

Notice of Ordinary Council Meeting and

# Agenda

19 SEPTEMBER 2016

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To all Councillors

NOTICE OF MEETING

In accordance with the *Local Government (Meeting Procedures) Regulations 2015*, notice is given of the next ordinary meeting of the Central Coast Council which will be held in the Council Chamber at the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 19 September 2016. The meeting will commence at 6.00pm.

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 2 January 2016.

Dated at Ulverstone this 14th day of September 2016.

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



Michelle Gillett  
EXECUTIVE SERVICES OFFICER

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## *GENERAL INFORMATION FOR THE MAYOR AND COUNCILLORS*

### *Time for commencement of meetings of the Council*

Ordinary meetings of the Council are required to commence at 6.00pm with dinner being taken prior to the meeting at 5.00pm. Special meetings commence as called by the convenor.

### *Time for closure of meetings of the Council*

Meetings of the Council are required to close at 11.00pm but the meeting may approve of an extension of time by up to 30 minutes where pressing or urgent business is required to be dealt with.

### *Public question time at meetings of the Council*

The Central Coast Council, at each regular meeting sets apart a period of up to 30 minutes to enable members of the public to ask questions relating to activities of the Council.

The procedure for such questions is as set out in the *Local Government (Meeting Procedures) Regulations 2015* made by the Parliament of Tasmania. As such, the Council is obliged to consider question time in accordance with the law of Tasmania and with its own meeting protocols.

The first and most preferable option for asking a question is to put it in writing. At least seven days notice must be given of a written question to be asked at a Council meeting. The notice – which is to contain the question – is to be addressed to the General Manager. No particular form is required other than it be in writing.

Under the Regulations, the following rules about questions must be complied with:

The chairperson (usually the Mayor) may –

- (a) address questions on notice submitted by members of the public; and
- (b) invite any member of the public present at an ordinary meeting to ask questions relating to the activities of the Council.

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A question by any member of the public under this regulation and an answer to that question are not to be debated.

The chairperson may –

- (a) refuse to accept a question; or
- (b) require a question to be put on notice and in writing to be answered at a later meeting.

If the chairperson refuses to accept a question, the chairperson is to give reasons for doing so.

Other matters that the Council has determined in relation to questions are that:

- . There is a two-question limit for all questioners.
- . Questioners, starting with those who have given written notice, will be invited to stand as they are able and to identify themselves and read out the question(s).
- . The question has to be a proper question in its form and content, as public statements, argument and debate etc. are not permitted whether in writing or orally. A questioner without notice who ignores this rule may be called to order and invited to either ask a question or the person may no longer be heard.
- . A question may only be prefaced by a statement that is appropriate to enable the question to be understood, and only if the context requires this.
- . A question which is prefaced by an explanation that makes suggestions, inferences or imputations that are, or may be defamatory, may expose the questioner to defamation proceedings.
- . Questions relating to business on the agenda of the Council may be refused for the reason that to answer may be unfair or prejudicial to the lawful operations of the Council, in order to avoid any questions of procedural error on the part of the Council whether or not the business item has been reached or not.



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- . Questions must be clear and precise in their meaning and if not clear, the Mayor or other chairperson may invite a question to be re-worded so that it is capable of being correctly answered.
  - . Questions on the following subject matters, which are usually dealt with in that part of the meeting closed to the public, are unlikely to be answered on the basis that to do so would be contrary to the interest of the affected persons, the Council and /or the wider public interest:
    - (a) personnel matters, including complaints against an employee of the Council and industrial relations matters;
    - (b) information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposed to conduct, business;
    - (c) commercial information of a confidential nature that, if disclosed, is likely to –
      - (i) prejudice the commercial position of the person who supplied it; or
      - (ii) confer a commercial advantage on a competitor of the Council; or
      - (iii) reveal a trade secret;
    - (d) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;
    - (e) the security of –
      - (i) the Council, Councillors and Council staff; or
      - (ii) the property of the Council;
    - (f) proposals for the Council to acquire land or an interest in land or for the disposal of land;
    - (g) information of a personal and confidential nature or information provided to the Council on the condition it is to be kept confidential;
    - (h) applications by Councillors for a leave of absence;

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- (i) matters relating to actual or possible litigation taken, or to be taken, by or involving the Council or an employee of the Council;
  - (j) the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.

