
Minutes of an ordinary meeting of the Development Support Special Committee held in the Council Chamber of the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 12 September 2022 commencing at 6.00pm

Members attendance

Cr Jan Bonde (Mayor)
Cr Cheryl Fuller
Cr Philip Viney

Cr Garry Carpenter
Cr Tony van Rooyen
Ms Sandra Ayton (General Manager)

Members apologies

Nil

Employees attendance

Director Community Services (Mr Daryl Connelly)
Director Infrastructure Services (Mr Paul Breaden)
Director Corporate Services (Mr Ian Stoneman)
Executive Services Officer (Mr Ian Brunt)

Public attendance

Two members of the public attended during the course of the meeting.

ACKNOWLEDGEMENT OF COUNTRY

The Central Coast Council acknowledges the palawa-pakana people as the Traditional Custodians of lutrawita (Tasmania), including the land, community, sea and waters where we live and work.

Our community respectfully acknowledges the Punnilerpanner tribe of the Northern Country of Tasmania, their continuing relationship to this land and their ongoing living culture.

We recognise that we have much to learn from the First Nations Peoples who represent one of the world's oldest continuing cultures, and we pay our respects to Elders past and present and to all First Nations Peoples living in and around the Central Coast Community.

CONFIRMATION OF MINUTES OF THE COMMITTEE

14/2022 Confirmation of minutes

The Executive Services Officer reported as follows:

“The minutes of the previous meeting of the Development Support Special Committee held on 8 August 2022 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.”

- Cr Carpenter moved and Cr Viney seconded, “That the minutes of the previous meeting of the Development Support Special Committee held on 8 August 2022 be confirmed.”

Carried unanimously

MAYOR’S COMMUNICATIONS

15/2022 Mayor’s communications

The Mayor reported 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 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.”

- Cr Fuller moved and Cr Viney seconded, “That the Mayor’s report be received.”

Carried unanimously

DECLARATIONS OF INTEREST

16/2022 **Declarations of interest**

The Mayor reported 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 Executive Services Officer reported 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.”

No interests were declared at this time.

ADJOURNMENT OF MEETING

17/2022 **Adjournment of meeting**

The Mayor reported 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.”

The meeting was adjourned during the following times to enable the related documents to be workshopped:

· Minute No. 19/2022 6:01pm – 6:07pm

DEPUTATIONS

18/2022 Deputations

The Executive Services Officer reported as follows:

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

OPEN REPORTS

19/2022 Residential – multiple dwellings x 12 and demolition of outbuildings – Reliance on C3.0 Road and Railway Code at 67 Stubbs Road, Turners Beach – Application No. DA2022164

The Director Community Services reported as follows:

“The Manager Land Use Planning has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA2022164
<i>PROPOSAL:</i>	Residential – multiple dwellings x 12 and demolition of outbuildings – Reliance on C3.0 Road and Railway Code
<i>APPLICANT:</i>	Brooklyn Bradley Pty Ltd
<i>LOCATION:</i>	67 Stubbs Road, Turners Beach
<i>ZONE:</i>	General Residential Zone
<i>PLANNING INSTRUMENT:</i>	<i>Tasmanian Planning Scheme – Central Coast</i> (the Planning Scheme)
<i>ADVERTISED:</i>	3 August 2022
<i>REPRESENTATIONS EXPIRY DATE:</i>	17 August 2022
<i>REPRESENTATIONS RECEIVED:</i>	13 (includes 12 signatories to the same submission)
<i>42-DAY EXPIRY DATE:</i>	8 September 2022 (extension of time granted until 19 September 2022)
<i>DECISION DUE:</i>	12 September 2022
<i>PURPOSE</i>	

The purpose of this report is to consider an application for the demolition of outbuildings to make way for 12 multiple dwellings at 67 Stubbs Road, Turners Beach.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representations;
- . Annexure 4 – photographs; and
- . Annexure 5 – TasWater’s Submission to Planning Authority Notice.

BACKGROUND

Development description –

Application is made to demolish iron fencing and several sheds at 67 Stubbs Road, Turners Beach and to construct 11 new multiple dwellings on the site, retaining an existing single dwelling, resulting in 12 multiple dwellings on the land.

The development is proposed to be subject to a strata plan upon completion.

Development over the site would be as follows:

Existing Dwelling

A four-bedroom, single-storey dwelling (one bedroom with walk-in wardrobe and ensuite) with a northern 34m² alfresco area. The total private open space area for the dwelling would be 315m². Two separate car parking spaces are proposed.

Dwelling Nos. 1 to 6

Dwelling Nos. 1 to 6 would be two-bedroom dwellings (one bedroom with ensuite) with an open plan living/kitchen/dining area. Each dwelling would have a floor area of 110m², with a 12m² alfresco area. The private open space areas range from 15m² to 65m² per dwelling. Each dwelling would have two tandem car parking spaces, one space for a single car, internal garage providing direct access to the living area. Waste and recycling bins would be located to the rear of each dwelling. The buildings would be 4.2m high and of brick and “Hardiflex” construction with an iron roof.

Dwelling Nos. 7 & 8

Dwelling Nos. 7 and 8 would be two-bedroom dwellings (one bedroom with ensuite) with an open plan living/kitchen/dining area. Each dwelling would have a floor area of 108m², with an 9m² alfresco area. The total private open

space areas of the dwellings would be 67m² and 86m², respectively. Each dwelling would have two car parking spaces. Dwelling No. 7 would have two separate parking spaces and Dwelling No. 8 would have two tandem spaces. Each dwelling would have a single car internal garage providing direct access to an internal hallway. Waste and recycling bins would be located to the rear of each dwelling. The buildings would be 4.2m high and of brick and “Hardiflex” construction with an iron roof.

