directly into, waters that are accessible to the public; or waters in any tank, pipe or cistern.
Comments: The proposal is consistent with this state policy in that it does not compromise Tasmania's surface water and groundwater resources but protects their qualities while allowing for sustainable development in accordance with the objectives of the RMPS.		

The proposal is consistent with all State Policies in so far as relevant.

5.8 STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES/STRATEGIC PROJECTS

Strategic Plan	
Lead - Serve with honesty, integrity, innovation and pride <u>Strategic outcomes:</u> 1.1 Council is connected to the community 1.2 Councillors serve with integrity and honesty 1.3 Management is efficient, proactive and responsible 1.4 Improve community assets responsibly and sustainably	Progress - Economic health and wealth – grow and prosper <u>Strategic outcomes:</u> 2.1 Strategic, sustainable, infrastructure is progressive 2.2 Proactive engagement drives new enterprise 2.3 Collaborative partnerships attract key industries 2.4 Support and attract wealth-producing business and industry
People - Culture and society – a vibrant future that respects the past <u>Strategic outcomes:</u> 3.1 Sympathetic design respects historical architecture 3.2 Developments enhance existing cultural amenity 3.3 Public assets meet future lifestyle challenges 3.4 Towns are enviable places to visit, live and work	Place - Nurture our heritage environment <u>Strategic outcomes:</u> 4.1 Cherish and sustain our landscape 4.2 Meet environmental challenges 4.3 Eco-tourism strongly showcases our natural beauties 4.4 Our heritage villages and towns are high value assets
Comments: The proposal is consistent with this plan in that it does not compromise any strategic outcomes.	

Strategic Projects
Comments: Not applicable

Council Policy – Stormwater Quality Management
This policy applies to: <ul style="list-style-type: none"> All urban developments Exemptions will be applied as per Tasmanian Stormwater Policy Guidance and Standards for Development (Version 1, 2021) S2.4.2 Table 4: <ul style="list-style-type: none"> A single dwelling on a single lot that will be connected to the existing public stormwater system; Development creating new impervious area less than 500m²;



- A subdivision creating new lots greater than 5000m² in area, and with new roads and footpaths less than 500m² in area;
- Subdivisions which are solely for the purpose of creating road reserve, public open space, public infrastructure, littoral or riparian reserve or minor boundary adjustments.

Comments: Applicable. The developer will be required by the recommended permit conditions to pay a developer contribution to water quality management in accordance with this policy.

Council Policy – Landscaping Requirements for Development Proposals

This policy applies to:

- all applications where landscaping is required under the zone/specific area plan/code provisions.
 - If for single dwellings where landscaping is required, a landscape plan shall be submitted. A bond of \$500 is also required prior to the commencement of use.
 - For multiple dwellings, a bond of \$500 per dwelling is required prior to the commencement of use.
 - For commercial and industrial development, a bond of 1.5 times the cost of the planting component of landscape works is required prior to the commencement of use.

Comments: Applicable. Recommended permit conditions have been proposed that require landscaping to be installed as per the proposed plans and a bond to be paid in accordance with this policy.

Council Policy – On-Site Stormwater Detention

This policy applies to:

- All commercial, industrial and special use (e.g. community, educational, recreational) buildings or structures
- Multiple dwellings, and where
- The existing drainage system is unable to accommodate an increase in stormwater discharge from the site.

Refurbishment of existing buildings and hardstand which does not increase the impervious area of the site is exempt from this policy. There may be instances where Council will specify alternative requirements based on identified local conditions.

Council may consider waiving a requirement for on-site stormwater detention where:

- The downstream drainage system has been upgraded to accommodate the increase in runoff from the site for all storm events up to and including the 1% AEP event; or
- Where the natural overland flow path is to the road or to an area Council deems as low risk (i.e. not to a developed/developable neighbouring property) Council may only require the 20 year ARI (5% AEP) storm to be detained.

Comments: Applicable but no on-site detention is required for this proposal as determined by the Stormwater Authority.

Council Policy – Pumped Stormwater Connection

This policy applies to:

- All urban residential properties

Where an existing property is unable to be drained to Council's stormwater system via gravity Council may consider allowing pumped stormwater systems in the following situations:

- Where the proposed drainage is for an existing or proposed single residential dwelling or a development where intensification of use is not proposed; or
- Where basement level pump-out systems for disposal of seepage water and runoff from incidental areas is required, e.g., basement or subsoil drainage pumps; or
- In special circumstances, where consent is given at the discretion of the General Manager

Comments: Applicable but the Stormwater Authority has determined that no pumped stormwater connection is required for this proposal.

Council Policy – Public Open Space Contribution

This policy applies to applications for subdivision.

Comments: Applicable.

Per Division 8 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, 5% of the total land may be required for public open space or payment may be accepted instead of the provision of land.

The application has been reviewed against Council's Public Open Space Contribution Policy (Minute No. 24/064) in determining the suitability of land for Public Open Space. The criteria below has been considered to ensure any land received is suitable for the intended purpose. While it may not be possible for all Public Open Space to meet each criterion; not meeting a certain criterion may provide justification as to the unsuitability and refusal of certain land being accepted as public open space.



CRITERIA FOR LAND CONTRIBUTIONS

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

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

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

The application proposes subdivision of land that is zoned Community Purpose to facilitate the development of a retirement village that is separate from the cemetery currently on the same title. If Council were to accept 5% of the land it would be accepting ~449m² which is not adequate for a park in this location and is not in line with the strategic objectives of Council's priority projects. Instead, a cash payment will be required in lieu of land, and this money will be added to the existing pool for management and maintenance of the existing public open spaces and to acquire land other locations that align with Council's plan. A permit condition has been recommended to capture this.

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 Local Government (Highways) Act 1982</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. PLN-25-0077 Attachment 1 [**11.5.1** - 155 pages]
 2. Notice of Heritage Decision W A 8655 [**11.5.2** - 2 pages]
 3. SPAN 5 AFFLECK C T, PERTH Submission to Planning Authority Notice - Conditions DA 2025 00521- NMC [**11.5.3** - 5 pages]
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11.6 PLN25-0055: 20 UNION STREET, LONGFORD - AMBULANCE STATION

File: 113500.01; PLN25-0055
Responsible Officer: Des Jennings, General Manager
Report prepared by: Rebecca Green, Consultant Planner

MINUTE NO. 25/231

DECISION

Cr Terrett/Cr Adams

That application PLN-25-0055 to develop and use the land at 20 Union Street, Longford (including works within road reservations) for Emergency Services - Ambulance Station be approved subject to the following conditions:

ENDORSED PLANS

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

- P1 Cover Sheet (Archadia Architecture, Project No: 2021-07, Drawing No: DA-00, Dated: 11-4-25, Rev: A);
- P2 Site Plan (Archadia Architecture, Project No: 2021-07, Drawing No: DA-01, Dated: 11-4-25, Rev: A);
- P3 Station – Floor Plan (Archadia Architecture, Project No: 2021-07, Drawing No: DA-02, Dated: 11-4-25);
- P4 Station – Roof Plan (Archadia Architecture, Project No: 2021-07, Drawing No: DA-03, Dated: 11-4-25);
- P5 Station – Elevations 1 (Archadia Architecture, Project No: 2021-07, Drawing No: DA-04, Dated: 11-4-25, Rev: A);
- P6 Station – Elevations 2 (Archadia Architecture, Project No: 2021-07, Drawing No: DA-05, Dated: 11-4-25);
- P7 Site Survey Overlay (Archadia Architecture, Project No: 2021-07, Drawing No: DA-06, Dated: 11-4-25, Rev: A);
- P8 Landscape Plan (Playstreet Landscape Architecture, Project No: 25-038, Sheet No: L100, Dated: 05-05-2025);
- P9 Civil Services – Cover Sheet and Locality Plan (RJK Consulting Engineers, Project No: 24/25TAS082, Drawing No: G01, Dated: 12.06.2025, Rev: C);
- P10 Civil Services – Notes (RJK Consulting Engineers, Project No: 24/25TAS082, Drawing No: G02, Dated: 12.06.2025, Rev: C);
- P11 Civil Services – General Details Sheet 1 (RJK Consulting Engineers, Project No: 24/25TAS082, Drawing No: C01, Dated: 12.06.2025, Rev: C);
- P12 Civil Services – General Details Sheet 2 (RJK Consulting Engineers, Project No: 24/25TAS082, Drawing No: C02, Dated: 12.06.2025, Rev: C);
- P13 Civil Services – Site Location & Services Plan (RJK Consulting Engineers, Project No: 24/25TAS082, Drawing No: C03, Dated: 12.06.2025, Rev: C);
- P14 Civil Services – General Arrangement & FSL Plan (RJK Consulting Engineers, Project No: 24/25TAS082, Drawing No: C04, Dated: 12.06.2025, Rev: C);
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Received: 06/05/2025);

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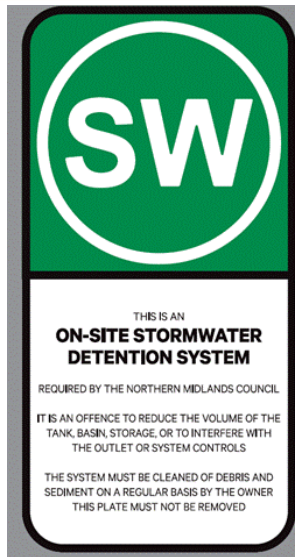
TASWATER CONDITIONS

2. Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2025/00466-NMC) – attached.

COUNCIL'S WORKS & INFRASTRUCTURE DEPARTMENT CONDITIONS

3. STORMWATER

- A) A connection must be provided to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.
- B) Concentrated stormwater must not be discharged into neighbouring properties.
- C) Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- D) All driveways and hardstand areas must be designed to allow stormwater run-off to be adequately drained to the Council stormwater system.
- E) Prior to the issue of a building permit, or the commencement of development authorised by this permit, the applicant must design and provide plans for underground stormwater drainage to collect stormwater from the driveways and roofed area of buildings. The system must connect through properly-jointed pipes to the stormwater main, inter-allotment drainage or other lawful point of discharge to the satisfaction of the Plumbing Inspector.
- F) A plumbing permit is required prior to commencing any plumbing or civil works within the property.
- G) Prior to the commencement of any works on site, a design plan shall be provided for approval by Council showing WSUD infrastructure in accordance with Council's Stormwater Quality Management Policy.
- H) An onsite stormwater detention system must be installed in accordance with the approved plans
- I) A min. 150mm x 100mm stainless steel or aluminium Onsite Stormwater Detention sign permanent fixed and visible on the detention system with the wording "This is an onsite stormwater detention system required by your local Council. It is an offence to reduce the volume of the system or to interfere with the orifice plate that controls the outflow. The base of the outlet pit and the debris screen must be cleaned of debris and sediment on a regular basis by the owner. This plate must not be removed."
- J) Prior to the commencement of use an operations and maintenance manual must be provided to Council for approval.
- K) Prior to the commencement of use certification must be provided by a suitably qualified person confirming that the stormwater detention system has been installed in accordance with the approved plans and all relevant standards.
- L) A Form 46 (Schedule of Maintenance – Prescribed Essential Building Services) covering the stormwater detention system is to be attached to the issued Occupancy Permit.



