

CENTRAL COAST COUNCIL

DEVELOPMENT SUPPORT SPECIAL COMMITTEE

Notice of Meeting and

# Agenda

30 NOVEMBER 2020

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To all members

NOTICE OF MEETING

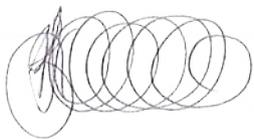
In accordance with the *Local Government (Meeting Procedures) Regulations 2015* and sections 18 and 19 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (the Act)*, notice is given that the next meeting of the Development Support Special Committee is to be held on Monday, 30 November 2020 commencing at 6.00pm. The meeting will be held in the Council Chamber at the Administration Centre, 19 King Edward Street, Ulverstone. Due to the current COVID-19 restrictions and guidelines, this meeting will not be open to public attendance, however a livestream of the meeting will be available via the Council's website and Facebook page.

An agenda and associated reports and documents are appended hereto.

A notice of meeting was published in The Advocate newspaper, a daily newspaper circulating in the municipal area, on Saturday, 4 January 2020.

Dated at Ulverstone this 25<sup>th</sup> day of November 2020.

This notice of meeting and the agenda is given pursuant to delegation for and on behalf of the General Manager.



Lou Brooke  
EXECUTIVE SERVICES OFFICER

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*QUALIFIED PERSON'S ADVICE*

The *Local Government Act 1993* (the Act), 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.”

In accordance with Section 65 of the Act, I certify:

- (i) that the reports within this Development Support Special Committee agenda contain advice, information and recommendations given by persons who have the qualifications and experience necessary to give such advice, information or recommendation;
- (ii) where any advice is directly given by a person who did not have the required qualifications or experience that person has obtained and taken into account another person's general advice who is appropriately qualified or experienced; and
- (ii) that copies of advice received from an appropriately qualified or experienced professional have been provided to the Development Support Special Committee members.

  
Sandra Ayton  
GENERAL MANAGER

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## NOTES

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## **AGENDA**

**MEMBERS PRESENT**

**MEMBERS APOLOGIES**

**EMPLOYEES ATTENDANCE**

**EMPLOYEES APOLOGIES**

**PUBLIC ATTENDANCE**

**BUSINESS**

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## 1 CONFIRMATION OF MINUTES OF THE COMMITTEE

### 1.1 Confirmation of minutes

The Executive Services Officer reports as follows:

“The minutes of the previous meeting of the Development Support Special Committee held on 10 August 2020 have already been circulated. The minutes are required to be confirmed for their accuracy.

The *Local Government (Meeting Procedures) Regulations 2015* provide that in confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.

A suggested resolution is submitted for consideration.”

- “That the minutes of the previous meeting of the Development Support Special Committee held on 10 August 2020 be confirmed.”
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- .....
- .....

## 2 MAYOR’S COMMUNICATIONS

### 2.1 Mayor’s communications

The Mayor reports as follows:

“Under the terms of appointment of the Development Support Special Committee, it acts in agreed circumstances as if it were the Council and, accordingly, as a planning authority under the *Land Use Planning and Approvals Act 1993*.

Members are reminded that the *Local Government (Meeting Procedures) Regulations 2015* provide that the general manager is to ensure that the reasons for a decision by a council acting as a planning authority are recorded in the minutes.

In the event that items listed for consideration are referred, under the terms of the Committee’s appointment, to the Council (e.g. any matter the Committee cannot

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determine unanimously), or if the Committee is unable to make a determination within the relevant statutory time limit, such items will be referred to a meeting of the Council for a decision.

A suggested resolution is submitted for consideration.”

- “That the Mayor’s report be received.”

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### 3 DECLARATIONS OF INTEREST

#### 3.1 Declarations of interest

The Mayor reports as follows:

“Members are requested to indicate whether they have, or are likely to have, a pecuniary (or conflict of) interest in any item on the agenda.”

The Strategic Projects and Planning Consultant reports as follows:

“The *Local Government Act 1993* provides that a member must not participate at any meeting of a special committee in any discussion, nor vote on any matter, in respect of which the member has an interest or is aware or ought to be aware that a close associate has an interest.

Members are invited at this time to declare any interest they have on matters to be discussed at this meeting. If a declaration is impractical at this time, it is to be noted that a member must declare any interest in a matter before any discussion on that matter commences.

All interests declared will be recorded in the minutes at the commencement of the matter to which they relate.”

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## 4 ADJOURNMENT OF MEETING

### 4.1 Adjournment of meeting

The Mayor reports as follows:

“In order to effectively consider the reports before this meeting of the Committee it is appropriate that I adjourn the meeting to enable the related documents to be workshopped prior to resumption of the meeting and formal resolution of the agenda items.”

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## 5 DEPUTATIONS

### 5.1 Deputations

The Executive Services Officer Consultant reports as follows:

“No requests for deputations to address the meeting or to make statements or deliver reports have been made.”

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## 6 OPEN REPORTS

### 6.1 Residential – ancillary dwelling and Domestic animal breeding, boarding or training – dog training facility – discretionary use and development in Rural Resource zone at 65 Von Bibras Road, Ulverstone – Application No. DA2020290

The Strategic Projects & Planning Consultant reports as follows:

“The Land Use Planning Group Leader has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA2020290
<i>PROPOSAL:</i>	Residential – ancillary dwelling and Domestic animal breeding, boarding or training – dog training facility – discretionary use and development in Rural Resource zone
<i>APPLICANT:</i>	Isabella Sims
<i>LOCATION:</i>	65 Von Bibras Road, Ulverstone
<i>ZONE:</i>	Rural Resource
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Planning Scheme)
<i>ADVERTISED:</i>	10 October 2020
<i>REPRESENTATIONS EXPIRY DATE:</i>	26 October 2020
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	16 November 2020 – extension of time requested until 14 December 2020
<i>DECISION DUE:</i>	30 November 2020

#### *PURPOSE*

The purpose of this report is to consider an application for ancillary dwelling, appurtenant to the existing dwelling on the land, and to establish a dog training facility with development of an associated store and indoor training room.

This report addresses the ‘discretionary’ dog training facility use and development component of the application only. In relation to the proposed ancillary dwelling, refer to the discussion in the “Development Description” section of this report.

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Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation; and
- . Annexure 4 – photographs.

*BACKGROUND*

*Development description –*

Application is made to convert an existing 38.75m<sup>2</sup> outbuilding, incorporating a 9.05m<sup>2</sup> addition, into a 47.8m<sup>2</sup> ancillary dwelling, and to undertake extensions to the western side of the building to accommodate a small store room and indoor floor area to accommodate a 71.7m<sup>2</sup> dog training facility.

The proposed new uses and developments would be located within the existing curtilage of a lawfully established dwelling and associated outbuildings on rural land, identified as 65 Von Bibras Road, Ulverstone.

The proposed conversion of a lawful, existing outbuilding to be an ancillary dwelling is a “Permitted” Use Class under Section 9.2 of the *Central Coast Interim Planning Scheme 2013* that states “proposals for development (excluding subdivision) associated with a use class specified in an applicable Use Table as discretionary use (as Residential use is specified), must be considered as if that use class had permitted status in the Use Table, where the proposal for development does not establish a new use, or substantially intensify the use”.

The use of land for a Residential single dwelling, as is lawfully established on the site, includes an ancillary dwelling to be appurtenant to the same use class. A minor addition, that satisfies the Planning Scheme’s relevant Acceptable Solutions, would be involved. The Planning Scheme requires one additional car parking space for the use, which is able to be provided, and this requirement is not considered to be a substantial intensification of the existing, lawful residential use of the land. This mean the use and development of the ancillary dwelling component of the application is “Permitted” and is not subject to the Planning Authority’s discretion.

The proposal for the dog training facility and expansion of a building footprint to establish the use, is “Discretionary” use and development in the Rural Resource zone.

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*Site description and surrounding area -*

The 1.61 ha property is located approximately 570 m south east of Ulverstone. Von Bibras Road is accessed via Gawler Road.

The land is zoned Rural Resource. The land is cleared of native vegetation and is used for the grazing of a few cattle.

A TasWater water main transects the land.

Surrounding land is also, primarily, zoned Rural Resource, with the exception of two adjoining residential allotments that form part of the south eastern edge of the Ulverstone urban area, of Dudley Court. These allotments are zoned General Residential and adjoin the land on the side boundary, approximately 70m north west of the proposed dog training site.

*History -*

No history relevant to this application.

*DISCUSSION*

The following table is an assessment of the relevant Scheme provisions:

**26.0 Rural Resource Zone**

CLAUSE	COMMENT
<b>26.1.2 Local Area Objectives</b>	
<p>(a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;</p> <p>(b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;</p> <p>(c) Air, land and water resources are protected against –</p> <p style="padding-left: 40px;">(i) permanent loss to a use or development that has no need or reason to locate on land containing such a resource; and</p> <p style="padding-left: 40px;">(ii) use or development that has potential to exclude or unduly conflict, constraint, or interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource;</p> <p>(d) Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;</p>	<p>Domestic animal training is a “Discretionary” use of land in the Rural Resource zone.</p> <p>(a) Proposal does not satisfy the Objective. The proposed use is not a primary industry use of the site, would not be dependent upon access to a naturally occurring resource for primary industry purpose and would not augment ongoing farm operations.</p> <p>(b) Proposal does not satisfy the Objective. The proposed development is not a “Permitted” use and is not reliant on air, land or water resources for primary industry production.</p> <p>(c)(i) Proposal satisfies the Objective. The proposal is for use and development that has a need to locate on the land to access land resources, separately located away from high density urban development.</p> <p>(c)(ii) Proposal satisfies the Objective. The proposal is for the use and development of land that would not unduly conflict, constrain or interfere with the practice of primary industry.</p>

<p>(e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;</p> <p>(f) Rural land may be used and developed for economic, community, and utility activity that cannot reasonably be accommodated on land within a settlement or nature conservation area;</p> <p>(g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry;</p> <p>(h) Residential use and development on rural land is appropriate only if –</p> <p>(i) required by a primary industry or a resource based activity; or</p> <p>(ii) without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes.</p>	<p>(d) Proposal does not satisfy the Objective. Proposed Use Class is not associated with primary industry.</p> <p>(e) Proposal satisfies the Objective. Whilst the proposed Use Class is not associated with agricultural land, the land is not available for agricultural production.</p> <p>(f) Proposal satisfies the Objective. Proposed use would be for economic activity.</p> <p>(g) Proposal does not satisfy the Objective. Proposed use would not be for tourism or recreation use dependent upon a rural location.</p> <p>(h)(i) Proposal does not satisfy the Objective. Not residential use and development.</p> <p>(h)(ii) Proposal does not satisfy the Objective. Not residential use and development.</p>
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### 26.1.3 Desired Future Character Statements

Use or development on rural land -

- (a) may create a dynamic, extensively cultivated, highly modified, and relatively sparsely settled working landscape featuring -
  - (i) expansive areas for agriculture and forestry;
  - (ii) mining and extraction sites;
  - (iii) utility and transport sites and extended corridors; and
  - (iv) service and support buildings and work areas of substantial size, utilitarian character, and visual prominence that are sited and managed with priority for operational efficiency;
- (b) may be interspersed with -
  - (i) small-scale residential settlement nodes;
  - (ii) places of ecological, scientific, cultural, or aesthetic value; and
  - (iii) pockets of remnant native vegetation;

- (a)(i) Proposal is not consistent with Desired Future Character Statement. The proposed use and development is not associated with agriculture or forestry.
- (a)(ii) Proposal is not consistent with Desired Future Character Statement. The proposed use is not associated with mining and extraction.
- (a)(iii) Proposal is not consistent with Desired Future Character Statement. The proposed use is not associated with utility and transportation sites or corridors.
- (a)(iv) Proposal is not consistent with Desired Future Character Statement. The proposal would not result in service and/or support buildings for agriculture, forestry, mining, extraction, utility or transport corridors.
- (b)(i) Proposal is consistent with Desired Future Character Statement. Use and development would be nearby the settlements of Ulverstone and Gawler.
- (b)(ii) Proposal is not consistent with Desired Future Character Statement. The subject and surrounding land is not identified as a place of ecological, scientific, cultural or aesthetic value.

<p>(c) will seek to minimise disturbance to –</p> <ul style="list-style-type: none"> <li>(i) physical terrain;</li> <li>(ii) natural biodiversity and ecological systems;</li> <li>(iii) scenic attributes; and</li> <li>(iv) rural residential and visitor amenity;</li> </ul> <p>(d) may involve sites of varying size –</p> <ul style="list-style-type: none"> <li>(i) in accordance with the type, scale and intensity of primary industry; and</li> <li>(ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources;</li> </ul> <p>(e) is significantly influenced in temporal nature, character, scale, frequency, and intensity by external factors, including changes in technology, production techniques, and in economic, management, and marketing systems.</p>	<p>(b)(iii) Proposal is not consistent with Desired Future Character Statement. The land does not support pockets of remnant, native vegetation.</p> <p>(c)(i) Proposal is consistent with Desired Future Character Statement. The proposal would not disturb the physical terrain of the site.</p> <p>(c)(ii) Proposal is consistent with Desired Future Character Statement. The proposal would not disturb biodiversity or ecological systems on the site.</p> <p>(c)(iii) Proposal is consistent with Desired Future Character Statement. The proposed use would not disturb existing scenic attributes of the site and surrounding land.</p> <p>(c)(iv) Proposal is consistent with Desired Future Character Statement. The proposed use would not disturb residential or visitor amenity in this area.</p> <p>(d)(i) Proposal is not consistent with Desired Future Character Statement. The proposed use would not be associated with primary industry.</p> <p>(d)(ii) Proposal is not consistent with Desired Future Character Statement. Proposal is not sustainable commercial production based on a naturally occurring resource.</p>
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	(e) Proposal is not consistent with Desired Future Character Statement. The proposed use is not significantly influenced by changes in technology, production techniques or economic management and marketing systems.
<b>26.3 Use Standards</b>	
<b>26.3.1 Requirement for discretionary non-residential use to locate on rural resource land</b>	
<p>26.3.1–(P1) Other than for residential use, discretionary permit use must:</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement;</p> <p>(c) be required to locate on rural resource land for operational efficiency:</p> <p>(i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;</p> <p>(ii) to access infrastructure only available on the site or on adjacent land in the zone;</p> <p>(iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;</p>	<p>(a) Proposal satisfies four out of 10 of the Local Area Objectives of the Rural Resource zone.</p> <p>(b) Proposal satisfies five out of 14 of the Desired Future Character Statements.</p> <p>(c)(i) Non-compliant. A naturally occurring resource in the Rural Resource zone refers to air, water and land resources. Development is for Passive Recreation. The proposed use and development seeks to locate on rural land to access the naturally occurring resources and scenic attributes of the site.</p> <p>(c)(ii) Compliant. It is a requirement of the proposed use and development to access built infrastructure that is available on the site.</p>

<p>(iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;</p> <p>(v) if required –</p> <p>a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;</p> <p>b. for security;</p> <p>c. for public health or safety if all measures to minimise impact could create an unacceptable level of risk to human health, life or property if located on land in a zone intended for that purpose;</p> <p>(vi) to provide opportunity for diversification, innovation, and value-adding to secure existing or potential primary industry use of the site or of adjacent land;</p> <p>(vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or</p>	<p>(c)(iii) Non-compliant. It is not a requirement of the proposed use and development to access a product from primary industry activity on the site or adjacent land.</p> <p>(c)(iv) Non-compliant. It is not a requirement of the proposed use and development to service primary industry.</p> <p>(c)(v)a. Non-compliant. Land is required to access a mandatory site area that is not otherwise available in the zone.</p> <p>(c)(v)b. Compliant. Proposal is required to locate on rural resource land for security reasons.</p> <p>(c)(v)c. Non-compliant. Proposal is not required for public health or safety.</p> <p>(c)(vi) Compliant. Proposal would diversify and value-add to existing primary industry use of the site.</p> <p>(c)(vii) Non-compliant. Proposal would provide community service infrastructure for the municipal area.</p> <p>(c)(viii) Non-compliant. No economic, social or environmental cost-benefit analysis has been submitted to demonstrate significant regional benefit.</p>
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<p>(viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and</p> <p>(d) minimise likelihood for:</p> <p>(i) permanent loss of land for existing and potential primary industry use;</p> <p>(ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and</p> <p>(iii) loss of land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development.</p>	<p>(d)(i) Compliant. Proposal would not result in the permanent loss of agricultural land that is located in a Proclaimed Irrigation District.</p> <p>(d)(ii) Compliant. The proposal would not constrain, fetter or otherwise interfere with existing and potential primary industry use on adjacent land.</p> <p>(d)(iii) Compliant. The site is not located within a Proclaimed Irrigation District.</p> <p>Refer to “Issues” section of this report.</p>
<p><b>26.3.2 Required Residential Use</b></p>	
<p>26.3.2-(A1) Residential use required as part of a use must:</p> <p>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</p> <p>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</p>	<p>(a) Not applicable. Satisfied by (b).</p> <p>(b) Compliant. Development is an ancillary dwelling to an existing lawful and structurally sound single dwelling.</p> <p>(c) Not applicable. Satisfied by (b).</p>

<ul style="list-style-type: none"> <li>(c) not intensify an existing lawful residential use;</li> <li>(d) replace a lawful existing residential use;</li> <li>(e) not create a new residential use through conversion of an existing building; or</li> <li>(f) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</li> <li>(g) there is no change in the title description of the site on which the residential use is located.</li> </ul>	<ul style="list-style-type: none"> <li>(d) Not applicable. Satisfied by (b).</li> <li>(e) Not applicable. Satisfied by (b).</li> <li>(f) Not applicable. Satisfied by (b).</li> <li>(g) Compliant. No change to the title description.</li> </ul>
<p><b>26.3.3 Residential use</b></p>	
<p>26.3.3-(A1) Residential use that is not required as part of an other use must:</p> <ul style="list-style-type: none"> <li>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</li> <li>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</li> <li>(c) not intensify an existing lawful residential use;</li> <li>(d) not replace an existing residential use;</li> </ul>	<p>Not applicable.</p> <p>Not a non-required Residential use.</p>

<p>(e) not create a new residential use through conversion of an existing building;</p> <p>(f) be an outbuilding with a floor area of not more than 100m<sup>2</sup> appurtenant to an existing lawful and structurally sound residential building; or</p> <p>(g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</p> <p>(h) there is no change in the title description of the site on which the residential use is located.</p>	
<p><b>26.4 Development Standards</b></p>	
<p><b>26.4.1 Suitability of a site or lot on a plan of subdivision for use or development</b></p>	
<p>26.4.1-(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) unless for agricultural use, have an area of not less than 1.0 hectare not including any access strip; and</p> <p>(b) if intended for a building, contain a building area</p> <p>(i) of not more than 2,000m<sup>2</sup> or 20% of the area of the site, whichever is the greater unless a crop protection structure for an agricultural use;</p>	<p>(a) Compliant. Land area is 1.61 ha.</p> <p>(b)(i) Compliant. Total of proposed and existing building area on site would be approximately 1,185m<sup>2</sup> and would not encompass more than 20% of the land area.</p> <p>(b)(ii) Compliant. Development would be setback 10m from eastern side boundary and clear of all other applicable setbacks.</p>

<ul style="list-style-type: none"> <li>(ii) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(iii) clear of any applicable setback from a zone boundary;</li> <li>(iv) clear of any registered easement;</li> <li>(v) clear of any registered right of way benefiting other land;</li> <li>(vi) clear of any restriction imposed by a utility;</li> <li>(vii) not including an access strip;</li> <li>(viii) accessible from a frontage or access strip.</li> </ul>	<ul style="list-style-type: none"> <li>(b)(iii) Not applicable. No Table to this Clause.</li> <li>(b)(iv) Compliant. Development would be clear of burdening pipeline easement.</li> <li>(b)(v) Not applicable. No right of way.</li> <li>(b)(vi) Compliant. Development would be clear of TasWater utility.</li> <li>(b)(vii) Not applicable. No access strip.</li> <li>(b)(viii) Compliant. Land is accessible from a frontage to Von Bibras Road.</li> </ul>
<p>26.4.1 –(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> <li>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</li> <li>(c) by a right of way connecting to a road –</li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. The land has frontage to Von Bibras Road.</li> <li>(b) Not applicable. Not an internal lot.</li> <li>(c) Not applicable. No legal access to a right of way connecting to a road.</li> <li>(d) Compliant. The land has approximately 65m of frontage to Von Bibras Road.</li> <li>(e) Compliant. Existing appr access to Von Bibras Road.</li> </ul>

<ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</li> <li>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</li> <li>(d) with a width of frontage and any access strip or right of way of not less than 6.0m; and</li> <li>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</li> </ul>	
<p>26.4.1–(A3) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of connecting to a water supply:</p> <ul style="list-style-type: none"> <li>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. Site is connected to TasWater water supply network.</li> <li>(b) Not applicable. Satisfied by (a).</li> </ul>

<p>(b) from a rechargeable drinking water system <sup>R31</sup> with a storage capacity of not less than 10,000 litres if:</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for:</p> <p>a. a single dwelling; or</p> <p>b. a use with an equivalent population of not more than 10 people per day.</p>	
<p>26.4.1–(A4) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste:</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if:</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development:</p>	<p>(a) Compliant. Site is connected to TasWater sewer network.</p> <p>(b) Not applicable. Satisfied by (a).</p>

<ul style="list-style-type: none"> <li>a. is for a single dwelling; or</li> <li>b. provides for an equivalent population of not more than 10 people per day; or</li> <li>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS 1547:2000 On-site domestic-wastewater management clear of any defined building area or access strip.</li> </ul>	
<p>26.4.1-(A5) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <ul style="list-style-type: none"> <li>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</li> <li>(b) if stormwater cannot be drained to a stormwater system: <ul style="list-style-type: none"> <li>(i) for discharge to a natural drainage line, water body or watercourse; or</li> <li>(ii) for disposal within the site if: <ul style="list-style-type: none"> <li>a. the site has an area of not less than 5,000m<sup>2</sup>;</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Not applicable. Satisfied by (b).</li> <li>(b)(i) Not applicable. Satisfied by (b)(ii).</li> <li>(b)(ii) Compliant. <ul style="list-style-type: none"> <li>a. the site has an area of 1.61 ha;</li> <li>b. the disposal area is clear of the building area;</li> <li>c. not applicable. No on-site waste water disposal;</li> <li>d. Not applicable. No access strip; and</li> <li>e. not more than 50% of the site is of impervious surface.</li> </ul> </li> </ul>

<ul style="list-style-type: none"> <li>b. the disposal area is not within any defined building area;</li> <li>c. the disposal area is not within any area required for the disposal of sewage;</li> <li>d. the disposal area is not within any access strip; and</li> <li>e. not more than 50% of the site is impervious surface.</li> </ul>	
<p><b>26.4.2 Location and configuration of development</b></p>	
<p>26.4.2-(A1) A building or a utility structure, other than a crop protection structure for an agriculture use, must be setback:</p> <ul style="list-style-type: none"> <li>(a) not less than 20.0m from the frontage; or</li> <li>(b) if the development is for sensitive use on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road;</li> <li>(c) not less than 10.0m from each side boundary; and</li> <li>(d) not less than 10.0m from the rear boundary; or</li> <li>(e) in accordance with any applicable building area shown on a sealed plan.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. Frontage setback would be 86m.</li> <li>(b) Not applicable. Land does not adjoin the Bass Highway.</li> <li>(c) Compliant. Development would be setback approximately 10m from the eastern side boundary and 48m from the western side boundary.</li> <li>(d) Compliant. Development would be setback greater than 10m from the rear boundary.</li> <li>(e) Not applicable. No building area on a Sealed Plan.</li> </ul>

<p>26.4.2–(A2) Building height must be not more than 8.5m.</p>	<p>Compliant. Development would be 4m high.</p>
<p>26.4.2 A3.1</p> <p>A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must –</p> <p>(a) not project above an elevation 15m below the closest ridgeline;</p> <p>(b) be not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</p> <p>(c) be below the canopy level of any adjacent forest or woodland vegetation; and</p> <p>(d) clad and roofed with materials with a light reflectance value of less than 40%.</p> <p>A3.2</p> <p>Wind power turbines and wind power pumps must not exceed 20m in height.</p>	<p>A3.1</p> <p>(a) Compliant. Development would be 20m below the closest ridgeline.</p> <p>(b) Compliant. Development would be 450m from nearest wetland area.</p> <p>(c) Compliant. Nearest woodland would be 2.4km to the east.</p> <p>(d) Compliant by a condition to a permit.</p> <p>A3.2</p> <p>Not applicable. No wind turbine or wind power pumps.</p>

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### 26.4.3 Location of development for sensitive uses

26.4.3-(A1) New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must –

- (a) be located not less than:
  - (i) 200m from any agricultural land;
  - (ii) 200m from aquaculture, or controlled environment agriculture;
  - (iii) 500m from the operational area boundary established by a mining lease issued in accordance with the *Mineral Resources Development Act 1995* if blasting does not occur; or
  - (iv) 1000m from the operational area boundary established by a mining lease issued in accordance with the *Mineral Resources Development Act 1995* if blasting does occur; or
  - (v) 500m from intensive animal husbandry;
  - (vi) 100m from land under a reserve management plan;

Not applicable.

The floor area of existing residential use is 232m<sup>2</sup>. A 30% increase in floor area would be 69.6m<sup>2</sup>. Proposed extension and conversion of a building to accommodate an ancillary dwelling, that is defined as appurtenant to a single dwelling, would have a floor area of 47.8m<sup>2</sup>

<ul style="list-style-type: none"> <li>(vii) 100m from land designated for production forestry;</li> <li>(viii) 50.0m from a boundary of the land to the Bass Highway, or to a railway line; and</li> <li>(ix) clear of any restriction imposed by a utility; and</li> <li>(b) not be on land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i>, or land that may benefit from the application of broad-scale irrigation development.</li> </ul>	
<p><b>26.4.4 Subdivision</b></p>	
<p>26.4.4-(A1) Each new lot on a plan of subdivision must be –</p> <ul style="list-style-type: none"> <li>(a) a lot required for public use either State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority.</li> </ul>	<p>Not applicable.</p> <p>No subdivision proposed.</p>
<p><b>26.4.5 Buildings for Controlled Environment Agriculture</b></p>	
<p>26.4.5-(A1)</p> <p>A building for controlled environment agriculture use must be a crop protection structure and the agricultural use inside the building must satisfy one of the following:</p>	<p>Not applicable.</p> <p>No controlled environment agriculture proposed.</p>

<p>(a) rely on the soil as a growth medium into which plants are directly sown;</p> <p>(b) not alter, disturb or damage the existing soil profile if conducted in a manner which does not rely on the soil as a growth medium.</p>	
CODES	
<b>E1 Bushfire-Prone Areas Code</b>	Not applicable. Not a subdivision or vulnerable or hazardous use.
<b>E2 Airport Impact Management Code</b>	Not applicable. No Code in this Scheme.
<b>E3 Clearing and Conversion of Vegetation Code</b>	Not Applicable. No clearing of native threatened vegetation is required.
<b>E4 Change in Ground Level Code</b>	Not applicable. No change in ground level is required for the development.
<b>E5 Local Heritage Code</b>	Not applicable. No places of local significance listed in this Scheme.
<b>E6 Hazard Management Code</b>	Not applicable. No landslip hazard identified.
<b>E7 Sign Code</b>	Not applicable. No signs proposed.
<b>E8 Telecommunication Code</b>	Not applicable. No telecommunications proposed.

<b>E9 Traffic Generating Use and Parking Code</b>	
<b>E9.2 Application of this Code</b>	Applicable. Applies to all use and development.
<b>E9.4 Use or development exempt from this Code</b>	Not exempt. No Local Area Parking Scheme.
<b>E9.5 Use Standards</b>	
<b>E9.5.1 Provision for parking</b>	
E9.5.1-(A1) Provision for parking must be:	Compliant by condition.
(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;	The E9 Traffic and Parking Code of the Scheme requires 1 additional car parking space for the ancillary dwelling and 1 space for every 5 dogs trained on the land. The land has sufficient area to be able to accommodate this requirement.
<b>E9.5.2 Provision for loading and unloading of vehicles</b>	
E9.5.2-(A1) There must be provision within a site for:	(a) Compliant. Table E9A requires on-site loading provision for 1 small ridged truck. The land has sufficient area to be able to accommodate this requirement.
(a) on-site loading area in accordance with the requirement in the Table to this Code; and	(b) Not applicable. Table E9A does not require set down facilities for ancillary dwelling or domestic animal training.
(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.	

<b>E9.6 Development Standards</b>	
<b>E9.6.1 Design of vehicle parking and loading areas</b>	
<p>E9.6.1 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and</p> <p>E9.6.1 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all</p>	<p>E9.6.1 A1.1 – Compliant by condition.</p> <p>9.6.1 A1.2</p> <p>(a) Compliant by a condition to a permit.</p> <p>(b) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(c) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(d) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(e) Compliant by condition. The site has sufficient area to accommodate this requirement.</p> <p>(f) Compliant by condition. The site has sufficient area to accommodate this requirement.</p> <p>(g) Compliant by condition. Internal roadway and car parking areas would be constructed with a compacted sub-base and an all-weather surface.</p>

<p>vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	
<p>E9.6.1-(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual - Guideline for Good Practice ARRB.</p>	<p>Compliant by condition. Design and construction of access, vehicle circulation, movement and standing areas would be in accordance with the application submitted, detailing a sealed car park and vehicle circulation area.</p>
<p><b>E10 Water and Waterways Code</b></p>	<p>Not applicable. Not within 30m of a waterway or wetland.</p>
<p><b>Specific Area Plans</b></p>	<p>Not applicable. No Specific Area Plan applies to the site.</p>

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*Issues –*

*1 Discretionary use in Rural Resource zone – dog training facility*

The Planning Scheme's Performance Criteria for Clause 26.3.1–(P1) states that other than Residential use, discretionary permit use must –

(a)&(b) be consistent with Local Area Objectives and Desired Future Character Statements –

The purpose of the Rural Resource zone is to provide for the sustainable use and development of air, land and water resources for agriculture, aquaculture, forestry, mining and other primary industries, including quarrying.

The Rural Resource zone's Local Area Objectives and Desired Future Character Statements together seek to promote use and development that is for a primary industry purpose. The objectives and statements also allow for development that would not be located on agricultural land or in a proclaimed irrigation district, would be reliant on naturally occurring resources or scenic attributes, where economic and community activity would be promoted, and where there would not be any resulting constraint, fettering or conflict with current or future primary industry activity on the subject or adjoining land.

The subject proposal is not a use that is associated with primary industry activity. The proposal is for domestic dog training. The use of the land, to train a small number of dogs towards better, domestic behaviour, would not result in the fettering of primary industry activity on adjacent land.

(c) be required to locate on rural resource land for operational efficiency –

(i) to access a specific naturally occurring resources on the site or on adjacent land in the zone;

Non-compliant. A naturally occurring resource in the Rural Resource zone refers to air, water and land resources. Development is for domestic dog training. The proposed use and development does not seek to locate on rural resource land to access the naturally occurring resources or scenic attributes of the site.

- 
- (ii) to access infrastructure only available on the site or on adjacent land in the zone;

Compliant. Proposal would access existing built infrastructure, access and parking areas available on the land.

- (iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;

Non-compliant. It is not a requirement of the proposed use and development to access a product from primary industry activity on the site or adjacent land.

- (iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;

Non-compliant. It is not a requirement of the proposed use and development to service primary industry.

- (v) if required –

- a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;

Compliant. Application is only able to made for the use Class in the Rural Living, Rural Resource and Environmental Living zones. The use Class is Prohibited in all other zones. The subject land is required to access a site area that is not otherwise available in a zone.

- b. for security;

Compliant. Proposal is required to locate on site for security reasons.

- c. for public health or safety if all measures to minimise impact could create an unacceptable level of risk to human health, life or property if located on land in a zone intended for that purpose;

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Non-compliant. Proposal is not required for public health or safety.

- (vi) to provide opportunity for diversification, innovation, and value-adding to secure existing or potential primary industry use of the site or of adjacent land;

Compliant. Proposal would diversify and value-add to existing primary industry use of the site.

- (vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or

Non-compliant. Proposal would not provide community service infrastructure for the municipal area.

- (viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and

Non-compliant. No economic, social or environmental cost-benefit analysis has been submitted to demonstrate significant regional benefit.

- (d) minimise likelihood for:

- (i) permanent loss of land for existing and potential primary industry use;

Compliant. Proposal would not result in the permanent loss of land for primary industry.

- (ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and

Compliant. The proposal would not constrain, fetter or otherwise interfere with existing and potential primary industry use on adjacent land.

- (iii) loss of land within a proclaimed irrigation district under Part 9 *Water Management Act 1999* or land that may benefit from the application of broad-scale irrigation development.

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Compliant. The site is not located within a Proclaimed Irrigation District.

*Referral advice –*

Referral advice from the various Departments of the Council and other service providers is as follows:

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No issues. Site is connected to TasWater network.
Infrastructure Services	On-site stormwater disposal is satisfactory.
TasWater	Referred. No comments.
Department of State Growth	Not applicable.
Environment Protection Authority	Not applicable.
TasRail	Not applicable.
Heritage Tasmania	Not applicable.
Crown Land Services	Not applicable.
Other	Not applicable.

*CONSULTATION*

In accordance with s.57(3) of the *Land Use Planning and Approvals Act 1993*:

- . a site notice was posted;
- . letters to adjoining owners were sent; and
- . an advertisement was placed in the Public Notices section of The Advocate.

*Representations –*

One representation was received within the prescribed time, a copy of which is provided at Annexure 3.

The representation is summarised and responded to as follows:

MATTER RAISED	RESPONSE
<p>1 The sorts of activities (domestic animal breeding, boarding or training) should not be permitted close to residential dwellings. This is a quiet neighbourhood, and it should be maintained.</p>	<p>The Use Class, which a planner must determine and allocate to each application, in accordance with Clause 8.2 “Categorising Use or Development”: of the Planning Scheme, is “Domestic animal breeding, boarding or training.”</p> <p>The Use Class classification is confusing, as it describes a number of possible uses in the title. The actual use of land, under the subject application, is for a dog training facility. No dog breeding or boarding is proposed.</p> <p>Application for the Use Class of “Domestic animal breeding, boarding or training”, can only be made on land that is zoned “Rural Living”, “Rural Resource” or “Environmental Living”. The use is prohibited in all other zones.</p> <p>It is therefore considered appropriate that an application for a dog training facility be made and considered in the Rural Resource zone.</p>
<p>2 The barking of dogs is noted to be irritating and could be a point of contention.</p>	<p>This is not a matter examined under the Planning Scheme.</p> <p>Council’s Animal Control Officer has advised that, while a License is required for the keeping of 2 or more domestic dogs there is no requirement for a License to operate a dog training facility, whereby dogs</p>

	<p>may come and go, often staying on site for no more than 2 hours over the period of a week.</p> <p>Council's Environmental Health officer has advised that there are no specific regulations in relation to the barking of dogs. It depends on the level of complaint received, noise intensity and noise frequency.</p>
3 The consequent noise levels could bring down the value of properties in the area.	These is not a matter examined under the Planning Scheme.

*RESOURCE, FINANCIAL AND RISK IMPACTS*

The proposal has no likely impact on Council resources outside those usually required for assessment and reporting, and possibly costs associated with an appeal against the Council's determination should one be instituted.

*CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions:

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

*CONCLUSION*

The representation received does not have merit to warrant the refusal of the use and development.

An application for a dog training facility can only be made on land that is zoned "Rural Living", "Rural Resource" and "Environmental Living". The use is prohibited in all other zones. The proposed use is for a training facility on Rural Resource zoned land. No dog boarding or breeding is to occur on site. The use would be for set times during the week, or by appointment, and it is considered unlikely the use would impose any negative impacts on adjoining land.

The proposal satisfies the Planning Scheme's relevant Performance Criteria. The grant of a Permit, subject to conditions, is considered to be justified.

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*Recommendation –*

It is recommended that application for Residential – ancillary dwelling and Domestic animal breeding, boarding or training – dog training facility – discretionary use and development in Rural Resource zone at 65 Von Bibras Road, Ulverstone – Development Application DA2020290 be approved subject to the following conditions and restrictions:

- 1 The development must be substantially in accordance with the aerial image, plans and elevations submitted by the applicant, dated stamped 25 September 2020, unless modified by a condition of this Permit.
- 2 Stormwater, including from vehicle parking and manoeuvring areas, must be collected, drained and disposed of to an approved stormwater system.
- 3 Vehicle parking and manoeuvring areas must be designed and constructed in accordance with the "Unsealed Roads Manual – Guideline for Good Practice ARRB".
- 4 The development must make provision for one car parking space for the ancillary dwelling and 1 space for every five dogs to be trained on the site at any one time.

Please note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Prior to the commencement of work the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required.'

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The Land Use Planning Group Leader’s report is supported.”

The Executive Services Officer reports as follows:

“A copy of the Annexures referred to in the Land Use Planning Group Leader’s report having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

■ “It is recommended that application for Residential – ancillary dwelling and Domestic animal breeding, boarding or training – dog training facility – discretionary use and development in Rural Resource zone at 65 Von Bibras Road, Ulverstone – Development Application DA2020290 be approved subject to the following conditions and restrictions:

- 1 The development must be substantially in accordance with the aerial image, plans and elevations submitted by the applicant, dated stamped 25 September 2020, unless modified by a condition of this Permit.
- 2 Stormwater, including from vehicle parking and manoeuvring areas, must be collected, drained and disposed of to an approved stormwater system.
- 3 Vehicle parking and manoeuvring areas must be designed and constructed in accordance with the "Unsealed Roads Manual – Guideline for Good Practice ARRB".
- 4 The development must make provision for one car parking space for the ancillary dwelling and 1 space for every five dogs to be trained on the site at any one time.

Please note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 “Substantial commencement” is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Prior to the commencement of work the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required.”

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6.2 Residential – dwelling and shed – variation to the building envelope – 23 Bowman Drive, Penguin– Application No. DA2020287

The Strategic Projects and Planning Consultant reports as follows:

“The Town Planner has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA2020287
<i>PROPOSAL:</i>	Residential – dwelling and shed – variation to the building envelope
<i>APPLICANT:</i>	PLA Designs Pty Ltd
<i>LOCATION:</i>	23 Bowman Drive, Penguin
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Planning Scheme)
<i>ADVERTISED:</i>	17 October 2020
<i>REPRESENTATIONS EXPIRY DATE:</i>	3 November 2020
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	25 November 2020 – extension of time granted until 14 December 2020
<i>DECISION DUE:</i>	30 November 2020
<i>PURPOSE</i>	

The purpose of this report is to consider an application for a dwelling and shed on land at 23 Bowman Drive, Penguin.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation;
- . Annexure 4 – photographs; and
- . Annexure 5 – Statement of Compliance from Road Authority and Stormwater Authority

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*BACKGROUND*

*Development description -*

An application has been made for a single dwelling and a 7m x 9m shed at 23 Bowman Drive, Penguin.

The dwelling would comprise of three bedrooms (master with ensuite), shared bathroom, open plan lounge/kitchen/dining room, double garage (with laundry) and a northern facing alfresco. The dwelling component of the application satisfies all relevant Planning Scheme Acceptable Solutions for the General Residential zone and would be, if lodged as a stand-alone application, a 'No Permit Required' development.

The shed would be located in the far north-western corner of the lot and would be positioned along the northern rear boundary. This is a 'discretionary matter'.

The proposal incorporates a new 6m wide crossover off Bowman Drive.

*Site description and surrounding area -*

The 850m<sup>2</sup> site is located on the northern side of Bowman Drive.

There is a sewer easement that runs just inside of the development site's southern front boundary.

Land to the west, east and south are also zoned General Residential. Some of the adjoining land is developed with single dwellings and associated outbuildings. Land to the immediate west and east are vacant.

*History -*

The site has existing footings and a slab that was poured for a dwelling as works undertaken by the previous owner. All footings and slab are in the process of being removed.

*DISCUSSION*

The following table is an assessment of the relevant Scheme provisions:

**General Residential**

CLAUSE	COMMENT
<b>10.3.1 Discretionary Permit Use</b>	
<p>10.3.1-(P1) Discretionary permit use must:</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement; and</p> <p>(c) minimise likelihood for adverse impact on amenity for use on adjacent land in the zone.</p>	<p>Not applicable.</p> <p>Residential use is Permitted.</p>
<b>10.3.2 Impact of Use</b>	
<p>10.3.2-(A1) Permitted non-residential use must adjoin at least one residential use on the same street frontage.</p>	<p>Not applicable.</p> <p>Use is residential.</p>
<p>10.3.2-(A2) Permitted non-residential use must not generate more than 40 average daily vehicle movements.</p>	<p>Not applicable.</p> <p>Use is residential.</p>

<p>10.3.2–(A3) Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.</p>	<p>Not applicable. Use is residential.</p>
<p><b>10.4.1 Residential density for multiple dwellings</b></p>	
<p>10.4.1–(A1) Multiple dwellings must have a site area per dwelling of not less than:</p> <p>(a) 325m<sup>2</sup>; or</p> <p>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.</p>	<p>Not applicable. Not an application for multiple dwellings.</p>
<p><b>10.4.2 Setbacks and building envelope for all dwellings</b></p>	
<p>10.4.2–(A1) Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(b) if the frontage is not a primary frontage, at least 3.0m, or, if the setback from the frontage is less than 3.0m, not less</p>	<p>(a) Compliant. Dwelling would be setback 6m from the front boundary.</p> <p>(b) Not applicable. No secondary frontage.</p> <p>(c) Not applicable. Satisfied by (a).</p> <p>(d) Compliant. The development is not on land that abuts the Bass Highway.</p>

<p>than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p>	
<p>10.4.2-(A2) A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5m, or alternatively 1.0m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1.0m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10.0m from the frontage.</p>	<p>(a) Compliant. Attached garage would be setback 6m from the primary frontage.</p> <p>(b) Not applicable. Refer to (a) above.</p> <p>(c) Not applicable. Refer to (a) above.</p>
<p>10.4.2-(A3) A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p>	<p>(a)(i) Compliant. The proposal satisfies the frontage setback as discussed above.</p>

<p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at the side boundaries and a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</li> </ul> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary or the adjoining lot; or</li> <li>(ii) does not exceed a total length of 9.0m or one-third the length of the side boundary (whichever is the lesser).</li> </ul>	<p>(a)(ii) Non-compliant. Shed would be located along the rear boundary. Furthermore, the shed would be outside the required building envelope due to a wall height of 3.8m with a ridge height of 4.7m.</p> <p>Refer to the “Issues” section of this report.</p> <p>The dwelling satisfies all the building envelope standards.</p> <p>(b)(i) Compliant. The shed manufacturing plans show the wall length as 9m. There is a discrepancy with the site plan that states 9.5m wall length for the shed. The plans to be used for this assessment are the shed plans. A condition is to be placed on the Permit stating wall length to be 9m.</p> <p>(b)(ii) Compliant as discussed above.</p>
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<b>10.4.3 Site coverage and private open space for all dwellings</b>	
<p>10.4.3–(A1) Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60.0m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>	<p>(a) Compliant. Site coverage would be approximately 36%.</p> <p>(b) Not applicable. The proposed development is not for multiple dwellings.</p> <p>(c) Compliant. The site would have an area greater than 25% free from impervious surfaces.</p>
<p>10.4.3–(A2) A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p style="margin-left: 20px;">(i) 24.0m<sup>2</sup>; or</p> <p style="margin-left: 20px;">(ii) 12.0m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p>	<p>(a)(i) Compliant. The dwelling includes an alfresco area which would be greater than 24m<sup>2</sup>.</p> <p>(a)(ii) Not applicable. Development satisfied by (a)(i).</p> <p>(b)(i) Compliant. The dwelling has private open space with a minimum horizontal dimension greater than 4m.</p> <p>(c) Compliant. The existing private open space area would be directly accessible from the dwelling’s habitable rooms.</p>

<p>(b) has a minimum horizontal dimension of:</p> <ul style="list-style-type: none"> <li>(i) 4.0m; or</li> <li>(ii) 2.0m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	<p>(d) Compliant. The private open space is primarily located to the north of the dwelling.</p> <p>(e) Compliant. The existing private open space is not located between the dwelling and the frontage.</p> <p>(f) Compliant. Alfresco area is flat.</p> <p>(g) Compliant. The area for private open space would not be used for vehicle access or parking.</p>
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<b>10.4.4 Sunlight and overshadowing for all dwellings</b>	
10.4.4–(A1) A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	Compliant.  The dwelling's Lounge and Dining area have windows which are facing north.
<p>10.4.4–(A2) A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <p style="padding-left: 40px;">(i) at a distance of 3.0m from the window; and</p> <p style="padding-left: 40px;">(ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal.</p> <p>(b) The multiple dwelling does not cause the habitable room to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p>	Not applicable.  Not multiple dwelling development.

<ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.</li> </ul>	
<p>10.4.4–(A3) A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> <li>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): <ul style="list-style-type: none"> <li>(i) at a distance of 3.0m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> </li> <li>(b) The multiple dwelling does not cause 50% of the private open space to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</li> <li>(c) That part, of a multiple dwelling, consisting of:</li> </ul>	<p>Not applicable.</p> <p>Not multiple dwelling development.</p>

<p>(i) an outbuilding with a building height no more than 2.4m; or</p> <p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m from the multiple dwelling.</p>	
<p><b>10.4.5 Width of openings for garages and carports for all dwellings</b></p>	
<p>10.4.5-(A1) A garage or carport within 12.0m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6.0m or half the width of the frontage (whichever is the lesser).</p>	<p>Compliant. Attached garage openings facing the primary frontage would be 6m.</p>
<p><b>10.4.6 Privacy for all dwellings</b></p>	
<p>10.4.6-(A1) A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1.0m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p>	<p>Not applicable. No balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling), with a finished surface or floor level more than 1.0m above natural ground level proposed.</p>

<p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3.0m from the side boundary; and</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4.0m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6.0m:</p> <p style="padding-left: 40px;">(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p style="padding-left: 40px;">(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>	
<p>10.4.6-(A2) A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1.0m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <p style="padding-left: 40px;">(i) is to have a setback of at least 3.0m from a side boundary; and</p>	<p>Not applicable. No window or glazed door to a habitable room of a dwelling, with a floor level more than 1.0m above the natural ground level proposed.</p>

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<ul style="list-style-type: none"><li>(ii) is to have a setback of at least 4.0m from a rear boundary; and</li><li>(iii) if the dwelling is a multiple dwelling, is to be at least 6.0m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li><li>(iv) if the dwelling is a multiple dwelling, is to be at least 6.0m from the private open space of another dwelling on the same site.</li></ul> <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"><li>(i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li><li>(ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</li><li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.</li></ul>	
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<p>10.4.6–(A3) A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5m; or</p> <p>(b) 1.0m if:</p> <p>(i) it is separated by a screen of at least 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.</p>	<p>Not applicable.</p> <p>No shared driveway or parking spaces.</p>
<p><b>10.4.7 Frontage fences for all dwellings</b></p>	
<p>10.4.7–(A1) A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m</p>	<p>Not applicable.</p> <p>No front fence proposed.</p>

<p>which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>	
<p><b>10.4.8 Waste storage for multiple dwellings</b></p>	
<p>10.4.8-(A1) A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m<sup>2</sup> per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <p>(i) has a setback of at least 4.5m from a frontage; and</p> <p>(ii) is at least 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.</p>	<p>Not applicable.</p> <p>Not multiple dwelling development.</p>
<p><b>10.4.9 Suitability of a site or lot for use or development</b></p>	
<p>10.4.9-(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) have an area of not less than 330m<sup>2</sup> excluding any access strip; and</p>	<p>(a) Compliant. The site has an area of 850m<sup>2</sup>.</p> <p>(b)(i) Non-compliant. Variation to rear boundary as discussed in Clause 10.4.2.</p>

<p>(b) if intended for a building, contain a building area of not less than 10.0m x 15.0m:</p> <ul style="list-style-type: none"> <li>(i) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(ii) clear of any applicable setback from a zone boundary;</li> <li>(iii) clear of any registered easement;</li> <li>(iv) clear of any registered right of way benefiting</li> <li>(v) clear of any restriction imposed by a Utility;</li> <li>(vi) not including an access strip;</li> <li>(vii) accessible from a frontage or access strip; and</li> <li>(viii) if a new residential lot, with a long axis within the range 30 degrees east of north and 20 degrees west of north.</li> </ul>	<ul style="list-style-type: none"> <li>(b)(ii) Not applicable. No zone boundary.</li> <li>(b)(iii) Not applicable. No registered easements.</li> <li>(b)(iv) Not applicable. No registered right of way.</li> <li>(b)(v) Compliant. Dwelling would be clear of both sewer and stormwater infrastructure.</li> <li>(b)(vi) Not applicable. No access strip.</li> <li>(b)(vii) Compliant. Land is accessible from Bowman Drive.</li> <li>(b)(viii) Not applicable. Not a new residential lot.</li> </ul>
<p>10.4.9–(A2) A site or each lot on a subdivision plan must have a separate access from a road –</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. Existing access to Bowman Drive.</li> <li>(b) Not applicable. Not an internal lot.</li> <li>(c)(i) Not applicable. Satisfied by (a).</li> </ul>

<p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road –</p> <p style="padding-left: 20px;">(i) over land not required as the means of access to any other land; and</p> <p style="padding-left: 20px;">(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than –</p> <p style="padding-left: 20px;">(i) 3.6m for a single dwelling development; or</p> <p style="padding-left: 20px;">(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>(c)(ii) Not applicable. Satisfied by (a).</p> <p>(d)(i) Compliant. Site has a 22m frontage width to Bowman Drive.</p> <p>(d)(ii) Not applicable. Not multiple dwelling or non-residential development.</p> <p>(e) Compliant. Statement of Compliance issued in relation to a new crossover off Bowman Drive and the existing crossover to be reinstated – refer to Annexure 5.</p>
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<p>10.4.9–(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p>	<p>Compliant. The site is connected to the reticulated water system.</p>
<p>10.4.9–(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and wastewater to a sewage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p>	<p>Compliant. The site is connected to the reticulated sewerage system.</p>
<p>10.4.9–(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>.</p>	<p>Compliant. The site is connected to the reticulated stormwater system.</p>
<p><b>10.4.10 Dwelling density for single dwelling development</b></p>	
<p>10.4.10–(A1) (a) The site area per dwelling for a single dwelling must – (i) be not less than 325m<sup>2</sup>.</p>	<p>(a)(i) Compliant. Site area is 850m<sup>2</sup>.</p>
<p><b>10.4.11 Development other than a single or multiple dwelling</b></p>	
<p><b>10.4.11.1 Location and configuration of development</b></p>	
<p>10.4.11.1–(A1) The wall of a building must be set back from a frontage –</p>	<p>Not applicable. Proposed development is residential.</p>

<ul style="list-style-type: none"> <li>(a) not less than 4.5m from a primary frontage; and</li> <li>(b) not less than 3.0m from any secondary frontage; or</li> <li>(c) not less than and not more than the setbacks for any existing building on adjoining sites;</li> <li>(d) not less than for any building retained on the site;</li> <li>(e) in accordance with any building area shown on a sealed plan; or</li> <li>(f) not less than 50.0m if the site abuts the Bass Highway.</li> </ul>	
<p>10.4.11.1-(A2) All buildings must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> <li>(a) the applicable frontage setback;</li> <li>(b) a distance of not less than 4.0m from the rear boundary or if an internal lot, a distance of 4.5m from the boundary abutting the rear boundary of the adjoining frontage site;</li> <li>(c) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the</li> </ul>	<p>Not applicable.</p> <p>Proposed development is residential.</p>

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rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback –

- (i) not less than 1.5m from each side boundary; or
- (ii) less than 1.5m from a side boundary if –
  - a. built against an existing wall of an adjoining building; or
  - b. the wall or walls –
    - i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;
    - ii. there is no door or window in the wall of the building; and
    - iii. overshadowing does not result in 50% of the private open space of an adjoining dwelling receiving less than 3 hours of sunlight between 9.00am and 3.00pm on 21 June.

(d) in accordance with any building envelope shown on a sealed plan of subdivision.

<p>10.4.11.1-(A3) Site coverage must:</p> <p>(a) not be more than 50%; or</p> <p>(b) not be more than any building area shown on a sealed plan.</p>	<p>Not applicable.</p> <p>Proposed development is residential.</p>
<p>10.4.11.1-(A4) A garage, carport or external parking area and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage of a building.</p>	<p>Not applicable.</p> <p>Proposed development is residential.</p>
<p>10.4.11.1-(A5) Other than for a dwelling, the total width of openings in the frontage elevation of a garage or carport (whether freestanding or part of any other building) must be the lesser of:</p> <p>(a) 6.0m; or</p> <p>(b) half the width of the frontage.</p>	<p>Not applicable.</p> <p>Proposed development is residential.</p>
<p><b>10.4.11.2 Visual and acoustic privacy for residential development</b></p>	
<p>10.4.11.2-(A1) A door or window to a habitable room or any part of a balcony, deck, roof garden, parking space or carport of a building must:</p> <p>(a) if the finished floor level is more than 1.0m above natural ground level:</p>	<p>Not applicable.</p> <p>Proposed development is residential.</p>

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<ul style="list-style-type: none"><li>(i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site;</li><li>(ii) be not less than 3.0m from a side boundary;</li><li>(iii) be not less than 4.0m from a rear boundary; and</li><li>(iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of an adjacent frontage site; or</li></ul> <p>(b) if less than the setbacks in clause A1(a):</p> <ul style="list-style-type: none"><li>(i) be off-set by not less than 1.5m from the edge of any door or window of another dwelling;</li><li>(ii) have a window sill height of not less than 1.8m above floor level;</li><li>(iii) have fixed glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above floor level; or</li><li>(iv) have a fixed and durable external screen other than vegetation of not less than 1.8m height above the floor level with a uniform transparency of not more than 25% for the full width of the door, window,</li></ul>	
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balcony, deck, roof garden, parking space, or carport.	
10.4.11.2–(A2) An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.	Not applicable. Proposed development is residential.
<b>10.4.11.3 Frontage fences</b>	
10.4.11.3–(A1) The height of a fence, including any supporting retaining wall, on or within a frontage setback must be:  (a) not more than 1.2m if the fence is solid; or  (b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%.	Not applicable. Proposed development is residential.
<b>10.4.12 Setback of development for sensitive use</b>	
10.4.12–(A1) A building containing a sensitive use must be contained within a building envelope determined by:  (a) the setback distance from the zone boundary as shown in the Table to this clause; and	(a) Not applicable. No zone boundary. (b) Not applicable. No zone boundary.

<p>(b) projecting upward and away from the zone boundary at an angle of 45 degrees above the horizontal from a wall height of 3.0m at the required setback distance from the zone boundary.</p>	
<p>10.4.12–(A2) Development for a sensitive use must be not less than 50.0m from:</p> <p>(a) Bass Highway;</p> <p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road or rail purposes; or</p> <p>(d) a proclaimed wharf area.</p>	<p>(a) Compliant. Dwelling would be setback approximately 440m from Bass Highway.</p> <p>(b) Compliant. Dwelling would be setback approximately 460m from a railway line.</p> <p>(c) Not applicable. No land designated for future road or rail.</p> <p>(d) Not applicable. The nearest proclaimed wharf area is in Burnie approximately 15km to the west.</p>
<p><b>10.4.13 Subdivision</b></p>	
<p>10.4.13–(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) intended for residential use;</p> <p>(b) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a Statutory authority.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>

10.4.13-(A2) A lot, other than a lot to which A1(b) applies, must not be an internal lot	Not applicable. No subdivision proposed.
<b>10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision</b>	
10.4.14-(A1) Electricity reticulation and site connections must be installed underground.	Not applicable. No subdivision proposed.
CODES	
<b>E1 Bushfire-Prone Areas Code</b>	Not applicable. Not a subdivision, hazardous or vulnerable use.
<b>E2 Airport Impact Management Code</b>	Not applicable. No Code in the Scheme.
<b>E3 Clearing and Conversion of Vegetation Code</b>	Not applicable. No clearing or conversion of vegetation.
<b>E\$ Change in Ground Level Code</b>	Not applicable. No change in ground level greater than 1m.
<b>E5 Local Heritage Code</b>	Not applicable. No Local Heritage Code in the Scheme.
<b>E6 Hazard Management Code</b>	Not applicable. No hazard identified.
<b>E7 Sign Code</b>	Not applicable. No signage proposed.

<b>E8 Telecommunication Code</b>	Not applicable. No telecommunications proposed.
<b>E9 Traffic Generating Use and Parking Code</b>	
<b>E9.2 Application of this Code</b>	Code applies to all development.
<b>E9.4 Use or development exempt from this Code</b>	Not exempt.  No Local Area Parking Scheme applies to the site.
<b>E9.5 Use Standards</b>	
<b>E9.5.1 Provision for parking</b>	
E9.5.1-(A1) Provision for parking must be:  (a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;	(a) Compliant. Table E9A requires two car parking spaces for a residential dwelling. The dwelling would have an attached double garage.  The requirement for two car parking spaces would be satisfied.
<b>E9.5.2 Provision for loading and unloading of vehicles</b>	
E9.5.2-(A1) There must be provision within a site for:  (a) on-site loading area in accordance with the requirement in the Table to this Code; and	Not applicable for the development of a single dwelling.

<p>(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.</p>	
<p><b>E9.6 Development Standards</b></p>	
<p><b>E9.6.1 Design of vehicle parking and loading areas</b></p>	
<p>E9.6.1 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and</p> <p>E9.6.1 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p>	<p>E9.6.1 A1.1 Compliant by a Condition to be placed on the Permit.</p> <p>E9.6.1 A1.2 Not applicable for the development of a single dwelling.</p>

<p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	
<p>E9.6.1-(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.</p>	<p>Not applicable.</p> <p>Land is zoned General Residential.</p>
<p><b>E10 Water and Waterways Code</b></p>	<p>Not applicable. The development is not within 30m of a waterway, watercourse or shoreline.</p>
<p><b>Specific Area Plans</b></p>	<p>No Specific Area Plans apply to this location.</p>

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*Issues –*

*1 Variation to the building envelope and side setback standard –*

The Planning Scheme's Acceptable Solution 10.4.2–(A3)(a)(i) and (ii) states that a dwelling must be within the required building envelope. This includes that a wall of a shed be no higher than 3m along a side boundary and setback 4m from a rear boundary.

The proposed shed would be positioned along the northern rear boundary and would have a wall height of 3.8m. The application seeks a variation to this standard and an exercise of discretion is required for the proposal to proceed.

The Planning Scheme's Performance Criteria 10.4.2–(P3) states that the siting and scale of a dwelling must:

- (a) Not cause unreasonable loss of amenity by –
  - (i) Reduction in sunlight to a habitable room of a dwelling on an adjoining lot; or

Compliant. The application includes shadow pattern diagrams for the proposed shed. The majority of the shadow from the shed would be cast back into the development site. Some shadow would be cast into the adjoining eastern property from 3.00pm onwards. It is not considered that this shadow is unreasonable. Furthermore, a recently approved dwelling on the adjoining eastern site would be positioned clear of all shadow to be cast from the proposed shed.

- (ii) Overshadowing the private open space of a dwelling on an adjoining lot;

Compliant. As discussed above, a recently approved dwelling on the adjoining eastern site would be positioned clear of all shadow to be cast from the proposed shed. This would include all approved private open space area associated with the dwelling on the adjoining eastern property.

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- (iii) Overshadowing on an adjoining vacant lot; or

Compliant. Currently both the western and eastern adjoining sites are vacant. The shadow on these lots from the proposed shed would not be unreasonable. There will be some shadow cast into the adjoining eastern property from 3.00pm onwards. The majority of the shadow from the proposed shed would be cast back into the development site.

- (iv) Visual impacts cause by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and

Compliant. The proposed shed would be visible from adjoining lots. This is because currently there are no buildings on the development site. The proposed shed is considered slightly higher, at 3.8m, than the standard shed wall height (800mm higher). The shed would have a wall length of 9m along the eastern boundary. The proposed dwelling has been positioned so that only the 9m length of abutting shed wall would be on the eastern boundary. It is considered that the proposed shed would not cause an unreasonable loss of amenity by visual impacts cause by the apparent scale, bulk or proportions of the building when viewed from an adjoining lot. This is because the associated dwelling has been positioned away from the eastern boundary, which assists to minimise bulk and scale when viewing the overall development along the eastern boundary.

- (b) Provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Compliant. Established residential properties within the vicinity of the development site, along Bowman Drive, are predominantly single and double storey dwellings with associated outbuildings. Most are developed close to their respective side boundaries. The proposed shed setback would be similar to the established residential properties within this area. There are several other outbuildings located in properties along Bowman Drive of similar size and setback to side boundaries as the one proposed on the development site. It is therefore considered that the proposed development is compatible with that prevailing in the surrounding area.

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*Referral advice -*

Referral advice from the various Departments of the Council and other service providers is as follows:

SERVICE	COMMENTS/CONDITIONS
Environmental Health	Referral not required.
Infrastructure Services	Statement of Compliance issued 3 November 2020 to be applied to Permit.
Building	Building note to be applied to Permit.
TasWater	Referral not required.
Department of State Growth	Referral not required.
Environment Protection Authority	Referral not required.
TasRail	Referral not required.
Heritage Tasmania	Referral not required.
Crown Land Services	Referral not required.
Tas Networks	Referral not required.

*CONSULTATION*

In accordance with s.57(3) of the *Land Use Planning and Approvals Act 1993*:

- a site notice was posted;
- letters to adjoining owners were sent; and
- an advertisement was placed in the Public Notices section of The Advocate.

*Representations -*

One representation was received within the prescribed time, a copy of which is provided at Annexure 3.

The representation is summarised and responded to as follows:

MATTER RAISED	RESPONSE
<p>1 Purchased property because of pristine view to the North. Proposed shed would limit this view.</p>	<p>It is acknowledged that several properties along the northern side of Bowman Drive would have ocean views. However, the view of the ocean over adjoining private property cannot be relied upon.</p> <p>The Council has recently approved a dwelling on the site owned by the representor. The dwelling approved satisfied the No Permit Required status and the appropriate Certificate was issued.</p> <p>The dwelling approved under the No Permit Required was positioned to the southern side of the site, closer to Bowman Drive. The representor would still have northern views to the ocean from the development site.</p> <p>Even, if a new dwelling was proposed in a different location on the representor's site, they would still have the benefit of their northern outlook to the ocean. Unfortunately, in a built up residential area, you can not rely on maintaining a 180 degree ocean view and cannot rely on a view of the ocean over adjoining private property.</p>
<p>2 No precedent in this line of houses of any shed north of a dwelling.</p>	<p>It is acknowledged that the dwellings along the northern side of Bowman Drive do not include outbuildings along the northern side of their respective properties, apart from a couple further east along Bowman Drive.</p>

	<p>However, a lot of the dwellings have been built closer to their respective property boundaries and most sites have ample area for an outbuilding to be constructed at a later date.</p> <p>It is not uncommon along Bowman Drive (southern side), and within the development site area, for outbuildings to be built closer to boundaries and be of a similar size to the proposed shed.</p> <p>The streetscape will still be dominated by the proposed dwelling which is in keeping with the existing characteristics of the area.</p>
<p>3 Shed higher than a regular shed.</p>	<p>The Planning Scheme stipulates, as an Acceptable Solution, that a 3m high shed wall can be positioned along a side boundary for a maximum wall length of 9m.</p> <p>The proposed shed would have a wall height of 3.8m for a wall length of 9m and would be positioned along the eastern side boundary tapering out to 0.15m.</p> <p>The proposed shed wall height is greater than the Acceptable Solution standard by 800mm. It is considered acceptable that the proposed shed wall is higher than a standard shed wall height. Even if the wall height of the shed was reduced to 3m, to be in accordance with the Planning Scheme Acceptable Solution, this would not greatly alter the look of the shed when viewed from the adjoining property.</p>

<p>4 Size and location of shed would result with overshadow a large area of the adjoining property for all of the afternoon.</p> <p>If the adjoining property was to design a dwelling to be located in the nest area of the site it would be overshadowed by the shed.</p>	<p>The Council has recently approved a dwelling on the site owned by the representor. The dwelling approved satisfied the No Permit Required status and the appropriate Certificate was issued.</p> <p>The approved No Permit Required dwelling would be clear of all shadow that would be cast into the site from the proposed shed. This includes the areas approved for the dwelling's private open space.</p> <p>Even if a new dwelling was proposed on the adjoining site, the shadow cast onto the site by the proposed shed is not considered unreasonable. The adjoining site would have no shadow onto the site until 3.00pm onwards. This means the site is clear of any shadow for 6 hours of the day on 21 June, from 9.00am to 3.00pm.</p>
<p>5 BAL rating when building within 13m of the northern boundary is BAL29. This means dwelling needs to be setback 6m from the shed for safety reasons. Does that mean they would need to build their house 6m from the proposed shed?</p>	<p>This is not a matter to be considered under the Planning Scheme.</p> <p>Matters relating to Bushfire Attack Level (BAL) assessment and building designs is undertaken at the Building Permit application stage.</p>

*RESOURCE, FINANCIAL AND RISK IMPACTS*

The proposal has no likely impact on Council resources outside those usually required for assessment and reporting, and possibly costs associated with an appeal against the Council's determination should one be instituted.

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*CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions:

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

*CONCLUSION*

The representation does not contain sufficient merit to justify the addition of any restrictive conditions to a Permit issued, or refusal of the development.

The proposed development is Permitted in the General Residential zone. The application was discretionary due to variation to the building envelope for the proposed shed. The proposed development as discussed in the “Issues” section of this report is considered to have satisfied the applicable Planning Scheme’s Performance Criteria.

The proposed development is a reasonable development in the General Residential zone and would be in keeping with the characteristics of the surrounding area. It is considered appropriate that the proposed development be approved, subject to conditions.

*Recommendation –*

It is recommended that the application for Residential – dwelling and shed – variation to building envelope at 23 Bowman Drive, Penguin – Development Application DA2020287 be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans by PLA Designs, Drawing No. 20132, Sheet Nos. 01 (Revision A), 02 (Revision B), 03 (Revision B), 04 (Revision A) dated 21 September 2020 and 05 (Revision A) dated 22 September 2020 and plans by Ranbuild, Drawing No. BURN01–21188, Revision A, Page Nos. 1, 2 and 3 received 24 September 2020, unless modified by a condition to this permit.
- 2 The approved Shed must have a wall length no greater than 9m as shown on Ranbuild plans, Drawing No. BURN01–21188, Revision A, Page Nos. 1, 2 and 3 received 24 September 2020.
- 3 The development must be in accordance with the conditions of the Statement of Compliance for Vehicular Access and Drainage Access

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dated 3 November 2020 issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority.

- 4 Stormwater, including from vehicle parking and manoeuvring areas, must be collected, drained and disposed of to an approved stormwater system.
- 5 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.

Please note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Fencing to the frontage of the property to a height of 1.2m does not require a Permit. fencing that is 30% transparent above 1.2m, to a maximum height of 1.8m, requires a Permitted Permit.
- 4 Side boundary fencing is to angle down to the public road reserve boundary in accordance with AS/NZS 2890 Figure 3.3 "Minimum Sight Lines for Pedestrian Safety".
- 5 The outbuilding is approved for use ancillary to Residential use of the land. If the outbuilding is intended to be used for a purpose other than this, then a further Permit for a change of use would be required.
- 6 The proposed development fits within the criteria of Category 4 – Building Permit Work and Category 3 – Notifiable Plumbing Work when assessed against the Director's Determinations issued under the Building Act 2016. Accordingly, an application for a Building Permit is to be made to the Council's Building Permit Authority, and an application for a Certificate of Likely Compliance – Plumbing Work is to be made to the Council's Plumbing Permit Authority.'

The Town Planner's report is supported."

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The Executive Services Officer reports as follows:

“A copy of the Annexures referred to in the Town Planner’s report having been circulated to all Councilors, a suggested resolution is submitted for consideration.”

■ “It is recommended that the application for Residential – dwelling and shed – variation to building envelope at 23 Bowman Drive, Penguin – Development Application DA2020287 be approved subject to the following conditions and notes.

- 1 The development must be substantially in accordance with the plans by PLA Designs, Drawing No. 20132, Sheet Nos. 01 (Revision A), 02 (Revision B), 03 (Revision B), 04 (Revision A) dated 21 September 2020 and 05 (Revision A) dated 22 September 2020 and plans by Ranbuild, Drawing No. BURN01–21188, Revision A, Page Nos. 1, 2 and 3 received 24 September 2020, unless modified by a condition to this permit.
- 2 The approved Shed must have a wall length no greater than 9m as shown on Ranbuild plans, Drawing No. BURN01–21188, Revision A, Page Nos. 1, 2 and 3 received 24 September 2020
- 3 The development must be in accordance with the conditions of the Statement of Compliance for Vehicular Access and Drainage Access dated 3 November 2020 issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority.
- 4 Stormwater, including from vehicle parking and manoeuvring areas, must be collected, drained and disposed of to an approved stormwater system.
- 5 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.

Please note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Fencing to the frontage of the property to a height of 1.2m does not require a Permit. fencing that is 30% transparent above 1.2m, to a maximum height of 1.8m, requires a Permitted Permit.

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- 4 Side boundary fencing is to angle down to the public road reserve boundary in accordance with AS/NZS 2890 Figure 3.3 “Minimum Sight Lines for Pedestrian Safety”.
  - 5 The outbuilding is approved for use ancillary to Residential use of the land. If the outbuilding is intended to be used for a purpose other than this, then a further Permit for a change of use would be required.
  - 6 The proposed development fits within the criteria of Category 4 – Building Permit Work and Category 3 – Notifiable Plumbing Work when assessed against the Director's Determinations issued under the Building Act 2016. Accordingly, an application for a Building Permit is to be made to the Council's Building Permit Authority, and an application for a Certificate of Likely Compliance – Plumbing Work is to be made to the Council's Plumbing Permit Authority.”
- .....
- .....
- .....

**6.3 Residential – dwelling and shed – variation to the building envelope and proximity to a rail line – 5 Summer Place, Turners Beach– Application No. DA2020291**

The Strategic Projects and Planning Consultant reports as follows:

“The Town Planner has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA2020291
<i>PROPOSAL:</i>	Residential – dwelling and shed – variation to the building envelope and proximity to a rail line
<i>APPLICANT:</i>	Darrel Aitken
<i>LOCATION:</i>	5 Summer Place, Turners Beach
<i>ZONE:</i>	Low Density Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Planning Scheme)
<i>ADVERTISED:</i>	7 October 2020
<i>REPRESENTATIONS EXPIRY DATE:</i>	21 October 2020
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	13 November 2020 – extension of time requested until 14 December 2020
<i>DECISION DUE:</i>	30 November 2020

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*PURPOSE*

The purpose of this report is to consider an application to construct a dwelling and shed on land at 5 Summer Place, Turners Beach.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation; and
- . Annexure 4 – photographs.

*BACKGROUND*

*Development description –*

Application is made to construct a triangular shaped single dwelling and a 13.8m x 15.5m shed on vacant residential land at 5 Summer Place, Turners Beach.

The dwelling would have a maximum height of 5.2m above natural ground level and comprise four bedrooms (master with ensuite), shared bathroom, laundry, open plan kitchen/family/dining room, lounge room, study and an attached double garage.

The shed would have a maximum height of 5.1m above natural ground level and would be setback 300mm off the southern rear boundary.

*Site description and surrounding area –*

The development site is a large 3877m<sup>2</sup> residential allotment that is accessed off a 22.92m wide frontage to Summer Place.

The land is reasonably flat and was created in 2019.

The site is subject to the Turners Beach Specific Area Plan. The land is cleared of native vegetation and is connected to reticulated sewer, water and stormwater systems.

Land to the north, west and east is also zoned Low Density Residential and subject to the Turners Beach Specific Area Plan. Adjoining lots accommodate single storey dwellings with associated outbuildings. Land to the south contains the TasRail Western Rail Line and is zoned Utilities.

*History –*

No history relevant to this application.

*DISCUSSION*

The following table is an assessment of the relevant Scheme provisions:

**12.0 Low Density Residential Zone**

CLAUSE	COMMENT
<b>12.3 Use Standards</b>	
<b>12.3.1 Discretionary Permit Use</b>	
<p>12.3.1-(P1) Discretionary permit use must:</p> <p>(d) be consistent with local area objectives;</p> <p>(e) be consistent with any applicable desired future character statement; and</p> <p>(f) minimise likelihood for adverse impact on amenity for use on adjacent land in the zone.</p>	<p>Not applicable.</p> <p>Residential use is Permitted.</p>
<b>12.3.2 Impact of Use</b>	
<p>12.3.2-(A1) Permitted non-residential use must adjoin at least one residential use on the same street frontage.</p>	<p>Not applicable.</p> <p>Use is Residential.</p>
<p>12.3.2-(A2) Permitted non-residential use must not generate more than 40 average daily vehicle movements.</p>	<p>Not applicable.</p> <p>Use is Residential.</p>

<p>12.3.2–(A3) Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.</p>	<p>Not applicable. Use is Residential.</p>
<p><b>12.4 Development Standards</b></p>	
<p><b>12.4.1 Suitability of a site or lot for use or development</b></p>	
<p>12.4.1–(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) have an area of:</p> <p style="padding-left: 40px;">(i) not less than 500m<sup>2</sup> excluding any access strip; or</p> <p style="padding-left: 40px;">(ii) if in a locality shown on Table A1 to this clause, not less than the site area shown for that locality; and</p> <p>(b) contain a building area of not less than 10.0m x 15.0m:</p> <p style="padding-left: 40px;">(i) clear of any applicable setback from a frontage, side, or rear boundary;</p> <p style="padding-left: 40px;">(ii) clear of any applicable setback from a zone boundary;</p> <p style="padding-left: 40px;">(iii) clear of any registered easement;</p>	<p>(a)(i) Compliant. Site area is 3,877m<sup>2</sup>.</p> <p>(a)(ii) Not applicable. Satisfied by (a)(i).</p> <p>(b)(i) Non-compliant. Proposed shed would not satisfy the rear boundary setback. This is discussed in the issues section below under Clause 12.4.3–(P2) of the Planning Scheme.</p> <p>(b)(ii) Non-compliant. Proposed shed would be setback 300mm from Utilities Zone. This is discussed in the issues section below under Clause 12.4.7–(P1) and (P2) of the Planning Scheme.</p> <p>(b)(iii) Not applicable. No easements on the land.</p> <p>(b)(iv) Not applicable. No right of way.</p> <p>(b)(v) Not applicable. No utility on the land.</p> <p>(b)(vi) Not applicable. No access strip.</p>

<ul style="list-style-type: none"> <li>(iv) clear of any registered right-of-way benefiting other land;</li> <li>(v) clear of any restriction imposed by a utility;</li> <li>(vi) not including an access strip;</li> <li>(vii) accessible from a frontage, or access strip; and</li> <li>(viii) if a new residential lot with a long axis within the range 30 degrees east of north and 20 degrees west of north.</li> </ul>	<ul style="list-style-type: none"> <li>(b)(vii) Compliant. Site is able to be accessed from Summer Place.</li> <li>(b)(viii) Not applicable. Not a new lot.</li> </ul>
<p>12.4.1-(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> <li>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</li> <li>(c) by a right of way connecting to a road <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. Existing dedicated access off Summer Place.</li> <li>(b) Not applicable. Not an internal lot.</li> <li>(c)(i) Not applicable. Satisfied by (a).</li> <li>(c)(ii) Not applicable. Satisfied by (a).</li> <li>(d)(i) Compliant. Frontage to Summer Place is 22.92m wide.</li> <li>(d)(ii) Not applicable. Not multiple dwelling development.</li> <li>(e) Compliant. Council acting as a Road Authority has stated no issues with the existing access.</li> </ul>

<p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right-of-way of not less than:</p> <p>(i) 3.6m for a single dwelling development; or</p> <p>(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right-of-way to the site or each lot on a proposed subdivision plan.</p>	
<p>12.4.1-(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply:</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system <sup>R4</sup> with a</p>	<p>(a) Compliant. The site is connected to a reticulated water system.</p> <p>(b) Not applicable. Satisfied by (a).</p>

<p>storage capacity of not less than 10,000 litres if:</p> <ul style="list-style-type: none"> <li>(i) there is not a reticulated water supply; and</li> <li>(ii) development is for: <ul style="list-style-type: none"> <li>a. a single dwelling; or</li> <li>b. a use with an equivalent population of not more than 10 people per day.</li> </ul> </li> </ul>	
<p>12.4.1–(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste:</p> <ul style="list-style-type: none"> <li>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) by on-site disposal if: <ul style="list-style-type: none"> <li>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</li> <li>(ii) the development: <ul style="list-style-type: none"> <li>a. is for a single dwelling; or</li> <li>b. provides for an equivalent population of not more than 10 people per day; or</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. The site is connected to a reticulated sewage system.</li> <li>(b) Not applicable. Satisfied by (a).</li> </ul>

<ul style="list-style-type: none"> <li>c. creates a total sewage and waste water flow of not more than 1,000 litres per day; and</li> <li>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management, clear of any defined building area or access strip.</li> </ul>	
<p>12.4.1-(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <ul style="list-style-type: none"> <li>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</li> <li>(b) if stormwater cannot be drained to a stormwater system: <ul style="list-style-type: none"> <li>(i) for discharge to a natural drainage line, water body, or watercourse; or</li> <li>(ii) for disposal within the site if: <ul style="list-style-type: none"> <li>a. the site has an area of not less than 5,000m<sup>2</sup>;</li> <li>b. the disposal area is not within any defined building area;</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. The site is connected to a reticulated stormwater system.</li> <li>(b) Not applicable. Satisfied by (a).</li> </ul>

<ul style="list-style-type: none"> <li>c. the disposal area is not within any area required for the disposal of sewage;</li> <li>d. the disposal area is not within any access strip; and</li> <li>e. not more than 50% of the site is impervious surface; and</li> </ul> <p>(iii) the development is for a single dwelling.</p>	
<p><b>12.4.2 Dwelling density</b></p>	
<p>12.4.2-(A1) The site area per dwelling must:</p> <ul style="list-style-type: none"> <li>(a) be not less than 500m<sup>2</sup> if the site has: <ul style="list-style-type: none"> <li>(i) connection to a reticulated water supply;</li> <li>(ii) connection to a reticulated sewer system; and</li> <li>(iii) connection to a stormwater system; or</li> </ul> </li> <li>(b) if the site is in a locality shown on Table 1 to this clause, not less than the site area for that locality.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Site area is 3,877m<sup>2</sup>.</li> <li>(a)(i) Compliant. Development would connect to a reticulated water supply.</li> <li>(a)(ii) Compliant. Development would connect to a reticulated sewer system.</li> <li>(a)(iii) Compliant. Development would connect to an approved stormwater system.</li> <li>(b) Not applicable. Locality not shown in Table to this Clause.</li> </ul>

<b>12.4.3 Location and configuration of development</b>	
<p>12.4.3-(A1) The wall of a building must be set back from a frontage:</p> <p>(a) not less than 4.5m from a primary frontage; and</p> <p>(b) not less than 3.0m from any secondary frontage; or</p> <p>(c) not less than and not more than the setbacks for any existing building on each of the immediate adjoining sites;</p> <p>(d) not less than for any building retained on the site;</p> <p>(e) in accordance with any building area shown on a sealed plan; or</p> <p>(f) if the site abuts a road shown in the Table to this Clause, the setback specified for that road.</p>	<p>(a) Compliant The proposed dwelling would be located within 10m from the primary frontage.</p> <p>(b) Not applicable. No secondary frontage.</p> <p>(c) Not applicable. Satisfied by (a).</p> <p>(d) Not applicable. Satisfied by (a).</p> <p>(e) Not applicable. No building area on a sealed plan.</p> <p>(f) Not applicable. Site does not abut the Bass Highway.</p>
<p>12.4.3-(A2) All buildings must be contained within a building envelope determined by:</p> <p>(a) the applicable frontage setback;</p> <p>(b) if the site is in a locality shown on Table A2, not less than the setback distance specific from the feature specified;</p>	<p>(a) Compliant. The proposed dwelling would be setback 10m from the site's frontage to Summer Place.</p> <p>(b) Not applicable. No Table to this Clause.</p> <p>(c) Non-compliant. The proposed shed would be located 300mm off the southern rear boundary.</p> <p>Refer to the "Issues" section of this report.</p>

<p>(c) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are set back:</p> <p>(i) not less than 1.5m from each side boundary; or</p> <p>(ii) less than 1.5m from a side boundary if wall height is not more than 3.0m; and:</p> <p>a. built against an existing wall of an adjoining building; or</p> <p>b. the wall or walls:</p> <p>i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;</p> <p>ii. there is no door or window in the wall of the building; and</p> <p>iii. overshadowing does not result in:</p> <p>a. less than two hours of continuous sunlight to a required minimum private</p>	<p>(c)(i) Not applicable. Both the proposed dwelling and shed are setback greater than 1.5m to a side boundary.</p> <p>(c)(ii) Not applicable. Both the proposed dwelling and shed are setback greater than 1.5m to a side boundary.</p> <p>(d) Not applicable No building envelope on a sealed plan.</p>
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<p>open space area in an adjacent dwelling between 9.00am and 3.00pm on 21 June; or</p> <p>b. a further reduction in continuous sunlight to a required minimum private open space area in an adjacent dwelling if already less than two hours between 9.00am and 3.00pm on 21 June; or</p> <p>(d) in accordance with any building envelope shown on a sealed plan.</p>	
<p>12.4.3–(A3) Site coverage must:</p> <p>(a) not be more than 50%; or</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not more than the site coverage for that locality; and</p> <p>(c) not include any part of a site required for the disposal of sewage or stormwater; or</p>	<p>(a) Compliant. Site coverage would be 13%.</p> <p>(b) Not applicable. Satisfies by (a) and no Table to this Clause.</p> <p>(c) Compliant. Development would be clear of reticulated systems.</p> <p>(d) Not applicable. No building area on a sealed plan.</p>

(d) not be more than any building area shown on a sealed plan.	
12.4.3–(A4) A garage, carport, or an external car parking area and any area for the display, handling, or storage of goods, materials, or waste must be located behind the primary frontage of a building.	Compliant. The attached double garage would be located behind the primary frontage of the dwelling.
<p>12.4.3–(A5) Total width of openings in the frontage elevation of a garage or carport (whether freestanding, or part of any other building) must be the lesser of:</p> <p>(a) 6.0m; or</p> <p>(b) half the width of the frontage.</p>	<p>(a) Compliant. Garage opening would be 4.8m.</p> <p>(b) Not applicable. Satisfied by (a).</p>
<b>12.4.4 Visual and acoustic privacy for residential development</b>	
<p>12.4.4–(A1) A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space, or carport of a building must:</p> <p>(a) if the finished floor level is more than 1.0m above natural ground level:</p>	Not applicable. The finished floor level is not more than 1m above natural ground level.

<ul style="list-style-type: none"> <li>(v) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site;</li> <li>(vi) be not less than 3.0m from a side boundary;</li> <li>(vii) be not less than 4.0m from a rear boundary;</li> <li>(viii) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of a lot of an adjacent frontage site; or</li> </ul> <p>(b) if less than the setbacks in clause A1(a):</p> <ul style="list-style-type: none"> <li>(v) be off-set by not less than 1.5m from the edge of any door or window in another dwelling;</li> <li>(vi) have a window sill height of not less than 1.8m above finished floor level;</li> <li>(vii) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above finished floor level; or</li> <li>(viii) have a fixed and durable external screen other than vegetation of not less than 1.8m height above</li> </ul>	
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<p>the finished floor level and with a uniform transparency of not more than 25% located for the full width of the door, window, balcony, deck, roof garden, parking space, or carport.</p>	
<p>12.4.4–(A2) An access strip, or shared driveway, including any pedestrian pathway and parking area must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling, or any balcony, deck, or roof garden in a dwelling.</p>	<p>Not applicable. No access strip or shared driveway.</p>
<p><b>12.4.5 Private open space for residential use</b></p>	
<p>12.4.5–(A1) Each dwelling must provide private open space:</p> <p>(a) if a dwelling with a floor level of not more than 2.5m above finished ground level, a ground level area:</p> <ul style="list-style-type: none"> <li>(i) located adjoining the rear or side of the dwelling;</li> <li>(ii) accessible from the dwelling;</li> <li>(iii) of not less than 25.0m<sup>2</sup>;</li> <li>(iv) with a minimum dimension of 4.0m;</li> <li>(v) on a single level; and</li> </ul>	<ul style="list-style-type: none"> <li>(a)(i) Compliant. Private open space areas located to the rear and side of the dwelling.</li> <li>(a)(ii) Compliant. Private open space area easily accessible from the single storey dwelling.</li> <li>(a)(iii) Compliant. Private open space greater than 25m<sup>2</sup>.</li> <li>(a)(iv) Compliant. Private open space has a minimum dimension greater than 4m.</li> <li>(a)(v) Compliant. Development site is reasonably flat.</li> <li>(a)(vi) Compliant. Development site is reasonably flat.</li> </ul>

<p>(vi) with a gradient of not more than 1 in 10; and</p> <p>(b) if a dwelling with a floor level of more than 2.5m above finished ground level, as an alternative to a ground level area, a private balcony, deck, terrace, or roof garden:</p> <p>(i) of not less than 25.0m<sup>2</sup>;</p> <p>(ii) with a minimum dimension of 4.0m; and</p> <p>(iii) accessible from the dwelling.</p>	<p>(b) Not applicable. Satisfied by (a).</p>
<p>12.4.5-(A2) The required minimum private open space area must be capable of receiving at least three hours of sunlight between 9.00am and 3.00pm on 21 June.</p>	<p>Compliant.</p> <p>Private open space areas would receive at least three hours of sunlight between 9.00am and 3.00pm on 21 June.</p>
<p>12.4.5-(A3) Unless there is a ground level private open space area directly accessible at grade to a shared driveway or pedestrian pathway, each dwelling in a multiple dwelling development must have access to a waste storage area:</p> <p>(a) located behind the applicable frontage setback;</p> <p>(b) of not less than 1.5m<sup>2</sup> per dwelling;</p> <p>(c) screened to view from the frontage and any dwelling by</p>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>

<p>a wall of height not less than 1.2m above finished ground level; and</p> <p>(d) not less than 6.0 from a window, door, balcony, deck, roof garden, or private open space area of a dwelling.</p>	
<p><b>12.4.5 Frontage fences</b></p>	
<p>12.4.6–(A1) The height of a fence, including any supporting retaining wall on a frontage or within a frontage setback must be:</p> <p>(a) not more than 1.2m if the fence is solid; or</p> <p>(b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%.</p>	<p>Not applicable.</p> <p>No frontage fence proposed.</p>
<p><b>12.4.7 Setback of development for sensitive use</b></p>	
<p>12.4.7–(A1) A building containing a sensitive use must be contained within a building envelope determined by:</p> <p>(c) the setback distance from the zone boundary as shown on the Table to this clause; and</p> <p>(d) projecting upward and away from the zone boundary at an angle of 45 degrees above the horizontal from a wall</p>	<p>(a) Non-compliant. Proposed shed would be setback 300mm from the Utilities zone.</p> <p>Refer to the “Issues” section of this report.</p> <p>(b) Not applicable. As discussed above in (a).</p>

<p>height of 3.0m at the required setback distance from the zone boundary.</p>	
<p>12.4.7–(A2) Development for a sensitive use must be not less than 50.0m from:</p> <p>(e) the Bass Highway;</p> <p>(f) a railway;</p> <p>(g) land designated in the planning scheme for future road, or rail purposes, or</p> <p>(h) a proclaimed wharf area.</p>	<p>(a) Compliant. Site would be approximately 277m from the Bass Highway.</p> <p>(b) Non-compliant. Proposed shed would be setback 300mm from the railway.</p> <p>Refer to the “Issues” section of this report.</p> <p>(c) Not applicable. No designated future road or rail in the Planning Scheme.</p> <p>(d) Compliant. Nearest proclaimed wharf is in Devonport, approximately 15km to the east.</p>
<p><b>12.4.8 Subdivision</b></p>	
<p>12.4.8–(P1) Each new lot on a plan of subdivision must be:</p> <p>(a) intended for residential use;</p> <p>(b) a lot required for public use by the State Government, a Council, a statutory authority, or a corporation, all the shares of which are held by or on behalf of the State, a Council, or by a statutory authority; or</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>

(c) for a purpose permissible in the zone.	
<b>12.4.9 Reticulation of an electricity supply to new lots on a plan of subdivision</b>	
12.4.9-(A1) Electricity reticulation and site connections must be installed underground.	Not applicable. No subdivision proposed.
CODES	
<b>E1 Bushfire-Prone Areas Code</b>	Not applicable. Not a subdivision, hazardous or vulnerable use.
<b>E2 Airport Impact Management Code</b>	Not applicable. No Code in this Planning Scheme.
<b>E3 Clearing and Conversion of Vegetation Code</b>	Not applicable. No clearing or conversion of vegetation proposed.
<b>E4 Change in Ground Level Code</b>	Not applicable. No cut/fill greater than 1 m.
<b>E5 Local Heritage Code</b>	Not applicable. No local heritage schedule in this Scheme
<b>E6 Hazard Management Code</b>	Not applicable. No hazards identified
<b>E7 Sign Code</b>	Not applicable. No signage proposed
<b>E8 Telecommunication Code</b>	Not applicable. No telecommunications facilities proposed
<b>E9 Traffic Generating Use and Parking Code</b>	Code applies to all use and development.

<b>E9.2 Application of this Code</b>	
<b>E9.4 Use or development exempt from this Code</b>	Not exempt.
<b>E9.5 Use Standards</b>	
<b>E9.5.1 Provision for parking</b>	
E9.5.1-(A1) Provision for parking must be:	Compliant.
(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code.	The development includes a two-car internal garage.
<b>E9.5.2 Provision for loading and unloading of vehicles</b>	
E9.5.2-(A1) There must be provision within a site for:	Not applicable.
(c) on-site loading area in accordance with the requirement in the Table to this Code; and	No requirement for residential use.
(d) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.	

<b>E9.6 Development Standards</b>	
<b>E9.6.1 Design of vehicle parking and loading areas</b>	
<p>E9.6.1 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and</p> <p>E9.6.1 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village Zones, the layout of vehicle parking area, loading area, circulation aisle and maneuvering area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p>	<p>E9.6.1 A1.1 Compliant by Condition.</p> <p>E9.6.1 A1.2 Not applicable.</p> <p>Development is in the Low Density Residential zone.</p>

<p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space;</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	
<p>E9.6.1-(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.</p>	<p>Not applicable.</p>
<p>SPECIFIC AREA PLANS</p>	
<p><b>F1.0 Forth Specific Area Plan</b></p>	<p>Not applicable.</p>
<p><b>F2.0 Ulverstone Wharf Specific Area Plan</b></p>	<p>Not applicable.</p>
<p><b>F3.0 Penguin Specific Area Plan</b></p>	<p>Not applicable.</p>

<b>F4.0 Turners Beach Specific Area Plan</b>	Applicable. Site is within this Specific Area Plan.
CLAUSE	COMPLIANCE
<b>F4.2 Application of Code</b>	Site within the SAP.
<b>F4.4 Exemption</b>	Not exempt.
<b>F4.7 Development Standards</b>	
<b>F4.7.1 Building height</b>	
F3.5.1-(A1) Building height must not be more than 5.5m.	Compliant. Dwelling would have a maximum height of 5.2m and the Shed would have a maximum height of 4.1m.
<b>F4.7.2 Vegetation management</b>	
F4.7.2-(A1) There must be no clearing or conversion of vegetation within the littoral, riparian, and road reserves.	Compliant. Road reserve is already clear of vegetation.
<b>F4.7.3 Landscaping</b>	
F4.7.3-(A1) Other than for an internal lot, not less than 50% of the site area between the frontage and a building containing a dwelling must be landscaped with not less than grass.	Compliant. Plans show the area between the primary frontage of the dwelling and the frontage to be landscaped and lawned.