Dwelling No. 9

Dwelling No. 9 would have a floor area of 123m² with an 12m² alfresco area.

The dwelling would be single-storey, three-bedroom (one bedroom with ensuite) with an open plan living/kitchen/dining area. The total private open space area of the dwelling would be 96m². The dwelling would have two tandem car parking spaces with a single car internal garage providing direct access to an internal hallway. Waste and recycling bins would be located to the rear the dwelling. The building would be 4.2m high and of brick and “Hardiflex” construction with an iron roof.

Dwelling Nos. 10 & 11

Dwelling Nos. 10 and 11 would be three-bedroom dwellings (one bedroom with ensuite) with an open plan living/kitchen/dining area. Each dwelling would have a floor area of 123m², with an 11m² alfresco area. The total private open space areas of the dwelling would be 83m² and 114m², respectively. Each dwelling would have two tandem car parking spaces. Dwelling No. 10 would have two separate parking spaces and Dwelling No. 11 would have two tandem spaces. Each dwelling would have a single car internal garage, providing direct access to an internal hallway. Waste bins and recycling bins would be located to the rear of each dwelling. The buildings would be 4.2m high and of brick and “Hardiflex” construction with an iron roof.

The development would require a new 5.5m crossover to Stubbs Road, with the existing crossover to be reinstated to match the adjacent kerb and footpath.

An internal roadway would initially be 5.5m wide, reducing to 3m wide.

An on-site stormwater detention plan forms part of the application.

Site description and surrounding area -

The 4,047m² lot is zoned General Residential and is located in the Turners Beach residential area located south of the Bass Highway.

The land is flat, has frontage to Stubbs Road and currently accommodates a single dwelling with several outbuildings, that are to be demolished.

The land is able to connect to all services, although development would require an on-site stormwater detention system.

Surrounding allotments are also General Residential Zone under the Central Coast Local Provisions Schedule (LPS).

Land on the opposite side of Stubbs Road is part Rural Living Zone and part Rural Zone.

History -

No history relevant to this application.

DISCUSSION

The following table is the Manager Land Use Planning's assessment against the Planning Scheme provisions:

8.0 General Residential Zone

8.1 Zone Purpose

The purpose of the General Residential Zone is:

- 8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.
- 8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.
- 8.1.3 To provide for non-residential use that:
 - (a) primarily serves the local community; and
 - (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
- 8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

Planner's comment		
The proposal satisfies the Zone Purpose in that it provides for residential use and development accommodating various dwelling types where full infrastructure services are available.		
CLAUSE	COMMENT	
8.3 Use Standards		
8.3.1 Discretionary uses	Not applicable	Assessment
8.3.1-(A1) Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of 8.00am to 6.00pm.	<input checked="" type="checkbox"/>	Not a discretionary use.
8.3.1-(A2) External lighting for a use listed as Discretionary: (a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and	<input checked="" type="checkbox"/>	Not a discretionary use.

(b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.		
<p>8.3.1-(A3)</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of:</p> <p>(a) 7:00am to 7:00pm Monday to Friday;</p> <p>(b) 9:00am to 12 noon Saturday; and</p> <p>(c) nil on Sunday and public holidays.</p>		Not a discretionary use.
<p>8.3.1-(A4)</p> <p>No acceptable solution.</p> <p>8.3.1 -(P4)</p> <p>A use listed as Discretionary must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the intensity and scale of the use;</p> <p>(b) the emissions generated by the use;</p> <p>(c) the type and intensity of traffic generated by the use;</p> <p>(d) the impact on the character of the area; and</p> <p>(e) the need for the use in that location.</p>		Not a discretionary use.
8.3.2 Visitor Accommodation	Not applicable	Assessment
<p>8.3.2 -(A1)</p> <p>Visitor Accommodation:</p> <p>guests are accommodated in existing buildings; and</p> <p>has a gross floor area of not more than 300m².</p>		Not Visitor Accommodation.

8.4 Development Standards for Dwellings		
8.4.1 Residential density for multiple dwellings	Not applicable	Assessment
8.4.1 –(A1) Multiple dwellings must have a site area per dwelling of not less than 325m ² .		Compliant. Site area per dwelling would be 337m ² .
8.4.2 Setbacks and building envelope for all dwellings	Not applicable	Assessment
8.4.2 –(A1) Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 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; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties 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		(a) Compliant. Existing lawful dwelling that is nearest to frontage, is setback 3.31m from Stubbs Road frontage. (b) Not applicable. No secondary frontage. (c) Not applicable. Not a vacant site. (d) Not applicable. Not located above a non-residential use.

<p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>		
<p>8.4.2 –(A2)</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>		<p>(a) Compliant. Nearest garage would be 15m from Stubbs Road frontage.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Not applicable. Satisfied by (a).</p>
<p>8.4.2 –(A3)</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m</p>	<input type="checkbox"/>	<p>(a)(i) Compliant. Existing lawful dwelling is setback 3.31m from the frontage.</p> <p>(a)(ii) Compliant. Dwellings would be setback 1.56m with 2.42m wall height and roofline angling away from the boundary at 45 degrees. Refer to the “Issues” section of this report.</p> <p>(b)(i) Not applicable. No existing building built on or within 0.2m of the boundary of adjoining property.</p> <p>(b)(ii) Compliant. The setback of the roofline of Dwelling No. 7 would be 1m from the rear boundary. Development within 1.5m of the</p>

<p>above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and(</p> <p>b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>		<p>rear boundary would not exceed 9m in length.</p>
<p>8.4.3 Site coverage and private open space for all dwellings</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.4.3 –(A1)</p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m² 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).</p>		<p>(a) Compliant. Site coverage would be 35.33%.</p> <p>(b) Compliant. Private open space for dwellings would range from 65m² to 315m².</p>
<p>8.4.3 –(A2)</p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p>(i) 24m²; or</p>		<p>(a)(i) Compliant. Each dwelling would have an area of 24m² in one location.</p> <p>(a)(ii) Not applicable. No multiple dwellings with a floor level 1.8m above the finished ground level.</p>