4. ACCESS

- A) A concrete driveway crossover and apron must be constructed for each frontage from the edge of the road to the property boundary in accordance with Council Standards, prior to commencement of use.
- B) Access works must not commence until an application for vehicular crossing has been approved by Council.
- C) All works must be done in accordance with Council Standard Drawing TSD-R09 and to the satisfaction of the Works Manager.

5. MUNICIPAL STANDARDS AND 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. WORKS IN COUNCIL ROAD RESERVE

- A) Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works Manager.
- B) Twenty-four (24) hours notice must be given to the Works & Infrastructure Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.

7. POLLUTANTS

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

8. WORKS DAMAGE BOND

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

9. 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.

10. CAR PARKING

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.

11. LANDSCAPING

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.

12. FLOOD HAZARD REPORT RECOMMENDATIONS

- The FFL of the habitable area of the Ambulance Station must be at a minimum 141.5m AHD.
- Vehicles must not be parked in the car park when there is threat of flooding. This includes personal vehicles. Any uncrewed ambulances may be moved to higher ground as directed by Ambulance Tasmania.
- A Flood Management Plan must be developed prior to the commencement of use, and made accessible to all Ambulance Tasmania staff and any other users of the site, with a copy provided to Council for their records. The Flood Management Plan should highlight alternate stations, likely routes that will be cut off in 1 in 100 year flood events, packing list of additional stores to carry in the ambulance to maintain function without returning to station as a minimum.

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.
- C. It is the responsibility of the developer/property owner to ensure that pollutants such as mud, silt or chemicals are not released from the site.
- D. 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.
- E. This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil



RECOMMENDATION

That application PLN-25-0055 to develop and use the land at 20 Union Street, Longford (including works within road reservations) for Emergency Services - Ambulance Station be approved subject to the following conditions:

ENDORSED PLANS

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

- P1 Cover Sheet (Archadia Architecture, Project No: 2021-07, Drawing No: DA-00, Dated: 11-4-25, Rev: A);
- P2 Site Plan (Archadia Architecture, Project No: 2021-07, Drawing No: DA-01, Dated: 11-4-25, Rev: A);
- P3 Station – Floor Plan (Archadia Architecture, Project No: 2021-07, Drawing No: DA-02, Dated: 11-4-25);
- P4 Station – Roof Plan (Archadia Architecture, Project No: 2021-07, Drawing No: DA-03, Dated: 11-4-25);
- P5 Station – Elevations 1 (Archadia Architecture, Project No: 2021-07, Drawing No: DA-04, Dated: 11-4-25, Rev: A);
- P6 Station – Elevations 2 (Archadia Architecture, Project No: 2021-07, Drawing No: DA-05, Dated: 11-4-25);
- P7 Site Survey Overlay (Archadia Architecture, Project No: 2021-07, Drawing No: DA-06, Dated: 11-4-25, Rev: A);
- P8 Landscape Plan (Playstreet Landscape Architecture, Project No: 25-038, Sheet No: L100, Dated: 05-05-2025);
- P9 Civil Services – Cover Sheet and Locality Plan (RJK Consulting Engineers, Project No: 24/25TAS082, Drawing No: G01, Dated: 12.06.2025, Rev: C);
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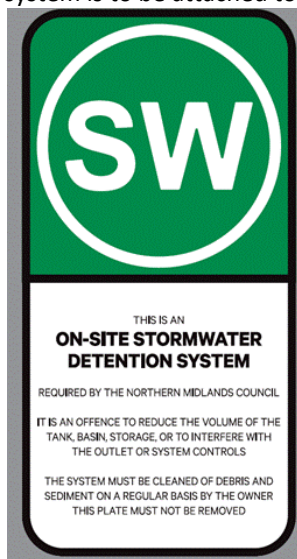
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- E. This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.

1 INTRODUCTION

This report assesses an application for Emergency Services - Ambulance Station (Longford SAP, Parking and Sustainable Transport Code, Attenuation Code, Flood-Prone Areas Hazard Code) against the relevant provisions of the *Tasmanian Planning Scheme – Northern Midlands* (SPP version 10 effective 29 January 2025 and LPS version: 13 effective 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.

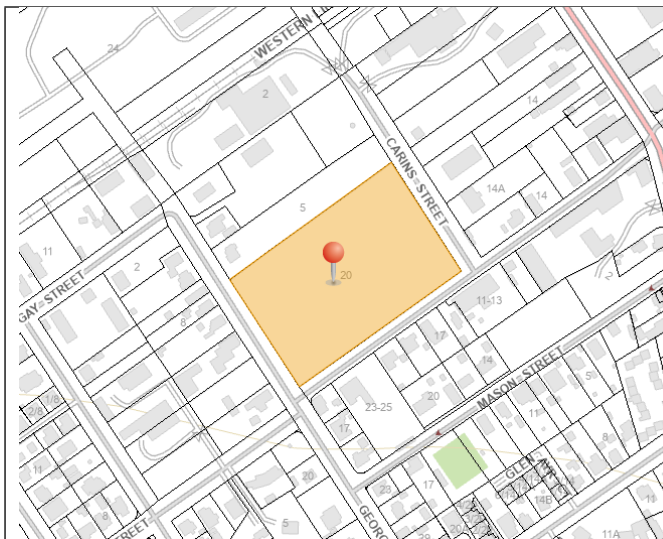


3 APPLICATION DETAILS AND TIMEFRAMES

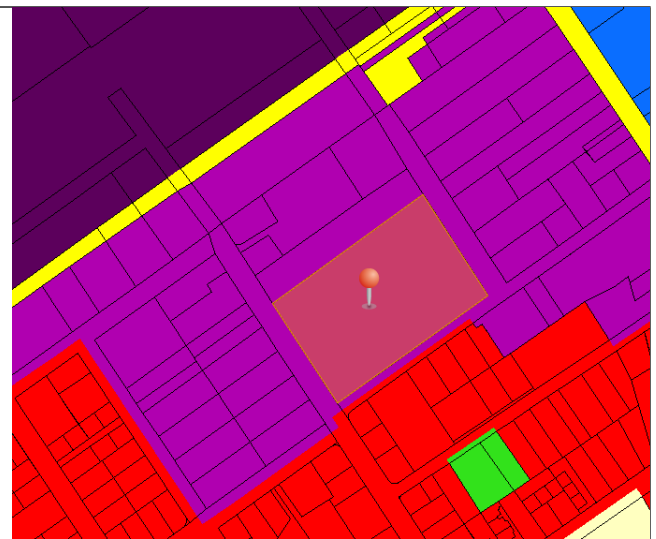
Existing use/development:	Vacant
Use classification:	Emergency services
Zone:	18.0 Light Industrial
Particular Purpose Zone/Specific Area Plan:	NOR-S6.0 Longford Specific Area Plan
Applicable codes:	C1.0 Signs Code C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code C9.0 Attenuation Code C12.0 Flood-Prone Areas Hazard Code C16.0 Safeguarding of Airports Code
Application must be determined by:	25 July 2025 (EOT)
Recommendation:	Approval subject to conditions.

4 SUBJECT SITE AND LOCALITY

Subject site



Zone Map



Aerial image of the site and surrounding area





Photographs of subject site



5 PLANNING SCHEME ASSESSMENT

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

GENERAL PROVISIONS		Applicable (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	-
7.14	Container Refund Points	-

CODE	Applicable (Y/-)	Exemption Applied
C1.0 Signs Code	Y	-
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	N	Not applicable to Light Industrial Zone, and not a sensitive use.
C10.0 Coastal Erosion Hazard Code	-	
C11.0 Coastal Inundation Hazard Code	-	
C12.0 Flood-Prone Areas Hazard Code	Y	-
C13.0 Bushfire Prone Areas Code	-	
C14.0 Potentially Contaminated Land Code	-	
C15.0 Landslip Hazard Code	-	
C16.0 Safeguarding of Airports Code	Y	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	N, not within the General Residential, Low Density Residential or Open Space zones
NOR-S7.0 Perth Specific Area Plan	-
NOR-S8.0 Ross Specific Area Plan	-

The relevant Scheme definitions are:

Table 6.2 Use Class	
Emergency Services	Use of land for police, fire, ambulance and other emergency services including storage and deployment of emergency vehicles and equipment. Examples include ambulance station, fire station and police station.
Table 3.1 Planning Terms and Definitions	
Building	Means as defined in the Act: <i>building includes –</i>



	<p>(a) a structure and part of a building or structure; and</p> <p>(b) fences, walls, out-buildings, service installations and other appurtenances of a building; and</p> <p>(c) a boat or a pontoon which is permanently moored or fixed to land;</p>
Development	<p>Means as defined in the Act: development includes –</p> <p>(a) the construction, exterior alteration or exterior decoration of a building; and</p> <p>(b) the demolition or removal of a building or works; and</p> <p>(c) the construction or carrying out of works; and</p> <p>(d) the subdivision or consolidation of land, including buildings or airspace; and</p> <p>(e) the placing or relocation of a building or works on land; and</p> <p>(f) the construction or putting up for display of signs or hoardings –</p> <p>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;</p>
Works	<p>Means as defined in the Act: 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.</p>

Per the applicable zone use class table, the proposed use Emergency Services 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 LIGHT 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.

18.3 Use Standards

18.3.1 All Uses		
Description		Assessment
A1 Hours of Operation		Not applicable, Emergency Services use.
A2 External lighting		A1 Complies. Only security lighting is proposed, and all will be baffled to be inward facing consistent with AS1158.1.
A3 Commercial vehicle movements and the unloading and loading of commercial vehicles		Not applicable, Emergency Services use.
18.3.2 Discretionary Uses		
Description		Assessment
A1 No Acceptable Solution		Not applicable.
18.4 Development Standards for Buildings and Works		
Clause	Description	Assessment
18.4.1	Building height	A1 Complies. The building height is to be 7.87m above existing ground level.
		A2 Complies. The building is greater than 10m from a residential zone.
18.4.2	Setbacks	A1 Complies. The building is minimum 15.0m to all frontages.
		A2 Not applicable, no adjoining property within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone.
		A3 Not applicable, no external systems are proposed.
18.4.3	Fencing	A1 Not applicable. No common boundary with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone.

18.4.4	Outdoor storage areas	A1 Not applicable, no external storage or display proposed.
18.4.5	Landscaping	A1 Complies, landscaping treatment is provided along both frontages of the site to a depth not less than 5.5m.
18.5 Development Standards for Subdivision		
Clause	Description	Assessment
18.5.1	Lot Design	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.
18.5.2	Services	A1 Not applicable.
		A2 Not applicable.
		A3 Not applicable.

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


Nil.