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<b>F4.7.4 Beach access</b>	
F4.7.4-(A1) New vehicular or pedestrian accesses to the beach or Forth River must not be created.	Not applicable. Site does not adjoin the beach or Forth River riparian land.
<b>F5.0 Not in this Scheme</b>	Not applicable.
<b>F6.0 Revel Lane Precinct Specific Area Plan</b>	Not applicable.

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*Issues –*

1 *12.4.3 Location and Configuration of development – building envelope –*

The Planning Scheme's Acceptable Solution 12.4.3–(A2) requires that a building be contained within a building envelope that includes a rear boundary setback of 4m.

The proposed development seeks a variation to the building envelope standard for the shed, which would be located 300mm from the southern rear boundary. An exercise of discretion is required to determine if a Permit may be issued.

The Planning Scheme's Performance Criteria 12.4.3–(P2) requires that for variations to building envelope standards, a dwelling must:

- (a) minimise the likelihood of overshadowing of a habitable room or minimum area of private open space for any adjoining dwelling;

Compliant. The proposed shed would be located in the southern portion of the development site. The southern adjoining property contains the railway line and is zoned Utilities. All other adjoining dwellings, that are residential zoned properties, are to the west, north and east. Some overshadowing may fall onto the railway corridor. This would not be any different to other buildings in the locality that are developed within close proximity to the railway corridor boundary.

The location of the shed would not have any likelihood of overshadowing of a habitable room or minimum area of private open space for any adjoining dwelling.

- (b) minimise the apparent bulk and scale, massing and proportions relative to any adjacent building:

Compliant. The proposed shed would be in a similar position, near the southern rear boundary, as other established outbuildings within the area. The proposed shed would be within close proximity to an adjoining shed (approximately 7m) and would be setback approximately 44m to the closest adjoining dwelling. The proposed shed location would not result in a negative impact on any adjacent building in terms of apparent bulk and scale, massing and proportions.

- 
- (c) be consistent with the streetscape;

Compliant. The proposed shed would be setback 24m from the development site's front boundary. The streetscape would be dominated by the proposed dwelling, which would be setback greater than other dwellings within the area. It is considered the location of the shed is consistent with the streetscape.

- (d) respond to the effect of slope and orientation of the site; and

Compliant. The site is reasonably flat. The proposed shed is located to the far south-western section of the site and has been positioned to fit within an irregular indent along the southern rear boundary.

- (e) provide separation between buildings to attenuate impact.

The proposed separation between buildings is acceptable. There would be a distance of approximately 7m to the closest building (being an outbuilding), and approximately 44m to the closest adjoining dwelling.

The proposed development is considered to have satisfied Performance Criteria 12.4.3-(P2).

2 *Proximity to a rail line -*

The Planning Scheme's Acceptable Solution 12.4.7-(A1)(a) states that a building containing a sensitive use must be contained within a building envelope determined by the setback distance from the zone boundary as shown on the Table to this Clause.

The proposed shed would be setback 300mm to the Utilities zone. The setback under the Table to this Clause stipulates 10m. An exercise of discretion is required to determine if a Permit may be issued.

The Planning Scheme's Performance Criteria 12.4.7-(P1) states that the location of a building containing a sensitive use must -

- (a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone; and

Compliant. Sensitive use is defined by the Planning Scheme as *a residential use or a use involving the presence of people for*

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*extended periods except in the course of their employment, such as caravan park, childcare centre, dwelling, hospital or school.*

It could be argued that the proposed shed is not a sensitive use as it is a non-habitable building and not a dwelling as stated in the sensitive use definition.

The shed however is an outbuilding which is included in the residential use stipulated in the Planning Scheme.

The proposed dwelling would be setback 14m from the Utilities zone. The proposed dwelling would involve the presence of people for extended periods more than the proposed shed. The proposed shed is considered to 'buffer' the sensitive use to the Utilities zone. Permitting the shed in the proposed location would assist to minimise likelihood of conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone being, the TasRail rail line.

Additionally, as can be seen in the image below, there are several other outbuildings that are located in close proximity to the Utilities zone boundary, similar to that proposed for the shed on the development site.

- (b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use.

Compliant. As discussed above, the proposed dwelling would be setback 14m from the Utilities zone. The proposed dwelling would involve the presence of people for extended periods, more so than for the proposed shed. The proposed shed is considered to 'buffer' the sensitive use to the Utilities zone. Allowing the shed in the proposed location would assist to minimise likely impact on the amenity of the sensitive use from existing and potential use of land in the adjoining Utilities zone.

Furthermore, the Planning Scheme's Acceptable Solution 12.4.7-(A2)(b) states that development for a sensitive use must be not less than 50m from a railway. The proposed shed would be setback 300mm from the railway corridor. An exercise of discretion is required to determine if a Permit may be issued.

The Planning Scheme's Performance Criteria 12.4.7-(P2) states that development for a sensitive use must –

- 
- (a) have minimal impact for safety and efficient operation of the transport infrastructure; and

Compliant. There are several other outbuildings within the vicinity of the development site that are located at a similar distance from the railway (refer to image below). Furthermore, there are no trees along the common boundary to the railway line that would impact on the safety and efficient operation of the railway.



- (b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or

Compliant. The TasRail Standard Notes would be applied to a Permit, if issued, regarding the protection of the railway. The proposed dwelling would be setback 14m from the railway line. The dwelling is considered the sensitive use component of the development, as outlined in the Planning Scheme. The Planning Scheme intends that a sensitive use be designed appropriately to mitigate likely impacts of light, noise, odour, particulate, radiation or vibration emissions from the railway line. The dwelling satisfies the Acceptable Solution distance which is 10m and is therefore considered to be at an appropriate setback distance from the railway.

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- (c) be temporary use or development for which arrangements have been made with the relevant transport infrastructure entity for removal without compensation within 3 years.

Not applicable. Satisfied by (b). Development is not temporary.

*Referral advice –*

Referral advice from the various Departments of the Council and other service providers is as follows:

SERVICE	COMMENTS/CONDITIONS
Environmental Health	Referral not required.
Infrastructure Services	No issues.
Building	Building Note to be applied to any Permit issued.
TasWater	Referral not required.
Department of State Growth	Referral not required.
Environment Protection Authority	Referral not required.
TasRail	Refer to Representation.
Heritage Tasmania	Referral not required.
Crown Land Services	Referral not required.
Tas Networks	Referral not required.

*CONSULTATION*

In accordance with s.57(3) of the *Land Use Planning and Approvals Act 1993*:

- . a site notice was posted;
- . letters to adjoining owners were sent; and
- . an advertisement was placed in the Public Notices section of The Advocate.

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*Representations -*

One representation was received within the prescribed time, a copy of which is provided in Annexure 3.

The representation is summarised and responded to as follows:

MATTER RAISED	RESPONSE
<p>1 Concern regarding the proximity of the shed to the rail boundary.</p>	<p>As discussed in the Issues section of this report, the Planning Scheme stipulates a setback requirement for sensitive use to the Utilities zone (including the railway). Sensitive use includes residential use, which by definition includes an outbuilding.</p> <p>It is considered the outbuilding is a non-habitable building with the main sensitive use/development aspect of this application (the dwelling) setback 14m from the Utilities zone (that includes the railway line).</p> <p>Furthermore, there are several other outbuildings located along the boundary that is in common with the railway corridor.</p>
<p>2 As setback to rear boundary is 4m under the Planning Scheme, TasRail request that the orientation or location of the shed be changed to decrease the proximity to the rail boundary.</p> <p>Alternatively, TasRail seek that the owner erect a robust fence along the southern boundary between the shed and rail corridor.</p>	<p>It is considered unreasonable to seek the owner to relocate the shed, due to reasons discussed in the "Issues" section above.</p> <p>The matter of erecting a fence, between the proposed shed and the rail corridor, is not a planning matter. This is a matter between TasRail and the owner.</p>

3 Standard TasRail notes to be to be applied to any Permit issued.	Please refer to Note No. 3 of the Permit which references TasRail Standard Notes.
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*RESOURCE, FINANCIAL AND RISK IMPACTS*

The proposal has no likely impact on Council resources outside those usually required for assessment and reporting, and possibly costs associated with an appeal against the Council’s determination should one be instituted.

*CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions:

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure.

*CONCLUSION*

The representation does not contain sufficient merit to justify the addition of any restrictive condition to a Permit issued, or refusal of the proposed development. Standard TasRail notes will to be applied to any Permit issued.

The proposed dwelling and shed is Permitted development in the Low Density Residential zone. The application was discretionary due to the variation of the rear boundary setback standard and the proximity of the shed to the rail line. The proposed development, as discussed in the “Issues” section of this report, is considered to have satisfied the applicable Scheme’s Performance Criteria.

The proposed development is considered to be acceptable development in the Low Density Residential zone and would be in keeping with the characteristics of the area. It is considered appropriate that the proposed dwelling and shed be approved, subject to conditions.

*Recommendation –*

It is recommended that the application for Residential – dwelling and shed – variation to the building envelope and proximity to a rail line at 5 Summer Place, Turners Beach – Development Application DA2020291 be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans submitted by the applicant, received 2 October 2020.

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- 2 Stormwater, including from vehicle parking and manoeuvring areas, must be collected, drained and disposed of to an approved stormwater system.
  - 3 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.

Please note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 “Substantial commencement” is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Fencing to the frontage of the property to a height of 1.2m does not require a Permit. fencing that is 30% transparent above 1.2m, to a maximum height of 1.8m, requires a Permitted Permit.
- 4 Side boundary fencing is to angle down to the public road reserve boundary in accordance with AS/NZS 2890 Figure 3.3 “Minimum Sight Lines for Pedestrian Safety”.
- 5 The outbuilding is approved for use ancillary to Residential use of the land. If the outbuilding is intended to be used for a purpose other than this, then a further Permit for a change of use would be required.
- 6 The proposed use and/or development must take into account the attached TasRail Standard Notes.
- 7 The proposed development fits within the criteria of Category 4 – Building Permit Work and Category 3 – Notifiable Plumbing Work when assessed against the Director's Determinations issued under the *Building Act 2016*. Accordingly, an application for a Building Permit is to be made to the Council's Building Permit Authority, and an application for a Certificate of Likely Compliance – Plumbing Work is to be made to the Council's Plumbing Permit Authority.’

The Town Planner’s report is supported.”

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The Executive Services Officer reports as follows:

“A copy of the Annexures referred to in the Town Planner’s report having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

■ “That the application for Residential – dwelling and shed – variation to the building envelope and proximity to a rail line at 5 Summer Place, Turners Beach – Development Application DA2020291 be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans submitted by the applicant and received 2 October 2020.
- 2 Stormwater, including from vehicle parking and manoeuvring areas, must be collected, drained and disposed of to an approved stormwater system.
- 3 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.

Please note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 “Substantial commencement” is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Fencing to the frontage of the property to a height of 1.2m does not require a Permit. fencing that is 30% transparent above 1.2m, to a maximum height of 1.8m, requires a Permitted Permit.
- 4 Side boundary fencing is to angle down to the public road reserve boundary in accordance with AS/NZS 2890 Figure 3.3 “Minimum Sight Lines for Pedestrian Safety”.
- 5 The outbuilding is approved for use ancillary to Residential use of the land. If the outbuilding is intended to be used for a purpose other than this, then a further Permit for a change of use would be required.
- 6 The proposed use and/or development must take into account the attached TasRail Standard Notes.

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- 7 The proposed development fits within the criteria of Category 4 – Building Permit Work and Category 3 – Notifiable Plumbing Work when assessed against the Director's Determinations issued under the *Building Act 2016*. Accordingly, an application for a Building Permit is to be made to the Council's Building Permit Authority, and an application for a Certificate of Likely Compliance – Plumbing Work is to be made to the Council's Plumbing Permit Authority.”
- .....
- .....
- .....

**6.4 Residential – dwelling and shed including demolition of all existing buildings on site – variation to the lot size, dwelling density and the building envelope and reliance on E4 Change in Ground Level Code – 8 Albert Street, Turners Beach – Application No. DA2020308**

The Strategic Projects and Planning Consultant reports as follows:

“The Town Planner has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA2020308
<i>PROPOSAL:</i>	Dwelling and shed including demolition of all existing buildings on site – variation to the lot size, dwelling density and the building envelope and reliance on E4 Change in Ground Level Code
<i>APPLICANT:</i>	Lachlan Walsh Lachlan Walsh Design
<i>LOCATION:</i>	8 Albert Street, Turners Beach
<i>ZONE:</i>	Low Density Residential and Turners Beach Specific Area Plan.
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Planning Scheme)
<i>ADVERTISED:</i>	24 October 2020
<i>REPRESENTATIONS EXPIRY DATE:</i>	10 November 2020
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	2 December 2020 – extension of time granted until 14 December 2020
<i>DECISION DUE:</i>	30 November 2020

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*PURPOSE*

The purpose of this report is to consider an application to construct a dwelling and shed on land at 8 Albert Street, Turners Beach.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation;
- . Annexure 4 – photographs; and
- . Annexure 5 – Statement of Compliance from Road Authority and Stormwater Authority
- . Annexure 6 – TasWater's Submission to Planning Authority Notice.

*BACKGROUND*

*Development description –*

Application is made to construct a single dwelling and shed on land known as at 8 Albert Street, Turners Beach. The application includes the demolition of the existing dwelling and shed that currently occupy the site.

The dwelling would comprise of three bedrooms (master with ensuite), shared bathroom and an open plan living/kitchen. The dwelling would be positioned centrally, but slightly north on the site, and would be setback 2.1m from the eastern front boundary, 3.8m from the western rear boundary and greater than 2m from both side boundaries.

The 7.1m x 3.7m shed would be positioned 186mm from the southern rear boundary.

*Site description and surrounding area –*

The development site is a small 373m<sup>2</sup> Low Density zoned allotment on the western side of Albert Street, surrounded by Low Density zoned allotments, all developed with single and double storey dwellings with associated outbuildings.

The development site is elevated from Albert Street road and properties along Whitegum Way.

The site is subject to the Turners Beach Specific Area Plan. The land is cleared of native vegetation and is connected to reticulated sewer, water and stormwater systems.

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*History -*

The existing dwelling on the site was an outbuilding forming part of a former church at Turners Beach. The subminimal development site was created when the former church land was subdivided and rezoned in 2006.

*DISCUSSION*

The following table is an assessment of the relevant Scheme provisions:

**12.0 Low Density Residential Zone**

CLAUSE	COMMENT
<b>12.3 Use Standards</b>	
<b>12.3.1 Discretionary Permit Use</b>	
<p>12.3.1-(P1) Discretionary permit use must:</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement; and</p> <p>(c) minimise likelihood for adverse impact on amenity for use on adjacent land in the zone.</p>	<p>Not applicable.</p> <p>Residential use is Permitted.</p>
<b>12.3.2 Impact of Use</b>	
<p>12.3.2-(A1) Permitted non-residential use must adjoin at least one residential use on the same street frontage.</p>	<p>Not applicable.</p> <p>Use is Residential.</p>
<p>12.3.2-(A2) Permitted non-residential use must not generate more than 40 average daily vehicle movements.</p>	<p>Not applicable.</p> <p>Use is Residential.</p>

<p>12.3.2–(A3) Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.</p>	<p>Not applicable. Use is Residential.</p>
<p><b>12.4 Development Standards</b></p>	
<p><b>12.4.1 Suitability of a site or lot for use or development</b></p>	
<p>12.4.1–(A1) A site or each lot on a plan of subdivision must:</p> <p>(c) have an area of:</p> <p>(iii) not less than 500m<sup>2</sup> excluding any access strip; or</p> <p>(iv) if in a locality shown on Table A1 to this clause, not less than the site area shown for that locality; and</p> <p>(d) contain a building area of not less than 10.0m x 15.0m:</p> <p>(i) clear of any applicable setback from a frontage, side, or rear boundary;</p> <p>(ii) clear of any applicable setback from a zone boundary;</p> <p>(iii) clear of any registered easement;</p>	<p>(a)(i) Non-compliant. Site is 372m<sup>2</sup>. Refer to the “Issues” section of this report.</p> <p>(a)(ii) Not applicable. Satisfied by (a)(i).</p> <p>(b)(i) Non-compliant. Proposed shed would not satisfy the front or rear boundary setback. This is discussed in the issues section below under Clause 12.4.3–(P1) and (P2) of the Planning Scheme.</p> <p>(b)(ii) Not applicable. No zone boundary.</p> <p>(b)(iii) Not applicable. No easements on the land.</p> <p>(b)(iv) Not applicable. No right of way.</p>

<ul style="list-style-type: none"> <li>(iv) clear of any registered right-of-way benefiting other land;</li> <li>(v) clear of any restriction imposed by a utility;</li> <li>(vi) not including an access strip;</li> <li>(vii) accessible from a frontage, or access strip; and</li> <li>(viii) if a new residential lot with a long axis within the range 30 degrees east of north and 20 degrees west of north.</li> </ul>	<ul style="list-style-type: none"> <li>(b)(v) Compliant. There is a sewer easement just inside the development site's front boundary. Proposed development is clear of this utility.</li> <li>(b)(vi) Not applicable. No access strip.</li> <li>(b)(vii) Compliant. Site can be accessed from Albert Street.</li> <li>(b)(viii) Not applicable. Not a new lot.</li> </ul>
<p>12.4.1-(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> <li>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</li> <li>(c) by a right of way connecting to a road <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. Existing dedicated access off Albert Street.</li> <li>(b) Not applicable. Not an internal lot.</li> <li>(c)(i) Not applicable. Satisfied by (a).</li> <li>(c)(ii) Not applicable. Satisfied by (a).</li> <li>(d)(i) Compliant. Frontage to Albert Street is 18.23m wide.</li> <li>(d)(ii) Not applicable. Not multiple dwelling development.</li> <li>(e) Compliant. Council acting as a Road Authority has issued a Statement of Compliance in relation to access (refer to Annexure 5).</li> </ul>

<p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right-of-way of not less than:</p> <p>(i) 3.6m for a single dwelling development; or</p> <p>(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right-of-way to the site or each lot on a proposed subdivision plan.</p>	
<p>12.4.1-(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply:</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system <sup>R4</sup> with a storage capacity of not less than 10,000 litres if:</p>	<p>(a) Compliant. The site is connected to a reticulated water system.</p> <p>(b) Not applicable. Satisfied by (a).</p>

<ul style="list-style-type: none"> <li>(i) there is not a reticulated water supply; and</li> <li>(ii) development is for: <ul style="list-style-type: none"> <li>a. a single dwelling; or</li> <li>b. a use with an equivalent population of not more than 10 people per day.</li> </ul> </li> </ul>	
<p>12.4.1–(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste:</p> <ul style="list-style-type: none"> <li>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) by on-site disposal if: <ul style="list-style-type: none"> <li>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</li> <li>(ii) the development: <ul style="list-style-type: none"> <li>a. is for a single dwelling; or</li> <li>b. provides for an equivalent population of not more than 10 people per day; or</li> <li>c. creates a total sewage and waste water</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. The site is connected to a reticulated sewage system.</li> <li>(b) Not applicable. Satisfied by (a).</li> </ul>

<p style="text-align: center;">flow of not more than 1,000 litres per day; and</p> <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management, clear of any defined building area or access strip.</p>	
<p>12.4.1–(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system:</p> <p style="padding-left: 20px;">(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p style="padding-left: 20px;">(ii) for disposal within the site if:</p> <p style="padding-left: 40px;">a. the site has an area of not less than 5,000m<sup>2</sup>;</p> <p style="padding-left: 40px;">b. the disposal area is not within any defined building area;</p>	<p>(a) Compliant. The site is connected to a reticulated stormwater system.</p> <p>(b) Not applicable. Satisfied by (a).</p>

<ul style="list-style-type: none"> <li>c. the disposal area is not within any area required for the disposal of sewage;</li> <li>d. the disposal area is not within any access strip; and</li> <li>e. not more than 50% of the site is impervious surface; and</li> </ul> <p>(iii) the development is for a single dwelling.</p>	
<p><b>12.4.2 Dwelling density</b></p>	
<p>12.4.2-(A1) The site area per dwelling must:</p> <ul style="list-style-type: none"> <li>(a) be not less than 500m<sup>2</sup> if the site has: <ul style="list-style-type: none"> <li>(i) connection to a reticulated water supply;</li> <li>(ii) connection to a reticulated sewer system; and</li> <li>(iii) connection to a stormwater system; or</li> </ul> </li> <li>(b) if the site is in a locality shown on Table 1 to this clause, not less than the site area for that locality.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Non-compliant. Site is 372m<sup>2</sup>. Refer to the “Issues” section of this report.</li> <li>(a)(i) Compliant. Development would connect to a reticulated water supply.</li> <li>(a)(ii) Compliant. Development would connect to a reticulated sewer system.</li> <li>(a)(iii) Compliant. Development would connect to an approved stormwater system.</li> <li>(b) Not applicable. Locality not shown in Table to this Clause.</li> </ul>

<b>12.4.3 Location and configuration of development</b>	
<p>12.4.3-(A1) The wall of a building must be set back from a frontage:</p> <p>(a) not less than 4.5m from a primary frontage; and</p> <p>(b) not less than 3.0m from any secondary frontage; or</p> <p>(c) not less than and not more than the setbacks for any existing building on each of the immediate adjoining sites;</p> <p>(d) not less than for any building retained on the site;</p> <p>(e) in accordance with any building area shown on a sealed plan; or</p> <p>(f) if the site abuts a road shown in the Table to this Clause, the setback specified for that road.</p>	<p>(a) Non-compliant. The dwelling would be located 2.1m from the front boundary.  Refer to the "Issues" section of this report.</p> <p>(b) Not applicable. No secondary frontage.</p> <p>(c) Not applicable. Satisfied by (a).</p> <p>(d) Not applicable. Satisfied by (a).</p> <p>(e) Not applicable. No building area on a sealed plan.</p> <p>(f) Not applicable. Site does not abut the Bass Highway.</p>
<p>12.4.3-(A2) All buildings must be contained within a building envelope determined by:</p> <p>(a) the applicable frontage setback;</p> <p>(b) if the site is in a locality shown on Table A2, not less than the setback distance specific from the feature specified;</p>	<p>(a) Non-compliant. As discussed above.  Refer to the "Issues" section of this report.</p> <p>(b) Not applicable. No Table to this Clause.</p> <p>(c) Non-compliant. The dwelling would be outside the required building envelope, including the rear boundary setback.</p>

<p>(c) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are set back:</p> <ul style="list-style-type: none"> <li>(i) not less than 1.5m from each side boundary; or</li> <li>(ii) less than 1.5m from a side boundary if wall height is not more than 3.0m; and: <ul style="list-style-type: none"> <li>a. built against an existing wall of an adjoining building; or</li> <li>b. the wall or walls: <ul style="list-style-type: none"> <li>i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;</li> <li>ii. there is no door or window in the wall of the building; and</li> <li>iii. overshadowing does not result in: <ul style="list-style-type: none"> <li>a. less than two hours of continuous sunlight to a</li> </ul> </li> </ul> </li> </ul> </li> </ul>	<p>Refer to the “Issues” section of this report.</p> <ul style="list-style-type: none"> <li>(c)(i) Compliant. The dwelling would be setback greater than 1.5m from both side boundaries. The shed would be setback 186mm from the side boundary but with a wall length of 7.1m.</li> <li>(c)(ii) Compliant as discussed above.</li> <li>(d) Not applicable. No building envelope on a sealed plan.</li> </ul>
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<p style="padding-left: 40px;">required minimum private open space area in an adjacent dwelling between 9.00am and 3.00pm on 21 June; or</p> <p style="padding-left: 40px;">b. further reduction in continuous sunlight to a required minimum private open space area in an adjacent dwelling if already less than two hours between 9.00am and 3.00pm on 21 June; or</p> <p>(d) in accordance with any building envelope shown on a sealed plan.</p>	
<p>12.4.3-(A3) Site coverage must:</p> <p>(a) not be more than 50%; or</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not more than the site coverage for that locality; and</p> <p>(c) not include any part of a site required for the disposal of sewage or stormwater; or</p>	<p>(a) Compliant. Site coverage would be approximately 40%.</p> <p>(b) Not applicable. Satisfies by (a) and no Table to this Clause.</p> <p>(c) Compliant. Development would be clear of reticulated systems.</p> <p>(d) Not applicable. No building area on a sealed plan.</p>

(d) not be more than any building area shown on a sealed plan.	
12.4.3-(A4) A garage, carport, or an external car parking area and any area for the display, handling, or storage of goods, materials, or waste must be located behind the primary frontage of a building.	Compliant. Car parking area would be behind the primary frontage of a building.
<p>12.4.3-(A5) Total width of openings in the frontage elevation of a garage or carport (whether freestanding, or part of any other building) must be the lesser of:</p> <p>(a) 6.0m; or</p> <p>(b) half the width of the frontage.</p>	<p>(a) Compliant. Opening of shed would be 2.9m.</p> <p>(b) Not applicable. Satisfied by (a).</p>
<b>12.4.4 Visual and acoustic privacy for residential development</b>	
<p>12.4.4-(A1) A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space, or carport of a building must:</p> <p>(a) if the finished floor level is more than 1.0m above natural ground level:</p>	Not applicable. The finished floor level is not more than 1m above natural ground level.

<ul style="list-style-type: none"> <li>(ix) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site;</li> <li>(x) be not less than 3.0m from a side boundary;</li> <li>(xi) be not less than 4.0m from a rear boundary;</li> <li>(xii) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of a lot of an adjacent frontage site; or</li> </ul> <p>(b) if less than the setbacks in clause A1(a):</p> <ul style="list-style-type: none"> <li>(ix) be off-set by not less than 1.5m from the edge of any door or window in another dwelling;</li> <li>(x) have a window sill height of not less than 1.8m above finished floor level;</li> <li>(xi) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above finished floor level; or</li> <li>(xii) have a fixed and durable external screen other than vegetation of not less than 1.8m height above</li> </ul>	
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<p>the finished floor level and with a uniform transparency of not more than 25% located for the full width of the door, window, balcony, deck, roof garden, parking space, or carport.</p>	
<p>12.4.4–(A2) An access strip, or shared driveway, including any pedestrian pathway and parking area must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling, or any balcony, deck, or roof garden in a dwelling.</p>	<p>Not applicable. No access strip or shared driveway.</p>
<p><b>12.4.5 Private open space for residential use</b></p>	
<p>12.4.5–(A1) Each dwelling must provide private open space:</p> <p>(a) if a dwelling with a floor level of not more than 2.5m above finished ground level, a ground level area:</p> <p>(i) located adjoining the rear or side of the dwelling;</p> <p>(ii) accessible from the dwelling;</p> <p>(iii) of not less than 25.0m<sup>2</sup>;</p> <p>(iv) with a minimum dimension of 4.0m;</p> <p>(v) on a single level; and</p>	<p>(a)(i) Compliant. Private open space areas located to the side and rear of the dwelling.</p> <p>(a)(ii) Compliant. Private open space area easily accessible from the kitchen.</p> <p>(a)(iii) Compliant. Private open space greater than 25m<sup>2</sup>.</p> <p>(a)(iv) Compliant. Private open space has a minimum dimension greater than 4m.</p> <p>(a)(v) Compliant. Private open space area would be reasonably flat.</p> <p>(a)(vi) Compliant. Private open space area would be reasonably flat.</p>

<p>(vi) with a gradient of not more than 1 in 10; and</p> <p>(b) if a dwelling with a floor level of more than 2.5m above finished ground level, as an alternative to a ground level area, a private balcony, deck, terrace, or roof garden:</p> <p>(i) of not less than 25.0m<sup>2</sup>;</p> <p>(ii) with a minimum dimension of 4.0m; and</p> <p>(iii) accessible from the dwelling.</p>	<p>(b) Not applicable. Satisfied by (a).</p>
<p>12.4.5-(A2) The required minimum private open space area must be capable of receiving at least three hours of sunlight between 9.00am and 3.00pm on 21 June.</p>	<p>Compliant.</p> <p>Private open space areas would receive at least three hours of sunlight between 9.00am and 3.00pm on 21 June.</p>
<p>12.4.5-(A3) Unless there is a ground level private open space area directly accessible at grade to a shared driveway or pedestrian pathway, each dwelling in a multiple dwelling development must have access to a waste storage area:</p> <p>(a) located behind the applicable frontage setback;</p> <p>(b) of not less than 1.5m<sup>2</sup> per dwelling;</p> <p>(c) screened to view from the frontage and any dwelling by</p>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>

<p>a wall of height not less than 1.2m above finished ground level; and</p> <p>(d) not less than 6.0 from a window, door, balcony, deck, roof garden, or private open space area of a dwelling.</p>	
<p><b>12.4.5 Frontage fences</b></p>	
<p>12.4.6–(A1) The height of a fence, including any supporting retaining wall on a frontage or within a frontage setback must be:</p> <p>(a) not more than 1.2m if the fence is solid; or</p> <p>(b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%.</p>	<p>Compliant. Condition of Permit for nor more than 1.2m solid fence and not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%.</p>
<p><b>12.4.7 Setback of development for sensitive use</b></p>	
<p>12.4.7–(A1) A building containing a sensitive use must be contained within a building envelope determined by:</p> <p>(a) the setback distance from the zone boundary as shown on the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45 degrees above the horizontal from a wall</p>	<p>(a) Not applicable. No zone boundary.</p> <p>(b) Not applicable. No zone boundary.</p>

<p>height of 3.0m at the required setback distance from the zone boundary.</p>	
<p>12.4.7-(A2) Development for a sensitive use must be not less than 50.0m from:</p> <p>(a) the Bass Highway;</p> <p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road, or rail purposes, or</p> <p>(d) a proclaimed wharf area.</p>	<p>(a) Compliant. Site would be approximately 520m from the Bass Highway.</p> <p>(b) Compliant. Site would be approximately 360m from the railway.</p> <p>(c) Not applicable. No designated future road or rail in the Planning Scheme.</p> <p>(d) Compliant. Nearest proclaimed wharf is in Devonport, approximately 15km to the east.</p>
<p><b>12.4.8 Subdivision</b></p>	
<p>12.4.8-(P1) Each new lot on a plan of subdivision must be:</p> <p>(a) intended for residential use;</p> <p>(b) a lot required for public use by the State Government, a Council, a statutory authority, or a corporation, all the shares of which are held by or on behalf of the State, a Council, or by a statutory authority; or</p> <p>(c) for a purpose permissible in the zone.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>

<b>12.4.9 Reticulation of an electricity supply to new lots on a plan of subdivision</b>	
12.4.9-(A1) Electricity reticulation and site connections must be installed underground.	Not applicable. No subdivision proposed.
CODES	
<b>E1 Bushfire-Prone Areas Code</b>	Not applicable. Not a subdivision, hazardous or vulnerable use.
<b>E2 Airport Impact Management Code</b>	Not applicable. No Code in this Planning Scheme.
<b>E3 Clearing and Conversion of Vegetation Code</b>	Not applicable. No clearing or conversion of vegetation proposed.
<b>E4 Change in Ground Level Code</b>	Not applicable. No cut/fill greater than 1 m.
<b>E4.6.1 Change in existing ground level or natural ground level</b>	
E4.6.1-(A1) Cut or fill must:	(a) Compliant. Land is zoned Low Density Residential.
(a) not be on land within the Environmental Living zone or the Environmental Management zone;	(b)(i) Compliant. Land is for dwelling and shed construction.
(b) be required to:	(b)(ii) Not applicable. Satisfied by (i) and (ii).
(i) provide a construction site for buildings and structures;	(b)(iii) Not applicable. Satisfied by (i) and (ii).
	(b)(iv) Not applicable. Satisfied by (i) and (ii).

<ul style="list-style-type: none"> <li>(ii) facilitate vehicular access;</li> <li>(iii) mitigate exposure to a natural or environmental hazard;</li> <li>(iv) facilitate provision of a utility;</li> <li>(v) assist the consolidation or intensification of development; or</li> <li>(vi) assist stormwater management;</li> </ul> <p>(c) not result in a modification of surface stormwater water flow to increase:</p> <ul style="list-style-type: none"> <li>(i) surface water drainage onto adjacent land;</li> <li>(ii) pooling of water on the site or on adjacent land; or</li> <li>(iii) the nature or capacity of discharge from land upstream in a natural or artificial drainage channel;</li> </ul> <p>(d) not destabilise any existing building or increase the requirements for construction of any potential building on adjacent land;</p>	<ul style="list-style-type: none"> <li>(b)(v) Not applicable. Satisfied by (i) and (ii).</li> <li>(b)(vi) Not applicable. Satisfied by (i) and (ii).</li> <li>(c) Compliant. Retaining walls and cut/fill would incorporate drainage infrastructure. Condition of Permit in relation to Stormwater Management.</li> <li>(d) Compliant. Retaining walls and cut would be of engineered design.</li> <li>(e) Compliant. Condition of Permit in relation to Stormwater Management.</li> <li>(f) Compliant by condition of Permit in relation to Stormwater Management.</li> <li>(g) Non-compliant. Proposed retaining wall would result with an area of influence into land known as 36 Turners Avenue, Turners Beach (CT140891 /19).  Refer to the “Issues” section of this report.</li> <li>(h) Compliant. No cut or fill would encroach upon or expose, disturb, or reduce cover over an underground utility.</li> </ul>
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<p>(e) manage disposal of intersected ground water;</p> <p>(f) safeguard the quality of receiving waters through measures to minimise erosion and release of sediments and other contaminants during each of the site preparation, construction and rehabilitation phase in accordance with Soil and Water Management on Building and Construction Sites 2009;</p> <p>(g) Not require a retaining wall or support structure that would result in an area of influence within the boundary of adjacent land; and</p> <p>(h) not encroach upon or expose, disturb, or reduce cover over an underground utility to less than 1.0m unless the relevant regulatory entity has advised:</p> <p style="padding-left: 40px;">(i) it is satisfied the cut or fill will not result in harm to the utility; and</p> <p style="padding-left: 40px;">(ii) any condition or requirement it determines are appropriate to protect the utility.</p>	
<p><b>E5 Local Heritage Code</b></p>	<p>Not applicable. No local heritage schedule in this Scheme</p>
<p><b>E6 Hazard Management Code</b></p>	<p>Not applicable. No hazards identified</p>

<b>E7 Sign Code</b>	Not applicable. No signage proposed
<b>E8 Telecommunication Code</b>	Not applicable. No telecommunications facilities proposed
<b>E9 Traffic Generating Use and Parking Code</b>	Code applies to all use and development.
<b>E9.2 Application of this Code</b>	
<b>E9.4 Use or development exempt from this Code</b>	Not exempt.
<b>E9.5 Use Standards</b>	
<b>E9.5.1 Provision for parking</b>	
E9.5.1-(A1) Provision for parking must be:  (a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code.	Compliant by condition.
<b>E9.5.2 Provision for loading and unloading of vehicles</b>	
E9.5.2-(A1) There must be provision within a site for:  (e) on-site loading area in accordance with the requirement in the Table to this Code; and  (f) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.	Not applicable.  No requirement for residential use.

<b>E9.6 Development Standards</b>	
<b>E9.6.1 Design of vehicle parking and loading areas</b>	
<p>E9.6.1 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and</p> <p>E9.6.1 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village Zones, the layout of vehicle parking area, loading area, circulation aisle and maneuvering area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p>	<p>E9.6.1 A1.1 Compliant by Condition.</p> <p>E9.6.1 A1.2 Not applicable.</p> <p>Development is in the Low Density Residential zone.</p>

<p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space;</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	
<p>E9.6.1-(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.</p>	<p>Not applicable.</p>
<p>SPECIFIC AREA PLANS</p>	
<p><b>F1.0 Forth Specific Area Plan</b></p>	<p>Not applicable.</p>
<p><b>F2.0 Ulverstone Wharf Specific Area Plan</b></p>	<p>Not applicable.</p>
<p><b>F3.0 Penguin Specific Area Plan</b></p>	<p>Not applicable.</p>

<b>F4.0 Turners Beach Specific Area Plan</b>	Applicable. Site is within this Specific Area Plan.
CLAUSE	COMPLIANCE
<b>F4.2 Application of Code</b>	Site within the SAP
<b>F4.4 Exemption</b>	Not exempt.
<b>F4.7 Development Standards</b>	
<b>F4.7.1 Building height</b>	
F3.5.1-(A1) Building height must not be more than 5.5m.	Compliant. Dwelling would have a maximum height of 5.3m and the shed would have a maximum height of 3.5m.
<b>F4.7.2 Vegetation management</b>	
F4.7.2-(A1) There must be no clearing or conversion of vegetation within the littoral, riparian, and road reserves.	Compliant. Road reserve is already clear of vegetation.
<b>F4.7.3 Landscaping</b>	
F4.7.3-(A1) Other than for an internal lot, not less than 50% of the site area between the frontage and a building containing a dwelling must be landscaped with not less than grass.	Compliant. Plans show the area between the primary frontage of the dwelling and the frontage to be over 50% of landscaping.

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<b>F4.7.4 Beach access</b>	
F4.7.4-(A1) New vehicular or pedestrian accesses to the beach or Forth River must not be created.	Not applicable. Site does not adjoin the beach or Forth River riparian land.
<b>F5.0 Not in this Scheme</b>	Not applicable.
<b>F6.0 Revell Lane Precinct Specific Area Plan</b>	Not applicable.

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*Issues –*

*1 12.4.1 Suitability of a site or lot for use or development – lot size*

The Planning Scheme's Acceptable Solution 12.4.1(A1)(i) states that a site must have an area of not less than 500m<sup>2</sup>.

The development site has an area of 372m<sup>2</sup>. An exercise of discretion is required to determine if a Permit may be issued.

The Planning Scheme's Performance Criteria 12.4.1 –(P1) states that a site must –

- (a) Be of sufficient area for the intended use or development without likely constraint or interference for –
  - (i) erection of a building if required by the intended use;  
Compliant. Proposal is for a dwelling and shed for residential purpose.
  - (ii) access to the site;  
Compliant. The site has access off Albert Street.
  - (iii) use or development of adjacent land;  
Compliant. All surrounding land is developed for residential purpose in the form of dwellings and outbuildings.
  - (iv) a utility; and  
Compliant. There is a sewer main that runs inside the development site's front boundary. The proposed dwelling has been positioned clear of this utility.
  - (v) any easement or lawful entitlement for access to other land; and  
Not applicable. No easement or lawful entitlement for access to other land.
- (b) If a new residential lot, be orientated to maximise opportunity for solar access to a building area.  
Not applicable. Not a new residential lot.

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The proposed development is considered to have satisfied Performance Criteria 12.4.1–(P1).

2 *12.4.2 Dwelling density*

The Planning Scheme's Acceptable Solution 12.4.2(A1)(a) states that the site area per dwelling must be not less than 500m<sup>2</sup>.

The development site has an area of 372m<sup>2</sup>. An exercise of discretion is required to determine if a Permit may be issued.

The Planning Scheme's Performance Criteria 12.4.2–(P1) states that the number of dwellings on a site must be consistent with the capability of the land for residential use in terms of –

- (a) a suitable building area;

Compliant. The site contains an existing dwelling and shed. Proposal is to demolish both buildings and construct a new dwelling and shed. The proposed dwelling and shed can satisfy most of the Planning Scheme's Acceptable Solution development standards, apart from the front boundary setback which is similar to the existing dwelling setback to the front boundary, the rear boundary setback which is proposed to be varied by 110mm and the dwelling siting slightly outside the required building envelope as per diagram shown in Figure 12.4.3 of the Planning Scheme.

- (b) access from a road;

Compliant. The site has access off Albert Street.

- (c) provision of a water supply;

Compliant. The site is connected to the reticulated water supply.

- (d) disposal of sewage;

Compliant. The site is connected to the reticulated sewage system.

- (e) disposal of stormwater; and

Compliant. The site is connected to the reticulated stormwater system.

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- (f) a tolerable level of risk from a natural hazard.

Not applicable. There are no natural hazards identified on the development site.

The proposed development is considered to have satisfied Performance Criteria 12.4.2–(P1).

3 *12.4.3 Location and Configuration of development – front boundary*

The Planning Scheme's Acceptable Solution 12.4.3–(A1)(a) states that the wall of a building must be setback from a primary frontage not less than 4.5m.

The proposed dwelling would be setback 2.1m at the closest point to the primary frontage. The dwelling would taper away from the primary frontage to 4m (northern portion).

The Planning Scheme's Performance Criteria 12.4.3–(P1) states that the setback of a wall of a building from a frontage must be –

- (a) Consistent with the streetscape; and

Compliant. The proposed dwelling would be positioned in a similar off-set from the front boundary as with the existing dwelling with the proposed dwelling setback 2.130m from Albert Street. The proposed dwelling would not appear different in terms of setback when viewed from Albert Street. Other dwellings along the eastern side of Albert Street have dwellings that are located closer than the 4.5m from Albert Street. The proposed dwelling would be considered consistent with the existing streetscape along the eastern side of Albert Street.

- (b) Required by a constraint imposed by –

- (i) Size and shape of the site;

Compliant. The development site is subminimal. The proposed dwelling and shed have been positioned on the site to satisfy most of the Planning Scheme's Acceptable Solution development standards apart from the front boundary setback which is similar to the existing dwelling setback to the front boundary, the rear boundary setback which

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is proposed to be varied by 110mm and the dwelling siting slightly outside the required building envelope as per diagram shown in Figure 12.4.3 of the Planning Scheme.

(ii) Orientation and topography of land;

Compliant. The development site is elevated from Albert Street road and properties along Whitegum Way. Furthermore, the development site is relatively small. The proposed dwelling and shed have been positioned on the site to satisfy most of the Planning Scheme's Acceptable Solution development standards, apart from the front boundary setback, which is similar to the existing dwelling setback to the front boundary, the rear boundary setback, which is proposed to be varied by 110mm, and the dwelling siting slightly outside the required building envelope as per diagram shown in Figure 12.4.3 of the Planning Scheme.

(iii) Arrangements for a water supply and for the drainage and disposal of sewage and stormwater;

Compliant. The development site is connected to all reticulated services.

(iv) Arrangements for vehicular pedestrian access;

Compliant. The development site has both vehicular and pedestrian access off Albert Street.

(v) Any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;

Not applicable. The development site is not a conservation or urban design outcome detailed in a provision in this planning scheme.

(vi) A utility; or

Compliant. There is a sewer main that runs inside the development site's front boundary. The

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proposed dwelling has been positioned clear of this utility.

- (vii) Any lawful and binding requirement –
- a. By the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or
  - b. An interest protected at law by an easement or other regulation

Not applicable. No lawful and binding requirement.

The proposed development is considered to have satisfied Performance Criteria 12.4.3–(P1).

4 *12.4.3 Location and Configuration of development – building envelope*

The Planning Scheme’s Acceptable Solution 12.4.3–(A2) requires that a building be contained within a building envelope that includes a rear boundary setback of 4m and to be within the diagram shown in Figure 12.4.3.

The proposed dwelling would be positioned 3.8m from the rear boundary and would be outside the required building envelope as shown in the Figure 12.4.3 of the Planning Scheme . An exercise of discretion is required to determine if a Permit may be issued.

The Planning Scheme’s Performance Criteria 12.4.3–(P2) requires that for variations to building envelope standards, a dwelling must:

- (a) minimise the likelihood of overshadowing of a habitable room or minimum area of private open space for any adjoining dwelling;

Compliant. The application included shadow plans that show the shadow to be cast from both the proposed dwelling and shed. These plans indicate that the majority of the shadow from the development would fall within the development site. Some shadow from the shed would fall into the adjoining southern property’s private open space area. The adjoining southern property has a vast amount of private open space area and it is not considered that the

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shadow from the shed would impede this. No shadow from the proposed development would be cast into any adjoining habitable room of an adjoining dwelling.

- (b) minimise the apparent bulk and scale, massing and proportions relative to any adjacent building:

Compliant. The development site is situated within an established built residential area. Most properties within the area are of single and double storey dwellings with associated outbuildings. Furthermore, most development within the area are large dwellings built closer to their respective boundaries (this includes outbuildings built closer to boundaries).

The dwelling would be setback closest to the northern side boundary (2.2m). The adjoining northern dwelling is located 1m off this common boundary. The setback of the dwelling to all other adjoining properties would be similar to existing development within the area.

The development includes a combination of gravel area, grassed area and landscape garden beds between the proposed development and the development site's boundaries. The setback along the rear boundary would be greater than the existing shed which is positioned on this boundary.

The proposed developments apparent bulk and scale, massing and proportions, relative to any adjacent building, would not be considered unreasonable. This is due to the proposed development being similar in terms of setbacks to boundaries within the vicinity and the combination of landscaping methods.

- (c) be consistent with the streetscape;

Compliant. The proposed dwelling would be positioned in a similar off-set from the front boundary as the existing dwelling. The proposed dwelling would be setback 2.13m from Albert Street, 850mm closer than existing. The proposed dwelling would not appear very different in terms of setback when viewed from Albert Street. Both dwellings along the eastern side of Albert Street (adjoining to the

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development site) have dwellings that are located closer than the 4.5m from Albert Street. The proposed dwelling would be considered consistent with the existing streetscape along the eastern side of Albert Street.

- (d) respond to the effect of slope and orientation of the site; and

Compliant. The development site is elevated from Albert Street road and properties along Whitegum Way. Furthermore, the development site is relatively small. The proposed dwelling and shed has been positioned on the site to satisfy most of the Planning Scheme's Acceptable Solution development standards apart from the front boundary setback which is similar to the existing dwelling setback to the front boundary, the rear boundary setback which is proposed to be varied by 110mm and the dwelling siting slightly outside the required building envelope as per diagram shown in Figure 12.4.3 of the Planning Scheme.

- (e) provide separation between buildings to attenuate impact.

Compliant. The development site is situated within an established, built residential area. Most properties within the area are single and double storey dwellings with associated outbuildings. Furthermore, most development within the area are large dwellings, built closer to their respective boundaries (this includes outbuildings built closer to boundaries). The dwelling proposed on the site would be in a similar position to the existing dwelling, although the proposed dwelling is slightly larger. The setback from the front boundary would alter marginally. The dwelling would encroach closer to the rear boundary, being 3.89m rather than the Acceptable Solution of 4m. The existing shed on the site is positioned along the rear boundary which will be demolished. The overall development would result with a greater distance from the rear boundary than what is existing. It is considered that the proposed development is consistent with existing separation between buildings within the area.

The proposed development is considered to have satisfied Performance Criteria 12.4.3-(P2).

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5      *E4 Change in Ground Level Code*

The Planning Scheme's Acceptable Solution E4.6.1-(A1)(g) states that cut of fill must not require a retaining wall or support structure that would result in an area of influence within the boundary of adjacent land.

The proposed development incorporates retaining walls which would have an area of influence into the adjoining northern property known as 36 Turners Avenue, Turners Beach, being CT140891/19. An exercise of discretion is required to determine if a Permit may be issued.

The Planning Scheme's Performance Criteria E4.6.1-(P1)(e) states that cut or fill must not require a retaining wall or support structure that would result in an area of influence within the boundary of adjacent land, unless the owner of adjacent land has provided written consent to enter into an agreement under Part 5 *Land Use Planning and Approvals Act 1993* to be registered on the title of adjacent land, providing for the level of constraint.

The application was accompanied by a signed statement from the owner of 36 Turners Avenue, Turners Beach consenting to enter into an agreement under Part 5 *Land Use Planning and Approvals Act 1993*.

A condition of this Permit will stipulate that the land owner must submit and enter into a Part 5 Agreement with the Central Coast Council under section 71 of the *Land Use Planning and Approvals Act 1993*. The Part 5 Agreement must be registered on adjoining land, identified as CT140891/19, to provide for the level of constraint that would be imposed by the proposed retaining wall.

The proposed development is considered to have satisfied Performance Criteria E4.6.1-(P1)(e).

*Referral advice -*

Referral advice from the various Departments of the Council and other service providers is as follows:

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SERVICE	COMMENTS/CONDITIONS
Environmental Health	Referral not required.
Infrastructure Services	Statement of Compliance issued and to be applied to any Permit issued.
Building	Building Note to be applied to any Permit issued.
TasWater	TasWater Submission to Planning Authority Notice received and to be applied to any Permit issued.
Department of State Growth	Referral not required.
Environment Protection Authority	Referral not required.
TasRail	Referral not required.
Heritage Tasmania	Referral not required.
Crown Land Services	Referral not required.
Tas Networks	Referral not required.

*CONSULTATION*

In accordance with s.57(3) of the *Land Use Planning and Approvals Act 1993*:

- a site notice was posted;
- letters to adjoining owners were sent; and
- an advertisement was placed in the Public Notices section of The Advocate.

*Representations –*

One representation was received within the prescribed time, a copy of which is provided in Annexure 3.

The representation is summarised and responded to as follows:

MATTER RAISED	RESPONSE
<p>1 Concern regarding the lot size only being 372m<sup>2</sup>.</p>	<p>The development site is less than the Planning Scheme's Acceptable Solution that requires a land area of 500m<sup>2</sup>. The subminimal development site was created when the former church land was subdivided and rezoned in 2006.</p> <p>The site currently supports a dwelling and shed.</p> <p>The proposed development has been assessed against the lot size and dwelling density variations as discussed above in the "Issues Section" – numbers 1 and 2.</p> <p>For reasons discussed above, the proposed development is considered reasonable on the smaller allotment.</p>
<p>2 Proposed development would have an impact on the apparent scale, bulk, massing and proportion relative to any adjacent building.</p>	<p>The proposed development is considered to have satisfied the test in terms of apparent scale, bulk, massing and proportion relative to any adjacent building as discussed above in the "Issue Section" – number 4.</p>
<p>3 Development site sits well above the ground level of the adjoining blocks of 2 and 4 Whitegum Way. This will further exacerbate the apparent scale and bulk of the rear of the proposed dwelling when viewed from 4 Whitegum Way.</p>	<p>The development site is elevated from Albert Street road and other properties along Whitegum Way. This is the same for properties to the north of the development site and Whitegum Way.</p> <p>The actual dwelling proposed would be setback at a similar distance to the adjoining northern property of 4 Whitegum Way.</p>

	<p>4 Whitegum Way adjoins 34 Turners Avenue and 2 Whitegum Way. The dwelling at 34 Turners Avenue is setback approximately 12m from 4 Whitegum Way and the dwelling at 2 Whitegum Way is setback approximately 3m from 4 Whitegum Way. The proposed dwelling on the development site would be setback approximately 14m from 4 Whitegum Way.</p> <p>It is noted that 36 Turners Avenue is also elevated from 4 Whitegum Way. As stated, the proposed dwelling would not be any closer than existing development that adjoins 4 Whitegum Way.</p> <p>The proposed development is considered to have satisfied the test in terms of apparent scale, bulk, massing and proportion relative to any adjacent building as discussed above in the “Issue Section” – number 4.</p>
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*RESOURCE, FINANCIAL AND RISK IMPACTS*

The proposal has no likely impact on Council resources outside those usually required for assessment and reporting, and possibly costs associated with an appeal against the Council’s determination should one be instituted.

*CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions:

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

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*CONCLUSION*

The representation does not contain sufficient merit to justify the addition of any restrictive condition to a Permit issued, or refusal of the proposed development.

The proposed dwelling and shed is Permitted development in the Low Density Residential zone. The application was discretionary due to the variation to the lot size, dwelling density, front and rear boundary setback standards and reliance on E4 Change in Ground Level Code. The proposed development, as discussed in the “Issues” section of this report, is considered to have satisfied the applicable Scheme’s Performance Criteria.

The proposed development is considered to be acceptable development in the Low Density Residential zone and would be in keeping with the characteristics of the area. It is considered appropriate that the proposed dwelling and shed be approved, subject to conditions.

*Recommendation –*

It is recommended that the application for Residential – dwelling and shed including demolition of all existing buildings on site – variation to the lot size, dwelling density and the building envelope and reliance on E4 Change in Ground Level Code at 8 Albert Street, Turners Beach – Development Application DA2020308 be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans by Lachlan Walsh Design, Project No. 20-618, Page Nos. 01, 02, 03, 04, 05, 06, 07, 08, 09, 1 and 11 dated 30 August 2020.
- 2 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2020/01934-CC dated 18 November 2020.
- 3 The development must be in accordance with the conditions of the Statement of Compliance for Vehicular Access and Drainage Access dated 3 November 2020 issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority.
- 4 A minimum of two car parking spaces must be provided on-site and enable the forward movement of vehicles entering and egressing the site.

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- 5 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.
  - 6 Prior to the issue of a Building Permit, the owner of the land must submit and enter into a Part 5 Agreement with the Central Coast Council under section 71 of the *Land Use Planning and Approvals Act 1993*. The Part 5 Agreement must be registered on adjoining land identified as CT140891/19 to provide for the level of constraint to be imposed by the retaining wall.

The execution of the Part 5 Agreement, including drafting and registration of the Agreement against CT140891/19, must be at the developers expense

- 7 The development must not result in a modification of surface stormwater water flow to increase –
  - (i) surface water drainage onto adjacent land;
  - (ii) pooling of water on the site or on adjacent land.

Please note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 The proposed development fits within the criteria of Category 4 – Building Permit Work and Category 3 – Notifiable Plumbing Work when assessed against the Director's Determinations issued under the *Building Act 2016*. Accordingly, an application for a Building Permit is to be made to the Council's Building Permit Authority, and an application for a Certificate of Likely Compliance – Plumbing Work is to be made to the Council's Plumbing Permit Authority.
- 4 The outbuilding is approved as a Class 10 non-habitable structure and must be used in conjunction with the dwelling. If the

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outbuilding is intended to be used for a purpose other than this, then a further Permit for a change of use would be required.

- 5 Fencing to the frontage of the property to a height of 1.2m is "exempt" and does not require planning approval. Front fencing that is 30% transparent above 1.2m, to a maximum height of 1.8m, requires that the fence be assessed for compliance and a "No Permit Required" Certificate be issued by the Planning Authority.
- 6 Side boundary fencing is to angle down to the public road reserve boundary in accordance with AS/NZS 2890 Figure 3.3 "Minimum Sight Lines for Pedestrian Safety.'

The Town Planner's report is supported."

The Strategic Projects and Planning Consultant reports as follows:

"A copy of the Annexures referred to in the Town Planner's report having been circulated to all Councillors, a suggested resolution is submitted for consideration."

■ "That the application for Residential – dwelling and shed including demolition of all existing buildings on site– variation to the lot size, dwelling density and the building envelope and reliance on E4 Change in Ground Level Code at 8 Albert Street, Turners Beach – Development Application DA2020308 be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans by Lachlan Walsh Design, Project No. 20-618, Page Nos. 01, 02, 03, 04, 05, 06, 07, 08, 09, 1 and 11 dated 30 August 2020.
- 2 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2020/01934-CC dated 18 November 2020.
- 3 The development must be in accordance with the conditions of the Statement of Compliance for Vehicular Access and Drainage Access dated 3 November 2020 issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority.
- 4 A minimum of two car parking spaces must be provided on-site and enable the forward movement of vehicles entering and egressing the site.
- 5 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.

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- 6 Prior to the issue of a Building Permit, the owner of the land must submit and enter into a Part 5 Agreement with the Central Coast Council under section 71 of the *Land Use Planning and Approvals Act 1993*. The Part 5 Agreement must be registered on adjoining land identified as CT140891/19 to provide for the level of constraint to be imposed by the retaining wall.

The execution of the Part 5 Agreement, including drafting and registration of the Agreement against CT140891/19, must be at the developers expense

- 7 The development must not result in a modification of surface stormwater water flow to increase –
- (i) surface water drainage onto adjacent land;
  - (ii) pooling of water on the site or on adjacent land.

Please note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 The proposed development fits within the criteria of Category 4 – Building Permit Work and Category 3 – Notifiable Plumbing Work when assessed against the Director's Determinations issued under the *Building Act 2016*. Accordingly, an application for a Building Permit is to be made to the Council's Building Permit Authority, and an application for a Certificate of Likely Compliance – Plumbing Work is to be made to the Council's Plumbing Permit Authority.
- 4 The outbuilding is approved as a Class 10 non-habitable structure and must be used in conjunction with the dwelling. If the outbuilding is intended to be used for a purpose other than this, then a further Permit for a change of use would be required.
- 5 Fencing to the frontage of the property to a height of 1.2m is "exempt" and does not require planning approval. Front fencing that is 30% transparent above 1.2m, to a maximum height of 1.8m, requires that the fence be assessed for compliance and a "No Permit Required" Certificate be issued by the Planning Authority.

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- 6 Side boundary fencing is to angle down to the public road reserve boundary in accordance with AS/NZS 2890 Figure 3.3 "Minimum Sight Lines for Pedestrian Safety."
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**6.5 Residential – dwelling – variation to dwelling density, building envelope and building height at 8 Shorehaven Drive, Turners Beach – Application No. DA2020274**

The Strategic Projects and Planning Consultant reports as follows:

“The Land Use Planning Group Leader has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA2020274
<i>PROPOSAL:</i>	Residential – dwelling – variation to dwelling density, building envelope and building height
<i>APPLICANT:</i>	n+b designs
<i>LOCATION:</i>	8 Shorehaven Drive, Turners Beach
<i>ZONE:</i>	Low Density Residential & Turners Beach Specific Area Plan
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Planning Scheme)
<i>ADVERTISED:</i>	28 October 2020
<i>REPRESENTATIONS EXPIRY DATE:</i>	12 November 2020
<i>REPRESENTATIONS RECEIVED:</i>	Nil
<i>42-DAY EXPIRY DATE:</i>	7 December 2020 – extension of time granted until 14 December 2020
<i>DECISION DUE:</i>	30 November 2020
<i>PURPOSE</i>	

The purpose of this report is to consider an application for a two-storey dwelling on a subminimal lot at 8 Shorehaven Drive, Turners Beach. The application seeks assessment against the Planning Scheme’s Performance Criteria for variation to dwelling density, building envelope and building height standards.

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Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation; and
- . Annexure 3 – photographs.

*BACKGROUND*

*Development description –*

Application is made to construct a two-storey dwelling on a 402m<sup>2</sup> allotment at 8 Shorehaven Drive, Turners Beach.

The dwelling would comprise:

Lower floor – two car internal garage, entry lobby and stairwell, two bedrooms with a shared bathroom and a laundry

Upper level – Master bedroom with walk-in-wardrobe and ensuite, office and an open plan kitchen/living/dining area that would open onto a 22m<sup>2</sup> north facing deck.

The lower level of the dwelling would be setback 1.24m from the southern side boundary of the lot, with the upper level setback an additional 1m at 2.24m from the southern side boundary. Development would be 4m from the eastern rear boundary and 5m from the frontage to Shorehaven Drive.

The maximum height of the building would be 6.14m above natural ground level.

The land can connect to reticulated water, sewer and stormwater services.

*Site description and surrounding area –*

The 402m<sup>2</sup> site is accessed over a 10.78m wide frontage to Shorehaven Drive.

The land is zoned Low Density Residential and is subject to the Turners Beach Specific Area Plan.

The land is flat and is identified as being subject to a low risk coastal inundation hazard.

Surrounding land is also zoned Low Density Residential.

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A 2.5m wide drainage and services easement runs along the northern side boundary, restricting the area of land that can be developed.

The lot to the immediate east is vacant, although a dwelling has recently been approved for construction on the land. Land to the south accommodates an established, single-story dwelling, and land to the north is residential land that has been approved for subdivision (seven lots), however a final survey plan has yet to be sealed and receive title notification from the Recorder of Titles.

*History –*

The subject lot was registered in June 2020.

*Draft Central Coast Local Provisions Schedule –*

It is proposed that under the draft Central Coast Local Provisions Schedule (Central Coast LPS), Turners Beach (north) would be rezoned from Low Density Residential to General Residential. This means the minimum lot size for the area would be reduced from 500m<sup>2</sup> (the current standard), to 450m<sup>2</sup>, (the standard under the Tasmanian Planning Scheme's General Residential zone).

The Turners Beach Specific Area Plan (SAP) will be carried forward and will apply under the Central Coast LPS. The SAP does not specify lot size, so subdivision and dwelling density would rely on the General Residential zone standards in that regard.

*DISCUSSION*

The following table is an assessment of the relevant Scheme provisions:

**Low Density Residential**

CLAUSE	COMMENT
<b>12.3 Use Standards</b>	
<b>12.3.1 Discretionary Permit Use</b>	
<p>12.3.1-(P1) Discretionary permit use must:</p> <p>(d) be consistent with local area objectives;</p> <p>(e) be consistent with any applicable desired future character statement; and</p> <p>(f) minimise likelihood for adverse impact on amenity for use on adjacent land in the zone.</p>	<p>Not applicable.</p> <p>Residential use is Permitted.</p>
<b>12.3.2 Impact of Use</b>	
<p>12.3.2-(A1) Permitted non-residential use must adjoin at least one residential use on the same street frontage.</p>	<p>Not applicable.</p> <p>Use is Residential.</p>
<p>12.3.2-(A2) Permitted non-residential use must not generate more than 40 average daily vehicle movements.</p>	<p>Not applicable.</p> <p>Use is Residential.</p>

<p>12.3.2-(A3) Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.</p>	<p>Not applicable. Residential use is not subject to hours of operation.</p>
<p><b>12.4 Development Standards</b></p>	
<p><b>12.4.1 Suitability of a site or lot for use or development</b></p>	
<p>12.4.1-(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) have an area of:</p> <p style="padding-left: 20px;">(i) not less than 500m<sup>2</sup> excluding any access strip; or</p> <p style="padding-left: 20px;">(ii) if in a locality shown on Table A1 to this clause, not less than the site area shown for that locality; and</p> <p>(b) contain a building area of not less than 10.0m x 15.0m:</p> <p style="padding-left: 20px;">(i) clear of any applicable setback from a frontage, side, or rear boundary;</p> <p style="padding-left: 20px;">(ii) clear of any applicable setback from a zone boundary;</p> <p style="padding-left: 20px;">(iii) clear of any registered easement;</p>	<p>(a)(i) Non-compliant. land area is 400m<sup>2</sup>.</p> <p>(a)(ii) Not applicable. Table A1 to the Clause does not include the Turners Beach settlement area.</p> <p>(b)(i) Non-compliant. Development would be located within 1.24m of the southern side boundary for a length of 15.26m.</p> <p>Development would be setback 4m from the rear boundary, 4.21m from the northern side boundary and 5m from the western frontage to Shorehaven Drive, which satisfies the standard.</p> <p>Refer to the “Issues” section of this report.</p> <p>(b)(ii) Not applicable. No zone boundary.</p> <p>(b)(iii) Compliant. Development would be clear of 2.5m wide registered drainage and services easement.</p>

<ul style="list-style-type: none"> <li>(iv) clear of any registered right-of-way benefiting other land;</li> <li>(v) clear of any restriction imposed by a utility;</li> <li>(vi) not including an access strip;</li> <li>(vii) accessible from a frontage, or access strip; and</li> <li>(viii) if a new residential lot with a long axis within the range 30 degrees east of north and 20 degrees west of north.</li> </ul>	<ul style="list-style-type: none"> <li>(b)(iv) Not applicable. No right of way. Compliant.</li> <li>(b)(v) Not applicable. No restriction imposed by a utility.</li> <li>(b)(vi) Not applicable. No access strip.</li> <li>(b)(vii) Compliant. The site is accessible from Shorehaven Drive.</li> <li>(b)(viii) Not applicable. No new lot.</li> </ul>
<p>12.4.1-(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> <li>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</li> <li>(c) by a right of way connecting to a road <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. Assess from Shorehaven Drive.</li> <li>(b) Not applicable. Not an internal lot.</li> <li>(c)(i)&amp;(ii) Not applicable. No right of way.</li> <li>(d) Compliant. Frontage to Shorehaven Drive would be 10.78m wide.</li> <li>(e) Compliant. Vehicle access is existing and approved by the Road Authority.</li> </ul>

<ul style="list-style-type: none"> <li>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</li> <li>(d) with a width of frontage and any access strip or right-of-way of not less than: <ul style="list-style-type: none"> <li>(i) 3.6m for a single dwelling development; or</li> <li>(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</li> </ul> </li> <li>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right-of-way to the site or each lot on a proposed subdivision plan.</li> </ul>	
<p>12.4.1-(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply:</p> <ul style="list-style-type: none"> <li>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. The site is connected to the reticulated water system.</li> <li>(b) Not applicable. The development has satisfied (a).</li> </ul>

<p>(b) from a rechargeable drinking water system <sup>R4</sup> with a storage capacity of not less than 10,000 litres if:</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for:</p> <p>a. a single dwelling; or</p> <p>b. a use with an equivalent population of not more than 10 people per day.</p>	
<p>12.4.1–(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste:</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if:</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development:</p> <p>a. is for a single dwelling; or</p>	<p>(a) Compliant. The site is connected to the reticulated sewerage system.</p> <p>(b) Not applicable. The development has satisfied (a).</p>

<ul style="list-style-type: none"> <li>b. provides for an equivalent population of not more than 10 people per day; or</li> <li>c. creates a total sewage and waste water flow of not more than 1,000 litres per day; and</li> </ul> <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management, clear of any defined building area or access strip.</p>	
<p>12.4.1–(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <ul style="list-style-type: none"> <li>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</li> <li>(b) if stormwater cannot be drained to a stormwater system: <ul style="list-style-type: none"> <li>(i) for discharge to a natural drainage line, water body, or watercourse; or</li> <li>(ii) for disposal within the site if: <ul style="list-style-type: none"> <li>a. the site has an area of not less than 5,000m<sup>2</sup>;</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. The sites are able to connect to the reticulated stormwater system.</li> <li>(b) Not applicable. Satisfied by (a).</li> </ul>

<ul style="list-style-type: none"> <li>b. the disposal area is not within any defined building area;</li> <li>c. the disposal area is not within any area required for the disposal of sewage;</li> <li>d. the disposal area is not within any access strip; and</li> <li>e. not more than 50% of the site is impervious surface; and</li> </ul> <p>(iii) the development is for a single dwelling.</p>	
<p><b>12.4.2 Dwelling density</b></p>	
<p>12.4.2-(A1) The site area per dwelling must:</p> <ul style="list-style-type: none"> <li>(a) be not less than 500m<sup>2</sup> if the site has: <ul style="list-style-type: none"> <li>(iv) connection to a reticulated water supply;</li> <li>(v) connection to a reticulated sewer system; and</li> <li>(vi) connection to a stormwater system; or</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Non-compliant. Site area is 402m<sup>2</sup>. Refer to the “Issues” section of this report.</li> <li>(a)(i) Compliant. Site can connect to reticulated water supply.</li> <li>(a)(ii) Compliant. Site can connect to sewer system.</li> <li>(a)(iii) Compliant. Site can connect to reticulated stormwater network.</li> </ul>

<p>(b) if the site is in a locality shown on Table 1 to this clause, not less than the site area for that locality.</p>	<p>(b) Not applicable. Land is not in the Table to this Clause.</p>
<p><b>12.4.3 Location and configuration of development</b></p>	
<p>12.4.3-(A1) The wall of a building must be set back from a frontage:</p> <p>(a) not less than 4.5m from a primary frontage; and</p> <p>(b) not less than 3.0m from any secondary frontage; or</p> <p>(c) not less than and not more than the setbacks for any existing building on each of the immediate adjoining sites;</p> <p>(d) not less than for any building retained on the site;</p> <p>(e) in accordance with any building area shown on a sealed plan; or</p> <p>(f) if the site abuts a road shown in the Table to this Clause, the setback specified for that road.</p>	<p>(a) Compliant. Setback to primary frontage would be 5m.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Not applicable. Satisfied by (a).</p> <p>(d) Not applicable. No other buildings on the site.</p> <p>(e) Not applicable. No building area on a sealed plan.</p> <p>(f) Not applicable. Site does not abut the Bass Highway.</p>
<p>12.4.3-(A2) All buildings must be contained within a building envelope determined by:</p> <p>(a) the applicable frontage setback;</p>	<p>(a) Compliant. Setback to primary frontage would be 5m.</p> <p>(b) Not applicable. No Table to this Clause.</p>

<p>(b) if the site is in a locality shown on Table A2, not less than the setback distance specific from the feature specified;</p> <p>(c) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are set back:</p> <p>(i) not less than 1.5m from each side boundary; or</p> <p>(ii) less than 1.5m from a side boundary if wall height is not more than 3.0m; and:</p> <p>a. built against an existing wall of an adjoining building; or</p> <p>b. the wall or walls:</p> <p>i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;</p> <p>ii. there is no door or window in the wall of the building; and</p> <p>iii. overshadowing does not result in:</p>	<p>(c)(i) Non-compliant. Proposed dwelling would have a lower level wall height of 2.92m, accommodating the garage, two bedrooms, rumpus room, entry stars, second bathroom and laundry, setback 1.24m from the southern side boundary for a length of 15.26m.</p> <p>(c)(ii) a. Not applicable No existing wall of an adjoining building.</p> <p>(c)(ii)b.i. Non-compliant. Proposed dwelling would have a lower level wall height of 2.92m, accommodating the garage, two bedrooms, rumpus room, entry stars, second bathroom and laundry setback 1.24m from the southern side boundary for a length of 15.26m. The upper level would have a wall height of 6.14m, setback 2.24m from the southern side boundary of the lot (1m further setback than the lower level) for a length of 15.46m (200mm longer than the lower level).</p> <p>(c)(ii)b.ii Non-compliant. Dwelling setback 1.24m would have lower level windows on the southern elevation.</p> <p>(c)(iii)b.iii. a &amp; b. Non-compliant. Whilst a north western portion of private open space area of adjoining 4 Shorehaven Drive, between the dwelling and the road, would have sunlight from 1.00pm to 3.00pm on 21 June, the area that accommodates the actual used private open space area, comprising a deck and associated private garden, would be in continuous</p>
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<p>a. less than two hours of continuous sunlight to a required minimum private open space area in an adjacent dwelling between 9.00am and 3.00pm on 21 June; or</p> <p>b. a further reduction in continuous sunlight to a required minimum private open space area in an adjacent dwelling if already less than two hours between 9.00am and 3.00pm on 21 June; or</p> <p>(d) in accordance with any building envelope shown on a sealed plan.</p>	<p>shadow from 11.00am to 3.00pm. This is a further continuous overshadowing of the adjoin lot where, from 9.00am till 11.00am, 4 Shorehaven Drive is overshadowed by approved development at 6A Turners Beach Road. This shadow impact is clear of 4 Shorehaven Drive after 11.00am.</p> <p>Refer to discussion and diagrams in the “Issues” section of this report.</p> <p>(d) Not applicable. No building envelope on a sealed plan.</p>
<p>12.4.3–(A3) Site coverage must:</p> <p>(a) not be more than 50%; or</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not more than the site coverage for that locality; and</p>	<p>(a) Compliant. Site coverage would be approximately 36%.</p> <p>(b) Not applicable. No Table to this Clause.</p> <p>(c) Not applicable. Lot is able to connect to reticulated services.</p> <p>(d) Not applicable. No building envelope on a sealed plan.</p>

<p>(c) not include any part of a site required for the disposal of sewage or stormwater; or</p> <p>(d) not be more than any building area shown on a sealed plan.</p>	
<p>12.4.3–(A4) A garage, carport, or an external car parking area and any area for the display, handling, or storage of goods, materials, or waste must be located behind the primary frontage of a building.</p>	<p>Compliant.</p> <p>Garage would be setback 240mm from the frontage of the building</p>
<p>12.4.3–(A5) Total width of openings in the frontage elevation of a garage or carport (whether freestanding, or part of any other building) must be the lesser of:</p> <p>(a) 6.0m; or</p> <p>(b) half the width of the frontage.</p>	<p>(a) Compliant. Garage would have an opening width of 4.8m</p> <p>(b) Not applicable. Satisfied by (b).</p>
<p><b>12.4.4 Visual and acoustic privacy for residential development</b></p>	
<p>12.4.4–(A1) A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space, or carport of a building must:</p> <p>(a) if the finished floor level is more than 1.0m above natural ground level:</p>	<p>(a) Not applicable. Satisfied by (b)(ii).</p> <p>(b)(i) Compliant. Satisfied by (b)(ii).</p>

<ul style="list-style-type: none"> <li>(i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site;</li> <li>(ii) be not less than 3.0m from a side boundary;</li> <li>(iii) be not less than 4.0m from a rear boundary;</li> <li>(iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of a lot of an adjacent frontage site; or</li> </ul> <p>(b) if less than the setbacks in clause A1(a):</p> <ul style="list-style-type: none"> <li>(i) be off-set by not less than 1.5m from the edge of any door or window in another dwelling;</li> <li>(ii) have a window sill height of not less than 1.8m above finished floor level;</li> <li>(iii) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above finished floor level; or</li> <li>(iv) have a fixed and durable external screen other than vegetation of not less than 1.8m height above the finished floor level and with a uniform</li> </ul>	<ul style="list-style-type: none"> <li>(b)(ii) Compliant. Southern elevation details a design that incorporates NO windows on the upper level of the southern wall.</li> <li>(b)(iii) Compliant. Satisfied by (b)(ii).</li> <li>(b)(iv) Compliant. Satisfied by (b)(ii).</li> </ul>
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<p>transparency of not more than 25% located for the full width of the door, window, balcony, deck, roof garden, parking space, or carport.</p>	
<p>12.4.4-(A2) An access strip, or shared driveway, including any pedestrian pathway and parking area must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling, or any balcony, deck, or roof garden in a dwelling.</p>	<p>Not applicable.</p> <p>No access strip.</p>
<p><b>12.4.5 Private open space for residential use</b></p>	
<p>12.4.5-(A1) Each dwelling must provide private open space:</p> <p>(a) if a dwelling with a floor level of not more than 2.5m above finished ground level, a ground level area:</p> <p>(i) located adjoining the rear or side of the dwelling;</p> <p>(ii) accessible from the dwelling;</p> <p>(iii) of not less than 25.0m<sup>2</sup>;</p> <p>(iv) with a minimum dimension of 4.0m;</p> <p>(v) on a single level; and</p> <p>(vi) with a gradient of not more than 1 in 10; and</p>	<p>(a)(i) Compliant. Private open space would be to the eastern rear of the dwelling.</p> <p>(a)(ii) Compliant. Private open space would be accessible from the rumpus room and alfresco area.</p> <p>(a)(iii) Compliant. Private open space areas would be greater than 25m<sup>2</sup>.</p> <p>(a)(iv) Compliant. Private open space areas would have a minimum dimension of 14m.</p> <p>(a)(v) Compliant. Private open space areas would be on a single level.</p> <p>(a)(vi) Compliant. Private open space area would be flat.</p>

<p>(b) if a dwelling with a floor level of more than 2.5m above finished ground level, as an alternative to a ground level area, a private balcony, deck, terrace, or roof garden:</p> <p>(i) of not less than 25.0m<sup>2</sup>;</p> <p>(ii) with a minimum dimension of 4.0m; and</p> <p>(iii) accessible from the dwelling.</p>	<p>(b) Not required, as satisfied by (a); however, dwelling also has an upper level 16m<sup>2</sup> north facing deck, min dimension 4m and accessible from the dwelling.</p>
<p>12.4.5–(A2) The required minimum private open space area must be capable of receiving at least three hours of sunlight between 9.00am and 3.00pm on 21 June.</p>	<p>Compliant.</p> <p>The required private open space areas would be located to the north and east of the dwelling and would receive at least three hours of sunlight between the hours of 9.00am and 3.00pm on 21 June.</p>
<p>12.4.5–(A3) Unless there is a ground level private open space area directly accessible at grade to a shared driveway or pedestrian pathway, each dwelling in a multiple dwelling development must have access to a waste storage area:</p> <p>(a) located behind the applicable frontage setback;</p> <p>(b) of not less than 1.5m<sup>2</sup> per dwelling;</p> <p>(c) screened to view from the frontage and any dwelling by a wall of height not less than 1.2m above finished ground level; and</p>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>

(d) not less than 6.0 from a window, door, balcony, deck, roof garden, or private open space area of a dwelling.	
<b>12.4.5 Frontage fences</b>	
<p>12.4.6–(A1) The height of a fence, including any supporting retaining wall on a frontage or within a frontage setback must be:</p> <p>(a) not more than 1.2m if the fence is solid; or</p> <p>(b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%.</p>	<p>Not applicable.</p> <p>No front fence proposed.</p>
<b>12.4.7 Setback of development for sensitive use</b>	
<p>12.4.7–(A1) A building containing a sensitive use must be contained within a building envelope determined by:</p> <p>(a) the setback distance from the zone boundary as shown on the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45 degrees above the horizontal from a wall</p>	<p>Compliant.</p> <p>(a) No applicable setbacks.</p> <p>(b) No applicable setbacks.</p>

<p>height of 3.0m at the required setback distance from the zone boundary.</p>	
<p>12.4.7-(A2) Development for a sensitive use must be not less than 50.0m from:</p> <p>(a) the Bass Highway;</p> <p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road, or rail purposes, or</p> <p>(d) a proclaimed wharf area.</p>	<p>Compliant.</p> <p>(a) Compliant. Development would be 285m to Bass Highway.</p> <p>(b) Compliant. Development would be 120m to a railway.</p> <p>(c) Not applicable. No land designated for road or rail purposes.</p> <p>(d) Not applicable. Nearest proclaimed wharf area is in Devonport, some 15km to the east.</p>
<p><b>12.4.8 Subdivision</b></p>	
<p>12.4.8-(A1) Each new lot on a plan of subdivision must be:</p> <p>(a) intended for residential use;</p> <p>(b) a lot required for public use by the State Government, a Council, a statutory authority, or a corporation, all the shares of which are held by or on behalf of the State, a Council, or by a statutory authority.</p>	<p>Not applicable.</p> <p>Not a subdivision.</p>

12.4.8 – (A2) A lot, other than a lot to which A1(b) applies, must not be an internal Lot.	Not applicable. Not a subdivision.
<b>12.4.9 Reticulation of an electricity supply to new lots on a plan of subdivision</b>	
12.4.9–(A1) Electricity reticulation and site connections must be installed underground.	Not applicable. Not a subdivision.
CODES	
<b>E1 Bushfire-Prone Areas Code</b>	Not applicable. Not a subdivision, vulnerable or hazardous use.
<b>E2 Airport Impact Management Code</b>	Not applicable. No Code in the Scheme.
<b>E3 Clearing and Conversion of Vegetation Code</b>	Not applicable. No clearing or conversion of vegetation.
<b>E4 Change in Ground Level Code</b>	Not applicable. No change in ground level proposed by the application.
<b>E5 Local Heritage Code</b>	Not applicable. No Local Heritage Code in the Scheme.
<b>E6 Hazard Management Code</b>	Not applicable. No hazard identified.
<b>E7 Sign Code</b>	Not applicable. No signage proposed.

<b>E8 Telecommunication Code</b>	Not applicable. No telecommunications proposed.
<b>E9 Traffic Generating Use and Parking Code</b>	
<b>E9.2 Application of this Code</b>	Code applies to all development.
<b>E9.4 Use or development exempt from this Code</b>	Not exempt.  No Local Area Parking Scheme applies to the site.
<b>E9.5 Use Standards</b>	
<b>E9.5.1 Provision for parking</b>	
E9.5.1-(A1) Provision for parking must be:  (a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code.	(a) Compliant. Table E9A requires two car parking spaces for a residential dwelling. The proposal includes a two car garage.
<b>E9.5.2 Provision for loading and unloading of vehicles</b>	
E9.5.2-(A1) There must be provision within a site for:  (a) on-site loading area in accordance with the requirement in the Table to this Code; and  (b) passenger vehicle pick-up and set-down facilities for	Not applicable to Residential use class.

<p>business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.</p>	
<p><b>E9.6 Development Standards</b></p>	
<p><b>E9.6.1 Design of vehicle parking and loading areas</b></p>	
<p>E9.6.1 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and</p> <p>E9.6.1 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the</p>	<p>E9.6.1 A1.1 Compliant.</p> <p>The lot can connect to a reticulated stormwater network.</p> <p>E9.6.1 A1.2 Not applicable.</p> <p>Development is a single dwelling in Low Density Residential zone.</p>

<p>internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	
<p>E9.6.1-(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.</p>	<p>Not applicable.</p> <p>Land is zoned Low Density Residential.</p>
<p><b>E10 Water and Waterways Code</b></p>	<p>Not applicable. The development is not within 30m of a waterway, watercourse or shoreline.</p>
<p>TURNERS BEACH SPECIFIC AREA PLAN</p>	
<p><b>F4.2 Application of Code</b></p>	<p>The site is subject to the Turners Beach Specific Area Plan.</p>
<p><b>F4.4 Exemption</b></p>	<p>Not exempt.</p>

<b>F4.7 Development Standards</b>	
<b>F4.7.1 Building height</b>	
F3.5.1-(A1) Building height must not be more than 5.5m.	Non-compliant. Building height would be 6.14m. Refer to "Issues" section of this report..
<b>F4.7.2 Vegetation management</b>	
F4.7.2-(A1) There must be no clearing or conversion of vegetation within the littoral, riparian, and road reserves.	Compliant. No clearing or conversion of vegetation within the road reserve is proposed. Crossover apron to Lot 1 is a grassed area.
<b>F4.7.3 Landscaping</b>	
F4.7.3-(A1) Other than for an internal lot, not less than 50% of the site area between the frontage and a building containing a dwelling must be landscaped with not less than grass.	Compliant by condition to a permit.
<b>F4.7.4 Beach access</b>	
F4.7.4-(A1) New vehicular or pedestrian accesses to the beach or Forth River must not be created.	Not applicable. Site does not adjoin the Turners Beach or Forth River riparian land.

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*Issues –*

1. *Clause 12.4.2– (P1) Dwelling density*

The Planning Scheme's Acceptable Solution 12.4.1–(A1)(a)(i) states that a site or each lot on a plan of subdivision must have an area of not less than 500m<sup>2</sup> excluding any access strip if the land is connected to reticulated water, sewer and stormwater systems. The land area requirement is further reiterated in Acceptable Solution 12.4.2– (A1)(a) whereby the site area per dwelling must be not less than 500m<sup>2</sup>.

The subject site has a land area of 402m<sup>2</sup>. The proposal is assessed against the relevant tests provided under the Planning Scheme's Performance Criteria for Clause 12.4.2 – (P1) which require the land to be capable of residential use in terms of:–

- (a) a suitable building area;

Compliant. A dwelling would be able to be accommodated on the land. The subject proposal, however, does not satisfy other Planning Scheme standards for development on the land. Refer to discussions below.

- (b) access form a road;

Compliant. The lot has direct access to Shorehaven Drive.

- (c) provision of a water supply;

Compliant. The land has access to TasWater's network.

- (d) disposal of sewerage;

- (e) Compliant. The land has access to TasWater's network.

- (f) disposal of stormwater; and

Compliant. The land has access to a stormwater system.

- (g) a tolerable level of risk from a natural hazard.

Compliant. The land is identified as being subject to a low risk coastal inundation hazard.

The proposal satisfies the relevant Performance Criteria for Clause 12.4.1–(P1).

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2. *Clause 12.4.3 - (P2) - variation to building envelope*

The Scheme's Acceptable Solution for Clause 12.4.3-(A2)(c) states that a dwelling, including outbuildings, must be contained within a building envelope determined by a setback of 4m from a rear boundary and 1.5m from a side boundary, and projecting a line at an angle of 45° from the horizontal height of 3m above natural ground level at the side boundary and 4m from the rear boundary.

The lower level of the proposed dwelling would be setback 1.24m from of the southern side boundary for a length of 15.26m, and the upper level of the dwelling, with a final wall height of 6.14m, would be setback an additional 1m, to be 2.24m from the southern side boundary for a length of 15.46m (200mm longer than the lower level).

The building would be outside the required building envelope, with the 6.14m high walls of the building almost vertical, and not projecting away from the side boundary at an angle of 45° from a 3m height.

The proposed development seeks a variation to the Acceptable Solution and an exercise of discretion is required if a permit is to be issued.

The proposal is assessed against the relevant tests provided under the Planning Scheme's Performance Criteria for Clause 12.4.3 - (P2) that state *that building height and location in relation to a frontage and site boundaries must-*

- (a) *minimize likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;*

Non-compliant. Adjoining land to the south is identified as 4 Shorehaven Drive. Whilst a north western portion of private open space area of the adjoining land, between the dwelling and the road, would have sunlight from 1.00pm to 3.00pm on 21 June, the area that actually accommodates the property's habitable rooms and used private open space, comprising a deck and associated private garden, would together be in continuous shadow from 11.00am to 3.00pm. Taking into consideration the morning shadow from approved development at 6A Turners Beach Road to the north east, ( as required under Acceptable Solution 12.4.3-(A1)(c)b.(iii)b.), 4 Shorehaven Drive would receive morning shadow from that development, but be in sunlight after 11.00am. This means the land at

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4 Shorehaven Drive would be in continuous shadow from 9.00am to 3.00pm on 21 June.

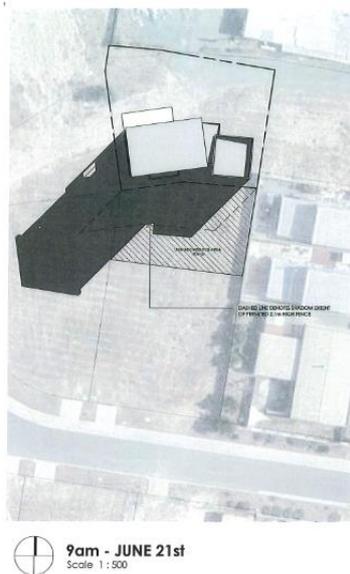
Refer to aerial image and shadow pattern diagrams below showing the relationship of adjoining land and the impact of overshadowing by the proposed dwelling.



Adjoining 4 Shorehaven Drive, Turners Beach



Shadow pattern diagrams of proposed dwelling at 8 Shorehaven Drive overshadowing 4 Shorehaven Drive.



Shadow pattern diagram showing 9.00am shadow impact on 4 Shorehaven Drive. from approved dwelling at 6A Turners Beach Road. Impact would not be on the land by 11.00am

- (b) *Minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;*

Non-compliant. The proposed dwelling at 8 Shorehaven Drive would have a reduced setback to the southern side boundary and, when viewed from adjoining lots to the south, would present as a continuous wall 15.26m long and 6.14m high. The upper portion of the dwelling would be setback an additional meter from the side boundary, however there would be no relief in the proportion, bulk and scale of the building's wall that would be 15.46m long, 300mm longer than the lower level, with a maximum height of 6.14m. Refer to southern elevation below.

By way of comparison, adjoining land to the east, at 6A Turners Beach Road, is vacant. Council's planning staff, under delegation, have recently approved an application for a two-storey dwelling on the land, also with a reduced southern boundary setback. The shadow impact of the future dwelling at 6A Turners Beach Road will not have a sustained impact on any single lot, due to the design of the dwelling that seeks to minimise the apparent bulk and scale of the two-storey building, and the orientation of the lot to other adjoining lots. Views and subsequent impacts of the 6A Turners Beach Road building would be "broken up" by the upper level of the dwelling occupying only a portion of the lower building footprint. Refer to comparison elevation of adjoining building proposed for 6A Turners Beach Road below.



Southern Elevation of proposed 8 Shorehaven Drive, Turners Beach.



Southern Elevation of approved 6A Turners Beach Road, Turners Beach.

(c) *be constant with the streetscape;*

Compliant. Immediate adjoining lots to the north and east are vacant (eastern land is to accommodate a two-storey dwelling as described above). Land to the south accommodates a single-storey dwelling. Generally, Shorehaven Drive, as a residential estate area, comprises a mix of heights, materials and roof lines. In this regard, the development is consistent with the Shorehaven Drive streetscape.

(d) *respond to the effect of the slope and orientation of the site ; and*

Not applicable. Land is flat and the variation to building envelope is not due to the slope or orientation of the site.

(e) *provide separation between buildings to attenuate impact.*

Non-compliant. As discussed above, the applicant seeks to vary the applicable side setback and building envelope standards for two-storey development. The standards are included in the Planning Scheme to reduce impact, and in some instances, can be varied without resulting in a sustained negative impact. In this case, the impact of the reduced separation between buildings and the location of the building in relation to the southern side boundary, does little to attenuate impact and is emphasised and worsened by the 402m<sup>2</sup> land area of the lot.

3. *F4.7.1 – Building height under the Turners Beach Specific Area Plan*

The lot is subject to the requirements of the Turners Beach Specific Area Plan (SAP). Clause F4.7.1–(A1) requires a building height of not more than 5.5m.

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The proposed development would have a building height of 6.14m. The maximum mandatory height for a dwelling in this area is 7.5m.

An exercise of discretion is required if a permit is to be issued.

The Performance Criteria requires that a building height be no more than a mandatory 7.5m, having regard for the likelihood of overshadowing of a habitable room or area of private open space to a dwelling on the site or on adjacent land, the likelihood of direct overlooking from a window in a building with a finished floor level more than 1m above natural ground level, the relationship between appearance and design to buildings on adjacent land, and the building height when viewed from the frontage and an adjoining zone. These matters are addressed below–

*Overshadowing –*

Non-compliant. As discussed above, adjoining land to the south is identified as 4 Shorehaven Drive. Whilst a north western portion of private open space area of the adjoining land, between the dwelling and the road, would have sunlight from 1.00pm to 3.00pm on 21 June, the area that actually accommodates the property's habitable rooms and private open space, comprising a deck and associated private garden, would together be in continuous shadow from 9.00am to 3.00pm. This is also taking into consideration the morning shadow from approved development at 6A Turners Beach Road, to the north east, whereby 4 Shorehaven Drive would receive morning shadow from that development but be in sunlight after 11.00am. Shadow pattern diagrams submitted with the application demonstrate the relevant impacts and are reproduced above.

*Direct overlooking –*

Compliant. The additional height of the dwelling would not result in any direct overlooking. The upper level of the southern elevation of the building has no windows. The eastern rear setback and northern side setback satisfy privacy standards and the additional 640mm of building height would not result in unreasonable overlooking of adjoining land.

*Relationship between appearance and design to adjacent land and buildings –*

Non-compliant. As discussed above, the appearance of the proposed dwelling would be that of a large dwelling on a subminimal lot. The

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bulk and scale of the dwelling, with wall protrusions exceeding the building envelope on all elevations (north, south, east and west) means there is a distinct and excessive relationship between the proposed dwelling and those on adjacent land.

*Apparent building height when viewed from frontage or another zone.*

The allotment's Shorehaven Drive frontage is 10.78m wide. The dwelling would encompass 8m of the frontage. This is not too dissimilar to other dwellings in the Shorehaven Drive, Turners Beach area.

*Effect of slope and orientation of the site on apparent building height*

The land is flat. There would be no impact or effect on the height of the building due to the slope or orientation of the land.

*Effect and durability of screening to attenuate impact of the building to view from a frontage or land in another zone.*

Screening to attenuate height impact from the frontage is not likely, as the access driveway and service easement would impede any efforts to screen the land between the frontage and the dwelling.

The impact of the building when viewed from the south would be difficult to mitigate, given the 15.46m length of the 6.14m high bulk of wall.

A Local Business zone is located off the north eastern corner of the allotment. The land is currently vacant.

*Referral advice –*

Referral advice from the various Departments of the Council and other service providers was as follows:

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No issues
Infrastructure Services	No issues.
TasWater	Referral not required.
Department of State Growth	Referral not required.

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Environment Protection Authority	Referral not required.
TasRail	Referral not required.
Heritage Tasmania	Referral not required.
Crown Land Services	Referral not required.
Other	Referral not required.

*CONSULTATION*

In accordance with s.57(3) of the *Land Use Planning and Approvals Act 1993*:

- . a site notice was posted;
- . letters to adjoining owners were sent; and
- . an advertisement was placed in the Public Notices section of The Advocate.