<p>(ii) 12m², 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);</p> <p>(b) has a minimum horizontal dimension of not less than:</p> <p>(i) 4m; or</p> <p>(ii) 2m, 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);</p> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>		<p>(b)(i) Compliant. Each dwelling would have an area of horizontal dimension greater than 4m.</p> <p>(b)(ii) Not applicable. No multiple dwellings with a floor level 1.8m above the finished ground level.</p> <p>(c) Compliant. Required minimum areas of private open space for all dwellings is not located between a dwelling and the frontage.</p> <p>(d) Compliant. The site is flat.</p>
<p>8.4.4 Sunlight to private open space of multiple dwellings</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.4.4 –(A1)</p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 8.4):</p>		<p>(a)(i) Compliant. Dwelling Nos. 1 to 6 would be north of Dwelling Nos. 7 to 12. The internal driveway separates dwellings by more than 3m.</p> <p>(a)(ii) Compliant. Dwelling Nos. 1 to 6 would be north of Dwelling Nos. 7 to 12. The internal driveway separates dwellings by more than 3m.</p> <p>(b) Compliant. Satisfied by (a).</p>

<p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <p>(i) an outbuilding with a building height not more than 2.4m; or</p> <p>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p>		<p>(c)(i) Not applicable. No outbuildings proposed.</p> <p>(c)(ii) Not applicable. No outbuildings proposed.</p>
<p>8.4.5 Width of openings for garages and carports for all dwellings</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.4.5 –(A1)</p> <p>A garage or carport for a dwelling within 12m 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 6m or half the width of the frontage (whichever is the lesser).</p>		<p>No garage or carport within 12m of the frontage.</p>

8.4.6 Privacy for all dwellings	Not applicable	Assessment
<p>8.4.6 –(A1)</p> <p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not 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 not less than 3m from the side boundary;</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</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>Not applicable.</p> <p>No balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), with a finished surface or floor level more than 1m above existing ground level.</p>
<p>8.4.6 –(A2)</p> <p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p>		<p>Not applicable.</p> <p>No window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level.</p>

<p>(i) is to have a setback of not less than 3m from a side boundary;</p> <p>(ii) is to have a setback of not less than 4m from a rear boundary;</p> <p>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m 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 not less than 6m 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, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</p> <p>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m 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 not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>		
--	--	--

<p>8.4.6 –(A3)</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 not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>		<p>(a) Not applicable. Satisfied by (b)(ii).</p> <p>(b)(i) Not applicable. Satisfied by (b)(ii).</p> <p>(b)(ii) Compliant. Dwelling Nos. 7 & 9 would have habitable windows within 2.5m of the shared driveway and parking space. Plans show that obscure glazing would be used in these dwellings.</p>
<p>8.4.7 Frontage fences for all dwellings</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.4.7 –(A1)</p> <p>No Acceptable Solution.</p> <p><i>An exemption applies for fences in this zone – see Table 4.6.</i></p> <p>8.4.7 –(P1)</p> <p>A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:</p> <p>(a) provide for security and privacy while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the height and transparency of fences in the street, having regard to:</p>		<p>Picket frontage fence is proposed. Complies with Exemption Table 4.6.3.</p>

<ul style="list-style-type: none"> (i) the topography of the site; and (ii) traffic volumes on the adjoining road. 		
8.4.8 Waste storage for multiple dwellings	Not applicable	Assessment
<p>8.4.8–(A1) A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: <ul style="list-style-type: none"> (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area. 		<ul style="list-style-type: none"> (a) Compliant. Each dwelling has a waste storage area at the rear of the dwelling. (b)(i) Satisfied by (a). (b)(ii) Satisfied by (a). (b)(iii) Satisfied by (a).
8.5 Development Standards for Non-Dwellings		
8.5.1 Non-dwelling development	Not applicable	Assessment
<p>8.5.1–(A1) A building that is not a dwelling, excluding for Food Services, local shop, garage or carport, and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p>		Development is for dwellings.

<p>(a) if the frontage is a primary frontage, not less than 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;</p> <p>(b) if the frontage is not a primary frontage, not less than 3.0m, or if the setback from the primary frontage is less than 3.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties 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 properties on the same street.</p>		
<p>8.5.1 –(A2)</p> <p>A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the</p>		<p>Development is for dwellings.</p>

<p>horizontal at a height of 3m above existing ground level at the side or rear</p> <p>boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback less than 1.5m from a side or rear boundary if the building:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one-third of the length of the side or rear boundary (whichever is lesser).</p>		
<p>8.5.1 –(A3)</p> <p>A building that is not a dwelling, must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) a site area of which not less than 35% is free from impervious surfaces.</p>		<p>Development is for dwellings.</p>
<p>8.5.1–(A4)</p> <p>No Acceptable Solution.</p> <p><i>An exemption applies for fences in this zone – see Table 4.6.</i></p> <p>8.5.1–(P4)</p> <p>A fence (including a free-standing wall) for a building that is not a dwelling within 4.5m of a frontage must:</p>		<p>Development is for dwellings.</p>