5.3 STATE PLANNING PROVISIONS – CODE PROVISIONS

C1.0 SIGNS CODE

Code Purpose

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

Sign Type	Definition
Wall sign	 <p>means a sign attached to the wall of a building.</p>

C1.6 Development Standards for Buildings and Works

Clause	Description	Assessment
C1.6.1	Design and siting of signs	A1 A 900mm x 2000mm wall sign proposed on West Elevation. Complies.
		A2 Complies.
		A3 Complies, one sign proposed.
C1.6.2	Illuminated signs	A1 Not applicable.
C1.6.3	Third party sign	A1 Not applicable.
C1.6.4	Signs on local heritage places and in local heritage precincts and local historic landscape precincts	A1 Not applicable.

C2.0 PARKING AND SUSTAINABLE TRANSPORT CODE

Code Purpose

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



C2.5 Use Standards		
Clause	Description	Assessment
C2.5.1	Car Parking Numbers (Refer to table C2.1)	A1 Table C2.1 requires 1 space per employee. As 3 employees will work at the site, proposal plans show 13 spaces with extra accessible bay. Complies with acceptable solution.
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. No requirement.
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 Parking, access ways, manoeuvring and circulation spaces will be sealed and drained to the public stormwater system. Complies with acceptable solution.
C2.6.2	Design and layout of parking areas	A1.1 Complies. Car parking spaces will be all weather and meet requirements of AS2890.
		A1.2 Complies. Car parking spaces will be all weather and meet requirements of AS2890.
C2.6.3	Number of accesses for vehicles	A1 Complies, one access per frontage.
		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 Complies, footpath shown on LO-02.
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.

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		A1.1 Not applicable.



	Traffic generation at a vehicle crossing, level crossing or new junction.	A1.2 Relies on Performance Criteria.
		A1.3 Not applicable.
		A1.4 Not applicable.
		A1.5 Not applicable as not a major road, however vehicular traffic is able to enter and leave in a 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.
C3.7 Development Standards for Subdivision		
Clause	Description	Assessment
C3.7.1	Subdivision for sensitive uses within a road or railway attenuation area.	A1 Not applicable.

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

DISCRETIONS		
C3.5.1	Traffic generation at a vehicle crossing, level crossing or new junction	
P1	<p>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> a) any increase in traffic caused by the use; b) the nature of the traffic generated by the use; c) the nature of the road; d) the speed limit and traffic flow of the road; e) any alternative access to a road; f) the need for the use; g) any traffic impact assessment; and h) any advice received from the rail or road authority. 	
Assessing Officers Comments	<p>At the time of writing this report, written consent for a new vehicle crossing had not been issued by the road authority and the proposal relies on the performance criteria. Conditions are to be placed upon any permit requiring construction of vehicle crossing to Council standards. Vehicular traffic to and from the site will not cause any significant traffic safety issues. The relative increase in traffic associated with the proposal will be minimal, and it is acceptable noting adequate SISD is achieved and does not compromise safety. The increase in traffic movements and the wider road network is within the acceptable range in terms of impact on local amenity. The local road network is assessed as being able to cope with the increase in traffic activity. A Traffic Impact Assessment accompanied the application demonstrating that the proposed development can be satisfactorily accommodated within the existing road network and the future road hierarchy for the area. Performance criteria met.</p>	

C12.0 FLOOD-PRONE AREAS CODE

Code Purpose

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

C12.5 Use Standards		
Clause	Description	Assessment
C12.5.1	Uses within a flood-prone area	A1 Relies on Performance Criteria.
C12.5.2	Critical use, hazardous use or vulnerable use	A1 Relies on Performance Criteria.
		A2 Relies on Performance Criteria.
		A3 Not applicable, not a hazardous use.
		A4 Not applicable, not a vulnerable use.



C12.6 Development Standards for Buildings and Works		
Clause	Description	Assessment
C12.6.1	Buildings and works within a flood-prone hazard area	A1 Relies on Performance Criteria.
C12.7 Development Standards for Subdivision		
Clause	Description	Assessment
C12.7.1	Subdivision within a flood-prone hazard area	A1 Not applicable.

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

DISCRETIONS	
C12.5.1	Uses within a flood-prone area
P1.2	<p>A flood hazard report also demonstrates that:</p> <ul style="list-style-type: none"> a) any increase in the level of risk from flood does not require any specific hazard reduction or protection measures; or b) the use can achieve and maintain a tolerable risk from a 1 % annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.
Assessing Officers Comments	A Flood Hazard Report prepared by RJK Consulting Engineers accompanied the application and demonstrates that the use can achieve and maintain a tolerable risk from a 1 % annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures. Performance criteria met.
C12.5.2	Critical use, hazardous use or vulnerable use
P1	<p>A critical, hazardous, or vulnerable use within a flood-prone hazard area must achieve a tolerable level of risk from flood, having regard to:</p> <ul style="list-style-type: none"> a) the type form and duration of the use; and b) a flood hazard report that demonstrates that: <ul style="list-style-type: none"> (i) any increase in the level of risk from flood does not warrant any specific hazard reduction or protection measures; or (ii) the use can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.
Assessing Officers Comments	The proposed use of the development is for an Ambulance station and a critical use being an emergency service. The expected lifetime of the station is 50 years. The floor level of the building is to be raised, and is detailed on the elevations submitted which will reduce the impacts of flood waters on stores and equipment. 1:100 year flood extent rises to between 140.5m and 141.2m AHD. The recommended FFL of a habitable building should be a minimum 0.3m above the estimated maximum flood level and therefore be 141.5m AHD. A Flood Hazard Report prepared by RJK Consulting Engineers accompanied the application and demonstrates that the use will achieve and maintain a tolerable risk e. Performance criteria met.
P2	<p>In addition to the requirements in clause C12.5.2 P1, a critical use within a flood-prone hazard area must achieve and maintain a tolerable risk, having regard to:</p> <ul style="list-style-type: none"> a) the ability of the use to function and maintain service during the flood event and recovery period; b) any interruption to the operation of the critical use in locations external to the immediate impact of the flood; c) the creation of risk to the health or safety of people from damage or disruption to: <ul style="list-style-type: none"> (i) a water supply service; or (ii) the drainage and treatment of waste water; d) the advice contained in a flood hazard report; and e) any advice from a State authority, regulated entity or a council.
Assessing Officers Comments	Access to the property is via Union Street with garage access on George Street. Both access points would be inundated with at least 1.0m of water, making it a minimum H3 area. As H3 areas are deemed unsafe for vehicles, it must be assumed that there is no vehicle access to the property during 1 in 100 year flood event. There will be no permanent residents onsite, however, nightshift workers have the option to sleep onsite while waiting at the station for callouts. In the event of a 1 in 100 years flood, ambulance crews will not be able to return to the station. In the event of flood warnings, the ambulance crews will need to move to higher ground, or an alternate station as directed by Ambulance Tasmania. A Flood Hazard Report prepared by RJK Consulting Engineers accompanied the application and demonstrates that the use will achieve and maintain a tolerable risk. Performance criteria met.
C12.6.1	Buildings and works within a flood-prone hazard area



DISCRETIONS	
P1.1	Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to: a) the type, form, scale and intended duration of the development; b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures; c) any advice from a State authority, regulated entity or a council; and d) the advice contained in a flood hazard report.
P1.2	A flood hazard report also demonstrates that the building and works: a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures
Assessing Officers Comments	A Flood Hazard Report prepared by RJK Consulting Engineers accompanied the application and demonstrates that the buildings and works will achieve and maintain a tolerable risk from a flood. Construction of the facility will take 6-12 months, with the expected lifetime of the station being 50 years. Construction of the ambulance station will not increase the potential of flooding on or adjacent to the site. Design of habitable floor levels are to be minimum 0.3m above the maximum height level of a 1% AEP flood event reducing the risk to occupants to acceptable levels. The flood levels used for FFL are greater than Council's adopted modelling. A number of recommendations for the proposed development are included in the Flood Report including the requirement of a Flood Management Plan, which can be included into conditions on any approval. Performance criteria met.

5.4 REFERRALS

<u>Council's Infrastructure & Works Department – NMC</u> Council's Infrastructure & Works Department provided advice on 10 June 2025. Their recommended conditions are included in the conditions of approval.
<u>TasWater</u> TasWater issued a Submission to Planning Authority Notice on 4 June 2025 (TasWater Ref: TWDA 2025/00466-NMC). The Planning Permit will condition the development to be in accordance with the Submission to Planning Authority Notice.
<u>TasNetworks</u> TasNetworks reported on 27 May 2025 in response to the provision of the drawing and confirmation the distance of 208mm off the edge of the driveway and pole 248964 will be maintained. 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 two representations were received. It is noted that the representation received by State Emergency Service was out of time, after 7 July 2025 (received 11 July 2025).

Representation 1

This representation expresses strong support for the proposed use and development and that the development would be a great improvement to the current vacant lot. The establishment of a regional ambulance station will significantly enhance emergency health care delivery to the community. The current location of the ambulance station is inadequate.

Planner's Comment

This submission is noted and is in support of the proposed use and development.

Representation 2 (received outside public notification period)

This representation was provided by the State Emergency Service (SES). The SES have recommended that the development application be assessed as a critical use class against the Flood Prone Hazard Areas Code. The SES have noted some factors that are not identified in the proponent's flood report and should be considered, including flood events that may result in the closure of roads and recovery processes, and expected increase in flood hazard due to climate change.

Planner's Comment

The submitted Flood Hazard Report assessed the proposal as a critical use class against the Flood Prone Hazard Areas Code. Whilst the Flood Hazard Report demonstrated that the use and development will achieve and maintain a tolerable risk, as



required by the Code. A recommendation of the Flood Hazard Report is for the requirement of a Flood Management Plan. This Plan may be able to address actions in the event of potential road closures and recovery procedures from a significant flood event as part of development of that Plan. The Flood levels used for FFL are greater than Council's adopted modelling, which is used in the urban area of Longford.

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 in so far as relevant.

5.8 STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES/STRATEGIC PROJECTS

Strategic Plan - Statutory Planning	
Lead - Serve with honesty, integrity, innovation and pride <u>Strategic outcomes:</u> 1.1 Council is connected to the community 1.2 Councillors serve with integrity and honesty 1.3 Management is efficient, proactive and responsible 1.4 Improve community assets responsibly and sustainably	Progress - Economic health and wealth – grow and prosper <u>Strategic outcomes:</u> 2.1 Strategic, sustainable, infrastructure is progressive 2.2 Proactive engagement drives new enterprise 2.3 Collaborative partnerships attract key industries 2.4 Support and attract wealth-producing business and industry
People - Culture and society – a vibrant future that respects the past <u>Strategic outcomes:</u>	Place - Nurture our heritage environment <u>Strategic outcomes:</u> 4.1 Cherish and sustain our landscape



3.1 Sympathetic design respects historical architecture 3.2 Developments enhance existing cultural amenity 3.3 Public assets meet future lifestyle challenges 3.4 Towns are enviable places to visit, live and work	4.2 Meet environmental challenges 4.3 Eco-tourism strongly showcases our natural beauties 4.4 Our heritage villages and towns are high value assets
Comments: The proposal is consistent with this plan.	