No representations were received.

*RESOURCE, FINANCIAL AND RISK IMPACTS*

The proposal has no likely impact on Council resources outside those usually required for assessment and reporting, and possibly costs associated with an appeal against the Council's determination should one be instituted.

*CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions:

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure.

*CONCLUSION*

The Planning Scheme provides two pathways for assessing development. If the development has satisfied the applicable Acceptable Solution, then the development is considered to satisfy the standard and approval is granted. If the development does not satisfy the Planning Scheme's Acceptable Solution, the development must demonstrate compliance with the applicable Performance Criteria.

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As discussed in the “Issues” section of this report, the proposal to construct a dwelling with the lower level of the building setback 1.24m from of the southern side boundary for a length of 15.26m, and the upper level of the dwelling, with a final wall height of 6.14m, setback 2.24m from the southern side boundary for a length of 15.46m (200mm longer than the lower level), would result in a sustained loss of sunlight to the habitable rooms and private open space of adjoining land to the south.

The building would be outside the required building envelope for all elevations, north, south, east and west, with the walls of the building almost vertical and not projecting away from the side boundary at an angle of 45° from a 3m height above natural ground level. This would likely present as a building of unreasonable proportions, bulk and scale when viewed from adjoining land.

It is considered the proposal does not satisfy the mandatory Performance Criteria.

It is considered appropriate the proposed development be refused.

*Recommendation –*

It is recommended that the application for Residential – dwelling – variation to dwelling density, building envelope and building height at 8 Shorehaven Drive, Turners Beach – Development Application DA2020274 be refused for the following reasons:

- 1 the proposal does not satisfy Performance Criteria 12.4.3–(P2)(a) in that the development would result in unreasonable overshadowing of adjoining land;
- 2 the proposal does not satisfy Performance Criteria 12.4.3–(P2)(b) in that the development would result in excessive bulk, scale and proportion relative to adjoining land and when viewed from adjoining land; and
- 3 the proposal does not satisfy Clause F4.7.1–(P1)(a), (c) and (f) of the Turners Beach Specific Area Plan in that the excessive building height would contribute to negative amenity impacts of overshadowing and excessive bulk and scale on adjoining land, with limited to no ability for the screening of building impacts.’

The Land Use Planning Group Leader’s report is supported.”

The Strategic Projects and Planning Consultant reports as follows:

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“A copy of the Annexures referred to in the Land Use Planning Group Leader’s report having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

■ “That the application for Residential – dwelling – variation to dwelling density, building envelope and building height at 8 Shorehaven Drive, Turners Beach – Development Application DA2020274 be refused for the following reasons:

- 1 the proposal does not satisfy Performance Criteria 12.4.3–(P2)(a) in that the development would result in unreasonable overshadowing of adjoining land;
- 2 the proposal does not satisfy Performance Criteria 12.4.3–(P2)(b) in that the development would result in excessive bulk, scale and proportion relative to adjoining land and when viewed from adjoining land; and
- 3 the proposal does not satisfy Clause F4.7.1–(P1)(a), (c) and (f) of the Turners Beach Specific Area Plan in that the excessive building height would contribute to negative amenity impacts of overshadowing and excessive bulk and scale on adjoining land, with limited to no ability for the screening of building impacts.”

6.6 Residential – building envelope for non–required dwelling – discretionary use and proximity to agricultural land at 1287 Castra Road, Sprent – Application No. DA2020312

The Strategic Projects and Planning Consultant reports as follows:

“The Town Planner has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA2020312
<i>PROPOSAL:</i>	Residential – building envelope for non–required dwelling – discretionary use and proximity to agricultural land
<i>APPLICANT:</i>	Robert and Joy Turvey
<i>LOCATION:</i>	1287 Castra Road, Sprent
<i>ZONE:</i>	Rural Resource
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013 (the Scheme)</i>
<i>ADVERTISED:</i>	24 October 2020

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<i>REPRESENTATIONS EXPIRY DATE:</i>	10 November 2020
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	30 November 2020 – extension of time granted until 14 December 2020
<i>DECISION DUE:</i>	30 November 2020

#### *PURPOSE*

The purpose of this report is to consider an application for a building envelope to construct a non-required residential dwelling in the Rural Resource zone on land known as 1287 Castra Road, Sprent. Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation; and
- . Annexure 4 – photographs;

#### *BACKGROUND*

##### *Development description –*

The applicant seeks approval for a 15m x 12m building envelope for a non-required two bedroom residential dwelling on rural land at 1287 Castra Road, Sprent.

Application documentation includes a site plan showing the location of the proposed building envelope to be accessed off Castra Road, an on-site wastewater disposal area, including reserve area, and the existing shed on the site.

The application is also accompanied by a Water, On-site Wastewater and Stormwater disposal report prepared by ES&D and an Agricultural Assessment prepared by Walker Ag Consultancy.

##### *Site description and surrounding area –*

The land has an area of 1.142ha and contains an existing shed.

The development site is one of a cluster of smaller Rural Resource zoned properties fronting Castra Road. The land to the south, west and north-west contain dwellings and associated outbuildings, with a larger agricultural parcel of land abutting the development site's northern portion and eastern boundary.

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*History -*

The development site was owned by the Crown until it was transferred to the current owners in 2016.

*Future under draft Central Coast LPS -*

The development site and other Titles in this cluster are proposed to be rezoned from Rural Resource to Village under the draft Central Coast LPS (the LPS). A decision has not yet been made by the Tasmanian Planning Commission regarding the draft Central Coast LPS.

The land to the development site's northern and eastern boundary are proposed to be zoned Agriculture under the LPS. The Planning Authority has supported this draft rezoning.

*DISCUSSION*

The following table is an assessment of the relevant Scheme provisions:

**26.0 Rural Resource Zone**

CLAUSE	COMMENT
<b>26.3 Use Standards</b>	
<b>26.3.1 Requirement for discretionary non-residential use to locate on rural resource land</b>	
There is no Acceptable Solution.	Not applicable. Use would be Residential.
<b>26.3.2 Required Residential Use</b>	
<p>26.3.2-(A1) Residential use required as part of a use must:</p> <ul style="list-style-type: none"> <li>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</li> <li>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</li> <li>(c) not intensify an existing lawful residential use;</li> <li>(d) replace a lawful existing residential use;</li> <li>(e) not create a new residential use through conversion of an existing building; or</li> </ul>	<p>Not applicable.</p> <p>Not a required Residential use.</p>

<p>(f) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</p> <p>(g) there is no change in the title description of the site on which the residential use is located.</p>	
<p><b>26.3.3 Residential use</b></p>	
<p>26.3.3–(A1) Residential use that is not required as part of an other use must:</p> <p>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</p> <p>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</p> <p>(c) not intensify an existing lawful residential use;</p> <p>(d) not replace an existing residential use;</p> <p>(e) not create a new residential use through conversion of an existing building;</p> <p>(f) be an outbuilding with a floor area of not more than 100m<sup>2</sup> appurtenant to an existing lawful and structurally sound residential building; or</p>	<p>(a) Non-compliant. Not an alteration or addition to an existing lawful and structurally sound residential building.</p> <p>(b) Non-compliant. Not an ancillary dwelling to an existing lawful and structurally sound single dwelling.</p> <p>(c) Non-compliant. Not intensification of an existing lawful residential use.</p> <p>(d) Non-compliant. Development will not replace an existing residential use.</p> <p>(e) Non-compliant. Not a new residential use through conversion of an existing building.</p> <p>(f) Non-compliant. Not an outbuilding appurtenant to an existing lawful and structurally sound residential building.</p> <p>(g) Non-compliant. Not a home based business.</p>

<p>(g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</p> <p>(h) there is no change in the title description of the site on which the residential use is located.</p>	<p>(h) Compliant. There would be no change to the title description on which the use is located.</p> <p>Refer to the “Issues” section of this report.</p>
<p><b>26.4 Development Standards</b></p>	
<p><b>26.4.1 Suitability of a site or lot on a plan of subdivision for use or development</b></p>	
<p>26.4.1–(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) unless for agricultural use, have an area of not less than 1.0 hectare not including any access strip; and</p> <p>(b) if intended for a building, contain a building area</p> <p>(i) of not more than 2,000m<sup>2</sup> or 20% of the area of the site, whichever is the greater unless a crop protection structure for an agricultural use;</p> <p>(ii) clear of any applicable setback from a frontage, side or rear boundary;</p> <p>(iii) clear of any applicable setback from a zone boundary;</p>	<p>(a) Compliant. Land area is 1.142ha.</p> <p>(b)(i) Compliant. Proposed building area would be 240m<sup>2</sup>.</p> <p>(b)(ii) Compliant. Building envelope would be setback approximately 11m from the north–western side boundary, 43m from the northern side boundary, 21m from the southern side boundary, 56m from the western front boundary and 94m from the eastern rear boundary.</p> <p>(b)(iii) Not applicable. No zone boundary</p> <p>(b)(iv) Not applicable. No registered easements.</p> <p>(b)(v) Not applicable. No right of way.</p>

<ul style="list-style-type: none"> <li>(iv) clear of any registered easement;</li> <li>(v) clear of any registered right of way benefiting other land;</li> <li>(vi) clear of any restriction imposed by a utility;</li> <li>(vii) not including an access strip;</li> <li>(viii) accessible from a frontage or access strip.</li> </ul>	<ul style="list-style-type: none"> <li>(b)(vi) Not applicable. No restriction imposed by a utility.</li> <li>(b)(vii) Not applicable. No access strip.</li> <li>(b)(viii) Compliant. Land is accessible from a frontage to Castra Road.</li> </ul>
<p>26.4.1-(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> <li>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</li> <li>(c) by a right of way connecting to a road – <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</li> <li>(ii) not required to give the lot of which it is a part the</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. The property has frontage to Castra Road.</li> <li>(b) Not applicable. Not an internal lot.</li> <li>(c) Not applicable. No legal access to a right of way connecting to a road.</li> <li>(d) Compliant. The land has approximately 46m of frontage to Castra Road.</li> <li>(e) Compliant. Council in its capacity as a Road Authority has stated no issues with the existing access.</li> </ul>

<p>minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than 6.0m; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	
<p>26.4.1 –(A3) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of connecting to a water supply:</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system <sup>R31</sup> with a storage capacity of not less than 10,000 litres if:</p>	<p>(a) Not applicable. Satisfied by (b) .</p> <p>(b)(i) Compliant by condition.</p> <p>(b)(ii) Compliant. Proposal would be for a single dwelling.</p>

<ul style="list-style-type: none"> <li>(i) there is not a reticulated water supply; and</li> <li>(ii) development is for: <ul style="list-style-type: none"> <li>c. a single dwelling; or</li> <li>d. a use with an equivalent population of not more than 10 people per day.</li> </ul> </li> </ul>	
<p>26.4.1 –(A4) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste:</p> <ul style="list-style-type: none"> <li>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) by on-site disposal if: <ul style="list-style-type: none"> <li>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</li> <li>(ii) the development: <ul style="list-style-type: none"> <li>a. is for a single dwelling; or</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Not applicable. Satisfied by (b).</li> <li>(b)(i) Compliant. Satisfied by (b)(ii) and (iii).</li> <li>(b)(ii)a. Compliant. Development would be for a single dwelling being a two bedroom dwelling as per report prepared by ES&amp;D.</li> <li>(b)(iii) Compliant by condition to a permit. Development is to comply with “Water, On-site Wastewater and Stormwater Disposal” assessment by Environmental Service &amp; Design Pty Ltd (ES&amp;D) dated 15 October 2020 that has been provided as part of the application. The assessment states the land has the capacity for a two-bedroom dwelling with on-site wastewater management in accordance with AS/NZS 1547:2000, clear of any access or building area.</li> </ul>

<ul style="list-style-type: none"> <li>b. provides for an equivalent population of not more than 10 people per day; or</li> <li>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS 1547:2000 On-site domestic-wastewater management clear of any defined building area or access strip.</li> </ul>	
<p>26.4.1-(A5) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <ul style="list-style-type: none"> <li>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</li> <li>(b) if stormwater cannot be drained to a stormwater system: <ul style="list-style-type: none"> <li>(i) for discharge to a natural drainage line, water body or watercourse; or</li> <li>(ii) for disposal within the site if: <ul style="list-style-type: none"> <li>a. the site has an area of not less than 5,000m<sup>2</sup>;</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Not applicable. Satisfied by (b)(ii).</li> <li>(b)(i) Not applicable. Satisfied by (b)(ii).</li> <li>(b)(ii)a. Compliant. Site has an area of 1.142ha.</li> <li>(b)(ii)b. Compliant. Disposal would be clear of defined building area.</li> <li>(b)(ii)c. Compliant. Disposal would be clear of wastewater disposal area.</li> <li>(b)(ii)d. Not applicable. No access strip.</li> <li>(b)(ii)e. Compliant. Not more than 50% of the site would be impervious of surface.</li> </ul>

<ul style="list-style-type: none"> <li>b. the disposal area is not within any defined building area;</li> <li>c. the disposal area is not within any area required for the disposal of sewage;</li> <li>d. the disposal area is not within any access strip; and</li> <li>e. not more than 50% of the site is impervious surface.</li> </ul>	
<p><b>26.4.2 Location and configuration of development</b></p>	
<p>26.4.2-(A1) A building or a utility structure, other than a crop protection structure for an agriculture use, must be setback:</p> <ul style="list-style-type: none"> <li>(a) not less than 20.0m from the frontage; or</li> <li>(b) if the development is for sensitive use on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road;</li> <li>(c) not less than 10.0m from each side boundary; and</li> <li>(d) not less than 10.0m from the rear boundary; or</li> <li>(e) in accordance with any applicable building area shown on a sealed plan.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. Building envelope for non-required dwelling would be setback 56m from Castra Road.</li> <li>(b) Not applicable. Land does not adjoin the Bass Highway.</li> <li>(c) Compliant. Building envelope for non-required dwelling would be setback approximately 11m from the north-western side boundary, 43m from the northern side boundary and 21m from the southern side boundary.</li> <li>(d) Compliant. Building envelope for non-required dwelling would be setback 94m from the rear boundary.</li> <li>(e) Not applicable. No building area on a Sealed Plan.</li> </ul>

<p>26.4.2–(A2) Building height must be not more than 8.5m.</p>	<p>Compliant.</p> <p>The dwelling would be permitted to a height of 8.5m.</p>
<p>26.4.2 A3.1</p> <p>A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must –</p> <p>(a) not project above an elevation 15m below the closest ridgeline;</p> <p>(b) be not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</p> <p>(c) be below the canopy level of any adjacent forest or woodland vegetation; and</p> <p>(d) clad and roofed with materials with a light reflectance value of less than 40%.</p> <p>A3.2</p> <p>Wind power turbines and wind power pumps must not exceed 20m in height.</p>	<p>A3.1</p> <p>(a) Compliant. Site is approximately 16m below closest ridgeline.</p> <p>(b) Compliant. No watercourse within 30m of the site.</p> <p>(c) Compliant. Proposed development would be below the canopy level of adjacent western woodland vegetation.</p> <p>(d) Compliant by a condition to a permit. Building to be roofed and clad with materials with a light reflectance value of less than 40%.</p> <p>A3.2</p> <p>Not applicable. No wind turbine or wind power pumps.</p>

### 26.4.3 Location of development for sensitive uses

26.4.3–(A1) New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must –

(a) be located not less than:

- (i) 200m from any agricultural land;
- (ii) 200m from aquaculture, or controlled environment agriculture;
- (iii) 500m from the operational area boundary established by a mining lease issued in accordance with the *Mineral Resources Development Act 1995* if blasting does not occur; or
- (iv) 1000m from the operational area boundary established by a mining lease issued in accordance with the *Mineral Resources Development Act 1995* if blasting does occur; or
- (v) 500m from intensive animal husbandry;
- (vi) 100m from land under a reserve management plan;

(a)(i) Non-compliant. Proposed dwelling would be setback 43m from adjoining agricultural land to the north and 94m to the east.

Refer to the “Issues” section of this report.

(a)(ii) Compliant. No aquaculture, or controlled environment agriculture.

(a)(iii) Compliant. No non-blasting extractive industry in surrounding area.

(a)(iv) Compliant. No blasting extractive industry in surrounding area.

(a)(v) Compliant. No intensive animal husbandry within 500m.

(a)(vi) Compliant. Development is not within 100m of land under a reserve management plan.

(a)(vii) Compliant. No private timber reserve in this locality.

(a)(viii) Compliant. Land is approximately 6kms to the Bass Highway and 8.2kms to the Western Rail Line.

<p>(vii) 100m from land designated for production forestry;</p> <p>(viii) 50.0m from a boundary of the land to the Bass Highway, or to a railway line; and</p> <p>(ix) clear of any restriction imposed by a utility; and</p> <p>(b) not be on land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i>, or land that may benefit from the application of broad-scale irrigation development.</p>	<p>(b) Compliant. Land is not located within a proclaimed irrigation district.</p>
<p><b>26.4.4 Subdivision</b></p>	
<p>26.4.4-(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use either State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>
<p><b>26.4.5 Buildings for Controlled Environment Agriculture</b></p>	
<p>26.4.5-(A1)</p>	<p>Not applicable.</p> <p>No controlled environment agriculture proposed.</p>

<p>A building for controlled environment agriculture use must be a crop protection structure and the agricultural use inside the building must satisfy one of the following:</p> <p>(a) rely on the soil as a growth medium into which plants are directly sown;</p> <p>(b) not alter, disturb or damage the existing soil profile if conducted in a manner which does not rely on the soil as a growth medium.</p>	
CODES	
<b>E1 Bushfire-Prone Areas Code</b>	Not applicable. Not a subdivision or vulnerable or hazardous use.
<b>E2 Airport Impact Management Code</b>	Not applicable. No Code in this Scheme.
<b>E3 Clearing and Conversion of Vegetation Code</b>	Not applicable. No clearing or conversion of native threatened vegetation.
<b>E4 Change in Ground Level Code</b>	Compliant by a condition to be placed on a permit.
<b>E5 Local Heritage Code</b>	Not applicable. No places of local significance listed in this Scheme.
<b>E6 Hazard Management Code</b>	Not applicable. No landslip hazard identified.
<b>E7 Sign Code</b>	Not applicable. No signs proposed.

<b>E8 Telecommunication Code</b>	Not applicable. No telecommunications proposed.
<b>E9 Traffic Generating Use and Parking Code</b>	
<b>E9.2 Application of this Code</b>	Applicable. Applies to all use and development.
<b>E9.4 Use or development exempt from this Code</b>	Not exempt. No Local Area Parking Scheme.
<b>E9.5 Use Standards</b>	
<b>E9.5.1 Provision for parking</b>	
E9.5.1-(A1) Provision for parking must be:  (a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;	Compliant by condition.  The E9 Traffic and Parking Code of the Scheme requires two car parking spaces be provided for a residential dwelling. The land has ample area to accommodate this provision.
<b>E9.5.2 Provision for loading and unloading of vehicles</b>	
E9.5.2-(A1) There must be provision within a site for:  (a) on-site loading area in accordance with the requirement in the Table to this Code; and  (b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the	(a) Not applicable. Table E9A does not require on-site loading provision for residential development.  (b) Not applicable. Provision does not apply to residential development.

rate of one space for every 50 parking spaces.	
<b>E9.6 Development Standards</b>	
<b>E9.6.1 Design of vehicle parking and loading areas</b>	
<p>E9.6.1 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and</p> <p>E9.6.1 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p>	<p>E9.6.1 A1.1 Compliant by condition to be placed on a permit. The site would be able to drain, collect and dispose of stormwater on-site, clear of building sites, wastewater site and access road.</p> <p>E9.6.1 A1.2</p> <p>(a) Compliant by Condition. The site has ample area to make provision for circulation and parking areas and vehicle manoeuvring areas in accordance with AS/NZS 2890.1 (2004).</p> <p>(b) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(c) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(d) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(e) Compliant by condition. The site has sufficient area to accommodate this requirement.</p>

<p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	<p>(f) Compliant by condition. The site has sufficient area to accommodate this requirement.</p> <p>(g) Compliant by condition. Internal roadway and car parking areas would be constructed with a compacted sub-base and an all-weather surface.</p>
<p>E9.6.1-(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.</p>	<p>Compliant by Condition. Design and construction of access, vehicle circulation, movement and standing areas would be in accordance with the principles and requirements of the <i>Unsealed Roads Manual – Guideline for Good Practice</i> ARRB. A Permit should require compliance with the Standard.</p>
<p><b>E10 Water and Waterways Code</b></p>	<p>Not applicable. No waterway within 30m of the development site.</p>
<p><b>Specific Area Plans</b></p>	<p>Not applicable. No Specific Area Plan applies to the site.</p>

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*Issues –*

*1 Non-required residential use in Rural Resource zone –*

The proposal is for a non-required two bedroom Residential dwelling. The Scheme's Performance Criteria for Clause 26.3.3-(P1) states that Residential use that is not required as a part of other use must –

- (a) be consistent with local area objectives;

Compliant with condition. The application was accompanied by an Agricultural Assessment undertaken by Walker Ag Consultancy. This report states that the proposal would satisfy the Local Area Objectives, as the proposed development does not unduly interfere with the practice of primary production and does not unreasonably constrain or interfere with existing and potential use of the land for primary industry.

It is accepted that the development site cannot be used for a viable primary industry and would not create a permanent loss of land significant for primary industry. This would be compliant with local area objective (h)(ii).

However, the report did not outline ways to mitigate any potential impact on adjoining agricultural land that abuts the development sites eastern boundary and a portion of the northern boundary.

It is accepted that the adjoining land, to a portion of the northern boundary and southern boundary, are residential in nature. There are no suggested mitigation methods in the accompanying report to minimise constraint or interference to the adjoining agricultural land.

Therefore, a screen/buffer hedge would be required along the northern boundary, to 1273 Castra Road, and along the eastern boundary of the land. This can be applied as a condition to a Permit or may be required under a Part 5 Agreement, under s.71 of the *Land Use Planning and Approvals Act 1993*. This would assist to minimise future constraint or interference to the adjoining agricultural land.

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- (b) be consistent with any applicable desired future character statement;

Compliant. As stated, the application was accompanied with an Agricultural Assessment undertaken by Walker Ag Consultancy. This report states that the proposal would satisfy the applicable Desired Future Character Statements.

It is agreed that the proposal would satisfy Desired Future Character Statements (b) and (c), in that the proposed building envelope would be within an established cluster of residential development fronting Castra Road, and the building envelope has been positioned to minimise disturbance to the physical terrain on the development site.

- (c) be on a site within which the existing or proposed development area –

- (i) is not capable by reason of one or more of the factors of topography, resource capability, size or shape of being utilised for resource development or extractive industry use; and

Compliant. As stated in the Agricultural report the development site is not feasible for commercial scale pastoral, cropping or horticultural land use activity.

- (ii) is not capable of utilisation in the operations of a resource development or extractive industry enterprise, regardless of ownership; and

Compliant. As stated in the Agricultural report the development site is not feasible for commercial scale pastoral, cropping or horticultural land use activity.

- (iii) does not constrain or interfere with existing or potential resource development or extractive industry use of land including the balance area on the site.

Compliant. As stated in the Agricultural report the development site is not feasible for commercial scale pastoral, cropping or horticultural land use activity.

- (d) not be likely to impose an immediate demand or contribute to a cumulative requirement for public provision or improvement

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in reticulated or alternate arrangements for utilities, road access, or community service.

Compliant. The proposed use would not impose an immediate demand for public provision or improvement in reticulated or alternate arrangements for utilities, road access, or community service.

2 *Proximity to agricultural land –*

The Planning Scheme's Acceptable Solution for Clause 26.4.3–(A1) (i) states that new development must be located not less than 200m from agricultural land.

The proposed development site would be 43m from agricultural land and therefore does not satisfy the Acceptable Solution and relies on assessment against the Performance Criteria.

The Planning Scheme's Performance Criteria for Clause 26.4.3–(P1) states that new development must minimise–

- (a) Permanent loss of land for existing and potential primary industry use;

Compliant with condition. As stated, the application was accompanied with an Agricultural Assessment undertaken by Walker Ag Consultancy.

The report outline the potential risk of neighbouring agricultural activity with the risk identified as low. The report stated that the proposed development does not unreasonably conflict or interfere with existing or potential agricultural use due to existing neighbouring dwellings in comparable distance to adjoining rural land. The report did not however outline ways to mitigate any potential impact on adjoining agricultural land the abuts the development site's eastern boundary and a portion of the northern boundary.

In allowing the proposed development there may arise a conflict or interference of adjoining uses (resource development versus residential). Whilst there would be no potential primary industry use on the subject site, there may be a future loss of potential on adjoining land, due to conflict or perceived nuisance.

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Therefore, a screen/buffer hedge would be required along the northern (section to 1273 Castra Road) and eastern boundary of the land. This can be applied as a condition to a permit or may be required under a Part 5 Agreement, under s.71 of the *Land Use Planning and Approvals Act 1993*. This would assist to minimise constraint or interference to the adjoining agricultural land.

The Part 5 Agreement would acknowledge the primary industry activity on adjoining land and the intent and purpose of the right to farm legislation under the *Primary Industry Activities Protection Act 1995*.

It is worthwhile noting that the regulations and requirements of EMPCA, in relation to noise, dust, odour and general nuisance etc., would need to be argued against any right to farm legislation under the *Primary Industry Activities Protection Act 1995*. At this stage, the history of enforcement of *Primary Industry Activities Protection Act 1995* against the intent of EMPCA legislation is yet to be tested.

- (b) Likely constraint or interference to existing and potential primary industry use on the site and on adjacent land;

Compliant by condition. As discussed above a screen/buffer hedge would be required along the northern (section to 1273 Castra Road) and eastern boundary of the land. This can be applied as a condition to a permit or may be required under a Part 5 Agreement, under s.71 of the *Land Use Planning and Approvals Act 1993*. This would assist to minimise constraint or interference to the adjoining agricultural land.

It is accepted, as stated in the Agricultural report, the development site is not feasible for commercial scale pastoral, cropping or horticultural land use activity.

- (c) Permanent loss of land within a proclaimed irrigation district under Part 9 Water Management Act 1999 or land that may benefit from the application of broad-scale irrigation development; and

Not applicable. The site is not within land within a proclaimed irrigation district under Part 9 *Water Management Act 1999*.

- (d) Adverse effect on the operability and safety of a major road, a railway or utility.

Not applicable. No major road, railway or utility located with the vicinity of the site.

*Referral advice -*

Referral advice from the various Departments of the Council and other service providers is as follows:

SERVICE	COMMENTS/CONDITIONS
Environmental Health	Based on the information included in the preliminary report provided the property could support an onsite wastewater system, however, due to the category of the soil, a secondary treatment system is recommended.
Infrastructure Services	No new access is proposed. Stormwater will be managed onsite as per the ES&D report provided.
TasWater	Not applicable.
Department of State Growth	Not applicable.
Environment Protection Authority	Not applicable.
TasRail	Not applicable.
Heritage Tasmania	Not applicable.
Crown Land Services	Not applicable.
Other	Not applicable.

*CONSULTATION*

In accordance with s.57(3) of the *Land Use Planning and Approvals Act 1993*:

- . a site notice was posted;
- . letters to adjoining owners were sent; and
- . an advertisement was placed in the Public Notices section of The Advocate.

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*Representations -*

One representation was received within the prescribed time, a copy of which is provided at Annexure 3.

The representation is summarised and responded to as follows:

MATTER RAISED	RESPONSE
<p>1 Concerns regarding biosecurity when dealing with livestock on land known as 1273 Castra Road.</p> <p>Including concerns regarding excessive use of chemicals sprayed over the boundary and through the fence to 1273 Castra Road which results with contamination to livestock.</p>	<p>Conflicting, adjoining land uses can give rise to concern and conflict between landowners.</p> <p>It is agreed that if a dwelling were to be established on the land, a screen/buffer hedge would be required along the northern (section to 1273 Castra Road) and eastern boundary of the land. This can be applied as a condition to a permit or may be required under a Part 5 Agreement, under s.71 of the <i>Land Use Planning and Approvals Act 1993</i>.</p> <p>A Part 5 Agreement would be between the subject landowner and the Central Coast Council and would be 'stapled' to the Title of the subject parcel of land so that future owners would also be aware of responsibilities when residential land use adjoins an intensive agricultural use.</p> <p>A Part 5 Agreement could advise that a 24 hours a day, 365 days of the year resource development activity adjoins the land.</p> <p>The matter of the fettering of productive primary industry land to Residential use is further discussed in the "Issues" section of this report.</p>

	<p>Any nuisance complaint would need to be addressed with reference to the <i>Environmental Management and Pollution Control Act 1994</i> (EMPCA).</p>
<p>2 Concern regarding being allowed to build on a major watercourse during frequent times of the year.</p> <p>Including concerns regarding severe water runoff from the road and other properties which create a steady stream of water flow</p>	<p>There are no identified watercourses shown the Council GIS system or the List Map system for the development site.</p> <p>The documentation provided with the application demonstrates that stormwater runoff from any future buildings or paved areas existing within the building envelope will not be discharged into the waterway and will be managed onsite. This would ensure that any future development on the property would not adversely impact neighbouring properties.</p> <p>If at any time the on-site stormwater is not in accordance with an approved system, the appropriate Council staff member will be notified. All necessary actions would be undertaken to ensure compliance is maintained. This is the process for all approved on-site systems.</p> <p>The matter regarding existing on-going stormwater runoff, if from a public road, should be directed to the Infrastructure Services for analysis.</p>

*RESOURCE, FINANCIAL AND RISK IMPACTS*

The proposal has no likely impact on Council resources outside those usually required for assessment and reporting, and possibly costs associated with an appeal against the Council's determination should one be instituted.

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*CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions:

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

*CONCLUSION*

The representation received is deemed to have merit as the proposed sensitive use on the development site may result in concern and conflict between landowners. In this regard, a Part 5 Agreement established under s.71 of the *Land Use Planning & Approvals Act 1993*, would be required as a condition to any permit issued.

*Recommendation –*

It is recommended that Residential – building envelope for non–required dwelling – discretionary use and proximity to agricultural land at 1287 Castra Road, Sprent – Development Application DA2020312 be approved subject to the following conditions and restrictions:

- 1 The development must be substantially in accordance with the Site Plan by the applicant received 7 October 2020, unless modified by a condition of this Permit.
- 2 The on–site disposal of domestic wastewater must be in accordance with the Water, On–Site Wastewater and Stormwater Disposal Assessment against Acceptable Solution report by Environmental Service & Design Pty Ltd dated 15 October 2020 and clear of any defined building area or access driveway.
- 3 Prior to the issue of a Building Permit, the owner of the land must submit and enter into a Part 5 Agreement with the Central Coast Council under section 71 of the *Land Use Planning and Approvals Act 1993*. The Part 5 Agreement is to set out the following matters to the satisfaction of the General Manager:
  - (a) A vegetation buffer and screen must be established along the northern and eastern boundary of CT168501/1 that abuts land contained in CT53050/1 known as 1273 Castra Road. The buffer and screen must be of vegetation with a final growth height not less than 4 metres.

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- (b) All vegetation must be located wholly inside the property boundary CT168501/1 and must make allowance for the final width of the vegetation so as not to impede onto adjoining land.
  - (c) The buffer must be planted prior to issue of any other permits relative to this application.
  - (d) The Part 5 Agreement must list and acknowledge the 24 hours a day, 365 days a year resource development activities and operations that may occur on adjoining land (CT53050/1) and make reference to matters contained in the *Primary Industry Activities Protection Act 1995*.
- 4 Execution of the Part 5 Agreement, including drafting and registration of the Agreement against CT168501/1, must be at the developers expense.
  - 5 Buildings must be no closer than 10m to the north-west side boundary.
  - 6 The development must have a maximum height of 8.5m above natural ground level.
  - 7 The development must be roofed and clad with materials with a light reflectance value of less than 40%.
  - 8 The development must not result in a change in ground level greater than 1m in depth.
  - 9 The development must provide for a rechargeable drinking water system with a storage capacity of not less than 10,000 litres.
  - 10 A minimum of two car parking spaces must be provided on-site and enable the forward movement of vehicles entering and egressing the site.
  - 11 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.
  - 12 The development must minimise erosion and release of sediments during site preparation and construction in accordance with Soil and Water Management on Building and Construction Sites 2009.

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Please note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 “Substantial commencement” is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Prior to the commencement of work the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority, or a Building Surveyor be contacted should clarification be required.’

The Town Planner’s report is supported.”

The Executive Services Officer reports as follows:

“A copy of the Annexures referred to in the Town Planner’s report having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

■ “That the application for Residential – building envelope for non–required dwelling – discretionary use and proximity to agricultural land at 1287 Castra Road, Sprent – Development Application DA2020312 be approved subject to the following conditions and restrictions:

- 1 The development must be substantially in accordance with the Site Plan by the applicant received 7 October 2020, unless modified by a condition of this Permit.
- 2 The on–site disposal of domestic wastewater must be in accordance with the Water, On–Site Wastewater and Stormwater Disposal Assessment against Acceptable Solution report by Environmental Service & Design Pty Ltd dated 15 October 2020 and clear of any defined building area or access driveway.
- 3 Prior to the issue of a Building Permit, the owner of the land must submit and enter into a Part 5 Agreement with the Central Coast Council under section 71 of the *Land Use Planning and Approvals Act 1993*. The Part 5 Agreement is to set out the

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following matters to the satisfaction of the General Manager:

- (a) A vegetation buffer and screen must be established along the northern and eastern boundary of CT168501/1 that abuts land contained in CT53050/1 known as 1273 Castra Road. The buffer and screen must be of vegetation with a final growth height not less than 4 metres.
  - (b) All vegetation must be located wholly inside the property boundary CT168501/1 and must make allowance for the final width of the vegetation so as not to impede onto adjoining land.
  - (c) The buffer must be planted prior to issue of any other permits relative to this application.
  - (d) The Part 5 Agreement must list and acknowledge the 24 hours a day, 365 days a year resource development activities and operations that occur on adjoining land (CT53050/1) and make reference to matters contained in the *Primary Industry Activities Protection Act 1995*.
- 4 Execution of the Part 5 Agreement, including drafting and registration of the Agreement against CT168501/1, must be at the developers expense.
  - 5 Buildings must be no closer than 10m to the north-west side boundary.
  - 6 The development must have a maximum height of 8.5m above natural ground level.
  - 7 The development must be roofed and clad with materials with a light reflectance value of less than 40%.
  - 8 The development must not result in a change in ground level greater than 1m in depth.
  - 9 The development must provide for a rechargeable drinking water system with a storage capacity of not less than 10,000 litres.
  - 10 A minimum of two car parking spaces must be provided on-site and enable the forward movement of vehicles entering and egressing the site.
  - 11 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.
  - 12 The development must minimise erosion and release of sediments during site preparation and construction in accordance with Soil and Water Management on Building and Construction Sites 2009.

---

Please note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 “Substantial commencement” is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Prior to the commencement of work the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority, or a Building Surveyor be contacted should clarification be required.”

.....

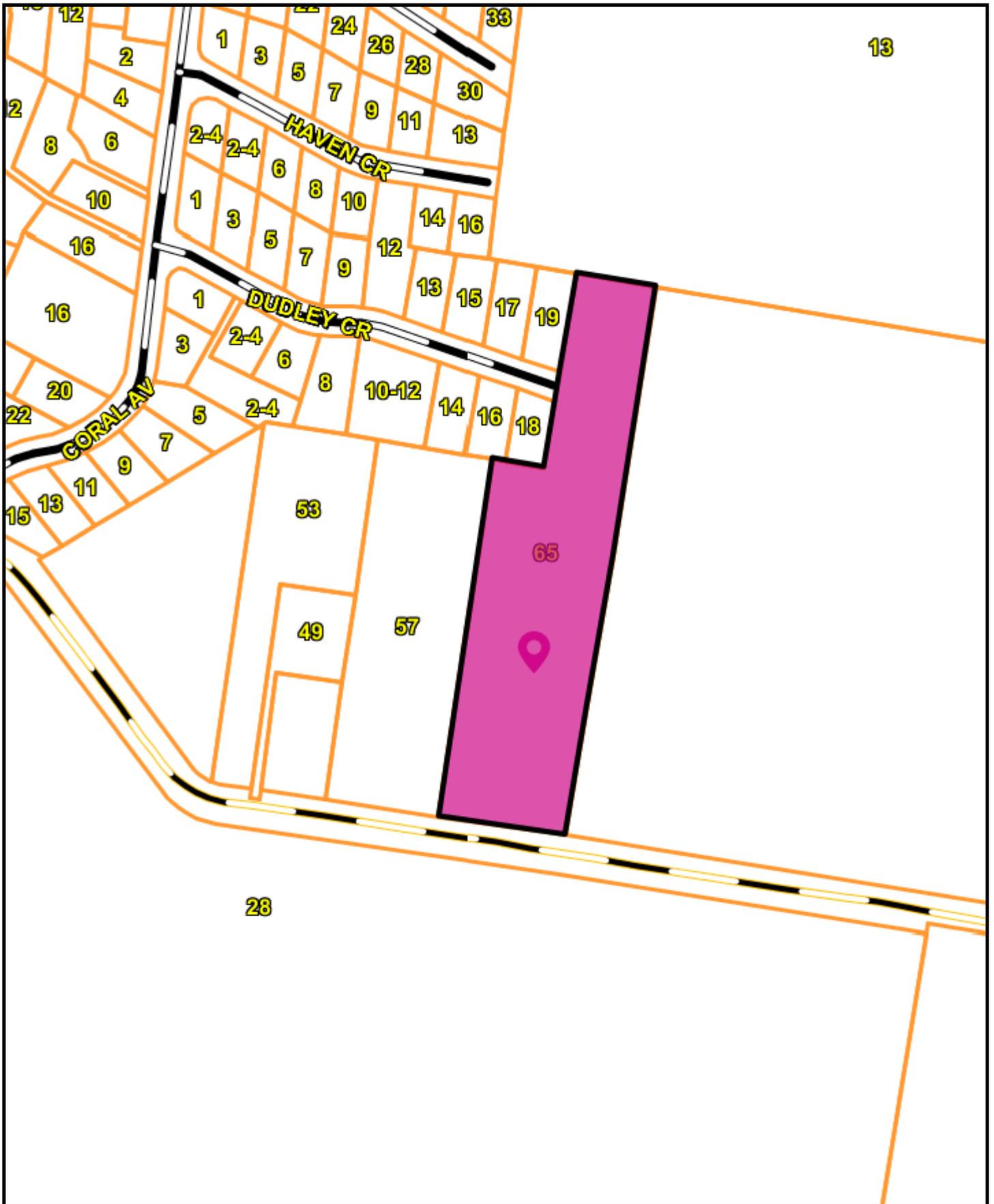
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.....

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# Associated Reports And Documents

# Annexure 1



50 m



CENTRAL COAST  
COUNCIL

Scale = 1 :  
2611.980

Central Coast Council  
19 King Edward St  
Ulverstone  
TAS 7315  
Telephone: 03 6429 8800  
Facsimile: 03 6425 1224  
admin@centralcoast.tas.gov.au



8-Oct-2020

**Important**

This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geodetic Datum of 1984 (AGD66/84). Heights are referenced to the Australia Height Datum (AHD). For most practical purposes GDA94 coordinates, and satellite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WGS84), are the same.

**Disclaimer**

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**65 VON BIBRAS ROAD,  
ULVERSTONE  
DA2020290**

# Annexure 2

## CENTRAL COAST COUNCIL

PO Box 220  
19 King Edward Street  
ULVERSTONE TASMANIA 7315  
Ph: (03) 6429 8900  
Email: [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au)  
www: [centralcoast.tas.gov.au](http://centralcoast.tas.gov.au)



CENTRAL COAST COUNCIL

**Land Use Planning and Approvals Act 1993**

**Central Coast Interim Planning Scheme 2013**

**PLANNING PERMIT APPLICATION**

Office Use Only

Application No \_\_\_\_\_

Date Received \_\_\_\_\_

Zone \_\_\_\_\_

CENTRAL COAST COUNCIL

DEVELOPMENT & REGULATORY SERVICES

Received: 25 SEP 2020

Permitted

Discretionary

NPR

Use or Development Site:

Application No: .....

Doc. Id .....

Site Address

65 Von Bibras road Ulverstone TAS 7315

Certificate of Title Reference

Land Area

Heritage Listed Property

NO

Applicant/s

First Name

Isabella

Middle Name

Rose

Surname or Company name

SIMS  
A Bark Above

Mobile

0497971997

Postal Address:

PO Box 3133 MDC

Phone No:

Ulverstone

7315

Email address:

abarkabove@outlook.com



Please tick box to receive correspondence and any relevant information regarding your application via email.

Owner (Note – if more than one owner, all names must be indicated)

First Name

Izn Erica Kristina Veios

Middle Name

Surname

SIMS

Phone No

0407388562 Izn  
0458 767421 Kristina

Postal Address:

'Highfield'  
P.O. Box 3133 MDC

ULVERSTONE TAS

7315

**PERMIT APPLICATION INFORMATION**

(If insufficient space for proposed use and development, please attach separate documents)

"USE" is the purpose or manner for which land is utilised.

Proposed Use

Dog Training

Use Class

Office use only

"Development" is the works required to facilitate the proposed use of the land, including the construction or alteration or demolition of buildings and structures, signs, any change in ground level and the clearing of vegetation.

**Proposed Development** (please submit all documentation in PDF format to [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au) separating A4 documents & forms from A3 documents).

ANCILLARY DWELLING -

OUTBUILDING -

DOG TRAINING + STORAGE

**Value of the development** – (to include all works on site such as outbuildings, sealed driveways and fencing)

\$ 100,000 ..... Estimate/ Actual

Total floor area of the development .....m<sup>2</sup>

**Notification of Landowner**

**If land is NOT in the applicant's ownership**

I, Isabella Rose Sims, declare that the owner/each of the owners of the land has been notified of the intention to make this permit application.

Signature of Applicant 

Date 01-09-2020

**If the application involves land within a Strata Corporation**

I, \_\_\_\_\_, declare that the owner/each of the owners of the body corporation has been notified of the intention to make this permit application.

Signature of Applicant

Date

**If the application involves land owned or administered by the CENTRAL COAST COUNCIL**

Central Coast Council consents to the making of this permit application.

General Managers Signature \_\_\_\_\_ Date \_\_\_\_\_

**If the permit application involves land owned or administered by the CROWN**

I, \_\_\_\_\_ the Minister

responsible for the land, consent to the making of this permit application.

Minister (Signature) \_\_\_\_\_ Date \_\_\_\_\_

*NB: If the site includes land owned or administered by the Central Coast Council or by a State government agency, the consent in writing (a letter) from the Council or the Minister responsible for Crown land must be provided at the time of making the application - and this application form must be signed by the Council or the Minister responsible.*

**Applicants Declaration**

I/we Isabella rose Sims  
 declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

Signature of Applicant/s  Date 01-09-2020

<b>Office Use Only</b>	
Planning Permit Fee	\$ .....
Public Notice Fee	\$ .....
Permit Amendment / Extension Fee	\$ .....
No Permit Required Assessment Fee	\$ .....
<b>TOTAL</b>	<b>\$ .....</b>
Validity Date	

# CERTIFICATE OF TITLE

LAND TITLES ACT 1980



TASMANIA

## TORRENS TITLE

VOLUME 241642		FOLIO 1
EDITION 3	DATE OF ISSUE 9-Jun-2000	
Page 1	of 1	

I certify that the person described in Schedule 1 is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries specified in Schedule 2 and to any additional entries in the Folio of the Register.

*Alice Kawa*

Recorder of Titles.



### DESCRIPTION OF LAND

Parish of ABBOTSHAM, Land District of DEVON  
Lot 1 on Plan 241642  
Derivation : Part of Lot 350 Gtd. to J. Thompson & Ors  
Prior CT 3930/10

### SCHEDULE 1

C223468 TRANSFER to IAN ERIC SIMS and KRISTINA VENUS SIMS  
Registered 9-Jun-2000 at noon

### SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
C145330 BURDENING EASEMENT: A pipeline easement as defined therein  
for the North West Regional Water Authority over the land  
marked "Pipeline Easement 10.00 wide" on Plan No. 241642  
(subject to provisions) Registered 10-Aug-1999 at noon  
C223469 MORTGAGE to Westpac Banking Corporation Registered  
9-Jun-2000 at 12.1 pm

**CENTRAL COAST COUNCIL**

DEVELOPMENT & REGULATORY SERVICES

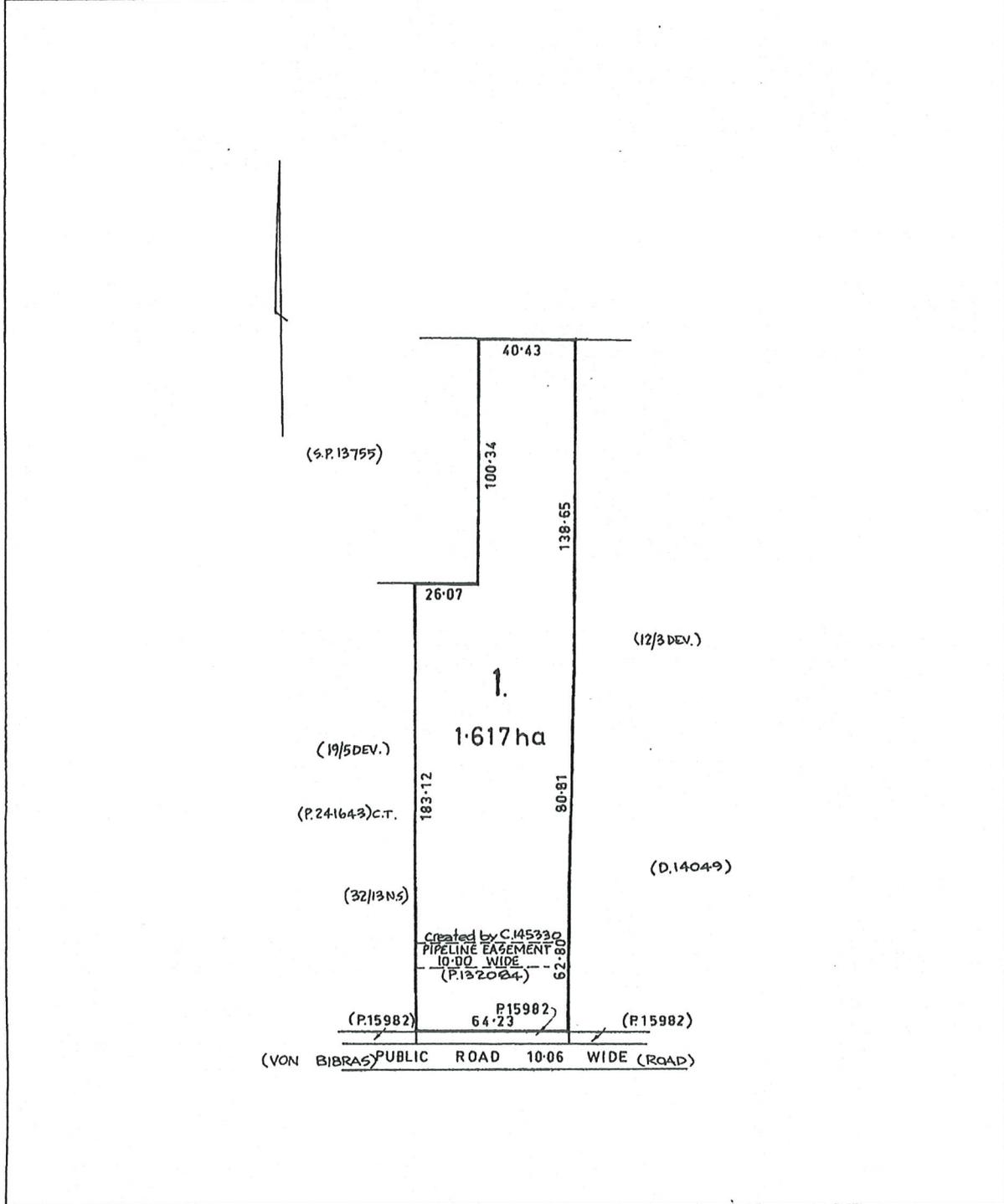
Received: 25 SEP 2020

Application No: .....

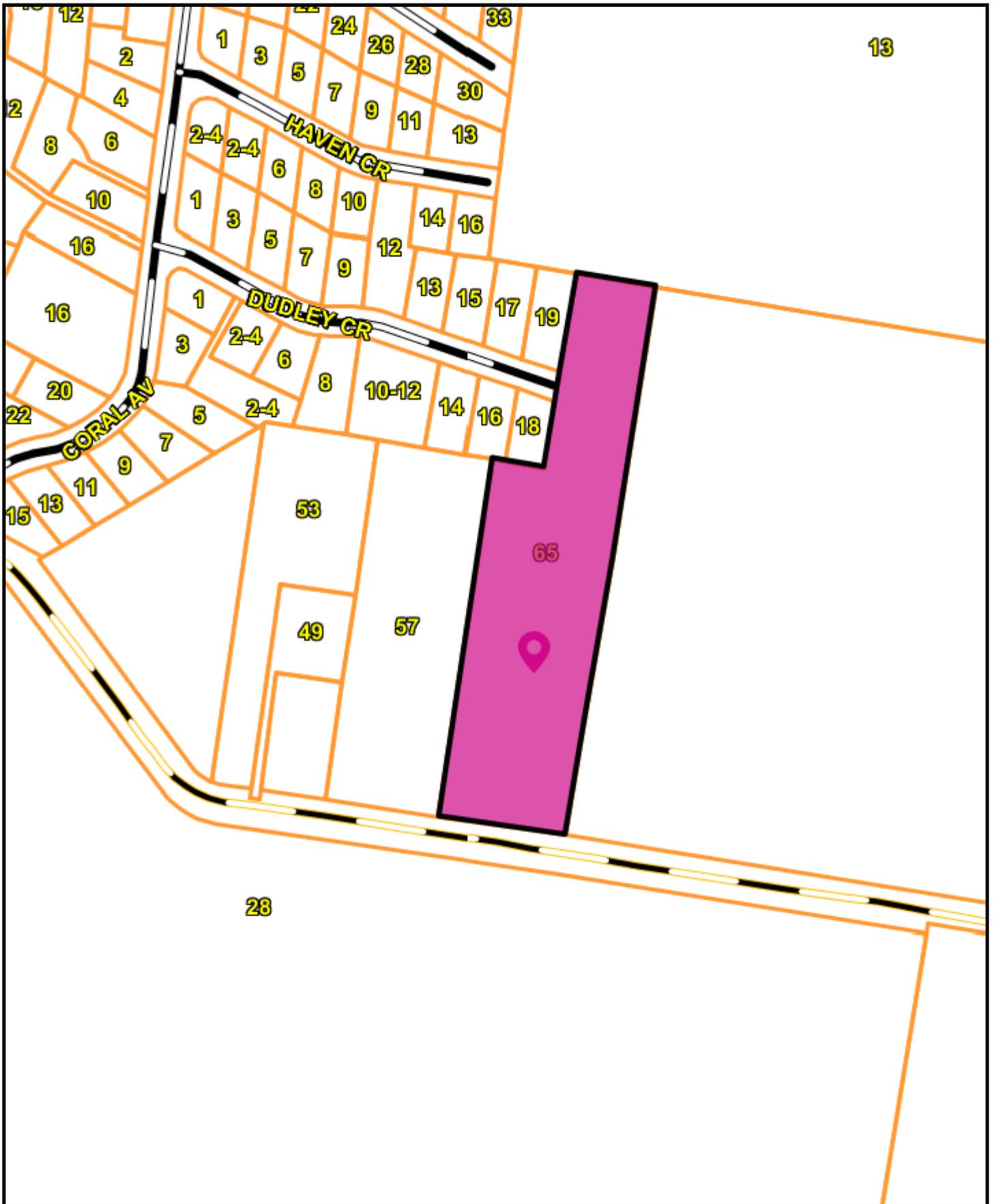
Doc. Id .....

OWNER	<b>PLAN OF TITLE</b> LOCATION DEVON ABBOTSHAM FIRST SURVEY PLAN No. 32/13NS COMPILED BY L.T.O. SCALE 1: 1500      LENGTHS IN METRES	Registered Number <b>P 24 1642</b>
FOLIO REFERENCE C.T. 3930-10		APPROVED - 5 AUG 1999 <i>M. Bellin</i> Recorder of Titles
GRANTEE		

MAPSHEET MUNICIPAL CODE No. 104 / 4244-53	LAST UPI No 6306019	LAST PLAN No. 32/13NS, P15982	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN
---	---------------------	-------------------------------	---



A-143



50 m



CENTRAL COAST  
COUNCIL

Scale = 1 :  
2611.980

Central Coast Council  
19 King Edward St  
Ulverstone  
TAS 7315  
Telephone: 03 6429 8800  
Facsimile: 03 6425 1224  
admin@centralcoast.tas.gov.au



8-Oct-2020

**Important**

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**65 VON BIBRAS ROAD,  
ULVERSTONE  
DA2020290**

I, Isabella Rose Sims of Ulverstone, Tasmania, am the owner of A Bark Above. My business is a small Dog Training company with the goal of becoming a reputable and positive choice for people and dogs to learn and grow with.

The purpose of my Dog Training school is to assist owners and provide direction on how to handle their dogs, to provide information and guidance on how to train, and raise a pup that will grow into a well-mannered, socially involved and willing dog. I also offer personalised programs for re-training problematic behaviours for damaged and troubled dogs through positive reinforcement and individualised training plans.

We offer a positive and safe environment for the dogs while they go through our training programs. We are aiming to be able to have a purpose-built facility, tailored to cover the needs of all dogs and owners. For owners it is a place to learn and begin an exciting, fun, and rewarding pathway to training. We also provide advice and information on de-sexing and nutrition, cover common problems like toileting issues and anxieties all while learning the basics of obedience training.

What started my pathway with A Bark Above off on the right paw was the opportunity to join Misha's Mates as a Behavioural Therapist towards the end of 2019, working with two canine teams with one on one training sessions to assist them to train their dogs to become qualified assistance dogs. Along with working directly with these veterans I also offer my skills and knowledge to other canine teams in our programs that are unable to personally meet each week through distance training.

My interest, knowledge and skills have been developed since my childhood upbringing being involved with regular dog training classes and sessions with my parents. At the age of 19 I rescued a Border Collie to begin training with. She was bought into my family with the sole purpose of being a company on long horse rides while training for endurance. Due to medical problems she was unable to fulfil this role. As a Veterinary Nurse the symptoms were picked up on early and so, we began a more intense approach with our dog obedience classes at the local dog training school, Flying Paws, continuing on from Puppy Classes.

My goal for her from here was to get her highly trained and able to become a qualified Delta Therapy Dog, which she passed at 2 years of age. As a team we were working with and visiting the local Youth Correctional Facility here on the coast but due safety reasons we suspended visitations.

As we progressed through the levels of dog obedience and working as a Veterinary Nurse, my interest in dog training and behaviour grew, along with my skills and Fly progressing well, I began taking the Puppy Classes with Fly as my demo dog. This was a great learning experience and I soon developed the skills to open my own Puppy Pre-School classes at the clinic I work at.

In 2019 I successfully had my Border Collie, Fly in a local high school Production of legally Blonde, playing the role as Rufus. She had to work for me from a distance I was side stage

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

Received: 25 SEP 2020

Application No: .....

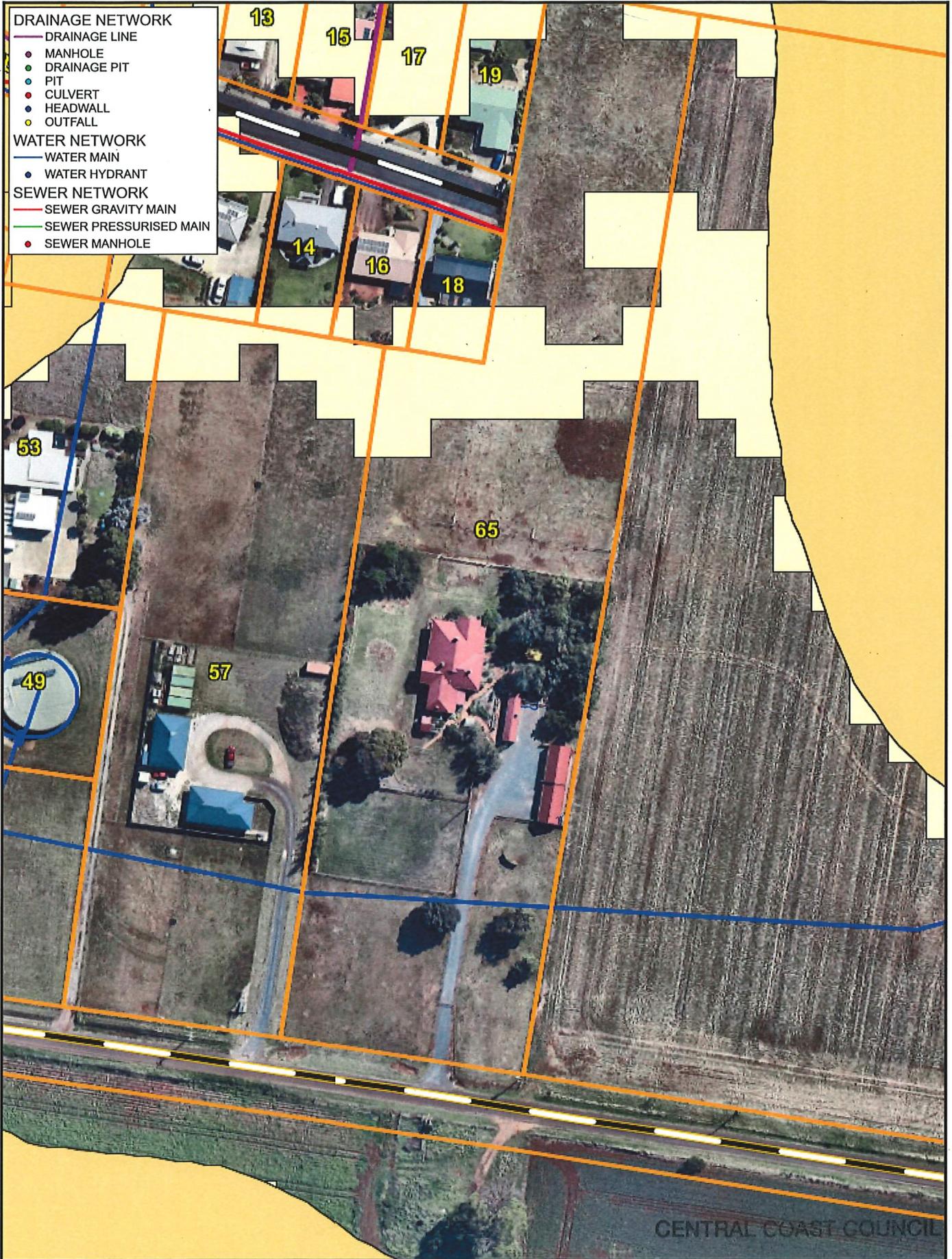
Doc. Id .....

and she was on stage, working solely from hand signals. This was a new learning experience for me as I had never work solely with her on hand signals, there was always verbal commands and positive rewards involved. He role on stage was short but in depth. In this production I also managed my mother's dog, Darcy who played Bruiser. This was also a new and exciting experience as I had to reassure a nervous dog from a distance and ensure her safety and role was fulfilled to the highest level.

Also, in 2019 I was the handler for two dogs, a Labrador and Golden retriever in the Burnie Musical Production of Annie. Both these dogs co-shared the role of "Sandy". On stage for these dogs was definitely a well learned experience as they had to have a high level of impulse control, wait skills and general obedience. Training with these dogs was an everyday occurrence in home environments and attending rehearsals. Furthering my passion, 5671 aimed to open my own purpose built dog training facility.

In both these productions I oversaw the dog's health and welfare and training. It sparked an exciting interest and thrive for new knowledge and determination in Dog training and Behaviour. It was an outstanding experience, which I hope to be able to take part in again.

My passion is about dogs and dog training. I thrive on success and learn from the difficult cases. I aim to have a purpose-built facility and provide a high level of training to my future clients in class situations and one on one sessions.



- DRAINAGE NETWORK**
- DRAINAGE LINE
  - MANHOLE
  - DRAINAGE PIT
  - PIT
  - CULVERT
  - HEADWALL
  - OUTFALL
- WATER NETWORK**
- WATER MAIN
  - WATER HYDRANT
- SEWER NETWORK**
- SEWER GRAVITY MAIN
  - SEWER PRESSURISED MAIN
  - SEWER MANHOLE

50 m

Scale = 1 : 1307.880

  
**CENTRAL COAST COUNCIL**  
 11 King Street  
 Wauchope  
 245 7700  
 Telephone: 02 6328 8200  
 Facsimile: 02 6328 1224  
 info@centralcoast.nsw.gov.au

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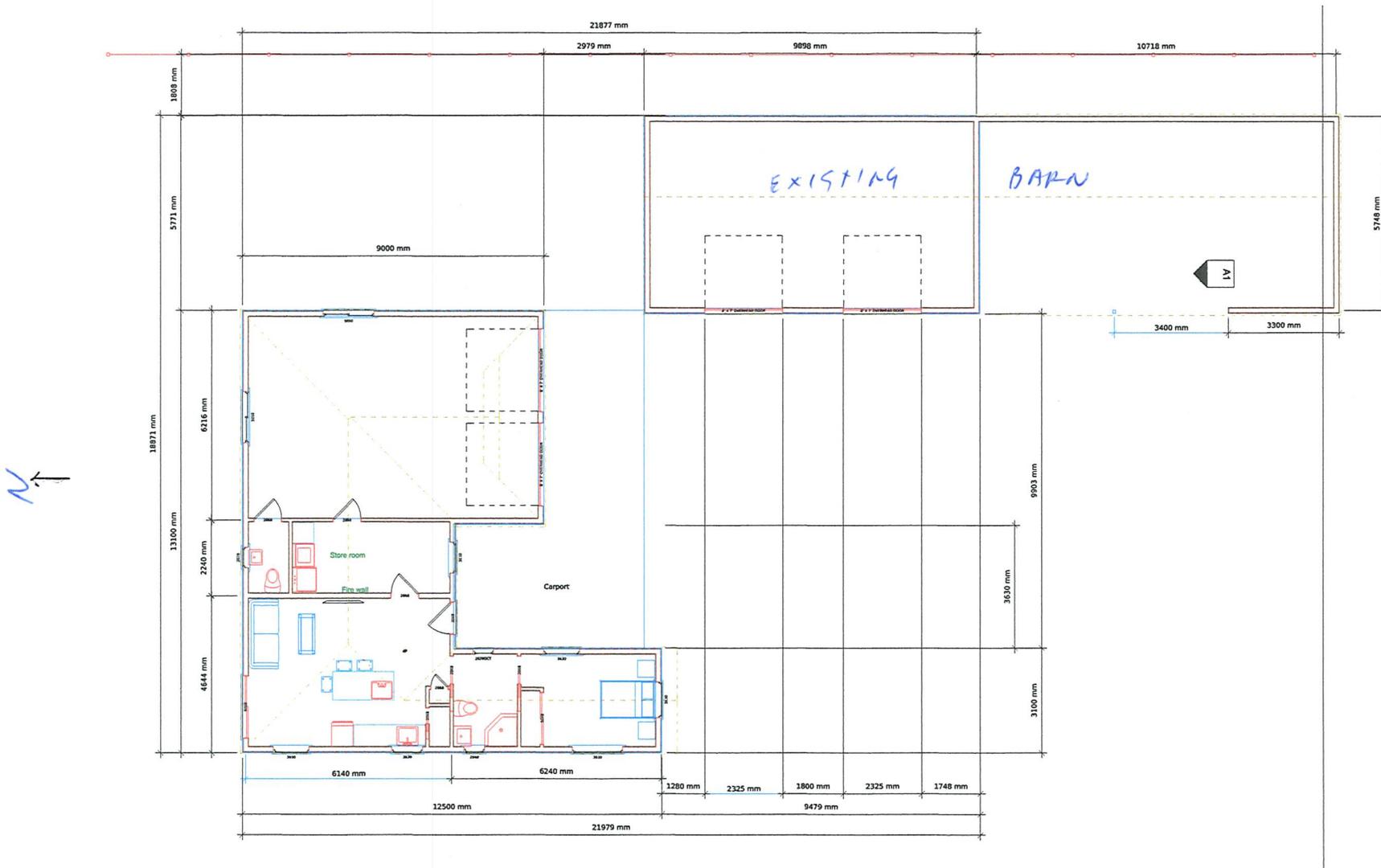
**28-Aug-2020** Received: **25 SEP 2020**

Application No: .....

Doc. Id .....

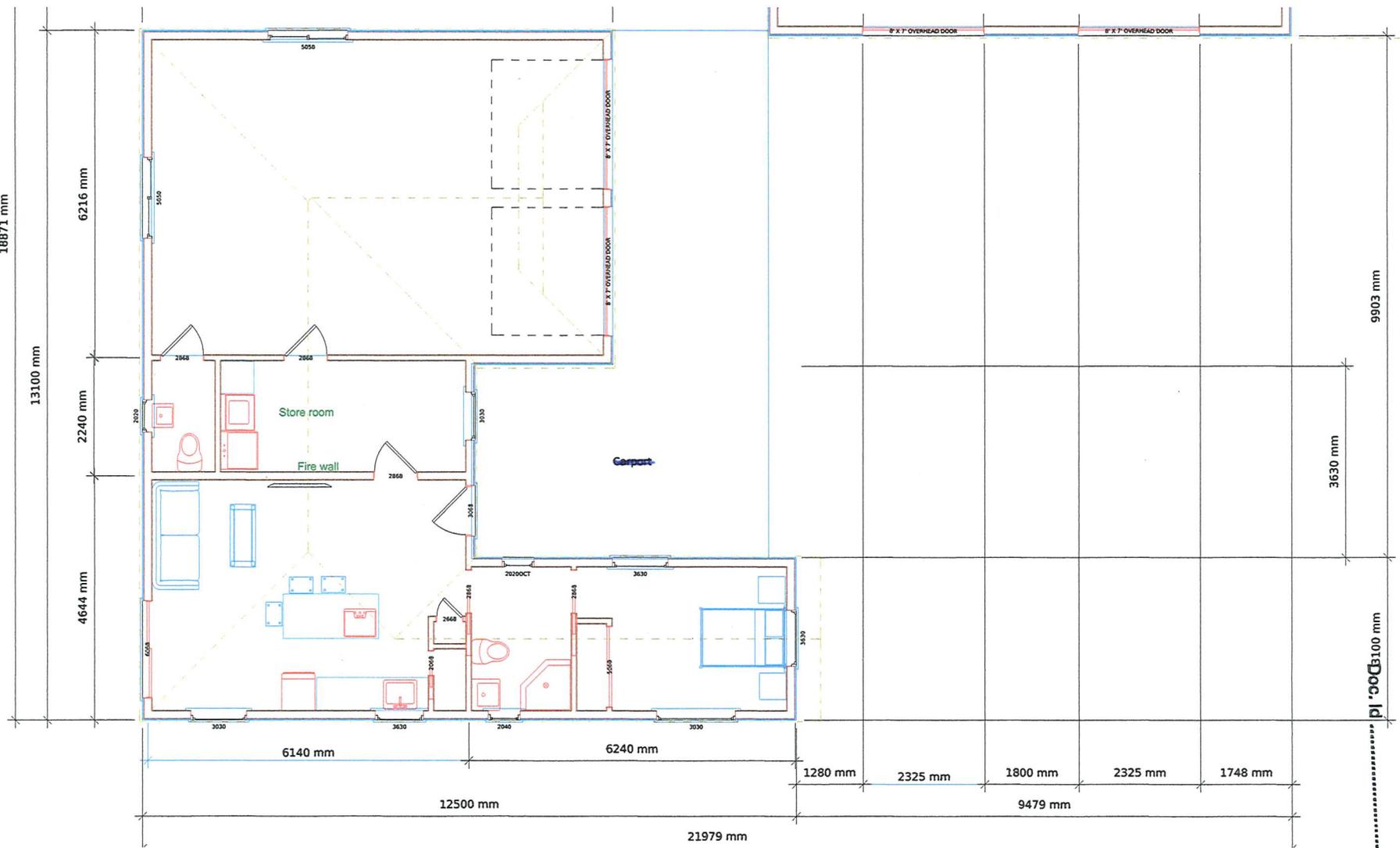
**CENTRAL COAST COUNCIL**  
 DEVELOPMENT & REGULATORY SERVICES

# SITE PLAN



CONVERSION OF EXISTING STORAGE SHED + EXTENSION.  
 ANCILLARY DWELING.  
 OUTBUILDING - DOG TRAINING + STORAGE

**CENTRAL COAST COUNCIL**  
 DEVELOPMENT & REGULATORY SERVICES  
 Received: **20 SEP 2020**  
 Application No: .....  
 Doc. Id: .....



PROPOSED FLOOR PLAN.

- ANCILLARY DWELLING - 47.8m<sup>2</sup>
- OUTBUILDING BUILDING + STORE ROOM - 76m<sup>2</sup>.

mm 0011

mm 0011

mm 0011

Doc. Id

Received: 25 SEP 2020

Application No: .....



SOUTH ELEVATION

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES  
Received: 23 SEP 2020  
Application No: .....  
Doc. Id: .....



WESTERN ELEVATION

Doc. Id .....  
Application No: .....  
Received: 23 SEP 2020

DEVELOPMENT & REGULATORY SERVICES  
CENTRAL COAST COUNCIL

WALL HEIGHT - 2.7M  
APEX HEIGHT - 4M

**Local Government**

**WARATAH WYNYARD COUNCIL**

**APPLICATIONS FOR PLANNING PERMITS**  
 Notice is given that applications have been made for the following discretionary permits: -

No: DA 163/2020  
 Location: 18 Brownriggs Road Wynyard  
 Applicant: M W Redman  
 Zoning: Rural Living  
 Use Class: Residential  
 Proposal: Outbuilding (Carport)  
 Discretionary Matter: Location and configuration of development 13.4.3 (P1, P2)

No: DA 162/2020  
 Location: 37 Irby Boulevard Sisters Beach  
 Applicant: J A & P M Keegan  
 Zoning: Low Density Residential  
 Use Class: Residential  
 Proposal: Dwelling Extension  
 Discretionary Matter: Suitability of a site or lot for use or development 12.4.1 (P1), Dwelling density 12.4.2 (P1)

No: DA 169/2020  
 Location: 28 Banksia Avenue Sisters Beach  
 Applicant: N J Rolls & B J Clayton  
 Zoning: Low Density Residential  
 Use Class: Residential  
 Proposal: Dwelling & Outbuilding  
 Discretionary Matter: Location and configuration of development 12.4.3 (P2)

No: DA 23/2020  
 Location: 66 Old Bass Highway Wynyard  
 Applicant: Micheal Wells (EnviroPlan)  
 Zoning: General Residential  
 Use Class: Residential  
 Proposal: Dwelling Extension & Outbuilding  
 Discretionary Matter: Setbacks and building envelope for all dwellings 10.4.2 (P1, P2, P3), Site coverage and private open space for all dwellings 10.4.3 (P2), Suitability of a site or lot for use or development 10.4.9 (P1, P2)

No: DA 168/2020  
 Location: 25 Irby Boulevard Sisters Beach  
 Applicant: Abel Drafting Services P/L  
 Zoning: Low Density Residential  
 Use Class: Residential  
 Proposal: Dwelling Extension  
 Discretionary Matter: Location and configuration of development 12.4.3 (P2), Visual and acoustic privacy for residential development 12.4.4 (P1), Private open space for residential use 12.4.5 (P1)

No: DA 157/2020  
 Location: 43 Wrags Street Somerset  
 Applicant: H Maguire  
 Zoning: General Business  
 Use Class: Community Meeting & Entertainment  
 Proposal: Community Meeting Rooms (Partial Change of Use)  
 Discretionary Matter: Provision for parking E9.5.1 (P1), Provision for loading and unloading of vehicles E9.5.2 (P1)

No: DA 7/2020  
 Location: 1553 Murchison Highway Yolla  
 Applicant: Abel Drafting Services P/L  
 Zoning: Village  
 Use Class: General Retail & Hire  
 Proposal: Pharmacy (Change of Use from Mechanical Workshop)  
 Discretionary Matter: Suitability of a site or lot for use or development 16.4.1 (P4), Location and configuration of development 16.4.3 (P1, P2, P4, P5), Development Standards E7.6 (P1), Provision for parking E9.5.1 (P1), Provision for loading and unloading of vehicles E9.5.2 (P1), Design of vehicle parking and loading areas E9.6.1 (P1)

No: DA 142/2020  
 Location: 41 Fosters Road Wynyard  
 Applicant: R C Cox  
 Zoning: Rural Living  
 Use Class: Residential  
 Proposal: Dwelling  
 Discretionary Matter: Location and configuration of development 13.4.3 (P3)

The applications and associated plans and documents will be available for inspection during normal office hours for the exhibition period at the Council Office, Saunders Street, Wynyard or viewed on Council website [www.warwyn.tas.gov.au](http://www.warwyn.tas.gov.au). Any person who wishes to make representations in accordance with the *Land Use Planning and Approvals Act 1993*, must do so during the exhibition period. Representations in writing will be received by the undersigned by **Monday 28 October 2020**.

Dated at Wynyard this day, 10 October 2020.  
 Shane Crawford, General Manager  
 PO Box 168, WYNYARD 7325  
 Email: [council@warwyn.tas.gov.au](mailto:council@warwyn.tas.gov.au)  
[www.warwyn.tas.gov.au](http://www.warwyn.tas.gov.au)

**Local Government**

**BURNIE CITY COUNCIL**

**NOTICE OF APPLICATION FOR LAND USE PERMIT**  
 (Section 57(3) Land Use Planning and Approvals Act 1993)

Application for use and development of land has been received:-

Application No: SD 2020/1306  
 Site: 50-52 West Mooreville Road PARK GROVE - CT 173166/3  
 Proposal: Subdivision to create two residential lots  
 Discretionary Matter: Reliant on performance criteria for grant of permit - Clause C7.6.1 (P1.1)

The application may be viewed on the Burnie City Council's website at- <https://www.burnie.net/permits>  
 A hard copy of the full application documents may be requested by telephoning 6430 5839; and on representing the cost of reproduction, provided to the person who requested the copy either by -  
 (a) collection from a place nominated by an officer of the council; or  
 (b) ordinary post to the address nominated  
 Any person may make representation relating to an application in writing addressed to the General Manager, Council, PO Box 973, Burnie 7320 or [burnie@burnie.net](mailto:burnie@burnie.net) by no later than 5.00pm on 26 October 2020.  
 Dated: 10 October 2020

Gary Neil  
**ACTING GENERAL MANAGER**

[www.burnie.net](http://www.burnie.net)

**Local Government**

**DEVONPORT CITY COUNCIL**  
 137 Rooke Street, Devonport TAS 7310  
 Phone: 03 6424 0511  
[www.devonport.tas.gov.au](http://www.devonport.tas.gov.au)

**APPLICATION FOR PLANNING PERMIT**  
 Planning applications have been made for the following proposals:

Application No: PA2020.0123  
 Proposal: Residential (single dwelling and outbuildings)  
 Address: 8 Collins Way, Tugrah

Application No: PA2020.0144  
 Proposal: Residential (5 multiple dwellings)  
 Address: 78 & 80 Parker Street, Devonport

Application No: PA2020.0171  
 Proposal: Residential (ancillary dwelling)  
 Address: 1032 Melrose Road, Melrose

The applications can be viewed at the Council offices or on Council's website. Section 57(5) of the *Land Use Planning and Approvals Act 1993* provides that representations can be made in writing to the undersigned at PO Box 604, Devonport or [council@devonport.tas.gov.au](mailto:council@devonport.tas.gov.au) by close of business on 26 October 2020.  
 Matthew Atkins  
**GENERAL MANAGER**

**Local Government**

**WEST COAST COUNCIL**

**NOTICE OF APPLICATION FOR LAND USE PERMIT**  
 (Section 57(3) Land Use Planning and Approvals Act 1993)

The following application for use and development of land has been received:

Application No: DA 2020/48  
 Site: 16 Lyell Street, Gormanston  
 Proposal: Shed - Passive Recreation Use

The applications and documentation may be viewed at the West Coast Council Offices, 11 Sticht St, Queenstown, during office hours or at [www.westcoast.tas.gov.au](http://www.westcoast.tas.gov.au).

Representations regarding the proposal should be in writing addressed to the General Manager, West Coast Council, PO Box 63, Queenstown 7467 or email addressed to [wcc@westcoast.tas.gov.au](mailto:wcc@westcoast.tas.gov.au) to be received no later than 5.00pm on 26 October 2020.  
 Dated: 10 October 2020  
 David Midson  
**GENERAL MANAGER**

**Local Government**

**CENTRAL COAST COUNCIL**  
 19 King Edward Street, Ulverstone Tasmania 7315  
 Tel. 03 6429 8900  
[www.centralcoast.tas.gov.au](http://www.centralcoast.tas.gov.au)

**APPLICATIONS FOR PLANNING PERMITS**  
*S.57 Land Use Planning and Approvals Act 1993.*

The following applications have been received:

- Location: 47 Sushames Road, Cuprona  
 Proposal: Visitor accommodation - two cabins - discretionary use, ridgeline development, proximity to agricultural land and within a proclaimed irrigation district - re-advertised  
 Application No.: DA2020219
- Location: 9 Jesamel Place, West Ulverstone  
 Proposal: Residential - dwelling and outbuilding - garage - variation to building envelope, location of private open space, orientation of habitable rooms and reliance on E4 Change in Ground Level Code  
 Application No.: DA2020251
- Location: 26 Cluan Crescent, Ulverstone  
 Proposal: Residential - outbuilding - shed - variation to the building envelope and side setback standard  
 Application No.: DA2020285
- Location: 65 Von Bibras Road, Ulverstone  
 Proposal: Residential - ancillary dwelling and Domestic animal breeding, boarding or training - dog training facility - discretionary use and development in Rural Resource zone  
 Application No.: DA2020290

The applications may be inspected at the Administration Centre, 19 King Edward Street, Ulverstone during office hours (Monday to Friday 8.00am to 4.30pm) and on the Council's website. Any person may make representation in relation to the applications [in accordance with s.57(5) of the Act] by writing to the General Manager, Central Coast Council, PO Box 220, Ulverstone 7315 or by email to [admin@centralcoast.tas.gov.au](mailto:admin@centralcoast.tas.gov.au) and quoting the Application No. Any representations received by the Council are classed as public documents and will be made available to the public where applicable under the *Local Government (Meeting Procedures) Regulations 2015*. Representations must be made on or before 26 October 2020.  
 Date of notification: 10 October 2020.  
 SANDRA AYTON  
**General Manager**

**Local Government**

**KENTISH COUNCIL**

**APPLICATIONS FOR PLANNING PERMIT**  
 The following application has been received under Section 57 of the *Land Use Planning & Approvals Act 1993*:

Application No.: DA 2020/77  
 Site: Cooper Place, Lower Barrington (GT15208/1)  
 Proposal: Residential - proposed Dwelling and Outbuilding

The application and associated material will be available for inspection at the Council office during normal office hours or at [www.kentish.tas.gov.au](http://www.kentish.tas.gov.au) for a period of 14 days from the date of publication of this notice. During this time any person may make representation in relation to the proposal by letter addressed to the General Manager or email addressed to [council@kentish.tas.gov.au](mailto:council@kentish.tas.gov.au) by 26<sup>th</sup> October 2020.  
 Dated at Sheffield this 10<sup>th</sup> October 2020.  
 Gerald Monson  
**GENERAL MANAGER**

**Local Government**

**DEVONPORT CITY COUNCIL**  
 137 Rooke Street, Devonport TAS 7310  
 Phone: 03 6424 0511  
[www.devonport.tas.gov.au](http://www.devonport.tas.gov.au)

**NOTICE OF INTENTION TO DISPOSE OF PUBLIC LAND**  
 In accordance with Section 178 of the *Local Government Act 1993*, notice is hereby given that it is Council's intention to dispose of land situated at 116-122 Stony Rise Road, Stony Rise, being 0.6817 hectares of land, and more particularly described in Certificate of Title 20325/7.

A Plan of the land is available for public inspection at the Council Offices, 137 Rooke Street, Devonport during normal business hours or on Council's website.

Objections to the proposed disposal may be made in writing to the General Manager, PO Box 604, Devonport 7310, by 27 October 2020.  
 Dated 10 October 2020.  
 Matthew Atkins  
**GENERAL MANAGER**

**Local Government**

**LATROBE COUNCIL**

**APPLICATIONS FOR PLANNING PERMIT**  
 The following applications have been received under Section 57 of the *Land Use Planning & Approvals Act 1993*:

Application No.: DA 201/2020  
 Address: 13 Bradshaw Street, Latrobe  
 Proposal: Residential - proposed Single Dwelling; proposed Multiple Dwellings (3 units); and associated Subdivision (2 lots)

Application No.: DA 202/2020  
 Address: 4 Gerrand Street, Latrobe  
 Proposal: Residential - proposed Outbuilding

Application No.: DA 203/2020  
 Address: 13 Frederick Street, Hawley Beach  
 Proposal: Residential - proposed Outbuilding  
 The applications and associated materials will be available for inspection at the Council office during normal office hours or at [www.latrobe.tas.gov.au](http://www.latrobe.tas.gov.au) for a period of 14 days from the date of publication of this notice. In accordance with Section 57(5) of the *Land Use Planning & Approvals Act 1993* any person may make representation in relation to the proposals by letter addressed to the General Manager or email addressed to [council@latrobe.tas.gov.au](mailto:council@latrobe.tas.gov.au) by 26th October 2020.  
 Dated at Latrobe this 10th October 2020  
 Gerald Monson  
**GENERAL MANAGER**

**Local Government**

**BURNIE CITY COUNCIL**

**EXPRESSION OF INTEREST - WORKING GROUP FOR VIEW ROAD RESERVE MULTIPURPOSE COMMUNITY FACILITY**  
 Burnie City Council seeks expressions of interest from residents of Burnie to participate on a working group, for the review and development of a multi-purpose community facility at View Road Reserve.  
 The working group will work with Burnie City councillors and staff to assist Council to develop a long term strategic plan for the recreational areas at View Road Reserve, including the exploration of the relocation of the skate park to the View Road Reserve, and make recommendations for Council to explore in more detail.  
 Ideally, the community working group will be made up of, but not limited to, local residents, representatives from the cycling community (mountain biking, BMX and recreational cyclists), walkers, skaters (and scooter users), users of the dog park facilities and frisbee/disc golf course, and Council representatives.  
 If you believe you have skills or experience to assist in the development of this significant community project, please submit your Expression of Interest to Allison Daley at [adaley@burnie.net](mailto:adaley@burnie.net), together with a short precis on your interest and/or skills and/or experience. Council will select individuals best representing each interest to sit on a working group together with Council representatives.  
 Expressions of Interest close 4pm on Friday, 6 November 2020.  
 Dated: 10 October 2020  
 Gary Neil  
**ACTING GENERAL MANAGER**

**Local Government**

**DEVONPORT CITY COUNCIL**  
 137 Rooke Street, Devonport TAS 7310  
 Phone: 03 6424 0511  
[www.devonport.tas.gov.au](http://www.devonport.tas.gov.au)

**TEMPORARY CLOSURE OF PUBLIC STREET ROOKE LANE - 18-21 OCTOBER 2020**  
 The following closure will apply for the conduct of the Natural gas mains extension from 8.00am 18 October 2020 to 4.00pm 21 October 2020:

- Rooke Lane ( Best Street and Edward Street Carpark).

It would be appreciated if this closure could be noted.  
 Matthew Atkins  
**GENERAL MANAGER**

No time to phone? SUBMIT YOUR CLASSIFIED ONLINE! [advertisers.com.au](http://advertisers.com.au)

# Annexure 3

**Kellie Malone**

---

**From:** Eliza Frey <elrene1111@gmail.com>  
**Sent:** Sunday, 25 October 2020 5:33 PM  
**To:** Admin  
**Subject:** Attn: General Manager, Application No. DA2020290

Dear Ms Ayton,

ref: APPLICATION FOR PLANNING PERMIT UNDER S.57 LAND USE PLANNING AND APPROVALS ACT 1993  
65 VON BIBRAS ROAD,ULVERSTONE

Thank you for your invitation to consider this application.

I have my concerns that the consequential noise levels could bring down the value of properties in this area.

The barking of dogs is well noted to be irritating and could be a point of contention.

The sorts of activities described (ie: domestic animal breeding, boarding or dog training) should not be permitted this close to residential dwellings. We have a quiet neighbourhood and I believe that should be maintained.

Yours faithfully,

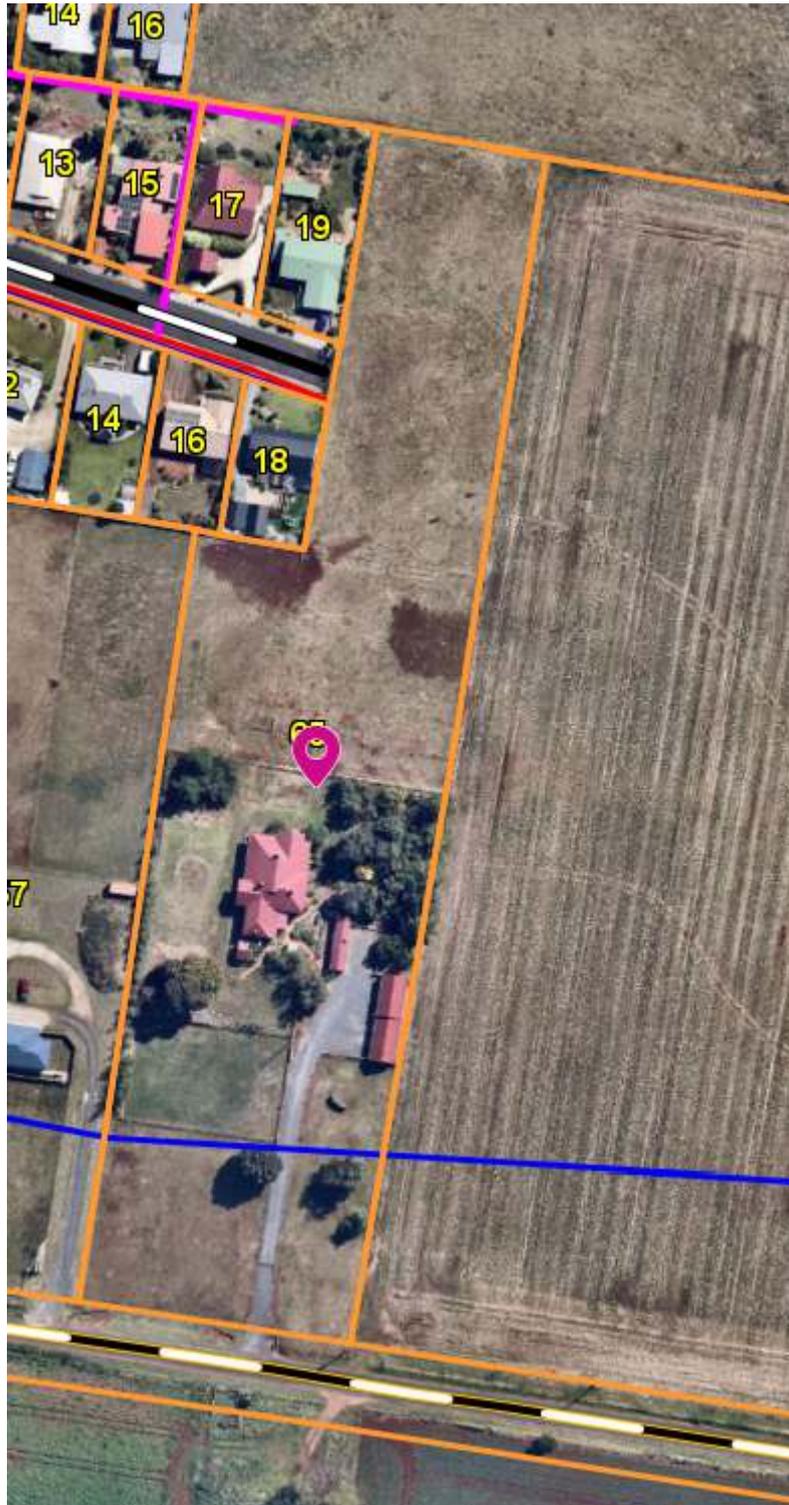
Eliza Frey

18 Dudley Crescent  
ULVERSTONE TAS 7315

M: 0403 716 932

E: [elrene1111@gmail.com](mailto:elrene1111@gmail.com)

# Annexure 4



65 Von Bibras Road, Ulverstone

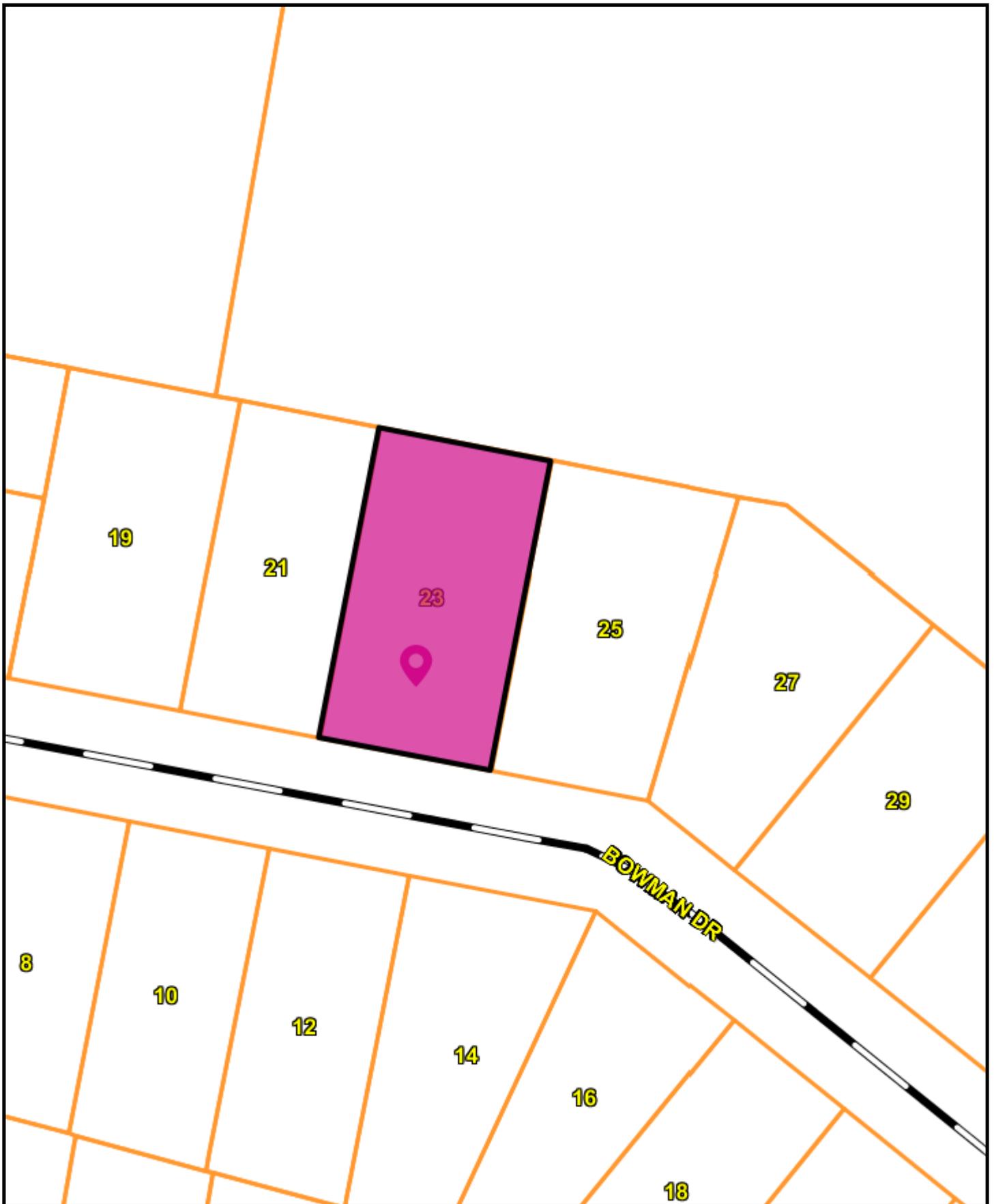


Outbuilding (on the left) to be converted and expanded to be ancillary dwelling and adjoining dog training facility storeroom and indoor training floor area.