<p>(a) provide for security and privacy while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the height and transparency of fences in the street, having regard to:</p> <p style="padding-left: 40px;">(i) the topography of the site; and</p> <p style="padding-left: 40px;">(ii) traffic volumes on the adjoining road.</p>		
<p>8.5.1 –(A5)</p> <p>Outdoor storage areas, for a building that is not a dwelling, including waste storage, must not:</p> <p>(a) be visible from any road or public open space adjoining the site; or</p> <p>(b) encroach upon parking areas, driveways or landscaped areas.</p>		<p>Development is for dwellings.</p>
<p>8.5.1 –(A6)</p> <p>Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a setback from the boundary of a property containing a sensitive use not less than 10m.</p> <p><i>An exemption applies for heat pumps and air conditioners in this zone – see Table 4.6.</i></p>		<p>Development is for dwellings.</p>
<p>8.5.2 Non-residential garages and carports</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.5.2 –(A1)</p> <p>A garage or carport not forming part of a dwelling, must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p>		<p>Development is for dwellings.</p>

<p>(b) the same as the building line, if a portion of the building gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>		
<p>8.5.2 –(A2)</p> <p>A garage or carport not forming part of a dwelling, within 12m of a primary frontage (whether the garage or carport is free-standing) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>		<p>Development is for dwellings.</p>
<p>8.6 Development Standards for Subdivision</p>		
<p>8.6.1 Lot design</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.6.1–(A1)</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 450m² and:</p> <p>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p>b. easements or other title restrictions that</p>		<p>Not a subdivision.</p>

<p>limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>		
<p>8.6.1–(A2)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.</p>		Not a subdivision.
<p>8.6.1–(A3)</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>		Not a subdivision.
<p>8.6.1–(A4)</p> <p>Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</p>		Not a subdivision.
8.6.2 Roads	Not applicable	Assessment
<p>8.6.2–(A1)</p> <p>The subdivision includes no new roads.</p>		Not a subdivision.

8.6.2--(P1)

The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to:

- (a) any road network plan adopted by the council;
- (b) the existing and proposed road hierarchy;
- (c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;
- (d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;
- (e) minimising the travel distance between key destinations such as shops and services and public transport routes;
- (f) access to public transport;
- (g) the efficient and safe movement of pedestrians, cyclists and public transport;
- (h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the *Guide to Road Design Part 6A: Paths for Walking and Cycling 2016*;
- (i) the topography of the site; and
- (j) the future subdivision potential of any balance lots on adjoining or adjacent land.

8.6.3 Services	Not applicable	Assessment
<p>8.6.3 –(A1)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.</p>		Not a subdivision.
<p>8.6.3 –(A2)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>		Not a subdivision.
<p>8.6.3 –(A3)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>		Not a subdivision.

CODES

CODES	NOT APPLICABLE	APPLICABLE
C1.0 Signs Code	<input checked="" type="checkbox"/>	
C2.0 Parking and Sustainable Transport Code	<input type="checkbox"/>	Refer to Table below.
C3.0 Road and Railway Assets Code	<input type="checkbox"/>	Refer to Table below.
C4.0 Electricity Transmission Infrastructure Protection Code	<input checked="" type="checkbox"/>	
C5.0 Telecommunications Code	<input checked="" type="checkbox"/>	
C6.0 Local Historic Heritage Code	<input checked="" type="checkbox"/>	

C7.0 Natural Assets Code	<input checked="" type="checkbox"/>	
C8.0 Scenic Protection Code	<input checked="" type="checkbox"/>	
C9.0 Attenuation Code	<input checked="" type="checkbox"/>	
C10.0 Coastal Erosion Hazard Code	<input checked="" type="checkbox"/>	
C11.0 Coastal Inundation Hazard Code	<input checked="" type="checkbox"/>	
C12.0 Flood-Prone Areas Hazard Code	<input checked="" type="checkbox"/>	
C13.0 Bushfire-Prone Areas Code	<input checked="" type="checkbox"/>	
C14.0 Potentially Contaminated Land Code	<input checked="" type="checkbox"/>	
C15.0 Landslip Hazard Code	<input checked="" type="checkbox"/>	
C16.0 Safeguarding of Airports Code	<input checked="" type="checkbox"/>	

C2.0 Parking and Sustainable Transport Code

CLAUSE	COMMENT	
C2.5 Use Standards		
C2.5.1 Car parking numbers	Not applicable	Assessment
<p>C2.5.1-(A1)</p> <p>The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <p>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p>	<input type="checkbox"/>	<p>Compliant. The proposed development shows 27 on-site car parking spaces. The number required is 27.</p> <p>Two per dwelling = 24</p> <p>1 visitor spaces per 4 dwellings = 3</p> <p>(a) N/A</p> <p>(b) N/A</p> <p>(c) N/A</p> <p>(d)(i) N/A</p> <p>(d)(ii) N/A</p>

<p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p>$N = A + (C - B)$</p> <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p>		
---	--	--

C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.		
C2.5.2 Bicycle parking numbers	Not applicable	Assessment
C2.5.2-(A1) Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.	<input checked="" type="checkbox"/>	Does not apply to dwelling development.
C2.5.3 Motorcycle parking numbers	Not applicable	Assessment
C2.5.3-(A1) The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and; (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification provided the existing number of motorcycle parking spaces is maintained.	<input type="checkbox"/>	Compliant. One space required and shown on plan.
C2.5.4 - Loading bays	Not applicable	Assessment
C2.5.4-(A1) A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	<input checked="" type="checkbox"/>	Does not apply to dwelling development.