Council Policy – Stormwater Quality Management
<p>This policy applies to:</p> <ul style="list-style-type: none">All urban developments <p>Exemptions will be applied as per Tasmanian Stormwater Policy Guidance and Standards for Development (Version 1, 2021) S2.4.2 Table 4:</p> <ul style="list-style-type: none">A single dwelling on a single lot that will be connected to the existing public stormwater system;Development creating new impervious area less than 500m²;A subdivision creating new lots greater than 5000m² in area, and with new roads and footpaths less than 500m² in area;Subdivisions which are solely for the purpose of creating road reserve, public open space, public infrastructure, littoral or riparian reserve or minor boundary adjustments. <p>Comments: <u>Applicable</u></p>

Council Policy – Landscaping Requirements for Development Proposals
<p>This policy applies to:</p> <ul style="list-style-type: none">all applications where landscaping is required under the zone/specific area plan/code provisions.<ul style="list-style-type: none">If for single dwellings where landscaping is required, a landscape plan shall be submitted. A bond of \$500 is also required prior to the commencement of use.For multiple dwellings, a bond of \$500 per dwelling is required prior to the commencement of use.For commercial and industrial development, a bond of 1.5 times the cost of the planting component of landscape works is required prior to the commencement of use. <p>Comments: <u>Applicable</u></p>

Council Policy – On-Site Stormwater Detention
<p>This policy applies to:</p> <ul style="list-style-type: none">All commercial, industrial and special use (e.g. community, educational, recreational) buildings or structuresMultiple dwellings, and whereThe existing drainage system is unable to accommodate an increase in stormwater discharge from the site. <p>Refurbishment of existing buildings and hardstand which does not increase the impervious area of the site is exempt from this policy. There may be instances where Council will specify alternative requirements based on identified local conditions.</p> <p>Council may consider waiving a requirement for on-site stormwater detention where:</p> <ul style="list-style-type: none">The downstream drainage system has been upgraded to accommodate the increase in runoff from the site for all storm events up to and including the 1% AEP event; orWhere the natural overland flow path is to the road or to an area Council deems as low risk (i.e. not to a developed/developable neighbouring property) Council may only require the 20 year ARI (5% AEP) storm to be detained. <p>Comments: <u>Applicable</u></p>

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:

- 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,



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. PLN-25-0055 Public Exhibition Documents [**11.6.1** - 104 pages]
 - 2. 2021-07 Longford Ambulance NMC Letter 250630 (2) [**11.6.2** - 2 pages]
 - 3. P D 25 44611 20 UNION S T, LONGFORD Submission to Planning Authority Notice - Conditions DA 2025 0 [**11.6.3** - 4 pages]
 - 4. TASWATER RAI 20 UNION Street, LONGFORD SPAN Request for Additional Information DA 2025 00466- NMC [**11.6.4** - 3 pages]
 - 5. Response Final RFI Referral - Tas Networks PLN 25-0055 20 Union St Longford - CN 25-104711 [**11.6.5** - 9 pages]
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12 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

MINUTE NO. 25/232

DECISION

Cr Adams/Cr McCullagh

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.

Carried Unanimously

Mayor Knowles adjourned the Council Meeting for the meal break at 7.20pm at which time, Ms Strickland and Mr Badcock left the meeting.

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 DEVELOPMENT SERVICES REPORTS

13.1 DEVELOPMENT SERVICES: MONTHLY REPORT

Responsible Officer: Des Jennings, General Manager

At approximately 5.12pm following conclusion of the discussion relating to Item 8. Information Items and prior to Public Question and Statements being heard, Council commenced with Item 13.1.

MINUTE NO. 25/219

DECISION

Cr Terrett/Cr Adams

That the report be noted.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil

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.

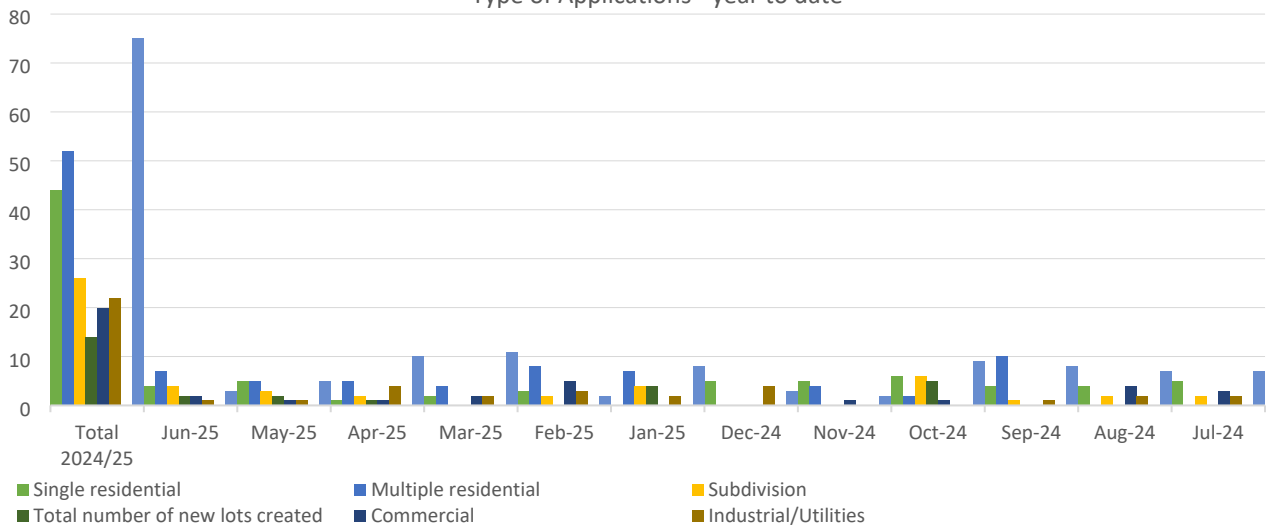
2 DEVELOPMENT SERVICES REPORTING

2.1 Planning Decisions

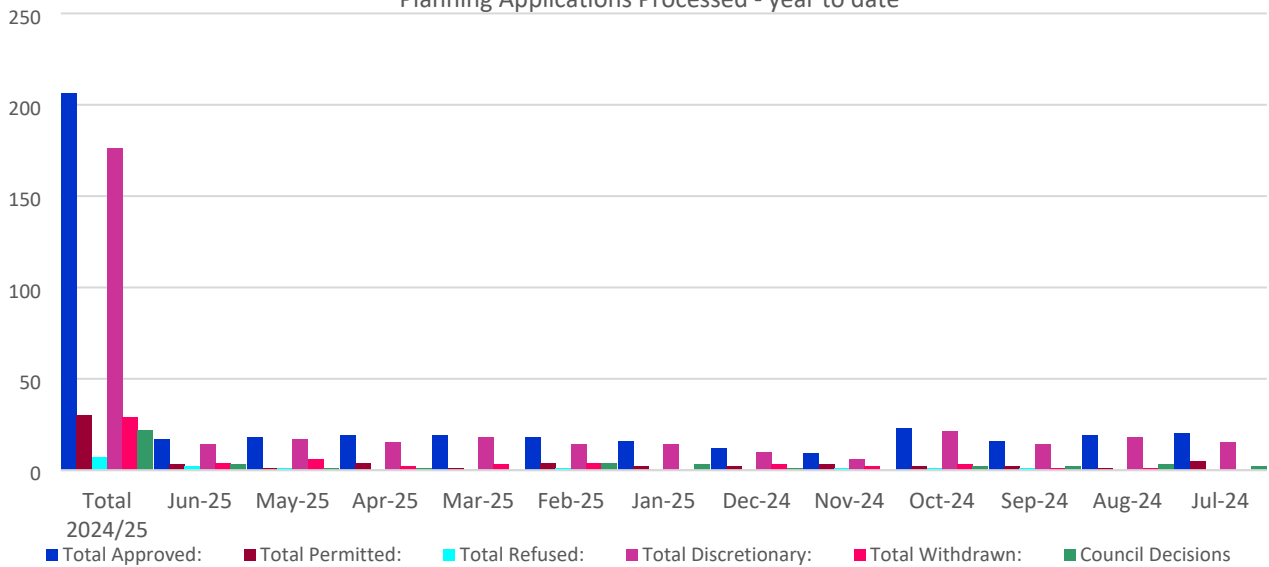
	2022/ 2023	2023/ 2024	Total YTD	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	195	116	242	11	12	21	14	18	16	25	16	26	19	32	32
Applications on STOP for further information				52	45	47	31	30	42	43	46	40	43	38	35
Single residential	48	36	44	5	4	4	6	5	5	0	3	2	1	5	4
Multiple residential	31	69	52	0	0	10	2	4	0	7	8	4	5	5	7
Subdivision	34	27	26	2	2	1	6	0	0	4	2	0	2	3	4
Total number of new lots created	203	72	14	0	0	0	5	0	0	4	0	0	1	2	2
Commercial	27	25	20	3	4	0	1	1	0	0	5	2	1	1	2
Industrial/Utilities	12	15	22	2	2	1	0	0	4	2	3	2	4	1	1
Visitor Accommodation	8	11	0	0	0	0	0	0	0	0	0	0	0	0	0
Total permitted	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total discretionary	7	11	0	0	0	0	0	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	75	7	7	8	9	2	3	8	2	11	10	5	3
Total No. Applications Approved:	228	182	206	20	19	16	23	9	12	16	18	19	19	18	17
Total Permitted:	33	18	30	5	1	2	2	3	2	2	4	1	4	1	3
Average Days for Permitted	11	15	13.36	13	7	15.5	13.5	16.3	10	5	13	18	16	14	19
Days allowed for approval by LUPAA	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28
Total Exempt under IPS:	83	93	104	8	4	9	19	4	3	11	13	8	5	4	16
Total Refused:	5	4	7	0	0	1	1	1	0	0	1	0	0	1	2
Total Discretionary:	198	164	176	15	18	14	21	6	10	14	14	18	15	17	14
Average Days for Discretionary:	33.3	33.17	38.71	34	37	38	38.5	41	36	41	41	40	40	40	38
Days allowed for approval under LUPAA:	42	42	42	42	42	42	42	42	42	42	42	42	42	42	42
Total Withdrawn:	39	44	29	0	1	1	3	2	3	0	4	3	2	6	4
Council Decisions	36	27	22	2	3	2	2	0	1	3	4	0	1	1	3
Appeals lodged by the Applicant	6	2	1	0	0	0	1	0	0	0	0	0	0	0	0
Appeals lodged by third party	2	0	1	0	0	0	0	0	0	0	0	0	1	0	0