Views from the frontage of 65 Von Bibras Road towards Gawler.

# Annexure 1



20 m



CENTRAL COAST  
COUNCIL

Central Coast Council  
19 King Edward St  
Ulverston  
TAS 7315  
Telephone: 03 6429 8800  
Facsimile: 03 6425 1224  
admin@centralcoast.tas.gov.au

#### Important

This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1984 (GDA84), which has superseded the Australian Geographic Datum of 1984 (AGD66/84). Heights are referenced to the Australia Height Datum (AHD). For most practical purposes GDA84 coordinates, and satellite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WGS84), are the same.

#### Disclaimer

**This map is not a precise survey document**  
All care is taken in the preparation of this plan; however, Central Coast Council accepts no responsibility for any misprints, errors, omissions or inaccuracies. The information contained within this plan is for pictorial representation only. Do not scale. Accurate measurement should be undertaken by survey.  
© The List 2020.  
© Central Coast Council 2020.

Scale = 1 :  
653.940

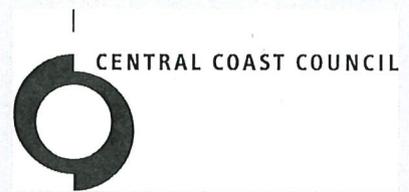


15-Oct-2020

**23 BOWMAN DRIVE,  
PENGUIN  
DA2020287**

# Annexure 2

CENTRAL COAST COUNCIL  
PO Box 220  
19 King Edward Street  
ULVERSTONE TASMANIA 7315  
Ph: (03) 6429 8900  
Email: [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au)  
www: [centralcoast.tas.gov.au](http://centralcoast.tas.gov.au)



**Land Use Planning and Approvals Act 1993**  
**Central Coast Interim Planning Scheme 2013**  
**PLANNING PERMIT APPLICATION**

*Office Use Only*

Application No \_\_\_\_\_

Date Received \_\_\_\_\_

Zone \_\_\_\_\_

Fee \$ \_\_\_\_\_

Permitted

Discretionary

NPR

**Use or Development Site:**

Site Address

Certificate of  
Title Reference

CT: 173886/12

Land Area

Heritage Listed Property

NO



**Applicant/s**

First Name

Middle  
Name

Surname or  
Company name

PLA Designs Pty Ltd

Mobile

0407 532 435

Postal Address:

PO Box 428

Phone No:

Somerset TAS

7322

Email address:

[paul@pladesign.com.au](mailto:paul@pladesign.com.au)

Please tick box to receive correspondence and any relevant information regarding your application via email.

**Owner** (Note – if more than one owner, all names must be indicated)

First  
Name

Evan and Cheryl

Middle  
Name

Surname

Stewart

Phone No

Postal Address:

595a Natone Road

Natone

7321

**PERMIT APPLICATION INFORMATION** (If insufficient space for proposed use and development, please attach separate documents)

"USE" is the purpose or manner for which land is utilised.

Proposed Use

Use Class *Office use only*

"Development" is the works required to facilitate the proposed use of the land, including the construction or alteration or demolition of buildings and structures, signs, any change in ground level and the clearing of vegetation.

**Proposed Development** (please submit all documentation in PDF format to [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au) separating A4 documents & forms from A3 documents).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Value of the development** – (to include all works on site such as outbuildings, sealed driveways and fencing)

\$400,000 Estimate/ Actual

Total floor area of the development .....310.....m<sup>2</sup>

**Notification of Landowner**

**If land is NOT in the applicant's ownership**

I, Paul Allen, declare that the owner/each of the owners of the land has been notified of the intention to make this permit application.

Signature of Applicant *Paul Allen*

Date 24 September 2020

**If the application involves land within a Strata Corporation**

I, , declare that the owner/each of the owners of the body corporation has been notified of the intention to make this permit application.

Signature of Applicant

Date

**If the application involves land owned or administered by the CENTRAL COAST COUNCIL**

Central Coast Council consents to the making of this permit application.

General Managers Signature \_\_\_\_\_ Date \_\_\_\_\_

**If the permit application involves land owned or administered by the CROWN**

I, \_\_\_\_\_ the Minister  
responsible for the land, consent to the making of this permit application.

Minister (Signature) \_\_\_\_\_ Date \_\_\_\_\_

*NB: If the site includes land owned or administered by the Central Coast Council or by a State government agency, the consent in writing (a letter) from the Council or the Minister responsible for Crown land must be provided at the time of making the application - and this application form must be signed by the Council or the Minister responsible.*

**Applicants Declaration**

I/ we Paul Allen  
declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

Signature of Applicant/s Paul Allen Date 24 September 2020

<b>Office Use Only</b>	
Planning Permit Fee	\$ .....
Public Notice Fee	\$ .....
Permit Amendment / Extension Fee	\$ .....
No Permit Required Assessment Fee	\$ .....
<b>TOTAL</b>	<b>\$ .....</b>
Validity Date	

SEARCH OF TORRENS TITLE

VOLUME 173886	FOLIO 12
EDITION 2	DATE OF ISSUE 13-Dec-2017

SEARCH DATE : 24-Sep-2020

SEARCH TIME : 09.10 AM

DESCRIPTION OF LAND

Town of PENGUIN

Lot 12 on Sealed Plan 173886

Derivation : Part of Lot 2524, 100 Acres, James Hales, Pur.

Prior CT 173648/101

SCHEDULE 1

M663325 TRANSFER to RUSSELL CHARLES CATTS Registered  
13-Dec-2017 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP173886 EASEMENTS in Schedule of Easements

SP173886 COVENANTS in Schedule of Easements

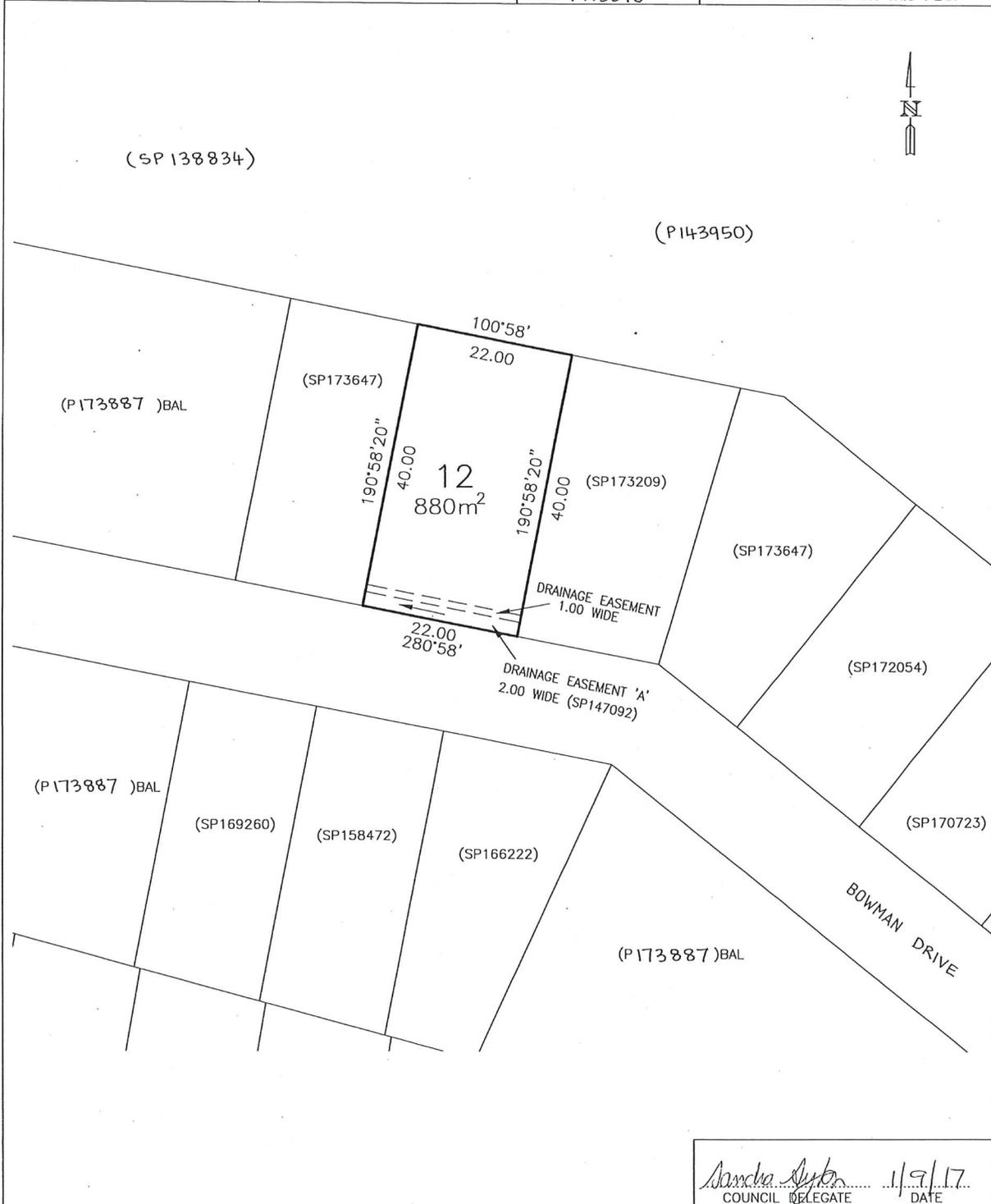
SP173886 FENCING PROVISION in Schedule of Easements

E117186 MORTGAGE to Australia and New Zealand Banking Group  
Limited Registered 13-Dec-2017 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

M849202 PRIORITY NOTICE reserving priority for 60 days  
D/MORTGAGE AUSTRALIA AND NEW ZEALAND BANKING GROUP  
LIMITED TO RUSSELL CHARLES CATTS  
TRANSFER RUSSELL CHARLES CATTS TO CHERYL JANE STEWART  
AND EVAN DAVID STEWART Lodged by G WOODHOUSE  
CONVEYAN on 22-Sep-2020 BP: M849202

OWNER AUSTRALASIAN CONFERENCE ASSOCIATION LTD		<p><b>PLAN OF SURVEY</b></p> <p>BY SURVEYOR MR J.R.J. LEGG LESTER FRANKS SURVEY &amp; GEOGRAPHIC PTY LTD</p> <p>LOCATION <b>TOWN OF PENGUIN</b></p> <p>SCALE 1:500 LENGTHS IN METRES</p>	REGISTERED NUMBER <b>SP173886</b>
FOLIO REFERENCE FR.173648/101			APPROVED EFFECTIVE FROM 11 SEP 2017 <i>Alice Kawa</i> Recorder of Titles
GRANTEE PART OF LOT 2524, 100A-OR-OP JAMES HALES, PUR		LAST UPI No.	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN
MAPSHEET MUNICIPAL CODE No. 104 (4244-21)		LAST PLAN No. P173648	



*Nancho Ayto* 1/9/17  
COUNCIL DELEGATE DATE

<b>SCHEDULE OF EASEMENTS</b>	Registered Number
<b>NOTE:</b> THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 173886

PAGE 1 OF 4 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

EASEMENTS

Lot 12 on the Plan is together with a Right of Drainage over the "Drainage Easement 'A' 2.00 wide" shown passing through Lot 11 on SP173647, Lot 101 on SP 173648, Lots 5 and 6 on SP 173189 and Lot 7 on SP 163620.

Lot 12 on the Plan is subject to a Right of Drainage (appurtenant to Lot 13 on SP 173209, Lot 14 on SP173647, Lot 15 on SP 172054, Lot 16 on SP170723, Lot 17 on SP 152661, Lot 18 on SP 158472, Lot 19 on SP151856, Lot 20 on SP149054, Lot 22 on SP153177, Lot 23 on SP173647 and the balance) over the "Drainage Easement 'A' 2.00 wide (SP147092)" shown on the Plan.

Lot 12, on the Plan is subject to to a Pipeline and Services Easement in gross as defined below in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the land marked "Drainage Easement 'A' 2.00 wide (SP147092)" and the land marked "Drainage Easement 1.00 wide" on the Plan ("the Easement Land").

COVENANTS

1. The owner of each lot on the Plan covenants with the Vendor Australasian Conference Association Ltd and the owners for the time being of every other lot shown on the Plan and the balance to the intent that the burden of this covenant may run with and bind the covenantor's lot and each and every part thereof and that benefit shall be annexed to and devolve with each and every part of every other lot shown on the Plan and the balance to observe the following stipulations, namely:

- A. Not to erect or maintain or permit to be erected or maintained on a lot:
  - (a) any building other than a single private dwelling and outbuildings usually appurtenant thereto;

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Australasian Conference Association Ltd FOLIO REF: 173648/101 SOLICITOR Walsh Day James Mihal & REFERENCE: E. James 170425	PLAN SEALED BY: CENTRAL COAST COUNCIL DATE: 11/9/17 SUB 2003-20 <i>Nancho Ayler</i> REF NO. Council Delegate
<p><b>NOTE:</b> The Council Delegate must sign the Certificate for the purposes of identification.</p>	

AVM:#AUSTR\_C1\_170425\_1.DOC

<p><b>ANNEXURE TO SCHEDULE OF EASEMENTS</b></p> <p>PAGE 2 OF 4 PAGES</p>	<p>Registered Number</p> <p><b>SP 173886</b></p>
<p>SUBDIVIDER: Australasian Conference Association Ltd FOLIO REFERENCE: 173648/101</p>	

- (b) a relocated existing building, any kit home or a dutch or similar type barn or other portable or easily removable building;
- (c) a building consisting principally of second hand materials other than cleaned and washed bricks;
- (d) a dwelling externally finished using galvanised iron, colourbond or similar material;
- (e) an outbuilding externally finished using galvanised iron or similar material;
- (f) a building using galvanised iron or similar material as roof cladding;
- (g) any fence of any type constructed within 5 metres of any road shown on the plan.

This provision does not prohibit:

- a fence on a boundary which is an external boundary between land shown on the plan and adjoining land not included in the plan, or
- a fence on a boundary which is a boundary with Lot 77;
- the erection of a retaining wall for the purpose of maintaining the natural level of such lot.

- B. Not to construct, create, grant, give, exercise or permit any right of way or any other form of access from those lots to any adjoining property.

BUT nothing above contained or implied will prevent the subdividers from:

- (a) selling any lot free or exempt from one or more of the restrictive covenants and stipulations contained in the above Covenants; and
- (b) modifying, waiving or releasing or allowing any departure from any of the restrictive covenants and stipulations contained in the above Covenants in relation to any lot or portion of any lot.

**NO OTHER** easements, covenants or profits a prendre are hereby created to benefit or burden the lots on the Plan.

**FENCING PROVISION**

In respect of each lot on the plan the Vendors Australasian Conference Association Ltd shall not be required to fence.

**INTERPRETATION**

1. The "subdividers" means Australasian Conference Association Ltd.
2. The balance means the balance of land comprised in Folio of the Register Volume 173648 Folio 101 at the date of acceptance hereof after excepting thereout Lot 12 on the Plan.
3. The Pipeline and Services Easement is defined as follows:-  
THE FULL RIGHT AND LIBERTY for the TasWater at all times to:

**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

AVM:#AUSTR\_C1\_170425\_1.DOC

<p><b>ANNEXURE TO SCHEDULE OF EASEMENTS</b></p> <p>PAGE 3 OF 4 PAGES</p>	<p>Registered Number</p> <p><b>SP 173886</b></p>
<p>SUBDIVIDER: Australasian Conference Association Ltd FOLIO REFERENCE: 173648/101</p>	

- (1) enter and remain upon the Easement Land with or without employees, contractors, agents and all other persons duly authorised by it and with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse and repair the Infrastructure;
- (4) remove and replace the Infrastructure;
- (5) run and pass sewage, water and electricity through and along the Infrastructure;
- (6) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
  - (1) without doing unnecessary damage to the Easement Land; and
  - (2) leaving the Easement Land in a clean and tidy condition; and
- (7) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and all other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any then existing vehicle entry and cross the Lot to the Easement Land; and
- (8) use the Easement Land as a Right of Carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot.

**PROVIDED ALWAYS THAT:**

- (1) The registered proprietors of the Lot in the Folio of the Register ("the Owner") must not without the written consent of TasWater first had and obtained (which cannot be unreasonably refused) and only in compliance with any conditions which form the consent:
  - (a) alter, excavate, plough, drill or otherwise penetrate the ground level of the Easement Land;
  - (b) install, erect or plant any building, structure, fence, pit, well, footing, pipeline, paving, tree, shrub or other object on or in the Easement Land;
  - (c) remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land;
  - (d) do any thing which will or might damage or contribute to damage to any of the Infrastructure on or in the Easement Land;
  - (e) in any way prevent or interfere with the proper exercise and benefit of the Easement Land by TasWater or its employees, contractors, agents and all other persons duly authorised by it; or
  - (f) permit or allow any action which the Owner must not do or acquiesce in that action.
- (2) TasWater is not required to fence any part of the Easement Land.
- (3) The Owner may erect a fence across the Easement Land at the boundaries of the Lot.
- (4) The Owner may erect a gate across any part of the Easement Land subject to these conditions:

**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

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<p><b>ANNEXURE TO SCHEDULE OF EASEMENTS</b></p> <p>PAGE 4 OF 4 PAGES</p>	<p>Registered Number</p> <p><b>SP 173886</b></p>
<p>SUBDIVIDER: Australasian Conference Association Ltd FOLIO REFERENCE: 173648/101</p>	

- (a) the Owner must provide TasWater with a key to any lock which would prevent the opening of the gate; and
  - (b) if the Owner does not provide TasWater with that key or the key provided does not fit the lock, TasWater may cut the lock from the gate.
  - (5) If the Owner causes damage to any of the Infrastructure, the Owner is liable for the actual cost to TasWater of the repair of the Infrastructure damaged.
  - (6) If the Owner fails to comply with any of the preceding conditions, without forfeiting any right of action, damages or otherwise against the Owner, TasWater may:
    - (a) reinstate the ground level of the Easement Land; or
    - (b) remove from the Easement Land any building, structure, pit, well, footing, pipeline, paving, tree, shrub or other object; or
    - (c) replace any thing that supported, protected or covered the Infrastructure.
4. "Infrastructure" means infrastructure owned or for which TasWater is responsible and includes but is not limited to:
- (a) sewer pipes and water pipes and associated valves;
  - (b) telemetry and monitoring devices;
  - (c) inspection and access pits;
  - (d) power poles and lines, electrical wires, electrical cables and other conducting media (excluding telemetry and monitoring devices);
  - (e) markers or signs indicating the location of the Easement Land, the Infrastructure or any warnings or restrictions with respect to the Easement Land or the Infrastructure;
  - (f) any thing reasonably required to support, protect or cover any of the Infrastructure;
  - (g) any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water, or the running of electricity, through the Easement Land or monitoring or managing that activity; and
  - (h) where the context permits, any part of the Infrastructure.

The Common Seal of AUSTRALASIAN )  
 CONFERENCE ASSOCIATION LTD )  
 Being the registered proprietor of )  
 Folio of the Register Volume 173648 )  
 Folio 101 was affixed in the presence of: )

Director *John Stirling*  
 Secretary *Jan Ernst Henus*



**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

AVM:#AUSTR\_C1\_170425\_1.DOC

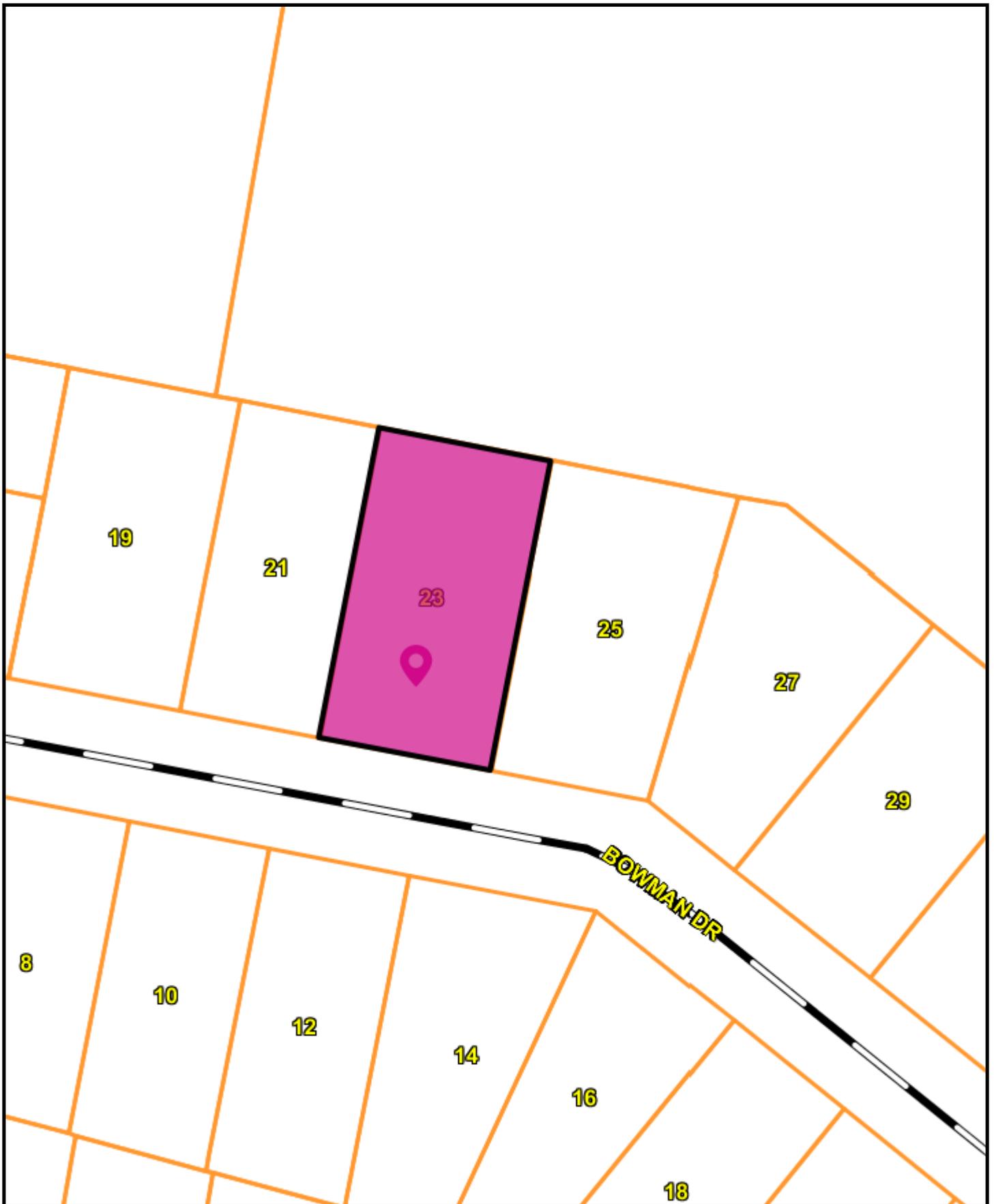
UNREGISTERED DEALINGS REPORT

SEARCH DATE : 24-Sep-2020

SEARCH TIME : 09:11 am

CT: 173886/12

M849202 PRIORITY NOTICE reserving priority for 60 days  
D/MORTGAGE AUSTRALIA AND NEW ZEALAND BANKING GROUP  
LIMITED TO RUSSELL CHARLES CATTS  
TRANSFER RUSSELL CHARLES CATTS TO CHERYL JANE STEWART  
AND EVAN DAVID STEWART Lodged by G WOODHOUSE  
CONVEYAN on 22-Sep-2020 BP: M849202



20 m



CENTRAL COAST  
COUNCIL

Scale = 1 :  
653.940



Central Coast Council  
19 King Edward St  
Ulverston  
TAS 7315  
Telephone: 03 6429 8800  
Facsimile: 03 6425 1224  
admin@centralcoast.tas.gov.au

15-Oct-2020

**Important**

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© Central Coast Council 2020.

**23 BOWMAN DRIVE,  
PENGUIN  
DA2020287**

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# Development Application

---

**Use Class:** Residential

**Development:** Single Dwelling and Shed

---

**Location:** 23 Bowman Drive, Penguin

---

**Project No:** 20132-P

---



**AUTHOR DETAILS:**

Reporting Planner: Jayne Newman  
Date: 13 October 2020 - Amended

**PROPERTY DETAILS:**

Location: 23 Bowman Drive, Penguin  
Proposal: Single Dwelling and Shed  
Use Class: Residential  
Zoning: General Residential  
Title Reference: CT: 173886/12  
PID: 3535860



Figure 1 – Source: Listmap

## 1. Executive Summary

*This report together with the attached development plans and additional supporting reports have been prepared to provide demonstration against the relative clauses detailed within the Central Coast Interim Planning Scheme 2013. The proposal is for a single dwelling and shed located within the General Residential zone. A residential use is a 'no permit required' use within the use table. The application invokes discretion relative to development standards, which has been addressed within this report.*

## 2. Background

*The proposal is located on an 850m<sup>2</sup> lot, situated at 23 Bowman Drive, Penguin. The site is currently vacant adjoining vacant lots to the east and west also located within the General Residential zone and Bowman Drive to the south. Land to the north is a large vacant lot which is within the Environmental Living zone.*

## 3. Proposal

*Application is made for a single dwelling consisting of three bedrooms, a double garage with laundry, bathroom and open plan kitchen, dining and lounge room which opens out onto a northern facing alfresco. The dwelling is single storey and will be clad with rendered master wall exterior with colorbond roofing. The dwelling is sited 6 metres from the frontage and 1.5 metres from the western boundary having a total height of 4.7 metres.*

*Also included in the application is a 9.5m x 7m shed sited on the north/eastern corner of the lot. The shed will be clad in colorbond with a total height of 4.95 metres.*

## Development Standards

### 10.4.1 Residential density for multiple dwellings

To provide for suburban densities for multiple dwellings that:

- (a) make efficient use of suburban land for housing; and
- (b) optimise the use of infrastructure and community services.

A1	P1
<p>Multiple dwellings must have a site area per dwelling of not less than:</p> <ul style="list-style-type: none"> <li>(a) 325m<sup>2</sup>; or</li> <li>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.</li> </ul>	<p>Multiple dwellings must only have a site area per dwelling that is less than 325 m<sup>2</sup>, or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the density of the surrounding area; or</li> <li>(b) provides for a significant social or community housing benefit and is in accordance with at least one of the following:                             <ul style="list-style-type: none"> <li>(i) the site is wholly or partially within 400 m walking distance of a public transport stop;</li> <li>(ii) the site is wholly or partially within 400 m walking distance of a business, commercial, urban mixed use, village or inner residential zone.</li> </ul> </li> </ul>

**COMMENT:** *Not applicable.*

*The proposal relates to a single dwelling development.*

## 10.4.2 Setbacks and building envelope for all dwellings

To control the siting and scale of dwellings to:

- (a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and
- (b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and
- (c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and
- (d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.

A1	P1
<p>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</li> <li>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</li> <li>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</li> <li>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</li> </ul>	<p>A dwelling must:</p> <ul style="list-style-type: none"> <li>(a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and</li> <li>(b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.</li> </ul>

**COMMENT:**

*The proposal provides a frontage setback of 6 metres, compliant with A1 (a).*

A2	P2
<p>A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> <li>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or</li> <li>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</li> </ul>	<p>A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.</p>

**COMMENT:**

*The proposed attached garage is located 6 metres from Bowman Drive, achieving compliance with A2(a).*

A3	P3
<p>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and</li> </ul> <p>(b) only have a setback within 1.5 m of a side boundary if the dwelling:</p> <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</li> <li>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</li> </ul>	<p><b>The siting and scale of a dwelling must:</b></p> <p>(a) <b>not cause unreasonable loss of amenity by:</b></p> <ul style="list-style-type: none"> <li>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</li> <li>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</li> <li>(iii) <b>overshadowing of an adjoining vacant lot; or</b></li> <li>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</li> </ul> <p>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p>

**COMMENT:**

*The shed is sited within the rear boundary setback; therefore, the application is reliant on the performance criteria. As the shed is sited on the north/eastern corner, the majority of the shading will be contained to the development site with no shading occurring on land adjoining the rear boundary.*

*Although the application is compliant with the side boundary setback, it must also be considered as it is within the same clause. The overshadowing that occurs to the vacant lot adjoining the eastern boundary is shown to occur between 1pm and 4pm. This allows the adjoining lot to develop taking into consideration existing shading while still achieving full sunlight for 4 hours. It is also noted that increasing the rear setback will create a greater area of shading where a future dwelling is likely to be located. The application is considered to achieve compliance with the performance criteria and relative objectives (c) and (d).*

<b>Table 10.4.2</b>	
Road	Setback (m)
Bass Highway	50

### 10.4.3 Site coverage and private open space for all dwellings

To provide:

- (a) for outdoor recreation and the operational needs of the residents; and
- (b) opportunities for the planting of gardens and landscaping; and
- (c) private open space that is integrated with the living areas of the dwelling; and
- (d) private open space that has access to sunlight.

A1	P1
<p><b>Dwellings must have:</b></p> <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(c) a site area of which at least 25% of the site area is free from impervious surfaces</li> </ul>	<p><b>Dwellings must have:</b></p> <ul style="list-style-type: none"> <li>(a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate:                             <ul style="list-style-type: none"> <li>(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and</li> <li>(ii) operational needs, such as clothes drying and storage; and</li> </ul> </li> <li>(b) reasonable space for the planting of gardens and landscaping.</li> </ul>

**COMMENT:**

Site coverage is calculated at 36.5%, ensuring that more than 25% of the site remains free from impervious surfaces, compliant with A1.

A2	P2
<p><b>A dwelling must have an area of private open space that:</b></p> <ul style="list-style-type: none"> <li>(a) is in one location and is at least:                             <ul style="list-style-type: none"> <li>(i) 24 m<sup>2</sup>; or</li> <li>(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> </li> <li>(b) has a minimum horizontal dimension of:                             <ul style="list-style-type: none"> <li>(i) 4 m; or</li> <li>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> </li> <li>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</li> <li>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</li> <li>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</li> <li>(f) has a gradient not steeper than 1 in 10; and</li> <li>(g) is not used for vehicle access or parking.</li> </ul>	<p><b>A dwelling must have private open space that:</b></p> <ul style="list-style-type: none"> <li>(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:                             <ul style="list-style-type: none"> <li>(i) conveniently located in relation to a living area of the dwelling; and</li> <li>(ii) orientated to take advantage of sunlight.</li> </ul> </li> </ul>

**COMMENT:**

Private open space is located directly north of the dwelling accessible from the open plan lounge room. The site plan provided depict compliance with A2.

## 10.4.4 Sunlight and overshadowing for all dwellings

To provide:

- (a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and
- (b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.

<b>A1</b>	<b>P1</b>
A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).

**COMMENT:**

*The dwelling has northern facing windows located within 30° east of north compliant with A1.*

<b>A2</b>	<b>P2</b>
<p>A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> <li>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the window; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> </li> <li>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</li> <li>(c) That part, of a multiple dwelling, consisting of: <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul> </li> </ul>	<p>A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing a window of a habitable room (other than a bedroom), of another dwelling on the same site, that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>

**COMMENT:** *Not applicable.*

*The proposal relates to a single dwelling development.*

<b>A3</b>	<b>P3</b>
<p>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul>	<p>A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3.</p>
<p><b>COMMENT:</b> <i>Not applicable.</i>  <i>The proposal relates to a single dwelling development.</i></p>	

### 10.4.5 Width of openings for garages and carports for all dwellings

To reduce the potential for garage or carport openings to dominate the primary frontage.

<b>A1</b>	<b>P1</b>
<p>A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).</p>	<p>A garage or carport must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.</p>
<p><b>COMMENT:</b>  <i>The attached garage has an opening of 5.5 metres, compliant with A1.</i></p>	

## 10.4.6 Privacy for all dwellings

To provide reasonable opportunity for privacy for dwellings.

A1	P1
<p>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>	<p>A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1 m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <p>(a) a dwelling on an adjoining lot or its private open space; or</p> <p>(b) another dwelling on the same site or its private open space; or</p> <p>(c) an adjoining vacant residential lot.</p>

**COMMENT:** *Not applicable.*

*The proposal does not have a floor level exceeding 1 metre above natural ground level.*

A2	P2
<p>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <p>(i) is to have a setback of at least 3 m from a side boundary; and</p> <p>(ii) is to have a setback of at least 4 m from a rear boundary; and</p> <p>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.</p> <p>(b) The window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</p> <p>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</p>	<p>A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1 m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <p>(a) window or glazed door, to a habitable room of another dwelling; and</p> <p>(b) the private open space of another dwelling; and</p> <p>(c) an adjoining vacant residential lot.</p>

**COMMENT:** *Not applicable.*

*The proposal does not have a floor level exceeding 1 metre above natural ground level.*

<p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of at least 1.7 m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</p>	<p><b>P3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>
<p><b>COMMENT:</b> <i>Not applicable.</i>  <i>The proposal relates to a single dwelling development.</i></p>	

<h3>10.4.7 Frontage fences</h3>	
<p><b>A frontage fence is to –</b></p> <p>(a) assist privacy and security for occupants of a dwelling;</p> <p>(b) assist to attenuate likely impact from activity on a road, on the site, or on adjacent land;</p>	
<p><b>A1</b></p> <p>The height of a fence, including any supporting retaining wall, on a frontage or within a frontage setback must be –</p> <p>(a) not more than 1.2m if the fence is solid; or</p> <p>(b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide not less than a uniform 50% transparency.</p>	<p><b>P1</b></p> <p>The height of a fence on a frontage or within a frontage setback must be reasonably required for security and privacy of the site</p>
<p><b>Comment:</b> <i>Not applicable.</i>  <i>The proposal does not involve any frontage fences.</i></p>	

<h3>10.4.8 Waste storage for multiple dwellings</h3>	
<p><b>To provide for the storage of waste and recycling bins for multiple dwellings.</b></p>	
<p><b>A1</b></p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m<sup>2</sup> per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <p>(i) has a setback of at least 4.5 m from a frontage; and</p> <p>(ii) is at least 5.5 m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.</p>	<p><b>P1</b></p> <p>A multiple dwelling development must provide storage, for waste and recycling bins, that is:</p> <p>(a) capable of storing the number of bins required for the site; and</p> <p>(b) screened from the frontage and dwellings; and</p> <p>(c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.</p>
<p><b>COMMENT:</b> <i>Not applicable.</i>  <i>The proposal relates to a single dwelling development.</i></p>	

## 10.4.9 Suitability of a site or lot for use or development

The minimum properties of a site and of each lot on a plan of subdivision are to –

- (a) provide a suitable development area for the intended use;
- (b) provide access from a road; and
- (c) make adequate provision for connection to a water supply and for the drainage of sewage and stormwater

**A1**

A site or each lot on a plan of subdivision must –

- (a) have an area of not less than 330m<sup>2</sup> excluding any access strip; and
- (b) if intended for a building, contain a building area of not less than 10.0m x 15.0m
  - (i) clear of any applicable setback from a frontage, side or rear boundary;
  - (ii) clear of any applicable setback from a zone boundary;
  - (iii) clear of any registered easement;
  - (iv) clear of any registered right of way benefiting other land;
  - (v) clear of any restriction imposed by a utility;
  - (vi) not including an access strip;
  - (vii) accessible from a frontage or access strip; and
  - (viii) if a new residential lot, with a long axis within the range 30° east of north and 20° west of north

**P1**

A site or each lot on a plan of subdivision must –

- (a) be of sufficient area for the intended use or development without likely constraint or interference for –
  - (i) erection of a building if required by the intended use;
  - (ii) access to the site;
  - (iii) use or development of adjacent land;
  - (iv) a utility; and
  - (v) any easement or lawful entitlement for access to other land; and
- (b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area

**COMMENT:**

*The site being 880m<sup>2</sup> has sufficient area to achieve compliance with a 10m x 15m building envelope without impact or restriction. The applicant has chosen to go outside of this building area, which has been addressed within the relative clause 10.4.2.*

<b>A2</b>	<b>P2</b>
<p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <p>(a) across a frontage over which no other land has a right of access; and</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road -</p> <p>(i) over land not required as the means of access to any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than -</p> <p>(i) 3.6 m for a single dwelling development; or</p> <p>(ii) 6.0 m for multiple dwelling development or development for a non-residential use; and</p> <p>(e) the relevant road authority in accordance with the Local Government (Highways) Act 1982 or the Roads and Jetties Act 1935 must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan</p>	<p>(a) A site must have a reasonable and secure access from a road provided –</p> <p>(i) across a frontage; or</p> <p>(ii) by an access strip connecting to a frontage, if for an internal lot; or</p> <p>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iv) the dimensions of the frontage and any access strip or right of way must be adequate for the type and volume of traffic likely to be generated by –</p> <p>a. the intended use; and</p> <p>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</p> <p>(v) the relevant road authority in accordance with the Local Government (Highways) Act 1982 or the Roads and Jetties Act 1935 must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan</p>

**COMMENT:**

*The site has an existing and approved access from Bowman Crescent. An application is also made to Council's Engineering department to remove the existing access and construct a new 6-metre-wide crossover as per the site plan provided.*

<b>A3</b>	<b>P3</b>
<p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply provided in accordance with the Water and Sewerage Industry Act 2008</p>	<p>It must be unnecessary to require a water supply</p>
<p><b>COMMENT:</b></p> <p><i>The site has an existing connection to a reticulated water supply.</i></p>	

<b>A4</b>	<b>P4</b>
<p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and waste water to a sewage system provided in accordance with the Water and Sewerage Industry Act 2008</p>	<p>It must be unnecessary to require the drainage and disposal of sewage or waste water</p>
<p><b>COMMENT:</b></p> <p><i>The site has an existing connection to a reticulated sewerage disposal system.</i></p>	

<b>A5</b>	<b>P5</b>
A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater to a stormwater system provided in accordance with the Urban Drainage Act 2013	It must be unnecessary to require the drainage of stormwater
<b>COMMENT:</b> <i>The site has an existing connection to an urban drainage system.</i>	

#### 10.4.10 Dwelling density for single dwelling development

Residential dwelling density is to–

- (a) make efficient use of suburban land for housing;
- (b) optimise utilities and community services; and
- (c) be not less than 12 and not more than 30 dwellings per hectare

<b>A1</b>	<b>P1</b>
(a) The site area per dwelling for a single dwelling must - (i) be not less than 325m <sup>2</sup> ; and	Dwelling density for a single dwelling must be on a site constrained for residential development at suburban densities as a result of – (a) size and shape of the site; (b) physical and topographic conditions; (c) capacity of available and planned utilities; (d) arrangements for vehicular or pedestrian access; (e) unacceptable level of risk from exposure to a natural hazard listed in a Code that is part of this planning scheme; (f) contamination; (g) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme; (h) a utility; or (i) any lawful and binding requirement – (i) the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or (ii) an interest protected at law by an easement or other regulation

**COMMENT:**

*The site has an area of 850m<sup>2</sup> ensuring compliance with A1(a).*

## 10.4.12 Setback of development for sensitive use

Development for a sensitive use is to –

- (a) minimise likelihood for conflict, interference, and constraint between the sensitive use and the use or development of land in a zone that is not for a residential purpose; and
- (b) Minimize unreasonable impact on amenity of the sensitive use through exposure to emission of noise, fumes, light and vibration from road, rail, or marine transport

A1	P1
<p>A building containing a sensitive use must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> <li>(a) the setback distance from the zone boundary as shown in the Table to this clause; and</li> <li>(b) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the required setback distance from the zone boundary</li> </ul>	<p>The location of a building containing a sensitive use must –</p> <ul style="list-style-type: none"> <li>(a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone; and</li> <li>(b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use</li> </ul>

**COMMENT:** *Not applicable.*

*The development is not located within a distance to a zone detailed within the table to this clause.*

A2	P2
<p>Development for a sensitive use must be not less than 50m from –</p> <ul style="list-style-type: none"> <li>(a) a major road identified in the Table to this clause;</li> <li>(b) A railway;</li> <li>(c) Land designated in the planning scheme for future road or rail purposes; or</li> <li>(d) a proclaimed wharf area</li> </ul>	<p>Development for a sensitive use must –</p> <ul style="list-style-type: none"> <li>(a) have minimal impact for safety and efficient operation of the transport infrastructure; and</li> <li>(b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or</li> <li>(c) be temporary use or development for which arrangements have been made with the relevant transport infrastructure entity for removal without compensation within 3 years</li> </ul>

**COMMENT:** *Not applicable.*

*The proposal is not sited within 50 metres of the Bass Highway, a railway or proclaimed wharf.*

**Table to Clause 10.4.12 A1**

Adjoining Zone	Setback (m)
Local Business	4.0
Central Business	4.0
Commercial	4.0
Light Industrial	4.0
General Industrial	4.0
Rural Resource	<ul style="list-style-type: none"> <li>(a) 50.0; or</li> <li>(b) 4.0 if the site is a lot approved for residential use on a plan of subdivision sealed before this planning scheme came into effect</li> </ul>
Utilities	10.0

**Table to Clause 10.4.12 A2**

Road	Setback (m)
Bass Highway	50

<b>CODES</b>	
<b>E1 – Bushfire-Prone Areas Code</b>	<b>N/A</b>
The proposal does not involve a vulnerable or hazardous use, nor does it involve the subdivision of land.	
<b>E2 - Airport Impact Management Code</b>	<b>N/A</b>
This code is not applicable to the Central Coast Interim Planning Scheme.	
<b>E3 – Clearing and Conversion of Vegetation Code</b>	<b>N/A</b>
The proposed development does not invoke E3.2.1 or E3.2.2.	
<b>E4 - Change in Ground Level Code</b>	<b>N/A</b>
No change in ground level is proposed.	
<b>E5 - Local Heritage Code</b>	<b>N/A</b>
The lot is not listed within the Heritage Code or listed on the Tasmanian Heritage Register.	
<b>E6 - Hazard Management Code</b>	<b>N/A</b>
There are no hazards identified within the site.	
<b>E7 - Sign Code</b>	<b>N/A</b>
There are no signs proposed as part of this application.	
<b>E8 - Telecommunication Code</b>	<b>N/A</b>
The application does not propose any telecommunication facilities.	
<b>E9 - Traffic Generating Use and Parking Code</b>	<b>Yes</b>
The attached garage provides two internal parking spaces, compliant with table E9.1.	
<b>E10 - Water and Waterways Code</b>	<b>N/A</b>
The lot is not located within 30 metres of any water body.	

# PROPOSED RESIDENCE & SHED 23 BOWMAN DRIVE PENGUIN EVAN & CHERYL STEWART

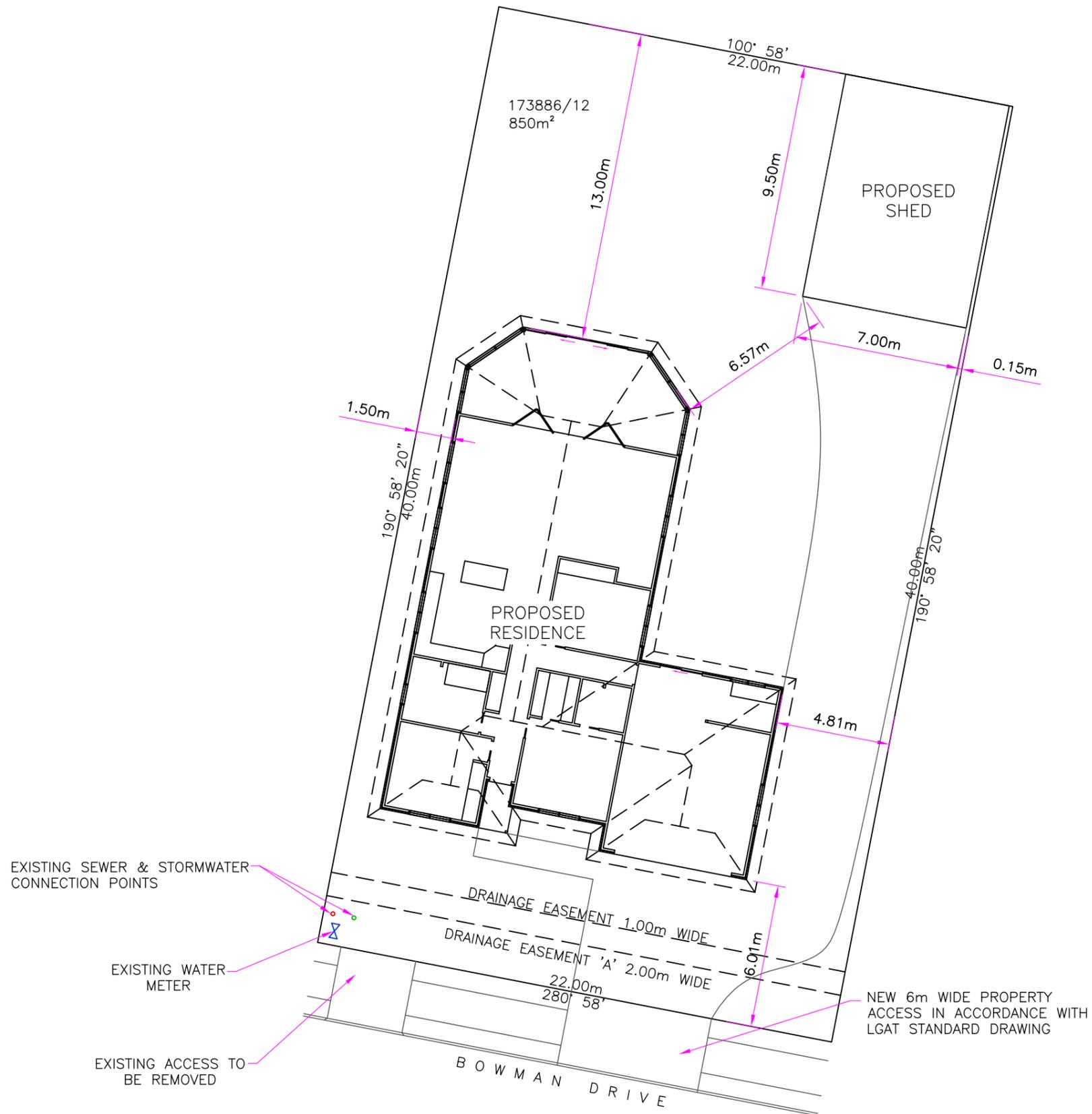
## DRAWING INDEX

DRAWING No.	DESCRIPTION	REVISION
01	COVER SHEET	A
02	SITE PLAN	B
03	FLOOR PLAN	B
04	ELEVATIONS	A
05	SHADOW DIAGRAMS	A

PROJECT DETAILS:

TITLE REFERENCE: 173886/12  
 AREAS:  
 SITE – 850m<sup>2</sup>  
 EXISTING FLOOR – 0m<sup>2</sup>  
 PROPOSED FLOOR – 310m<sup>2</sup>  
 TOTAL FLOOR – 310m<sup>2</sup>  
 SITE CLASSIFICATION: TBC  
 WIND CLASSIFICATION: TBC  
 CLIMATE ZONE: 7  
 BUSHFIRE ATTACK LEVEL: TBC

 Accreditation No. CC1779G Ph: 0407 532 435 Email: paul@pladesign.com.au	DATE	SEP 2020	PROPOSED RESIDENCE & SHED 23 BOWMAN DRIVE PENGUIN FOR EVAN & CHERYL STEWART	
	DRAWN	A.R.M.		
	CHECKED	P.L.A.		
	SHEET SIZE	A3		
	SCALE			
DRAWING No. 20132-01			REV. A	DATE 22.09.20



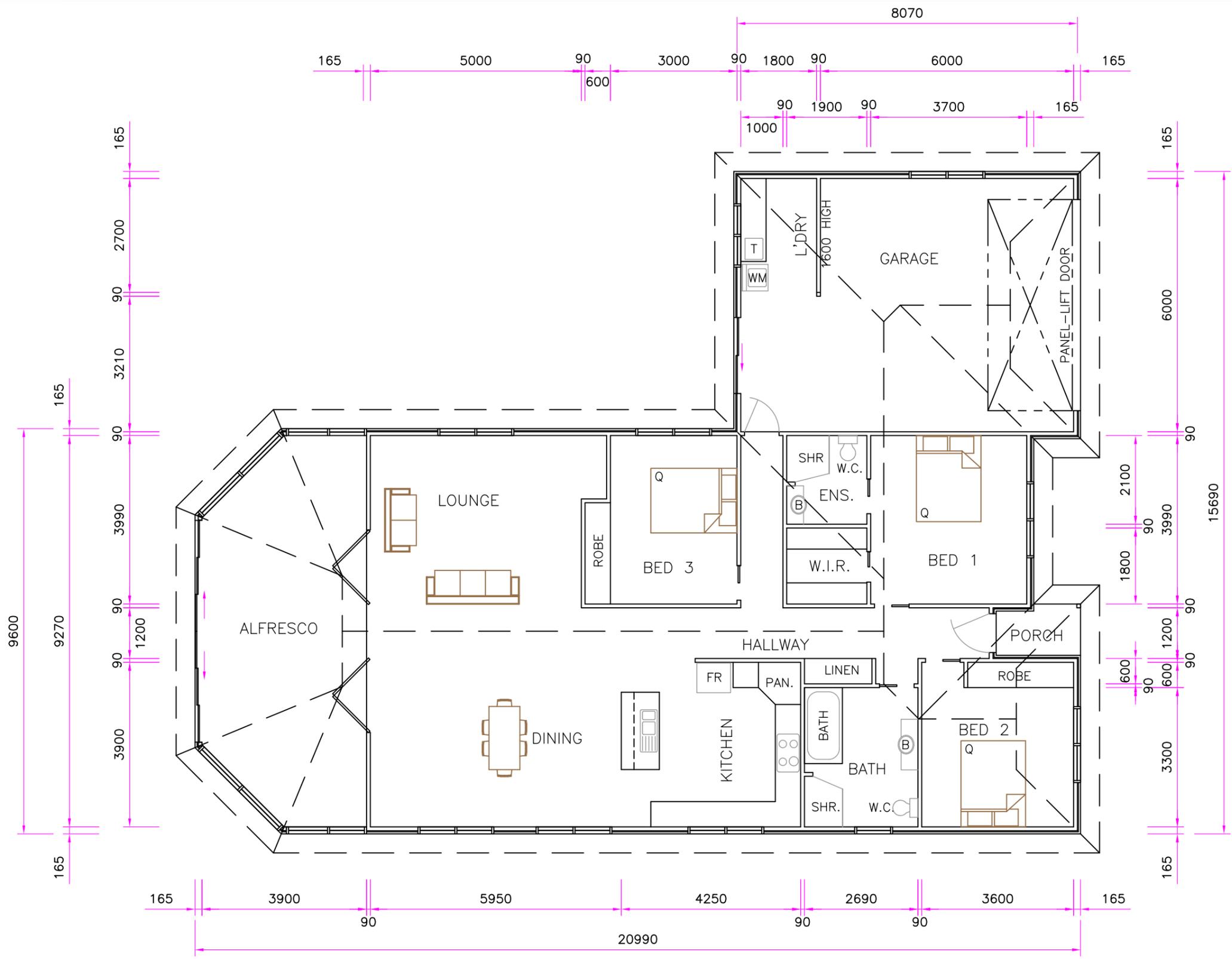
SITE PLAN

Accreditation No. CC1779G

ABN: 27 165 669 278  
Ph: 0407 532 435  
Email: paul@pladesign.com.au

DATE	SEP 2020
DRAWN	A.R.M.
CHECKED	P.L.A.
SHEET SIZE	A3
SCALE	1 : 200

PROPOSED RESIDENCE & SHED	
23 BOWMAN DRIVE PENGUIN	
FOR	
EVAN & CHERYL STEWART	
DRAWING No.	20132-02
REV.	DATE
B	22.09.20



FLOOR PLAN

**AREA**

RESIDENCE = 155.05m<sup>2</sup> (16.68 SQ.)  
 GARAGE = 50.85m<sup>2</sup> (5.47 SQ.)  
 ALFRESCO + PORCH = 37.14m<sup>2</sup> (4.00 SQ.)  
 TOTAL = 243.04m<sup>2</sup> (26.15 SQ.)

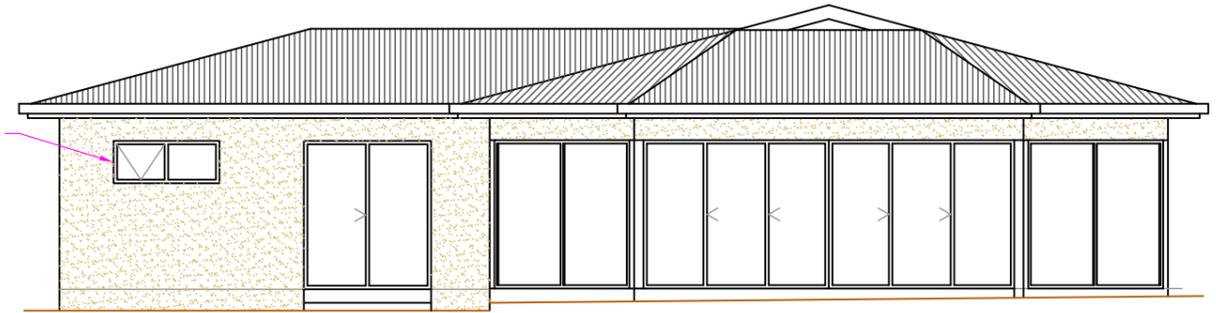
Accreditation No. CC1779G

**DESIGNS**  
 Ph: 0407 532 435  
 Email: paul@pladesign.com.au

DATE	SEP 2020
DRAWN	A.R.M.
CHECKED	P.L.A.
SHEET SIZE	A3
SCALE	1 : 100

PROPOSED RESIDENCE & SHED	
23 BOWMAN DRIVE PENGUIN	
FOR	
EVAN & CHERYL STEWART	
DRAWING No.	20132-03
REV.	DATE
B	22.09.20

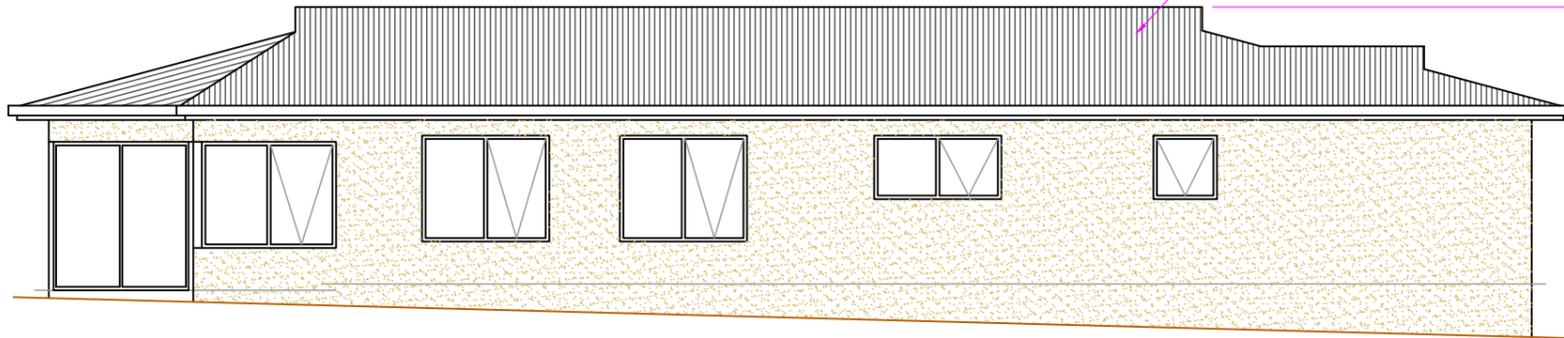
ALUMINIUM FRAMED  
AWNING WINDOW



NORTHERN ELEVATION

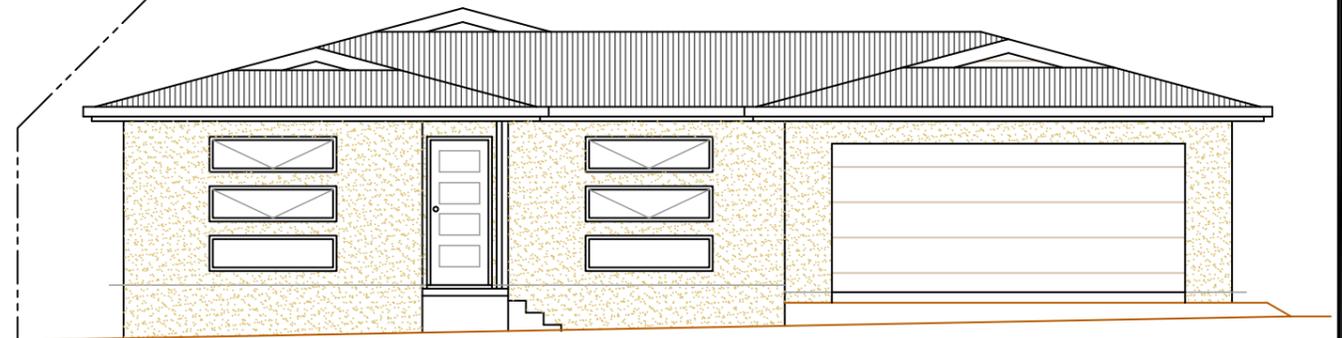
COLORBOND CUSTOM  
ORB ROOFING

APPROX. 4700



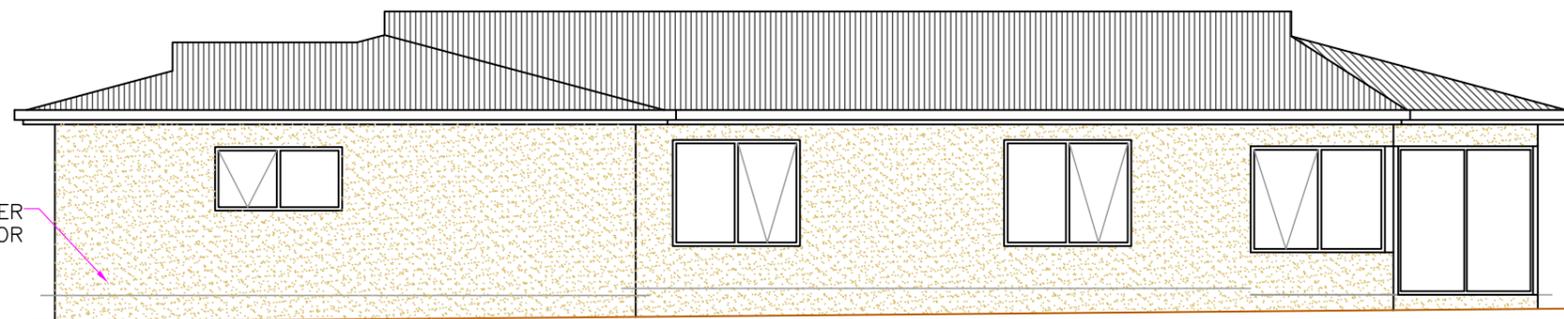
WESTERN ELEVATION

CENTRAL COAST INTERIM PLANNING  
SCHEME 2013 CLAUSE 10.4.2  
BUILDING ENVELOPE ACCEPTABLE  
SOLUTION A3(a)



SOUTHERN ELEVATION

RENDERED MASTER  
WALL EXTERIOR



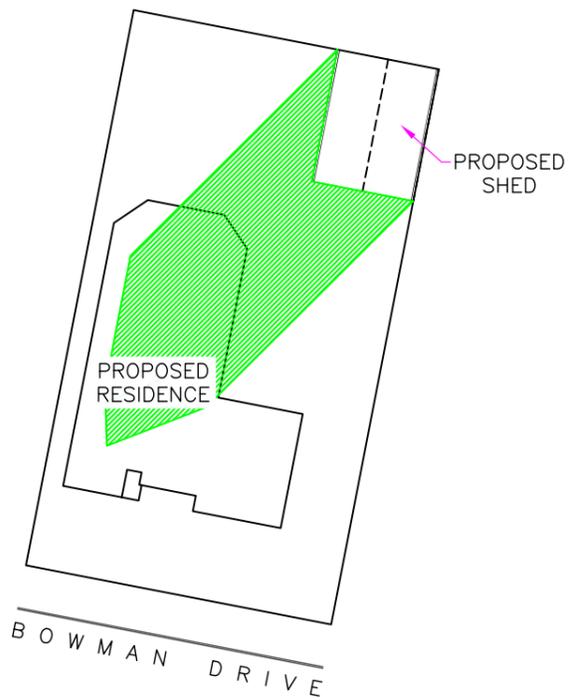
EASTERN ELEVATION

Accreditation No. CC1779G

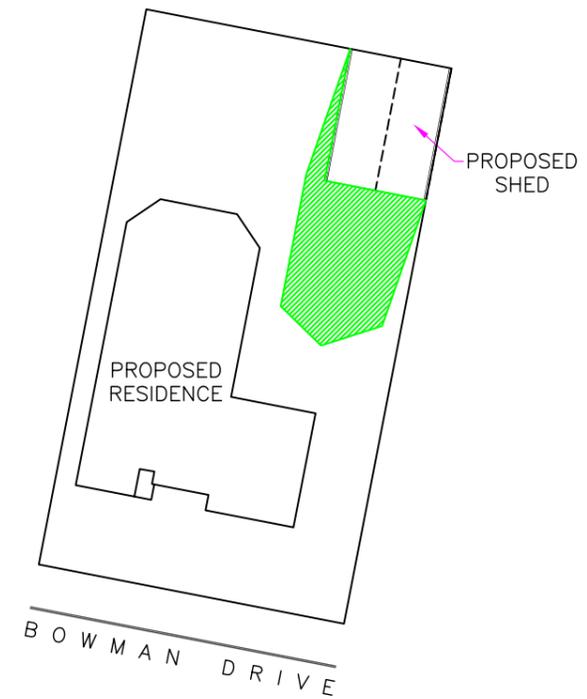
**DESIGNS**  
Ph: 0407 532 435  
Email: paul@pladesign.com.au

DATE	SEP 2020
DRAWN	A.R.M.
CHECKED	P.L.A.
SHEET SIZE	A3
SCALE	1 : 100

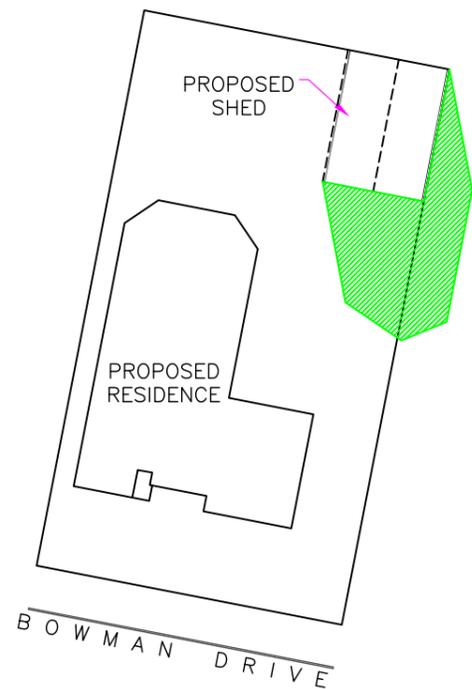
PROPOSED RESIDENCE & SHED 23 BOWMAN DRIVE PENGUIN FOR EVAN & CHERYL STEWART	REV. A	DATE 21.09.20
DRAWING No. 20132-04		



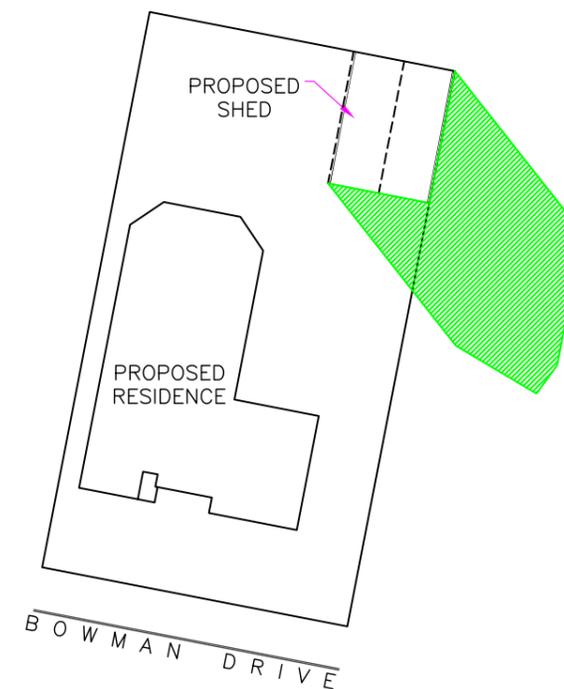
9:00 am  
 AZIMUTH = 45.2°  
 ALTITUDE = 10.9°



11:00 am  
 AZIMUTH = 19.3°  
 ALTITUDE = 23.0°



1:00 P.M.  
 AZIMUTH = 349.3°  
 ALTITUDE = 24.7°



3:00 P.M.  
 AZIMUTH = 321.7°  
 ALTITUDE = 14.6°

**NOTE:**

WINTER SOLSTICE SUNSET  
 TIME = 4.54pm

- SHADING CAUSED BY PROPOSED SHED

LATITUDE = -41° 07' 12"  
 LONGITUDE = 146° 4' 52"  
 DATE = 21st JUNE

SHADOW PLANS

Accreditation No. CC1779G



**DESIGNS**  
 Ph: 0407 532 435  
 Email: paul@pladesign.com.au

DATE	SEP 2020
DRAWN	A.R.M.
CHECKED	P.L.A.
SHEET SIZE	A3
SCALE	1 : 500

PROPOSED RESIDENCE & SHED  
 23 BOWMAN DRIVE PENGUIN  
 FOR  
 EVAN & CHERYL STEWART  
 DRAWING No. 20132-05

REV.	DATE
A	22.09.20



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### CLADDING

ITEM	PROFILE (min)	FINISH	COLOUR
ROOF	CUSTOM ORB 0.42 BMT	CB	AA
WALLS	TRIMDEK 0.35 BMT	CB	AA
CORNERS	-	CB	AA
BARGE	-	CB	AA
GUTTER	HI-QUAD	CB	AA

0.35bmt=0.40tct; 0.42bmt=0.47tct; 0.48bmt=0.53tct

### ACCESSORY SCHEDULE & LEGEND

QTY	MARK	DESCRIPTION
1	RD1	B&D, Firmadoor, R.D, Indust. "R2F", W/Lock, 3310 high x 5000 wide Clr. Open. C/B
1	L650-13	Larnec Door & Frame Kit, 650/37, Std. 2040 x 820 C/Bond

ARCHITECTURAL DRAWING ONLY, NOT FOR CONSTRUCTION USE

### WIND DESIGN

IMPORTANCE LEVEL	REGION	TERRAIN	Ms
2	A	2.5	1.0

CLIENT  
**evan stewart**

SITE  
**TBA**  
**PENGUIN TAS 7316**

BUILDING  
**SUNDOWN DELUXE**  
**7000 SPAN x 3800 EAVE x 9000 LONG**

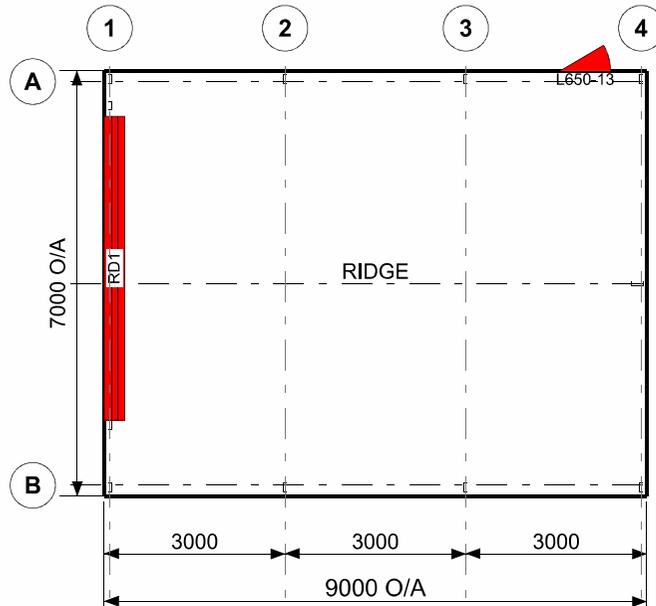
TITLE  
**GENERAL ARRANGEMENT**

SCALE  
A4 SHEET 1:125

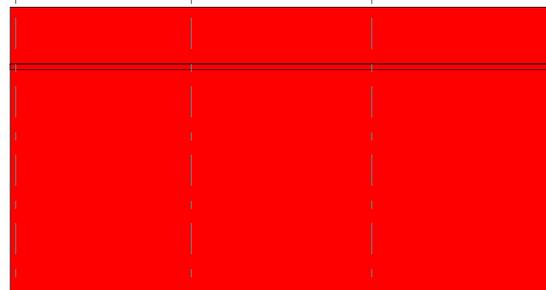
DRAWING NUMBER  
**BURN01-21188**

REV  
**A**

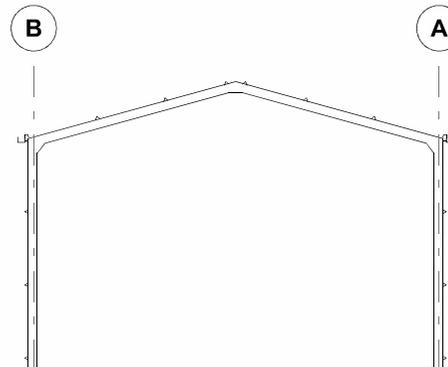
PAGE  
**1/3**



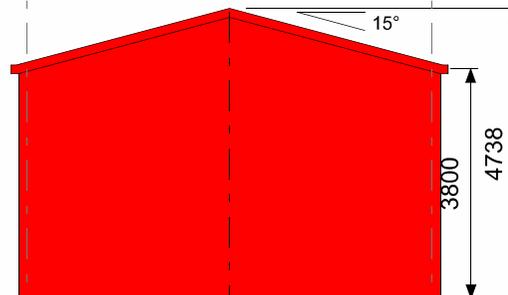
FRAME ROOF PLAN



ELEVATION GRID B



SECTION GRID 2, 3



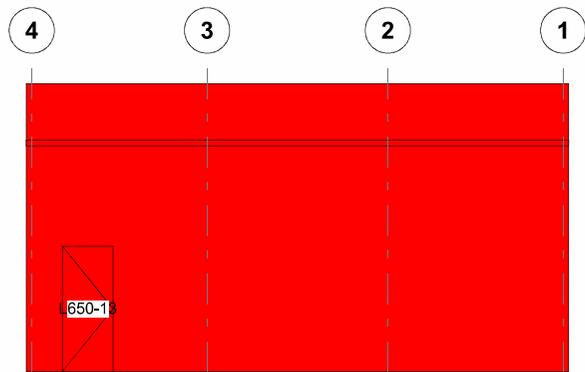
ELEVATION GRID 4

Cont. on page 2

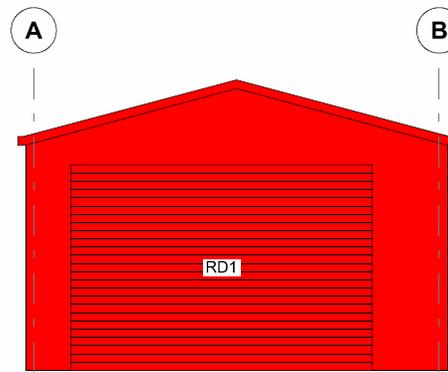


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ELEVATION GRID A



ELEVATION GRID 1

SCALE A4 SHEET 1:125	REV <b>A</b>
DRAWING NUMBER <b>BURN01-21188</b>	PAGE <b>2/3</b>

**IMPORTANT**

AT CLIENT REQUEST, THE ENGINEERING DESIGN FOR THIS BUILDING MAY NOT REFLECT THE BUILDING AS ORDERED AND INDICATED ON THIS ARCHITECTURAL DRAWING, BUT RATHER THE END USE OR CONFIGURATION OF THE COMPLETED BUILDING.

DETAILS PROVIDED BY THE CLIENT ARE AS FOLLOWS:

ROLLER DOOR

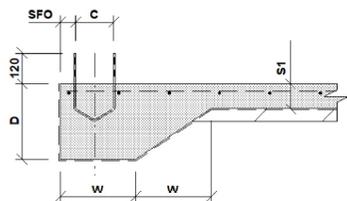


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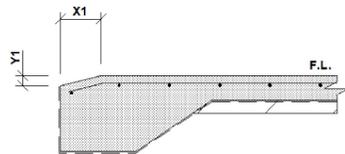
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SCALE A4 SHEET 1:125	REV <b>A</b>
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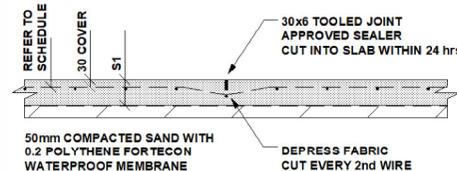
DRAWING NUMBER <b>BURN01-21188</b>	PAGE <b>3/3</b>
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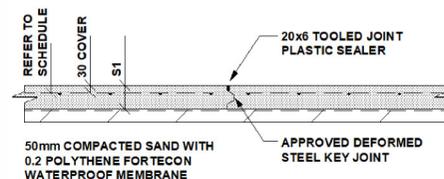
**SECTION A-A**  
**DET S1/EB1**  
CAST-IN STRAP



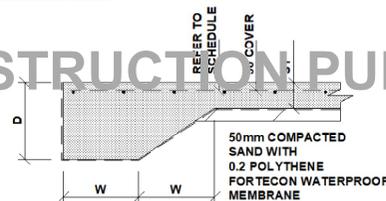
**SECTION E-E**  
**TYP SECT AT SETBACK FRAME**  
**END WALL ROLLER DOOR**  
TYPE A DOORS, OPENING WIDTH PLUS 50mm  
TYPE AA & B DOORS, OPENING WIDTH PLUS 100mm.



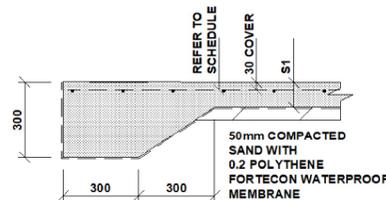
**DET S1/A**  
CONTROL JOINT



**DET S1/C**  
CONSTRUCTION JOINT



**DET S1/EB1 FOR RC SLAB**  
NOT SUITABLE AT OPENINGS  
SUBJECT TO VEHICLE TRAFFIC



**DET S1/EB2**  
REQUIRED AT OPENINGS  
SUBJECT TO VEHICLE TRAFFIC

**NOTES**

ALL DIMENSIONS SHOULD BE CHECKED AND VERIFIED PRIOR TO COMMENCEMENT OF ANY WORKS.

IF SLIDING DOORS ARE INCLUDED ON THIS PROJECT, A STRIP FOOTING OR PAD FOOTINGS WILL BE NECESSARY, AND MUST BE POURED IN CONJUNCTION WITH THIS GARAGE'S SLAB OR FOOTINGS.

SEE ERECTION INSTRUCTIONS FOR SECTION & SLAB ADDITIONAL NOTES

SEE ENG-DELUXE-02 FOR ADDITIONAL DET'S NOTES & CONCRETE SPECIFICATION

CONTROL JOINTS MUST BE SUPPLIED AT NOT GREATER THAN 4.5m OR CONCRETE POUR AT A RATIO OF NOT MORE THAN 1:1.2 IN ANY DIRECTION

CONSTRUCTION JOINTS MUST BE SUPPLIED WHERE AN UNBROKEN RUN OF CONCRETE POUR EXCEEDS 30m IN ANY DIRECTION

**COLUMN SCHEDULE:**

COLUMN	SFO	C
SGBS15	60	154

**DIMENSION SCHEDULE:**

D	W	S1	X1	X2	X3	Y1	Y2
200	200	100	160	93	90	40	30

Cont. on page 2

PRELIMINARY DRAWING - NOT FOR CONSTRUCTION PURPOSES

**CLIENT**

evan stewart

**SITE**

TBA  
PENGUIN TAS 7316

**BUILDING**

SUNDOWN DELUXE  
7000 SPAN x 3800 EAVE x 9000 LONG

**TITLE**

RC SLAB PLAN

SCALE  
NTS

DRAWING NUMBER  
RSP-21188

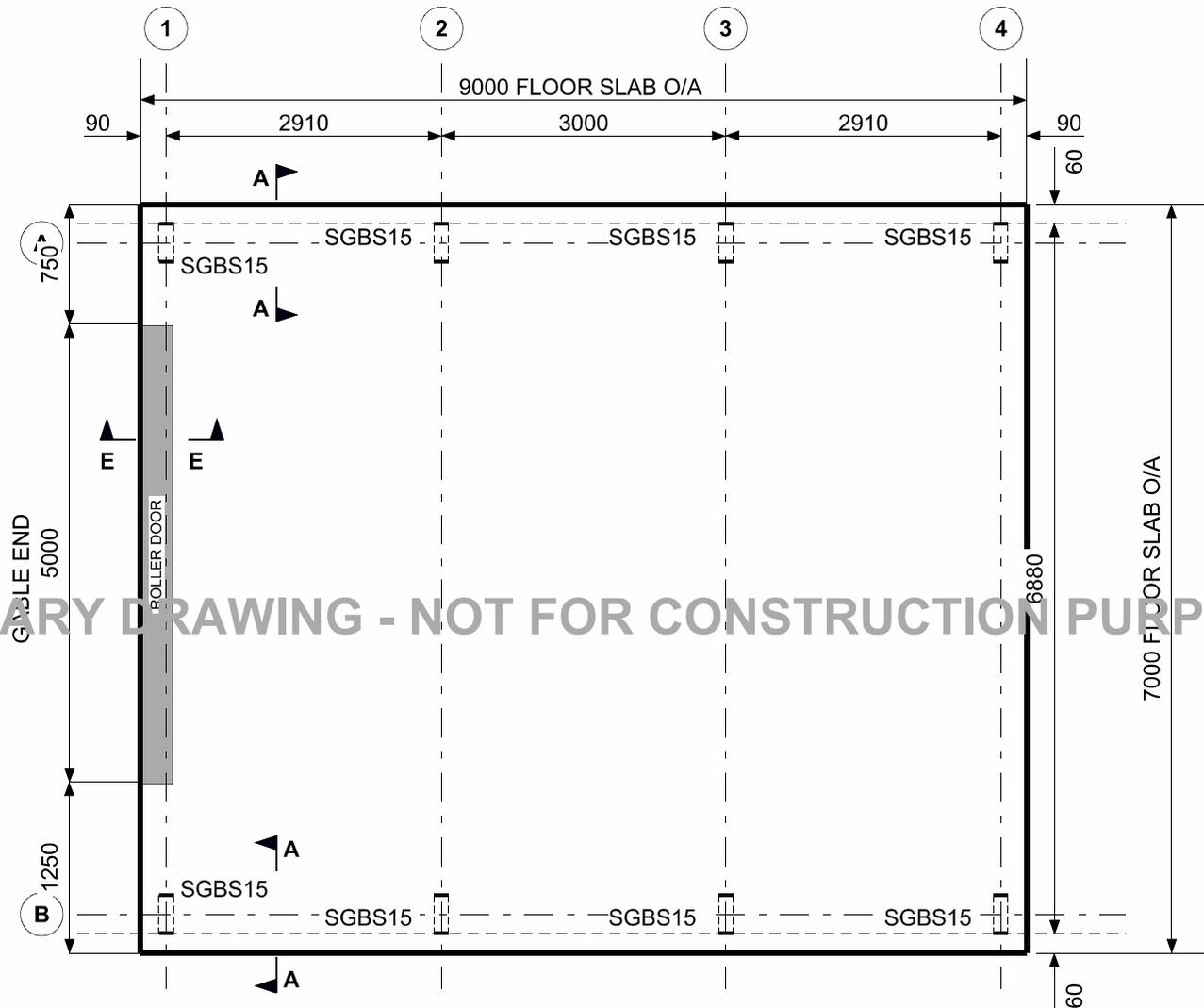
REV  
A

PAGE  
1/2



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**BASE STRAP & HD BOLT SCHEDULE**  
8 REQ'D BASE STRAP SGBS15

Cont. on page 1

PRELIMINARY DRAWING - NOT FOR CONSTRUCTION PURPOSES

SCALE NTS	REV <b>A</b>
DRAWING NUMBER <b>RSP-21188</b>	PAGE <b>2/2</b>

Local Government



DEVONPORT CITY COUNCIL
137 Rooker Street, Devonport TAS 7310
Phone: 03 6424 0511
www.devonport.tas.gov.au

APPLICATION FOR PLANNING PERMIT

- Planning applications have been made for the following proposals:
Application No.: PA2020.0161
Proposed: Residential (front fence)
Address: 169 Steele Street, Devonport
Application No.: PA2020.0168
Proposed: Residential (additional unit)
Address: 37 Ronald Street, Devonport
Application No.: PA2020.0173
Proposed: Residential (garage)
Address: 60 Fleethwood Drive, Spreyton
Application No.: PA2020.0178
Proposed: Residential (single dwelling)
Address: 3 Chalmers Lane, Devonport

The applications can be viewed at the prapanel centre or on Council's website. Section 57(5) of the Land Use Planning and Approvals Act 1993 provides that representations can be made in writing to the undersigned at PO Box 604, Devonport or council@devonport.tas.gov.au by close of business on 3 November 2020.

Local Government



19 King Edward Street
Ulverstone Tasmania 7315
Tel. 03 6429 8900
www.centralcoast.tas.gov.au

APPLICATIONS FOR PLANNING PERMITS

S.57 Land Use Planning and Approvals Act 1993.

- The following applications have been received:
Location: 22 Poynton Close, Turners Beach
Proposed: Residential - dwelling and shed - variation to the building envelope
Application No.: DA2020270
Location: 71 Jansens Road, South Riana
Proposed: Residential - dwelling extension and outbuilding - shed - variation to the site area, building envelope and use of materials with light reflectance value greater than 40%
Application No.: DA2020277
Location: 23 Bowman Drive, Penguin
Proposed: Residential - dwelling and shed - variation to the building envelope.
Application No.: DA2020287
Location: 71 Montgomery Road, Penguin
Proposed: Residential - two non-required dwellings and an ancillary dwelling - discretionary use and development in Rural Resource zone, ridgelevel development and land reliant on right of way
Application No.: DA2020288
Location: 82 South Road, Penguin
Proposed: Residential - subdivision to create two lots - variation to long axis standard, creation of an internal lot and use of overhead electricity
Application No.: DA2020299
Location: 6A Turners Beach Road, Turners Beach
Proposed: Residential - dwelling - variation to the building envelope and building height and access over land required as the means of access to other land
Application No.: DA2020302
Location: 23 Kennaglen Lane, Howth
Proposed: Resource development - advertising sign - reliance on E7 Sign Code
Application No.: DA2020303
Location: 6 King Edward Street, Penguin
Proposed: Residential - multiple dwellings x three - staged development - variation to the building envelope
Application No.: DA2020305
Location: 2 Shorehaven Drive, Turners Beach
Proposed: Residential - dwelling and shed - variation to the building envelope and building height
Application No.: DA2020307
Location: 13A Scurrah Street, Ulverstone
Proposed: Residential - dwelling - variation to the building envelope
Application No.: DA2020309

The applications may be inspected at the Administration Centre, 19 King Edward Street, Ulverstone during office hours (Monday to Friday 8.00am to 4.30pm) and on the Council's website. Any person may make representation in relation to the applications [in accordance with s.57(5) of the Act] by writing to the General Manager, Central Coast Council, PO Box 220, Ulverstone 7315 or by email to admin@centralcoast.tas.gov.au and quoting the Application No. Any representations received by the Council are classed as public documents and will be made available to the public where applicable under the Local Government (Meeting Procedures) Regulations 2015. Representations must be made on or before 3 November 2020.
Date of notification: 17 October 2020.
SANDRA AYTON
General Manager

Local Government

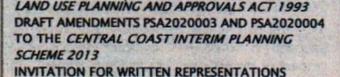


APPLICATIONS FOR PLANNING PERMIT

The following applications have been received under Section 57 of the Land Use Planning & Approvals Act 1993:

- Application No.: DA 2020/76
Site: 328 Sheffield Road, South Spreyton
Proposed: Residential - proposed Outbuilding
Application No.: DA 2020/79
Site: 1341 Sheffield Road, Barrington
Proposed: Residential - proposed Dwelling
Application No.: DA 2020/80
Site: 7a Torquay Street, Sheffield
Proposed: Residential - proposed Dwelling and Outbuilding
Application No.: DA 2020/82
Site: 9 Barrow Street, Gowrie Park
Proposed: Residential - proposed Dwelling
Application No.: DA 2020/83
Site: 18-20 Foster Street, Railton
Proposed: Food Services - Change of use (Food Services)
Application No.: DA 2020/84
Site: 30 Barkers Road, Sunnyside
Proposed: Residential/Resource Development - proposed Dwelling Extension and Outbuilding
Application No.: DA 2020/85
Site: 78 Camborne Drive, Acacia Hills
Proposed: Residential - proposed Dwelling, Ancillary Dwelling and 2x Outbuildings
Application No.: DA 2020/86
Site: 64 Grandview Drive, South Spreyton
Proposed: Visitor Accommodation - proposed Visitor Accommodation Unit

The applications and associated materials will be available for inspection at the Council office during normal office hours or at www.kentish.tas.gov.au for a period of 14 days from the date of publication of this notice (not including 2 November 2020). During this time any person may make representation in relation to the proposals by letter addressed to the General Manager or email addressed to council@kentish.tas.gov.au by 3 November 2020.
Dated at Sheffield this 17 October 2020.
Gerald Monson
GENERAL MANAGER



LAND USE PLANNING AND APPROVALS ACT 1993 DRAFT AMENDMENTS PSA2020003 AND PSA2020004 TO THE CENTRAL COAST INTERIM PLANNING SCHEME 2013

INVITATION FOR WRITTEN REPRESENTATIONS
Under section 38 of the Land Use Planning and Approvals Act 1993 (prior) the Central Coast Council (the Council) has resolved to initiate draft Amendments to the Central Coast Interim Planning Scheme 2013 by:
PSA2020003 rezone land known as 10a, 10, and 1 Alice Street, West Ulverstone from General Residential to Local Business; and
PSA2020004 rezone land known as 640 Forth Road, Forth from Local Business to Low Density Residential and inclusion in the Forth Specific Area Plan.
The Council invites written representations on the draft Amendments.
The draft Amendments and relevant supporting documents are available for viewing from Wednesday 30 September 2020 during normal business hours at:
Central Coast Council Administration Centre, 19 King Edward Street, Ulverstone from 8.00am to 4.30pm Monday to Friday
Penguin Service Centre, 78 Main Road, Penguin between 9.00am and 12.30pm, and 1.30pm and 4.00pm Wednesday to Friday
Tasmanian Planning Commission offices, Level 3, 144 Macquarie Street, Hobart from 9.00am to 5.00pm Monday to Friday.
These documents may also be viewed and downloaded from either the Council's website at www.centralcoast.tas.gov.au or the Commission's website at www.planning.tas.gov.au

Representations can be made in writing to the Central Coast Council from 30 September 2020 until close of business on 28 October 2020.
Representations can be posted to the Central Coast Council, PO Box 220, Ulverstone TAS 7315 or emailed to admin@centralcoast.tas.gov.au
Date of notification: 30 September 2020.
SANDRA AYTON
General Manager

Local Government



NOTICE OF APPLICATION FOR LAND USE PERMIT

(Section 57(3) Land Use Planning and Approvals Act 1993)

- Applications for use and development of land have been received:-
Application No.: DA 2020/129
Site: 16 Bay Street PARKLANDS
Proposed: Dwelling Extension and Outbuilding
Discretionary Matter: Reliant on performance criteria for grant of permit - Clause 8.4.2 (P1, P2 & P3)
Application No.: DA 2020/131
Site: 3 Winforton Avenue HEYBRIDGE
Proposed: Single Dwelling and Outbuilding
Discretionary Matter: Reliant on performance criteria for grant of permit - Clause BUR-S1.7.2 (P3.1 & P3.2) and Clause BUR-S1.7.3 (P3)
The applications may be viewed on the Burnie City Council's website at: https://www.burnie.net/permits
A hard copy of the full application documents may be requested by telephoning 6430 5839; and on payment of a fee representing the cost of reproduction, provided to the person who requested the copy either by -
(a) collection from a place nominated by an officer of the council; or
(b) ordinary post to the address nominated
Any person may make representation relating to an application in writing addressed to the General Manager, Burnie City Council, PO Box 973, Burnie 7320 or burnie@burnie.net by no later than 5.00pm on 3 November 2020.
Dated: 17 October 2020
Gary Neil
ACTING GENERAL MANAGER

www.burnie.net



APPLICATIONS FOR PLANNING PERMIT

The following applications have been received under Section 57 of the Land Use Planning & Approvals Act 1993:

- Application No.: DA 189/2020
Address: 24 Fenton Street, Latrobe
Proposed: Residential - proposed Multiple Dwellings (3 Units)
Application No.: DA 204/2020
Site: 18 Lockwood Street, Shearwater
Proposed: Residential - proposed Outbuilding
Application No.: DA 206/2020
Site: 207 Appleby Road, Northdown
Proposed: Residential - proposed Dwelling, Outbuilding and Stable
Application No.: DA 207/2020
Site: 15 Bryan Street, Shearwater
Proposed: Residential - proposed Dwelling (temporary)
Application No.: DA 209/2020
Site: 44 Meredith Street, Port Sorell (Port Sorell Caravan Park)
Proposed: Residential - proposed Amenities Building and Demolition of existing
Application No.: DA 210/2020
Site: Lot 1, 38 Club Drive, Shearwater
Proposed: Residential - proposed Dwelling
Application No.: DA 211/2020
Site: 9-21 Torquay Road, Latrobe
Proposed: Hospital Services - proposed Building Extension
Application No.: DA 212/2020
Site: Lot 2, 38 Club Drive, Shearwater
Proposed: Residential - proposed Dwelling
Application No.: DA 213/2020
Site: 24 Spring Grove, Latrobe
Proposed: Residential - proposed Outbuilding
Application No.: DA 214/2020
Site: Lot 2 Appleby Road, Thirstane (CT32532/2)
Proposed: Residential - proposed Dwelling and Outbuilding
The applications and associated materials will be available for inspection at the Council office during normal office hours or at www.latrobe.tas.gov.au for a period of 14 days from the date of publication of this notice (not including 2 November 2020). In accordance with Section 57(5) of the Land Use Planning & Approvals Act 1993 any person may make representation in relation to the proposals by letter addressed to the General Manager or email addressed to council@latrobe.tas.gov.au by 3 November 2020.
Dated at Latrobe this 10th October 2020
Gerald Monson
GENERAL MANAGER

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advertisers.com.au

Local Government

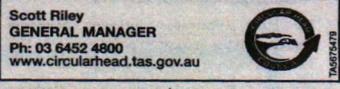


APPLICATION FOR PLANNING PERMIT

(s.57(3) Land Use Planning and Approvals Act 1993)

- Circular Head Interim Planning Scheme 2013
Application No DA 2020/095
Location Maguires Road, Nabageena
Applicant/Owner Naughton J / Doumergue S & A & M & E
Use Class Residential
Proposed Dwelling and Shed
Discretionary Matter 26.3.3 (P1) Residential use
26.4.1 (P1) Suitability of a site or lot on a plan of subdivision for use or development
26.4.2 (P1) Location and configuration of development
26.4.3 (P1) Location of development for sensitive uses
Application No DA 2020/098
Location 20 Trouwita Road, Scotchtown
Applicant/Owner R Odgers Agricultural Pty Ltd
Use Class Resource development
Proposed Replacement Farm Shed
Discretionary Matter 26.4.2 Location and configuration of development
Application No DA 2020/089
Location Upper Scotch Town Road
Applicant/Owner Marthick D J, Wells M W
Use Class Residential
Proposed Dwelling and Outbuilding
Discretionary Matter 13.4.3 (P2) Location and configuration of development

Application(s) may be viewed during office hours at the Council Office, 33 Goldie St, Smithton or Council's website till the date listed below. Please be advised due to COVID-19 restrictions Council offices may not be open to the public during this notification period. In accordance with s.57(5) of the Act, any person may make written representation to the General Manager, PO Box 348 SMITHTON 7330 or council@circularchead.tas.gov.au and received by 5.00pm 02/11/2020.
Scott Riley
GENERAL MANAGER
Ph: 03 6452 4800
www.circularchead.tas.gov.au



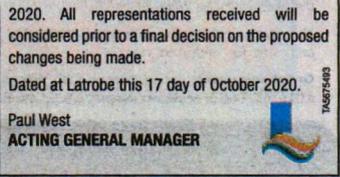
Public Notices

EDNH AGM
East Devonport Neighbourhood House AGM Monday, October 19, 2020: starting at 3.15 pm at 106 David Street, East Devonport.
Annette Barker, Public Officer.
HEYBRIDGE Improvement Association Inc Annual General Meeting at Blyth Heads Hall, Saturday Nov 24th at 10am.
All welcome.
Public Notices

LATROBE COUNCIL

DECLARED DOG EXERCISE AREAS

Council is considering the following changes to its declared dog exercise areas;
Freers Beach during daylight saving time
Current 7pm-10am -off leash
Proposed 7pm-10am -off leash
10am-7pm-prohibited
10am-7pm - on lead
Upon resumption of Australian Eastern Standard Time, the current off leash access 24hours/day shall apply.
Wild Mersey Mountain Bike Trail Network
It is proposed that the mountain bike trail network be prohibited to dogs at all times
Warrawee Reserve Walking Trails
It is proposed that the walking trails be designated as prohibited to dogs at all times with the exception being Shale Road area which shall be a dog on leash area.
In accordance with Section 24 of the Dog Control Act, 2000 written submissions addressed to council@latrobe.tas.gov.au or PO Box 63, Latrobe, will be received by Council up until 9th November, 2020. All representations received will be considered prior to a final decision on the proposed changes being made.
Dated at Latrobe this 17 day of October 2020.
Paul West
ACTING GENERAL MANAGER



## Annexure 3

27 October 2020

M & R Hunter  
PO Box 378  
Penguin TAS 7316

Email: 6pinkswans@gmail.com

Central Coast Council  
PO Box 220  
Ulverstone TAS 7315

[admin@centralcoast.tas.gov.au](mailto:admin@centralcoast.tas.gov.au) Attn: General Manager  
Application No: DA2020287

Dear Sir/Madam

We refer to the Town Planner and would like to respond to the proposal for a house and shed at 23 Bowman Drive, Penguin. As the owner of the adjoining property to the East, Number 25 Bowman Drive, Penguin, the following concerns are raised.