C2.5.5 - Number of car parking spaces within General Residential Zone and Inner Residential Zone		
<p>C2.5.5–(A1)</p> <p>Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:</p> <p>(a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and</p> <p>(b) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>	<input checked="" type="checkbox"/>	<p>Not an existing non-residential building.</p>
C2.6 Development Standards for Buildings and Works		
C2.6.1 Construction of parking areas	Not applicable	Assessment
<p>C2.6.1–(A1)</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to a public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<input type="checkbox"/>	<p>(a) Compliant by condition.</p> <p>(b) Compliant by condition.</p> <p>(c) Compliant by condition.</p>

C2.6.2 Design and layout of parking areas	Not applicable	Assessment
<p>C2.6.2–(A1)</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <ul style="list-style-type: none"> (i) have a gradient in accordance with <i>Australian Standard AS 2890 – Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or 	<input type="checkbox"/>	<ul style="list-style-type: none"> (a)(i) Compliant by (b). (a)(ii) Compliant by (b). (a)(iii) Compliant by (b). (a)(iv) Compliant by (b). (a)(v) Compliant by (b). (a)(vi) Compliant by (b). (a)(vii) Compliant by (b). (b) Compliant by condition. <p>A1.2</p> <ul style="list-style-type: none"> (a) Not applicable for this application. (b) Not applicable for this application. (c) Not applicable for this application.

<p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6.</i></p> <p>C2.6.2–(A1.2)</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i>¹</p> <p>¹ Requirements for the number of accessible car parking spaces are specified in part D3 of the <i>National Construction Code 2016</i></p>		
<p>C2.6.3 Number of accesses for vehicles</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>C2.6.3–(A1)</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses whichever is the greater.</p>	<p><input type="checkbox"/></p>	<p>(a) Compliant. One access proposed.</p> <p>(b) Not applicable. Satisfied by (a).</p>
<p>C2.6.3–(A2)</p> <p>Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p><input checked="" type="checkbox"/></p>	<p>Not Central Business Zone.</p>

C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	Not applicable	Assessment
<p>C2.6.4-(A1)</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and Clause 3.6 “Car parks” in Australian Standards/ New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements.</p>	<input checked="" type="checkbox"/>	<p>Site is General Residential Zone.</p>
C2.6.5 Pedestrian access	Not applicable	Assessment
<p>C2.6.5-(A1.1)</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p>	<input type="checkbox"/>	<p>27 car parking spaces are required.</p> <p>A 1m wide footpath is proposed.</p> <p>(a)(i) Satisfied by (a)(ii).</p> <p>(a)(ii) Compliant. Planter boxes 300mm high are proposed to separate the pathway from the roadway.</p> <p>(b) Compliant. Pedestrian crossing points to be marked.</p>

<p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and</p> <p>C2.6.5-(A1.2)</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>		
<p>C2.6.6 Loading bays</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>C2.6.6-(A1)</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2-2002 Parking Facilities Part 2: Parking facilities- Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>	<p><input checked="" type="checkbox"/></p>	<p>Loading bays are not required.</p>
<p>C2.6.6-(A2)</p> <p>The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS2890. 2- 2002 Parking Facilities Part 2: Parking facilities- Off-street commercial vehicle facilities</i>.</p>	<p><input checked="" type="checkbox"/></p>	<p>Loading bays are not required.</p>
<p>C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>C2.6.7-(A1)</p> <p>Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must:</p>	<p><input type="checkbox"/></p>	<p>Not required for multiple dwellings in the General Residential Zone.</p>

<p>(a) be accessible from a road, cycle path, bicycle lane, shared path or access way;</p> <p>(b) be located within 50m from an entrance;</p> <p>(c) be visible from the main entrance or otherwise signed; and</p> <p>(d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of <i>Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.</i></p>		
<p>C2.6.7-(A2)</p> <p>Bicycle parking spaces must:</p> <p>(a) have dimensions not less than:</p> <p style="padding-left: 20px;">(i) 1.7m in length;</p> <p style="padding-left: 40px;">(a) 1.2m in height; and</p> <p style="padding-left: 20px;">(ii) 0.7m in width at the handlebars;</p> <p>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</p> <p>(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.</i></p>	<input type="checkbox"/>	<p>Site is General Residential Zone.</p>

C2.6.8 Siting of parking and turning areas	Not applicable	Assessment
<p>C2.6.8-(A1)</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>	<input checked="" type="checkbox"/>	Site is General Residential Zone.
<p>C2.6.8-(A2)</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <p>(a) have no new vehicle accesses, unless an existing access is removed;</p> <p>(b) retain an active street frontage; and</p> <p>(c) not result in parked cars being visible from public places in the adjacent roads.</p>	<input checked="" type="checkbox"/>	
C2.7 Parking Precinct Plan		
C2.7.1 Parking precinct plan	Not applicable	Assessment
<p>C2.7.1-(A1)</p> <p>Within a parking precinct plan, on-site parking must:</p> <p>(a) not be provided; or</p> <p>(b) not be increased above existing parking numbers.</p>	<input checked="" type="checkbox"/>	Parking precinct plan does not apply to Turners Beach.

C3.0 Road and Railway Assets Code

CLAUSE	COMMENT	
C3.5 Use Standards		
C3.5.1 – Traffic generation at a vehicle crossing, level crossing or new junction	Not Applicable	Assessment
<p>A1.1</p> <p>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require</p> <p>(a) a new junction;</p> <p>(b) a new vehicle crossing; or</p> <p>(c) a new level crossing; or</p> <p>A1.2</p> <p>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority; or</p> <p>A1.3</p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority; and</p> <p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>(a) the amounts in Table C3.1; or</p> <p>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act</i></p> <p>(c) 1935 in respect to a limited access road; and</p>	<input type="checkbox"/>	<p>A1.1</p> <p>Not applicable. Not a category 1 road or limited access road.</p> <p>A1.2</p> <p>Not applicable. Not a category 1 road or limited access road</p> <p>A1.3</p> <p>Not applicable. No new rail crossing required.</p> <p>A1.4</p> <p>(a) Non-compliant. Using the application of a standard 7.2 vehicle movements per day, per dwelling - vehicle movements would be 86.4 movements per day.</p> <p>Refer to the “Issues” section of the report.</p> <p>(b) Not applicable.</p> <p>A1.5</p> <p>Compliant.</p> <p>Vehicles would be able to enter and leave the site in a forward motion.</p>