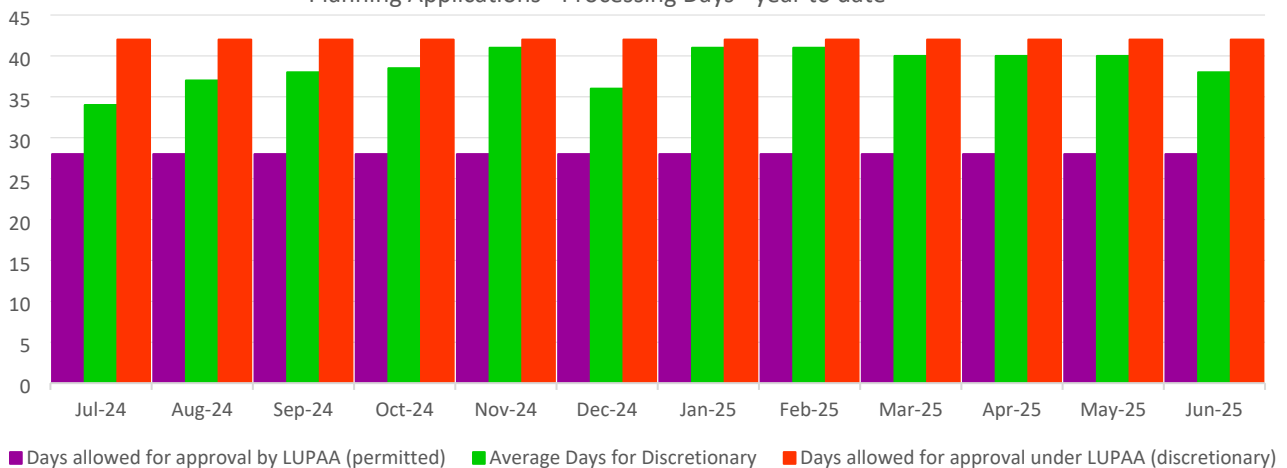
Type of Applications - year to date



Planning Applications Processed - year to date



Planning Applications - Processing Days - year to date

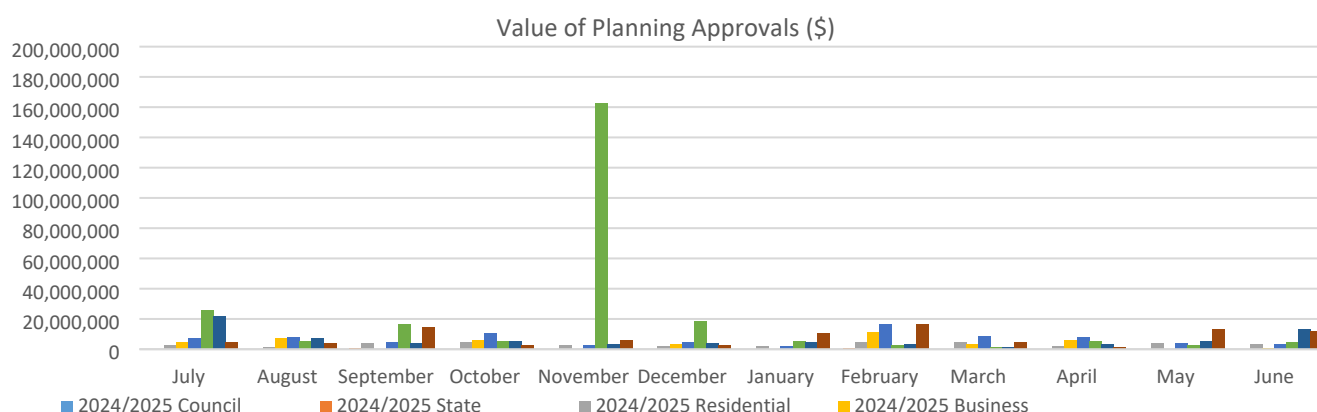




Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
PLN-24-0008 - 1	Multiple Dwellings x 2 - Driveway Layout Change, Fill in Public Open Space	36A Logan Road, Evandale TAS 7212	BVZ Designs	9	A
PLN-24-0199	Multiple Dwellings x 4 (vary density, vary setback, Cressy SAP)	1C Charles St, CRESSY (Access over CT186361/1) TAS 7302	Woolcott Land Services	45	D
PLN-25-0028	Storage - Contractors Yard, including 20m x 12m shed, carparking, driveway, signage (Discretionary use, Parking and Sustainable Transport Code, Road and Railway Assets Code, Natural Assets Code)	528 Cressy Road, Longford TAS 7301	Chris Triebe & Associates	42	D
PLN-25-0063	2 Lot Subdivision (Heritage-Listed Place, Bushfire Prone Area)	750 Deddington Road, Deddington TAS 7212	Woolcott Land Services	42	D
PLN-25-0070	Dwelling & Outbuilding (Longford SAP, C2.0 Parking and Sustainable Transport Code)	17A Anstey Street, Longford TAS 7301	Design to Live	38	D
PLN-25-0076	Amenities Block - demolish existing	537 Woolmers Lane, Longford TAS 7301	Prime Design	42	D
PLN-25-0078	2 Lot Subdivision (Campbell Town SAP)	50 Montagu Street, Campbell Town (works in Bedford Street road reservation) TAS 7210	Nova Land Consulting	42	D
PLN-25-0081	Single Dwelling	2 Observatory Close, Campbell Town TAS 7210	N Bazen	25	D
PLN-25-0082	Outbuilding (garage)	1444 Liffey Road, Liffey TAS 7301	Engineering Plus	39	D
PLN-25-0090	Multiple Dwellings x 3 (Perth SAP, Second Crossover, Sunlight to private open space of multiple dwellings)	(Lot 115) 1 Skyview Rise, Perth TAS 7300	MZSR Developments	38	D
PLN-25-0092	Change of Use	116 High Street, Campbell Town TAS 7210	P Grey	42	D
PLN-25-0093	Single Dwelling	(Lot 27) 101 Bulwer Street, Longford TAS 7301	Abode Designer Homes	35	D
PLN-25-0094	Single Dwelling	43 Pultney Street, Longford TAS 7301	Abode Designer Homes	39	D
PLN-25-0112	Outbuilding (Shed)	14 East Street, Campbell Town TAS 7210	J Rubenach	18	D
PLN-25-0051	Outbuildings (2 x Sheds & 1 x Carport) (Safeguarding of Airports Code)	21 Summit Drive, Devon Hills TAS 7300	Engineering Plus	24	P
PLN-25-0058	Consolidation of 4 Lots to 2 Lots	859 Hobart Road, Breadalbane TAS 7258	D J McCulloch Surveying	31	P
PLN-25-0105	Shade Structure	112-118 Main Street, Cressy TAS 7302	J Wing	3	P
PLN-25-0069	2 Lot Subdivision - Boundary Adjustment (Vary Lot size, Local Heritage Precinct, Longford SAP)	9 Union Street & 4 Mason Street, Longford TAS 7301	Nova Land Consulting	56	C
PLN-24-0097	Part Change of Use to Function Centre	Strathmore, 868 Nile Road (access over 866 Nile Road), Nile TAS 7212	Cumulus	42	CR
PLN-24-0221	Demolition of existing dwelling and garage, construct new dwelling and studio (Local Heritage Precinct)	31 Wellington Street, Longford TAS 7301	Cherry Blossom Design	42	CR

2.2 Value of Planning Approvals

	Council	State	2024/2025			2023/24	2022/23	2021/22
			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			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
February	0	643,494	4,364,450	11,511,310	16,519,254	2,910,000	3,551,367	16,541,550
March	0	0	4,710,452	3,560,000	8,270,452	1,495,000	1,238,500	4,459,000
April	5,000	0	1,989,500	5,700,000	7,694,500	5,141,340	3,186,222	942,860
May	0	0	3,702,000	90,000	3,792,000	2,720,000	5,195,000	13,327,000
June	0	10,000	3,007,645	420,000	3,437,645	4,385,000	13,163,000	11,907,078
YTD Total	130,000	1,293,494	36,797,742	41,590,956	79,812,192	250,992,879	63,221,582	79,808,349
Annual Total						255,377,879	76,384,582	91,715,427



2.3 Matters Awaiting Decision by TASCAT & TPC

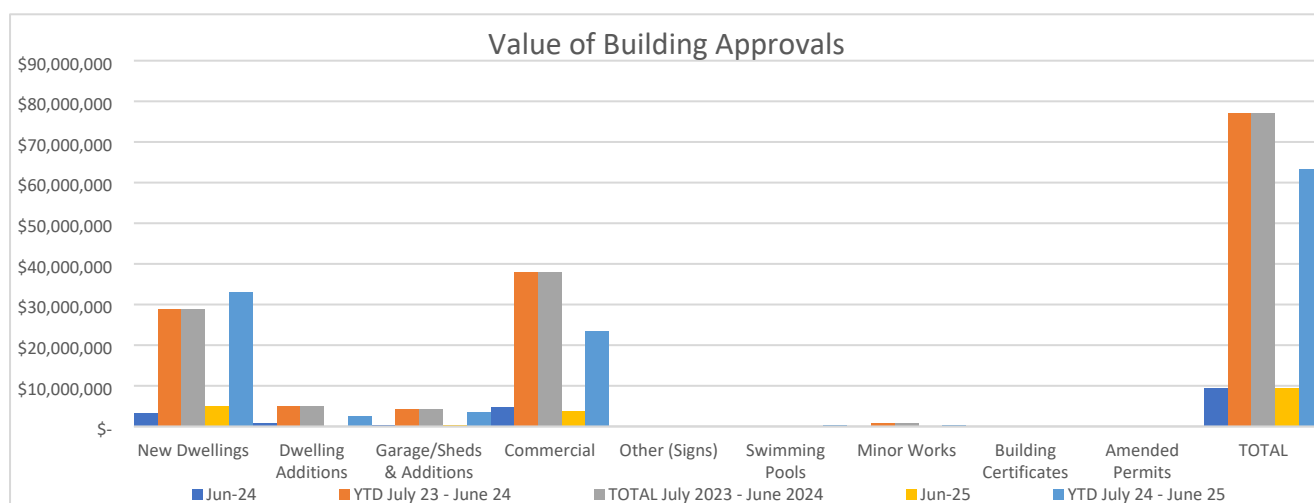
TASCAT	TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
PLN24-0197; Appeal P/2025/43	Appeal against granting of permit for 2 lot subdivision at 109 Deddington Road. <ul style="list-style-type: none">• Preliminary conference held 21 May 2025.• Mediation held 19 June 2025.• Hearing listed for 18 and 19 September 2025.
PLN25-0039; Appeal P/2025/58	Appeal against refusal of a permit for a dwelling (dual use visitor accommodation and communal residence) at 157 Blackwood Creek Road. <ul style="list-style-type: none">• Preliminary conference held 2 July 2025.• No mediation or hearing date listed at this point.
Decisions received	
PLN23-0232; Appeal P2024/105	Appeal against refusal of application for 5 lot subdivision at 30 Paton Street. <ul style="list-style-type: none">• Hearing held 26 February 2025.• Decision received 28 May 2025. Appeal upheld.• Conditions of approval drafted and filed with the Tribunal. Awaiting orders.
TPC	TASMANIAN PLANNING COMMISSION
PLN24-0078;	Draft Amendment to rezone 2 Bruce Place, Longford from Open Space to General Residential. <ul style="list-style-type: none">• Certified by Council on 23 June 2025.• On public notification from 14 July to 12 August 2025.
PLN24-0030; 14/2024	Amendment request to rezone 4 Ridgeside Lane, 38 Arthur Street, 95 Logan Road and Part of 211 Logan Road, Evandale from Agriculture Zone and Apply a Modified Evandale Specific Area Plan to the Land. <ul style="list-style-type: none">• Report recommending that council agree to and certify the proposal as a draft amendment was provided in the agenda for the Council meeting of 23 June 2025.• Council resolved to a) defer a decision on this application until the 18 August 2025 Meeting; and b) discuss at a Council Workshop prior to the August meeting and determine dates for community consultation.• Workshop held 7 July 2025.• Community consultation is being undertaken from 12 July to 4 August 2025 including a community information drop-in session on 22 July 2025.• Feedback from the community consultation to be reported to Council.
Decisions received	
PLN24-0016	Draft Amendment to apply the flood-prone area overlay to the Planning Scheme maps at Perth, Campbell Town and Ross. <ul style="list-style-type: none">• Section 40K report on representations presented to October 2024 Council meeting and sent to Tasmanian Planning Commission.• Commission held a hearing on 18 February 2025.• Responses to Commission directions provided 7 April and 4 June 2025.• Commission decision received on 30 June 2025. The Commission rejected the draft amendment under section 40N(1)(c) and in accordance with section 40N(1)(c)(ii), directed the planning authority to provide a substantially modified draft amendment that applies the Flood-Prone Areas Hazard Code overlay consistent with the SES mapping to Campbell Town, Perth and Ross as shown in figures attached to the decision.• Substantially modified draft amendment to be publicly exhibited for 28 days.