This does not refer to the proposed dwelling, but to the proposed shed that has several significant issues that will affect ourselves and our property. These issues are listed below.

1. We purchased this property because of the pristine view to the North. The position and size of the proposed shed will limit this view. If it were located within the setbacks required by the planning scheme - 1.5 metres from the side boundary and 4.5 metres from the rear boundary, we would easily be able to see past the shed to the view.
2. Further to point one, there is no precedent in this line of houses of any shed being erected to the North of a dwelling. This is out of consideration for access to the view for the owners and neighbouring properties.
3. The shed, proposed to be located on the ridge of a hill, is also to be higher than a regular residential shed. This will replace our prime view with a large monotonous building mass unsuitable for the area.
4. The size and location of the shed also dictates that it will overshadow a large area of our property for all of the afternoon. If we were to design a dwelling to be located in the best area of our property, it would be overshadowed by the shed. As a side point, the shed also overshadows the dwelling on the same site, so any future residents would have the shed in their own prime view and blocking sunlight to the house most of the morning.
5. We have found that because of the open unmaintained paddocks to the north of our properties, the BAL rating when building within 13 metres of the boundary is BAL29. This rating is very high and requires suitable safety measures to be

included in the construction of a house. A shed on a property of this rating would have to be 6 metres from a house, or fitted with similar safety measures to a house. As we are assuming the proposed shed will not be fire rated, does that mean we would have to maintain 6 metres distance from the neighbour's shed if a dwelling were to be constructed on our own property?

In conclusion we find that the proposed shed for Number 23 Bowman Drive, Penguin to be an unreasonable proposition, with vast detrimental consequences affecting ourselves and our property. The size and location cause major concern of intrusive visual mass, overshadowing, safety risk with bushfire transmission and impeding the spectacular view from these properties.

We look forward to your reply.

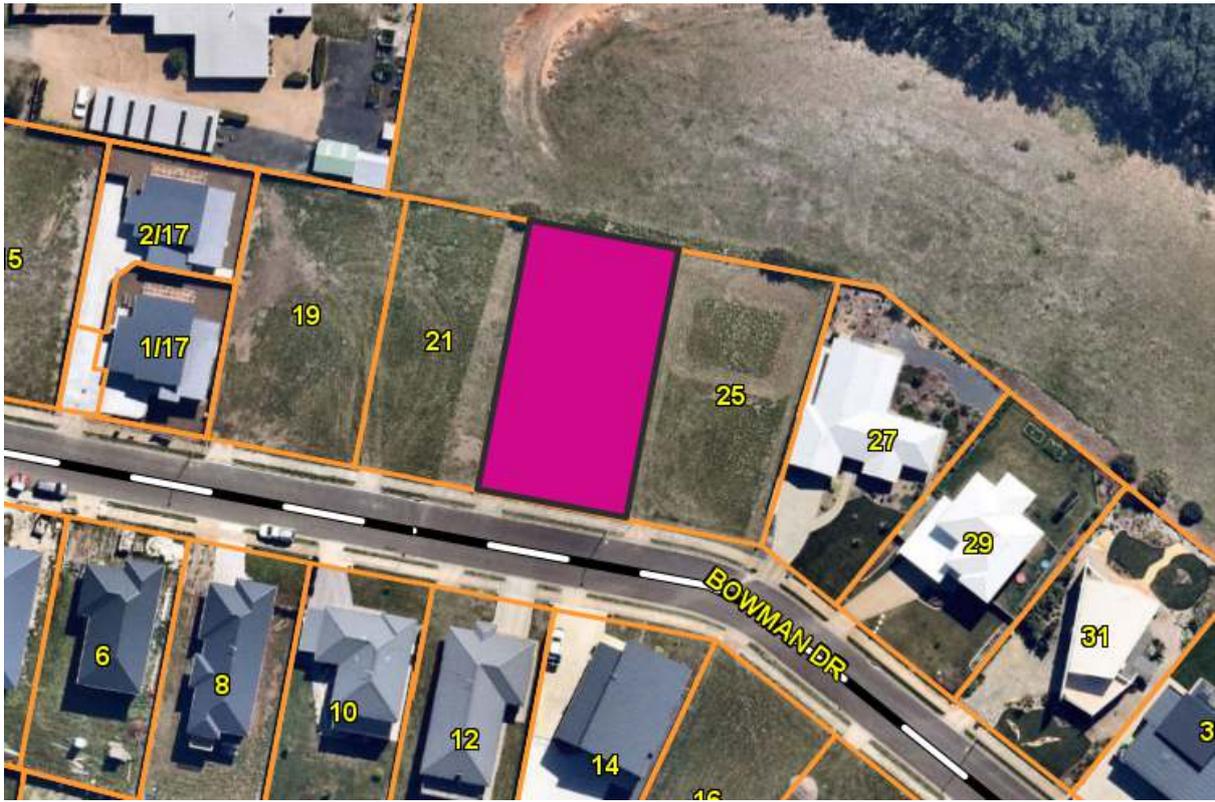


Michelle Hunter



Ralph Hunter

# Annexure 4



23 Bowman Drive, Penguin – Spectrum Image – Site highlighted.



23 Bowman Drive, Penguin – Spectrum Image.



23 Bowman Drive, Penguin – looking north across the site.

# Annexure 5



3 November 2020

Our ref.: DA2020287, ss:kaa

Doc ID:

Mr P Allen  
PLA Designs  
PO Box 428  
SOMERSET TAS 7322

Dear Mr Allen

STATEMENT OF COMPLIANCE – 23 BOWMAN DRIVE, PENGUIN FOR RESIDENTIAL (DWELLING AND SHED) IN ACCORDANCE WITH *LOCAL GOVERNMENT (HIGHWAYS) ACT 1982 AND URBAN DRAINAGE ACT 2013*

I refer to your application DA2020287 for residential (dwelling and shed) at 23 Bowman Drive, Penguin and based on the information supplied with the application this Statement of Compliance is issued for vehicular access and stormwater disposal, subject to the following conditions:

### Vehicular Access

- R1 The proposed 6m wide access kerb crossover and driveway on Bowman Drive frontage as shown on the PLA Designs 'Site Plan' Drawing No 20132-02 Dated 22.09.20 Rev B (copy enclosed) is to be constructed in accordance with the Tasmanian Standard Drawings TSD- R09-v2 Urban Roads – Driveways and TSD-R14-v2 Approved Concrete Kerbs and Channels – Profile Dimensions (copies enclosed);
- R2 The existing crossover is to be removed and kerb and channel reinstated to match the infrastructure on Bowman Drive;
- R3 *Prior to commencement of works*, submit an application for 'Roadworks Authority' (or a 'Private Works Authority', if applicable) to the Council, for any work associated with roads, footpaths, kerb and channel, nature strips, or street trees. Such work is to be undertaken by the Council, unless alternative arrangements are approved by the Council, at the developer's cost.

Roadworks Authority Rates as listed in the Council's Fees and Charges register apply;

PO Box 220 / DX 70506  
19 King Edward Street  
Ulverstone Tasmania 7315  
Tel 03 6429 8900

[admin@centralcoast.tas.gov.au](mailto:admin@centralcoast.tas.gov.au)

[www.centralcoast.tas.gov.au](http://www.centralcoast.tas.gov.au)

- R4 *Prior to commencement of works in the road reservation*, obtain a 'Works in Road Reservation (Permit)' in accordance with the Council's *Work in Road Reservation Policy*. Please contact the Council's Public Safety Officer on 0419 103 887 for further details;
- R5 Any damage or disturbance to roads, footpaths, kerb and channel, nature strips, or street trees resulting from activity associated with the development is to be rectified to the Council's satisfaction at the developer's cost.

#### Stormwater Disposal

- S1 Stormwater run-off from buildings and hard surfaces is to be collected and discharged to the Council's stormwater infrastructure, to ensure it does not cause nuisance to the neighbouring properties;
- S2 Any work associated with the Council's stormwater infrastructure is to be undertaken by the Council, unless alternative arrangements are approved by the Council, at the developer's cost;
- S3 Any damage or disturbance to the Council's stormwater infrastructure resulting from activity associated with the development is to be rectified to the Council's satisfaction at the developer's cost.

'Statement of Compliance' is not an approval to create an access, work in the road reservation or undertake stormwater drainage works, nor is it a planning permit for the development.

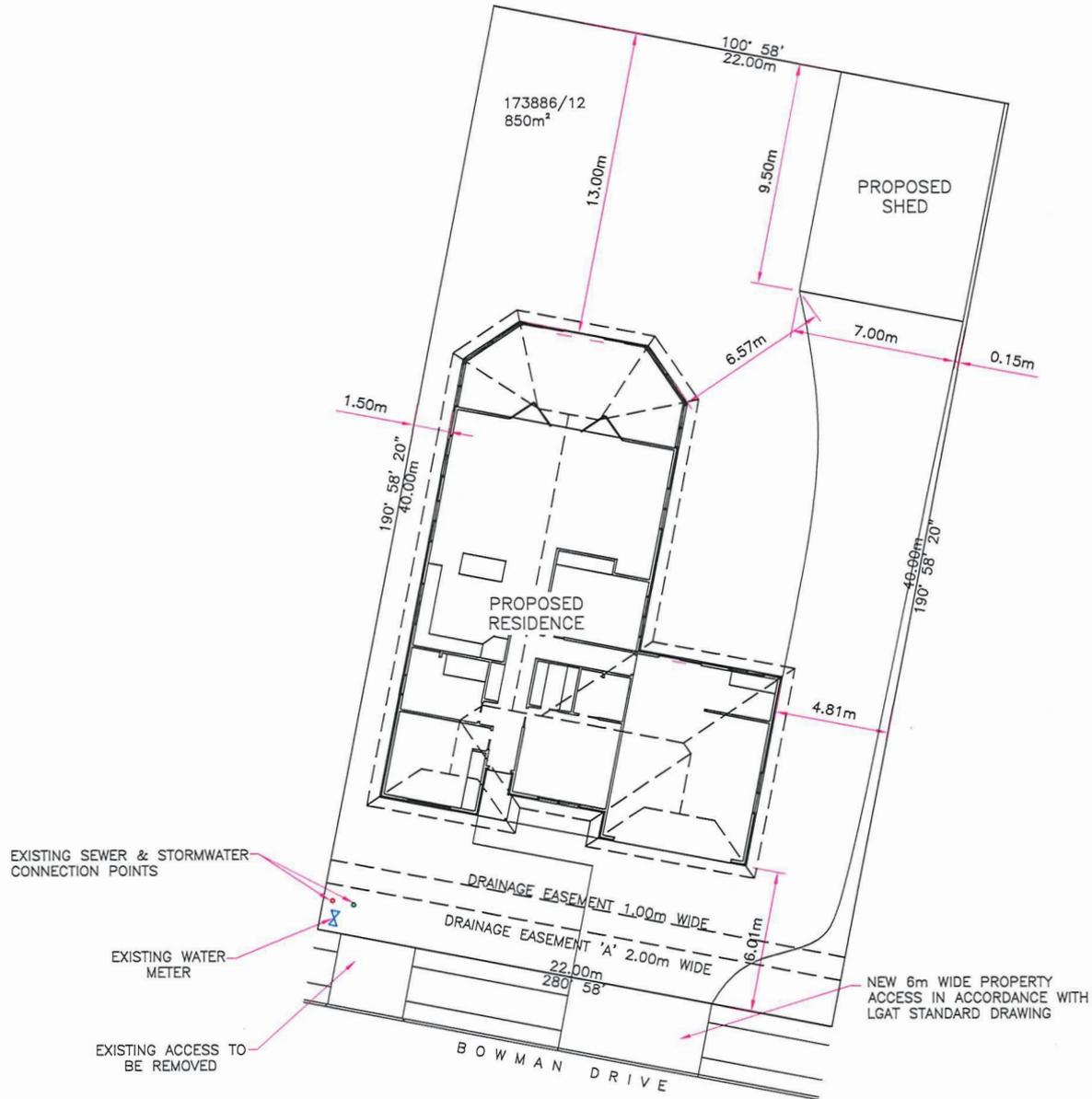
Please contact the Council's Development Officer, Shelly Sharma, on 03 6429 8977 should you have any further enquiries.

Yours sincerely



Paul Breaden  
DIRECTOR INFRASTRUCTURE SERVICES

Encl.



SITE PLAN

Accreditation No. CC1779G

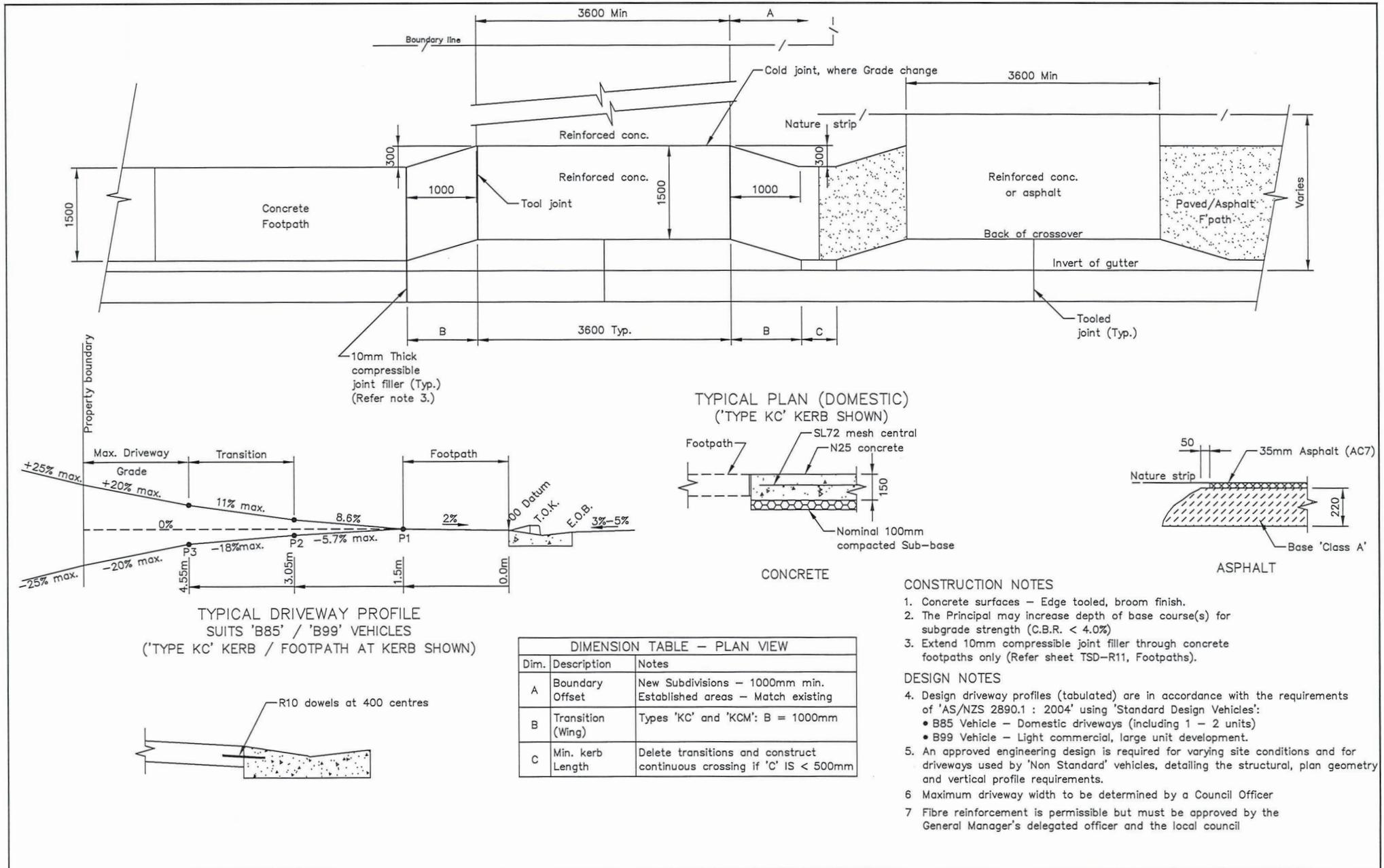
Ph: 0407 532 435  
Email: paul@pladesign.com.au

DATE	SEP 2020
DRAWN	A.R.M.
CHECKED	P.L.A.
SHEET SIZE	A3
SCALE	1 : 200

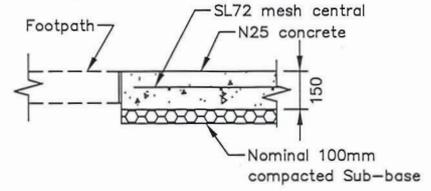
PROPOSED RESIDENCE & SHED  
23 BOWMAN DRIVE PENGUIN  
FOR  
EVAN & CHERYL STEWART

DRAWING No. 20132-02

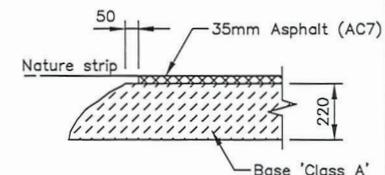
REV.	DATE
B	22.09.20



TYPICAL PLAN (DOMESTIC)  
(‘TYPE KC’ KERB SHOWN)



CONCRETE



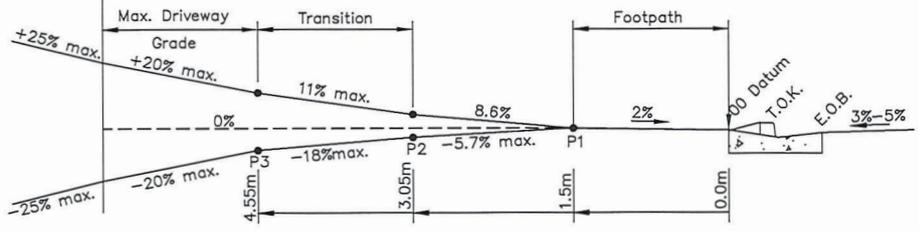
ASPHALT

CONSTRUCTION NOTES

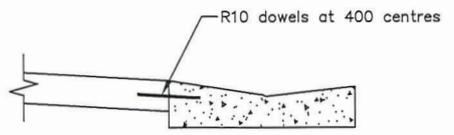
1. Concrete surfaces – Edge tooled, broom finish.
2. The Principal may increase depth of base course(s) for subgrade strength (C.B.R. < 4.0%)
3. Extend 10mm compressible joint filler through concrete footpaths only (Refer sheet TSD-R11, Footpaths).

DESIGN NOTES

4. Design driveway profiles (tabulated) are in accordance with the requirements of ‘AS/NZS 2890.1 : 2004’ using ‘Standard Design Vehicles’:
  - B85 Vehicle – Domestic driveways (including 1 – 2 units)
  - B99 Vehicle – Light commercial, large unit development.
5. An approved engineering design is required for varying site conditions and for driveways used by ‘Non Standard’ vehicles, detailing the structural, plan geometry and vertical profile requirements.
6. Maximum driveway width to be determined by a Council Officer
7. Fibre reinforcement is permissible but must be approved by the General Manager’s delegated officer and the local council



TYPICAL DRIVEWAY PROFILE  
SUITS ‘B85’ / ‘B99’ VEHICLES  
(‘TYPE KC’ KERB / FOOTPATH AT KERB SHOWN)



DIMENSION TABLE – PLAN VIEW		
Dim.	Description	Notes
A	Boundary Offset	New Subdivisions – 1000mm min. Established areas – Match existing
B	Transition (Wing)	Types ‘KC’ and ‘KCM’: B = 1000mm
C	Min. kerb Length	Delete transitions and construct continuous crossing if ‘C’ IS < 500mm

SCALES: AS SHOWN  
(All scales are correct at A3)

XRef File: TSD-R09-v2.dwg

REFERENCES

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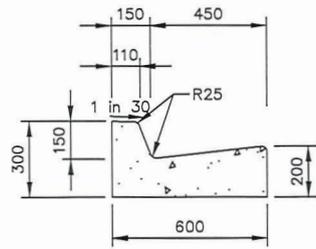
TAS Division  
**IPWEA**  
INSTITUTE OF PUBLIC WORKS  
ENGINEERING AUSTRALIA

**LGAT** Local Government Association Tasmania

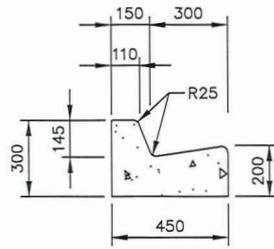
**STANDARD DRAWING**  
URBAN ROADS  
DRIVEWAYS

GPO Box 1521, Hobart Tasmania 7001 | 22a Macquarie Street, Hobart Tasmania 7000  
T: 03 6233 5966 F: 03 6233 5966 Email: [admin@lgat.tas.gov.au](mailto:admin@lgat.tas.gov.au)

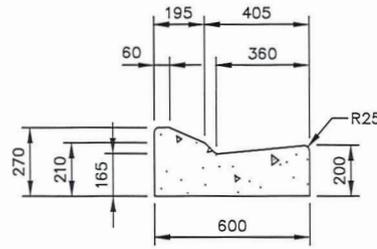
ISSUE DATE: 28-04-2020 DWG No. TSD-R09-v2



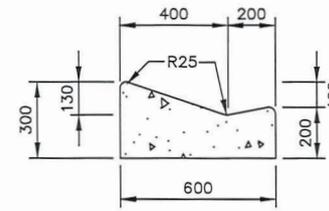
TYPE KC  
(KERB AND CHANNEL)  
SCALE 1 : 20



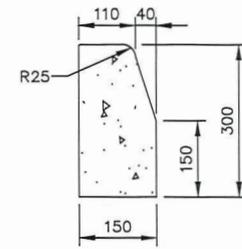
TYPE KCS  
(SMALL)  
SCALE 1 : 20



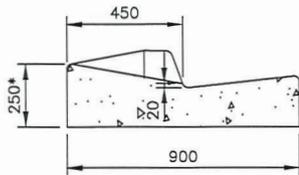
TYPE KCM  
(MOUNTABLE)  
SCALE 1 : 20



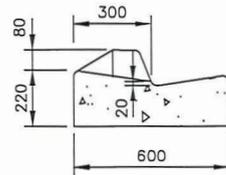
TYPE KCM2  
(MOUNTABLE)  
SCALE 1 : 20



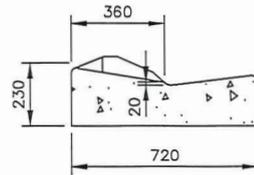
TYPE BK  
(BARRIER)  
SCALE 1 : 10



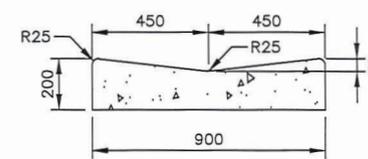
TYPE KC  
VEHICULAR CROSSING  
SCALE 1 : 20  
\* Refer note 2.



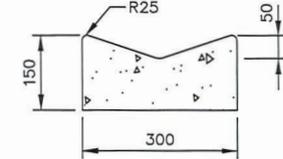
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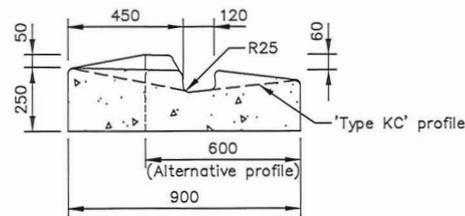
TYPE KCM  
VEHICULAR CROSSING  
SCALE 1 : 20



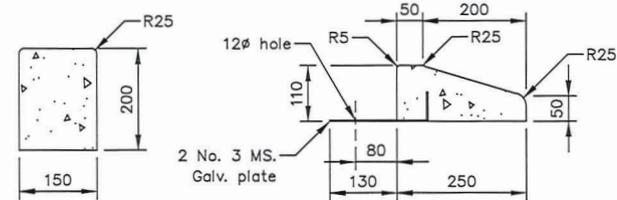
VEE CHANNEL  
VEHICULAR CROSSING  
SCALE 1 : 20



TYPE DD  
(DISH DRAIN)  
SCALE 1 : 10

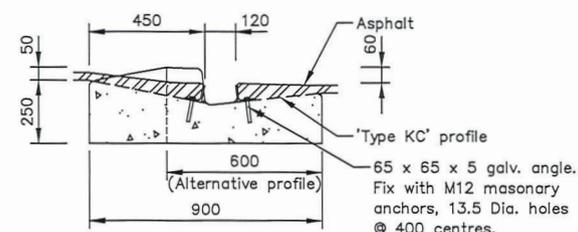


OPEN WEDGE  
VEHICULAR CROSSING  
SCALE 1 : 20



TYPE FK  
(FLUSH)  
SCALE 1 : 10

TYPE PCM  
(PRECAST MOUNTABLE or POURED ON SITE)  
SCALE 1 : 10



ASPHALT WEDGE  
VEHICULAR CROSSING  
SCALE 1 : 20

(Approval needed by General manager's delegated officer)

NOTES

- Radius (25mm) all exposed edges unless otherwise noted.
- The height of the 'Type KC' crossover may be reduced from 250mm, by up to 50mm to improve vehicle clearance, subject to the road drainage requirements being satisfied by either:
  - confirming, by calculation, the flow contained within the road reserve OR
  - Provision of additional drainage.
- All concrete kerb and channel shall be constructed in accordance with AS2878-2000
- Provide tooled contraction joints at 3m max centres.
- Jointing Requirements - Typical for all, provide expansion joints at 21m centres and at structures such as access ramps, vehicular crossings, gully pits and tangent points at intersection kerb returns.

GRATED WEDGE  
VEHICULAR CROSSING  
SCALE 1 : 20

Refer Sheet TSD-R17 for grate details

M3 (State Growth)  
VEHICULAR CROSSING  
SCALE 1 : 20

SCALES: AS SHOWN  
(All scales are correct at A3)

XRef File: TSD-R14-v2.dwg

REFERENCES

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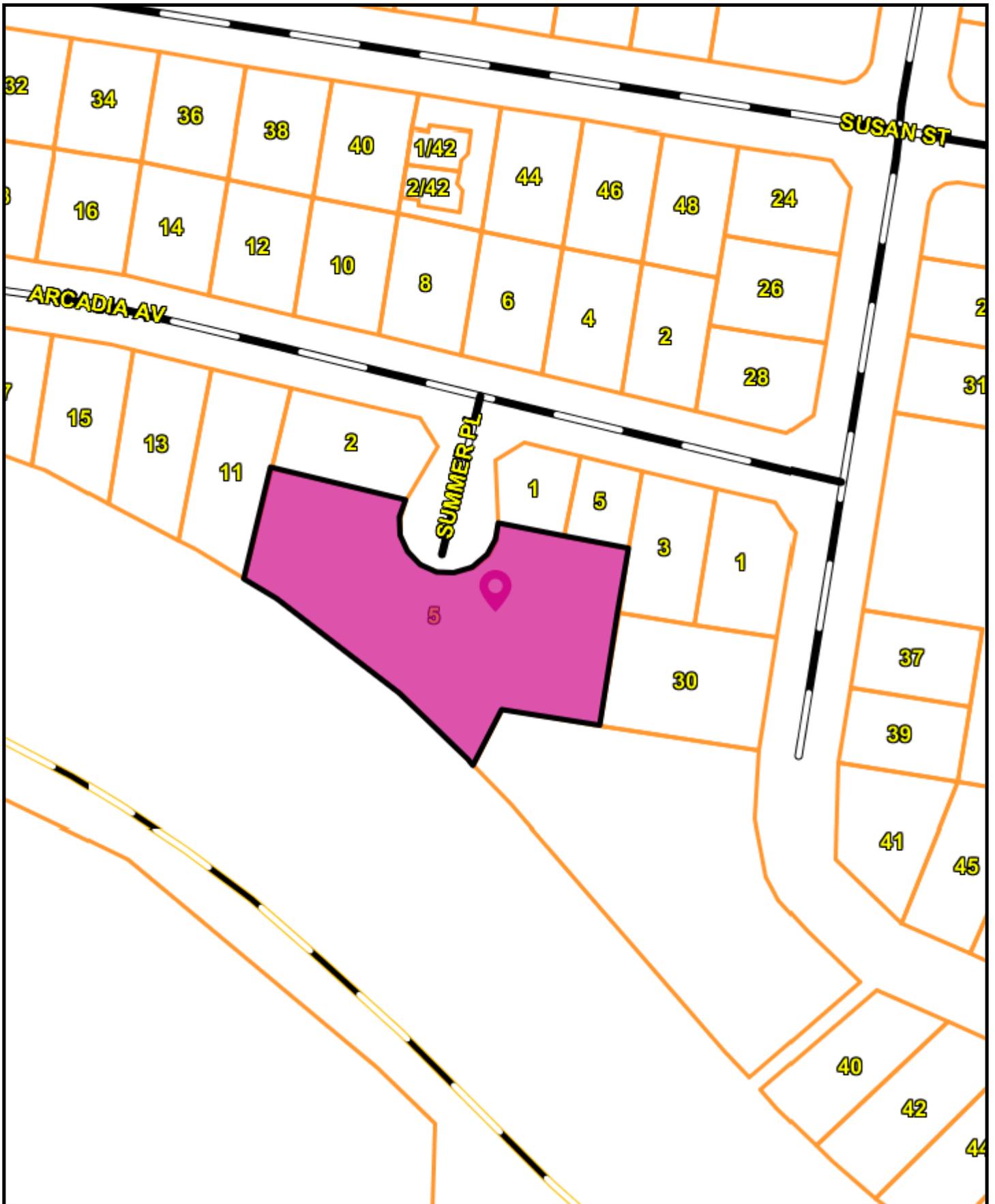
**STANDARD DRAWING**  
APPROVED CONCRETE KERBS AND CHANNELS  
PROFILE DIMENSIONS

GPO Box 1521, Hobart, Tasmania 7001 132a Macquarie Street, Hobart, Tasmania 7000  
T: 03 6233 5966 F: 03 6233 5966 Email: [admin@igat.tas.gov.au](mailto:admin@igat.tas.gov.au)

ISSUE DATE: 28-04-2020

DWG No: TSD-R14-v2

# Annexure 1



50 m



CENTRAL COAST  
COUNCIL

Scale = 1 :  
1307.880

Central Coast Council  
19 King Edward St  
Uiverdon  
TAS 7315  
Telephone: 03 6429 8800  
Facsimile: 03 6425 1224  
admin@centralcoast.tas.gov.au



5-Oct-2020

### Important

This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geodetic Datum of 1984 (AGD66/84). Heights are referenced to the Australia Height Datum (AHD). For most practical purposes GDA94 coordinates, and satellite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WGS84), are the same.

### Disclaimer

**This map is not a precise survey document**

All care is taken in the preparation of this plan; however, Central Coast Council accepts no responsibility for any misprints, errors, omissions or inaccuracies. The information contained within this plan is for pictorial representation only. Do not scale. Accurate measurement should be undertaken by survey.

© The List 2020.  
© Central Coast Council 2020.

**5 SUMMER PLACE,  
TURNERS BEACH  
DA2020291**

# Annexure 2

CENTRAL COAST COUNCIL  
PO Box 220  
19 King Edward Street  
ULVERSTONE TASMANIA 7315  
Ph: (03) 6429 8900  
Email: [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au)  
www: centralcoast.tas.gov.au

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES  
Received: 20 SEP 2020



Application No: .....

## Land Use Planning and Approvals Act 1993

## Central Coast Interim Planning Scheme 2013

## PLANNING PERMIT APPLICATION

### Office Use Only

Application No \_\_\_\_\_

Date Received \_\_\_\_\_

Zone \_\_\_\_\_

Fee \$ \_\_\_\_\_

Permitted

Discretionary

NPR

### Use or Development Site:

Site Address

5 SUMMER PLACE

Certificate of  
Title Reference

TURNERS BEACH

7315

Land Area

3877 m<sup>2</sup>

Heritage Listed Property

NO

### Applicant/s

First Name

DARREL ~~AND GENE~~

Middle  
Name

Surname or  
Company name

AITKEN

Mobile

0427842327

Postal Address:

30 BOYER STREET

Phone No:

64282873

TURNERS BEACH

7315

Email address:

DARRELAITKEN@OUTLOOK.COM

Please tick box to receive correspondence and any relevant information regarding your application via email.

### Owner (Note – if more than one owner, all names must be indicated)

First  
Name

DARREL AND GENE

Middle  
Name

Surname

AITKEN

Phone No

64282873

0427842327

**PERMIT APPLICATION INFORMATION**

(If insufficient space for proposed use and development, please attach separate documents)

"USE" is the purpose or manner for which land is utilised.

Proposed Use

RESIDENCE AND SHED

Use Class

Office use only

"Development" is the works required to facilitate the proposed use of the land, including the construction or alteration or demolition of buildings and structures, signs, any change in ground level and the clearing of vegetation.

**Proposed Development** (please submit all documentation in PDF format to [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au) separating A4 documents & forms from A3 documents).

DWELLING & SHED

**Value of the development** – (to include all works on site such as outbuildings, sealed driveways and fencing)

\$ 1,030,000.00 Estimate/ Actual

Total floor area of the development 530 m<sup>2</sup>

**Notification of Landowner**

**If land is NOT in the applicant's ownership**

I, DARREL AITKEN, declare that the owner/each of the owners of the land has been notified of the intention to make this permit application.

Signature of Applicant

Date

**If the application involves land within a Strata Corporation**

I, \_\_\_\_\_, declare that the owner/each of the owners of the body corporation has been notified of the intention to make this permit application.

Signature of Applicant

Date

**If the application involves land owned or administered by the CENTRAL COAST COUNCIL**

Central Coast Council consents to the making of this permit application.

General Managers Signature \_\_\_\_\_ Date \_\_\_\_\_

---

**If the permit application involves land owned or administered by the CROWN**

I, \_\_\_\_\_ the Minister  
responsible for the land, consent to the making of this permit application.

Minister (Signature) \_\_\_\_\_ Date \_\_\_\_\_

*NB: If the site includes land owned or administered by the Central Coast Council or by a State government agency, the consent in writing (a letter) from the Council or the Minister responsible for Crown land must be provided at the time of making the application - and this application form must be signed by the Council or the Minister responsible.*

**Applicants Declaration**

I/we DARRIEL AITKEN AND ~~CHRIS AITKEN~~  
declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

Signature of Applicant/s  Date 08/9/2020

<b>Office Use Only</b>	
Planning Permit Fee	\$ .....
Public Notice Fee	\$ .....
Permit Amendment / Extension Fee	\$ .....
No Permit Required Assessment Fee	\$ .....
<b>TOTAL</b>	<b>\$ .....</b>
Validity Date	

# CERTIFICATE OF TITLE

LAND TITLES ACT 1980



TASMANIA

## TORRENS TITLE

VOLUME		FOLIO	
177453		100	
EDITION	DATE OF ISSUE		
2	09-Apr-2020		
Page 1		of 1	

I certify that the person described in Schedule 1 is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries specified in Schedule 2 and to any additional entries in the Folio of the Register.

Recorder of Titles



### DESCRIPTION OF LAND

Town of TURNERS BEACH  
Lot 100 on Sealed Plan 177453  
Derivation : Part of Lot 4, 7547m2 Berris May Turner Pur. and  
Part of Lot 700, 320 Acres Alexander Clerke Pur.  
Prior CT 176442/1

### SCHEDULE 1

M815064 TRANSFER to DARREL HENRY AITKEN and GENE ELIZABETH  
AITKEN Registered 09-Apr-2020 at noon

### SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
SP177453 COVENANTS in Schedule of Easements  
SP177453 FENCING PROVISION in Schedule of Easements  
SP139840, SP146102, SP158143, SP173384, SP174763, SP174893 &  
SP176442 COVENANTS in Schedule of Easements  
SP146102, SP158143, SP173384, SP174763, SP174893 & SP176442  
FENCING PROVISION in Schedule of Easements  
SP112646, SP136525, SP139138 & SP139840 FENCING COVENANT in  
Schedule of Easements

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

Received: 20 SEP 2020

Application No: .....

Doc. Id .....

OWNERS: Kilgo Investments Pty Ltd

FOLIO REFERENCE: CT 176442-1

GRANTEE: Part of Lot 2 (4-0-0) Granted to Williams Jones  
Part of Lot 4 (7547 m<sup>2</sup>) Berris May Turner Pur  
Part of Lot 700 (320-0-0) Alexander Clerke Pur

# PLAN OF SURVEY

BY SURVEYOR R. Sands

LOCATION TOWN OF  
TURNERS BEACH  
Sec Ff

SCALE 1:600

LENGTHS IN METRES

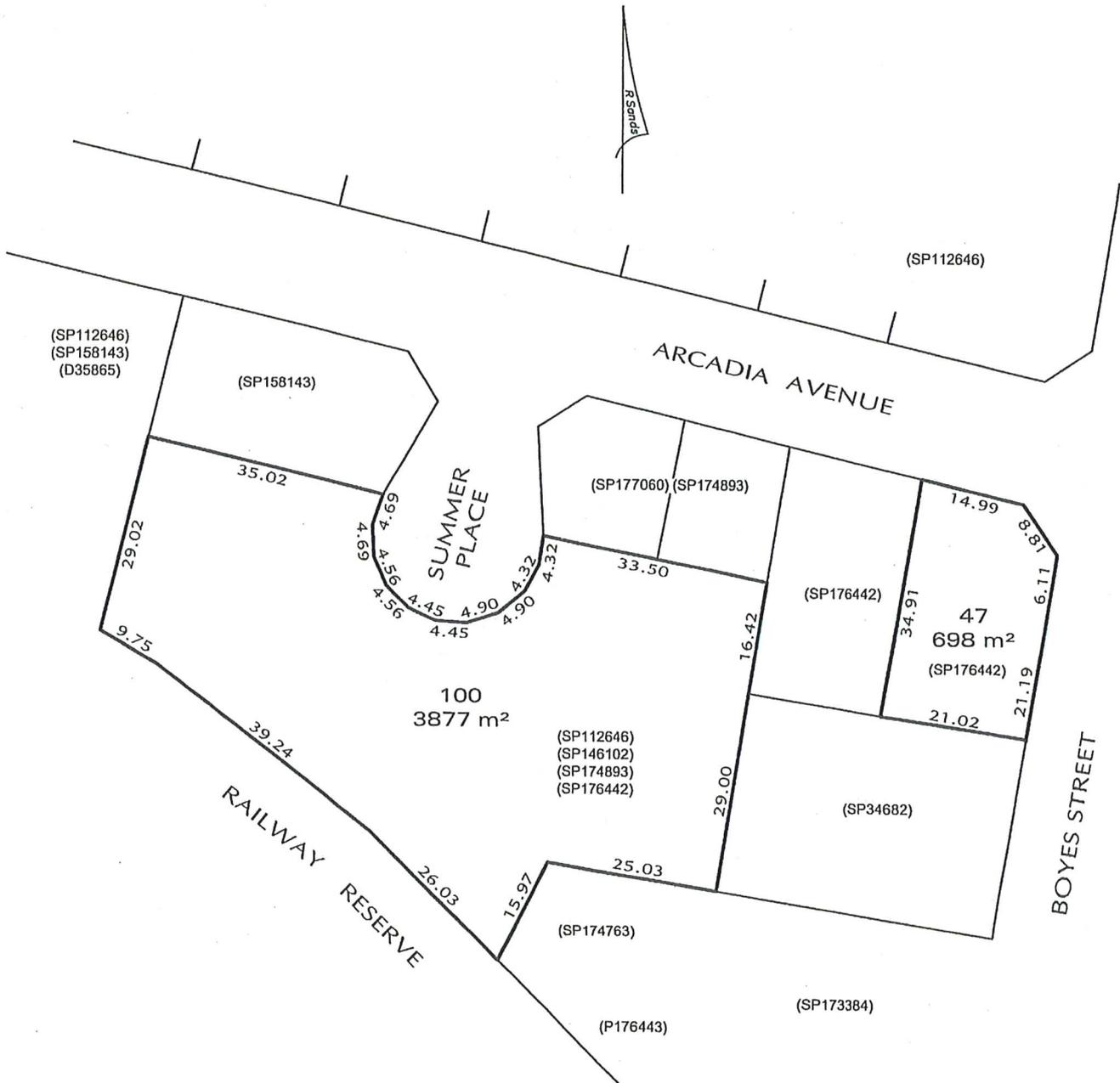
REGISTERED NUMBER

## SP177453

APPROVED  
EFFECTIVE FROM -4 JUL 2019

  
Deputy Recorder of Titles

Lot 47 & 100 is compiled from SP176442



*Sandra Sykes* 6/6/2019  
COUNCIL DELEGATE DATE

## SCHEDULE OF EASEMENTS

Registered Number

**NOTE:** THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.

SP 177453

PAGE 1 OF 2 PAGE/S

### EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

No profits a prendre are created to benefit or burden the lots on the plan.

### COVENANTS

The owner of each lot on the plan covenants with the owners for the time being of each other lot the plan to the intent that the burden of this covenant may run with and bind the covenantor's lot and each and every part of that lot and the benefit of this covenant annexed to and devolves with each other lot on the plan and each and every part of each lot on the plan to observe the following stipulation:

- 1 Not to use in the construction of any dwelling or building on any lot or any part of any lot second hand building materials; and
- 2 Not to relocate on any lot or on any part of any lot any relocatable dwelling or building or any part of any relocatable dwelling or building.

Lot 47 and that part of Lot 100 on the plan that is formerly part of lot 1 on SP 174893 is burdened by the covenants more fully set forth in SP176442

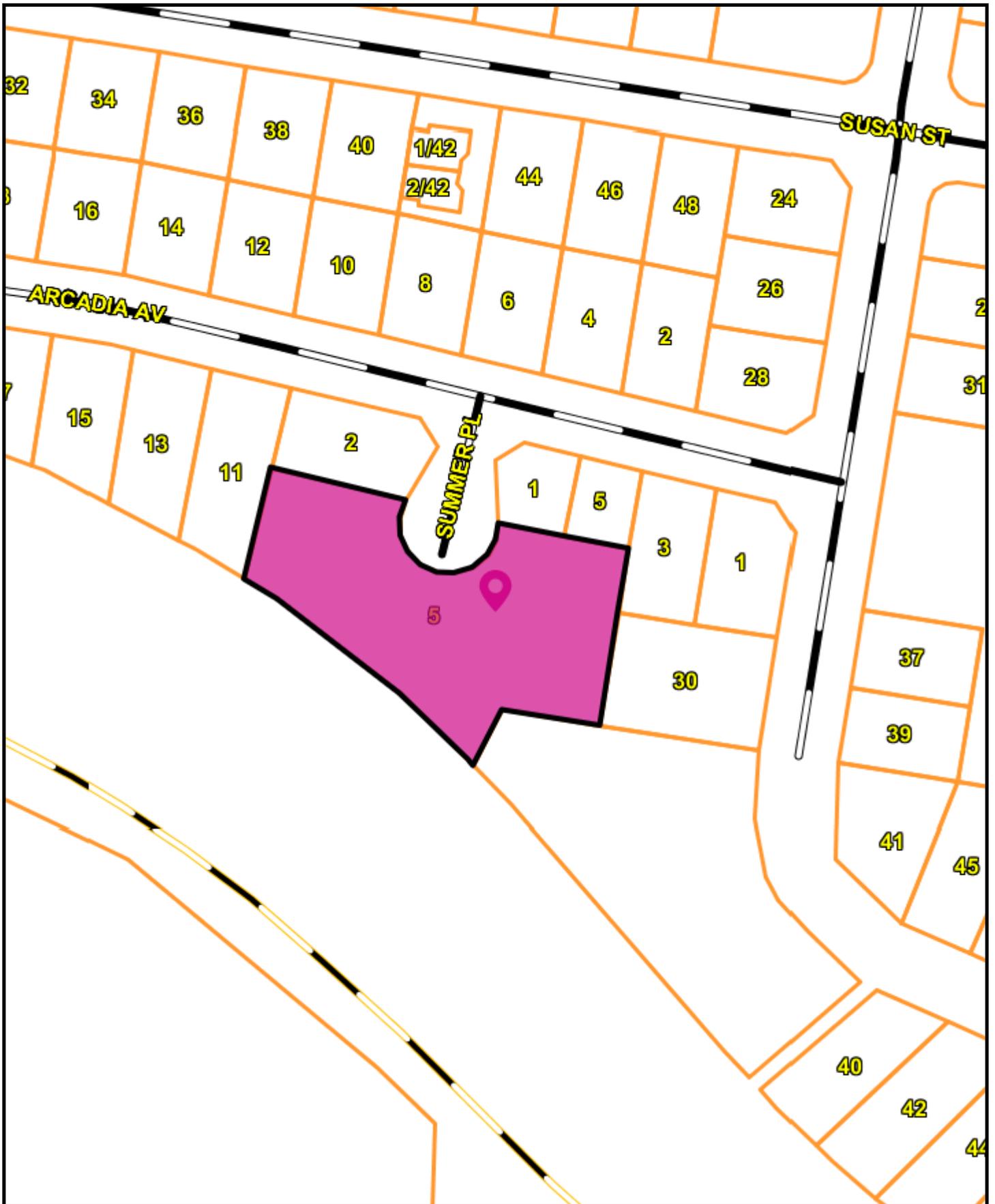
### FENCING PROVISION

In respect of each lot on the plan **Kilgo Investments Pty Ltd A.C.N. 009 520 138**, the vendor, shall not be required to fence.

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Kilgo Investments Pty Ltd FOLIO REF: 176442/1 SOLICITOR & REFERENCE: McLean McKenzie & Topfer	PLAN SEALED BY: Central Coast Council DATE: 6/6/2019 DA211037 REF NO. <i>Sandra Sytko</i> Council Delegate
--	--

**NOTE:** The Council Delegate must sign the Certificate for the purposes of identification.



50 m



CENTRAL COAST  
COUNCIL

Scale = 1 :  
1307.880

Central Coast Council  
19 King Edward St  
Ulverson  
TAS 7315  
Telephone: 03 6429 8800  
Facsimile: 03 6425 1224  
admin@centralcoast.tas.gov.au



5-Oct-2020

**Important**

This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geographic Datum of 1984 (AGD66/84). Heights are referenced to the Australia Height Datum (AHD). For most practical purposes GDA94 coordinates, and satellite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WGS84), are the same.

**Disclaimer**

*This map is not a precise survey document*

All care is taken in the preparation of this plan; however, Central Coast Council accepts no responsibility for any misprints, errors, omissions or inaccuracies. The information contained within this plan is for pictorial representation only. Do not scale. Accurate measurement should be undertaken by survey.

© The List 2020.  
© Central Coast Council 2020.

**5 SUMMER PLACE,  
TURNERS BEACH  
DA2020291**

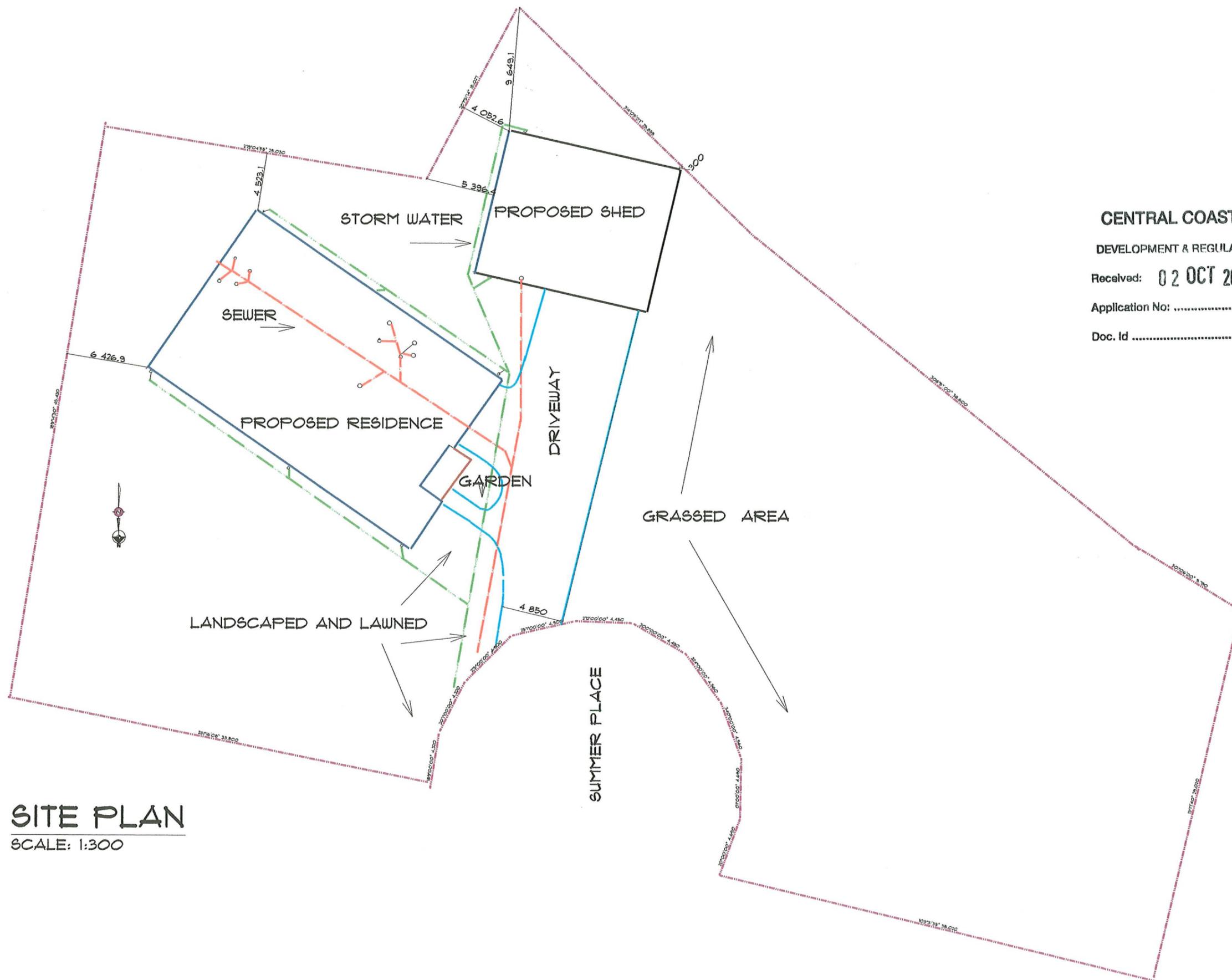
CENTRAL COAST COUNCIL

DEVELOPMENT & REGULATORY SERVICES

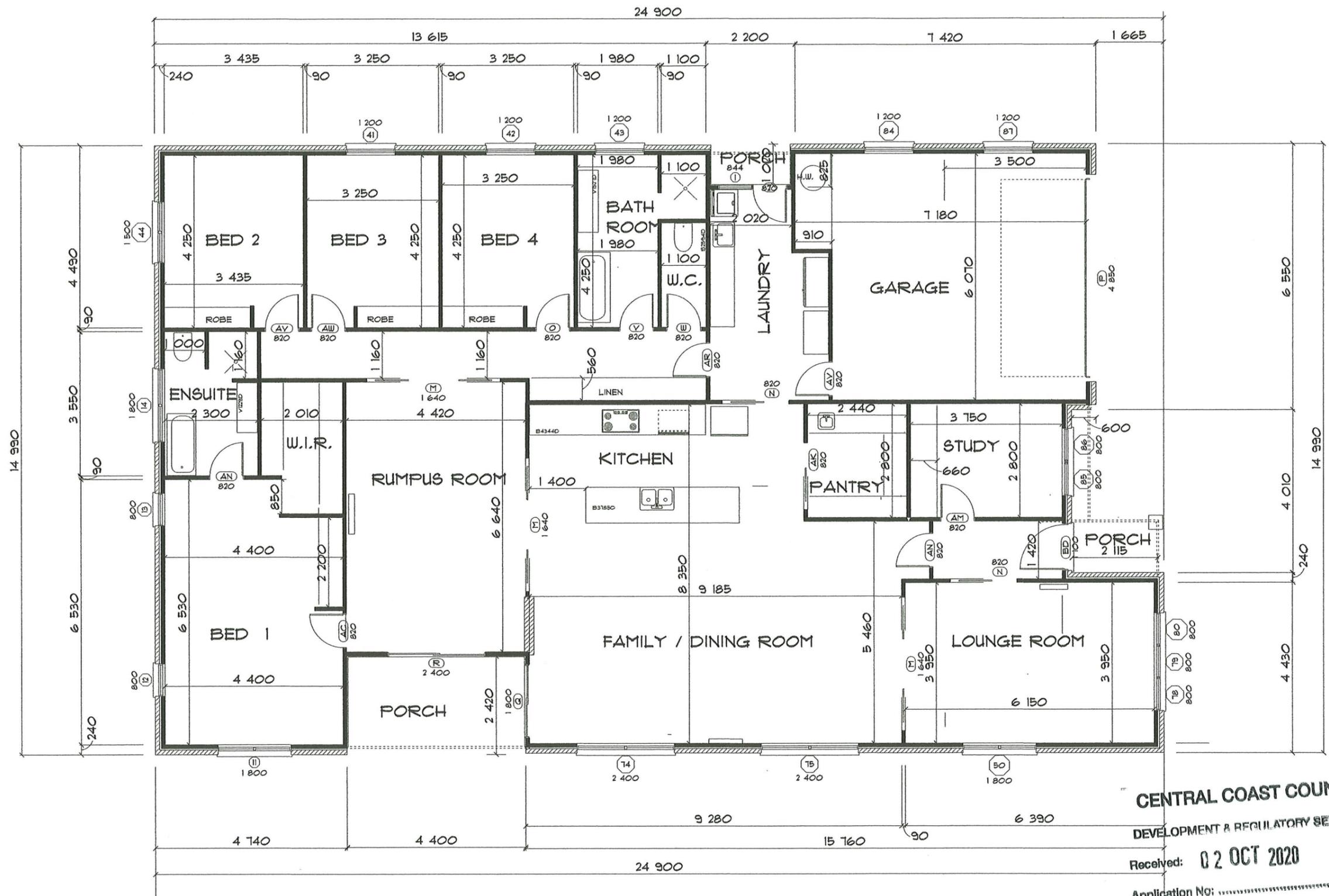
Received: 02 OCT 2020

Application No: .....

Doc. Id .....

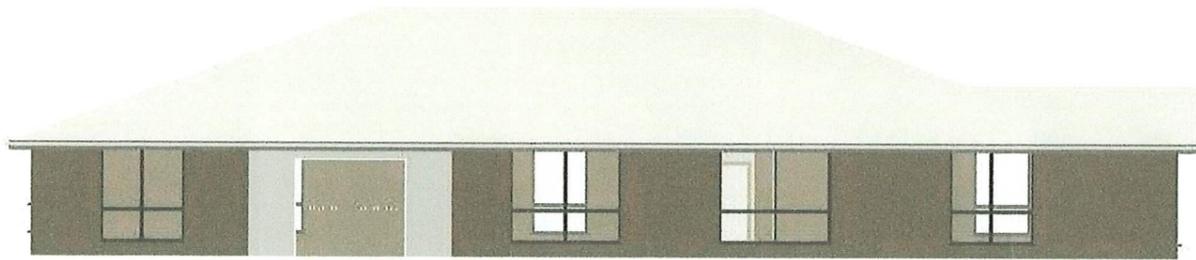


**SITE PLAN**  
SCALE: 1:300



**MAIN FLOOR**  
SCALE: 1:100

**CENTRAL COAST COUNCIL**  
DEVELOPMENT & REGULATORY SERVICES  
Received: 02 OCT 2020  
Application No: .....  
Doc. Id: .....



24900

Elevation North East

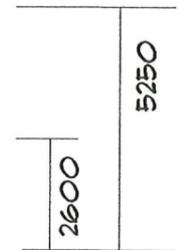
SCALE: 1:150



14990

Elevation South East

SCALE: 1:150



C.L.

F.L.



Elevation South West

SCALE: 1:150



Elevation North West

SCALE: 1:150

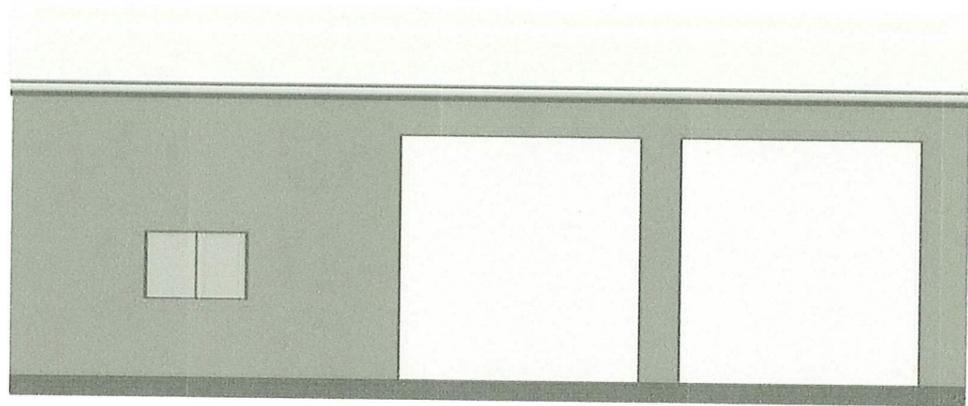
## ELEVATIONS

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

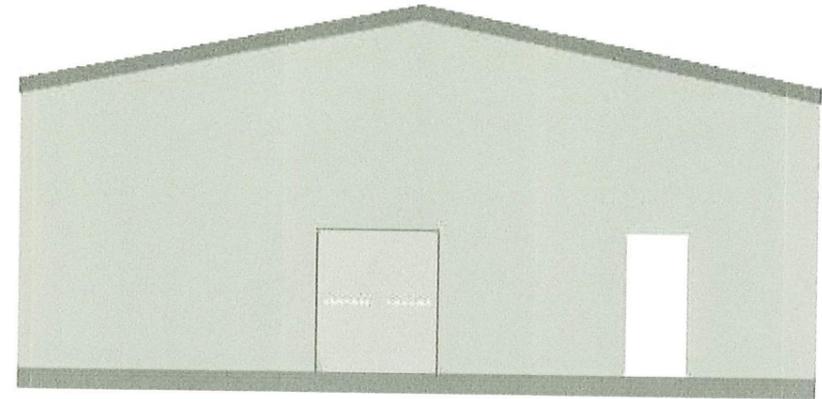
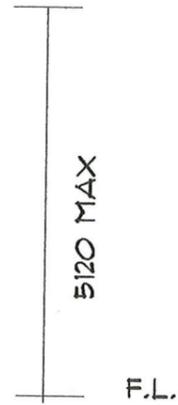
Received: 02 OCT 2020

Application No: .....

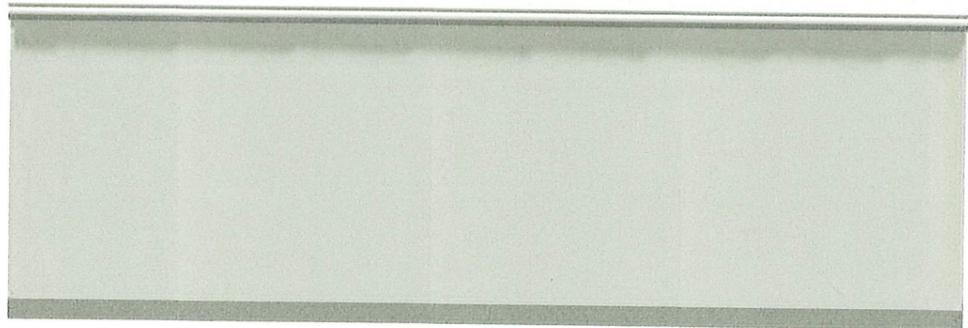
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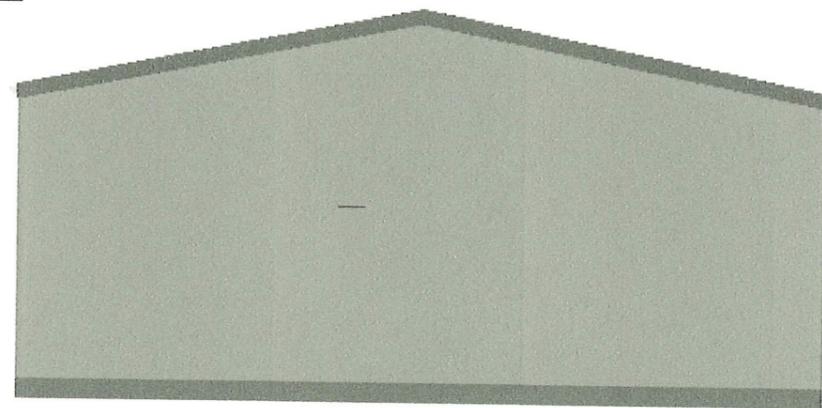
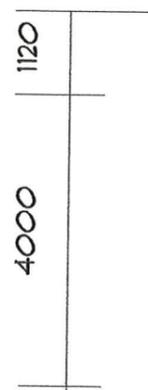
Northern Elevation



Eastern Elevation



Southern Elevation



Western Elevation



CENTRAL COAST COUNCIL

DEVELOPMENT & REGULATORY SERVICES

Received: 02 OCT 2020

Application No: .....

Doc. Id .....

Building For:  
**Darrel Aitken**  
**5 Summer Place Turners Beach**  
**Job Number: 16805**  
 Produced by:  
**DBS Sheds Pty Ltd**  
**Phone: 03 6424 6664**

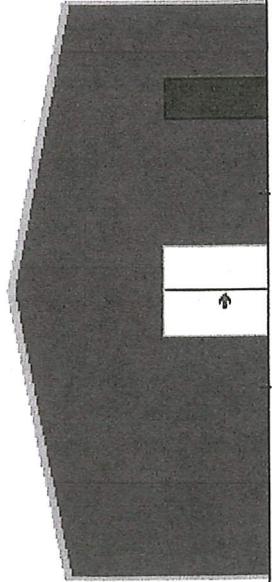
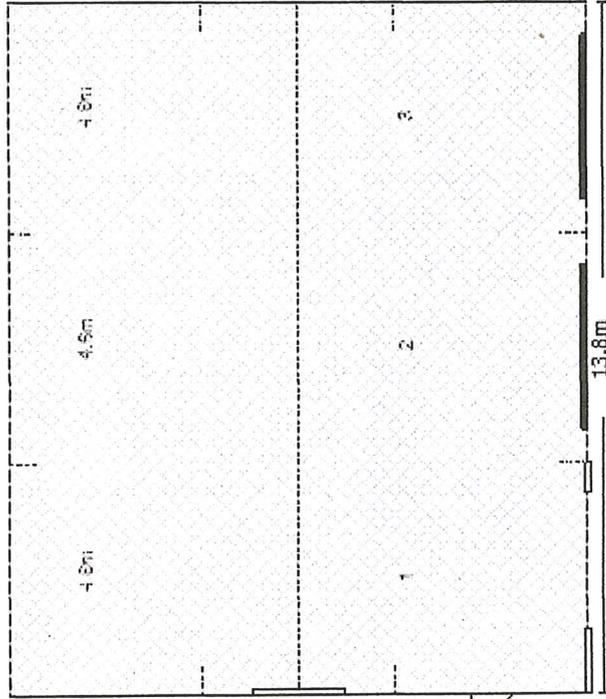
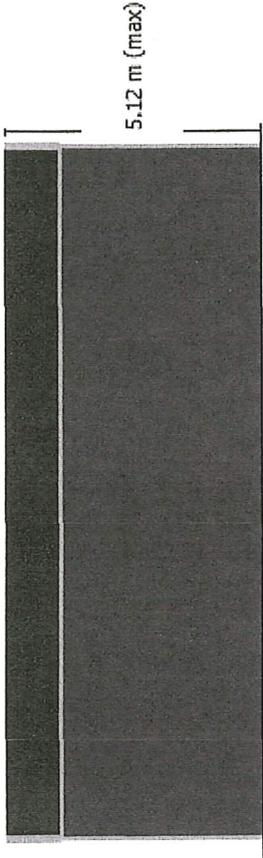
**CENTRAL COAST COUNCIL**

DEVELOPMENT & REGULATORY SERVICES

Received: **02 OCT 2020**

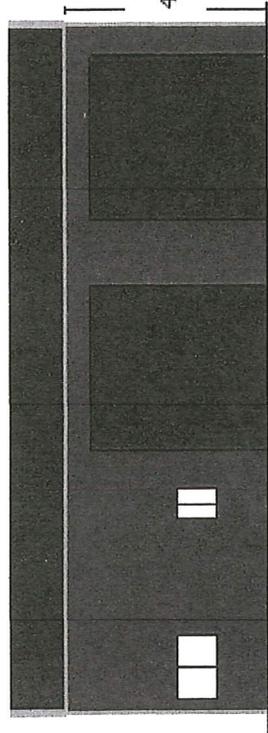
Application No: .....

Doc. Id .....



Left End

Right End



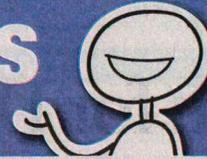
Side

The local distributor you are dealing with is an authorised independent distributor of Fair Dinkum Sheds' products and enters into agreements with its customers on its own behalf and not as an agent of Fair Dinkum Sheds.

# Connect with Classifieds

The Advocate

Phone: 1300 363 789  
Email: classifieds@theadvocate.com.au



## Local Government

**CENTRAL COAST COUNCIL**  
19 King Edward Street  
Ulverstone Tasmania 7315  
Tel. 03 6429 8900  
www.centralcoast.tas.gov.au

### APPLICATIONS FOR PLANNING PERMITS

#### 5.57 Land Use Planning and Approvals Act 1993.

The following applications have been received:

- Location: Shorehaven Drive, Turners Beach CT175068/12  
Proposal: Residential - multiple dwellings x two - variation to building envelope, building height and privacy standards  
Application No.: DA2020221
- Location: 20 Poynton Close, Turners Beach  
Proposal: Residential - dwelling and shed - variation to the building envelope  
Application No.: DA2020263
- Location: 5 View Street, Ulverstone  
Proposal: Residential - dwelling extensions and replacement of outbuilding - garage - variation to the setback of garage to primary frontage, building envelope and side setback standards  
Application No.: DA2020279
- Location: River Road, West Ulverstone CT167720/1  
Proposal: Residential - dwelling and shed - variation to the building envelope  
Application No.: DA2020284
- Location: 32 Epsom Road, Penguin  
Proposal: Residential - shed - variation to the building envelope and proximity to Utilities zone  
Application No.: DA2020289
- Location: 5 Summer Place, Turners Beach  
Proposal: Residential - dwelling and shed - variation to the building envelope and proximity to a rail line  
Application No.: DA2020291
- Location: 32 James Street, Ulverstone  
Proposal: Residential - multiple dwellings x two, garage and demolition of existing garage - variation to building envelope and private open space provision  
Application No.: DA2020292

The applications may be inspected at the Administration Centre, 19 King Edward Street, Ulverstone during office hours (Monday to Friday 8.00am to 4.30pm) and on the Council's website. Any person may make representation in relation to the applications (in accordance with s.57(5) of the Act) by writing to the General Manager, Central Coast Council, PO Box 220, Ulverstone 7315 or by email to [admin@centralcoast.tas.gov.au](mailto:admin@centralcoast.tas.gov.au) and quoting the Application No. Any representations received by the Council are classed as public documents and will be made available to the public where applicable under the *Local Government (Meeting Procedures) Regulations 2015*. Representations must be made on or before 21 October 2020.

Date of notification: 7 October 2020.

SANDRA AYTON  
General Manager

**DEVONPORT CITY COUNCIL**  
137 Rooke Street, Devonport TAS 7310  
Phone: 03 6424 9511  
www.devonport.tas.gov.au

### APPLICATION FOR PLANNING PERMIT

A planning application has been made for the following proposal:

- Application No: PA2020.0169
- Proposal: Residential (alterations and additions to dwelling)
- Address: 41 Hiller Street, Devonport

The application can be viewed at the Council offices or on Council's website. Section 57(5) of the *Land Use Planning and Approvals Act 1993* provides that representations can be made in writing to the undersigned at PO Box 604, Devonport or [council@devonport.tas.gov.au](mailto:council@devonport.tas.gov.au) by close of business on **20 October 2020**.

Matthew Atkins  
GENERAL MANAGER

## Local Government

### CIRCULAR HEAD COUNCIL

#### APPLICATION FOR PLANNING PERMIT (s.57(3) Land Use Planning and Approvals Act 1993)

##### Circular Head Interim Planning Scheme 2013

Application No	DA 2020/085
Location	129 A Green Point Road, Marrawah
Applicant/Owner	Cole G A / Martin C A M S
Use Class	Residential
Proposal	New Dwelling
Discretionary Matter	13.4.1 (P1 & P2) - Suitability of a site or lot for use or development 13.4.2 (P1) - Dwelling density 13.4.3 P2 Location and configuration of development
Application No	DA 2020/086
Location	295 Montagu Road, Smithton
Applicant/Owner	Browns Dairy & Irrigation / S W & A J Barker & Co Pty Ltd
Use Class	Transport depot and distribution Outbuilding (Shed)
Proposal	9.1 Changes to an Existing Non-conforming Use
Discretionary Matter	13.4.1 (P1 & P5) Suitability of a site or lot for use or development 13.4.2 (P1) Dwelling density 13.4.3 (P1&P2) Location and configuration of development 13.4.4 (P1) Acoustic and visual privacy for residential development
Application No	DA 2020/087
Location	23019 Bass Highway, Smithton
Applicant/Owner	Arnold P W & C J
Use Class	Residential
Proposal	Dwelling Extension
Discretionary Matter	13.4.1 (P1 & P5) Suitability of a site or lot for use or development 13.4.2 (P1) Dwelling density 13.4.3 (P1&P2) Location and configuration of development 13.4.4 (P1) Acoustic and visual privacy for residential development
Application No	DA 2020/090
Location	17 Horton Street, Forest
Applicant/Owner	Morrison T W, Mitchell A R
Use Class	Residential
Proposal	Outbuilding
Discretionary Matter	16.4.1 (P4) Suitability of a site or lot for use or development, 16.4.3 (P2) Location and configuration of development
Application No	DA 2019/130
Location	171 Back Line Road, Forest
Applicant/Owner	Gibson I K
Use Class	Visitor accommodation
Proposal	Change of use - Visitor Accommodation
Discretionary Matter	26.3.1 (P1) Requirement for discretionary non-residential use to locate on rural resource land 26.4.1 (P2) Suitability of a site or lot on a plan of subdivision for use or development 26.4.3 (P1) Location of development for sensitive uses

Application(s) may be viewed during office hours at the Council Office, 33 Goldie St, Smithton or Council's website till the date listed below. Please be advised due to COVID-19 restrictions Council offices may not be open to the public during this notification period. In accordance with s.57(5) of the Act, any person may make written representation to the General Manager, PO Box 348 SMITHTON 7330 or [council@circulthead.tas.gov.au](mailto:council@circulthead.tas.gov.au) and received by 5.00pm 21/10/2020.

Scott Riley  
GENERAL MANAGER  
Ph: 03 6452 4800  
[www.circularhead.tas.gov.au](http://www.circularhead.tas.gov.au)



**adzuna**

## Local Government

**WARATAH WYNYARD COUNCIL**

### TEMPORARY CLOSURE OF PUBLIC STREETS LOCAL GOVERNMENT (HIGHWAYS) ACT 1982

upon me under the provisions of Section 19(1)(b) of the *Local Government (Highways) Act 1982*, I will be closing:

- a) Goldie St Wynyard - from Saunders St. to Hogg St. from **10:30.am - 12:00pm**

on **Friday 9th October 2020**, for the purpose of activities associated with the Spring - Loaded Month of Events (Gopher Race).

Such an event being declared to be a public function for the purposes of the Section

### APPLICATION FOR PLANNING PERMIT

Notice is given that application has been made for the following discretionary permit: -

- No: DA 139/2020
- Location: 64 English Street, Waratah
- Applicant: Abel Drafting Services P/L
- Zoning: Village
- Use Class: Residential
- Proposal: Outbuilding
- Discretionary Matter: Suitability of a site or lot for use or development 16.4.1 (P5)

The applications and associated plans and documents will be available for inspection during normal office hours for the exhibition period at the Council Office, Saunders Street, Wynyard or viewed on Council website [www.warwyn.tas.gov.au](http://www.warwyn.tas.gov.au). Any person who wishes to make representations in accordance with the *Land Use Planning and Approvals Act 1993*, must do so during the exhibition period. Representations in writing will be received by the undersigned by **Wednesday 21 October 2020**.

Dated at Wynyard this day, 7 October 2020.

Shane Crawford, General Manager  
PO Box 168, WYNYARD 7325  
Email: [council@warwyn.tas.gov.au](mailto:council@warwyn.tas.gov.au)

[www.warwyn.tas.gov.au](http://www.warwyn.tas.gov.au)

## Public Notices

### BURNIE CITY COUNCIL

#### AUSTRALIA DAY AWARDS 2021

The Burnie Australia Day Special Committee, in conjunction with the National Australia Day Council is calling for nominations for the following awards:

- Citizen of the Year
- Senior Citizen of the Year
- Young Citizen of the Year
- Community Event of the Year

Nomination forms are available from the Burnie City Council, 80 Wilson Street, Burnie, or online at [www.burnie.net](http://www.burnie.net)

Nominations close **Friday, 20 November 2020** and must be received in writing, containing name and address of both the nominee and the nominator.

[www.burnie.net](http://www.burnie.net)



### Parakaleo Ministries Inc. NOTICE OF ANNUAL GENERAL MEETING

The AGM of the Association of Parakaleo Ministries Inc. will be held on Thursday October 15, 2020 at 5.30 p.m. at 102 Best Street, Devonport.  
David Grey,  
PUBLIC OFFICER.

**THE ANNUAL** General Meeting of Coastal Family Day Care will be held on Thursday, October 22, 2020 at 6 pm at 34 Wragg St, Somerset.

### Work Wanted

### Concrete and Paving

Sheds, Driveways, Paths & Coloured Seal.  
HELP SUPPORT LOCAL BUSINESS.  
Ben: 0400 085 129

## Public Notices

### DEPARTMENT OF PRIMARY INDUSTRIES, PARKS, WATER AND ENVIRONMENT LAND TITLES OFFICE NEW CERTIFICATE OF TITLE

NOTICE is given that the Recorder of Titles intends, after the expiration of fourteen days, to issue a new Certificate of Title pursuant to Section 35 of the Land Titles Act 1980 to replace Certificates of Title Volume 2405 Folio 42 and Volume 2405 Folio 43 in the name of LEONARD CHARLES BLIGH to the land situated in the Parish of STOWPORT, Land District of DEVON which is declared to have been lost, mislaid or destroyed.

Application No. M846513

ROBERT MANNING  
Recorder of Titles

Inserted by: McGRATH & CO  
DX 70205, BURNIE, TAS  
(Solicitors for the Applicant)

### Notice of Application to Reseal Probate

Notice is hereby given that, after the expiration of 14 days from the publication hereof, NERIDA KATHRYN BRADLEY of 189 Duffy Street, Ainslie in ACT (formerly of 5 Claremont Street, Red Hill in Queensland) the executor of the will of the estate of LINDA MARY TERRY, late of 8 Balonne Avenue, Sinnamon Park in Queensland, deceased, to whom probate of the said will was granted by the Court of Supreme Court of Queensland on the 23 March 2020, will apply to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that the seal of the said Supreme Court of Tasmania may be affixed to the said probate pursuant to Part VI of the Administration and Probate Act 1935.

Dated this seven day of October 2020.

ROD GLOVER LEGAL  
Acting on behalf of the Applicant.

## Adult Services

### Belle

First time Burnie, busty,  
Thai. Ph. 0432 621 159.



FIRST time Devonport,  
20yo, hot gorgeous,  
best service. In/out 24hr  
0456 431 974

### LUCY

Asian 23 years, sexy,  
beautiful. Burnie. Ph.  
0450 995 609.



NEW 1st time  
D'port 21 y.o. pretty  
hot, sexy, slim, busty,  
beautiful. 0456 783 317.

SPoil TEASE UNWIND  
Aussie Busty Brunette,  
No Rush Visiting Burnie,  
0444 544 831 No Txts

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classified ad  
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[advertisers.com.au](http://advertisers.com.au)



## Work Wanted



### Two Blokes and a Vara

Specialising in tip runs.  
pick up and drop off.  
Call Denis  
0477 818 082

# Annexure 3

**Kellie Malone**

---

**From:** Jennifer Jarvis <Jennifer.Jarvis@tasrail.com.au>  
**Sent:** Wednesday, 21 October 2020 7:00 PM  
**To:** Admin  
**Subject:** Attention Planning Department  
**Attachments:** Oct 2019 TasRail Standard Notes - Op Lines.docx

Your Reference DA2020-291 – 5 Summer Place Turners Beach

Thank you for notifying TasRail of the above application.

TasRail has reviewed the available application and notes that the orientation of the proposed shed will be approximately 0.3 metres from the rail boundary. TasRail is concerned this is extremely close and substantially less than the setback for a rear boundary under the Low Density Zoning which we understand is 4 metres. TasRail therefore asks if the orientation or location of the shed can be changed so as to increase the setback from the rail boundary, or alternatively if the applicant is prepared to erect a fence of robust materials (such as colorbond) along the boundary shared with the rail corridor, then this would be an acceptable solution from TasRail's perspective?

TasRail also asks that the attached Standard Notes be included with the Permit should the application be approved by Council.

Kind regards

**Jennifer Jarvis**



Manager Group Property & Compliance |  
Phone: 03 6335 2603 | Mobile: 0428 139 238  
11 Techno Park Drive, Kings Meadows, Tasmania, 7249  
[Jennifer.Jarvis@tasrail.com.au](mailto:Jennifer.Jarvis@tasrail.com.au)



*'Tasmania's trusted provider of safe and dependable rail logistics solutions'*



This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorised and may be illegal. Opinions, conclusions, views and other information in this message that do not relate to the official business of the Tasmanian Railway Pty Ltd are the views of the individual sender and shall be understood as neither given nor endorsed by Tasmanian Railway Pty Ltd.

## **TasRail Standard Notes (as at 24 October 2019)**

- Where a building or other development is proposed to be located at a setback distance less than 50 metres from the boundary of the rail corridor, the occupants are likely to be exposed to train horn noise and vibration, noting that TasRail Freight Rail Services operate 24/7 and the configuration, frequency and time of these services is subject to change at any time. Landowners and prospective landowners should undertake appropriate due diligence to ensure they are aware of train noise and vibration, particularly train horn noise.
- The train horn is a safety device that is required to be sounded twice per level crossing being on approach and on entry. The minimum duration of each train horn blow is one second. The train driver also has the discretion to sound the horn at any time he/she perceives a risk.
- Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting [property@tasrail.com.au](mailto:property@tasrail.com.au)
- No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc.
- No persons should enter rail land without formal authorisation.
- Rail land is not for private use and should not be encroached for any purpose including for gardens, storage, keeping of animals etc. Dumping of rubbish including green waste into the rail corridor is not permitted.
- As per the *Rail Infrastructure Act 2007*, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.
- Using or creating an unauthorised railway crossing or stock crossing is unsafe and strictly prohibited.
- All access and rail land enquiries should be directed to [property@tasrail.com.au](mailto:property@tasrail.com.au)
- As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.

# Annexure 4



5 Summer Place, Turners Beach - Spectrum GIS image.



5 Summer Place, Turners Beach. Approximate location of proposed shed shown.

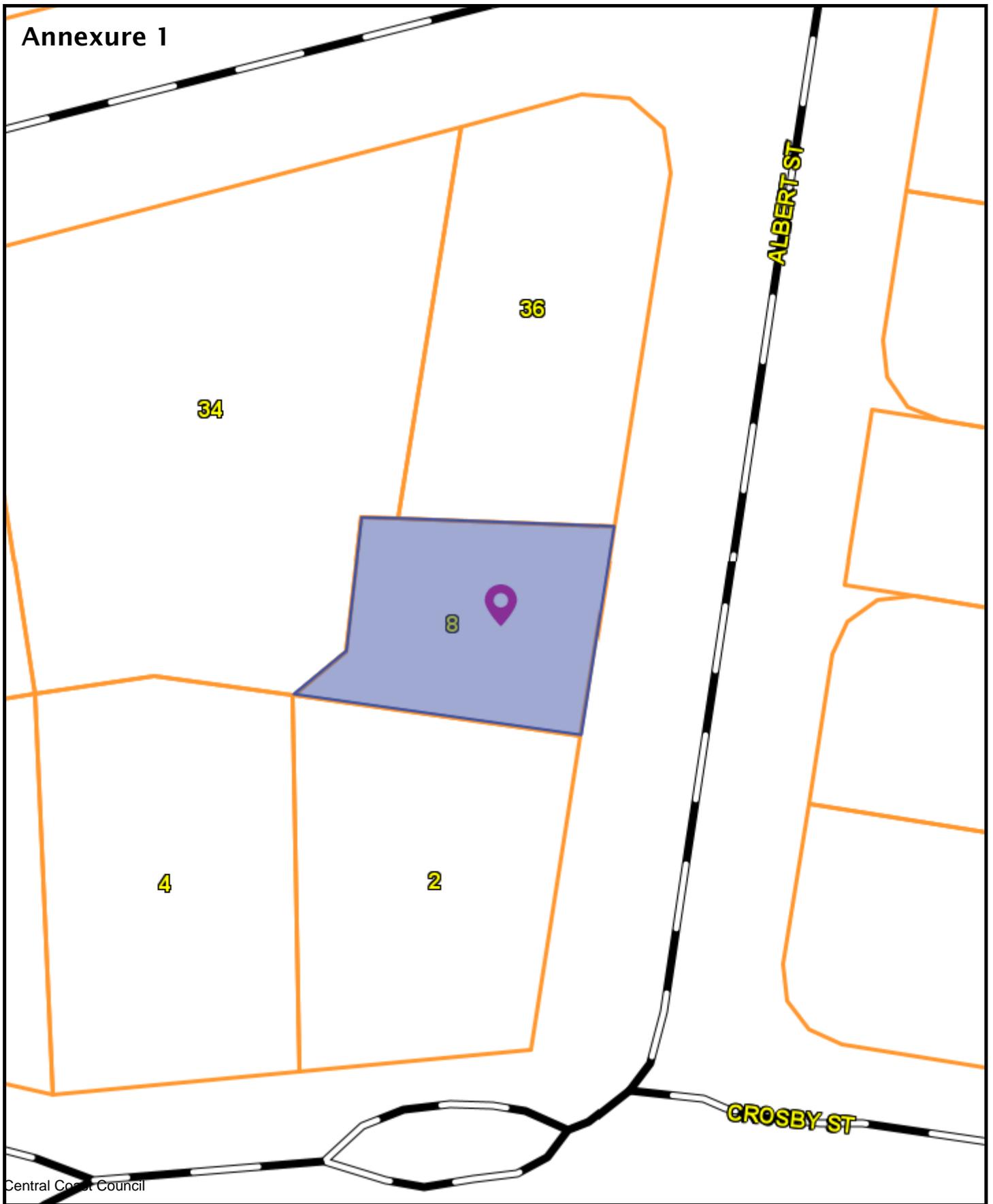


5 Summer Place, Turners Beach. Photo looking south across the site.



5 Summer Place, Turners Beach. Photo looking south across the site.

# Annexure 1



Central Coast Council

10 m



Central Coast Council  
9189 Evans Dr  
Ulladulla  
NSW 2539  
Telephone: 02 4229 2300  
Facsimile: 02 4229 1070  
www.centralcoast.nsw.gov.au

Scale =  
1:442,260



22-Oct-2020

**Important**  
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**Disclaimer**  
This map is not a precise survey document and does not form an integral part of any title. However, Central Coast Council accepts no responsibility for any errors, omissions, or inaccuracies. The information contained within this plan is for general information only. Do not scale. Accurate measurement should be undertaken by survey.  
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**8 ALBERT STREET,  
TURNERS BEACH  
DA2020308**

# Annexure 2

**CENTRAL COAST COUNCIL**  
PO Box 220  
19 King Edward Street  
ULVERSTONE TASMANIA 7315  
Ph: (03) 6429 8900  
Email: [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au)  
www: [centralcoast.tas.gov.au](http://centralcoast.tas.gov.au)



**Land Use Planning and Approvals Act 1993**  
**Central Coast Interim Planning Scheme 2013**  
**PLANNING PERMIT APPLICATION**

**Office Use Only**

Application No \_\_\_\_\_

Date Received \_\_\_\_\_

Zone \_\_\_\_\_

Fee \$ \_\_\_\_\_

Permitted

Discretionary

NPR

**Use or Development Site:**

Site Address

Certificate of Title Reference

Land Area  Heritage Listed Property NO

**Applicant/s**

First Name  Middle Name

Surname or Company name  Mobile

Postal Address:  Phone No:

Email address:

Please tick box to receive correspondence and any relevant information regarding your application via email.

**Owner** (Note – if more than one owner, all names must be indicated)

First Name  Middle Name

Surname  Phone No

Postal Address:

**PERMIT APPLICATION INFORMATION**

(If insufficient space for proposed use and development, please attach separate documents)

"USE" is the purpose or manner for which land is utilised.

**Proposed Use**

Dwelling

**Use Class**

Office use only

"Development" is the works required to facilitate the proposed use of the land, including the construction or alteration or demolition of buildings and structures, signs, any change in ground level and the clearing of vegetation.

**Proposed Development** (please submit all documentation in PDF format to [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au) separating A4 documents & forms from A3 documents).

Proposed residence

**Value of the development** – (to include all works on site such as outbuildings, sealed driveways and fencing)

\$ 300,000 ..... Estimate/ Actual

Total floor area of the development .....152.....m<sup>2</sup>

**Notification of Landowner**

**If land is NOT in the applicant's ownership**

I, Lachlan Walsh, declare that the owner/each of the owners of the land has been notified of the intention to make this permit application.

Signature of Applicant



Date 30.09.2020

**If the application involves land within a Strata Corporation**

I, , declare that the owner/each of the owners of the body corporation has been notified of the intention to make this permit application.