<p>A1.5</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		
<p>C3.6 Development Standards for Buildings and Works</p>		
<p>C3.6.1. Habitable buildings for sensitive uses within a road or railway attenuation area.</p>	<p>Not Applicable</p>	<p>Assessment</p>
<p>A1</p> <p>Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use must be:</p> <p>(a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;</p> <p>(b) an extension which extends no closer to the existing or future major road or rail network than:</p> <p>(i) the existing habitable building; or</p> <p>(ii) an adjoining habitable building for a sensitive use; or</p> <p>(c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual 2nd edition July 2008</i>.</p>	<p style="text-align: center;"><input type="checkbox"/></p>	<p>Bass Highway would be 740m to the north.</p> <p>Rail line would be 1.04km to the north.</p>

C3.7 Development Standards for Subdivision		
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	Not Applicable	Assessment
A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.	<input checked="" type="checkbox"/>	Not a subdivision.

SPECIFIC AREA PLANS	NOT APPLICABLE	APPLICABLE
CCO-S1.0 Forth Specific Area Plan	<input checked="" type="checkbox"/>	
CCO-S2.0 Leith Specific Area Plan	<input checked="" type="checkbox"/>	
CCO-S3.0 Penguin Specific Area Plan	<input checked="" type="checkbox"/>	
CCO-S4.0 Revell Lane Specific Area Plan	<input checked="" type="checkbox"/>	
CCO-S5.0 Turners Beach Specific Area Plan	<input checked="" type="checkbox"/>	

CCO CODE LISTS	
CCO-Table C3.1 Other Major Roads	This table is not used in this Local Provisions Schedule.
CCO-Table C6.1 Local Heritage Places	This table is not used in this Local Provisions Schedule.
CCO-Table C6.2 Local Heritage Precincts	This table is not used in this Local Provisions Schedule.

CCO-Table C6.3 Local Historic Landscape Precincts	This table is not used in this Local Provisions Schedule.
CCO-Table C6.4 Places or Precincts of Archaeological Potential	This table is not used in this Local Provisions Schedule.
CCO-Table C6.5 Significant Trees	This table is not used in this Local Provisions Schedule.
CCO-Table C8.1 Scenic Protection Areas	Not applicable to this application.
CCO-Table 8.2 Scenic Road Corridors	This table is not used in this Local Provisions Schedule.
CCO-Table C11.1 Coastal Inundation Hazard Bands AHD levels	Not applicable to this application.
CCO-Applied, Adopted or Incorporated Documents	This table is not used in this Local Provisions Schedule.
CCO-Site-Specific Qualifications	This table is used in this Local Provisions Schedule.

Issues –

1 Reliance on C3.0 Road and Railway Code –

The Planning Scheme's Acceptable Solution for C3.0 Road and Railway Code – Clause C3.5.1–(A1.4) states “vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than the amounts in Table C3.1”.

Table C3.1 requires “the amount of acceptable increase in annual average daily traffic to and from the site (total ingress and egress) to be 20% or 40 vehicle movements per day, whichever is the greater.”

Using the standard of 7.2 vehicle movements per day for an average single dwelling, the proposed development would result in a total of 86.4 vehicle movements per day. Note – the Traffic Impact Assessment assumes a total of 11 vehicle movements during the AM peak hour, 10 vehicle movements during the PM peak hour and 118 movements per day.

The vehicle movements exceed the requirement of Table C3.1. The development seeks a variation to this Clause and an exercise of discretion is required for the development to proceed.

The Planning Scheme's Performance Criteria for Clause C3.5.1–(P1) states:

“Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety to efficiently of the road or rail network, having regard to:

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

The application is accompanied by a Traffic Impact Assessment (TIA) by Pitt & Sherry dated 22 June 2022. The TIA examines the road network, traffic volumes, traffic modelling, sight distances and the Planning Scheme's C3.0 Road and Railway Code.

The TIA concludes that “traffic generated by the proposed development would have minimal impact on the operation of the surrounding road

network, both post development and 10 years post development. The development would predominantly generate light vehicles, which are already catered for in the road network, and would not result in negative impacts on the safety and operation of the road network”.

The Road Authority has advised it is satisfied with the proposed development, including the frequency and number of vehicle movement onto Stubbs Road.

Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	Not applicable.
Building	Standard Note to apply.
Infrastructure Services	Refer to conditions of permit.
TasWater	Refer to Submission to Planning Authority Notice TWDA 2022/00983-CC.
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 –

Thirteen representations were received within the prescribed time, including 12 signatories to the same submission, copies of which are provided at Annexure 3.

The representations are summarised and responded to as follows:

REPRESENTATION NO. 1	
MATTER RAISED	RESPONSE
<p>1 Concerned that on rubbish collection days, 24 bins would be on the footpath. Bins could block the view of vehicles and block the footpath.</p> <p>Westerly winds easily lift the lids of recycle bins. With 12 bins out every other week, bins could blow over and rubbish make a mess.</p> <p>Can the collection truck enter the site to collect bins?</p>	<p>Garbage collection trucks cannot be driven inside the strata development because the road width is not designed to suit the manoeuvring of large vehicles.</p> <p>A condition will be included on any permit requiring the developer to widen the footpath along the Stubbs Road frontage, so as not to obstruct pedestrian flow path with bins.</p>
<p>2 Can sewer and stormwater systems cope with the added demands of the development?</p>	<p>TasWater and Council's Infrastructure Services have advised the existing service networks are able to accommodate the proposed development.</p>
<p>3 There is a power pole outside our bedroom window. If a high voltage unit is to be</p>	<p>This is not a Planning matter. TasNetworks are responsible for the upgrade and location of power</p>