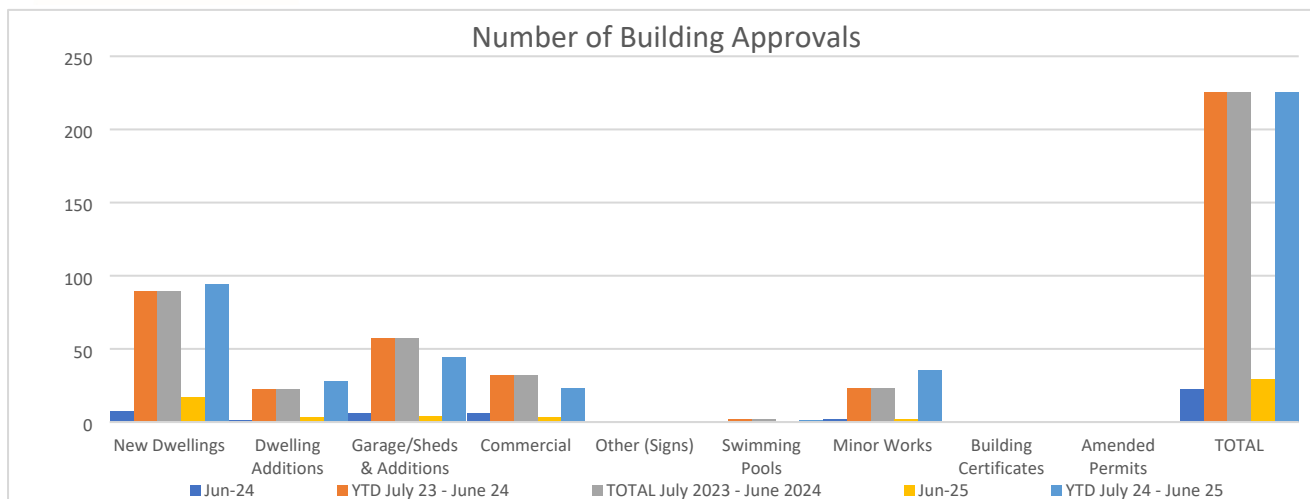


2.4 Building Approvals

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			
	Jun-24		YTD July 23 - June 24		TOTAL July 2023 - June 2024		Jun-25		YTD July 24 - June 25	
	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value
		\$		\$		\$		\$		\$
New Dwellings	7	3,378,000	89	28,811,896	89	28,811,896	17	5,134,870	94	33,101,243
Dwelling Additions	1	800,000	22	5,105,400	22	5,105,400	3	195,000	28	2,521,600
Garage/Sheds & Additions	6	286,000	57	4,240,824	57	4,240,824	4	332,000	44	3,598,729
Commercial	6	4,876,999	32	38,102,213	32	38,102,213	3	3,678,000	23	23,475,732
Other (Signs)	0	0	0	0	0	0	0	0	0	0
Swimming Pools	0	0	2	114,000	2	114,000	0	0	1	300,000
Minor Works	2	45,364	23	741,490	23	741,490	2	25,000	35	421,461
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	22	9,386,363	225	77,115,823	225	77,115,823	29	9,364,870	225	63,418,765
Inspections										
Building	0		4		4		0		0	
Plumbing	51		453		453		23		389	





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	20	284	155
Property owner not home or only recently started			
Complying with all conditions / signed off	20	283	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	4	202	87
Commitment provided to submit required documentation			7
Re-inspection required	2	142	48
No Further Action Required	2	60	32
Building Notices issued		33	21
Plumbing Notices Issued		17	11
Building Orders issued		26	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	13	4
Commitment provided to submit required documentation			2
Re-inspection required	1	3	



Illegal Works - Planning	This Month	2024/2025	Total 2023/2024
Notice of Intention to Issue Enforcement Notice issued	5	5	1
Enforcement Notices issued	1	3	
Infringements Issued	0		
No Further Action Required	0		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 23 commercial building approvals valued at a total of \$23,475,732 (year to date), compared to 32 commercial building approvals valued at a total of \$38,102,213 (year to date) for the previous year.

In total, there have been 225 building approvals valued at \$63,418,765 (year to date) for 2024/2025 compared to 225 building approvals valued at \$77,115,823 (year to date) for the previous year.



13.2 PROPOSED EVANDALE AMENDMENT 14/2024: COMMUNITY CONSULTATION UPDATE

Responsible Officer: Des Jennings, General Manager

Report prepared by: Paul Godier, Senior Planner

MINUTE NO. 25/220

DECISION

Cr Terrett/Cr Adams

That Council:

- a) discuss the feedback from the community consultation at its workshop of 1 September 2025; and
- b) at the 15 September 2025 Ordinary Council Meeting:
 - (i) consider the consultation feedback report; and
 - (ii) consider the application to amend the Planning Scheme.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil

RECOMMENDATION

That Council:

- a) discuss the feedback from the community consultation at its workshop of 1 September 2025; and
- b) at the 15 September 2025 Ordinary Council Meeting:
 - (i) consider the consultation feedback report; and
 - (ii) consider the application to amend the Planning Scheme.

1 PURPOSE OF REPORT

This report provides an update on community consultation and recommends dates for a special workshop and special meeting.

2 INTRODUCTION/BACKGROUND

Northern Midlands Council has received an application to amend the Tasmanian Planning Scheme – Northern Midlands (Local Provisions Schedule) to rezone agricultural land on the fringe of Evandale and expand the Evandale Specific Area Plan.

The agenda for Council's meeting of 23 June 2025 included a report recommending that Council agree to and certify the application as a draft amendment.

Council resolved to:

- a) defer a decision on the application until the 18 August 2025 meeting; and
- b) discuss at a Council Workshop prior to the August meeting and determine dates for community consultation.

The matter was discussed at the workshop of 7 July 2025.

Community consultation is being undertaken from 12 July to 4 August 2025.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027



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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

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

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

- 2.1 Strategic, sustainable, infrastructure is progressive

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.4 Towns are enviable places to visit, live and work

Place: Nurture our heritage environment

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

Strategic outcomes:

- 4.4 Our heritage villages and towns are high value assets

3.2 Integrated Priority Projects Plan 2021

Not applicable.

4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

5.1 *Land Use Planning and Approvals Act 1993*

Division 2 – Requests for amendments of Local Provisions Schedules

6 FINANCIAL IMPLICATIONS

The applicant has paid the scheduled fee for a request to amend the Local Provisions Schedule.

7 RISK ISSUES

No risk issues are identified, providing Council decides on the application at its meeting of 15 September 2025.

8 CONSULTATION WITH STATE GOVERNMENT



Council has received comment on the proposed amendment from state government departments.

On 23 June 2025 the Commission was asked to grant an extension of time to decide on the application until the 18 August meeting. The Commission advised that it appeared likely that at its meeting of 23 June 2025 the planning authority would defer consideration of the matter. To avoid failing to meet their statutory timeframes the requested extension until 18 August 2025 was granted. The extension required the Council to notify the applicant to advise the reason for the delay and when they can expect the matter to be considered by the planning authority. The applicant has been advised.

The Commission also reminded Council that pursuant to section 38 of the *Land use Planning and Approvals Act 1993*, the planning authority, when deciding whether or not to prepare a draft amendment to an LPS must consider whether the draft amendment will meet the LPS criteria. Consultation is integral to the statutory process and for this reason council's preference for pre-consultation is not a reason to support an extension to the 42-day statutory timeframe.

Due to the community consultation timeframes which would not allow a council workshop to discuss the feedback before the meeting of 18 August, the Commission was requested to provide another extension of time, to allow the application to be considered at the 15 September meeting. The extension was granted.

9 COMMUNITY CONSULTATION

Community Consultation is being undertaken from Saturday 12 July until Monday 4 August 2025.

The amendment documents can be viewed on the Northern Midlands Council webpage under Development - Planning.

Feedback on the proposed amendment can be submitted via email to planning@nmc.tas.gov.au. Feedback must be received by 5pm, Monday, 4 August 2025.

A community information (drop-in) session about this proposed amendment will be held on:

- Tuesday, 22 July 2025
- 11:00 am until 7:00 pm
- Evandale Memorial Hall, 8 High Street, Evandale

Interested community members can drop into this session to ask questions and find out more information.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can:

- a) Discuss the feedback from the community consultation a workshop to be held prior to 05 September (being the date the agenda closes for the 15 September meeting); and
- b) Consider the report on the consultation feedback at its meeting of 15 September 2025; and
- c) Consider the application to amend the planning scheme at its meeting of 15 September 2025.

11 OFFICER'S COMMENTS/CONCLUSION

A council workshop to discuss the feedback from the community consultation should be held prior to feedback report and the application being considered at the council meeting of 15 September. The next workshop is set for 1 September 2025. Alternatively, a special workshop could be held.