Signature of Applicant

Date

**If the application involves land owned or administered by the CENTRAL COAST COUNCIL**

Central Coast Council consents to the making of this permit application.  
 General Managers Signature \_\_\_\_\_ Date \_\_\_\_\_

**If the permit application involves land owned or administered by the CROWN**

I, \_\_\_\_\_ the Minister  
 responsible for the land, consent to the making of this permit application.  
 Minister (Signature) \_\_\_\_\_ Date \_\_\_\_\_

*NB: If the site includes land owned or administered by the Central Coast Council or by a State government agency, the consent in writing (a letter) from the Council or the Minister responsible for Crown land must be provided at the time of making the application - and this application form must be signed by the Council or the Minister responsible.*

**Applicants Declaration**

I/ we Lachlan Walsh  
 declare that the information I have given in this permit application to be true and correct to the best of my knowledge.  
 Signature of Applicant/s  \_\_\_\_\_ Date 30.09.2020

<b>Office Use Only</b>	
Planning Permit Fee	\$ .....
Public Notice Fee	\$ .....
Permit Amendment / Extension Fee	\$ .....
No Permit Required Assessment Fee	\$ .....
<b>TOTAL</b>	<b>\$ .....</b>
Validity Date	

SEARCH OF TORRENS TITLE

VOLUME 148539	FOLIO 2
EDITION 3	DATE OF ISSUE 25-Oct-2010

SEARCH DATE : 12-Sep-2020

SEARCH TIME : 10.42 AM

DESCRIPTION OF LAND

Town of TURNERS BEACH  
 Lot 2 on Sealed Plan 148539  
 Derivation : Part of Lot 14A-3R-18Ps Granted to Harry Vincent  
 Glengyle Turner  
 Prior CT 140891/18

SCHEDULE 1

M303703 TRANSFER to SUE-ANNE MARIA KNIGHT Registered  
 25-Oct-2010 at 12.01 PM

SCHEDULE 2

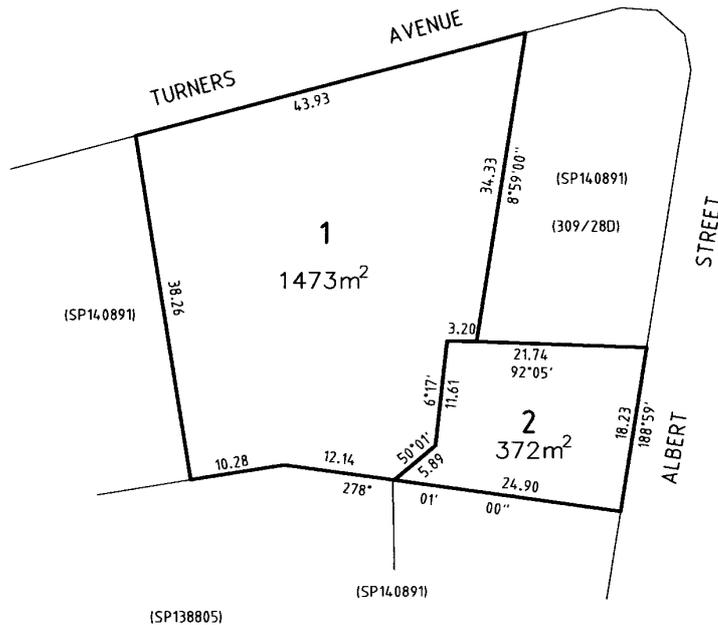
Reservations and conditions in the Crown Grant if any  
 SP148539 COVENANTS in Schedule of Easements  
 SP148539 FENCING COVENANT in Schedule of Easements  
 SP138805 & SP140891 COVENANTS in Schedule of Easements  
 A42755 FENCING CONDITION in Transfer  
 SP138805 & SP140891 FENCING COVENANT in Schedule of Easements  
 C434959 AGREEMENT pursuant to Section 71 of the Land Use  
 Planning and Approvals Act 1993 Registered  
 12-Feb-2003 at noon  
 C988018 MORTGAGE to Commonwealth Bank of Australia  
 Registered 25-Oct-2010 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

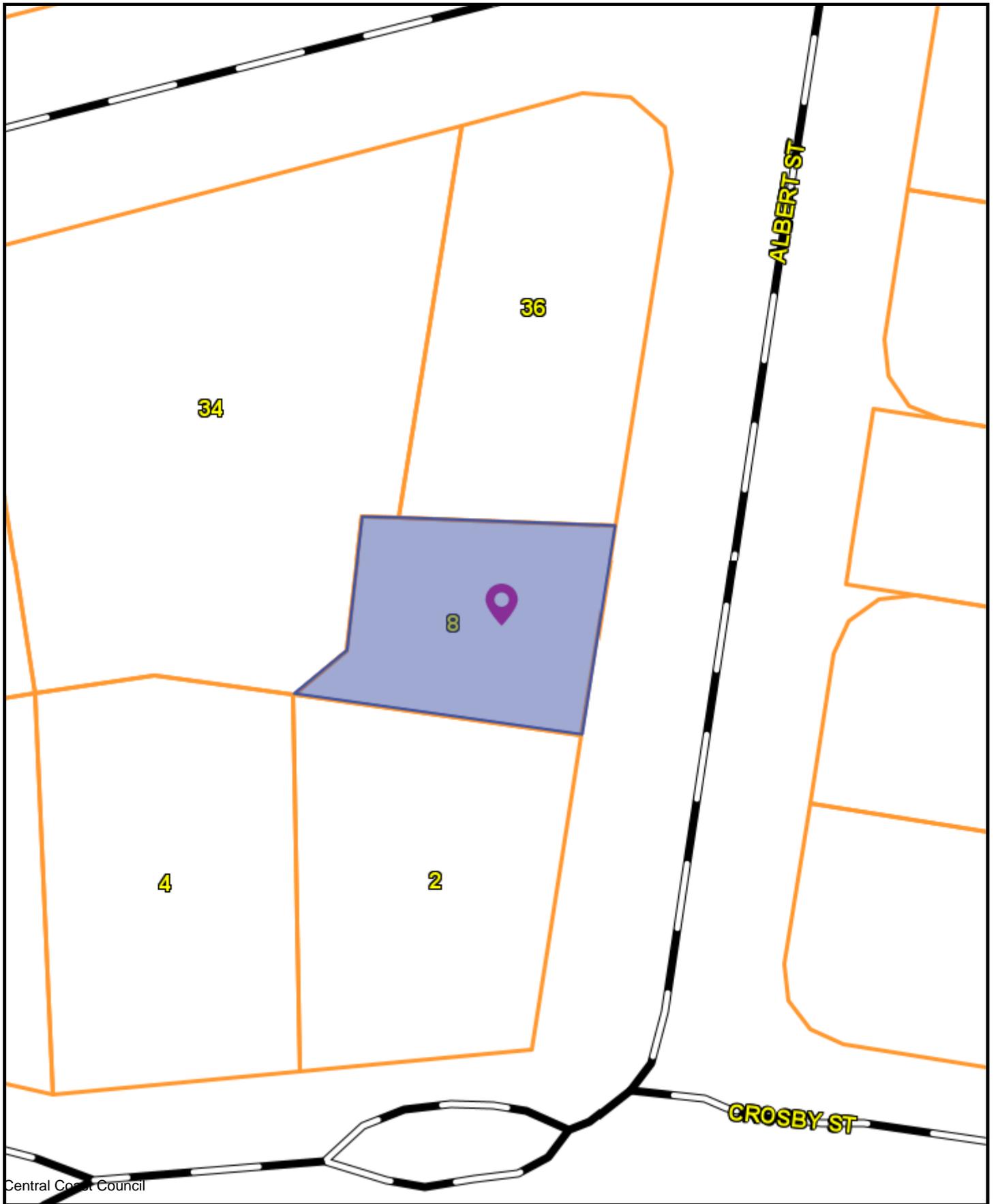
No unregistered dealings or other notations

OWNER M.J. LEARY & L.M. SNEPVANGERS		<b>PLAN OF SURVEY</b>	REGISTERED NUMBER
FOLIO REFERENCE FR140891-18			<b>SP148539</b>
GRANTEE PART OF LOT 700, 320 ACRES, ALEXANDER CLERKE, PUR AND PART OF 14A-3R-18P, GRANTED TO HARRY VINCENT GLENGYLE TURNER		BY SURVEYOR MR M.A.C. LESTER LESTER FRANKS SURVEY & GEOGRAPHIC PTY LTD LOCATION <b>TOWN OF TURNERS BEACH SECTION X</b>	APPROVED EFFECTIVE FROM - 8 DEC 2006
		SCALE 1: 500 LENGTHS IN METRES	<i>Alice Kawa</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 104 (4244-45)	LAST UPI No. GCA 52	LAST PLAN No. No. SP140891	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN

LOT 1 IS COMPILED FROM FR140891-18 AND THIS SURVEY



*Katharine Blay* 18/10/06  
COUNCIL DELEGATE DATE



Central Coast Council

10 m



CENTRAL COAST  
COUNCIL

Central Coast Council  
9189 Evans Dr  
Ulladulla  
NSW 2539  
Telephone: 02 4229 2000  
Facsimile: 02 4229 1000  
www.centralcoast.nsw.gov.au

Scale =  
1:442,260



22-Oct-2020

**Important**

This map was produced by the GEODETIC DATUM OF AUSTRALIA 1984 (GDA84), which has succeeded the Australian Geodetic Datum of 1966 (AGD66). Heights are referenced to the Australian Height Datum (AHD). For most practical purposes, GDA84 coordinates and heights are the same as AGD66. For more information, visit the Geospatial Data Australia website.

**Disclaimer**

This map is not a precise survey document and does not form part of any legal document. Central Coast Council accepts no responsibility for any errors, omissions, or inaccuracies. The information contained within this plan is for general information only. Do not scale. Accurate measurement should be undertaken by survey.  
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© Central Coast Council 2020.

**8 ALBERT STREET,  
TURNERS BEACH  
DA2020308**

I, Nick Haywood (owner of property at 36 Turners Avenue, Turners Beach) consent to enter into an agreement under Part 5 Land Use Planning and Approvals Act 1993 to allow construction of a retaining wall/fence on the southern boundary of my property on land owned by Tom Sullivan and Emily Mann at 8 Albert St, Turners Beach.



Nick Haywood

October 16, 2020.

**CENTRAL COAST COUNCIL**

DEVELOPMENT & REGULATORY SERVICES

Received: 20 OCT 2020

Application No: DA2020308

Doc. Id 372218



# LACHLAN WALSH DESIGN

Tasmania Accreditation Number: CC 6162 E

ABN: 94 660 558 746

PO Box 231, Devonport TAS, 7310

E: lachlan@lachlanwalshdesign.com | P: 6424 8053

## INDEX

PAGE	CONTENT	REV.
00	COVER PAGE	
01	DEMO PLAN	
02	SITE PLANS	
03	SITE SECTIONS	
04	SHADOW DIAGRAMS 1 of 2	
05	SHADOW DIAGRAMS 2 of 2	
06	FLOOR PLAN	
07	ELEVATIONS 1 of 2	
08	ELEVATIONS 2 of 2	
09	FLOOR PLAN - SHED	
10	SCHEDULES	
11	NCC NOTES	

## GENERAL INFORMATION

LAND TITLE REF. NUMBER	148539/2
PROPERTY ZONE	12.0 Low Density Residential
DESIGN WIND CATEGORY (AS 4055)	-
SOIL CLASSIFICATION (AS 2870)	-
CLIMATE ZONE (NCC 3.12)	ZONE 7
BAL RATING (AS 3959)	-

## OTHER CONSULTANTS

STRUCTURAL ENGINEER	-
GEOLOGICAL REPORT (SOIL)	-
ENERGY ASSESSMENT	-
WASTEWATER REPORT	-
BUSH FIRE ASSESSMENT	-
CIVIL ENGINEER	-
MECHANICAL ENGINEER	-
ELECTRICAL ENGINEER	-
SITE SURVEYOR	-

## NOTES

DO NOT SCALE DRAWINGS

CONTRACTOR TO VERIFY ALL DIMENSIONS AND HEIGHTS ON SITE PRIOR TO COMMENCEMENT OF ANY WORKS

IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT ALL RELEVANT AUTHORITIES AND OBTAIN APPROVALS FOR ALL WORKS

ALL PRODUCTS NOTED IN THIS SET OF DRAWINGS TO BE CONFIRMED BY THE CLIENT AND/OR SUPERINTENDENT OF THE PROJECT BEFORE PURCHASING AND/OR INSTALLING OF PRODUCT

QUANTITIES INDICATED IN THIS SET OF DRAWINGS ARE A GUIDE ONLY, CONTRACTOR TO CALCULATE AND CONFIRM QUANTITY AMOUNTS BEFORE PURCHASING

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# PROPOSED RESIDENCE

## 8 ALBERT STREET, TURNERS BEACH

## MR. TOM SULLIVAN & MR. EMILY MANN

PROJECT NUMBER: 20-618

DRAWINGS SET: DA

DATE: 30th August, 2020

**NOTES**

== == == == WALLS OR OBJECTS TO BE REMOVED OR DEMOLISHED

DEMOLITION IS NOT TO COMMENCE UNTIL DEMOLITION CONTRACTOR HAS BEEN ADVISED THAT ALL ELECTRICAL SUPPLIES HAVE BEEN DISCONNECTED AND ISOLATED.

ALL DEMOLITION IS TO BE CARRIED OUT IN A SAFE AND WORKMAN LIKE MANNER.

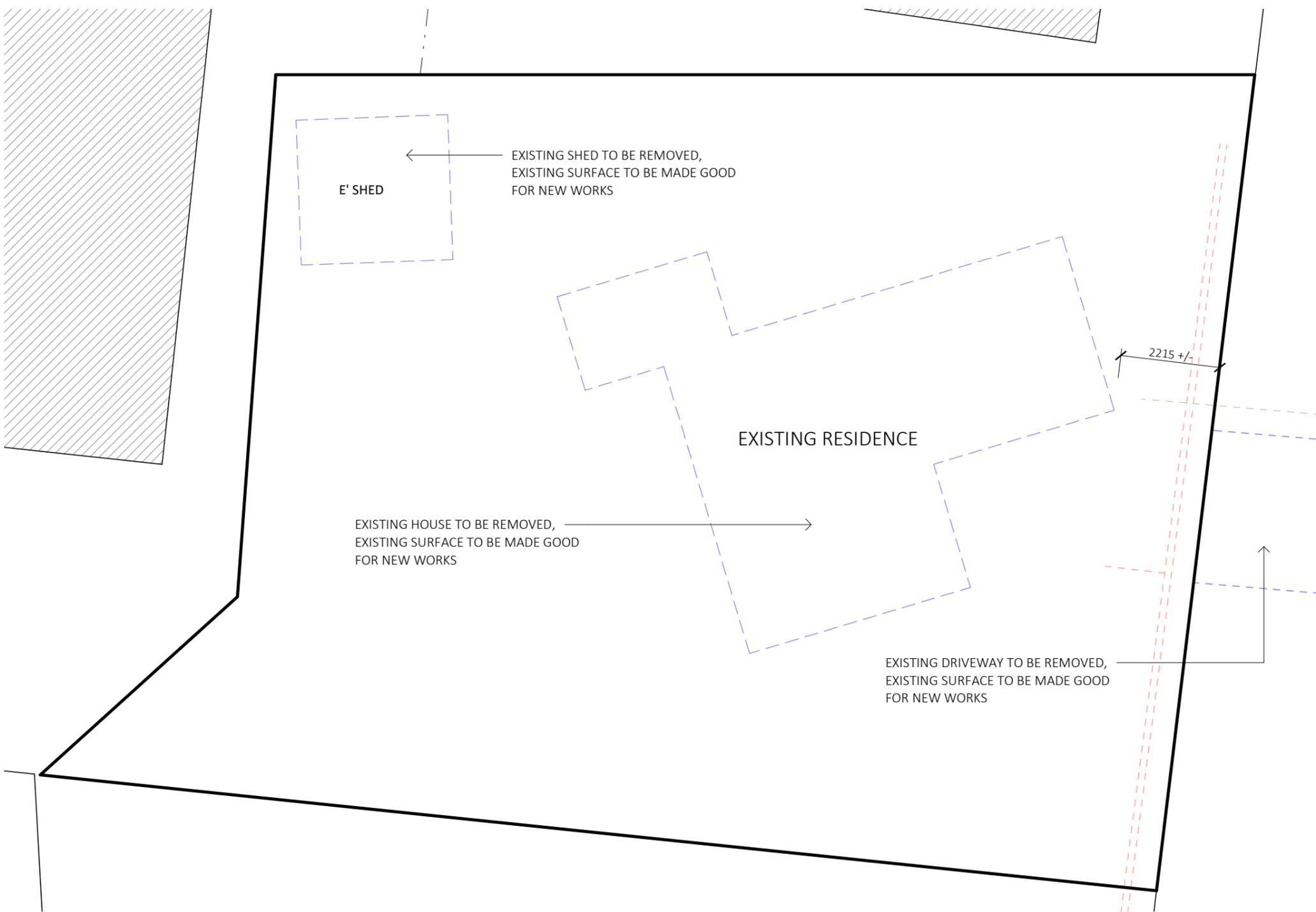
IT IS THE DEMOLITION CONTRACTORS RESPONSIBILITY TO PROVIDE SUFFICIENT PROPS, STAYS & THE LIKE TO PROTECT REMAINING STRUCTURE. IF IN DOUBT SEEK ADVICE FROM A STRUCTURAL ENGINEER.

THE DEMOLISHER IS TO PREVENT BUILDING MATERIAL AND DEBRIS FROM FALLING ONTO OR INTO ADJACENT STREETS AND PROPERTIES.

CAP ALL REDUNDANT SERVICES, REMOVE PIPEWORK WHERE PRACTICAL & LOCATE AND MARK POSITIONS OF PIPEWORK/SERVICES REQUIRED FOR USE IN NEW WORKS.

ALL ASBESTOS MATERIAL FOUND IS TO BE CONTROLLED AND REMOVED FROM SITE IN ACCORDANCE WITH ALL REGULATORY AUTHORITIES HAVING JURISDICTION OF THESE WORKS BEFORE COMMENCING FURTHER WORKS.

IT IS THE BUILDERS RESPONSIBILITY TO LOCATE AND PROTECT ALL EXISTING SERVICES PRIOR TO COMMENCING ANY EXCAVATIONS.



**DEMO PLAN**  
SCALE: 1:100

**LACHLAN WALSH DESIGN**  
Tasmania Accreditation Number: CC 6162 E  
ABN: 94 660 558 746  
PO Box 231, Devonport TAS, 7310  
E: lachlan@lachlanwalshdesign.com | P: 6424 8053

TITLE  
**DEMO PLAN**  
SCALE  
**1 : 100**

PAGE NO.  
**01**

PAGE SIZE  
**A3**

DRAWN BY  
**J.VAN.OMMEN**  
CHECKED BY  
**L.WALSH**

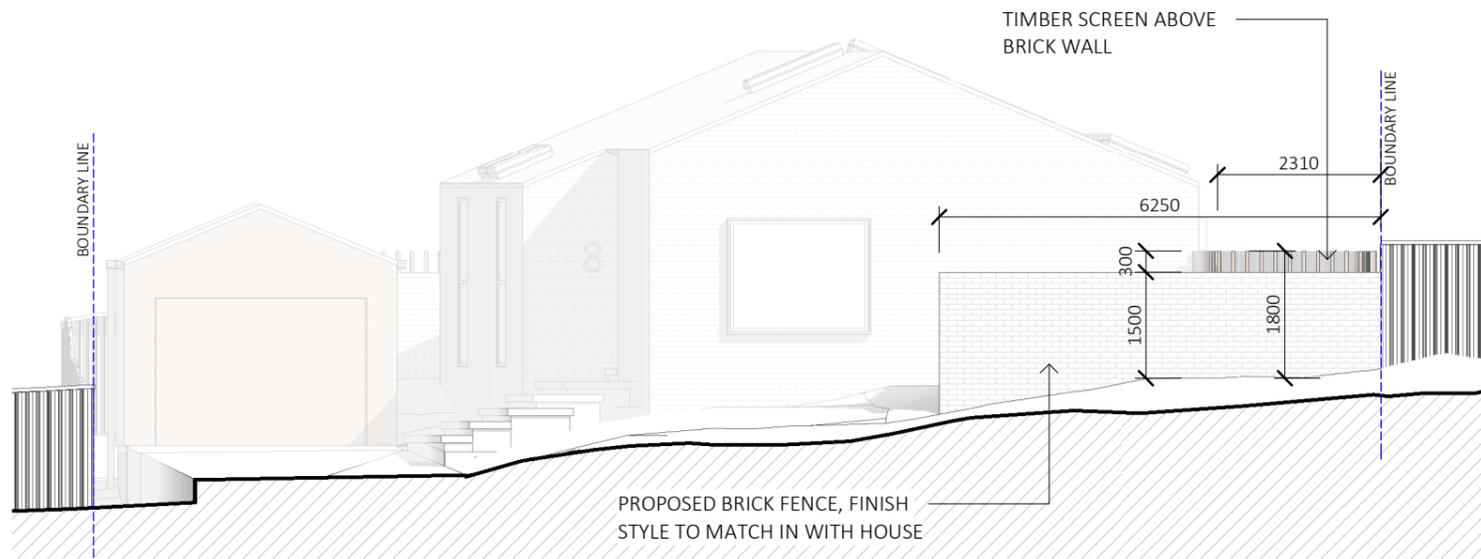
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**PROPOSED RESIDENCE**  
LOCATION  
**8 ALBERT STREET, TURNERS BEACH**  
CLIENT  
**MR. TOM SULLIVAN & MR. EMILY MANN**

PROJECT NO.  
**20-618**  
DATE  
**30th August, 2020**  
DRAWINGS SET  
**DA**  
REV. NO.

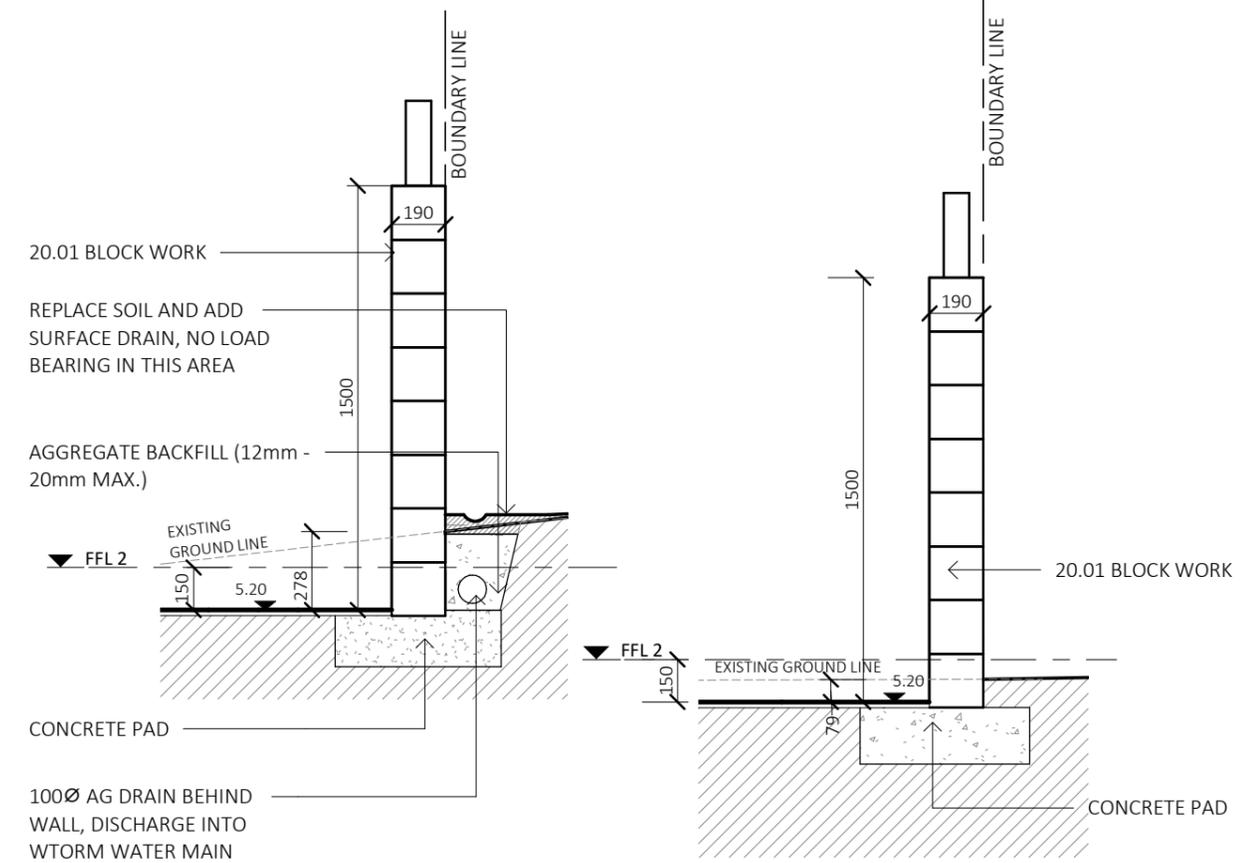
NO.	DATE	REVISION	BY

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IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT ALL RELEVANT AUTHORITIES AND OBTAIN APPROVALS FOR ALL WORKS  
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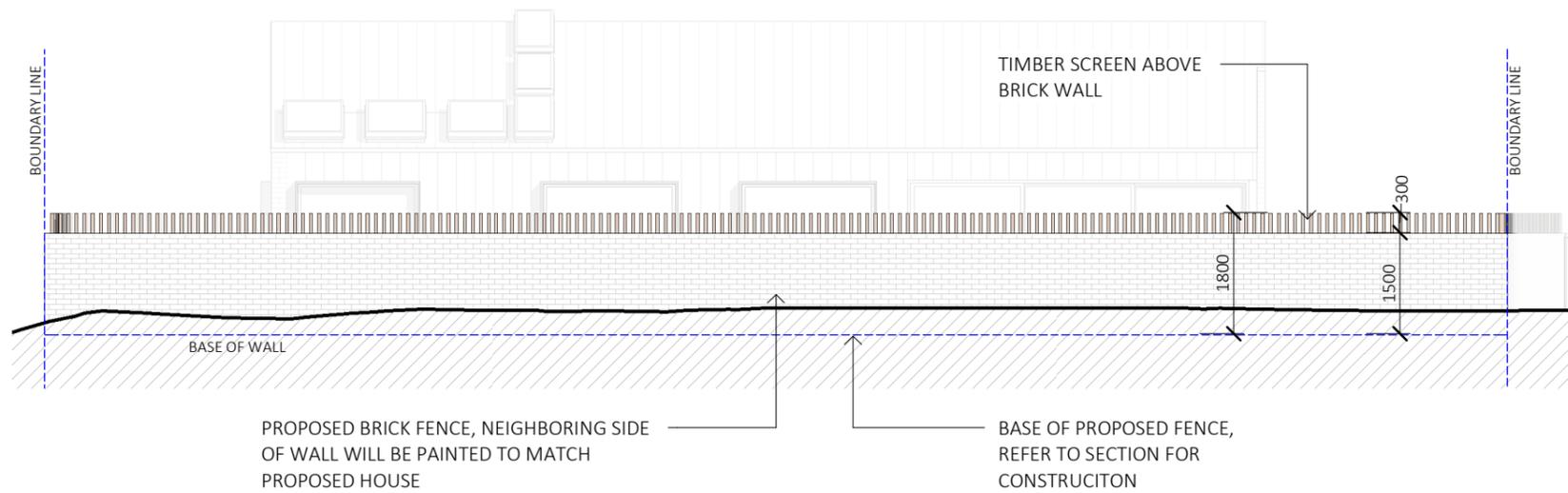


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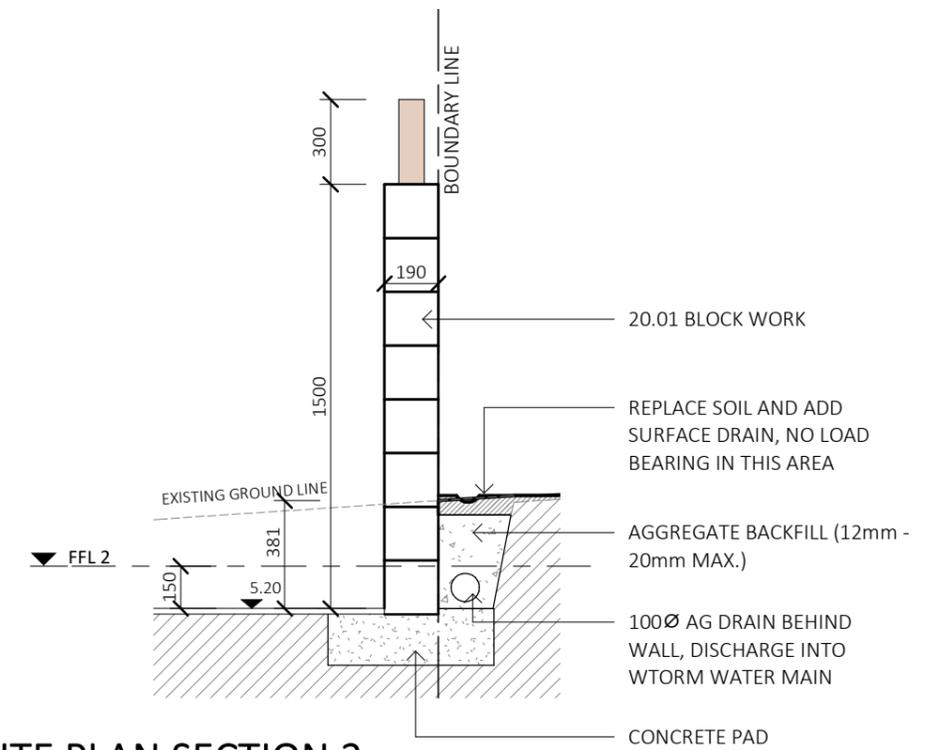


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**SITE PLAN SECTION 3**  
SCALE: 1:25



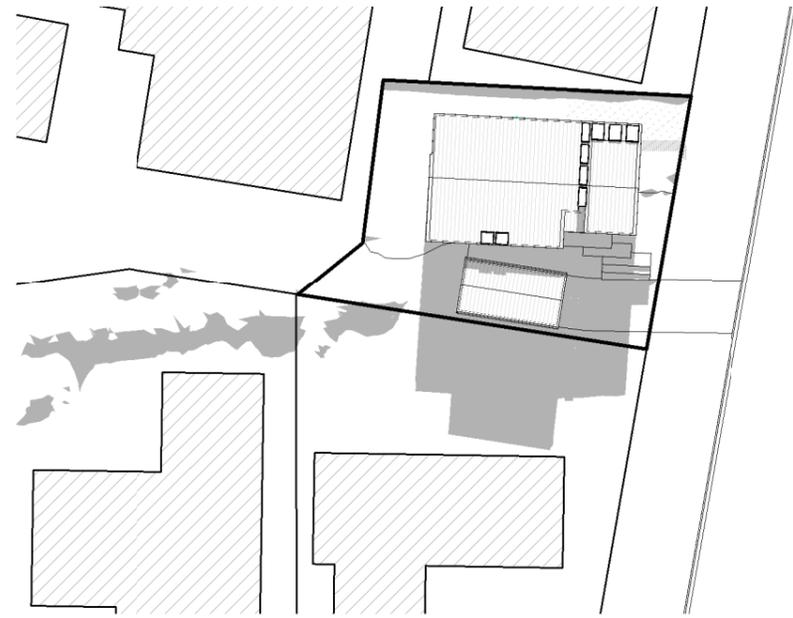
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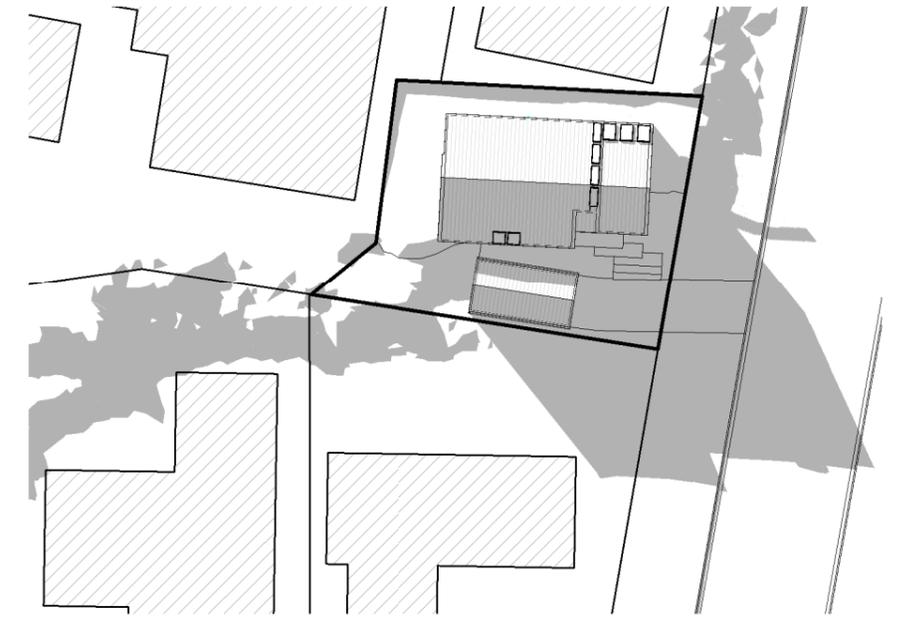
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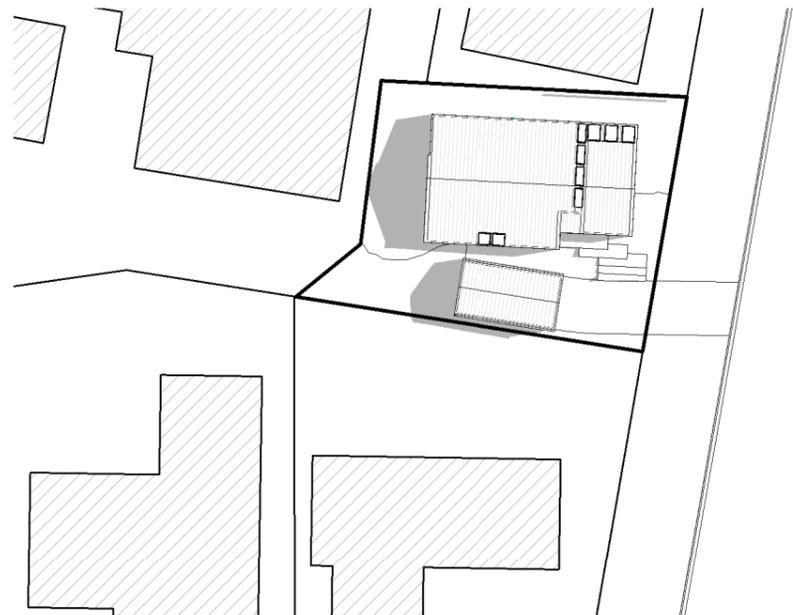
**SHADOW DIAGRAM - June 21st (9am)**  
SCALE: 1:500



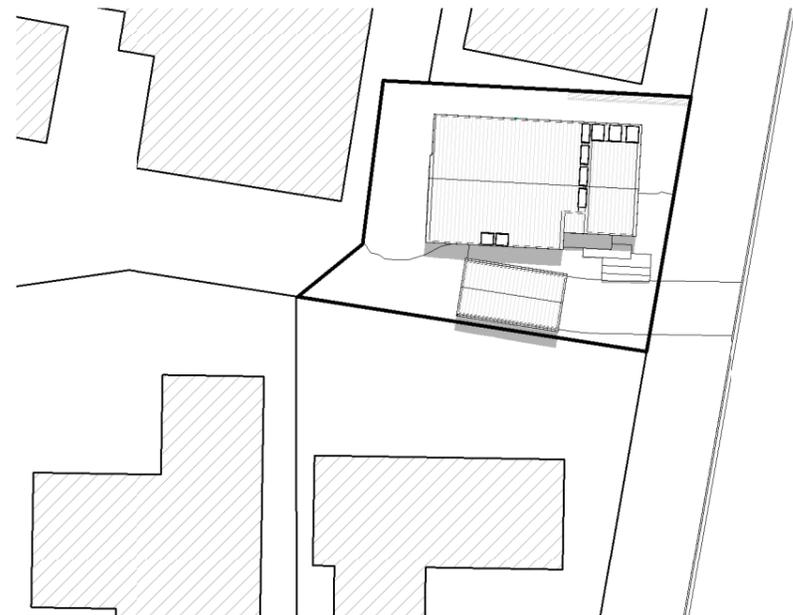
**SHADOW DIAGRAM - June 21st (12Noon)**  
SCALE: 1:500



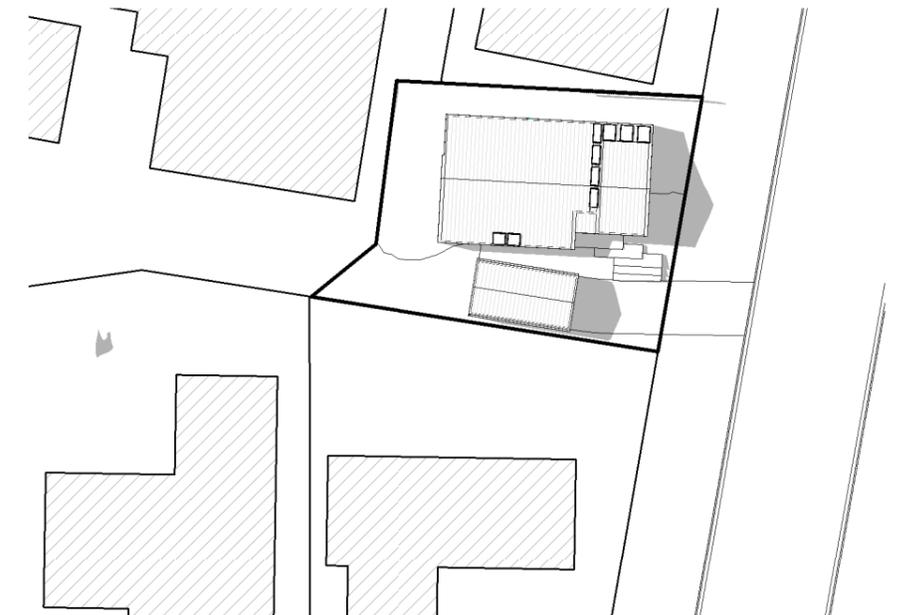
**SHADOW DIAGRAM - June 21st (3pm)**  
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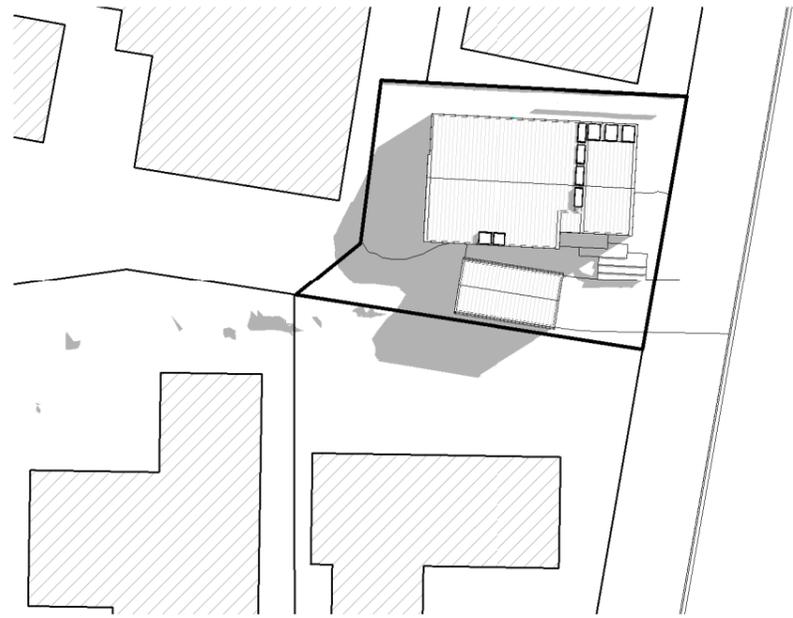
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SCALE: 1:500



**SHADOW DIAGRAM - December 21st (12Noon)**  
SCALE: 1:500



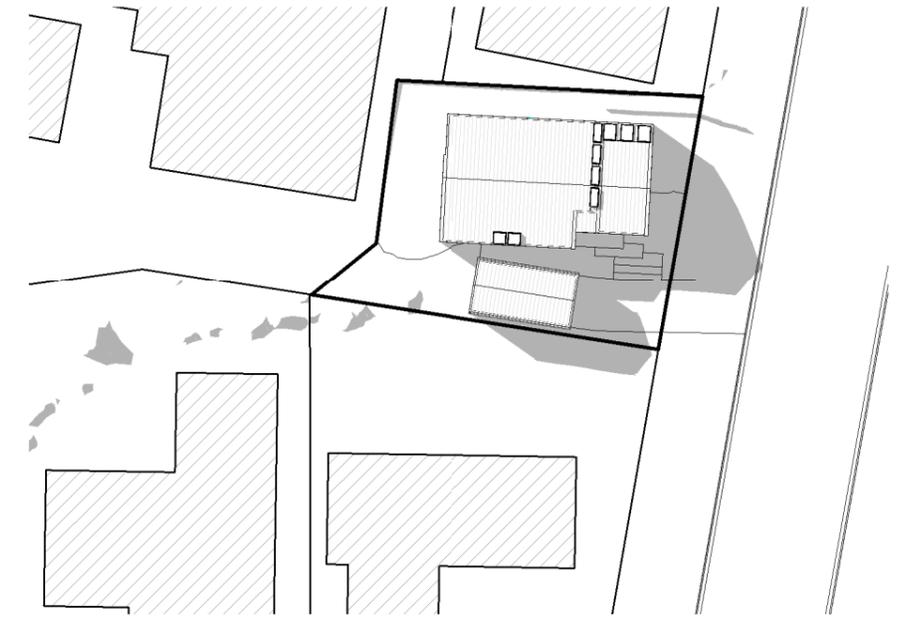
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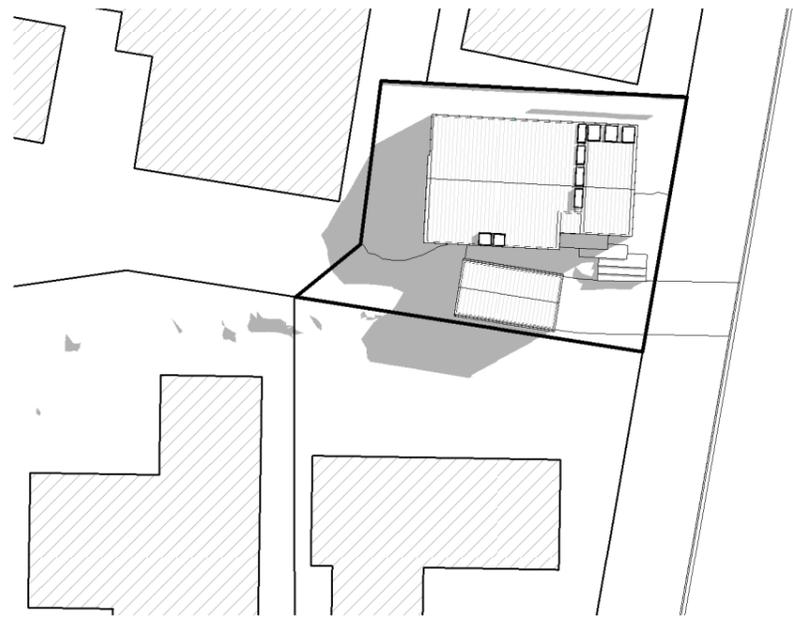
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SHADOW DIAGRAM - September 22nd (12Noon)  
SCALE: 1:500



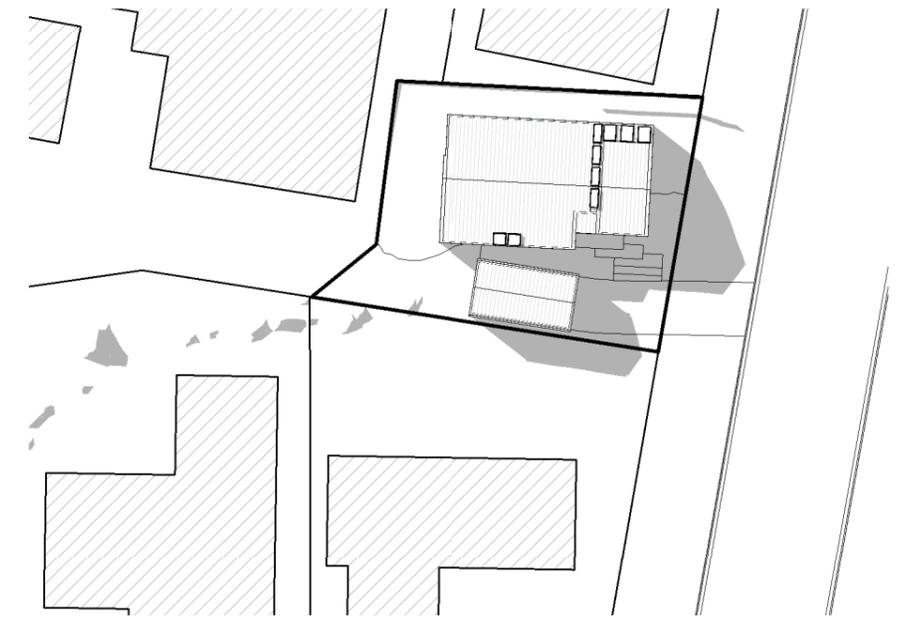
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SHADOW DIAGRAM - March 20th (9am)  
SCALE: 1:500



SHADOW DIAGRAM - March 20th (12Noon)  
SCALE: 1:500



SHADOW DIAGRAM - March 20th (3pm)  
SCALE: 1:500

**NOTES**

ALL JOINERY DESIGNED AND DOCUMENTS BY OTHER. ALL APPLIANCES TO BE SELECTED BY CLIENT AND/OR SUPERINTENDENT.

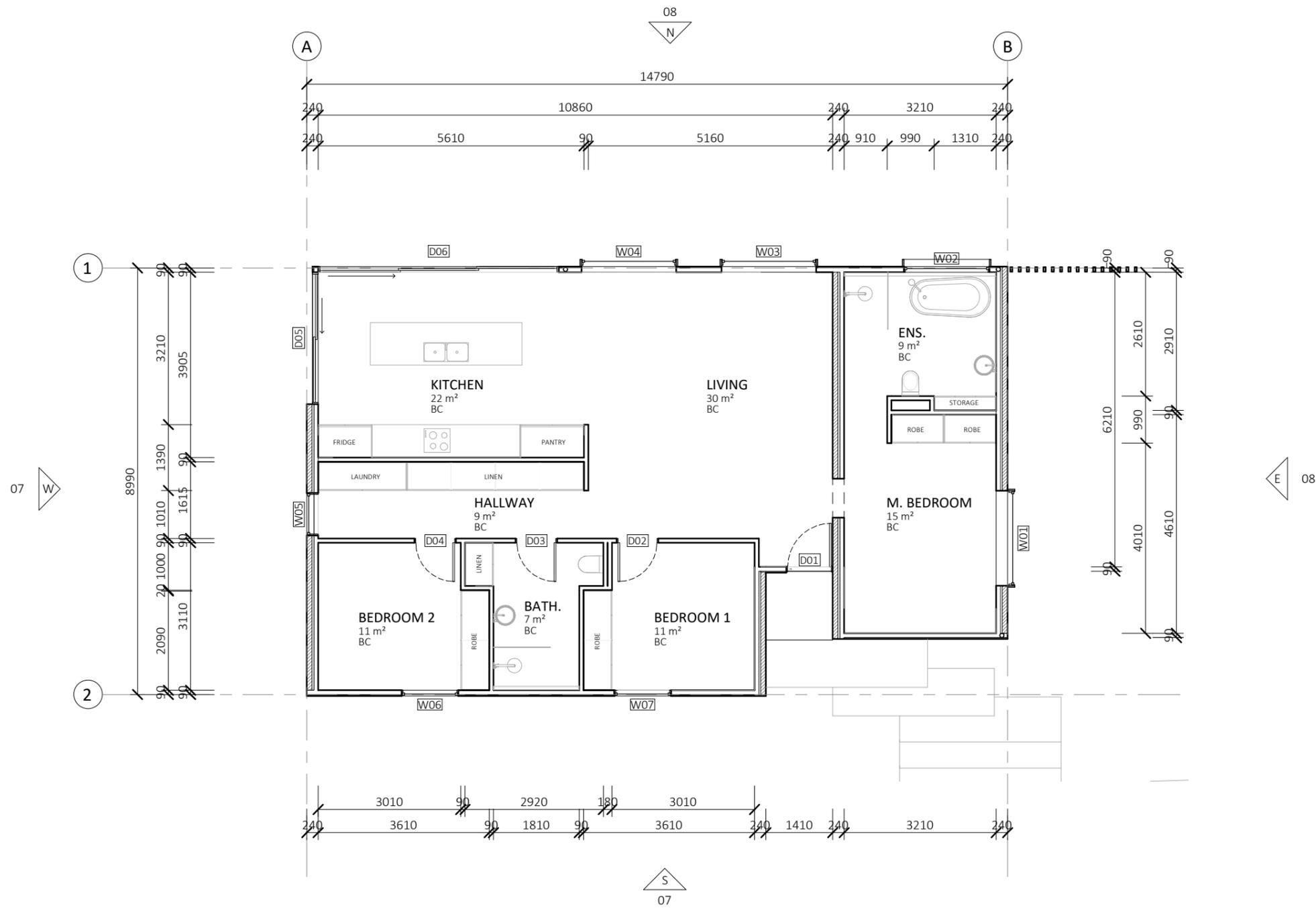
ALL GLAZED WINDOW AND DOOR ASSEMBLIES IN EXTERNAL WALLS TO COMPLY WITH AS 2047. ALL OTHER GLASS TO COMPLY WITH AS 1288

FLYSCREENS TO BE FITTED TO ALL OPENABLE WINDOWS AND DOORS.

ALL PRODUCTS & MATERIALS NOTED OR SPECIFIED BY CLIENT AND/OR SUPERINTENDENT ARE TO BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURES DETAILS, INSTRUCTIONS AND SPECIFICATIONS.

**SYMBOLS**

-  90mm STUD WALLS, 10mm PLASTERBOARD LINING ON ALL UNLESS NOTED OTHER
-  CLADDING (TYP) 90mm STUD WALL (INTERNAL), INSULATION, 10mm PLASTERBOARD UNLESS NOTED OTHER
-  110mm BRICK WORK (TYP), 40mm CAVITY, 90mm STUDWALL (INTERNAL), INSULATION, 10mm PLASTERBOARD UNLESS NOTED OTHER
-  1400 FINISH FLOOR OR GROUND HIGH
-  W1 WINDOW No. (REFER TO WINDOW SCHEDULE)
-  D1 DOOR No. (REFER TO WINDOW SCHEDULE)
-  03 N ELEVATION ORIENTATION (REFER TO RELEVANT PAGE)
-  Cp CARPET, REFER TO FINISHES PLAN
-  Ti SELECTED TILE FLOORING, REFER TO FINISHES PLAN
-  C CONCRETE FLOORING, REFER TO FINISHES PLAN



**FLOOR PLAN**  
SCALE: 1:100

**LACHLAN WALSH DESIGN**  
Tasmania Accreditation Number: CC 6162 E  
ABN: 94 660 558 746  
PO Box 231, Devonport TAS, 7310  
E: lachlan@lachlanwalshdesign.com | P: 6424 8053

TITLE  
**FLOOR PLAN**  
SCALE  
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PAGE NO.  
**06**

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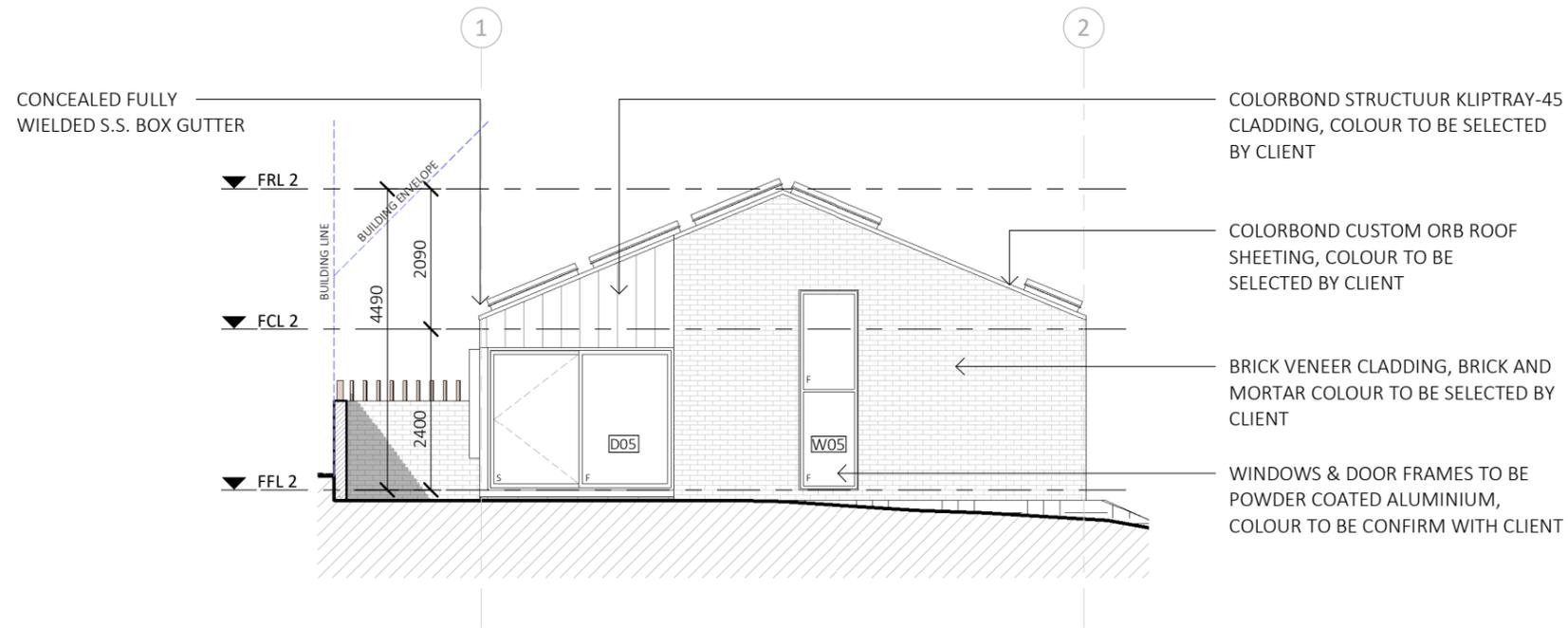
DRAWN BY  
**J.VAN.OMMEN**  
CHECKED BY  
**L.WALSH**

PROJECT  
**PROPOSED RESIDENCE**  
LOCATION  
**8 ALBERT STREET, TURNERS BEACH**  
CLIENT  
**MR. TOM SULLIVAN & MR. EMILY MANN**

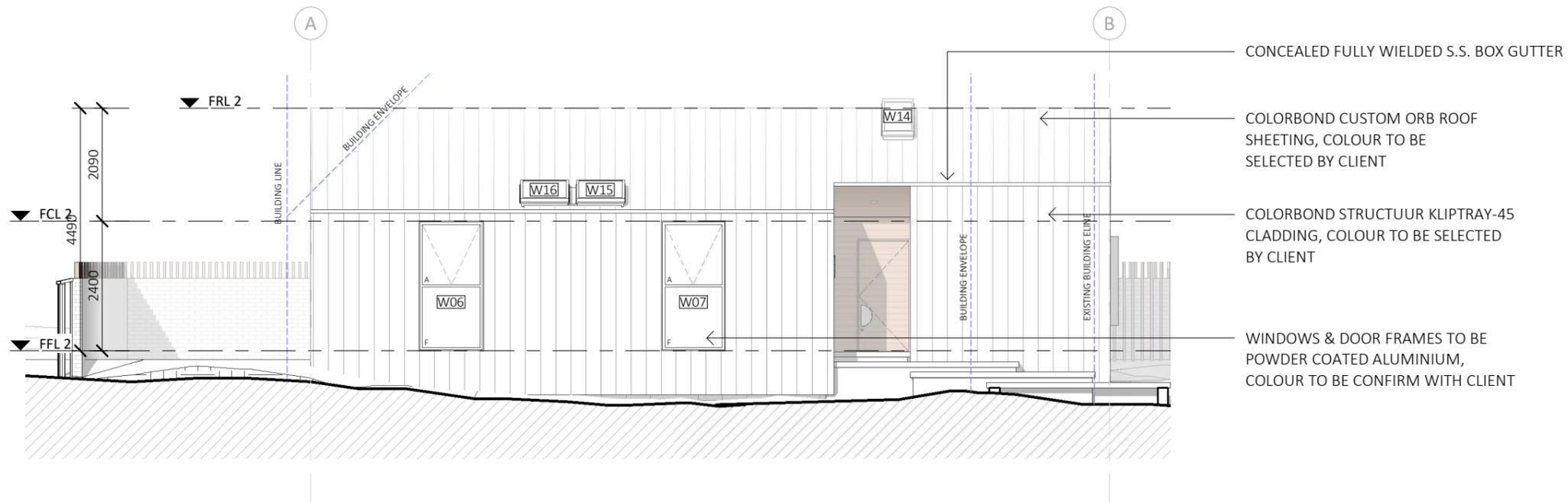
PROJECT NO.  
**20-618**  
DATE  
**30th August, 2020**  
DRAWINGS SET  
**DA**

NO.	DATE	REVISION	BY

DO NOT SCALE DRAWINGS  
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**WEST ELEVATION**  
SCALE: 1:100



**SOUTH ELEVATION**  
SCALE: 1:100

**NOTES**

ALL GLAZED WINDOW AND DOOR ASSEMBLIES IN EXTERNAL WALLS TO COMPLY WITH AS 2047. ALL OTHER GLASS TO COMPLY WITH AS 1288

REFER TO WINDOW SCHEDULES FOR WINDOW SIZE & TYPE.

FLYSCREENS TO BE FITTED TO ALL OPENABLE WINDOWS AND DOORS.

ALL PRODUCTS & MATERIALS NOTED ARE TO BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURES DETAILS, INSTRUCTIONS AND SPECIFICATIONS.

**SYMBOLS**

- ▼1400 FINISH FLOOR OR GROUND HIGH
- W1 WINDOW No. (REFER TO WINDOW SCHEDULE)
- D1 DOOR No. (REFER TO WINDOW SCHEDULE)
- M.B. METER BOX
- S SLIDING WINDOWS
- A AWNING WINDOWS
- F FIXED WINDOW
- O/A OPAQUE AWNING WINDOW
- O/F OPAQUE FIXED WINDOW

**FLASHING TO WALL OPENINGS**

ALL OPENINGS MUST BE ADEQUATELY FLASHED USING MATERIALS THAT COMPLY WITH AS/NZS 2904. FLASHING TO BE INSTALLED WITH GLAZING MANUFACTURER'S SPECIFICATIONS FOR BRICK VENEER OR LIGHT WEIGHT CLADDING CONSTRUCTION.

**NOTES**

ALL GLAZED WINDOW AND DOOR ASSEMBLIES IN EXTERNAL WALLS TO COMPLY WITH AS 2047. ALL OTHER GLASS TO COMPLY WITH AS 1288

REFER TO WINDOW SCHEDULES FOR WINDOW SIZE & TYPE.

FLYSCREENS TO BE FITTED TO ALL OPENABLE WINDOWS AND DOORS.

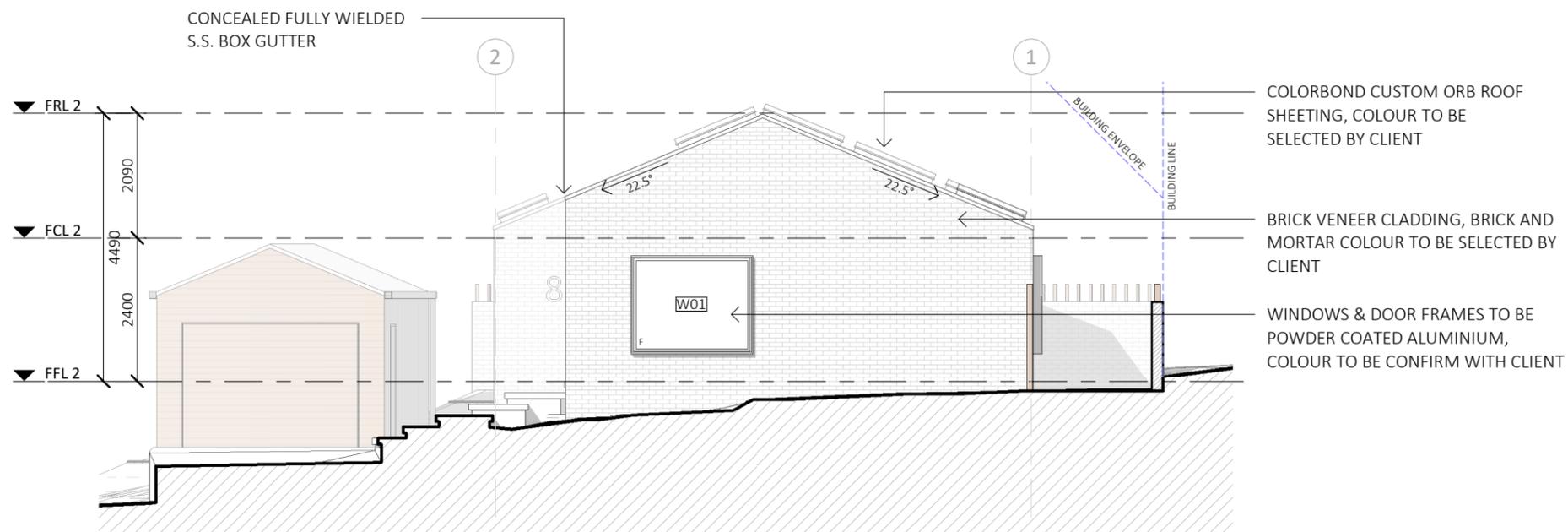
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**SYMBOLS**

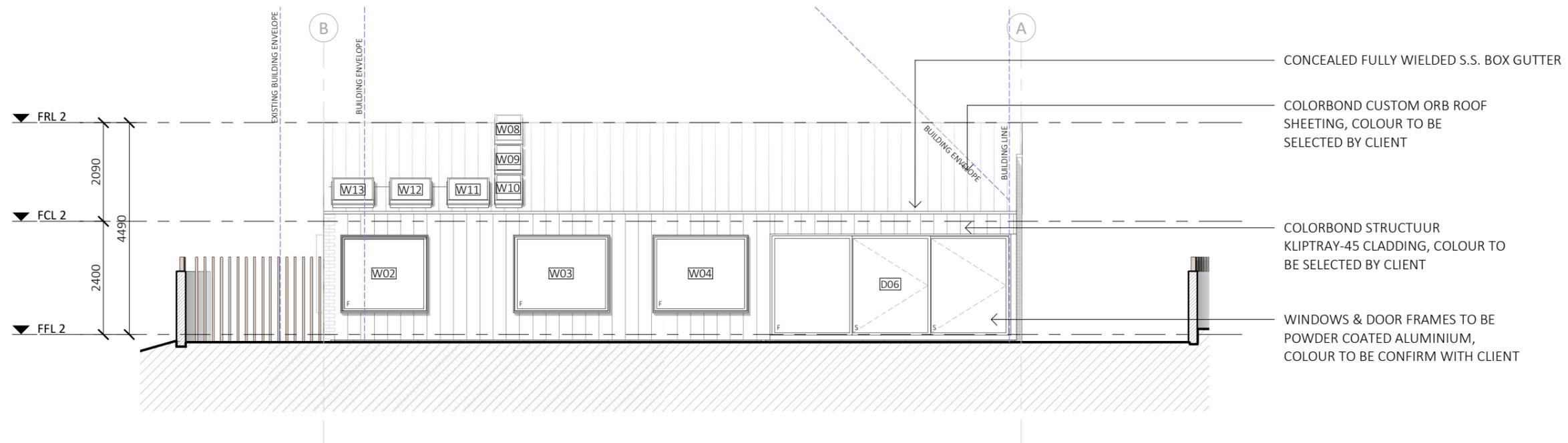
- ▼ 1400 FINISH FLOOR OR GROUND HIGH
- W1 WINDOW No. (REFER TO WINDOW SCHEDULE)
- D1 DOOR No. (REFER TO WINDOW SCHEDULE)
- M.B. METER BOX
- S SLIDING WINDOWS
- A AWNING WINDOWS
- F FIXED WINDOW
- O/A OPAQUE AWNING WINDOW
- O/F OPAQUE FIXED WINDOW

**FLASHING TO WALL OPENINGS**

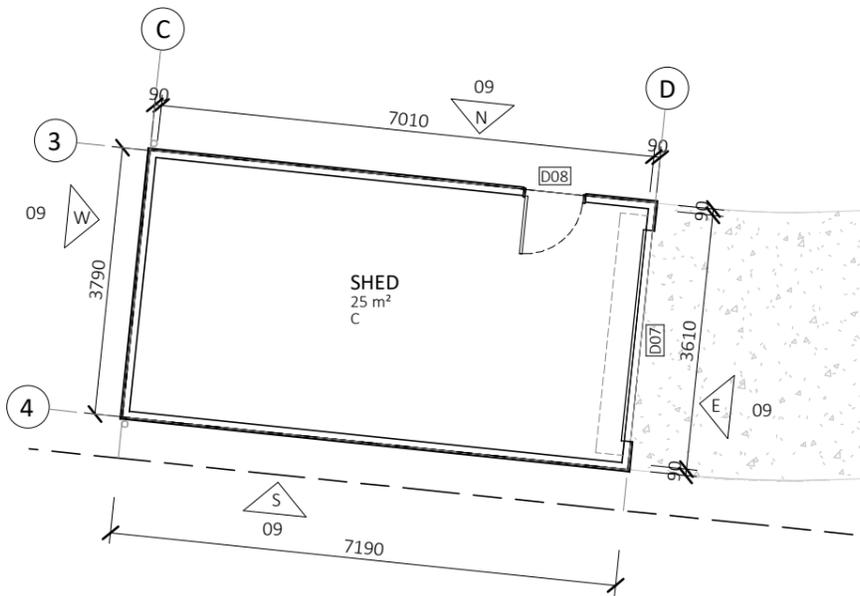
ALL OPENINGS MUST BE ADEQUATELY FLASHED USING MATERIALS THAT COMPLY WITH AS/NZS 2904. FLASHING TO BE INSTALLED WITH GLAZING MANUFACTURER'S SPECIFICATIONS FOR BRICK VENEER OR LIGHT WEIGHT CLADDING CONSTRUCTION.



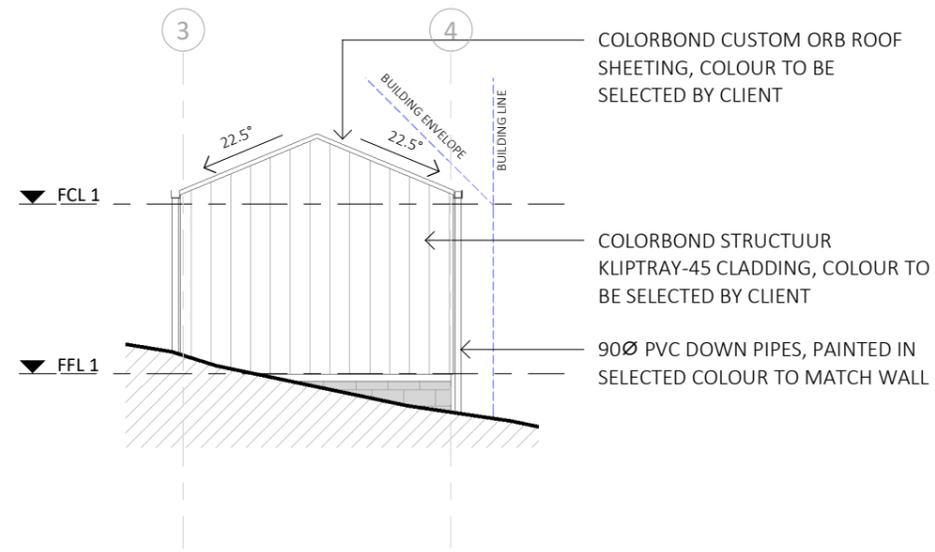
**EAST ELEVATION**  
SCALE: 1:100



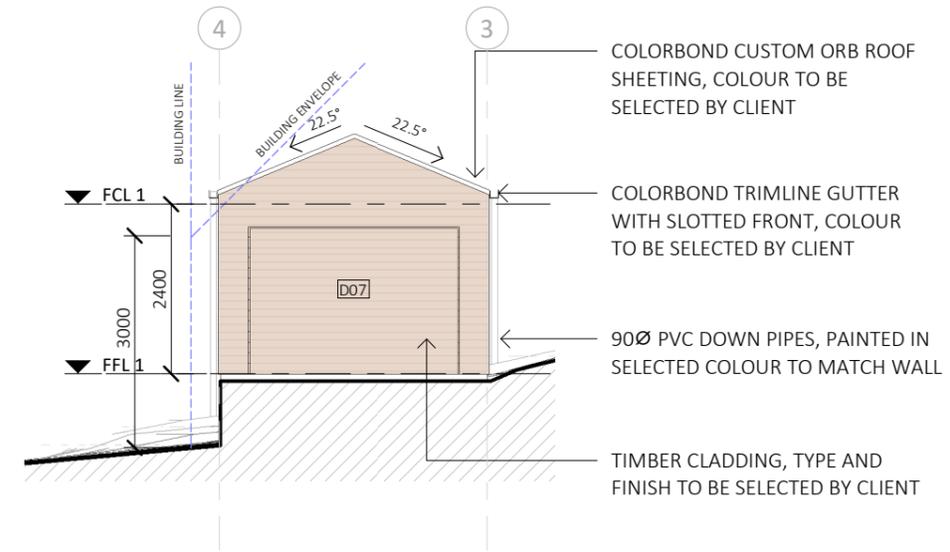
**NORTH ELEVATION**  
SCALE: 1:100



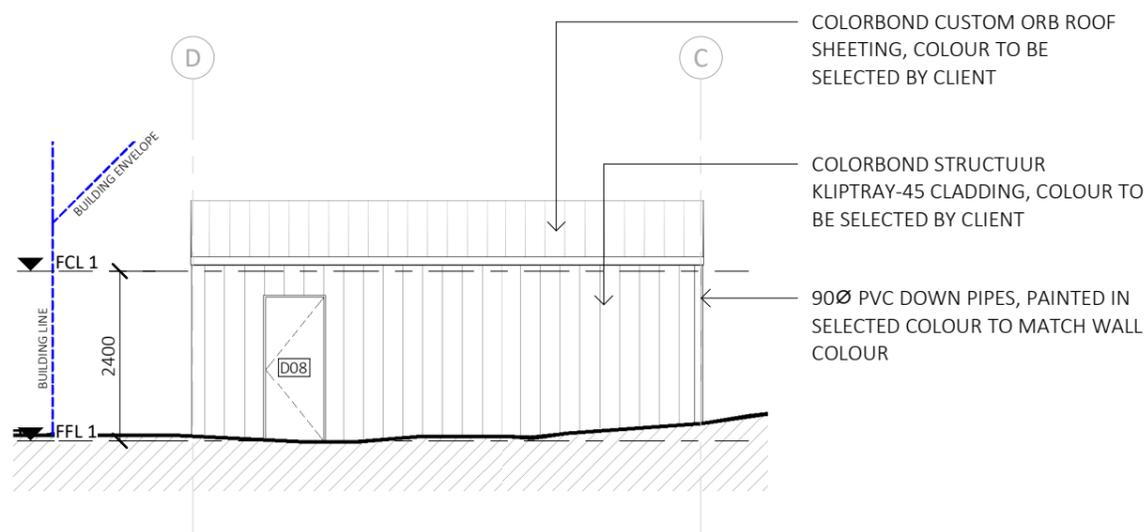
**FLOOR PLAN - SHED**  
SCALE: 1:100



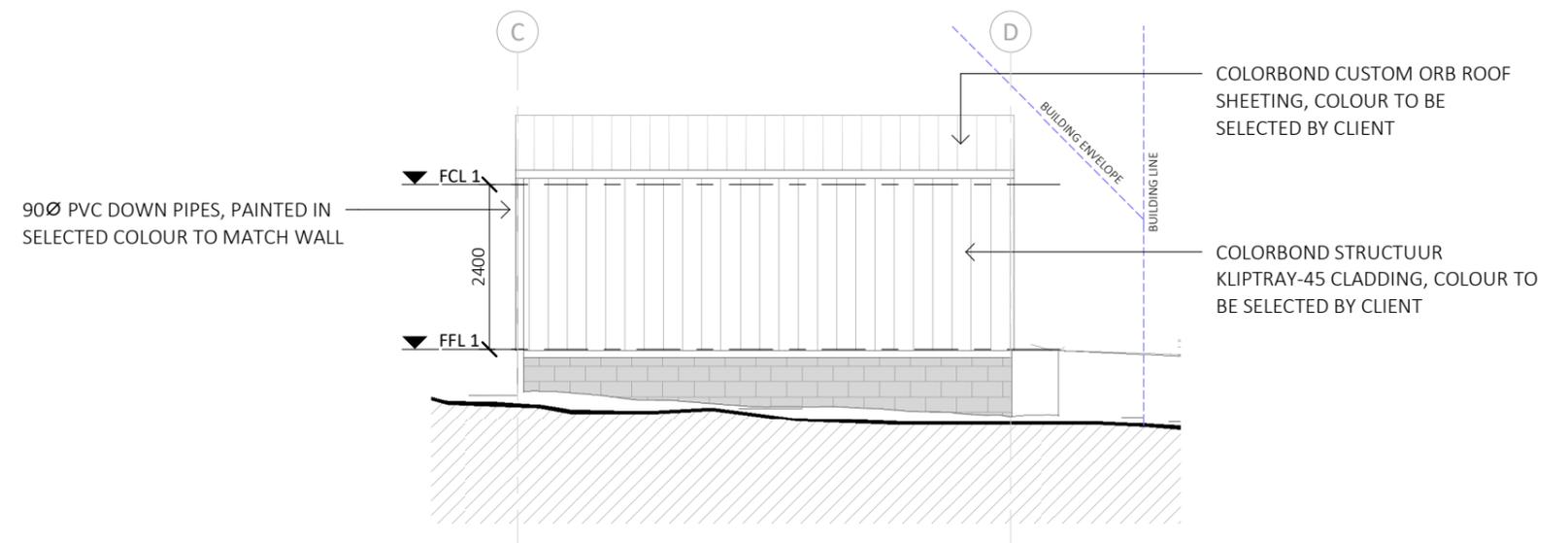
**WEST ELEVATION - SHED**  
SCALE: 1:100



**EAST ELEVATION - SHED**  
SCALE: 1:100



**NORTH ELEVATION - SHED**  
SCALE: 1:100



**SOUTH ELEVATION - SHED**  
SCALE: 1:100

# SCHEDULES

## WINDOW SCHEDULES

Mark	Width	Height	Head Height	Opening Type	Frame Type	Glazing Type
W01	2000	1600	2100	FIXED	TYPE 1	TYPE 1
W02	1810	1600	2100	FIXED	TYPE 1	TYPE 1
W03	2000	1600	2100	FIXED	TYPE 1	TYPE 1
W04	2000	1600	2100	FIXED	TYPE 1	TYPE 1
W05	900	3000	3000	FIXED	TYPE 1	TYPE 1
W06	1200	2400	2410	AWNING	TYPE 1	TYPE 1
W07	1200	2400	2410	AWNING	TYPE 1	TYPE 1
W08	550	1400		SKYLIGHT	TYPE 1	TYPE 1
W09	550	1400		SKYLIGHT	TYPE 1	TYPE 1
W10	550	1400		SKYLIGHT	TYPE 1	TYPE 1
W11	860	1200		SKYLIGHT	TYPE 1	TYPE 1
W12	860	1200		SKYLIGHT	TYPE 1	TYPE 1
W13	860	1200		SKYLIGHT	TYPE 1	TYPE 1
W14	550	1400		SKYLIGHT	TYPE 1	TYPE 1
W15	860	860		SKYLIGHT	TYPE 1	TYPE 1
W16	860	860		SKYLIGHT	TYPE 1	TYPE 1

## DOOR SCHEDULES

Mark	Height	Width	Door Type	Frame Type	Opening Type
D01	2040	920	TYPE 1	TYPE 2	EX. HINGED
D02	2040	820	TYPE 2	TYPE 1	HINGED
D03	2040	820	TYPE 2	TYPE 1	HINGED
D04	2040	820	TYPE 2	TYPE 1	HINGED
D05	2100	2700	TYPE 3	TYPE 2	EX. GLASS SLIDER
D06	2100	5000	TYPE 3	TYPE 2	EX. GLASS SLIDER
D07	2100	3000	TYPE 4		ROLL-A-DOOR
D08	2040	820			

## NOTES

ALL GLAZED WINDOW AND DOOR ASSEMBLIES IN EXTERNAL WALLS TO COMPLY WITH AS 2047. ALL OTHER GLASS TO COMPLY WITH AS 1288

FLYSCREENS TO BE FITTED TO ALL OPENABLE WINDOWS AND DOORS

ALL EXTERNAL OPENINGS TO BE ADEQUATELY FLASHED USING MATERIALS THAT COMPLY WITH AS 2904

WINDOWS TO BEDROOMS WHERE THE FALL HEIGHT IS 2 METERS OR GREATER MUST BE PERMANENTLY RESTRICTED TO OPEN A MAXIMUM OF 125mm OR HAVE A NON-REMOVEABLE ROBUST SCREEN INSTALLED

## WINDOW NOTES

### FRAME TYPE

**TYPE 1** - ALUMINIUM WINDOW FRAME, POWDER COATED IN SELECTED COLOR, PRE PRIMED TIMBER REVEAL

### GLAZING TYPE

GLAZING REQUIREMENTS AS OUTLINED IN THE ATTACHED GLAZING CALCULATOR OR ENERGY ASSESSMENT. BELOW ARE A GUIDE ONLY, GLAZING CALCULATOR OR ENERGY ASSESSMENT TAKE PRECEDENCE.

TYPE 1	GLAZING	U-Value	SHGC
Double Glazed	4Clr/10Ar/4Clr	4.32	0.55

## DOOR NOTES

### DOOR TYPE

**TYPE 1** - HUME TIMBER SOLID CORE EXTERIOR DOOR, PRE PRIMED, 35mm, PAINTED FINISH TO SELECTED COLOR WITH GLASS INFILL TO SELECTED DESIGN

**TYPE 2** - HUME TIMBER HONYCOMB INTERNAL DOOR, PRE PRIMED, 35mm, PAINTED FINISH TO SELECTED COLOR

**TYPE 3** - ALUMINIUM GLASS SLIDING DOOR, POWDER COATED TO SELECTED FINISH, VISUAL INDICATORS TO SELECTED DESIGN

**TYPE 4** - AUTOMATIC ROLL-A-DOOR, POWDER COATED IN SELECTED COLOR

**TYPE 5** - ALUMINIUM GLASS EXTERIOR DOOR, POWDER COATED TO SELECTED FINISH, VISUAL INDICATORS TO SELECTED DESIGN

### FRAME TYPE

**TYPE 1** - HUME (MDF) TIMBER FRAME, PRE PRIMED, PAINTED FINISH TO SELECTED COLOR

**TYPE 2** - ALUMINIUM DOOR FRAME, POWDER COATED IN SELECTED COLOR

# NCC COMPLIANCE NOTES

## SITWORKS

Excavation and filling of a 'normal' site to be in accordance with BCA Part 3.1 & AS 2870  
Drainage works to be completed in accordance with BCA Part 3.1 & AS/NZS 3500.  
Surface drainage - finished ground to fall away from building to give a slope of not less than 50mm over the first 1000mm  
Finished slab heights to be  
-100mm above finished ground level (in low rainfall areas/sandy well drained areas)  
-50mm above paved surfaces which slope away from the building.  
-150mm in any other case.  
Ground below suspended floors to be graded to prevent surface water from ponding under the building.  
Stormwater drainage must meet the satisfaction of the appropriate authority and must be designed to prevent any overflow during heavy rain from flowing back into the building.  
Cover to 90mm Class 6 UPVC stormwater drains installed underground are to be no less than  
- 100mm under soil;  
- 50mm under paved areas  
Under light vehicle traffic areas:  
- 75mm under reinforced concrete  
-100mm under paved material.

## FOOTINGS AND SLABS

Footings and slabs are generally to be installed in accordance with BCA Part 3.2, AS 2870 & AS 2159  
Preparation must be in accordance with BCA Part 3.2.2, AS 2870 & AS 2159  
Concrete manufacturing and installation to be in accordance with AS 3600  
Steel reinforcement to be in accordance with AS 2870.  
The site classification to be in accordance with AS 2870

## MASONRY

Generally masonry walls are to be constructed in accordance with BCA Part 3.3 and one of the following: a) AS 3700 or b) AS 4773.1 & AS 4773.2.  
Un-reinforced masonry to be constructed in accordance with BCA Part 3.3.1  
Reinforced masonry to be constructed in accordance with BCA Part 3.3.2.  
Masonry accessories to be constructed in accordance with BCA Part 3.3.3.  
Weatherproofing of masonry to be constructed in accordance with BCA Part 3.3.4.  
Masonry veneer to be constructed in accordance with BCA Part 3.3.5  
-mortar used for masonry construction must be in accordance with either AS 3700 or AS 4773  
Isolated masonry piers construction to be in accordance where appropriate with BCA Part 3.3.6, and a) AS 3700 except when '(for piers – isolated or engaged)' is removed from clause 8.5.1(d); and where clause 8.5.1 requires design as for unreinforced masonry in accordance with Section 7, the member must also be designed as unreinforced masonry in accordance with Tables 10.3 and 4.1(a)(i)(C) of AS 3700  
b) AS 4773.1 & AS 4773.2

## FRAMING

Subfloor ventilation to be in accordance with BCA Part 3.4.1. Subfloor spaces are to include openings in external walls and internal walls in accordance with climatic zones (see BCA Part 3.4.1.2) and have clearance between the ground and the base of the lowest horizontal part of the subfloor in accordance to BCA Part 3.4.1.2.  
The subfloor area is to be clear of organic materials and rubbish, have the ground below the suspended floor graded in accordance with BCA part 3.1.3.3, contain no dead air spaces, vents are to be placed no more than 600mm from corners and have openings evenly spaced as far as possible.  
A 150 mm clearance is required for underside of floor framing members unless specified otherwise by flooring material specification.  
Steel framing is to be constructed in accordance with BCA Part 3.4.2. and with either  
(a) Residential and low-rise steel framing – (i) Design: NASH Standard 'Residential and Low Rise Steel Framing' Part 1.  
(ii) Design solutions: NASH Standard 'Residential and Low-Rise Steel Framing' Part 2.  
(b) Steel structures are to be constructed in accordance with AS 4100  
(c) Cold-formed steel structures are to be constructed in accordance with AS/NZS 4600  
Timber Framing is to be constructed in accordance with BCA Part 3.4.3 and as appropriate  
(a) Design of timber structures: AS 1720.1.  
(b) Design of nailed timber roof trusses: AS 1720.5.  
(c) Residential timber-framed construction – non-cyclonic areas: AS 1684.4.  
(d) Residential timber-framed construction – cyclonic areas: AS 1684.3  
(e) Residential timber-framed construction – non-cyclonic areas (simplified) AS 1684.4  
(f) Installation of particleboard flooring: AS 1850.2.2  
Structural steel members are to be constructed in accordance with one of the following:  
(a) Steel structures: AS 4100  
(b) Cold-formed steel structures: AS/NZS 4600

## ROOF AND WALL CLADDING, GUTTERS AND DOWNPIPES

Roof and cladding generally to be constructed in accordance with BCA Part 3.5  
Metal sheet roofing to be constructed in accordance to AS 1562.1  
Plastic sheet roofing to be constructed in accordance to AS/NZS 1562.3

Roof tiles and shingles to be constructed in accordance with one or a combination of:  
(a) Roof tiling – AS 2050  
(b) Terracotta, fibre-cement and timber slates and shingles: AS 4597  
Flashing for roof tiles to be constructed in accordance with BCA Part 3.5.2.3  
Sarking must be provided in accordance with BCA Part 3.5.2.4  
Gutters and downpipes to be constructed in accordance with BCA 3.5.3 & AS/NZS 3500.3 & the Tasmanian Plumbing code.  
Gutters, downpipes and flashings to be manufactured in accordance with AS/NZS 2179.1 (for metal) and AS 1273 for UPVC components.  
Downpipes must not service more than 12m of gutter.  
Timber and composite wall cladding to be constructed in accordance with BCA Part 3.5.4.  
Autoclaved aerated concrete wall cladding is to be constructed in accordance with AS 5146.1.  
Timber wall cladding to be constructed in accordance with BCA Part 3.5.4.2  
Wall cladding boards to be constructed in accordance with BCA Part 3.5.4.3  
Sheet wall cladding must be constructed in accordance with BCA 3.4.4.4  
External wall cladding that has openings exposed to the weather must be flashed with materials complying with AS/NZS 2904.  
Metal wall cladding must be constructed in accordance with BCA Part 3.5.5 & AS 1562.1..

## GLAZING

Generally glazing to be completed in accordance with BCA 3.6, AS 2047 (external walls) & AS 1288.  
Refer to window legend for sizes and type.

## FIRE SAFETY

Generally to constructed in accordance with BCA Part 3.7  
See BCA Part 3.7.1.1 for further information on using combustible materials or those containing combustible fibres when a non-combustible material is required.  
Sarking to have a flammability index less than 5.  
Fire separation of external walls to be constructed in accordance with BCA 3.7.2.  
(a) External walls and gables and any openings they may have, must comply with BCA Part 3.7.2.4. These walls must be fire-resisting and must begin at the footings/ground slab, except when the external wall begins above a separating wall.  
Any wall required by (a) is to:  
Have a FRL of no less than 60/60/60  
be of masonry-veneer construction in which the external masonry veneer is no less than 90mm thick,  
or be of masonry (or external masonry veneer) construction no less than 90mm thick.  
Smoke alarm installation to be in accordance with BCA Part 3.7.5.2. Locations indicated on floor plan.  
Installation locations:  
ceilings – minimum of 300mm away from corner junction of wall and ceiling  
sloping ceilings – between 500 and 1500mm away from the apexes of the ceiling.  
walls – minimum of 300mm and maximum of 500mm off the ceiling at the junction with the wall.  
External walls with openings are required to be fire-resistant and must be protected by – non-opening fire windows/other construction with a FRL no less than -/60/- or;  
Self-closing solid core doors no less than 35 mm thick.  
When a Class 10 Building is located between an allotment boundary and a Class 1 or other building on the same allotment, whether directly or indirectly, the Class 1 building must be protected by a wall with a FRL.  
Allowable encroachments are detailed in BCA Part 3.7.2.7  
Roof lights not to be placed closer than 900mm from boundary  
Construction in Bush Fire Area to be in accordance with AS 3959.

## HEALTH AND AMENITY

Building elements in wet areas of a building must be either waterproof or water resistant in accordance with BCA Part 3.8.1.2 (Table 3.8.1.1) and comply with AS 3740.  
Ceiling heights to be in accordance with BCA Part 3.8.2  
Areas such as non-habitable rooms are allowed a reduced height of 2.1m and 2.0m is allowed above stairways, ramps and landings.  
Any information of requirements for people with a disability in Class 1b and Class 10a buildings can be found in volume One of the BCA.  
Additional to the BCA document there is a variation for Tasmania, *BCA Part 3.8.3.4*  
If there is an insufficient sewerage system for a property, an authorised alternative of disposal can be used. For further details, refer to BCA Part 3.8.3.4.  
Sanitary compartment to be in accordance with BCA 3.8.3.3. Refer to plan for detail  
Mechanical ventilation can be used to ventilate a sanitary compartment, laundry, kitchen or bathroom.  
Natural light must be provided in all habitable rooms in accordance with the BCA Part 3.8.4.2.  
Windows are to provide light transmission area equal to 10% of floor area of room  
A window which provides natural light, that faces a boundary of an adjoining property can not be less than 900mm horizontally distanced from that boundary.  
Ventilation is to be completed in accordance to BCA Part 3.8.5  
Sound installation is to be constructed in accordance to BCA Part 3.8.6  
Condensation management is to be completed in accordance to BCA part 3.8.7, while also referring to the document "Guide for Control of Condensation and Mould in Tasmanian Homes".

## SAFE MOVEMENT AND ACCESS

Stair construction usually to be in accordance with BCA Part 3.9.1  
Maximum of 18 risers to each flight  
Riser dimensions to be a minimum of 115mm and a maximum of 190mm.  
Tread dimensions to be a minimum of 240mm and a maximum of 355mm.  
Riser opening to be less than 125mm.  
Treads and landings where the edge leads to the flight below, are to have a non-slip surface or a nosing strip.  
External ramps servicing an external doorway or an internal ramp must be designed within accordance of AS/NZS 1170.1.  
Barriers and handrails are to be constructed in accordance with BCA Part 3.9.2 and 3.9.2.4  
Balustrade is required where the area is not bounded by a wall or where the level exceeds 1000mm above floor level to final ground level.  
Openings between balusters / infill members to be constructed so as not to allow 125mm sphere to pass between members. Where floor level exceeds 4000mm above lower level, infill members between 150mm and 760mm above floor level, to be constructed so as to restrict climbing.  
Protection must be provided where the floor below the window is 4m or more above the surface beneath.  
The openable part of the window is to be covered by a barrier with a height no less than 865mm above the floor.  
The barrier must not allow a 125mm sphere to pass through it, or have any horizontal/near horizontal elements between 150mm and 760mm above the floor that can provide access to climbing.

## ANCILLARY PROVISIONS AND ADDITIONAL CONSTRUCTION REQUIREMENTS

"The BCA definition of swimming pool is specific in including a bath or wading pool or a spa. The requirements of AS 1926.3 apply to all types of pools defined as swimming pools under the BCA, irrespective of the definition in the Standard."  
Most domestic structures are not required to be specifically designed for earthquakes.  
Class 1 buildings constructed in a flood hazard area are to be constructed in accordance with the ABCB Standard for Construction of Buildings in Flood Hazard Areas.  
Buildings constructed in alpine areas require special consideration because of temperatures which can create elements which restrict free movement to and from the building.  
The additional measures in the BCA Part 3.10.4 include  
-having external doorways open in a way which is not affected by snow and ice outside  
- Providing a structure which doesn't become affected by weather conditions (i.e. a ramp from the dwelling)  
- minimising the impact of snow build-up between and around buildings  
Construction in bushfire prone areas of a Class 1 building, a class 10a building or deck associated with a class 1 building is to be constructed in accordance with- AS 3959 or NASH Standard – Steel Framed Construction in Bushfire Areas.  
The attachment of decks and balconies to external walls of buildings is to be constructed in accordance with the BCA Part 3.10.6.  
Bracing for a deck or balcony is to be constructed in accordance to BCA Part 3.10.6.4  
Boilers, pressure vessels, heating appliances, fireplaces, chimneys and flues are to be constructed in accordance with BCA Part 3.10.7.  
Heating appliances to comply with BCA Part 3.10.7 & AS/NZS 2918  
Open Fireplace - extend hearth 150mm to each side of opening. Minimum 300mm in front of opening.  
Freestanding appliance to be installed no less than 1200mm from combustible wall surface.  
50mm from masonry wall.  
Heat shield – 90mm masonry, with 25 mm minimum clearance between heat shield and wall, 50mm between heat shield and appliance.  
Hearth to extend 400mm above and in front of unit.  
Flue installation in accordance to BCA Part 3.10.7.5  
Top of chimney/flue to terminate no less than 300mm above the ridge line.

## ENERGY EFFICIENCY

**Note-** From 1 May 2019 to 30 April 2020 Part 3.12 of NCC 2016 Volume Two may apply instead of Part 3.12 of NCC 2019.  
From 1 May 2020 Part 3.12 of NCC 2019 applies.  
**Note -**  
In Tasmania from 1 May 2019 to 30 April 2020 Part 3.12 of BCA 2016 may apply in lieu of Part 3.12 of BCA 2019  
From 1 May 2020 Part 3.12 of BCA 2019 applies.  
Generally in accordance with BCA Part 3.12.

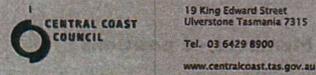
## BUILDING FABRIC

A building must achieve an energy rating, using house energy rating software of greater than or equal to –  
6 stars.  
The heating and cooling load limits are specified in the ANCN Standard for NatHERS Heating and cooling Load Limits.  
The building fabric is to be constructed in accordance with BCA 3.12.1  
Building fabric thermal insulation must comply with AS/NZS 4859.1 and be installed to form continuous barrier to roof/ceiling, walls and floors without voids except around services / fittings.  
Reflective building insulation is to be installed where required with the necessary airspace, to achieve the required R-Value between a reflective side and a building lining or cladding. The airspace width varies depending on the type of insulation and the R-Value needed.

Each adjoining sheet of roll membrane must be overlapped greater than or equal to 150mm.  
When required, bulk insulation must be installed so that it maintains it's position and thickness, other than where it crosses roof battens, water pipes, electrical cabling or the like. When installed in a ceiling, where there is no bulk insulation or reflective insulation in the external wall beneath, the insulation is to overlap by a minimum of 50mm.  
Roof construction to achieve minimum Total R-Value of 5.1.  
Roof lights to comply with BCA 3.12.1.3  
Chimneys or flues to be fitted with sealing damper or flap.  
Roof lights to habitable rooms to be fitted with operable or permanent seal to minimize air leakage.  
External windows & doors to habitable rooms / conditioned spaces to be fitted with air seal to restrict air infiltration.  
Exhaust fans and evaporative coolers servicing habitable rooms / conditioned spaces to be fitted with self-closing damper or filter  
Building envelope to be constructed to minimize air leakage. Construction joints and junctions of adjoining surfaces to be tight fitting and sealed by caulking, skirting, architraves and cornices.  
Air movement is generally to be provided to habitable rooms in accordance with BCA Part 3.12.4  
External walls are to be constructed in accordance to BCA Part 3.12.1.4  
In climate zones 6 & 7 external wall construction is required achieve minimum Total R-Value of 2.8  
and in climate zones 8, achieve a minimum Total R-Value of 3.8.  
External wall surface density minimum is to be 220kg/m2.  
External glazing to generally be constructed in accordance with BCA Part 3.12.1.4  
Services are generally to be installed in accordance with BCA Part 3.12.5  
Heating and cooling ductwork must be installed in accordance with BCA Part 3.12.5.3  
For information regarding the treatment of condensation in buildings in Tasmania, please refer to "Condensation in Buildings Tasmanian Designers' Guide – Version 2.