<p>attached to it, could it be moved further towards No. 67?</p>	<p>poles, often in consultation with developers. Relocation of a power pole is usually required if it is impeding an access to a site.</p>
<p>REPRESENTATION NOS. 2-12</p>	
<p>1 Primary concern is the increased traffic in Explorer Drive that is a narrow street. Cars park on both sides.</p> <p>Turners Beach is a growing residential area where approximately 50 houses have been under construction in Explorer Drive over the past 8 years. Explorer Drive is a main thoroughfare for residents who want to travel to Forth, Devonport and Turners Beach.</p>	<p>Infrastructure Services have assessed the intersection of Explorer Drive and Stubbs Road. Council found there was sufficient Safe Intersection Sight Distance for a driver in a vehicle on Explorer Drive, when moving into Stubbs Road.</p>
<p>2 The intersection of Explorer Drive and Stubbs Road is of concern. If cars are parked on Stubbs Road, to the south of Explorer Drive, there is not clear vision when turning right, out of Explorer Drive.</p>	<p>As above.</p>
<p>4 Concerned with the proximity of the 12 dwellings to the boundary fences of existing residents.</p>	<p>The development satisfies the Planning Scheme's Acceptable Solution for the setback of buildings from front, side and rear boundaries.</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..

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 representations received do not warrant refusal of the proposed development for Residential – multiple dwellings x 12 and demolition of outbuildings. The proposal has demonstrated satisfactory compliance with the Planning Scheme’s relevant Performance Criteria.

The development satisfies the General Residential Zone Purpose in that it would provide for residential use and development where full infrastructure services are available or can be provided.

The proposal satisfies the Objective of C3.5.1 “Traffic generation at a vehicle crossing” in that there would be minimal effects on the safety and efficiency of the road network from vehicular traffic generated from the site, at the new crossover.

The grant of a Permit, subject to conditions, is considered to be justified.

Recommendation –

It is recommended that the application for Residential – multiple dwellings x 12 and demolition of outbuildings – Reliance on C3.0 Road and Railway Code at 67 Stubbs Road, Turners Beach – Application No. DA2022164 be approved, subject to the following conditions:

- 1 The development must be in accordance with the plans by n+b design, Sheet Nos. A100 to A103 and A105 to A112, Revision A dated 7 June 2022 and Sheet No. E100 dated 6 May 2022 and Sheet Nos. U100 to U102, Sheet Nos. U700 to U702, Sheet Nos. U900 to U902 and Sheet Nos. U1000 to U1002, Revision A dated 13 April 2022.
- 2 All demolition materials and soils must be disposed of at an approved landfill site.
- 3 The development must be in accordance with TasWater’s Submission to Planning Authority Notice TWDA 2022/00983–CC dated 14 July 2022.

-
- 4 Stormwater run-off from buildings and hard surfaces, including from vehicle parking and manoeuvring areas, must be collected and discharged to Council's stormwater infrastructure in accordance with the *National Construction Code 2019* and must not cause a nuisance to neighbouring properties.
 - 5 The layout and design of vehicle parking areas must comply with *Australian Standard AS2890 – Parking facilities, Parts 1–6*.
 - 6 All vehicle manoeuvring and parking spaces must:
 - (a) be constructed with a durable all-weather pavement;
 - (b) be drained to the public stormwater system, or contain stormwater on the site; and
 - (c) be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.
 - 7 The kerb crossover and driveway for the proposed development on Stubbs Road must be in the location shown on the Proposed Site Plan (Refer: Project No TBA Revision A Sheet Number A101/A121 dated 07/06/22).
 - 8 The kerb crossover must be constructed in accordance with the Tasmanian Standard Drawing TSD-R14-v3 Urban Roads – Approved Concrete Kerbs and Channels Profile Dimensions.
 - 9 The driveway apron must be constructed in accordance with the Tasmanian Standard Drawing TSD-R09-v3 Urban Roads – Driveways, in a plain concrete finish.
 - 10 Kerb crossover and footpath adjacent to the new access and the current northern access to be made redundant must be reinstated to match with the adjacent kerb and footpath.
 - 11 Internal pedestrian walkway must be made as per Proposed Site Plan (Refer: Project No TBA Revision A Sheet Number A101/A121 dated 07/06/22).
 - 12 The existing public footpath is to be widened to 2.5m along the property frontage of the development to ensure adequate clear width on waste collection days.

- 13 Sight triangle areas adjacent to the driveway access must be kept clear of obstructions to visibility, in accordance with the Tasmanian Standard Drawing TSD-RF-01-v3 Guide to Intersection and Domestic Access Sight Distance Requirements.
- 14 Stormwater and associated infrastructure shall be provided in accordance with the Tasmanian Standard Drawings, unless otherwise required or approved by Council's Director Infrastructure Services.
- 15 On-site stormwater detention must be implemented as per Proposed Stormwater Drainage Plan (Ref: Sheet No. A107/A121 received 05/07/2022).
- 16 Prior to commencement of works, if required, submit an application 'Install Stormwater Connection Point' for any work associated with existing stormwater infrastructure. Such work must be undertaken by the Council, unless alternative arrangements are approved by Council's Director Infrastructure Services, at developer's cost. Drainage costings as listed in the Council's Fees and Charges register apply.
- 17 During site/building works and until all exposed soil areas are permanently stabilised against erosion, the developer must minimise on-site erosion and the release of sediment or sediment laden stormwater from the site and work areas in accordance with the '*Soil and Water Management on Standard Building and Construction Sites - Fact Sheet 2*' published by the Department of Natural Resources and Environment Tasmania.
- 18 Works or activity listed above shall be at the developer's/property owner's cost.
- 19 Works associated with roads, stormwater infrastructures, footpaths, kerb and channel, nature strips or street trees must be undertaken by the Council, unless alternative arrangements are approved by the Council's Director Infrastructure Services, at the developer's cost.
- 20 Damage or disturbance to roads, stormwater infrastructures, footpaths, kerb and channel, nature strips or street trees resulting from activity associated with the development must be rectified to the satisfaction of the Council's Director Infrastructure Services, at the developer's cost.