12 ATTACHMENTS

Nil



14 GOVERNANCE REPORTS

14.1 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT): 25 JULY 2025 ANNUAL GENERAL MEETING & GENERAL MEETING

Responsible Officer: Des Jennings, General Manager

Report prepared by: Lee Viney, Executive Assistant

MINUTE NO. 25/221

DECISION

Cr Terrett/Cr McCullagh

That Council in relation to the Local Government Association of Tasmania (LGAT) General Meeting to be held on 25 July 2025 delegate Mayor Knowles to vote as follows:

A) *vote as follows in relation to the following items listed in the LGAT GENERAL MEETING AGENDA for the meeting to be held on 25 July 2025:*

2.1 MOTION – BETTER ACTIVE TRANSPORT GRANT PROGRAM

Council – City of Hobart

Decision Sought

That the Local Government Association of Tasmania lobby the Tasmanian Government to commit to:

- 1. reinstate the Tasmanian Government's Better Active Transport Grant Program; and*
- 2. increase the ongoing annual funding of the Better Active Transport Grant Program to not less than 1 per cent of the annual roads budget..*

Vote for the Motion

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil

MINUTE NO. 25/222

DECISION

Cr Terrett/Cr McCullagh

That Council in relation to the Local Government Association of Tasmania (LGAT) General Meeting to be held on 25 July 2025 delegate Mayor Knowles to vote as follows:

A) *vote as follows in relation to the following items listed in the LGAT GENERAL MEETING AGENDA for the meeting to be held on 25 July 2025:*

2.2 MOTION – RATING OF NEW ENERGY DEVELOPMENTS *

Decision Sought

That members:

- endorse the position that, where relevant, Tasmanian councils differentially rate renewable energy facilities in alignment with the Victorian Payment in Lieu of Rates (PiLoR) charges, or less;*
- note LGAT will undertake the work outlined in the attached paper to support this.*

Vote for the Motion

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil



MINUTE NO. 25/223

DECISION

Cr Terrett/Cr Adams

That Council in relation to the Local Government Association of Tasmania (LGAT) General Meeting to be held on 25 July 2025:

B) *note/receive the following items listed in the LGAT General Meeting Agenda for the meeting to be held on 25 July 2025:*

1.1 CONFIRMATION OF MINUTES *

That the Minutes of the meeting held on 2 April 2025, as circulated, be confirmed.

1.2 BUSINESS ARISING *

That Members note the information.

1.3 CONFIRMATION OF AGENDA

That consideration be given to the Agenda items and the order of business.

1.4 FOLLOW UP OF MOTIONS *

That Members note the following report.

1.5 PRESIDENT'S REPORT

That Members note the report on the President's activity from 14 March until 27 June 2025.

1.6 CHIEF EXECUTIVE OFFICER'S REPORT

That members note the report on the CEOs activity from 14 March until 27 June 2025.

1.7 ANNUAL PLAN UPDATE*

That Members note the report against the Annual Plan.

1.8 COUNCIL ROUND UP

That members note there will be a council round up by Northern Midlands Council.

4.1 ADVOCATE

4.1.1. LOCAL GOVERNMENT REFORM

That members note the update on local government reform.

4.1.2. State Election priorities *

That members note the update on LGAT's state election priorities and advocacy.

4.1.3. PLANNING

That members note the report on planning policy issues.

4.1.4. GOVERNMENT BUSINESS ENTERPRISES AND RATING TREATMENT *

That members note the 2003 Statewide Partnership Agreement between the Tasmanian Government and councils on financial reform and discuss the sector resolution on the payment of Government Business Enterprises rates equivalents to local government.

4.1.5. LIFT THE TONE

That members note the progress on the Lift the Tone campaign.

4.1.6. EMERGENCY MANAGEMENT AND RECOVERY UPDATE

That members note the update on emergency management.

4.2 MEMBER SERVICES

4.2.1. PROCUREMENT UPDATE

That members note the following update on procurement support for councils.

4.2.2. Events and professional development overview

That members note the update on events and professional development.



4.3 SECTOR SUPPORT

4.2.3. LEARNING AND DEVELOPMENT FRAMEWORK

That members note the update on the learning and development framework.

4.3.1. SAFEGUARDING CHILDREN

That members note the update on Safeguarding Children.

4.3.2. CLIMATE CHANGE

That members note the update on climate change activities.

4.3.3. EPA MEMORANDUM OF UNDERSTANDING ANNUAL PLAN 2025–26 *

That members note the EPA Memorandum of Understanding Annual Plan 2025–26.

4.3.4. POLICY UPDATE

That members note the update on a range of policy issues.

4.3.5. SECTOR SUPPORT UPDATE

That members note the update on the Health and Wellbeing program, the CCTV Regional Towns Security Cameras Project and the Development.

5.1 NEXT MEETINGS AND CLOSE

That Members note the next meeting will be held on 20 November 2025, Hobart.

C) *note/receive the following items listed in the LGAT Annual General Meeting Agenda for the meeting to be held on 25 July 2025 at 2.00pm:*

2.1 MINUTES OF 112TH ANNUAL GENERAL MEETING*

That the Minutes of the 112th Annual General Meeting, held 26 July 2024 be confirmed.

2.2 PRESIDENT'S REPORT

That the President's report be received.

2.3 FINANCIAL STATEMENTS TO 30 JUNE 2024 *

That the financial statements for the period 1 July 2023 to 30 June 2024 be received and adopted.

2.4. 2025-2026 LGAT BUDGET AND SUBSCRIPTIONS *

That the committee endorse the 2025-26 LGAT Budget and Subscriptions with an overall 4% subscription increase for councils.

2.5 PRESIDENT AND VICE PRESIDENT HONORARIUMS

That the president's and vice president's honorariums for the period 1 July 2025 to 30 June 2026 be adjusted in accordance with the annual increase (March 2025 quarter) in the wage price index for Tasmania.

That the GMC sitting fees for the period 1 July 2025 to 30 June 2026 be adjusted in accordance with the annual increase (March 2025 quarter) in the wage price index for Tasmania.

2.6 REPORTS FROM BOARD REPRESENTATIVES *

(a) *That the reports from representatives on various bodies be received and noted.*

(b) *That Members acknowledge the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.*

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil



RECOMMENDATION

That Council in relation to the Local Government Association of Tasmania (LGAT) General Meeting to be held on 25 July 2025 delegate Mayor Knowles to vote as follows:

A) *vote as follows in relation to the following items listed in the LGAT GENERAL MEETING AGENDA for the meeting to be held on 25 July 2025:*

2.1 MOTION – BETTER ACTIVE TRANSPORT GRANT PROGRAM

Council – City of Hobart

Decision Sought

That the Local Government Association of Tasmania lobby the Tasmanian Government to commit to:

- 1. reinstate the Tasmanian Government's Better Active Transport Grant Program; and*
- 2. increase the ongoing annual funding of the Better Active Transport Grant Program to not less than 1 per cent of the annual roads budget..*

Vote for / against the Motion

2.2 MOTION – RATING OF NEW ENERGY DEVELOPMENTS *

Decision Sought

That members:

- endorse the position that, where relevant, Tasmanian councils differentially rate renewable energy facilities in alignment with the Victorian Payment in Lieu of Rates (PiLoR) charges, or less;*
- note LGAT will undertake the work outlined in the attached paper to support this.*

Vote for / against the Motion

B) *note/receive the following items listed in the LGAT General Meeting Agenda for the meeting to be held on 25 July 2025:*

1.1 CONFIRMATION OF MINUTES *

That the Minutes of the meeting held on 2 April 2025, as circulated, be confirmed.

1.2 BUSINESS ARISING *

That Members note the information.

1.3 CONFIRMATION OF AGENDA

That consideration be given to the Agenda items and the order of business.

1.4 FOLLOW UP OF MOTIONS *

That Members note the following report.

1.5 PRESIDENT'S REPORT

That Members note the report on the President's activity from 14 March until 27 June 2025.

1.6 CHIEF EXECUTIVE OFFICER'S REPORT

That members note the report on the CEOs activity from 14 March until 27 June 2025.

1.7 ANNUAL PLAN UPDATE*

That Members note the report against the Annual Plan.

1.8 COUNCIL ROUND UP

That members note there will be a council round up by Northern Midlands Council.

4.1 ADVOCATE

4.1.1. LOCAL GOVERNMENT REFORM

That members note the update on local government reform.

4.1.2. State Election priorities *



That members note the update on LGAT's state election priorities and advocacy.

4.1.3. PLANNING

That members note the report on planning policy issues.

4.1.4. GOVERNMENT BUSINESS ENTERPRISES AND RATING TREATMENT *

That members note the 2003 Statewide Partnership Agreement between the Tasmanian Government and councils on financial reform and discuss the sector resolution on the payment of Government Business Enterprises rates equivalents to local government.

4.1.5. LIFT THE TONE

That members note the progress on the Lift the Tone campaign.

4.1.6. EMERGENCY MANAGEMENT AND RECOVERY UPDATE

That members note the update on emergency management.

4.2 MEMBER SERVICES

4.2.1. PROCUREMENT UPDATE

That members note the following update on procurement support for councils.

4.2.2. Events and professional development overview

That members note the update on events and professional development.

4.3 SECTOR SUPPORT

4.2.3. LEARNING AND DEVELOPMENT FRAMEWORK

That members note the update on the learning and development framework.

4.3.1. SAFEGUARDING CHILDREN

That members note the update on Safeguarding Children.

4.3.2. CLIMATE CHANGE

That members note the update on climate change activities.

4.3.3. EPA MEMORANDUM OF UNDERSTANDING ANNUAL PLAN 2025–26 *

That members note the EPA Memorandum of Understanding Annual Plan 2025–26.

4.3.4. POLICY UPDATE

That members note the update on a range of policy issues.

4.3.5. SECTOR SUPPORT UPDATE

That members note the update on the Health and Wellbeing program, the CCTV Regional Towns Security Cameras Project and the Development.

5.1 NEXT MEETINGS AND CLOSE

That Members note the next meeting will be held on 20 November 2025, Hobart.

C) *note/receive the following items listed in the LGAT Annual General Meeting Agenda for the meeting to be held on 25 July 2025 at 2.00pm:*

2.1 MINUTES OF 112TH ANNUAL GENERAL MEETING*

That the Minutes of the 112th Annual General Meeting, held 26 July 2024 be confirmed.

2.2 PRESIDENT'S REPORT

That the President's report be received.

2.3 FINANCIAL STATEMENTS TO 30 JUNE 2024 *

That the financial statements for the period 1 July 2023 to 30 June 2024 be received and adopted.

2.4. 2025-2026 LGAT BUDGET AND SUBSCRIPTIONS *

That the committee endorse the 2025-26 LGAT Budget and Subscriptions with an overall 4% subscription increase for councils.

2.5 PRESIDENT AND VICE PRESIDENT HONORARIUMS



That the president's and vice president's honorariums for the period 1 July 2025 to 30 June 2026 be adjusted in accordance with the annual increase (March 2025 quarter) in the wage price index for Tasmania.

That the GMC sitting fees for the period 1 July 2025 to 30 June 2026 be adjusted in accordance with the annual increase (March 2025 quarter) in the wage price index for Tasmania.

2.6 REPORTS FROM BOARD REPRESENTATIVES *

(a) *That the reports from representatives on various bodies be received and noted.*

(b) *That Members acknowledge the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.*

1 PURPOSE OF REPORT

This report considers the Local Government Association of Tasmania (LGAT) agenda for the General Meeting to be held on 25 July 2025 at the Boathouse Centre, Launceston from 12.30pm.

2 INTRODUCTION/BACKGROUND

The Local Government Association of Tasmania (LGAT) will hold the General Meeting on 25 July 2025 at the Boathouse Centre, Launceston from 12.30pm.

The decisions of Council regarding this report will determine how the Northern Midlands Council voting delegate should vote on each of the items listed in the Local Government Association of Tasmania (LGAT) Agenda for the General Meeting.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

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

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

Consideration needs to be given to each agenda item listed, Council is then to determine how the voting delegate is to vote on each item at the General Meeting and Annual General Meeting to be held on 25 July 2025.