## Local Government



19 King Edward Street  
Ulverstone Tasmania 7315  
Tel. 03 6429 8900  
www.centralcoast.tas.gov.au

### LAND USE PLANNING AND APPROVALS ACT 1993 MODIFICATION AND APPROVAL OF DRAFT AMENDMENT PSA2020002 TO THE CENTRAL COAST INTERIM PLANNING SCHEME 2013

Under section 41(ab) and 42 of the former *Land Use Planning and Approvals Act 1993*, the Tasmanian Planning Commission has modified and approved a draft amendment to the *Central Coast Interim Planning Scheme 2013* (the Planning Scheme).

The draft amendment will come into effect on 27 October 2020 and in doing so, will insert a Bushfire-Prone Areas Overlay map for the municipal area into the Planning Scheme.

Notice of the Tasmanian Planning Commission's decision is available for viewing at [www.iplan.tas.gov.au](http://www.iplan.tas.gov.au) from Monday 26 October 2020 and is available to view during normal business hours at:

- Central Coast Council Administration Centre, 19 King Edward Street, Ulverstone from 8.00am to 4.30pm Monday to Friday
- Penguin Service Centre, 78 Main Road, Penguin between 9.00am and 12.30pm, and 1.30pm and 4.00pm Wednesday to Friday.

Date of notification: 24 October 2020.

PAUL WEST  
Acting General Manager

## Local Government



19 King Edward Street  
Ulverstone Tasmania 7315  
Tel. 03 6429 8900  
www.centralcoast.tas.gov.au

## EXPRESSIONS OF INTEREST

Reibey Street, Ulverstone - Public Events

The Council is seeking expressions of interest from community members to participate on a working group to assist in creating a more vibrant Reibey Street through the staging of more public events.

The Council recently engaged Complete Streets to undertake a review of the Ulverstone main street to determine where improvements could be made to make it a more enjoyable experience for both shoppers and the community alike. Street events could also strengthen the cultural heritage of Ulverstone.

Ideally, the community working group will consist of, but is not limited to, a Chamber of Commerce member, people working in the main street and local residents who have the creative ideas to help.

Expressions of interest should be forwarded to Lauren Clarke at the Council, together with a short summary of what you can bring to the working group:

- Email: [lauren.clarke@centralcoast.tas.gov.au](mailto:lauren.clarke@centralcoast.tas.gov.au)
- Post: PO Box 220, Ulverstone TAS 7315
- In person: 19 King Edward Street, Ulverstone TAS 7315

Expressions of interest close at 4.00pm on Friday 6 November 2020.

### INTERRUPTIONS TO TRAFFIC - KINGS PARADE/REIBEY STREET, ULVERSTONE

The Council advises that from Wednesday 28 October 2020 works will commence on the final sections of kerb at the junction of Reibey Street and Crescent Street. The works are being undertaken as part of the Kings Parade Upgrade Project.

Access from Crescent Street into Reibey Street will be closed, and detours will be in place for a period of approximately three weeks. Reibey Street will still be accessed from the east with a turning area provided.

Traffic conditions will continue to change in the area until the Kings Parade Upgrade Project is completed.

To view a plan of the affected area, visit the Road Closures tab on the Council's website.

For further information please contact Infrastructure Services on tel. 03 6429 8970.

## APPLICATIONS FOR PLANNING PERMITS

5.57 Land Use Planning and Approvals Act 1993.

The following applications have been received:

- Location: 116 Main Street, Ulverstone
- Proposal: Residential - subdivision - two lots including dwelling extensions to the existing dwelling and new dwelling on new lot - variation to the building envelope for both dwellings and location of garage on new lot
- Application No.: DA2020238

## Local Government



### NOTICE OF APPLICATION FOR LAND USE PERMIT

(Section 57(3) Land Use Planning and Approvals Act 1993)

The following application for use and development of land has been received:

Application No: DA 2020/49

Site: Esplanade, Strahan (143909/1)

Proposal: Tourist Operation - Ticket Booth

The applications and documentation may be viewed at the West Coast Council Offices, 11 Sticht St, Queenstown, Strahan Post Office, Esplanade Strahan, during office hours, (excluding 02 November 2020) or at [www.westcoast.tas.gov.au](http://www.westcoast.tas.gov.au).

Representations regarding the proposal should be in writing addressed to the General Manager, West Coast Council, PO Box 63, Queenstown 7467 or email addressed to [wcc@westcoast.tas.gov.au](mailto:wcc@westcoast.tas.gov.au) to be received no later than 5.00pm on 9 November 2020.

Dated: 24 October 2020

David Midson  
GENERAL MANAGER

- Location: 1360 Kindred Road, Kindred
- Proposal: Residential - required dwelling - conversion and extension of existing dairy to dwelling - discretionary use, variation to building envelope and proximity of sensitive use to agricultural land and use of materials with light reflectance value of less than 40%
- Application No.: DA2020261

- Location: 8 Albert Street, Turners Beach
- Proposal: Residential - dwelling and shed including demolition of all existing buildings on site - variation to the lot size, dwelling density and the building envelope and reliance on E4 Change in Ground Level Code
- Application No.: DA2020308

- Location: 1287 Castra Road, Sprent
- Proposal: Residential - building envelope for non-required dwelling - discretionary use and proximity to agricultural land
- Application No.: DA2020312

- Location: 12 Southwood Avenue, Penguin CT179558/35
- Proposal: Residential - dwelling - variation to the building envelope and area for private open space standards
- Application No.: DA2020319

- Location: 16 Southwood Avenue, Penguin CT179558/34
- Proposal: Residential - dwelling - variation to front boundary setback and provision of private open space
- Application No.: DA2020320

- Location: 17 Southwood Avenue, Penguin CT179558/6
- Proposal: Residential - dwelling - variation to the area for private open space
- Application No.: DA2020322

The applications may be inspected at the Administration Centre, 19 King Edward Street, Ulverstone during office hours (Monday to Friday 8.00am to 4.30pm) and on the Council's website. Any person may make representation in relation to the applications [in accordance with s.57(5) of the Act] by writing to the General Manager, Central Coast Council, PO Box 220, Ulverstone 7315 or by email to [admin@centralcoast.tas.gov.au](mailto:admin@centralcoast.tas.gov.au) and quoting the Application No. Any representations received by the Council are classed as public documents and will be made available to the public where applicable under the *Local Government (Meeting Procedures) Regulations 2015*. Representations must be made on or before 10 November 2020.

Date of notification: 24 October 2020.

PAUL WEST  
Acting General Manager

## Local Government

## LATROBE COUNCIL

## APPLICATIONS FOR PLANNING PERMIT

The following applications have been received under Section 57 of the *Land Use Planning & Approvals Act 1993*:

- Application No.: DA 200/2020
- Address: 8 Glyde Street, Hawley Beach
- Proposal: Residential - proposed Dwelling

- Application No.: DA 217/2020
- Address: 353 Port Sorell Road, Wesley Vale
- Proposal: Residential / Resource Development - proposed Subdivision (1 lot) and Manufacturing & Processing Use

- Application No.: DA218/2020
- Address: 26 Bryan Street, Shearwater
- Proposal: Residential - proposed Outbuilding

- Application No.: DA 221/2020
- Address: Lot 1 Last Street Latrobe (CT243183/1)
- Proposal: Residential - proposed Dwelling

- Application No.: DA 222/2020
- Address: 26 Hawley Esplanade, Hawley Beach
- Proposal: Residential - proposed Dwelling and Ancillary Dwelling

- Application No.: DA 223/2020
- Address: 209 Milldam Road, Port Sorell
- Proposal: Residential - proposed Alterations & Additions to existing Dwelling and Outbuilding

- Application No.: DA225/2020
- Address: 15 Felina Way, Port Sorell
- Proposal: Residential - proposed Dwelling and Outbuilding

- Application No.: DA 227/2020
- Address: 197 Moriarty Road, Latrobe
- Proposal: Residential - proposed Building Extension

- Application No.: DA 228/2020
- Address: 3343 Ralton Road, Latrobe
- Proposal: Resource Development / Residential - proposed Subdivision (1 lot)

- Application No.: DA 229/2020
- Address: Cornicks Road, Spreyton (CT 48194/1)
- Proposal: Residential - proposed Dwelling

- Application No.: DA 230/2020
- Address: 19 Bryan Street, Shearwater
- Proposal: Residential - proposed Dwelling and Outbuilding

- Application No.: DA 231/2020
- Address: 57 Hamilton Street, Latrobe
- Proposal: Residential - proposed Alterations & Additions to existing Dwelling

- Application No.: DA 232/2020
- Address: 51-53 Wilmot Street, Port Sorell
- Proposal: Residential - proposed Subdivision (1 lot)

The applications and associated materials will be available for inspection at the Council office during normal office hours or at [www.latrobe.tas.gov.au](http://www.latrobe.tas.gov.au), for a period of 14 days from the date of publication of this notice (not including 2 November 2020). In accordance with Section 57(5) of the *Land Use Planning & Approvals Act 1993* any person may make representation in relation to the proposals by letter addressed to the General Manager or email addressed to [council@latrobe.tas.gov.au](mailto:council@latrobe.tas.gov.au) by 10 November 2020.

Dated at Latrobe this 24 October 2020

Paul West  
ACTING GENERAL MANAGER



DEVONPORT CITY COUNCIL  
137 Rocks Street, Devonport TAS 7310  
Phone: 03 6424 0511  
[www.devonport.tas.gov.au](http://www.devonport.tas.gov.au)

## APPLICATION FOR PLANNING PERMIT

Planning applications have been made for the following proposals:

- Application No: PA2020.0163
- Proposal: Residential (single dwelling)
- Address: 12 Clare Court, Devonport

- Application No: PA2020.0177
- Proposal: Residential (single dwelling extension)
- Address: 101 North Fenton Street, Devonport

- Application No: PA2020.0192
- Proposal: Residential (dwelling alterations and garage)
- Address: 22 Hiller Street, Devonport

The applications can be viewed at the Council offices or on Council's website. Section 57(5) of the *Land Use Planning and Approvals Act 1993* provides that representations can be made in writing to the undersigned at PO Box 604, Devonport or [council@devonport.tas.gov.au](mailto:council@devonport.tas.gov.au) by close of business on 10 November 2020.

Matthew Atkins  
GENERAL MANAGER

## Local Government

## CIRCULAR HEAD COUNCIL

## APPLICATION FOR PLANNING PERMIT

(s.57(3) Land Use Planning and Approvals Act 1993)

## Circular Head Interim Planning Scheme 2013

- |                      |   |
|----------------------|---|
| Application No       | DA 2020/099   |
| Location             | 40 Schuurings Road, Christmas Hills                   |
| Applicant/Owner      | Taylor M C  |
| Use Class            | Residential   |
| Proposal             | Extension To Dwelling                                 |
| Discretionary Matter | 26.4.2 (P1) Location and configuration of development |

Application(s) may be viewed during office hours at the Council Office, 33 Goldie St, Smithton or Council's website till the date listed below. Please be advised due to COVID-19 restrictions Council offices may not be open to the public during this notification period. In accordance with s.57(5) of the Act, any person may make written representation to the General Manager, PO Box 348 SMITHTON 7330 or [council@circularchead.tas.gov.au](mailto:council@circularchead.tas.gov.au) and received by 5.00pm 09/11/2020.

Scott Riley  
GENERAL MANAGER  
Ph: 03 6452 4800  
[www.circularhead.tas.gov.au](http://www.circularhead.tas.gov.au)



## BURNIE CITY COUNCIL

## NOTICE OF APPLICATION FOR LAND USE PERMIT

(Section 57(3) Land Use Planning and Approvals Act 1993)

Applications for use and development of land have been received:-

- Application No: DA 2020/100
- Site: 23 Brickport Road COOEE CT 164516/1

- Proposal: Antenatal Clinic Development
- Discretionary Matter: Reliant on performance criteria for grant of permit - Clause C2.5.1 (P.1) and Clause C16.6.1 (P2)

- Application No: DA 2020/126
- Site: 1 Arlington Place HEYBRIDGE CT 160925/64

- Proposal: Dwelling Extension
- Discretionary Matter: Reliant on performance criteria for grant of permit - Clause BUR-S1.7.3 (P1)

- Application No: DA 2020/132
- Site: 66 Grandview Avenue PARK GROVE - CT 15962/9

- Proposal: Second Dwelling
- Discretionary Matter: Reliant on performance criteria for grant of permit - Clause 8.4.2 (P3) and Clause 8.4.3 (P2)

The applications may be viewed on the Burnie City Council's website at - <https://www.burnie.net/permits>

A hard copy of the full application documents may be requested by telephoning 6430 5839, and on payment of a fee representing the cost of reproduction, provided to the person who requested the copy either by -

- collection from a place nominated by an officer of the council; or
- ordinary post to the address nominated

Any person may make representation relating to an application in writing addressed to the General Manager, Burnie City Council, PO Box 973, Burnie 7320 or [burnie@burnie.net](mailto:burnie@burnie.net) by no later than 5.00pm on 10 November 2020.

Dated: 24 October 2020

Gary Neil  
ACTING GENERAL MANAGER

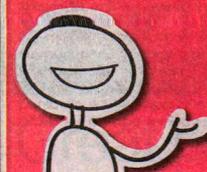
[www.burnie.net](http://www.burnie.net)



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SUBMIT ONLINE

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# Annexure 3

Nigel Hill and Stacy Purdon  
4 Whitegum Way  
Turners Beach, TAS, 7315

November 9, 2020

The General Manager  
Central Coast Council  
P.O. Box 220  
Ulverstone 7315

Dear Sandra

Application for Planning Permit at 8 Albert Street, Turners Beach Ref. DA2020308

We are writing in relation to the Development Application for a new house and shed to be constructed at 8 Albert Street Turners Beach. We are the owners of the house located at 4 Whitegum Way, Turners Beach.

The development application seeks variations in relation to lot size, dwelling density and changes to the building envelope.

It is noted that the block size of 372 square metres is small in comparison to other lots of land in the nearby vicinity. The lot size / dwelling density variation requires a dwelling within the 372m<sup>2</sup> to not unreasonably affect adjacent land. We contend that the proposed building envelope variation does unreasonably affect adjacent land, and in this case our concern is for the property at 4 Whitegum Way, Turners Beach. The planning scheme states that:

*Building height and location of a building in relation to a frontage and site boundaries must -*

- (a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;*
- (b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;*
- (c) be consistent with the streetscape;*
- (d) respond to the effect of the slope and orientation of the site; and*
- (e) provide separation between buildings to attenuate impact*

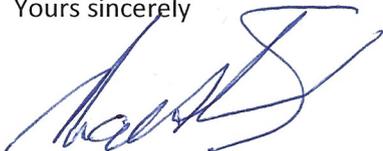
The planning scheme therefore seeks to minimise the apparent scale and bulk of dwellings when viewed from adjacent lots.

The encroachments outside the building envelope do have an impact on the apparent scale, bulk, massing and proportion relative to any adjacent building. The north-west corner of the dwelling will encroach up to 110mm into the 4m rear setback distance ordinarily required. The roof apex associated with the gable end at the rear of the dwelling will extend up to 1.9m beyond the envelope. The northern wall of the new garage will extend approximately 900mm into the southern side boundary setback, and will be located mid-way along that boundary.

8 Albert Street sits "well above" the ground level of the adjoining blocks of land at 2 and 4 Whitegum Way, with the land rising to the north, as detailed in the contour lines, and this will factor will further exacerbate the apparent scale and bulk of the rear of the proposed dwelling when viewed from 4 Whitegum Way.

We would therefore content that the development application, in its current form, does not meet the requirements of the Planning Scheme.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nigel Hill', with a large, stylized flourish at the end.

Nigel Hill

A handwritten signature in blue ink, appearing to read 'Stacy Purdon', with a large, stylized flourish at the end.

Stacy Purdon

# Annexure 4



8 Albert Street, Turners Beach – Spectrum Image



8 Albert Street, Turners Beach – Spectrum Image



8 Albert Street, Turners Beach – photo taken from Albert Street and shows existing dwelling.



Photo taken from Whitegum Way (4 Whitegum Way dwelling seen in the left of the photo).  
Development site behind blue dwelling.



Development site indicated.



Development site indicated.



Indicating existing buildings on development site.



Photo taken from Whitegum Way (4 Whitegum Way dwelling seen in the left of the photo).  
Development site behind blue dwelling.



3 November 2020

Our ref.: DA2020308, ss:kaa

Doc ID:

Mr L Walsh  
Lachlan Walsh Design  
PO Box 231  
DEVONPORT TAS 7315

Dear Mr Walsh

STATEMENT OF COMPLIANCE – 8 ALBERT STREET, TURNERS BEACH FOR RESIDENTIAL (DWELLING AND SHED INCLUDING DEMOLITION OF ALL EXISTING BUILDINGS ON SITE) IN ACCORDANCE WITH *LOCAL GOVERNMENT (HIGHWAYS) ACT 1982 AND URBAN DRAINAGE ACT 2013*

I refer to your application DA2020308 for residential (dwelling and shed including demolition of all including buildings on site) at 8 Albert Street, Turners Beach and based on the information supplied with the application this Statement of Compliance is issued for vehicular access and stormwater disposal, subject to the following conditions:

#### Vehicular Access

- R1 The proposed new driveway on Albert Street frontage as shown on the Lachlan Walsh Design 'Site Plan' Project No 20-618 Dated 30<sup>th</sup> August 2020 (copy enclosed) is to be constructed in accordance with the Tasmanian Standard Drawing TSD- R09-v2 Urban Roads - Driveways (copy enclosed);
- R2 The existing driveway that does not service the development is to be removed and the nature strip restored to match the surrounding area;
- R3 *Prior to commencement of works*, submit an application for 'Roadworks Authority' (or a 'Private Works Authority', if applicable) to the Council, for any work associated with roads, footpaths, kerb and channel, nature strips, or street trees. Such work is to be undertaken by the Council, unless alternative arrangements are approved by the Council, at the developer's cost.

Roadworks Authority Rates as listed in the Council's Fees and Charges register apply;

PO Box 220 / DX 70506  
19 King Edward Street  
Ulverstone Tasmania 7315  
Tel 03 6429 8900

[admin@centralcoast.tas.gov.au](mailto:admin@centralcoast.tas.gov.au)

[www.centralcoast.tas.gov.au](http://www.centralcoast.tas.gov.au)

- R4 *Prior to commencement of works in the road reservation*, obtain a 'Works in Road Reservation (Permit)' in accordance with Council's *Work in Road Reservation Policy*. Please contact the Council's Public Safety Officer on 0419 103 887 for further details;
- R5 Any damage or disturbance to roads, footpaths, kerb and channel, nature strips, or street trees resulting from activity associated with the development is to be rectified to the Council's satisfaction at the developer's cost.

#### Stormwater Disposal

- S1 Stormwater run-off from buildings and hard surfaces is to be collected and discharged to the Council's stormwater infrastructure, to ensure it does not cause nuisance to the neighbouring properties;
- S2 *Prior to commencement of works*, if required, submit an application 'Install Stormwater Connection Point' for a new stormwater connection to service the development. Such work is to be undertaken by the Council, unless alternative arrangements are approved by the Council, at developer's cost.
- Drainage costings as listed in Council's Fees and Charges register apply;
- S3 Any damage or disturbance to the Council's stormwater infrastructure resulting from activity associated with the development is to be rectified to the Council's satisfaction at the developer's cost.

'Statement of Compliance' is not an approval to create an access, work in the road reservation or undertake stormwater drainage works, nor is it a planning permit for the development.

Please contact the Council's Development Officer, Shelly Sharma, on 03 6429 8977 should you have any further enquiries.

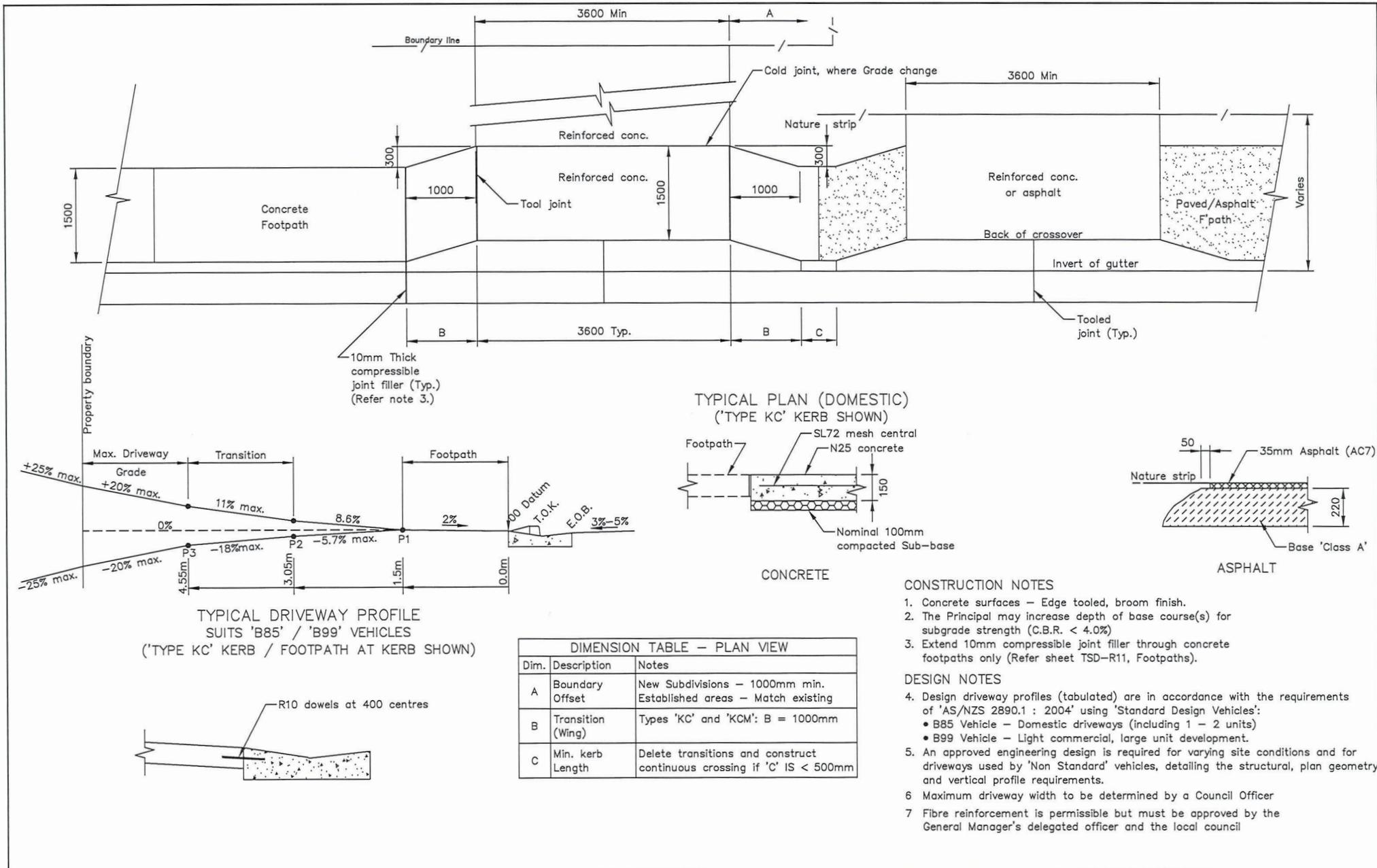
Yours sincerely



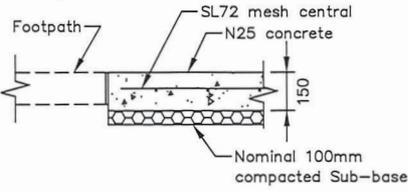
Paul Breaden  
DIRECTOR INFRASTRUCTURE SERVICES

Encl.

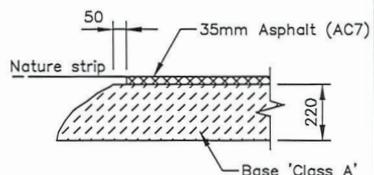




TYPICAL PLAN (DOMESTIC)  
(‘TYPE KC’ KERB SHOWN)



CONCRETE



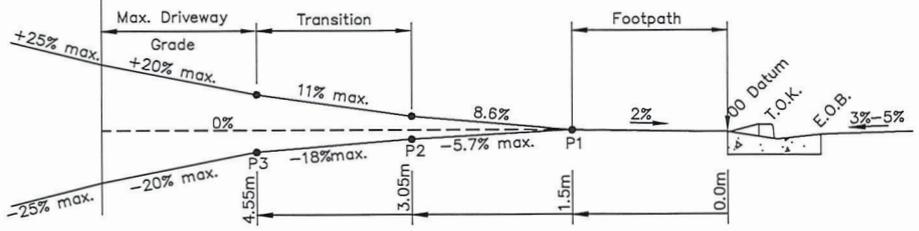
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CONSTRUCTION NOTES

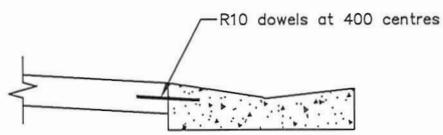
1. Concrete surfaces – Edge tooled, broom finish.
2. The Principal may increase depth of base course(s) for subgrade strength (C.B.R. < 4.0%)
3. Extend 10mm compressible joint filler through concrete footpaths only (Refer sheet TSD-R11, Footpaths).

DESIGN NOTES

4. Design driveway profiles (tabulated) are in accordance with the requirements of ‘AS/NZS 2890.1 : 2004’ using ‘Standard Design Vehicles’:
  - B85 Vehicle – Domestic driveways (including 1 – 2 units)
  - B99 Vehicle – Light commercial, large unit development.
5. An approved engineering design is required for varying site conditions and for driveways used by ‘Non Standard’ vehicles, detailing the structural, plan geometry and vertical profile requirements.
6. Maximum driveway width to be determined by a Council Officer
7. Fibre reinforcement is permissible but must be approved by the General Manager’s delegated officer and the local council



TYPICAL DRIVEWAY PROFILE  
SUITS ‘B85’ / ‘B99’ VEHICLES  
(‘TYPE KC’ KERB / FOOTPATH AT KERB SHOWN)



DIMENSION TABLE – PLAN VIEW		
Dim.	Description	Notes
A	Boundary Offset	New Subdivisions – 1000mm min. Established areas – Match existing
B	Transition (Wing)	Types ‘KC’ and ‘KCM’: B = 1000mm
C	Min. kerb Length	Delete transitions and construct continuous crossing if ‘C’ IS < 500mm

SCALES: AS SHOWN  
(All scales are correct at A3)

XRef File: TSD-R09-v2.dwg

REFERENCES

© 2012  
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It is the users responsibility to ensure this drawing is the current version. The current version can be downloaded from: [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au)

TAS Division  
**IPWEA**  
INSTITUTE OF PUBLIC WORKS  
ENGINEERING AUSTRALIA

**LGAT** Local Government Association Tasmania

GPO Box 1521, Hobart Tasmania 7001 1326 Macquarie Street, Hobart Tasmania 7000  
T: 03 6233 5966 F: 03 6233 5968 Email: [admin@lgat.tas.gov.au](mailto:admin@lgat.tas.gov.au)

**STANDARD DRAWING**  
URBAN ROADS  
DRIVEWAYS

ISSUE DATE: 28-04-2020  
DWG No: TSD-R09-v2

## Submission to Planning Authority Notice

Council Planning Permit No.	DA2020308	Council notice date	18/11/2020
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2020/01934-CC	Date of response	18/11/2020
TasWater Contact	Amanda Craig	Phone No.	0448 469 386
<b>Response issued to</b>			
Council name	CENTRAL COAST COUNCIL		
Contact details	planning@centralcoast.tas.gov.au		
<b>Development details</b>			
Address	8 ALBERT ST, TURNERS BEACH	Property ID (PID)	2745241
Description of development	Demolition of existing dwelling and construction of new dwelling		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Lachlan Walsh Designs	20-618 02 Site Plans	--	30/08/2020
<b>Conditions</b>			
<p><b>56W CONSENT</b></p> <p>1. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development which is built over or within two metres of TasWater infrastructure.</p> <p><b>DEVELOPMENT ASSESSMENT FEES</b></p> <p>2. The applicant or landowner as the case may be, must pay a development assessment fee of \$211.63, to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.</p> <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p>			
<b>Advice</b>			
<p><b>General</b></p> <p>For information on TasWater development standards, please visit <a href="http://www.taswater.com.au/Development/Development-Standards">http://www.taswater.com.au/Development/Development-Standards</a></p> <p>For application forms please visit <a href="http://www.taswater.com.au/Development/Forms">http://www.taswater.com.au/Development/Forms</a></p> <p><b>Service Locations</b></p> <p>Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.</p> <p>(a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater</p> <p>(b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit <a href="http://www.taswater.com.au/Development/Service-location">www.taswater.com.au/Development/Service-location</a> for a list of companies</p>			

- (c) TasWater will locate residential water stop taps free of charge
- (d) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

**56W Consent**

The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) will need to show footings of proposed buildings/retaining walls located over or within 2.0m from TasWater pipes and will need to be designed by a suitably qualified person to adequately protect the integrity of TasWater’s infrastructure, and to TasWater’s satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater’s pipes. These plans will need to also include a cross sectional view through the footings which clearly shows;

- (a) Existing pipe depth and proposed finished surface levels over the pipe;
- (b) The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;
- (c) A note on the plan indicating how the pipe location and depth were ascertained.

**Existing Water/Sewer Connections - Temporary Cap & Seal Note**

The applicant must engage a registered plumber to temporarily cap and seal internal water (prior to water meter) and sewer (upstream of the inspection opening) connections under demolition works to protect TasWater’s infrastructure from contamination.

**Declaration**

The drawings/documents and conditions stated above constitute TasWater’s Submission to Planning Authority Notice.

**Authorised by**

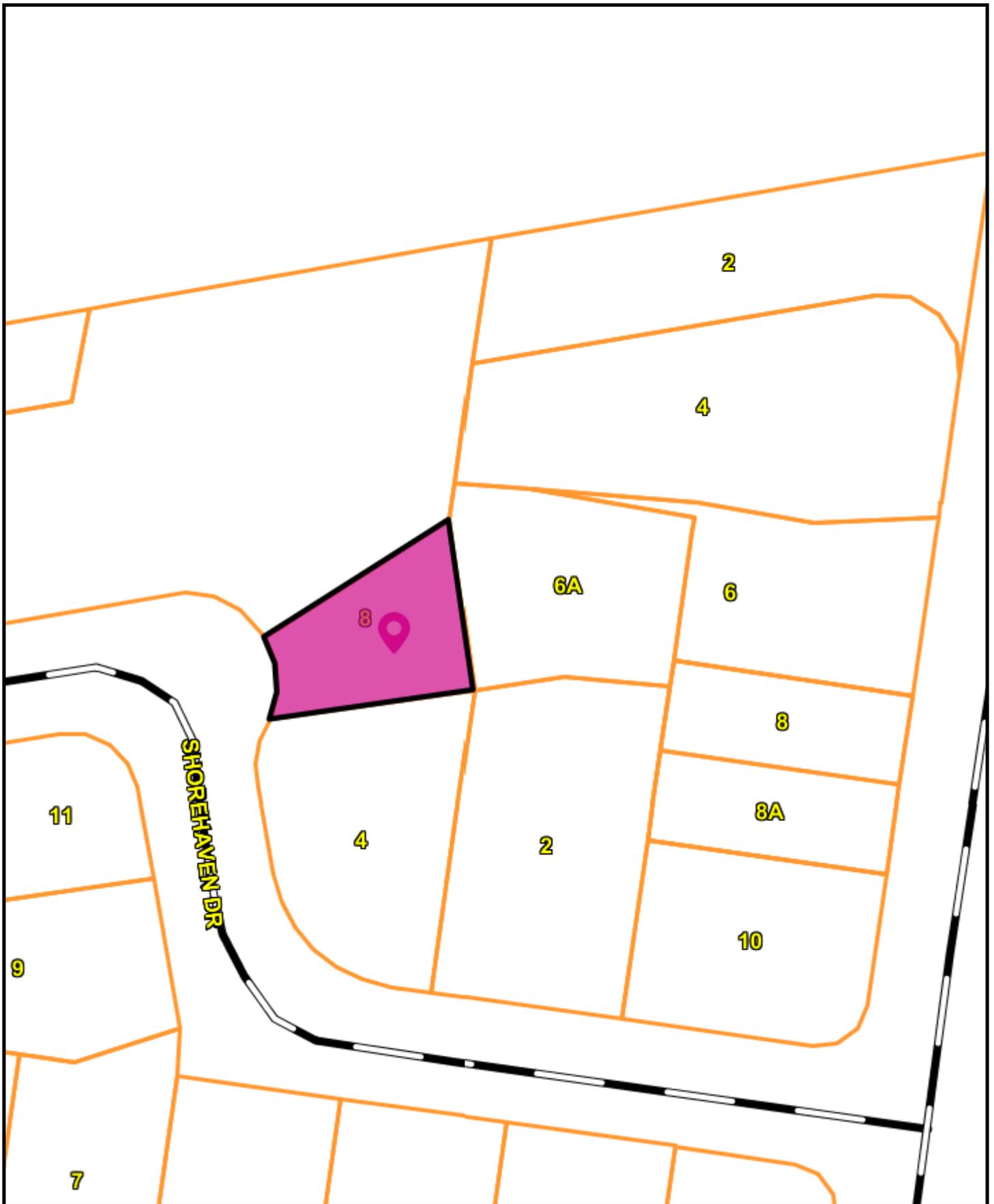


**Jason Taylor**  
Development Assessment Manager

**TasWater Contact Details**

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

# Annexure 1



20 m



CENTRAL COAST  
COUNCIL

Scale = 1 :  
653.940

Central Coast Council  
19 King Edward St  
Uiverstone  
TAS 7315  
Telephone: 03 6429 8800  
Facsimile: 03 6425 1224  
admin@centralcoast.tas.gov.au



2-Oct-2020

### Important

This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geodetic Datum of 1984 (AGD66/84). Heights are referenced to the Australia Height Datum (AHD). For most practical purposes GDA94 coordinates, and satellite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WGS84), are the same.

### Disclaimer

**This map is not a precise survey document**  
All care is taken in the preparation of this plan; however, Central Coast Council accepts no responsibility for any misprints, errors, omissions or inaccuracies. The information contained within this plan is for pictorial representation only. Do not scale. Accurate measurement should be undertaken by survey.  
© The List 2020.  
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**8 SHOREHAVEN DRIVE,  
TURNERS BEACH  
DA2020274**

# Annexure 2

**CENTRAL COAST COUNCIL**  
PO Box 220  
19 King Edward Street  
ULVERSTONE TASMANIA 7315  
Ph: (03) 6429 8900  
Email: [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au)  
www: [centralcoast.tas.gov.au](http://centralcoast.tas.gov.au)



**Land Use Planning and Approvals Act 1993**  
**Central Coast Interim Planning Scheme 2013**  
**PLANNING PERMIT APPLICATION**

**Office Use Only**

Application No \_\_\_\_\_

Date Received \_\_\_\_\_

Zone \_\_\_\_\_

Fee \$ \_\_\_\_\_

Permitted

Discretionary

NPR

**Use or Development Site:**

Site Address

Certificate of Title Reference

Land Area  Heritage Listed Property NO

**Applicant/s**

First Name  Middle Name   
Surname or Company name  Mobile

Postal Address:  Phone No:

Email address:   
 Please tick box to receive correspondence and any relevant information regarding your application via email.

**Owner** (Note – if more than one owner, all names must be indicated)

First Name  Middle Name   
Surname  Phone No   
Postal Address:

**PERMIT APPLICATION INFORMATION**

(If insufficient space for proposed use and development, please attach separate documents)

"USE" is the purpose or manner for which land is utilised.

**Proposed Use**

General Residential

**Use Class**

Office use only

"Development" is the works required to facilitate the proposed use of the land, including the construction or alteration or demolition of buildings and structures, signs, any change in ground level and the clearing of vegetation.

**Proposed Development** (please submit all documentation in PDF format to [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au) separating A4 documents & forms from A3 documents).

Residential Dwelling

**Value of the development** – (to include all works on site such as outbuildings, sealed driveways and fencing)

\$... 450,000 ..... Estimate/ Actual

Total floor area of the development ..... 287 .....m<sup>2</sup>

**Notification of Landowner**

**If land is NOT in the applicant's ownership**

I, Nicholas John Brandsema, declare that the owner/each of the owners of the land has been notified of the intention to make this permit application.

Signature of Applicant 

Date 01/09/2020

**If the application involves land within a Strata Corporation**

I, , declare that the owner/each of the owners of the body corporation has been notified of the intention to make this permit application.

Signature of Applicant

Date

**If the application involves land owned or administered by the CENTRAL COAST COUNCIL**

Central Coast Council consents to the making of this permit application.  
 General Managers Signature \_\_\_\_\_ Date \_\_\_\_\_

**If the permit application involves land owned or administered by the CROWN**

I, \_\_\_\_\_ the Minister  
 responsible for the land, consent to the making of this permit application.  
 Minister (Signature) \_\_\_\_\_ Date \_\_\_\_\_

*NB: If the site includes land owned or administered by the Central Coast Council or by a State government agency, the consent in writing (a letter) from the Council or the Minister responsible for Crown land must be provided at the time of making the application - and this application form must be signed by the Council or the Minister responsible.*

**Applicants Declaration**

I/ we Nicholas John Brandsema  
 declare that the information I have given in this permit application to be true and correct to the best of my knowledge.  
 Signature of Applicant/s  Date 01/09/2020

<b>Office Use Only</b>	
Planning Permit Fee	\$ .....
Public Notice Fee	\$ .....
Permit Amendment / Extension Fee	\$ .....
No Permit Required Assessment Fee	\$ .....
<b>TOTAL</b>	<b>\$ .....</b>
Validity Date	

SEARCH OF TORRENS TITLE

VOLUME 178919	FOLIO 1
EDITION 1	DATE OF ISSUE 07-Jul-2020

SEARCH DATE : 08-Sep-2020

SEARCH TIME : 01.55 PM

DESCRIPTION OF LAND

Town of TURNERS BEACH  
 Lot 1 on Sealed Plan 178919  
 Derivation : Part of Lot 463, 484A-2R-0P Gtd. to William Titley  
 Prior CT 162198/24

SCHEDULE 1

M707688 TRANSFER to GABOR ZOLTAN XANTUS Registered  
 03-Oct-2018 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
 SP178919 EASEMENTS in Schedule of Easements  
 SP178919 COVENANTS in Schedule of Easements  
 SP178919 FENCING COVENANT in Schedule of Easements  
 SP162198 COVENANTS in Schedule of Easements  
 SP 8179, SP 7699 & SP162198 FENCING COVENANT in Schedule of  
 Easements

UNREGISTERED DEALINGS AND NOTATIONS

M836903 PRIORITY NOTICE reserving priority for 60 days  
 TRANSFER GABOR ZOLTAN XANTUS TO BRANDON MARK HOWARD  
 and SARAH JOAN SCULLY  
 MORTGAGE BRANDON MARK HOWARD and SARAH JOAN SCULLY TO  
 AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED  
 Lodged by FRIEND AND EDWARDS on 22-Jul-2020 BP:  
 M836903

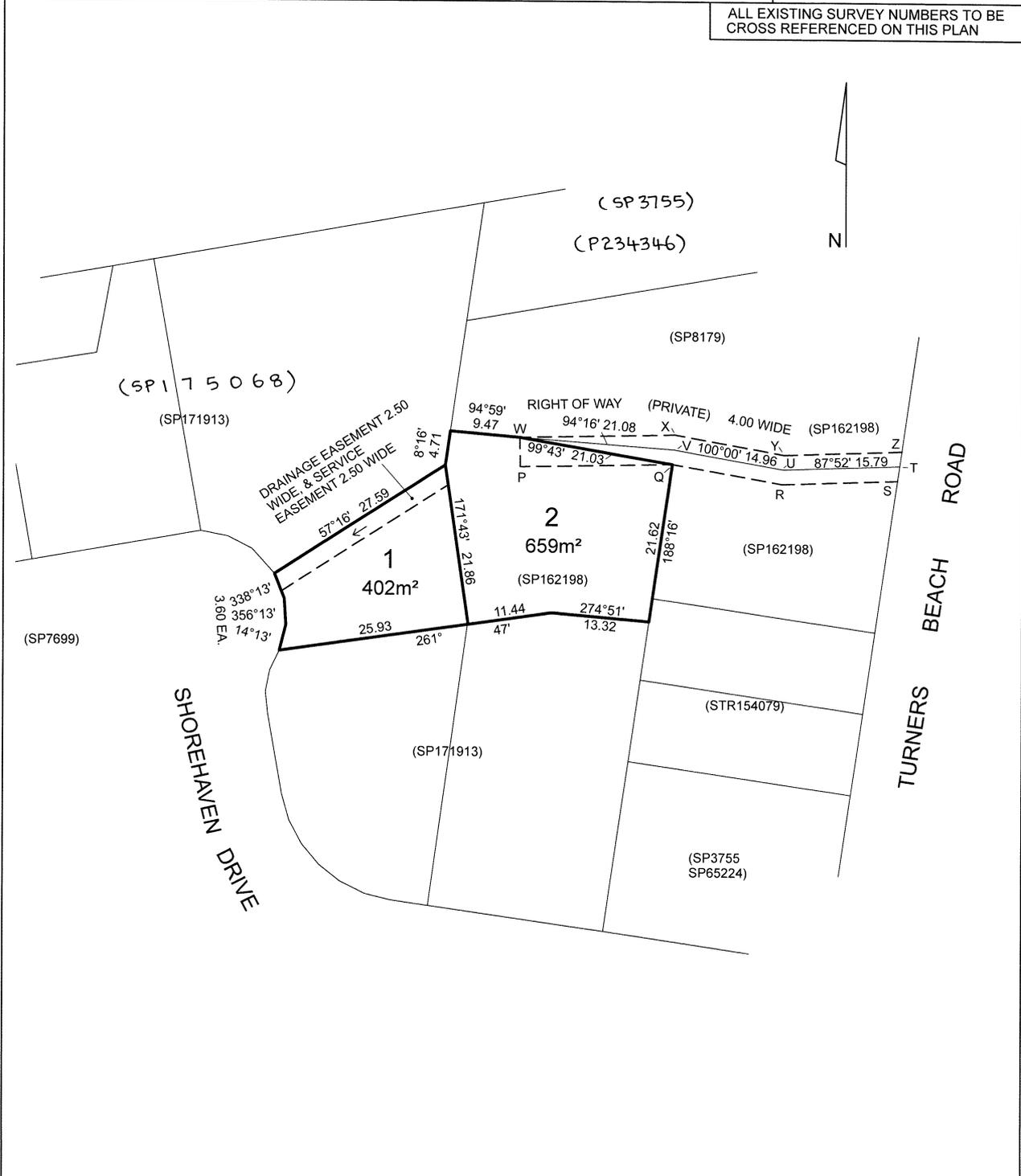
E233439 MORTGAGE to Australia and New Zealand Banking Group  
 Limited Lodged by SAIG ANZ Account on 03-Sep-2020  
 BP: M836904

M836904 TRANSFER to BRANDON MARK HOWARD and SARAH JOAN SCULLY  
 Lodged by SAIG ANZ Account on 03-Sep-2020 BP: M836904

"Early Issue" 4 Jun 20

<p>OWNER: G. Z. XANTUS</p> <p>FOLIO REFERENCE: 162198-24</p> <p>GRANTEE: PART OF LOT 463, 484a-2r-0p, GTD TO WILLIAM TITLEY</p>	<p><b>PLAN OF SURVEY</b></p> <p>BY SURVEYOR: MICHAEL WARD of LAND &amp; SEA SURVEYS, EUGENANA</p> <p>LOCATION: <b>TOWN OF TURNERS BEACH</b></p> <p>SCALE 1: 500                      LENGTHS IN METRES</p>	<p>REGISTERED NUMBER <b>SP178919</b></p> <p>APPROVED EFFECTIVE FROM 7 JUL 2020</p> <p><i>[Signature]</i> Recorder of Titles</p>
---	--	---

ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN



*[Signature]* 3/1/19  
Registered Land Surveyor      Date

*[Signature]* 2/6/2020  
Council Delegate      Date

<b>SCHEDULE OF EASEMENTS</b>	Registered Number
<b>NOTE:</b> THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	<b>SP 178919</b>

PAGE 1 OF 3 PAGE/S

3

*[Handwritten signature]*  
Feb 14/02

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Easements

1. Lot 2 on the plan is subject to a Right of Carriageway (appurtenant to Lot 1 on SP8179) over Right of Way (private) 4.00 Wide, marked PQW on the plan.
2. Lot 2 on the plan is together with a Right of Carriageway over the Right of Way (private) 4.00 wide, marked WXYZRSQ on the plan. *(SP162198)*
3. Lot 1 on the plan is subject to a drainage and services easement (appurtenant to Lot 2) over the "Drainage Easement 2.50 wide, & Service Easement 2.50 wide". *(as defined herein)*
4. Lot 2 on the plan is together with a drainage and services easement over the "Drainage Easement 2.50 wide, & Service Easement 2.50 wide". *(as defined herein)*

Covenants

The owners of each lot on the plan covenant with Gabor Zoltan Xantus ("the Vendor") and the owner or owners for the time being of every other lot on the plan or every part thereof with the intent that the burden of these covenants may run with and bind the Covenantor's lot and every part thereof and the benefit thereof shall be annexed to and devolve with each and every part of every other lot shown on the plan to observe the following stipulations:-

1. Not to erect on any such Lot any building of than a private dwelling house with the usual outbuildings.
2. Not to erect on any such Lot any dwelling house the outer walls of which are constructed of material other than brick, concrete brick or flat cement render or some other material approved of in writing by the Vendors or the roof of which is constructed of any material other than tiles or colourbond, iron or some other material approved in writing by the Vendors.
3. Not to erect on any such Lot any dwelling house that is a kit home or other portable or easily removable dwelling or building.

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Gabor Zoltan Xantus FOLIO REF: 162198/24 SOLICITOR Debbie Hutton Conveyancing Pty Ltd & REFERENCE: 180885	PLAN SEALED BY: Central Coast Council DATE: 2 June 2020 DA2018159 REF NO.
<i>[Handwritten signature]</i> Council Delegate	
<p><b>NOTE:</b> The Council Delegate must sign the Certificate for the purposes of identification.</p>	

<p><b>ANNEXURE TO SCHEDULE OF EASEMENTS</b></p> <p>PAGE 2 OF 3 PAGES 3</p>	<p>Registered Number</p> <p><b>SP 1789 19</b></p>
<p>SUBDIVIDER: Gabor Zoltan Xantus FOLIO REFERENCE: 162198/24</p>	

4. Not to use or permit or allow a dwelling house erected on such Lot to be used other than as a private residence or for the provision of professional services.
5. Not to carry out or permit or allow to be carried out on such Lot or any part thereof any trade or business of an industrial commercial or manufacturing nature.
6. The owners of Lots 1 and 2 on the plan covenant with the Central Coast Council to the intent that the burden of this covenant shall run with and bind the covenantor's lot and each and every part thereof and the benefit shall be in favour of the said Central Coast Council to observe the following stipulations, namely:-
  - a. Not to erect on any such Lot any building in which any habitable room has a floor level of below the 3.6m Australian Height Datum.

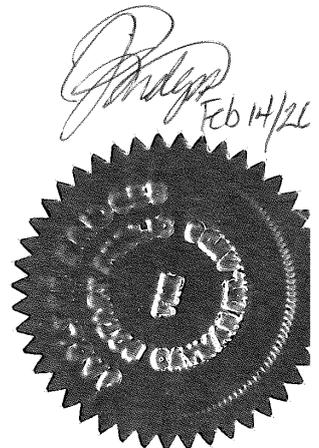
Fencing Covenant

The owner of each of the lots on the plan covenants with the Vendor Gabor Zoltan Xantus that the Vendor shall not be required to fence.

  
 SIGNED by Gabor Zoltan Xantus )  
 the registered proprietor of the land )  
 in Certificate of Title Volume 162198 )  
 Folio 24 in the presence of:- )

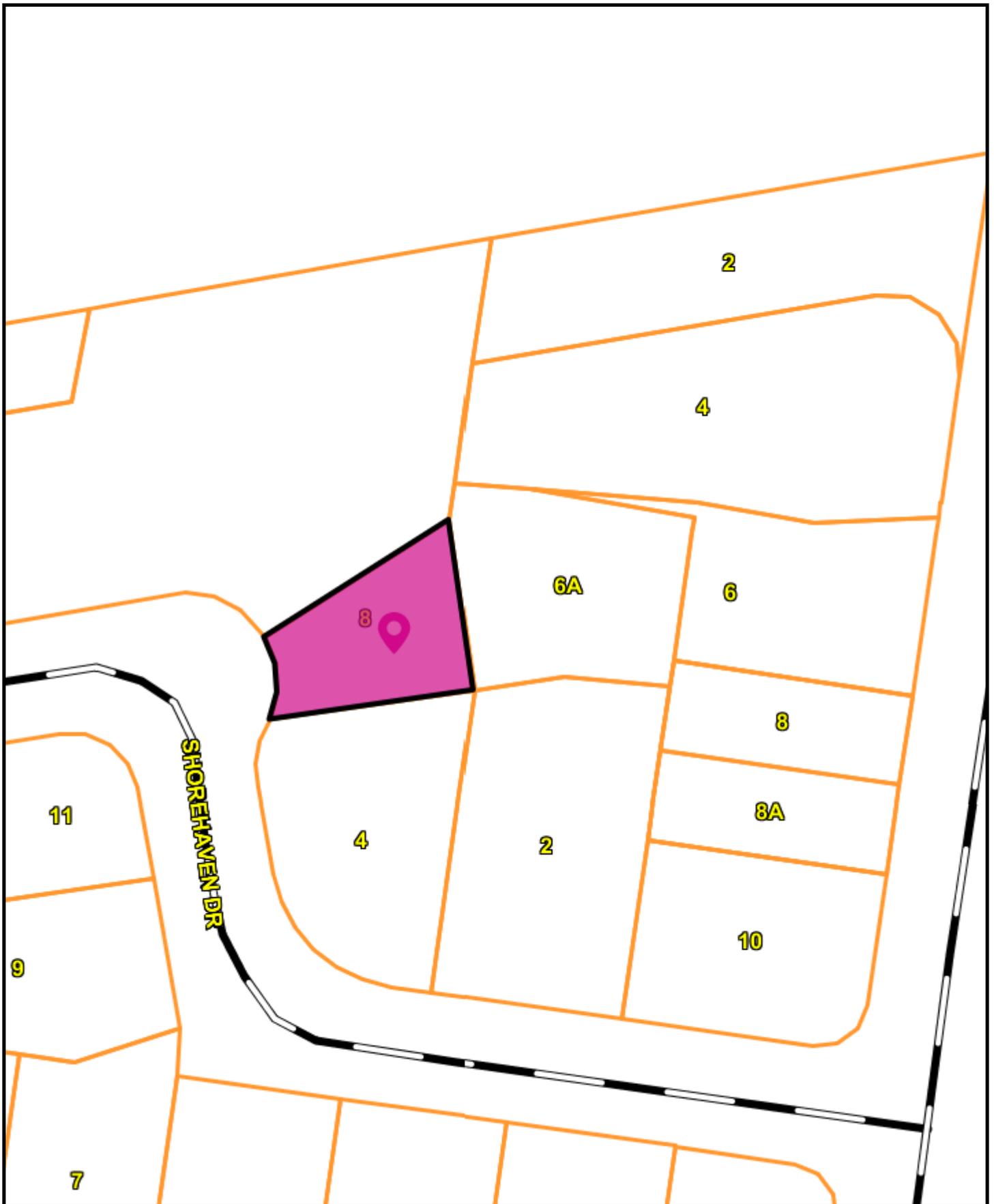
Witness signature .....   
 Witness Full Name ..... KRISTINA HEGETI  
 Witness address ..... 573 WESTWAY RD  
 GEORGETOWN TAS 7242

GEORGETOWN, GRAND CAYMAN  
 CAYMAN ISLANDS



**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

<p><b>ANNEXURE TO SCHEDULE OF EASEMENTS</b></p> <p><b>PAGE 3 OF 3 PAGES</b></p>	<p><b>SP178919</b></p>
<p>SUBDIVIDER: - Gabor Zoltan Xantus          FOLIO REFERENCE: - 162198/24</p>	
<p><b><u>Definition</u></b></p> <p><b>Drainage and Services Easement</b> means the full and free right and liberty for every person who is entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment in common with the owner of the land herein indicated as the servient tenement, the Devonport City Council, Telstra Corporation Limited, Aurora Energy Pty Ltd, Tasmanian Water &amp; Sewerage Corporation Pty Limited, NBN Co Limited and the Crown and its agents and contractors to enter upon the strip of land marked “DRAINAGE EASEMENT 2.50 WIDE &amp; SERVICE EASEMENT 2.50 WIDE” on the plan to install, inspect, maintain, repair and amend water mains, pipes, pumps, drains, mains channels, gutters, sewers, wires, cables and other conducting media under the surface of the land, provided that the rights granted are exercised in a proper manner so as to cause as little inconvenience as possible and to do as little damage as practicable to the said land.</p>	
<p>NOTE: - Every annexed sheet must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.</p>	



20 m



CENTRAL COAST  
COUNCIL

Scale = 1 :  
653.940

Central Coast Council  
19 King Edward St  
Ulleroona  
TAS 7315  
Telephone: 03 6429 8800  
Facsimile: 03 6425 1224  
admin@centralcoast.tas.gov.au



2-Oct-2020

**Important**

This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geodetic Datum of 1984 (AGD66/84). Heights are referenced to the Australia Height Datum (AHD). For most practical purposes GDA94 coordinates, and satellite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WGS84), are the same.

**Disclaimer**

*This map is not a precise survey document*  
All care is taken in the preparation of this plan; however, Central Coast Council accepts no responsibility for any misprints, errors, omissions or inaccuracies. The information contained within this plan is for pictorial representation only. Do not scale. Accurate measurement should be undertaken by survey.  
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**8 SHOREHAVEN DRIVE,  
TURNERS BEACH  
DA2020274**

BRANDON & SARAH HOWARD

PROPOSED RESIDENCE

8 SHOREHAVEN DRIVE, TURNERS BEACH

**DRAWING SCHEDULE**

SHEET	DESCRIPTION	REV	ISSUE DATE
A100	COVER PAGE	A	08/10/20
A101	SITE PLAN	A	08/10/20
A102	ELEVATIONS 1 OF 2	A	08/10/20
A103	ELEVATIONS 2 OF 2	A	08/10/20
A104	GROUND FLOOR PLAN	A	08/10/20
A105	FIRST FLOOR PLAN	A	08/10/20
A106	DRAINAGE PLAN	A	08/10/20
A107	WALL FRAMING PLAN	A	08/10/20
A108	ELECTRICAL PLAN	A	08/10/20
A109	REFLECTED CEILING PLAN	A	08/10/20
A110	ROOF FRAMING PLAN	A	08/10/20
A111	ROOF PLAN	A	08/10/20
A112	SECTION A-A	A	08/10/20
A113	DETAILS	A	08/10/20
A114	STANDARD DETAILS	A	08/10/20
A115	WALL TYPES	A	08/10/20
A116	WATERPROOFING 1 OF 2	A	08/10/20
A117	WATERPROOFING 2 OF 2	A	08/10/20
A118	WINDOW & DOOR SCHEDULE 1 OF 2	A	08/10/20
A119	WINDOW & DOOR SCHEDULE 2 OF 2	A	08/10/20
A120	LIGHTING CALCULATOR	A	08/10/20
A121	CONSTRUCTION NOTES 1 OF 2	A	08/10/20
A122	CONSTRUCTION NOTES 2 OF 2	A	08/10/20
A123	BAL 12.5 CONSTRUCTION NOTES	A	08/10/20
A125	SHADOW DIAGRAMS	A	08/10/20

**GENERAL INFORMATION**

ACCREDITED DESIGNER:  
ACCREDITATION NUMBER:  
LAND TITLE REFERENCE NUMBER:  
ENERGY ASSESSMENT:  
COUNCIL ZONE:  
COUNCIL:

**NICHOLAS BRANDSEMA**  
**047538582**  
**PID3141765, TITLE REF 178919/1**  
**TBA**  
**LOW DENSITY RESIDENTIAL**  
**CENTRAL COAST COUNCIL**

**FLOOR AREAS**

GROUND FLOOR AREA:  
FIRST FLOOR AREA:  
TOTAL FLOOR AREA:

**139m2 (15 SQUARES)**  
**131m2 (14 SQUARES)**  
**270m2 (29 SQUARES)**

**SITE INFORMATION**

SITE AREA:  
DESIGN WIND SPEED:  
SOIL CLASSIFICATION:  
ALPINE AREA:  
CORROSION ENVIRONMENT:  
BUSHFIRE ATTACK LEVEL:  
CLIMATE ZONE:

**401m2**  
**N3**  
**CLASS S**  
**N/A**  
**N/A**  
**BAL 12.5**  
**7**



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Project  
**PROPOSED RESIDENCE**  
Location  
**8 SHOREHAVEN DRIVE, TURNERS BEACH**  
Client  
**BRANDON & SARAH HOWARD**

Sheet Title  
**COVER PAGE**  
Drawn Issue Date Project No. Revision  
**NJB 08/10/20 TBA A**

Sheet Number  
**A100**  
/A123

**SITE PLAN**

PRIMARY CONTOUR LINES SHOWN AT 1000mm INTERVALS  
SECONDARY CONTOURS SHOWN AT 250mm INTERVALS

ALL RL LEVELS REFER TO FFL LEVEL, SITE DATUM POINT  
**TBA**

**DRIVEWAY**

EXPOSED AGGREGATE 120mm THICK 25MPa CONCRETE WITH SAW CUTS AT 4000mm CRS, 24 HOURS AFTER POURING. AGGREGATE STYLE AND FINISH TO BE CONFIRMED BY OWNER.

**GENERAL NOTES:**

DURING CONSTRUCTION SOIL AND WATER IS TO BE APPROPRIATELY MANAGED. THIS INCLUDES THE PROVISION OF SILT FENCING, FILTER SCREENS OR DEDICATED SILT TRAPS TO PREVENT THE DISCHARGE OF GRAVEL, SOIL OR OTHER DEBRIS TO ANY EXISTING WATER COURSE OR ADJOINING PROPERTY DURING THE COSTRUCTION PROCESS.

**EXCAVATION:**

ALLOW FOR BULK EXCAVATION WHERE REQUIRED AND ALL EXCAVATION, FILLING, BACK FILLING AND CONSOLIDATION REQUIRED FOR THE FOOTINGS AND SLAB. RETAIN ALL ACCESES AND SERVICES AS INDICATED. MAKE GOOD.

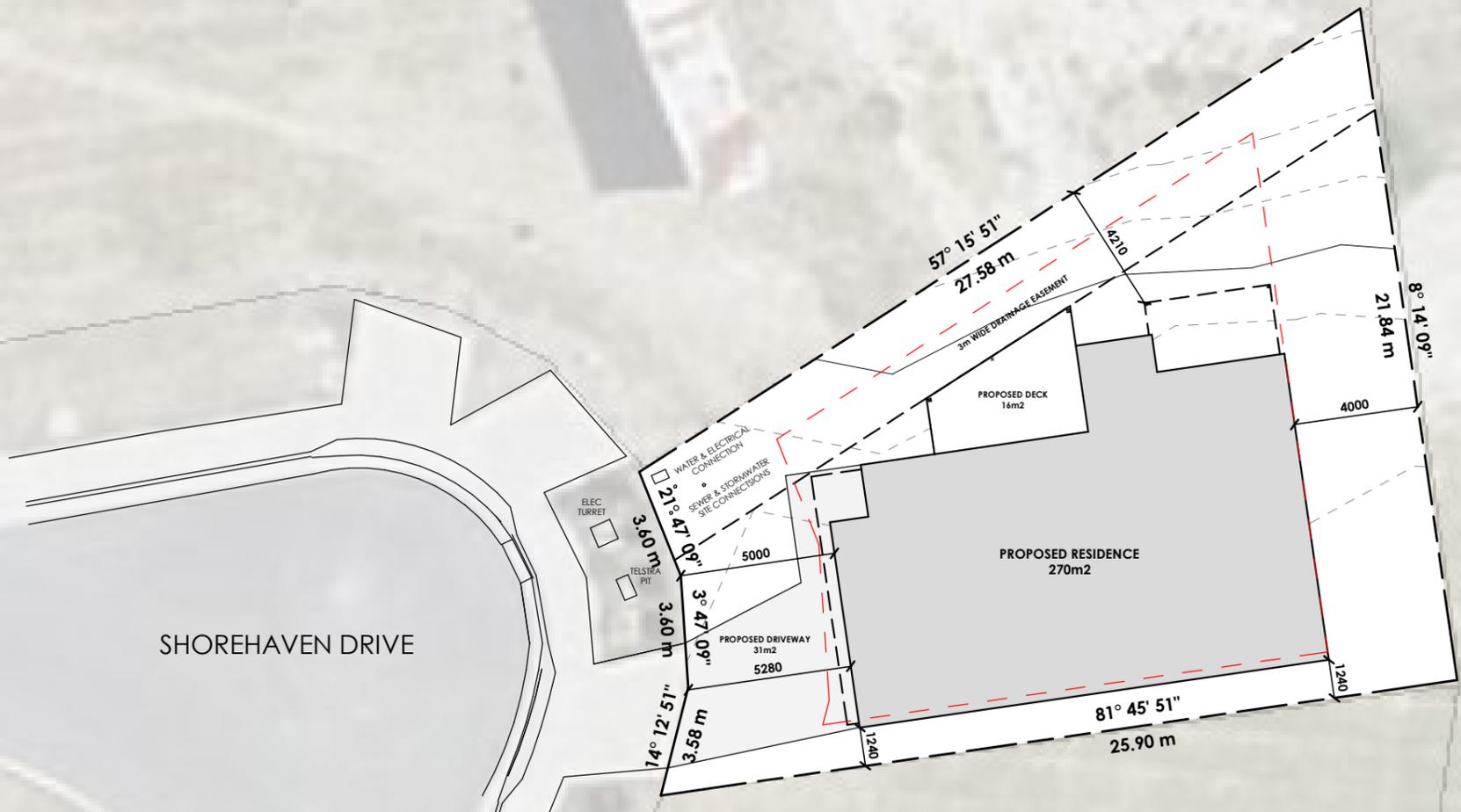
**SETTING OUT:**

THE BUILDER SHALL ACCURATELY SET-OUT THE WORKS AND VERIFY ALL DIMENSIONS AND LEVELS BEFORE COMENCING ANY WORKS, AND SHALL MAKE GOOD AT HIS OWN EXPENSE ANY ERRORS ARISING FROM INACCURACIES OF THE SETOUT.

ALL SETOUT DIMENSIONS SHOWN ARE TO THE OUTSIDE FACE OF THE EXTERNAL BRICK VENEER.

**PROTECTION WORK**

(SECTION 121 OF THE BUILDING ACT)  
IF EXCAVATION IS TO A LEVEL BELOW THAT OF THE ADJOINING OWNER'S FOOTINGS, ALONG THE TITLE BOUNDARY OR WITHIN 3 METRES OF A BUILDING BELONGING TO AN ADJOINING OWNER, THE BUILDER MUST (AS A MINIMUM) PROVIDE AND MAINTAIN A SUPPORT. ADJOINING OWNER TO BE NOTIFIED USING FORM 6 (BUILDING AND PROTECTION WORK NOTICE).



**PROPOSED RESIDENCE**  
8 SHOREHAVEN DRIVE, TURNERS BEACH  
PID3141765, TITLE REF 178919/1



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Project  
**PROPOSED RESIDENCE**  
Location  
**8 SHOREHAVEN DRIVE, TURNERS BEACH**  
Client  
**BRANDON & SARAH HOWARD**

Sheet Title  
**SITE PLAN**

Drawn	Issue Date	Project No.	Revision
NJB	08/10/20	TBA	A

Sheet Number

**A101**

/A123



**WEST ELEVATION**  
Scale 1 : 100

**WALL | FACADE MATERIALS & FINISHES**

- WT-1** JAMES HARDIE EASYTEX CLADDING, PAINT TO FINISH  
INSTALLED AS PER MANUFACTURERS SPECIFICATION
- WT-2** JAMES HARDIE SCYON AXON, PAINT TO FINISH  
INSTALLED AS PER MANUFACTURERS SPECIFICATION
- WT-3** BRICK VENEER, COLOUR & STYE BY OWNER.
- WT-4** SELECTED HARDWOOD TIMBER CLADDING  
SEAL/STAIN TO FINISH.



**EAVE CONSTRUCTION NCC VOLUME 2 PART 3.5.3.5**  
EAVE WIDTH OVERHANG - 600mm

EAVES LINED WITH 'HARDIFLEX' CEMENT SHEET  
TRIMMERS LOCATED WITHIN 1200mm OF  
EXTERNAL CORNERS TO BE SPACED @ 500mm  
CENTERS. REMAINDER OF SHEET - 700mm CENTERS

FASTENER / FIXINGS WITHIN 1200mm OF  
EXTERNAL CORNERS @ 200mm CENTERS,  
REMAINDER OF SHEET - 300mm CENTERS

**COLORBOND CUSTOM ORB ROOF CLADDING**  
INSTALLED AS PER MANUFACTURERS SPECIFICATIONS & AS1562  
COLOUR BY OWNER, COLOUR TO BE CLASSED AS "DARK"

**SELECTED ALUMINIUM FRAMED WINDOWS & DOORS**  
NCC VOLUME 2 PART 3.6 POWDER COATED ALUMINIUM WINDOW &  
DOOR FRAMES, UNLESS OTHERWISE NOTED. REVEALS AS SELECTED.  
ALL FLASHING & FIXINGS TO MANUFACTURERS SPECIFICATIONS

GLAZING & FRAME CONSTRUCTION TO AS2047 & AS1288  
ALL FIXINGS & FLASHINGS TO MANUFACTURERS REQUIREMENTS



**NORTH ELEVATION**  
Scale 1 : 100



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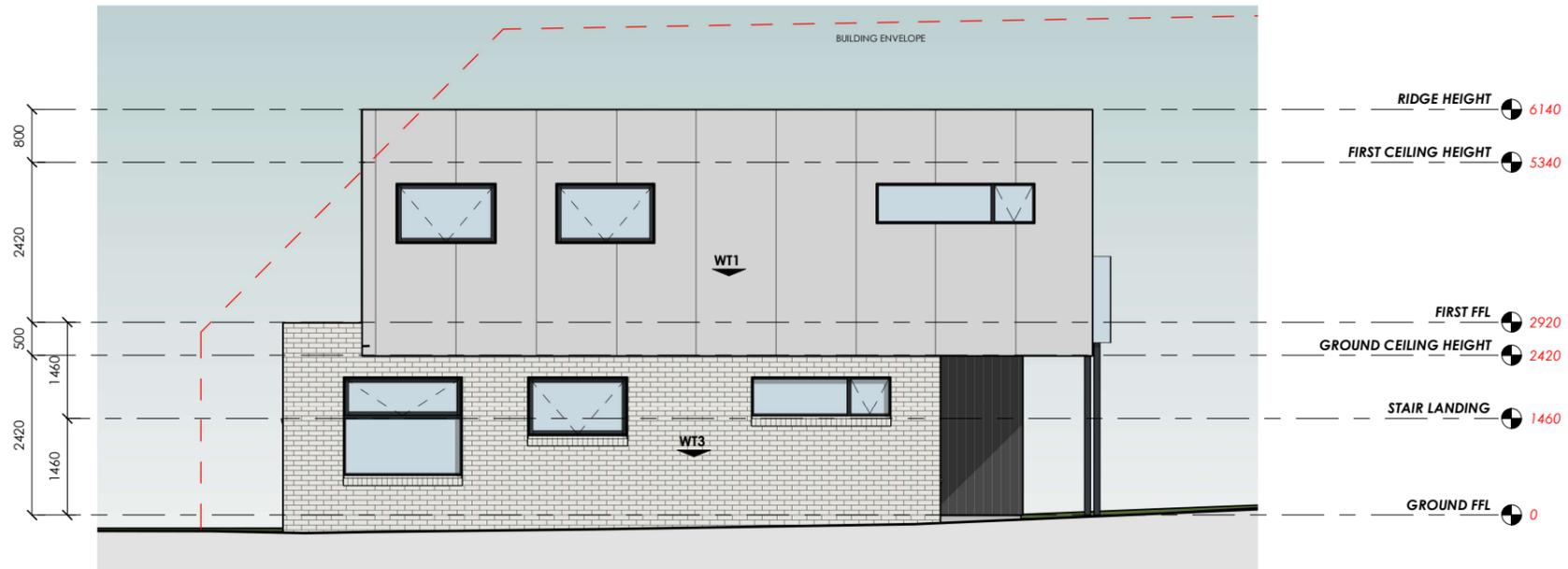
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**PROPOSED RESIDENCE**  
Location  
**8 SHOREHAVEN DRIVE, TURNERS BEACH**  
Client  
**BRANDON & SARAH HOWARD**

Sheet Title  
**ELEVATIONS 1 OF 2**

Drawn	Issue Date	Project No.	Revision
NJB	08/10/20	TBA	A

Sheet Number  
**A102**  
/A123



### EAST ELEVATION

Scale 1 : 100

#### WALL | FACADE MATERIALS & FINISHES

- WT-1** JAMES HARDIE EASYTEX CLADDING, PAINT TO FINISH  
INSTALLED AS PER MANUFACTURERS SPECIFICATION
- WT-2** JAMES HARDIE SCYON AXON, PAINT TO FINISH  
INSTALLED AS PER MANUFACTURERS SPECIFICATION
- WT-3** BRICK VENEER, COLOUR & STYE BY OWNER.
- WT-4** SELECTED HARDWOOD TIMBER CLADDING  
SEAL/STAIN TO FINISH.



#### EAVE CONSTRUCTION NCC VOLUME 2 PART 3.5.3.5

EAVE WIDTH OVERHANG - 600mm

EAVES LINED WITH 'HARDIFLEX' CEMENT SHEET TRIMMERS LOCATED WITHIN 1200mm OF EXTERNAL CORNERS TO BE SPACED @ 500mm CENTERS. REMAINDER OF SHEET - 700mm CENTERS

FASTENER / FIXINGS WITHIN 1200mm OF EXTERNAL CORNERS @ 200mm CENTERS. REMAINDER OF SHEET - 300mm CENTERS

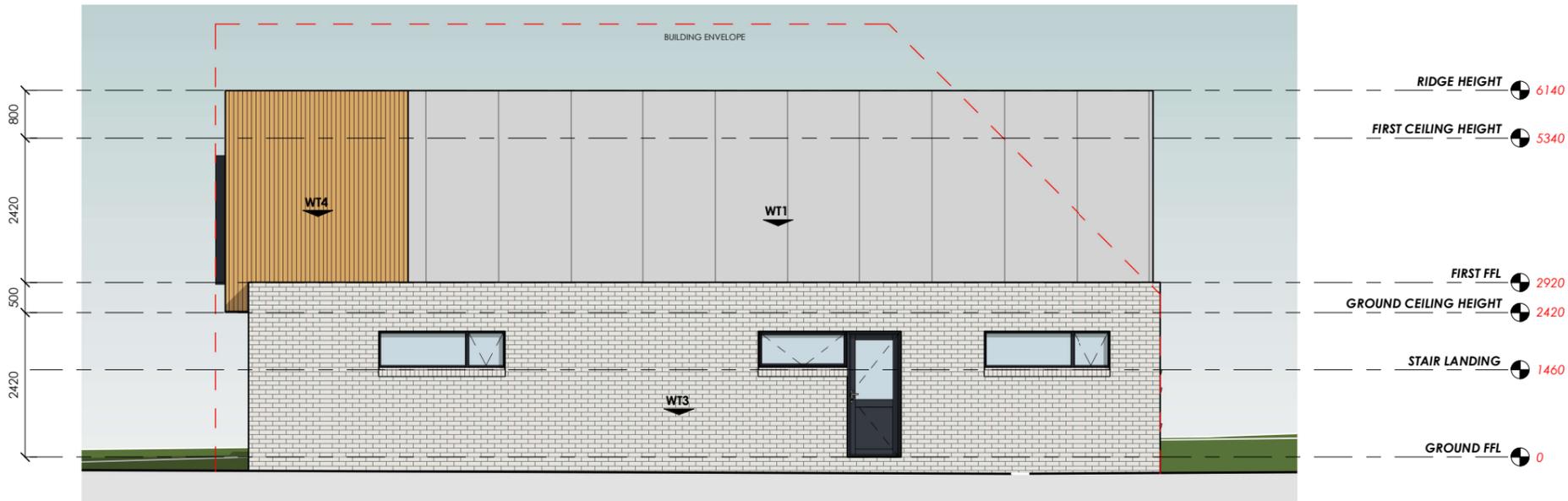
#### COLORBOND CUSTOM ORB ROOF CLADDING

INSTALLED AS PER MANUFACTURERS SPECIFICATIONS & AS1562 COLOUR BY OWNER, COLOUR TO BE CLASSED AS "DARK"

#### SELECTED ALUMINIUM FRAMED WINDOWS & DOORS

NCC VOLUME 2 PART 3.6 POWDER COATED ALUMINIUM WINDOW & DOOR FRAMES, UNLESS OTHERWISE NOTED. REVEALS AS SELECTED. ALL FLASHING & FIXINGS TO MANUFACTURERS SPECIFICATIONS

GLAZING & FRAME CONSTRUCTION TO AS2047 & AS1288  
ALL FIXINGS & FLASHINGS TO MANUFACTURERS REQUIREMENTS



### SOUTH ELEVATION

Scale 1 : 100

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**PROPOSED RESIDENCE**  
Location  
**8 SHOREHAVEN DRIVE, TURNERS BEACH**  
Client  
**BRANDON & SARAH HOWARD**

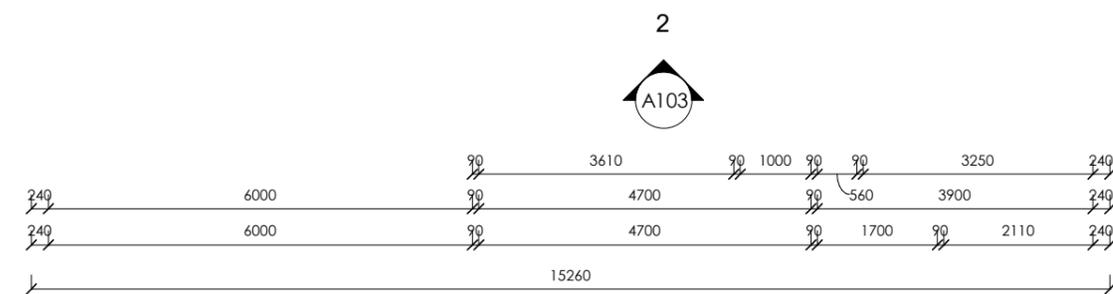
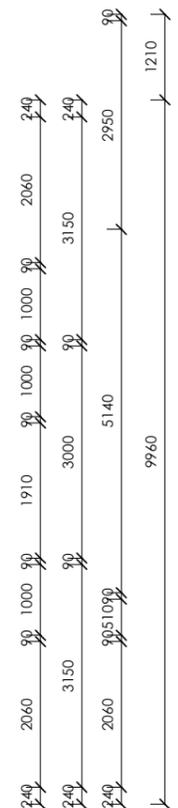
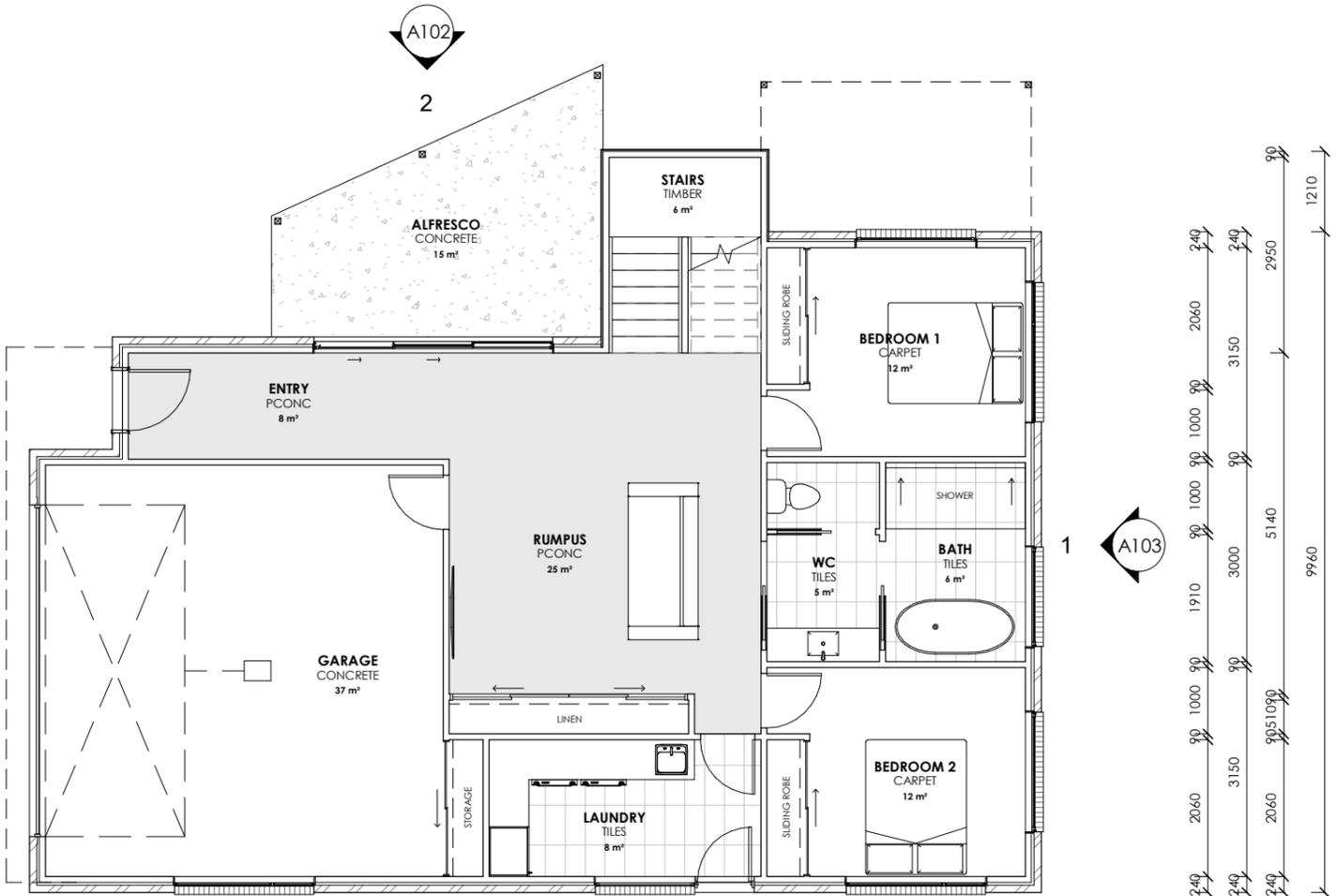
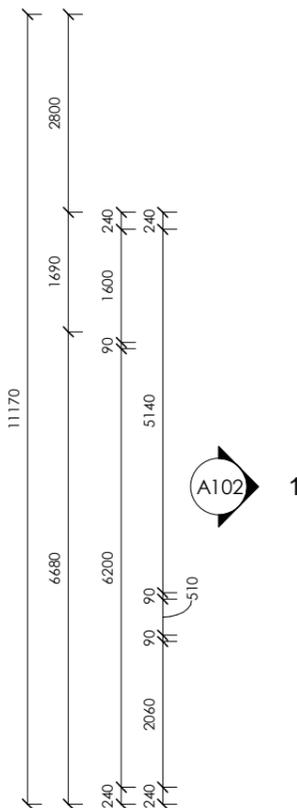
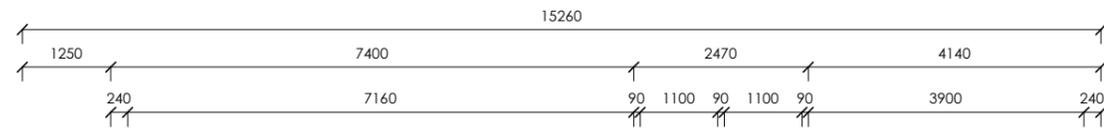
Sheet Title  
**ELEVATIONS 2 OF 2**

Drawn	Issue Date	Project No.	Revision
NJB	08/10/20	TBA	A

Sheet Number

**A103**

/A123



**FLOOR AREAS & FINISHES**

**FLOOR AREA - 139m<sup>2</sup>**

**CARPET**

**FLOOR AREA APPROX - 30m<sup>2</sup>**  
SELECTED CARPET AND UNDERLAY

**TILES**

**FLOOR AREA APPROX - 21m<sup>2</sup>**  
SELECTED TILES, GROUT, SEALANT, TRIMS  
SEALED PRIOR WITH A WATERPROOF  
MEMBRANE SYSTEM

**CONCRETE**

**FLOOR AREA APPROX - 37m<sup>2</sup>**  
NO SURFACE FINISH REQUIRED.

**P CONC**

**FLOOR AREA APPROX - 33m<sup>2</sup>**  
POLISHED CONCRETE, FINISH BY OWNER.

SKIRTING 66x18 PRE PRIMED BEVELLED  
SKIRTINGBOARD, PAINT TO FINISH.

**NOTES**

ALL WINDOW DIMENSIONS TO BE CONFIRMED WITH  
CLIENT PRIOR TO CONSTRUCTION BEGINNING.

ALL GLAZING TO COMPLY WITH WITH NCC 3.6 & AS1288 & AS2047  
ALL WET AREAS TO COMPLY WITH NCC 3.8.1 & AS3740  
ALL TIMBER FRAMING TO COMPLY WITH NCC 3.4.3 & AS1684  
ALL WORKS TO BE IN COMPLIANCE WITH NCC 3.12 & ENERGY EFFICIENCY



**GROUND FLOOR PLAN**

Scale 1 : 100

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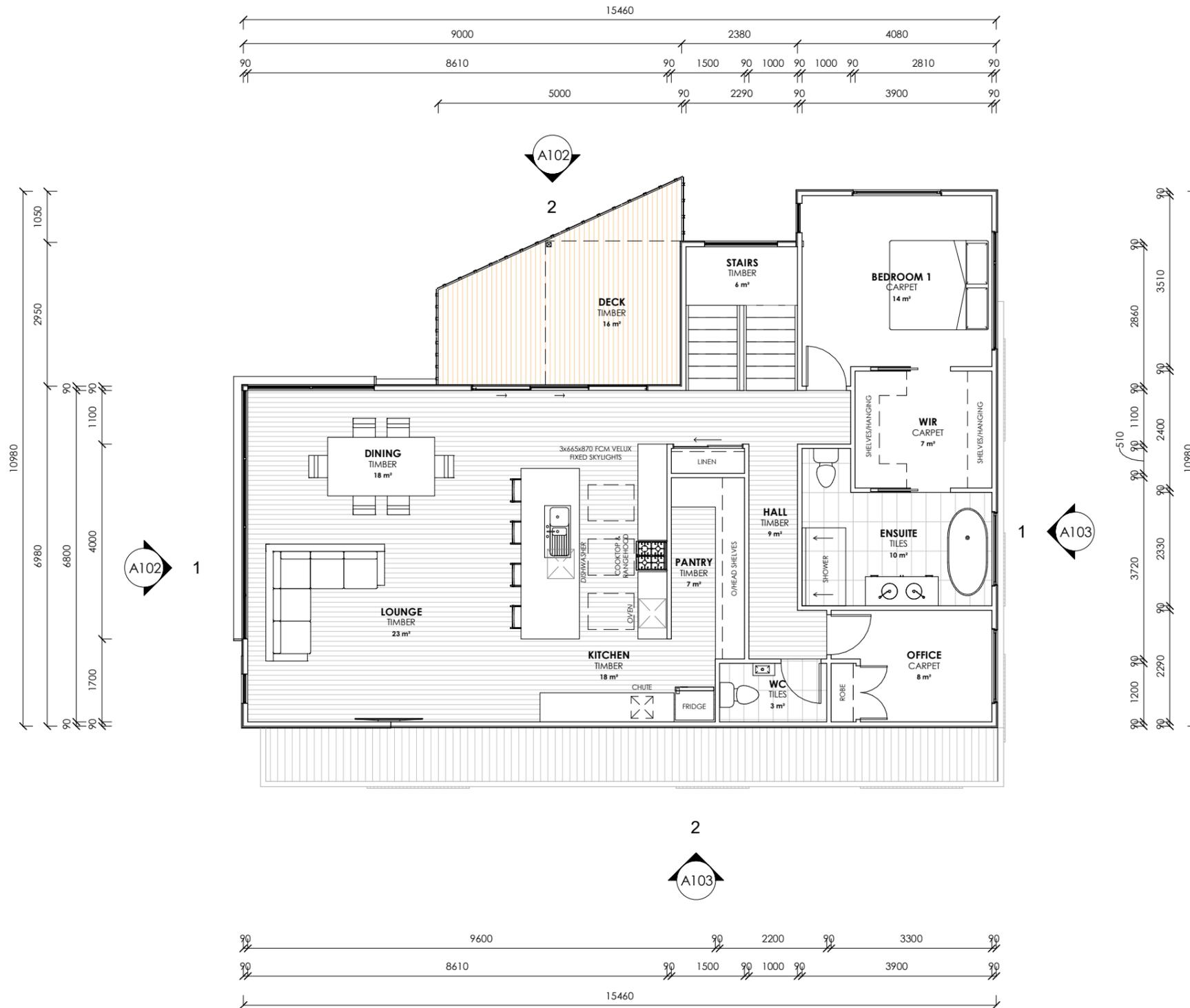
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**PROPOSED RESIDENCE**  
Location  
**8 SHOREHAVEN DRIVE, TURNERS BEACH**  
Client  
**BRANDON & SARAH HOWARD**

Sheet Title  
**GROUND FLOOR PLAN**  
Drawn Issue Date Project No. Revision  
**NJB 08/10/20 TBA A**

Sheet Number  
**A104**  
/A123



**FLOOR AREAS & FINISHES**

**FLOOR AREA - 131m<sup>2</sup>**

**CARPET**  
**FLOOR AREA APPROX - 35m<sup>2</sup>**  
 SELECTED CARPET AND UNDERLAY

**TILES**  
**FLOOR AREA APPROX - 13m<sup>2</sup>**  
 SELECTED TILES, GROUT, SEALANT, TRIMS  
 SEALED PRIOR WITH A WATERPROOF  
 MEMBRANE SYSTEM

**TIMBER**  
**FLOOR AREA APPROX - 75m<sup>2</sup>**  
 108x12mm TASOAK FLOORING  
 SAND & APPLY CLEAR COAT TO FINISH

SKIRTING 66x18 PRE PRIMED BEVELLED  
 SKIRTINGBOARD, PAINT TO FINISH.

**NOTES**  
 ALL WINDOW DIMENSIONS TO BE CONFIRMED WITH  
 CLIENT PRIOR TO CONSTRUCTION BEGINNING.

ALL GLAZING TO COMPLY WITH WITH NCC 3.6 & AS1288 & AS2047  
 ALL WET AREAS TO COMPLY WITH NCC 3.8.1 & AS3740  
 ALL TIMBER FRAMING TO COMPLY WITH NCC 3.4.3 & AS1684  
 ALL WORKS TO BE IN COMPLIANCE WITH NCC 3.12 & ENERGY EFFICIENCY

**FIRST FLOOR PLAN**  
 Scale 1 : 100

**n+b**  
 22 Fieldings Way  
 Ulverstone, Tasmania  
 Australia  
 7315  
 m 0417 134 369 e nick@nplusb.com.au  
 License No. 047538582 ABN 946 222 219 16

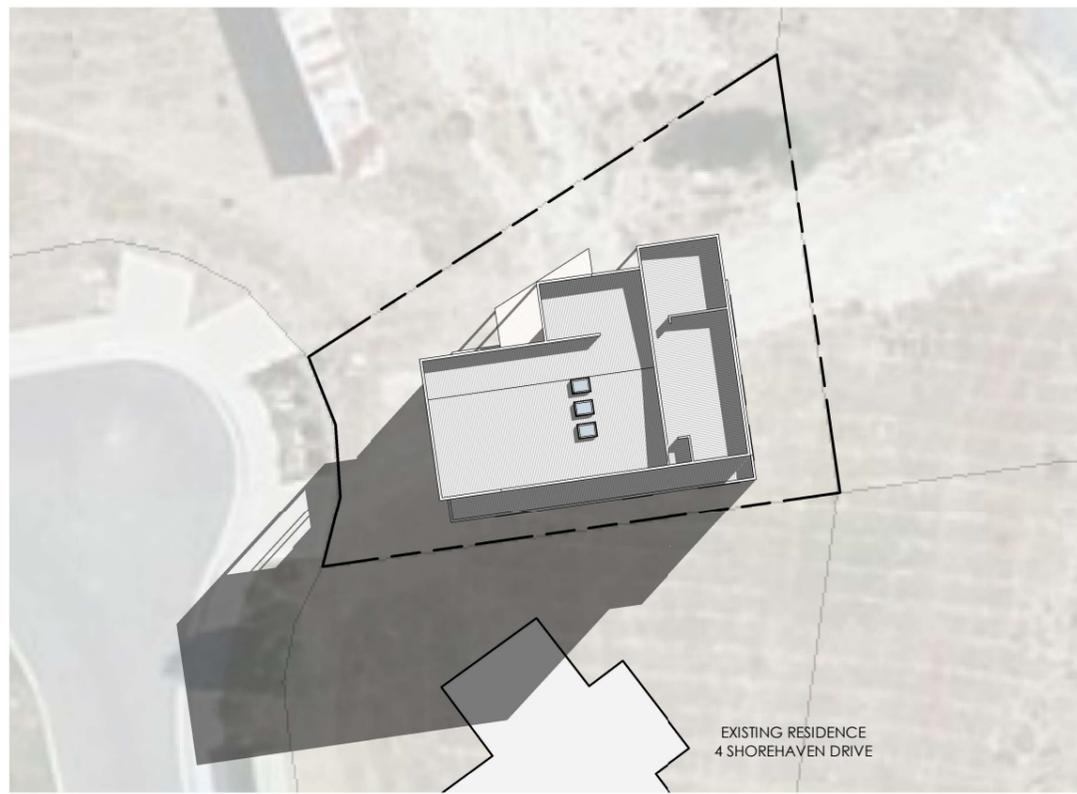
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**PLANNING**  
 Scale A3  
**1 : 100**  
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Revision  
 No. Date Description  
 A 08/10/20 Issued as PLANNING  
 DO NOT SCALE OFF PLANS  
 ALL DIMENSIONS ARE IN MILLIMETERS  
 CONFIRM ALL DIMENSIONS ONSITE  
 ALL WORK RELEVANT NCC & AS

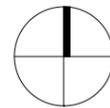
Project  
**PROPOSED RESIDENCE**  
 Location  
**8 SHOREHAVEN DRIVE, TURNERS BEACH**  
 Client  
**BRANDON & SARAH HOWARD**

Sheet Title  
**FIRST FLOOR PLAN**  
 Drawn Issue Date Project No. Revision  
**NJB 08/10/20 TBA A**

Sheet Number  
**A105**  
 /A123



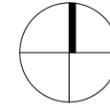
EXISTING RESIDENCE  
4 SHOREHAVEN DRIVE



**JUNE 21st - 9am**  
Scale 1 : 350



EXISTING RESIDENCE  
4 SHOREHAVEN DRIVE



**JUNE 21st - 11am**  
Scale 1 : 350



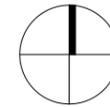
EXISTING RESIDENCE  
4 SHOREHAVEN DRIVE



**JUNE 21st - 1pm**  
Scale 1 : 350



EXISTING RESIDENCE  
4 SHOREHAVEN DRIVE



**JUNE 21st - 3pm**  
Scale 1 : 350

**n+b**

22 Fieldings Way  
Ulverstone, Tasmania  
Australia  
7315

m 0417 134 369 e nick@nplusb.com.au  
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Scale A3  
**1 : 350**

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Revision No.	Date	Description
A	08/10/20	Issued as PLANNING

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CONFIRM ALL DIMENSIONS ONSITE  
ALL WORK RELEVANT NCC & AS

Project  
**PROPOSED RESIDENCE**  
Location  
**8 SHOREHAVEN DRIVE, TURNERS BEACH**  
Client  
**BRANDON & SARAH HOWARD**

Sheet Title  
**SHADOW DIAGRAMS**

Drawn	Issue Date	Project No.	Revision
NJB	08/10/20	TBA	A

Sheet Number

**A125**

/A123

# Connect with Classifieds

The Advocate

Phone: 1300 363 789  
Email: classifieds@theadvocate.com.au



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The Advocate

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Emoji now available 😊

## Death Notices

**NICHOLSON**  
Gillian Dorothy  
31.12.1925 -  
27.10.2020

Passed away peacefully at the North West Regional Hospital, Burnie.