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 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.
- 4 Prior to commencement of works, submit an application for 'Roadworks Authority' (or a 'Private Works Authority', if applicable). Roadworks Authority Rates as listed in the Council's Fees and Charges register apply.
- 5 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*.

The report is supported."

The Executive Services Officer reported as follows:

"A copy of the Annexures referred to in the Manager Land Use Planning's report has been circulated to all Councillors.

- Cr van Rooyen moved and Cr Fuller seconded, "That the application for Residential – multiple dwellings x 12 and demolition of outbuildings – Reliance on C3.0 Road and Railway Code at 67 Stubbs Road, Turners Beach – Application No. DA2022164 be approved, subject to the following conditions:

- 1 The development must be in accordance with the plans by n+b design, Sheet Nos. A100 to A103 and A105 to A112, Revision A dated 7 June 2022 and Sheet No. E100 dated 6 May 2022 and Sheet Nos. U100 to U102, Sheet Nos. U700 to U702, Sheet Nos. U900 to U902 and Sheet Nos. U1000 to U1002, Revision A dated 13 April 2022.
- 2 All demolition materials and soils must be disposed of at an approved landfill site.
- 3 The development must be in accordance with TasWater's Submission to Planning Authority Notice TWDA 2022/00983-CC dated 14 July 2022.
- 4 Stormwater run-off from buildings and hard surfaces, including from vehicle parking and manoeuvring areas, must be collected and discharged to Council's stormwater infrastructure in accordance with the *National Construction Code 2019* and must not cause a nuisance to neighbouring properties.
- 5 The layout and design of vehicle parking areas must comply with *Australian Standard AS2890 - Parking facilities, Parts 1-6*.
- 6 All vehicle manoeuvring and parking spaces must:
 - (a) be constructed with a durable all-weather pavement;
 - (b) be drained to the public stormwater system, or contain stormwater on the site; and
 - (c) be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.
- 7 The kerb crossover and driveway for the proposed development on Stubbs Road must be in the location shown on the Proposed Site Plan (Refer: Project No TBA Revision A Sheet Number A101/A121 dated 07/06/22).
- 8 The kerb crossover must be constructed in accordance with the Tasmanian Standard Drawing TSD-R14-v3 Urban Roads - Approved Concrete Kerbs and Channels Profile Dimensions.
- 9 The driveway apron must be constructed in accordance with the Tasmanian Standard Drawing TSD-R09-v3 Urban Roads - Driveways, in a plain concrete finish.
- 10 Kerb crossover and footpath adjacent to the new access and the current northern access to be made redundant must be reinstated to match with the adjacent kerb and footpath.
- 11 Internal pedestrian walkway must be made as per Proposed Site Plan (Refer: Project No TBA Revision A Sheet Number A101/A121 dated 07/06/22).
- 12 The existing public footpath is to be widened to 2.5m along the property frontage of the development to ensure adequate clear width on waste collection days.

-
- 13 Sight triangle areas adjacent to the driveway access must be kept clear of obstructions to visibility, in accordance with the Tasmanian Standard Drawing TSD-RF-01-v3 Guide to Intersection and Domestic Access Sight Distance Requirements.
 - 14 Stormwater and associated infrastructure shall be provided in accordance with the Tasmanian Standard Drawings, unless otherwise required or approved by Council's Director Infrastructure Services.
 - 15 On-site stormwater detention must be implemented as per Proposed Stormwater Drainage Plan (Ref: Sheet No. A107/A121 received 05/07/2022).
 - 16 Prior to commencement of works, if required, submit an application 'Install Stormwater Connection Point' for any work associated with existing stormwater infrastructure. Such work must be undertaken by the Council, unless alternative arrangements are approved by Council's Director Infrastructure Services, at developer's cost. Drainage costings as listed in the Council's Fees and Charges register apply.
 - 17 During site/building works and until all exposed soil areas are permanently stabilised against erosion, the developer must minimise on-site erosion and the release of sediment or sediment laden stormwater from the site and work areas in accordance with the '*Soil and Water Management on Standard Building and Construction Sites - Fact Sheet 2*' published by the Department of Natural Resources and Environment Tasmania.
 - 18 Works or activity listed above shall be at the developer's/property owner's cost.
 - 19 Works associated with roads, stormwater infrastructures, footpaths, kerb and channel, nature strips or street trees must be undertaken by the Council, unless alternative arrangements are approved by the Council's Director Infrastructure Services, at the developer's cost.
 - 20 Damage or disturbance to roads, stormwater infrastructures, footpaths, kerb and channel, nature strips or street trees resulting from activity associated with the development must be rectified to the satisfaction of the Council's Director Infrastructure Services, at the developer's cost.

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 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.
- 4 Prior to commencement of works, submit an application for 'Roadworks Authority' (or a 'Private Works Authority', if applicable). Roadworks Authority Rates as listed in the Council's Fees and Charges register apply.
- 5 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."

Carried unanimously

Closure

There being no further business, the Mayor declared the meeting closed at 6.08 pm.

CONFIRMED THIS DAY OF , 2022.

Chairperson

(ib:dk)

Appendices

Nil.

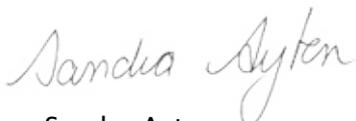
QUALIFIED PERSON'S ADVICE

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 these Development Support Special Committee minutes 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