** Denotes attachments.*

The following motions are listed for the General Meeting:

1.1.1 CONFIRMATION OF MINUTES *

Decision Sought

That the Minutes of the meeting held on 2 April 2025, as circulated, be confirmed.

1.1.2 BUSINESS ARISING *

Decision Sought

That Members note the information.

1.3 CONFIRMATION OF AGENDA

Decision Sought

That consideration be given to the Agenda items and the order of business.

1.4 FOLLOW UP OF MOTIONS *

Decision Sought

That Members note the following report.

1.5 PRESIDENT'S REPORT

Decision Sought

That Members note the report on the President's activity from 14 March until 27 June 2025.

1.6 CHIEF EXECUTIVE OFFICER'S REPORT

Decision Sought

That members note the report on the CEOs activity from 14 March until 27 June 2025.

1.7 ANNUAL PLAN UPDATE*

Decision Sought

That Members note the report against the Annual Plan.

1.8 COUNCIL ROUND UP

Decision Sought

That members note there will be a council round up by Northern Midlands Council.

4.1 ADVOCATE

4.1.1. LOCAL GOVERNMENT REFORM

Decision Sought

That members note the update on local government reform.

4.1.2 STATE ELECTION PRIORITIES *

Decision Sought



That members note the update on LGAT's state election priorities and advocacy.

4.1.3. Planning

Decision Sought

That members note the report on planning policy issues.

4.1.4. GOVERNMENT BUSINESS ENTERPRISES AND RATING TREATMENT *

Decision Sought

That members note the 2003 Statewide Partnership Agreement between the Tasmanian Government and councils on financial reform and discuss the sector resolution on the payment of Government Business Enterprises rates equivalents to local government.

4.1.5. LIFT THE TONE

Decision Sought

That members note the progress on the Lift the Tone campaign.

4.1.6. EMERGENCY MANAGEMENT AND RECOVERY UPDATE

Decision Sought

That members note the update on emergency management.

4.2 MEMBER SERVICES

4.2.1. PROCUREMENT UPDATE

Decision Sought

That members note the following update on procurement support for councils.

4.2.2. EVENTS AND PROFESSIONAL DEVELOPMENT OVERVIEW

Decision Sought

That members note the update on events and professional development.

4.2.3. LEARNING AND DEVELOPMENT FRAMEWORK

Decision Sought

That members note the update on the learning and development framework.

4.3. SECTOR SUPPORT

4.3.1. SAFEGUARDING CHILDREN

Decision Sought

That members note the update on Safeguarding Children.

4.3.2. CLIMATE CHANGE

Decision Sought

That members note the update on climate change activities.

4.3.3. EPA MEMORANDUM OF UNDERSTANDING ANNUAL PLAN 2025–26 *

Decision Sought

That members note the EPA Memorandum of Understanding Annual Plan 2025–26.

4.3.4. POLICY UPDATE

Decision Sought

That members note the update on a range of policy issues.

4.3.5. SECTOR SUPPORT UPDATE

Decision Sought

That members note the update on the Health and Wellbeing program, the CCTV Regional Towns Security Cameras Project and the Development.

5.1. NEXT MEETINGS AND CLOSE

Decision Sought

That Members note the next meeting will be held on 20 November 2025, Hobart.

The following items are listed for the Annual General Meeting:

2.1 MINUTES OF 112TH ANNUAL GENERAL MEETING*



Decision Sought

That the Minutes of the 112th Annual General Meeting, held 26 July 2024 be confirmed.

2.2 PRESIDENT'S REPORT

Decision Sought

That the President's report be received.

2.3 FINANCIAL STATEMENTS TO 30 JUNE 2024 *

Decision Sought

That the financial statements for the period 1 July 2023 to 30 June 2024 be received and adopted.

2.4. 2025-2026 LGAT BUDGET AND SUBSCRIPTIONS *

Decision Sought

That the committee endorse the 2025-26 LGAT Budget and Subscriptions with an overall 4% subscription increase for councils.

2.5 PRESIDENT AND VICE PRESIDENT HONORARIUMS

Decision Sought

That the president's and vice president's honorariums for the period 1 July 2025 to 30 June 2026 be adjusted in accordance with the annual increase (March 2025 quarter) in the wage price index for Tasmania.

That the GMC sitting fees for the period 1 July 2025 to 30 June 2026 be adjusted in accordance with the annual increase (March 2025 quarter) in the wage price index for Tasmania.

2.6 REPORTS FROM BOARD REPRESENTATIVES *

Decision Sought

(a) That the reports from representatives on various bodies be received and noted.

(b) That Members acknowledge the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.

11 OFFICER'S COMMENTS/CONCLUSION

The decisions of Council regarding this report will determine how the Northern Midlands Council voting delegate should vote on each of the items listed in the Local Government Association of Tasmania (LGAT) Agenda for the General Meeting to be held on 25 July 2025.

12 ATTACHMENTS

1. LGAT General Meeting Agenda 25 July 2025 [**14.1.1** - 164 pages]
 2. LGAT AGM Agenda & Attachments 25 July 2025 [**14.1.2** - 64 pages]
-



14.2 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT): MOTIONS FOR THE NOVEMBER 2025 GENERAL MEETING

Responsible Officer: Maree Bricknell, Acting General Manager

Report prepared by: Lee Viney, Executive Assistant

MINUTE NO. 25/224

DECISION

Cr McCullagh/Cr Terrett

That Council

- a) receive the report; and
- b) workshop proposed and other potential issues and bring back for consideration at a future council meeting.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil

At approximately 5.26pm, following conclusion of discussion and decision on Item 14.2, Council commenced with Item 9. Public Question & Statements and items listed under Items 11 and 12 relating to Planning as listed in the Council Meeting Agenda.

RECOMMENDATION

That Council

- a) receive the report, and
 - b) list the following matters for consideration at the Local Government Association of Tasmania (LGAT) General Meeting to be held on Thursday 20 November 2025:
 - i)
 - ii)
- or
- c) take no further action.

1 PURPOSE OF REPORT

The purpose of this report is to commence discussion on consideration of motions to be submitted to the Local Government Association of Tasmania (LGAT) General Meeting to be held on Thursday 20 November 2025. **2**

INTRODUCTION/BACKGROUND

Councils are invited to submit motions on matters connected with the objectives of the Association or of common concern to members for inclusion in the Agenda of the General Meeting. LGAT plans to distribute the agenda 1 month prior to the meeting.

LGAT advises that opportunities are available at every General Meeting of the Association to submit motions for deliberation and do not have to be restricted to the General Meeting attached to the Annual General Meeting. Councils are encouraged to consider this matter in terms of ensuring more robust and broader debate across all General Meetings in the year. Additionally, for any meeting, Members may submit items for Topical Discussion.

It should be noted that motions for the General Meeting attached to the Annual General Meeting need to be submitted



well before issue of the Agenda to allow sufficient lead time to ensure relevant matters can be forwarded to the State Government for comment in accordance with the Communication and Consultation Protocol Agreement. The responses from State Government are then included with the agenda to provide councils with a full briefing of the issues to be considered. State Government comment is not sought in advance for other meetings.

The Rules of the Association do not provide for the preparation of a Supplementary Agenda.

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

3.2 Integrated Priority Projects Plan 2021

Not applicable.

4 POLICY IMPLICATIONS

Not applicable.

5 STATUTORY REQUIREMENTS

There is no requirement to submit a motion/s.

6 FINANCIAL IMPLICATIONS

Not applicable.

7 RISK ISSUES

Not applicable.

8 CONSULTATION WITH STATE GOVERNMENT

In regard to the General Meeting held in conjunction with the Annual General Meeting, LGAT forwards relevant matters to the State Government for comment in accordance with the Communication and Consultation Protocol Agreement. The responses from State Government are then included in the agenda to provide councils with a full briefing of the issues to be considered.

State Government comment is not sought in advance of other meetings.

9 COMMUNITY CONSULTATION

Not applicable.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may wish to consider motions to be submitted for inclusion in the Agenda of the General Meeting.



11 OFFICER'S COMMENTS/CONCLUSION

A list of motions tabled at LGAT General Meetings by Northern Midlands Council in the past is attached for reference.

Councillors may wish to list topical matters for consideration by LGAT's membership.

12 ATTACHMENTS

1. GOV LGAT - Submission of Motions List to 03-2024 [**14.2.1** - 1 page]
 2. Submission-of- Motions- Form 2025 [**14.2.2** - 2 pages]
-



15 WORKS REPORTS

No Works reports were included for Council's consideration.



16 ITEMS FOR THE CLOSED MEETING

Mayor Knowles reconvened the meeting after the meal break at 7.50pm and Council commenced with Item 16.

MINUTE NO. 25/233

DECISION

Cr Adams/Cr Andrews

That Council move into the "Closed Meeting" with the General Manager, Corporate Services Manager, Works Manager, Project and Building Compliance Manager, Statutory Planner, Executive Officers and Executive Assistant.

Carried Unanimously

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
3.1 Confirmation of Minutes	15(2)(g)
3.3 Applications for Leave of Absence	15(2)(h)
4.1 Personnel Matters	15(2)(a)
4.2 Action Items: Closed Council Status Report	15(2)(g)
4.3 Personnel Matters	15(2)(a)
5.1 Campbell Town Streetscape Redevelopment - Construction Tender, NMC 25/03	15(2)(d)
5.2 Review of Council Committees	15(2)(g)
5.3 Swimming Pool Analysis 2024/2025	15(2)(a)

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.*



16.1 CLOSED COUNCIL DECISIONS RELEASED

5.1 CAMPBELL TOWN STREETScape REDEVELOPMENT - CONSTRUCTION TENDER, NMC 25/03

MINUTE NO. 25/237

That Council

- a) accepts the tender from DCS Civil
- b) in relation to this matter
 - i) consider whether any discussion, decision, report or document is kept confidential or released to the public; and
 - ii) determined **to release the decision only** and not release the report/or document to the public.

Carried

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks and Cr Goss

Voting Against the Motion:

Cr McCullagh and Cr Terrett

5.2 REVIEW OF COUNCIL COMMITTEES

MINUTE NO. 25/238

DECISION

Cr Archer/Cr McCullagh

That Council

- a) agree to have officers initiate communication with the current Special Committees of Council regarding their current needs and the transition to a new Committee model, with a further report to be provided to Council within 6 months for a decision to be made.

And

- b) in relation to this matter
 - i) consider whether any discussion, decision, report or document is kept confidential or released to the public; and
 - ii) determined **to release the decision only** to the public.

Carried

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Cr Goss



5.3 SWIMMING POOL ANALYSIS

MINUTE NO. 25/239

DECISION

Cr McCullagh/Cr Andrews

- a) Council approves the recommendation of officers in relation to increasing operating hours and improve management of weather closures for the 2025/2026 pool season;
- and
- b) in relation to this matter
- i) consider whether any discussion, decision, report or document is kept confidential or released to the public; and
- ii) determined to release the decision only to the public.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil



17 CLOSURE

MINUTE NO. 24/240

DECISION

Cr Adams/Cr McCullagh
{resolution}

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil

Mayor Knowles closed the meeting at 8.36pm.

MAYOR _____ DATE _____