Loved and loving wife of Harry (dec), mother of Guy, John (dec), Sarah, Helen, Jane and Ann, grandma and great grandma to all her grandchildren and great grandchildren.

Private family cremation to be followed by a celebration of Gillian's life at a later date.

## In Memoriam

**MIRCEA**

Jon Jason  
1971 - 2003

Years roll by but love and memories never fade.

Love from Mum and the Family.

**MIRCEA**

Jon "JJ"

Another year rolls by, miss you more.

Love Sis, Chloe and Hoofers.



## Events & Functions

**NW MRA HEYBRIDGE HALLOWEEN**  
with  
**Dave Hawkins**  
Sat 31st October  
6.30pm  
Camping-Meal-Show  
Booking essential  
☎ 0438 998 470

## For Sale

## BARGAIN BUYS

Samsung TV and stand, \$950; 2 drawer filing cabinet, \$40; Q/bed sheets, \$10; near new 2 door fridge, \$800; outdoor timber bench, \$65; solid timber coffee table, \$55; Twin Tower framed picture, \$30; new drop saw and stand, \$300; compressor and paint access, \$160; timber Q/bed and mattress, \$500. Even more. Ph. 0418 773 332 Burnie.

## MOVING HOUSE

Olive green velvet 3 pc suite with reclining chairs, v.o.c. cost new \$2000, sell \$600.  
Ph. 0408 911 923.

## For Sale

## TENT

canvas tent  
3 rooms  
\$650  
Ph. 6438 4161 or  
0400 583 672

## Wanted to Buy

## AUST. COINS

and notes, dec. and pre dec. will travel. Please Phone 0409 409 760.

## DVDs/CDs/LP

records, old coins, round 50c, Perth mint coins, old books, antique furniture, baskets. Will visit. 6423 3316.

## Estates/Downsize

Shed/workshop contents, old tools, workbench, table saw, book case. Will visit 6423 3316

## Wine/Whisky

Complete cellars, taxidermy, antlers, collections of anything, model cars/trains, old watches. Will visit. 6423 3316.

## Motor Vehicles



## HOLDEN VZ 2006

255,000kms, new radiator, oil pump, timing chains, conrod bearings, centre bearing, reg, good tyres, private sale, \$3550.

## HONDA CIVIC

hatch auto, 2012, reg. Jan 21, low km, \$12500 neg. Ph 03 6437 1263.

## LANDROVER

**DISCOVERY TURBO**  
Diesel, '97 model, only one lady owner since new. Regular serviced by Any Wheels, \$8000 ono. Immac. cond. Ph. 6437 1151.

## Trucks



## ISUZU NLR 200

2015 medium, 57,548 kms, AMT gearbox, VGC, reg 03/2021, one owner, \$35,500. Ph. 0419 374 533.

## To Let & Wanted

## WYNYARD

1 b.r. unit in a quiet area to let. Self contained, unfurn. \$180 per week plus bond. Contact 0407 836 038.

## Livestock

## Ulverstone Pet Food

Stock wanted, suitable for pet food.  
Ph. 6425 5822 or  
0408 141 972 (AH).

## Local Government

### WARATAH WYNYARD COUNCIL

#### ANNUAL GENERAL MEETING

Notice is hereby given that the Annual General Meeting of the Waratah-Wynyard Council for the year ended 30 June 2020 will be held on **Tuesday 3 November 2020** commencing at 5.30pm at the Council Chambers, 21 Saunders Street, Wynyard.

#### ANNUAL REPORT

The Council's Annual Report is available on the Council's website [www.warwyt.as.gov.au](http://www.warwyt.as.gov.au), a printed copy can be obtained from the Council Offices, Saunders Street, Wynyard, at no charge if required.

In accordance with Section 72 of the *Local Government Act 1993* submissions on the Annual Report are invited and should be delivered to the undersigned by Friday, 30 October 2020 to permit them to be listed for discussion at the Annual General Meeting.

#### APPLICATIONS FOR PLANNING PERMITS

Notice is given that applications have been made for the following discretionary permits:-

No: DA 75/2020  
Location: Unit 5, 267 Port Road Boat Harbour  
Applicant: L J & D W Evans  
Zoning: Low Density Residential  
Use Class: Residential  
Proposal: Change of Use (Part Building, Upstairs to Visitor Accommodation)  
Discretionary Matter: Suitability of a site or lot for use or development 12.4.1 (P2, P3), Use likely to be exposed to a natural hazard E6.5.2, Design of vehicle parking and loading areas E9.6.1 (P1)

No: DA 175/2020  
Location: 143 old Bass Highway Wynyard  
Applicant: S D & N C Bryan  
Zoning: General Residential  
Use Class: Residential  
Proposal: Replacement Outbuilding  
Discretionary Matter: Setbacks and building envelope for all dwellings 10.4.2 (P3)

The applications and associated plans and documents will be available for inspection during normal office hours for the exhibition period at the Council Office, Saunders Street, Wynyard or viewed on Council website [www.warwyt.as.gov.au](http://www.warwyt.as.gov.au). Any person who wishes to make representations in accordance with the *Land Use Planning and Approvals Act 1993*, must do so during the exhibition period. Representations in writing will be received by the undersigned by **Wednesday 11th November 2020**.

Dated at Wynyard this day, 28 October 2020.

Shane Crawford, General Manager

PO Box 168, WYNYARD 7325

Email: council@warwyt.as.gov.au

[www.warwyt.as.gov.au](http://www.warwyt.as.gov.au)

## Local Government

### CENTRAL COAST COUNCIL

19 King Edward Street  
Ulverstone Tasmania 7315  
Tel. 03 6429 8900  
[www.centralcoast.tas.gov.au](http://www.centralcoast.tas.gov.au)

#### APPLICATIONS FOR PLANNING PERMITS

##### 5.57 Land Use Planning and Approvals Act 1993.

The following applications have been received:

- Location: 8 Shorehaven Drive, Turners Beach  
Proposal: Residential - dwelling - variation to dwelling density, building height and building envelope  
Application No.: DA2020274
- Location: 6 Phoenix Court, Ulverstone  
Proposal: Residential - dwelling - proximity of sensitive use to a rail line and Utility zone boundary and variation to location of private open space  
Application No.: DA2020317
- Location: 277 Leith Road, Forth  
Proposal: Resource development - workshop, awning to machinery shed and awning to onion intake shed - variation to building height and use of materials with a light reflectance value greater than 40%  
Application No.: DA2020327

The applications may be inspected at the Administration Centre, 19 King Edward Street, Ulverstone during office hours (Monday to Friday 8.00am to 4.30pm) and on the Council's website. Any person may make representation in relation to the applications (in accordance with s.57(5) of the Act) by writing to the General Manager, Central Coast Council, PO Box 220, Ulverstone 7315 or by email to [admin@centralcoast.tas.gov.au](mailto:admin@centralcoast.tas.gov.au) and quoting the Application No. Any representations received by the Council are classed as public documents and will be made available to the public where applicable under the *Local Government (Meeting Procedures) Regulations 2015*. Representations must be made on or before 12 November 2020.

Date of notification: 28 October 2020.

PAUL WEST  
Acting General Manager

## BURNIE CITY COUNCIL

### NOTICE OF APPLICATION FOR LAND USE PERMIT (Section 57(3) Land Use Planning and Approvals Act 1993)

Application for use and development of land has been received:-

Application No: SD 2020/1308  
298 & 302A Mount Street UPPER  
Site: BURNIE - CT 179414/101 and CT 38214/1  
Proposal: Subdivision to create 10 residential lots and 1 balance lot and associated works

Discretionary Matter: Reliant on performance criteria for grant of permit - Clause 8.6.1 (P2 & P4) and Clause 8.6.2 (P1)

Application No: DA 2020/89  
44 Nairana Avenue SHOREWELL PARK - CT: 177450/2  
Site: Single Dwelling

Proposal: Discretionary Matter: Reliant on performance criteria for grant of permit - Clause 8.4.2 (P3)

The application may be viewed on the Burnie City Council's website at: <https://www.burnie.net/permits>

A hard copy of the full application documents may be requested by telephoning 6430 5839; and on payment of a fee representing the cost of reproduction, provided to the person who requested the copy either by -

- collection from a place nominated by an officer of the council; or
  - ordinary post to the address nominated
- Any person may make representation relating to an application in writing addressed to the General Manager, Burnie City Council, PO Box 973, Burnie 7320 or [burnie@burnie.net](mailto:burnie@burnie.net) by no later than 5.00pm on 12 November 2020.

Dated: 28 October 2020  
Gary Neil  
ACTING GENERAL MANAGER

[www.burnie.net](http://www.burnie.net)



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anytime 24/7

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## Death Notices

**BARKER**

Alan Vernon

'Mick'

Passed away on 23rd October 2020.

We are deeply saddened at the loss of our Dad and Pop. Loving father to Micheal and Lorretta. Wonderful much loved Pop to Crystal, Danelle, Katika and Mikaela.

And Great Pop to his many great-grand children.

Thank you to the King Island Hospital staff for their care and support.



## Death Notices

**BODEN**

Dr Donald Campbell

18.09.1933 - 25.10.2020

Loved and loving husband of Jeanette (dec.) and Linda.

Devoted and loving father of Donald (dec.), Catherine, Peter, and James, and father-in-law of Chris.

Cherished and adored grandfather of India and Scarlett

Funeral notice to follow in Saturday's paper



FINNEY FUNERAL SERVICES  
Phone 6343 2266

## HONOUR LOVED ONES AND SHARE THEIR STORY

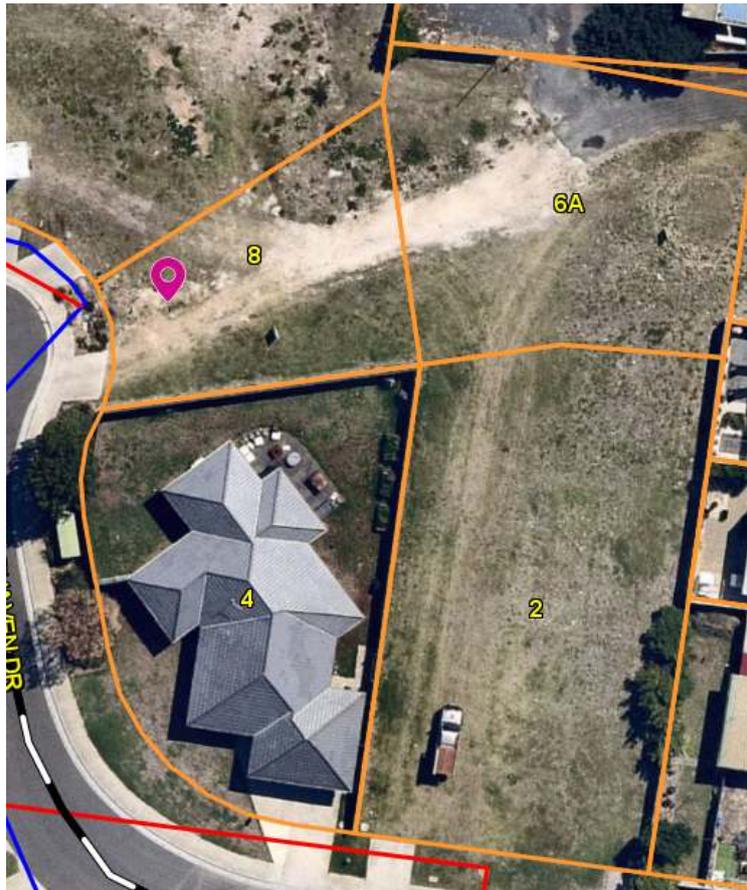
All notices (Death, Funeral and In Memoriam) placed in print also appear online with an accompanying Guest Book to enable family and friends from any location to share their own messages and memories with you.

To visit our Tributes page, go to our website, click on the Classifieds Tab and select "Tributes"

Connect with  
Classifieds



# Annexure 3



Aerial view – 8 Shorehaven Drive, Turners Beach and adjoining allotments

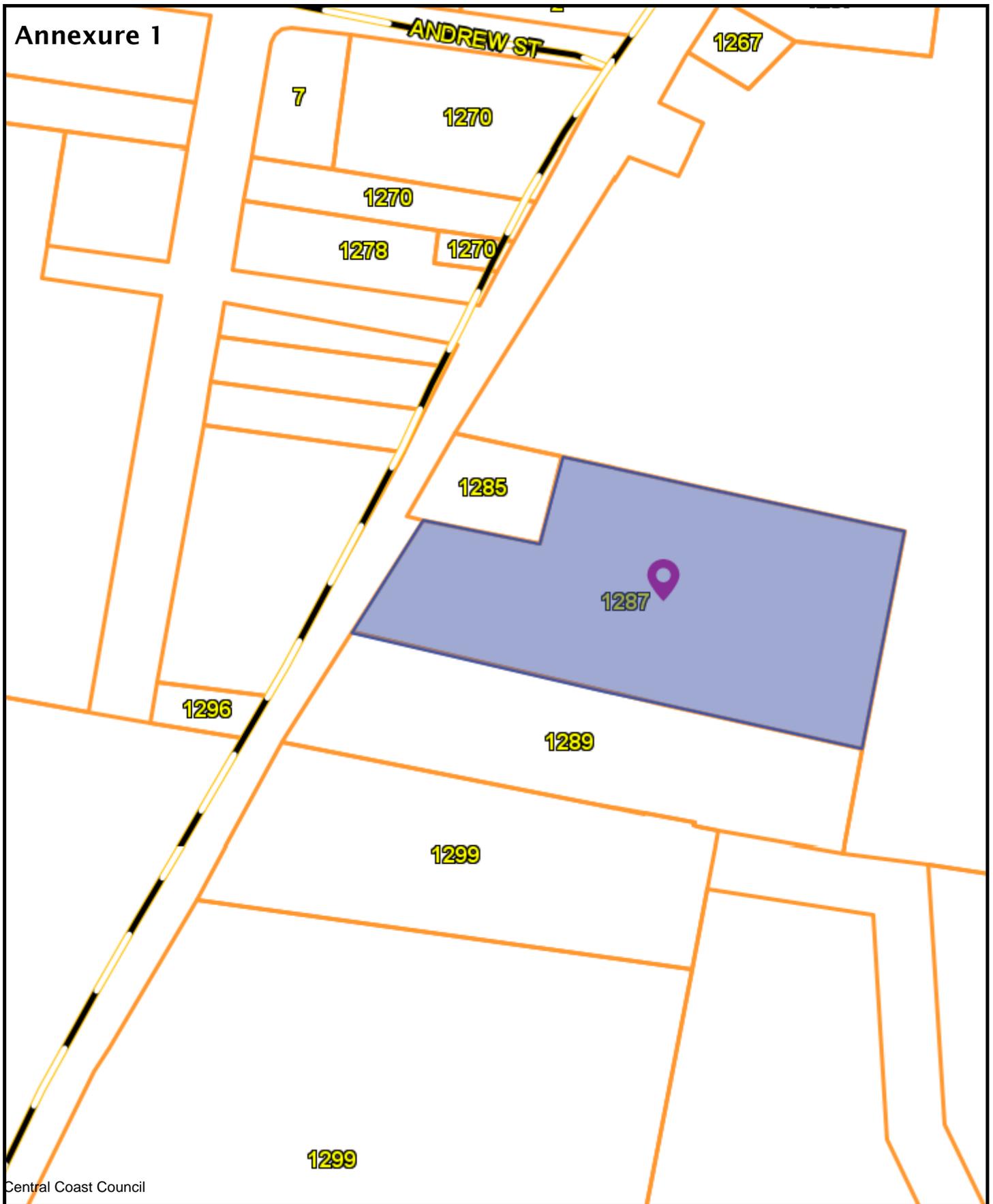


Frontage to 8 Shorehaven Drive, Turners Beach



Adjoining single-storey dwelling to the south, 4 Shorehaven Drive, Turners Beach

# Annexure 1



Central Coast Council

50 m



Central Coast Council  
9189 Edward St  
Spartan NSW  
2457 7915  
Telephone: 02 4329 9300  
Facsimile: 02 4329 1076  
www.centralcoast.nsw.gov.au

**Important**  
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**Disclaimer**  
This map is not a precise survey document and does not constitute a guarantee of the accuracy of the data. Central Coast Council accepts no responsibility for any errors, omissions, or inaccuracies. The information contained within this plan is for general information only. Do not scale. Accurate measurement should be undertaken by survey.  
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**1287 CASTRA ROAD,  
SPRENT  
DA2020312**

Scale =  
1:1776.600



22-Oct-2020

# Annexure 2

CENTRAL COAST COUNCIL

220

Edward Street

ULVERSTONE TASMANIA 7315

Ph: (03) 6429 8900

Email: [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au)

www: [centralcoast.tas.gov.au](http://centralcoast.tas.gov.au)



CENTRAL COAST COUNCIL

## Land Use Planning and Approvals Act 1993

### Central Coast Interim Planning Scheme 2013

## PLANNING PERMIT APPLICATION

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

Received: 07 OCT 2020

Application No: DN2020312

### Office Use Only

Application No \_\_\_\_\_

Date Received \_\_\_\_\_

Zone \_\_\_\_\_

Permitted

Discretionary

NPR

Doc. Id \_\_\_\_\_

### Use or Development Site:

Site Address

1287 CASTRA ROAD  
SPRENT TASMANIA 7315

Certificate of  
Title Reference

VOLUME 165501  
FOLIO 1

Land Area

1.142 ha

Heritage Listed Property

NO

### Applicant/s

First Name

ROBERT & JOY

Middle  
Name

GLENN / ROSE-MARIE

Surname or  
Company name

TURVEY

Mobile

0429 862773

Postal Address:

UNIT 1 5 MAIN ST

Phone No:

ULVERSTONE

7315

Email address:

bgturvey@hotmail.com

Please tick box to receive correspondence and any relevant information regarding your application via email.

### Owner (Note – if more than one owner, all names must be indicated)

First  
Name

AS ABOVE

Middle  
Name

Surname

Phone No

Postal Address:

**PERMIT APPLICATION INFORMATION** (If insufficient space for proposed use and development, please attach separate documents)

"USE" is the purpose or manner for which land is utilised.

Proposed Use

Use Class   
*Office use only*

"Development" is the works required to facilitate the proposed use of the land, including the construction or alteration or demolition of buildings and structures, signs, any change in ground level and the clearing of vegetation.

**Proposed Development** (please submit all documentation in PDF format to [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au) separating A4 documents & forms from A3 documents).

Residential Dwelling

**Value of the development** – (to include all works on site such as outbuildings, sealed driveways and fencing)

\$ 150,000 ..... Estimate/ Actual

Total floor area of the development ..... 110 .....m<sup>2</sup> approx

**Notification of Landowner**

**If land is NOT in the applicant's ownership**

I, \_\_\_\_\_, declare that the owner/each of the owners of the land has been notified of the intention to make this permit application.

Signature of Applicant

Date

**If the application involves land within a Strata Corporation**

I, \_\_\_\_\_, declare that the owner/each of the owners of the body corporation has been notified of the intention to make this permit application.

Signature of Applicant

Date

**If the application involves land owned or administered by the CENTRAL COAST COUNCIL**

Central Coast Council consents to the making of this permit application.

General Managers Signature \_\_\_\_\_ Date \_\_\_\_\_

**If the permit application involves land owned or administered by the CROWN**

I, \_\_\_\_\_ the Minister  
responsible for the land, consent to the making of this permit application.

Minister (Signature) \_\_\_\_\_ Date \_\_\_\_\_

*NB: If the site includes land owned or administered by the Central Coast Council or by a State government agency, the consent in writing (a letter) from the Council or the Minister responsible for Crown land must be provided at the time of making the application - and this application form must be signed by the Council or the Minister responsible.*

**Applicants Declaration**

I/we Robert Glenn Turvey and Joy Rose-Marie Turvey  
declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

Signature of Applicant/s R. Turvey Joy R Turvey Date 07/10/2020

Office Use Only	
Planning Permit Fee	\$ .....
Public Notice Fee	\$ .....
Permit Amendment / Extension Fee	\$ .....
No Permit Required Assessment Fee	\$ .....
<b>TOTAL</b>	<b>\$ .....</b>
Validity Date	

**SEARCH OF TORRENS TITLE**

VOLUME 168501	FOLIO 1
EDITION 1	DATE OF ISSUE 19-May-2015

SEARCH DATE : 01-Jun-2016  
 SEARCH TIME : 11.42 AM

DESCRIPTION OF LAND

Parish of BRADWORTHY Land District of DEVON  
 Lot 1 on Sealed Plan 168501  
 Derivation : Part of Lot 5109, 51 Acres Granted to William  
 Henry Knight Pur, Part of Lot 5158, 50A-3R-0P Granted to James  
 Smith Pur and Part of 1A-2R-18P Gtd to Walter James Andrews  
 Pur.  
 Prior CTs 228767/1 and 168662/1

SCHEDULE 1

10508 THE CROWN

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

M577401 PRIORITY NOTICE reserving priority for 60 days  
 TRANSFER The Crown to Robert Glenn Turvey and Joy  
 Rose-Marie Turvey Lodged by CANN LEGAL on  
 01-Jun-2016 BP: M577401

**CENTRAL COAST COUNCIL**  
 DEVELOPMENT & REGULATORY SERVICES  
 Received: 07 OCT 2020  
 Application No: .....  
 Doc. Id .....

<b>SCHEDULE OF EASEMENTS</b>	Registered Number
<b>NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS &amp; MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.</b>	<b>SP 168501</b>

PAGE 1 OF 1 PAGE/S

**EASEMENTS AND PROFITS**

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

No easements or profits a prendre are created to benefit or burden any of the lots shown on the plan.

SIGNED by *ANDREW GEOFFREY ROBERTS* )  
 being and as *MANAGER CROWN LAND SERVICES* )  
 and pursuant to an Instrument of Authorisation )  
 dated the 27<sup>th</sup> day of February 2012 )  
 in the presence of:- )

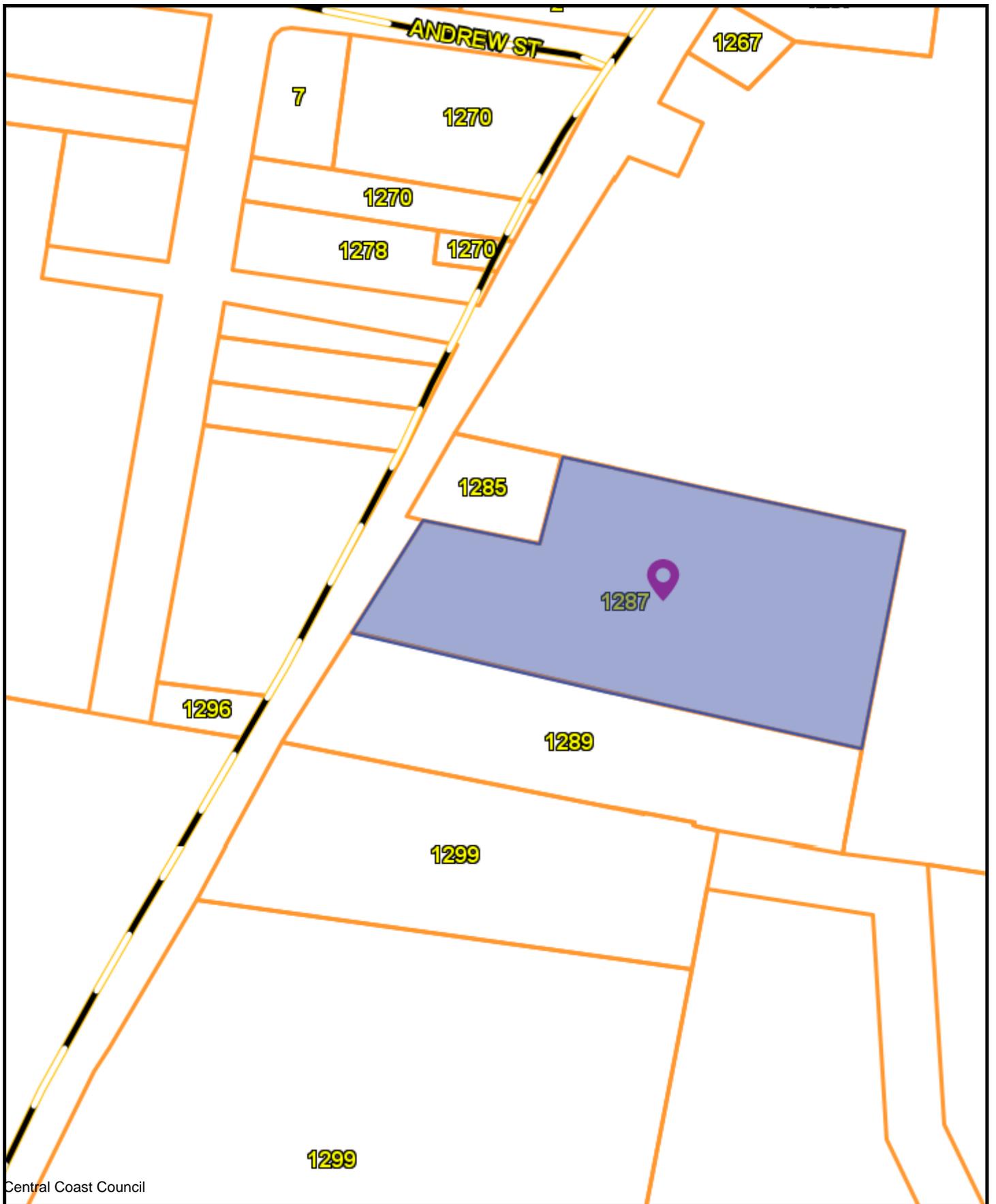


Signature of witness: *A. W. M.*  
 Name of witness: *ANDREW WELSH*  
 Address: *CT 134 MACQUARIE ST*  
*HOBART*

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: The Crown FOLIO REF: Section 27A & FR228767-1 SOLICITOR & REFERENCE: Crown Solicitor 45401	PLAN SEALED BY: DATE: ..... ..... REF NO. <span style="float: right;">Council Delegate</span>
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	





Central Coast Council

50 m



CENTRAL COAST  
COUNCIL

Central Coast Council  
9189 Edward St  
Spartan NSW  
2457 7915  
Telephone: 02 4329 9300  
Facsimile: 02 4329 1076  
www.centralcoast.nsw.gov.au

22-Oct-2020

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**Disclaimer**

This map is not a precise survey document and does not form part of any legal document. Central Coast Council accepts no responsibility for any errors, omissions, or inaccuracies. The information contained within this plan is for general information only. Do not scale. Accurate measurement should be undertaken by survey.  
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© Central Coast Council 2020.

**1287 CASTRA ROAD,  
SPRENT  
DA2020312**

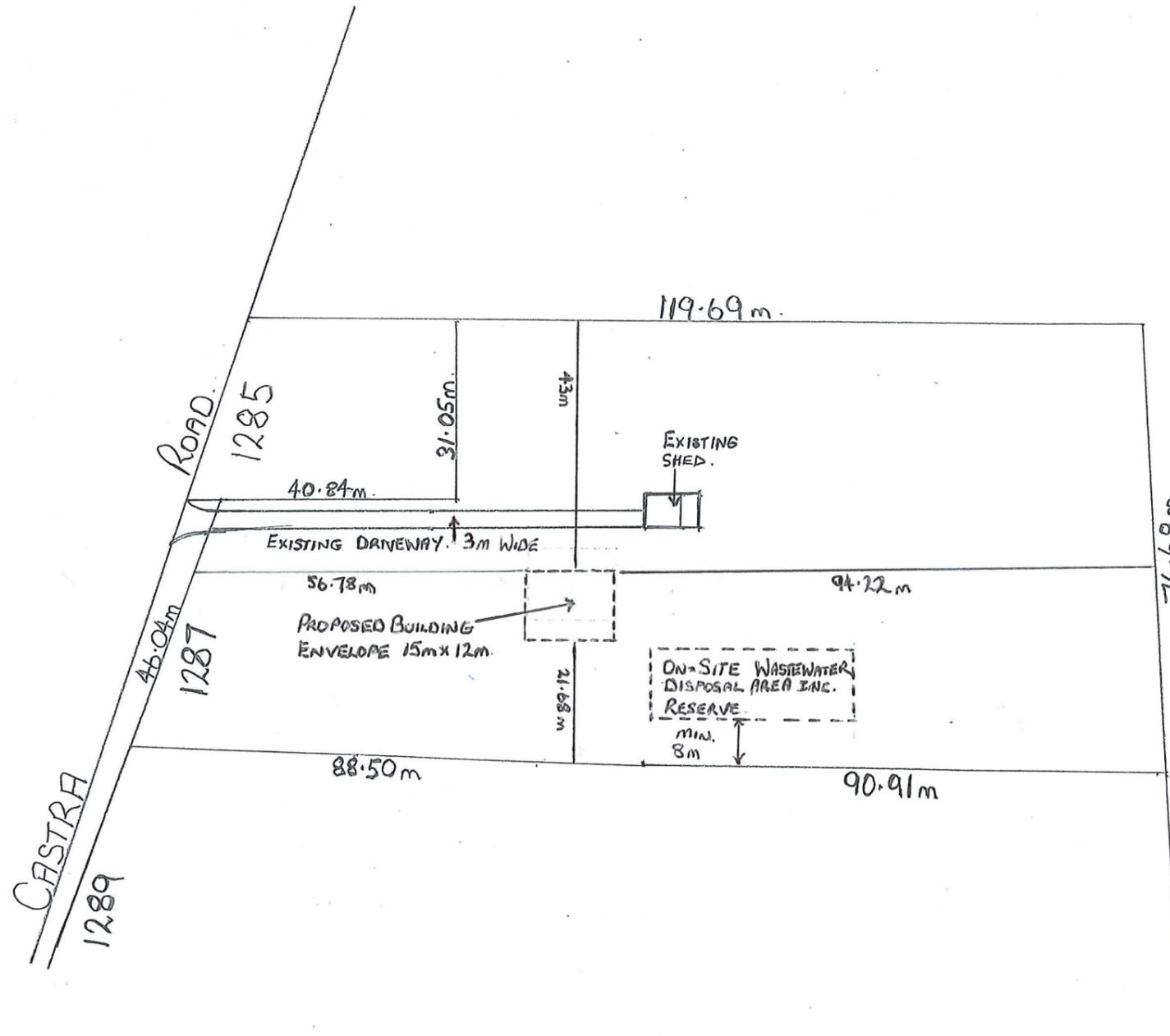
Scale =  
1:1776.600



R.G. AND J.R. TURVEY

PROPOSED DWELLING

1287 CASTRA RD SPRENT



CENTRAL COAST COUNCIL

DEVELOPMENT REGULATORY SERVICES

Received: 07 OCT 2020

Application No: .....

Doc. Id: .....

15 October 2020

R & J Turvey  
1/5 Main Street  
ULVERSTONE TAS 7315

Dear Mr & Mrs Turvey,

**RE: Development Proposal – Construction of Dwelling 1287 Castra Road Sprent**

**Water, On-site Wastewater and Stormwater disposal: Assessment against Acceptable Solutions**

The development proposes construction of a 2 bedroom dwelling on land at 1287 Castra Road Sprent CT168501/1.

There is a requirement to demonstrate the proposal complies with the 'Rural Resource' zone development standards, section 26.4, of the Central Coast Interim Planning Scheme 2013 relating to water, wastewater and storm water.

A site visit was conducted on 2 September 2020 to determine the capacity of the lot in relation to water supply, on-site wastewater disposal and options for stormwater disposal and to identify any site constraints.

## 26.4 Development Standards

26.4.1 (c) *'make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater'*;

### A3 - Water

*Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of connecting to a water supply –*

- (a) provided in accordance with the Water and Sewerage Industry Act 2008; or*
- (b) from a rechargeable drinking water system with a storage capacity of not less than 10,000 litres if–*
  - (i) there is not a reticulated water supply; and*
  - (ii) development is for –*
    - a. a single dwelling; or*
    - b. a use with an equivalent population of not more than 10 people per day*

### A4 - On-site Wastewater Disposal

*Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste –*

- (a) to a sewerage system provided in accordance with the Water and Sewerage Industry Act 2008; or*
- (b) by on-site disposal if –*
  - (i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and*
  - (ii) the development -*
    - a. is for a single dwelling; or*
    - b. provides for an equivalent population of not more than 10 people per day; or*
  - (iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip*

## **A5 - Stormwater**

*Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –*

- (a) to a stormwater system provided in accordance with the Urban Drainage Act 2013; or*
- (b) if stormwater cannot be drained to a stormwater system –*
  - (i) for discharge to a natural drainage line, water body, or watercourse;  
or*
  - (ii) for disposal within the site if –*
    - a. the site has an area of not less than 5000m<sup>2</sup>;*
    - b. the disposal area is not within any defined building area;*
    - c. the disposal area is not within any area required for the disposal of sewage;*
    - d. the disposal area is not within any access strip; and*
    - e. not more than 50% of the site is impervious surface*

## **Assessment Against Acceptable Solutions**

### **A3 – Water**

There is no reticulated water supply available to the lot. A rechargeable water supply, with a minimum capacity of 10,000L is required.

Sprent has a mean annual rainfall of 742mm (BOM website – Sprent 2012 – 2020). The roof area of the dwelling is calculated at 116m<sup>2</sup>. Based on a roof having a potential harvest of 1L water for each mm of rainfall, the dwelling has the potential to harvest 86,072L water each year.

Use of a rechargeable water supply tank with a minimum capacity of 10,000L of water for domestic purposes is sufficient for a single dwelling with a population equivalent of not more than 10 people.

Water supply has the capability to meet the requirements of clause 26.4 A3 (b) of the Central Coast Interim Planning Scheme 2013.

## A4 – On-site Wastewater Disposal

The site visit conducted on 2 September 2020 revealed the lot:

- Contains an existing access and shed,
- A groundwater bore is located upslope adjacent to the northern boundary,
- Is currently grassed with some small trees recently planted,
- Slopes 4° south, and
- Has an existing stormwater drain entering the lot from the northern boundary and continuing through and past the south eastern corner of the lot.

The desktop assessment revealed that the new groundwater bore records have not yet been placed on the DPIPWE Groundwater Information Access Portal. However, the bore is located greater than 50m upslope of the potential land application area and with the clay soil type will not be within the radius of influence.

The health and environmental risk associated with the bore and groundwater is assessed as low.

Soil sampling at 2 sites, to a depth of 1800mm, within the lot revealed a clay loam to 300mm overlying a clay to 800mm with a plastic clay from 800mm to 1700mm. From 1700mm to 1800mm showed weathered siltstone/mudstone.



Core sample from proposed land application area

The soil category for on-site wastewater disposal is assessed under AS/NZS1547 as a category 6 clay with an indicative permeability of <0.06m/day.

The potential occupancy of the dwelling is assessed as 4 people. A water usage as recommended in AS/NZS1547 of 120L/person/day results in a design hydraulic flow of 480L/day.

The existing stormwater depression accepts surface water run-off from upslope properties and is not a watercourse as defined in AS/NZS1547. The stormwater depression does not constrain the site in relation to any on-site wastewater system.

The lot has an area of approximately 1ha and a relatively low slope angle. Despite the assessment showing a category 6 plastic clay there is adequate area for installation of a primary treatment wastewater system consisting of a septic tank and either trenches or beds.

The preferred location of the land application area is to the southeast and downslope of the proposed dwelling. There is adequate area for both the primary and reserve land application areas clear of the access and building area.



Preferred land application area – south east of proposed dwelling

Position of the system components and exact sizing requires a site-specific design that complies with AS1547-2012.

The dwelling is for an equivalent population of not more than 10 persons and there is no intent to discharge trade waste. Land application area for on-site wastewater can be positioned clear of accesses, building lines and stormwater disposal.

The proposal has the capacity to comply with clause 26.4 A4 (b) (ii) and (iii) of the Central Coast Interim Planning Scheme 2013.

The plan at attachment A shows the proposed building envelope for the proposal and the area available for on-site wastewater disposal.

## **A5 - Stormwater**

Council has advised that directing stormwater to the existing natural depression and drain is not permitted. On-site disposal is required.

The highest mean rainfall occurs in July at 121mm. Calculating the stormwater disposal area based on the highest rainfall month ensure sufficient capacity for months of lower rainfall.

The proposed dwelling has a roof area of approximately 116m<sup>2</sup> and a roof has the potential to harvest 1L/m<sup>2</sup>/mm rainfall. The existing shed has a roof area of approximately 100m<sup>2</sup>. The total potential stormwater is 26,136L for July (121mm x 216m<sup>2</sup>). This is an average of 843L/day.

It is proposed to install a minimum 10,000L water tank at the dwelling to capture all stormwater from the roof of the dwelling for domestic purposes and direct the overflow to sub-surface beds. There is an existing 10,000L tank connected to the shed.

Assuming the water tanks are at 100% capacity at the end of June and domestic water usage is 18,630L/month (600L/day for a potential 5 people) there is a requirement to be able to dispose of 4,506L for July or an average of 145L/day.

Stormwater has a significantly higher quality than wastewater from a septic tank which reduces the potential for formation of a 'clogging' layer. However, a design loading rate of 5mm/day will be utilised to ensure a more conservative disposal area.

Disposal area required calculated using the formula at appendix L:

Length = Design flow allowance/(DLR x width)

Length = 145L/(5mm x 1.5m)

Length = 145/7.5

Length = 19.3m

To allow for slightly higher than average rainfall the length can be increased to 20m.

Overall stormwater disposal area is 20m x 1.5m x 0.6m conventional bed. The exact design dimensions are dependent upon the roof area of the proposed dwelling. It is recommended the stormwater disposal area be re-calculated if the dwelling roof area exceeds 116m<sup>2</sup>.

With an area of greater than 5000m<sup>2</sup> not more than 50% of the site will contain impervious areas. Disposal of stormwater on-site through sub-surface beds to the southeast corner of the lot ensures disposal is clear of defined building areas, access and the on-site wastewater disposal area.

Stormwater disposal has the capability to meet the requirement of clause 26.4 A5 (b) (ii) of the Central Coast Interim Planning Scheme 2013.

## Recommendations

Based on the proposed development it is recommended that:

- On-site wastewater management system design based on primary treated effluent is possible; and
- Site specific wastewater design in accordance with AS/NZS1547-2012 is required; and
- On-site stormwater disposal can be achieved by directing stormwater to a sub-surface bed to the southeast of the lot.

## Conclusion

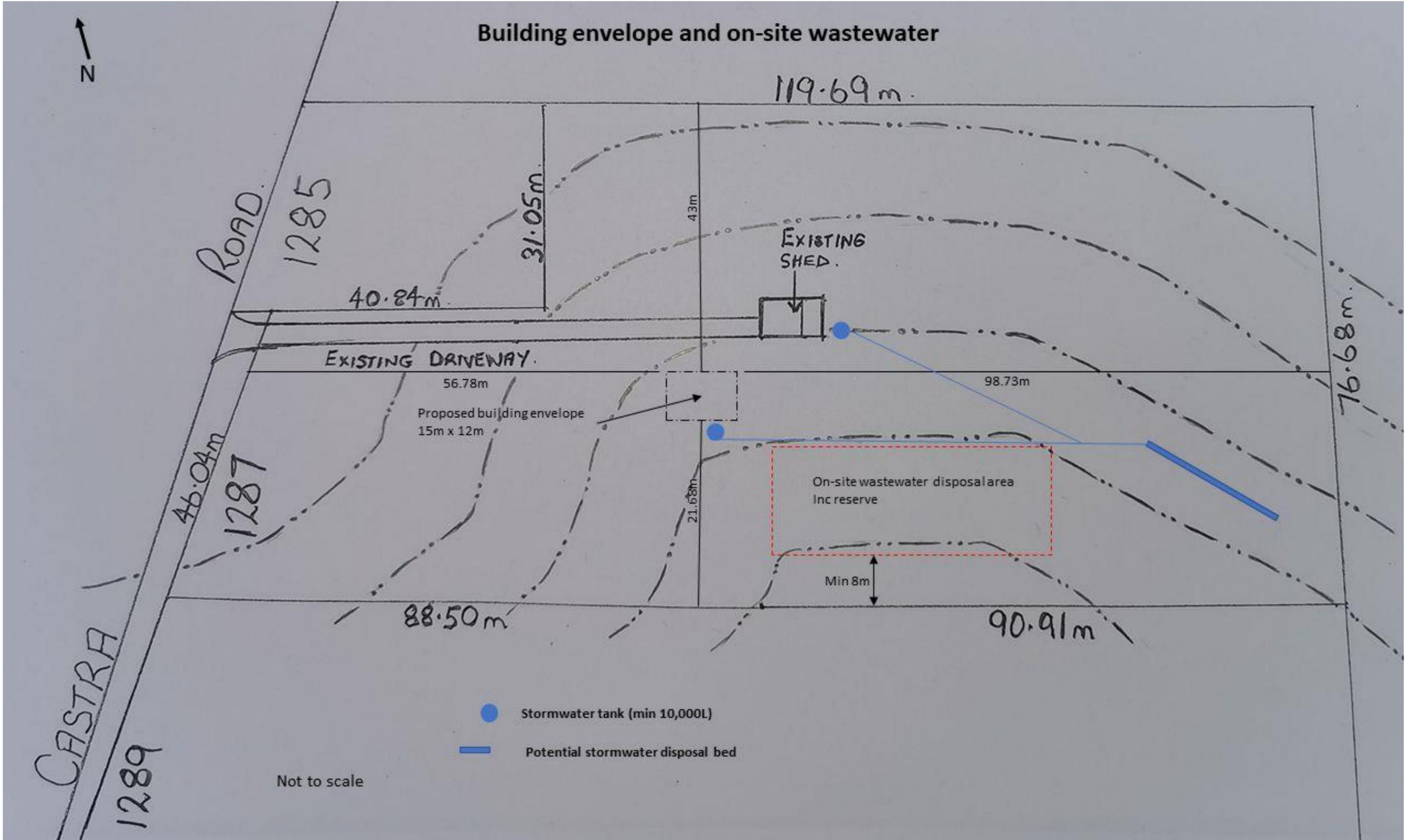
The lot has the capacity for a rechargeable drinking water supply and to dispose of wastewater and stormwater on-site as required by clause 26.4 A3, A4 and A5 of the Central Coast Interim Planning Scheme 2013.

Yours faithfully



Bruce Harpley  
Environmental Consultant

Attachment A: Building envelope and on-site wastewater area.





**Application for Planning Permit**  
**PROPOSED HOUSE BUILD**  
**1287 Castra Road, Sprent**  
In the  
Rural Resource Zone

Agricultural Assessment  
6<sup>th</sup> October 2020

**CENTRAL COAST COUNCIL**  
**DEVELOPMENT & REGULATORY SERVICES**

Received: **07 OCT 2020**

Application No: .....

Doc. Id .....

## CONSULTANT DETAILS

Mr. Tim Walker BAgSci  
Lead Agronomist, WalkerAg Consultancy

Mr. Dylan Bellchambers  
Agricultural Consultant

## TERMS

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## DOCUMENT STATUS

Date	Issue	Status	Authorised
06/10/2020	1	Final	D Bellchambers

## 1. INTRODUCTION

At the request of Mr Robert Turvey and Mrs Joy Turvey, WalkerAg Consultancy has conducted an agricultural assessment for a proposed development at 1287 Castra Road, Sprent.

### 1.1 Proposed development

An approximate development application proposal plan forms *Figure 1*. This approximate plan is suitable for the purpose of this Agricultural Assessment. The proposed development is to build a dwelling on C/T 168501/1.

### 1.2 Assessment Methodology

The assessments conducted are based on sound agronomic principles and in line with the currently recognised methodology for land classification as described in the Land Capability Handbook, Second Edition, C.J. Grose, 1999, Department of Primary Industries, Water and Environment, Tasmania.

## 2. BACKGROUND

### 2.1 Location

The subject site for proposed development is located at 1287 Castra Road, Sprent (C/T 168501/1)



Figure 1. Location of proposed development, 1287 Castra Road, Sprent.

## 2.2 Existing use

The existing use of the land pertains to domestic use with an existing shed utilised for storage on site, trees and general lawn not utilised for grazing.

## 2.3 Site Analysis

### 2.3.1 Topography

The site generally falls from North to South over ~77m over a mean gentle slope of ~3-5°.

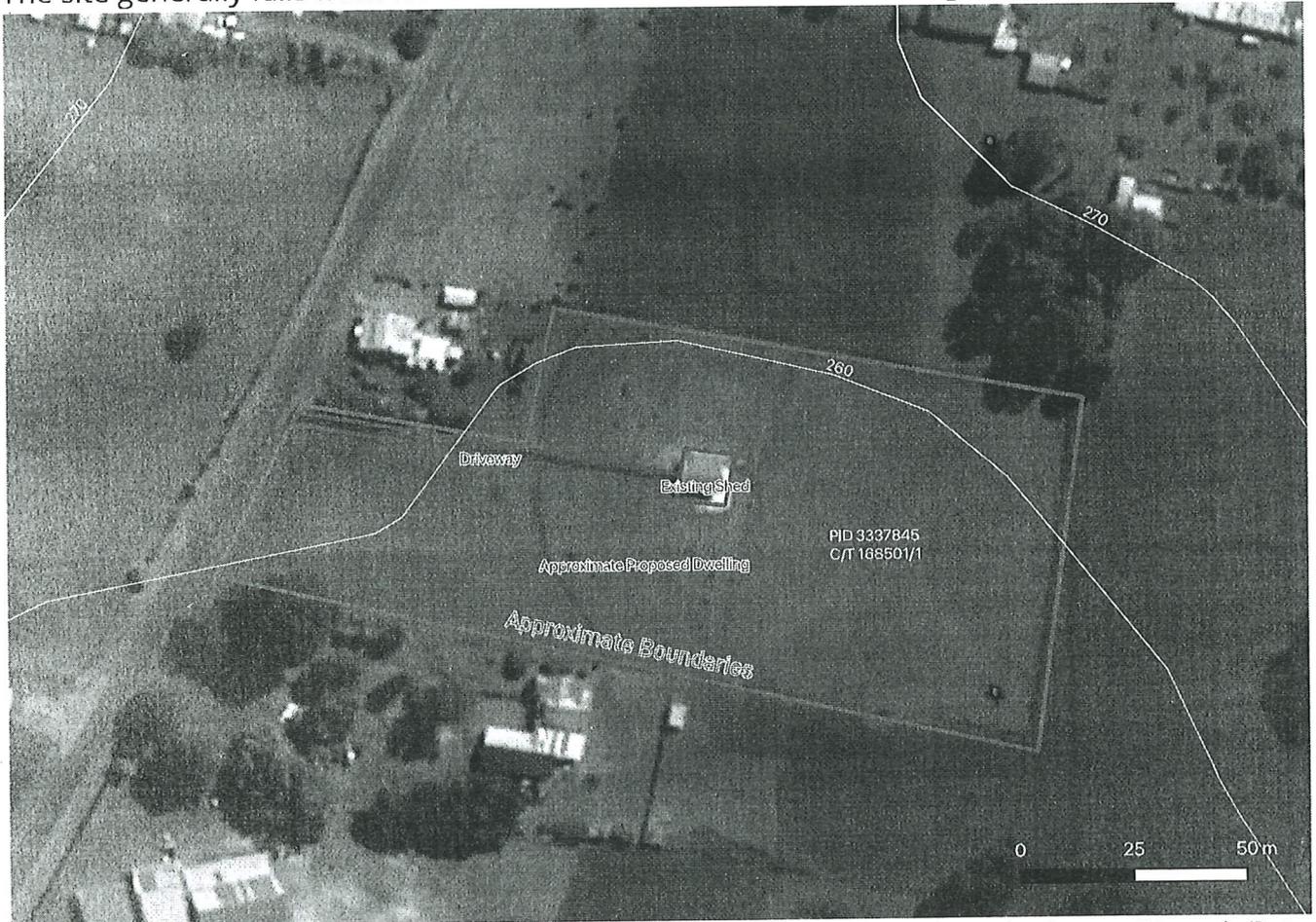


Figure 2. Topographic representation over proposed development site. Source: Land Information Systems Tasmania (Data: Land Information Systems Tasmania)

### 2.3.2 Neighbouring properties

The property for proposed development at 1287 Castra Road, Sprent is surrounded on the North, West and South by residences within ~100m of the property in question. Only the Eastern boundary pertains to land used and suited for commercial scale pastoral use.



Figure 3. Rural Resource land (shaded blue) encompasses and surrounds the property for proposed development on all boundaries. Extensive Village area (shaded green) pertains to the North of the property. (Data: Land Information Systems Tasmania)

## 2.4 Land capability

### 2.4.1 Land capability map

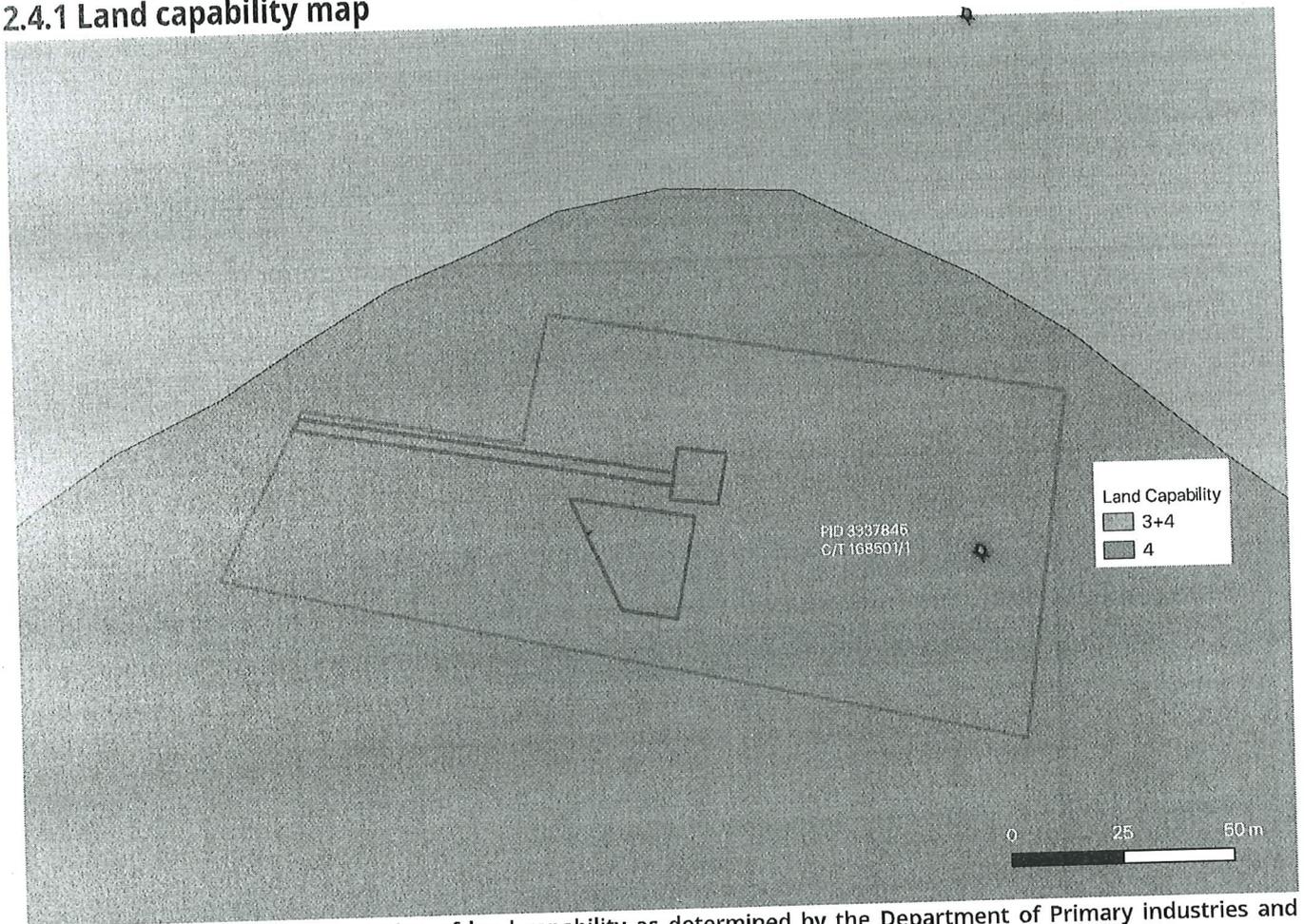


Figure 4. Topographic representation of land capability as determined by the Department of Primary Industries and Fisheries in 1997 over proposed development site and surrounding area (Data: Land Information Systems Tasmania)

The currently adopted Tasmanian land capability map for the area, Forth was developed by the Department of Primary Industries and Fisheries, 1997. The map identifies the subject area for proposed development as class 4 land. An inspection of the property in September, 2020 identifies the land as class 5 land with major limitation of rockiness.

Class 4 as described by in the Land Capability Handbook, 1999 is:

Land primarily suitable for grazing but which may be used for occasional cropping. Severe limitations restrict the length of cropping phase and/or severely restrict the range of crops that could be grown. Major conservation treatments and/or careful management is required to minimise degradation.

Cropping rotations should be restricted to one to two years out of ten in a rotation with pasture or equivalent, during 'normal' years to avoid damage to the soil resource. In some areas longer cropping phases may be possible but the versatility of the land is very limited. (NB some parts of Tasmania are currently able to crop more frequently on Class 4 land than suggested above. This is due to the climate being drier than 'normal'. However, there is a high risk of crop or soil damage if 'normal' conditions return.)

Class 5 as described by in the Land Capability Handbook, 1999 is:

This land is unsuitable for cropping, although some areas on easier slopes may be cultivated for pasture establishment or renewal and occasional fodder crops may be possible. The land may have slight to moderate limitations for pastoral use. The effects of limitations on the grazing potential may be reduced by applying appropriate soil conservation measures and land management practices.

#### 2.4.1 Land capability table

Land class	Soils	Soil Qualities	Topography and elevation	Erosion risk	Sustainable use requirements	Use cases
5r	Dermosol derived from volcanoclastic sedimentary rock	Dermosol soil limited by coarse fragments and boulders larger than 600mm in size	Gentle sloping 3-5%  200 - 280m Mean annual frost risk 2.3-2.6 days	Low /moderate risk of erosion for sheet and rill erosion resultant form water movement and structure decline under native grassland use	Topography remains such that water can remain to flow - soil prone to waterlogging if not managed appropriately	High limitation on grazing potential due to rock outcrops and area of the land being negligible for commercial scale pastoral use  Not suitable for cropping or horticultural use

The major restriction for use of the land being rockiness in addition to unfavourable aspect and water logging potential drastically reducing the use cases of the land and limitations for pastoral deems the land class 5.

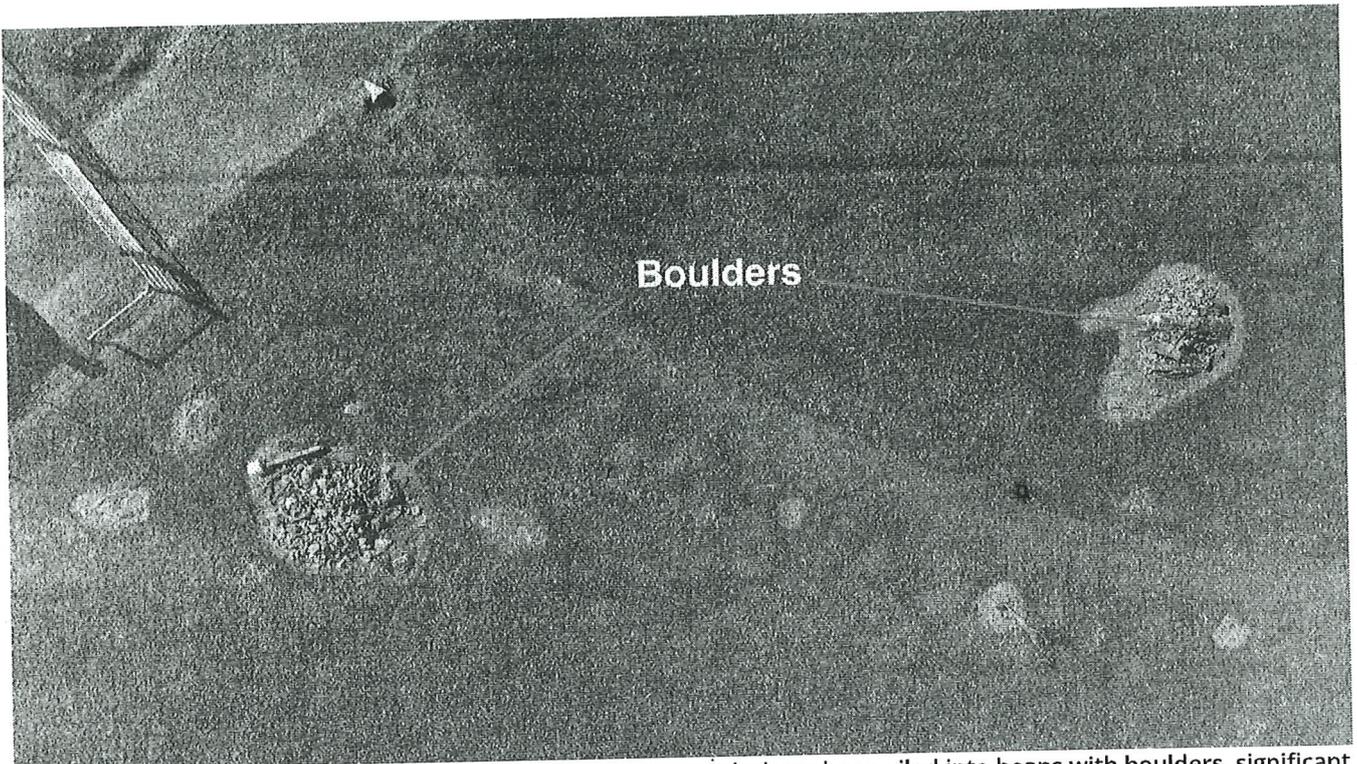


Figure 5. Two significant boulders that limit land use, surface rocks have been piled into heaps with boulders, significant quantities exist within land. Plausible to suggest more exist that are not visible.

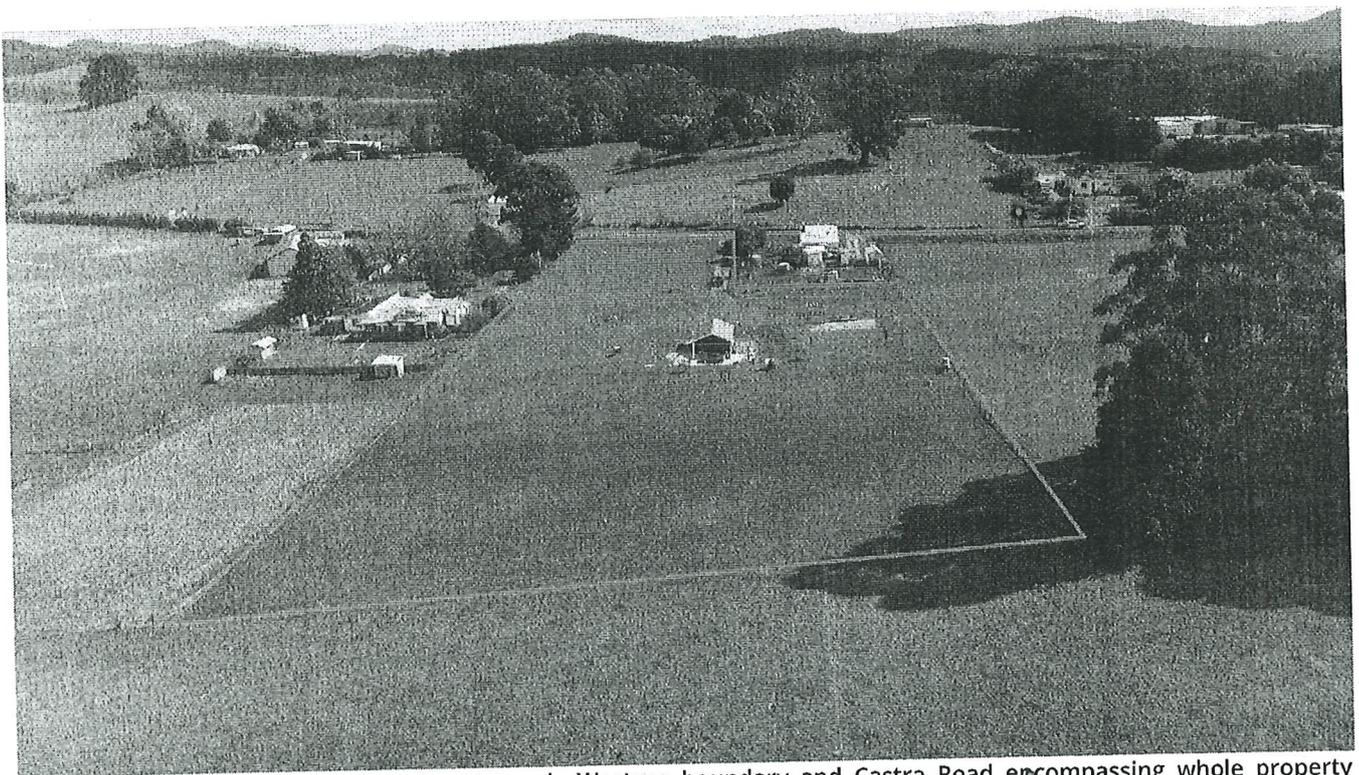


Figure 6. View from Eastern boundary towards Western boundary and Castra Road encompassing whole property (Boundaries Approximate).

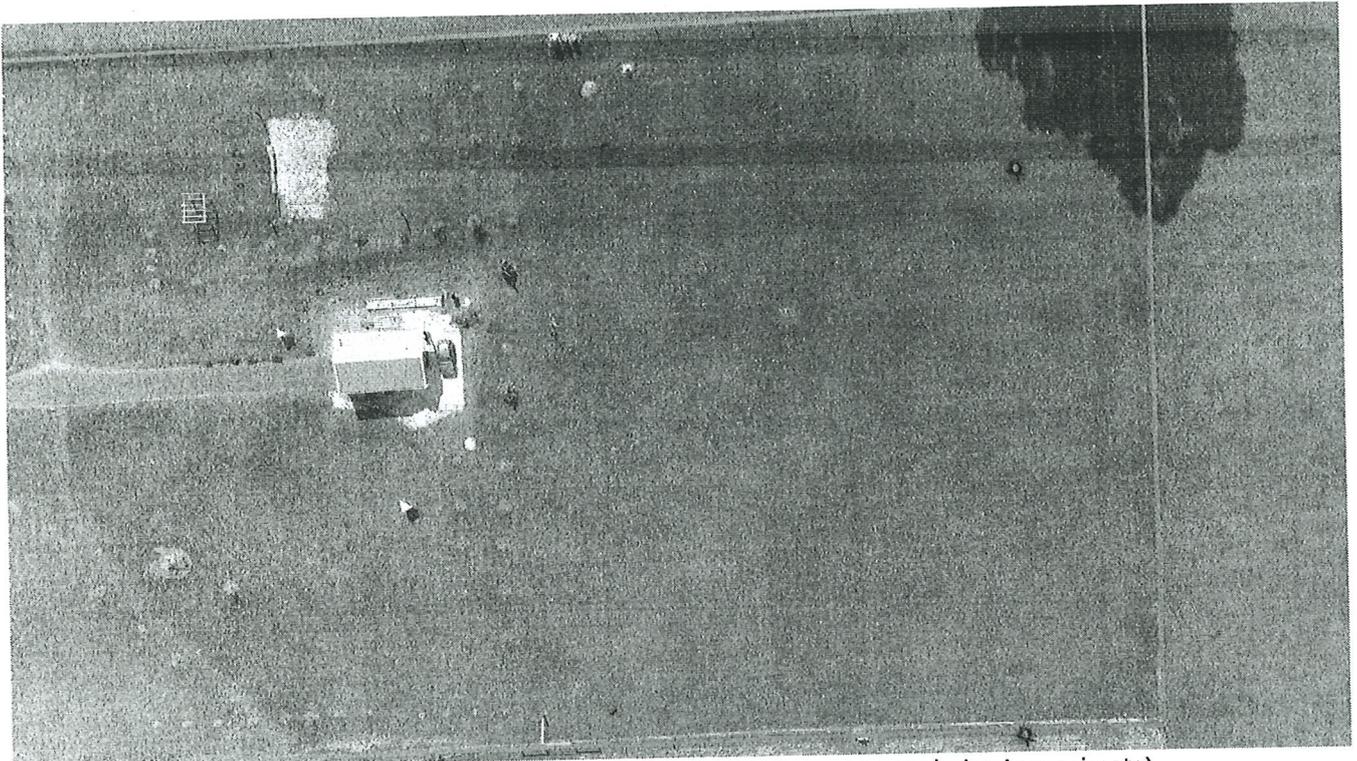


Figure 7. Topographic view of a portion of the site of proposed development (Boundaries Approximate).

### **3. AGRICULTURAL SIGNIFICANCE**

#### **3.1 Existing**

Across the property the land is used for recreational use with lawns mown, not used for any pastoral or other significant agricultural activity

#### **3.2 Potential**

##### **3.2.1 Cropping land use**

The property is unsuitable for any commercial scale cropping use.

##### **3.2.2 Pastoral land use**

The property is suitable for grazing use with existing limitations however incapable of commercial scale pastoral use at land area scale.

##### **3.2.3 Horticultural use**

The lack of north facing slopes, rocky outcrops and frost risk subject the property to be not suitable for horticultural use.

## 4. AGRICULTURAL ACTIVITIES IMPACT

The proposed development has been done so with agricultural impact considered.

Neighbouring properties to the proposed development site include:

- Pastoral land use activity to the lot on the adjacent eastern boundary and portion of the northern adjacent boundary property zoned Rural Resource extending approximately 22 hectares with residential use on the lot
- Residential use on the lot sharing a portion of adjacent northern and western boundaries of approximate 0.12 hectares
- Residential use on the lot on the southern boundary of approximate 0.72 hectares

The location of the proposed development with a separation distance of approximately 70 metres from the eastern boundary which conducts pastoral use activities. The existing residential building on the adjacent southern lot provides some degree of restraint to agricultural land use activities to the adjacent Rural Resource land used for pastoral activities. It is rational to consider that the proposed development will not restrain nor have negative impact on the potential land use activity of pastoral activity currently or into the future.

### 4.1.1 Potential impact of neighbouring agricultural activity

Only a single neighbouring property conducts significant commercial scale agricultural activities which may present risk to the proposed development. An assessment of the potential risks that may arise are summarised under existing pastoral use and potential cropping or horticultural use:

**Table 2. Potential risks of neighbouring agricultural activity on proposed development**

Risk	Risk Level	Risk level evaluation
Spray drift	Low	Buffer distance mitigates impact of sprays applied through ground machinery under normal conditions.
Irrigation water over boundary	Low	Buffer distance if irrigation is to occur on neighbouring property is not expected to impact proposed development, irrigation does not typically occur in high winds due to inaccuracy of application and water losses.
Livestock	Low	Sound boundary fences provide reasonable protection against livestock escaping and entering the proposed development site provided they are maintained.
Electric fences	Low	No visible electric fences were in operation however if they were to be implemented on neighbouring property appropriate warning signs should be used.
Agricultural machinery noise	Low	Noise from irrigation pumps and machinery will occur periodically

#### 4.1.2 Potential impact to neighbouring agricultural activity from proposed development

**Table 3. Potential risks to neighbouring agricultural activity from proposed development**

Risk	Risk Level	Risk level evaluation
Pets	Low	Injury to livestock or menacing reduced provided good communication and maintained fences
Damage to property, trespass and theft	Low	Boundary fences act as mitigant and relies on a criminal intent by the proponent. Lockable gates and appropriate signage to warn a potential proponent of unauthorised entry, theft or damage.
Weed infestation	Low	As the property is managed and undergoes weed maintenance activities the chance of an outbreak to neighbouring land is low.

## 5. PLANNING SCHEME COMPLIANCE

### Central Coast Interim Planning Scheme 2013

This proposed development falls under the Central Coast Interim Planning Scheme 2013 under land zoned Rural Resource. Only relevant sections of the Planning Scheme are discussed. The relevant issue and identifier are listed with discussion as to meeting the Acceptable Solution (AS) and/or Performance Criteria (PC).

#### 26.0 Rural Resource Zone

##### 26.1.1 Zone Purpose Statements

###### 26.1.1.1

To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.

###### 26.1.1.2

To provide for other use or development that does not constrain or conflict with resource development uses

**Discussion:** The proposed development does not constrain significant agricultural resource use aligning with the zone purpose.

##### 26.1.2 Local Area Objectives

- (a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;
- (b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;
- (c) Air, land and water resources are protected against –
  - (i) permanent loss to a use or development that has no need or reason to locate on land containing such a resource; and
  - (ii) use or development that has potential to exclude or unduly conflict, constraint, or interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource;
- (d) Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;
- (e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;
- (f) Rural land may be used and developed for economic, community, and utility activity that cannot reasonably be accommodated on land within a settlement or nature conservation area;
- (g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry.
- (h) Residential use and development on rural land is appropriate only if –
  - (i) required by a primary industry or a resource based activity; or

- (ii) without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes

**Discussion:** The proposed development does not unduly interfere with the practice of primary production and does not unreasonably constrain or interfere with existing and potential use of land for primary industry use

### 26.3.1 Requirement for discretionary non-residential use to locate on rural resource land

#### Objective:

- Other than for residential use, discretionary permit use of rural resource land is to minimise –
- (a) unnecessary loss of air, land and water resources of significance for sustainable primary industry and other permitted use, including for agricultural use dependent on the soil as a growth medium; and
  - (b) unreasonable conflict or interference to existing or potential primary industry use, including agricultural use, by other land use

#### Acceptable Solutions

A1 There is no acceptable solution

#### Performance Criteria

P1

Other than for residential use, discretionary permit use must –

- (a) be consistent with the local area objectives;
- (b) be consistent with any applicable desired future character statement;
- (c) be required to locate on rural resource land for operational efficiency –
  - i. to access a specific naturally occurring resource on the site or on adjacent land in the zone;
  - ii. to access infrastructure only available on the site or on adjacent land in the zone;
  - iii. to access a product of primary industry from a use on the site or on adjacent land in the zone;
  - iv. to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;
  - v. if required –
    - a) to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;
    - b) for security;
    - c) for public health or safety if all measures to minimise impact could create an unacceptable level of risk to human health, life or property if located on land in a zone intended for that purpose;
  - vi. to provide opportunity for diversification, innovation, and value-adding to secure existing or potential primary industry use of the site or of adjacent land;
  - vii. to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or;

- viii. if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and

(d) minimise likelihood for –

- i. permanent loss of land for existing and potential primary industry use;
- ii. constraint or interference to existing and potential primary industry use on the site and on adjacent land; and
- iii. loss of land within a proclaimed irrigation district under Part 9 Water Management Act 1999 or land that may benefit from the application of broad-scale irrigation development

**Discussion:** The proposed development does not unreasonably conflict or interfere with existing or potential agricultural use being pastoral, cropping or horticulture. With existing neighbouring residential dwellings in comparable distance to neighbouring Rural Resource land used for commercial scale agricultural activities the result of this proposed development result in no unreasonable significant impact on these activities, refer item 4.0 in this report for further detail.

## 6. CONCLUSIONS

1. The proposed development would be compliant with the Zone Purpose, clauses 26.1.1, 26.1.2 and 26.3.1 of the Central Coast Interim Planning Scheme 2013 as presented in this report.
2. 1287 Castra Road property is zoned Rural Resource and is not under commercial scale agricultural land use activities.
3. 1287 Castra Road property is not feasible for commercial scale pastoral, cropping or horticultural land use activity.
4. The proposed development does not provide unreasonable negative impact on agricultural activities for proposed development site or neighboring properties.
5. Major potential risks from nearby agricultural activities and residential sites can be mitigated against with overall risk low to all parties considered.

## 7. REFERENCES

- Grose, C. and Noble, K. 1999, Land Capability Handbook: Guidelines for the Classification of Agricultural Land in Tasmania, 2<sup>nd</sup> Edition, DPIWE, [Hobart].
- Geodata Services, Land Tasmania, Dept Primary Industries, 2012, Parks, Water & Environment, Tasmanian Interim Planning Scheme Zoning, Available at: [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)
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## Local Government



19 King Edward Street  
Ulverstone Tasmania 7315  
Tel. 03 6429 8900  
www.centralcoast.tas.gov.au

### LAND USE PLANNING AND APPROVALS ACT 1993 MODIFICATION AND APPROVAL OF DRAFT AMENDMENT PSA2020002 TO THE CENTRAL COAST INTERIM PLANNING SCHEME 2013

Under section 41(ab) and 42 of the former *Land Use Planning and Approvals Act 1993*, the Tasmanian Planning Commission has modified and approved a draft amendment to the *Central Coast Interim Planning Scheme 2013* (the Planning Scheme).

The draft amendment will come into effect on 27 October 2020 and in doing so, will insert a Bushfire-Prone Areas Overlay map for the municipal area into the Planning Scheme.

Notice of the Tasmanian Planning Commission's decision is available for viewing at [www.iplan.tas.gov.au](http://www.iplan.tas.gov.au) from Monday 26 October 2020 and is available to view during normal business hours at:

- Central Coast Council Administration Centre, 19 King Edward Street, Ulverstone from 8.00am to 4.30pm Monday to Friday
- Penguin Service Centre, 78 Main Road, Penguin between 9.00am and 12.30pm, and 1.30pm and 4.00pm Wednesday to Friday.

Date of notification: 24 October 2020.

PAUL WEST  
Acting General Manager

## Local Government



19 King Edward Street  
Ulverstone Tasmania 7315  
Tel. 03 6429 8900  
www.centralcoast.tas.gov.au

## EXPRESSIONS OF INTEREST

Reibey Street, Ulverstone - Public Events

The Council is seeking expressions of interest from community members to participate on a working group to assist in creating a more vibrant Reibey Street through the staging of more public events.

The Council recently engaged Complete Streets to undertake a review of the Ulverstone main street to determine where improvements could be made to make it a more enjoyable experience for both shoppers and the community alike. Street events could also strengthen the cultural heritage of Ulverstone.

Ideally, the community working group will consist of, but is not limited to, a Chamber of Commerce member, people working in the main street and local residents who have the creative ideas to help.

Expressions of interest should be forwarded to Lauren Clarke at the Council, together with a short summary of what you can bring to the working group:

- Email: [lauren.clarke@centralcoast.tas.gov.au](mailto:lauren.clarke@centralcoast.tas.gov.au)
- Post: PO Box 220, Ulverstone TAS 7315
- In person: 19 King Edward Street, Ulverstone TAS 7315

Expressions of interest close at 4.00pm on Friday 6 November 2020.

## INTERRUPTIONS TO TRAFFIC - KINGS PARADE/REIBEY STREET, ULVERSTONE

The Council advises that from Wednesday 28 October 2020 works will commence on the final sections of kerb at the junction of Reibey Street and Crescent Street. The works are being undertaken as part of the Kings Parade Upgrade Project.

Access from Crescent Street into Reibey Street will be closed, and detours will be in place for a period of approximately three weeks. Reibey Street will still be accessed from the east with a turning area provided.

Traffic conditions will continue to change in the area until the Kings Parade Upgrade Project is completed.

To view a plan of the affected area, visit the Road Closures tab on the Council's website.

For further information please contact Infrastructure Services on tel. 03 6429 8970.

## APPLICATIONS FOR PLANNING PERMITS

5.57 Land Use Planning and Approvals Act 1993.

The following applications have been received:

- Location: 116 Main Street, Ulverstone
- Proposal: Residential - subdivision - two lots including dwelling extensions to the existing dwelling and new dwelling on new lot - variation to the building envelope for both dwellings and location of garage on new lot
- Application No.: DA2020238

## Local Government



### NOTICE OF APPLICATION FOR LAND USE PERMIT

(Section 57(3) Land Use Planning and Approvals Act 1993)

The following application for use and development of land has been received:

Application No: DA 2020/49

Site: Esplanade, Strahan (143909/1)

Proposal: Tourist Operation - Ticket Booth

The applications and documentation may be viewed at the West Coast Council Offices, 11 Sticht St, Queenstown, Strahan Post Office, Esplanade Strahan, during office hours, (excluding 02 November 2020) or at [www.westcoast.tas.gov.au](http://www.westcoast.tas.gov.au).

Representations regarding the proposal should be in writing addressed to the General Manager, West Coast Council, PO Box 63, Queenstown 7467 or email addressed to [wcc@westcoast.tas.gov.au](mailto:wcc@westcoast.tas.gov.au) to be received no later than 5.00pm on 9 November 2020.

Dated: 24 October 2020

David Midson

GENERAL MANAGER

TAS67749

- Location: 1360 Kindred Road, Kindred
- Proposal: Residential - required dwelling - conversion and extension of existing dairy to dwelling - discretionary use, variation to building envelope and proximity of sensitive use to agricultural land and use of materials with light reflectance value of less than 40%
- Application No.: DA2020261

- Location: 8 Albert Street, Turners Beach
- Proposal: Residential - dwelling and shed including demolition of all existing buildings on site - variation to the lot size, dwelling density and the building envelope and reliance on E4 Change in Ground Level Code
- Application No.: DA2020308

- Location: 1287 Castra Road, Sprent
- Proposal: Residential - building envelope for non-required dwelling - discretionary use and proximity to agricultural land
- Application No.: DA2020312

- Location: 12 Southwood Avenue, Penguin CT179558/35
- Proposal: Residential - dwelling - variation to the building envelope and area for private open space standards
- Application No.: DA2020319

- Location: 16 Southwood Avenue, Penguin CT179558/34
- Proposal: Residential - dwelling - variation to front boundary setback and provision of private open space
- Application No.: DA2020320

- Location: 17 Southwood Avenue, Penguin CT179558/6
- Proposal: Residential - dwelling - variation to the area for private open space
- Application No.: DA2020322

The applications may be inspected at the Administration Centre, 19 King Edward Street, Ulverstone during office hours (Monday to Friday 8.00am to 4.30pm) and on the Council's website. Any person may make representation in relation to the applications [in accordance with s.57(5) of the Act] by writing to the General Manager, Central Coast Council, PO Box 220, Ulverstone 7315 or by email to [admin@centralcoast.tas.gov.au](mailto:admin@centralcoast.tas.gov.au) and quoting the Application No. Any representations received by the Council are classed as public documents and will be made available to the public where applicable under the *Local Government (Meeting Procedures) Regulations 2015*. Representations must be made on or before 10 November 2020.

Date of notification: 24 October 2020.

PAUL WEST  
Acting General Manager

## Local Government

## LATROBE COUNCIL

## APPLICATIONS FOR PLANNING PERMIT

The following applications have been received under Section 57 of the *Land Use Planning & Approvals Act 1993*:

- Application No.: DA 200/2020
- Address: 8 Glyde Street, Hawley Beach
- Proposal: Residential - proposed Dwelling

- Application No.: DA 217/2020
- Address: 353 Port Sorell Road, Wesley Vale
- Proposal: Residential / Resource Development - proposed Subdivision (1 lot) and Manufacturing & Processing Use

- Application No.: DA218/2020
- Address: 26 Bryan Street, Shearwater
- Proposal: Residential - proposed Outbuilding

- Application No.: DA 221/2020
- Address: Lot 1 Last Street Latrobe (CT243183/1)
- Proposal: Residential - proposed Dwelling

- Application No.: DA 222/2020
- Address: 26 Hawley Esplanade, Hawley Beach
- Proposal: Residential - proposed Dwelling and Ancillary Dwelling

- Application No.: DA 223/2020
- Address: 209 Milldam Road, Port Sorell
- Proposal: Residential - proposed Alterations & Additions to existing Dwelling and Outbuilding

- Application No.: DA225/2020
- Address: 15 Felina Way, Port Sorell
- Proposal: Residential - proposed Dwelling and Outbuilding

- Application No.: DA 227/2020
- Address: 197 Moriarty Road, Latrobe
- Proposal: Residential - proposed Building Extension

- Application No.: DA 228/2020
- Address: 3343 Ralton Road, Latrobe
- Proposal: Resource Development / Residential - proposed Subdivision (1 lot)

- Application No.: DA 229/2020
- Address: Cornicks Road, Spreyton (CT 48194/1)
- Proposal: Residential - proposed Dwelling

- Application No.: DA 230/2020
- Address: 19 Bryan Street, Shearwater
- Proposal: Residential - proposed Dwelling and Outbuilding

- Application No.: DA 231/2020
- Address: 57 Hamilton Street, Latrobe
- Proposal: Residential - proposed Alterations & Additions to existing Dwelling

- Application No.: DA 232/2020
- Address: 51-53 Wilmot Street, Port Sorell
- Proposal: Residential - proposed Subdivision (1 lot)

The applications and associated materials will be available for inspection at the Council office during normal office hours or at [www.latrobe.tas.gov.au](http://www.latrobe.tas.gov.au), for a period of 14 days from the date of publication of this notice (not including 2 November 2020). In accordance with Section 57(5) of the *Land Use Planning & Approvals Act 1993* any person may make representation in relation to the proposals by letter addressed to the General Manager or email addressed to [council@latrobe.tas.gov.au](mailto:council@latrobe.tas.gov.au) by 10 November 2020.

Dated at Latrobe this 24 October 2020

Paul West

ACTING GENERAL MANAGER



DEVONPORT CITY COUNCIL  
137 Rocks Street, Devonport TAS 7310  
Phone: 03 6424 0511  
[www.devonport.tas.gov.au](http://www.devonport.tas.gov.au)

## APPLICATION FOR PLANNING PERMIT

Planning applications have been made for the following proposals:

- Application No: PA2020.0163
- Proposal: Residential (single dwelling)
- Address: 12 Clare Court, Devonport

- Application No: PA2020.0177
- Proposal: Residential (single dwelling extension)
- Address: 101 North Fenton Street, Devonport

- Application No: PA2020.0192
- Proposal: Residential (dwelling alterations and garage)
- Address: 22 Hiller Street, Devonport

The applications can be viewed at the Council offices or on Council's website. Section 57(5) of the *Land Use Planning and Approvals Act 1993* provides that representations can be made in writing to the undersigned at PO Box 604, Devonport or [council@devonport.tas.gov.au](mailto:council@devonport.tas.gov.au) by close of business on 10 November 2020.

Matthew Atkins

GENERAL MANAGER

## Local Government

## CIRCULAR HEAD COUNCIL

## APPLICATION FOR PLANNING PERMIT

(s.57(3) Land Use Planning and Approvals Act 1993)

## Circular Head Interim Planning Scheme 2013

Application No	DA 2020/099
Location	40 Schuurings Road, Christmas Hills
Applicant/Owner	Taylor M C
Use Class	Residential
Proposal	Extension To Dwelling
Discretionary Matter	26.4.2 (P1) Location and configuration of development

Application(s) may be viewed during office hours at the Council Office, 33 Goldie St, Smithton or Council's website till the date listed below. Please be advised due to COVID-19 restrictions Council offices may not be open to the public during this notification period. In accordance with s.57(5) of the Act, any person may make written representation to the General Manager, PO Box 348 SMITHTON 7330 or [council@circularchead.tas.gov.au](mailto:council@circularchead.tas.gov.au) and received by 5.00pm 09/11/2020.

Scott Riley  
GENERAL MANAGER  
Ph: 03 6452 4800  
[www.circularhead.tas.gov.au](http://www.circularhead.tas.gov.au)



## BURNIE CITY COUNCIL

## NOTICE OF APPLICATION FOR LAND USE PERMIT

(Section 57(3) Land Use Planning and Approvals Act 1993)

Applications for use and development of land have been received:-

- Application No: DA 2020/100
- Site: 23 Brickport Road COOEE CT 164516/1

- Proposal: Antenatal Clinic Development
- Discretionary Matter: Reliant on performance criteria for grant of permit - Clause C2.5.1 (P.1) and Clause C16.6.1 (P2)

- Application No: DA 2020/126
- Site: 1 Arlington Place HEYBRIDGE CT 160925/64

- Proposal: Dwelling Extension
- Discretionary Matter: Reliant on performance criteria for grant of permit - Clause BUR-S1.7.3 (P1)

- Application No: DA 2020/132
- Site: 66 Grandview Avenue PARK GROVE - CT 15962/9

- Proposal: Second Dwelling
- Discretionary Matter: Reliant on performance criteria for grant of permit - Clause 8.4.2 (P3) and Clause 8.4.3 (P2)

The applications may be viewed on the Burnie City Council's website at - <https://www.burnie.net/permits>

A hard copy of the full application documents may be requested by telephoning 6430 5839, and on payment of a fee representing the cost of reproduction, provided to the person who requested the copy either by -

- collection from a place nominated by an officer of the council; or
- ordinary post to the address nominated

Any person may make representation relating to an application in writing addressed to the General Manager, Burnie City Council, PO Box 973, Burnie 7320 or [burnie@burnie.net](mailto:burnie@burnie.net) by no later than 5.00pm on 10 November 2020.

Dated: 24 October 2020

Gary Neil  
ACTING GENERAL MANAGER

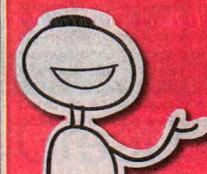
[www.burnie.net](http://www.burnie.net)



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# Annexure 3

**Kellie Malone**

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**From:** Martha Pickford <marthapickford@gmail.com>  
**Sent:** Tuesday, 10 November 2020 11:50 AM  
**To:** Admin  
**Subject:** Attn:General Manager - Application DA2020312

Hi General Manager,

I am writing to you to raise my concerns in regards to a letter received dated 22nd of october 2020 for an application for a planning permit at 1287 Castra Road Sprent.

My name is Martha Pickford and I live at ;1273 Castra Road Sprent and I have owned the property on the said boundary since 1986.

I am LPA accredited which means that raises a major concern in regards to biosecurity when dealing with my livestock. I have gained these accreditations to guarantee my stock apon sale are free of contaminants. As witnessed on many occasions excessive use of chemicals sprayed over my boundary and through my fence which can lead to contamination to my livestock unbeknownst to me. As this is a primary income source for me and my partner it raises a major concern. I have endeavored to obtain these courses to make sure my property is succure and all stock is free of all contaminants at the point of sale, fit for sale and slaughter at all times. I believe their actions jeopardize my livelihood and the guarantee of my stock.

My next concern would be your classification, as a class 4 and your decision to let build on a major water course during frequent times of the year. The severe water run off from the road, my property and the neighbouring properties creates a steady stream of water which flows through the property 1287 Castra road to Nathan Medwins (Whom is also LPA accredited) property that adjoins my property to the southern side of me and east of the rec ground which inturn flows into claytons rivulet. Not forgetting here we have a house and a small amount of land on the bottom side of this which i am sure has significant issues with water and drainage at certain times of the year.

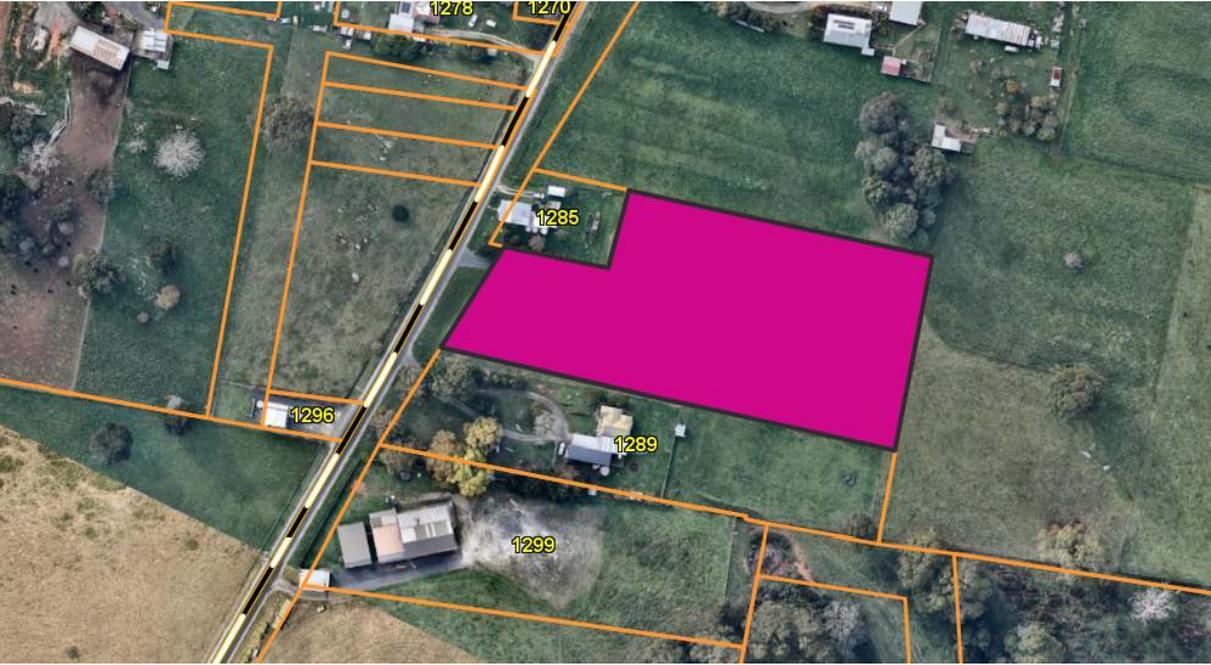
In closing I would hope you will take into consideration my concerns and objection to the application for the planning permit of 1287 Castra Road, Sprent

Please feel free to contact me. I would prefer correspondence via mail as opposed to email communication.

with kind regards

Matha Pickford  
1273 Castra Road, Sprent, 7315, TAS

Annexure 4



1287 Castra Road, Sprent – Spectrum Image.



1287 Castra Road, Sprent – Spectrum Image.



1287 Castra Road, Sprent – photo taken from Castra Road – existing shed on the development site.