The question and its answer, whether written or a summary of a verbal answer, are included in the minutes of the Council meeting.

Members of the public are reminded that they are in an open public venue and it is in their interest not to make defamatory comments about individuals.

If it is not possible for an answer to be provided to a question at the meeting, then a written answer will be forwarded as soon as possible to the person asking the question.

#### *Voting at meetings of the Council*

The quorum at any meeting of the Council is an absolute majority and no business may be transacted without a quorum. Each Councillor has one vote at a meeting. A motion at a meeting, unless otherwise provided, is determined by a simple majority of votes. To abstain from voting is to vote in the negative. A tied vote results in a motion being determined in the negative.

#### *Disqualification of a Councillor*

The office of a Councillor becomes vacant if the Councillor:

- (a) dies; or
- (b) resigns; or
- (c) is absent without leave from three consecutive ordinary meetings of the Council; or
- (d) is removed or dismissed from office under the *Local Government Act 1993*; or
- (e) becomes a paid employee of the Council; or
- (f) is no longer eligible to nominate as a candidate under section 270 of the *Local Government Act 1993*.

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*Disclosure and improper use of information*

A Councillor must not disclose information –

- (a) seen or heard by the Councillor at a meeting or part of a meeting of the Council or Council committee that is closed to the public that is not authorised by the Council or Council committee to be disclosed; or
- (b) given to the Councillor by the Mayor, Deputy Mayor, chairperson of a meeting of the Council or Council committee or the General Manager on the condition that it be kept confidential.

A Councillor must not make improper use of any information acquired as a Councillor. Improper use of information includes using the information:

- (a) to gain, directly or indirectly, an advantage or to avoid, directly or indirectly, a disadvantage for oneself, a member of one's family or a close associate; or
- (b) to cause any loss or damage to any person.

See also Code of Conduct of Councillors.

*Use of office*

A Councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.

See also Code of Conduct of Councillors.

*Councillor's conduct and suspension from meeting*

The *Local Government (Meeting Procedures) Regulations 2015* provide for the effective and efficient management and regulation of meetings of the Council and Council committees.

In particular, the Regulations provide that the chairperson may suspend a Councillor from part or all of a meeting if the Councillor –

- (a) makes a personal reflection about another Councillor or an employee of the Council and refuses to apologise; or

- 
- (b) interjects repeatedly; or
  - (c) disrupts the meeting and disobeys a call to order by the chairperson.

#### *Councillor's interest*

When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.

A councillor must act openly and honestly in the public interest.

A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council.

A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.

A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible.

A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –

- (a) declare the conflict of interest before discussion on the matter begins; and
- (b) act in good faith and exercise reasonable judgement to determine whether the conflict of interest is so material that it requires removing himself or herself physically from any Council discussion and remaining out of the room until the matter is decided by the Council.

Councillors are urged to seek advice on this matter from the General Manager if there is any doubt at all about the interest provisions of the *Local Government Act 1993*. There is a saying: “if in doubt, stay out”.

See also Code of Conduct of Councillors.

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### *Defamation*

A Councillor does not have the freedom of speech that a member of Parliament may exercise within Parliament. In other words, a Councillor does not have the benefit of parliamentary privilege. Comments of individual Councillors made at Council meetings do not necessarily reflect the views of the Council and it should be recognised that responsibility for those comments may well rest, in any action, with the Councillor concerned.

### *Council business at meetings*

Local government legislation provides councils with general competence power, i.e. it provides local government with the freedom to do anything necessary or convenient to perform its functions, either within or outside its municipal area, to benefit the inhabitants of its community and which fall within the parameters of this very broad competence power. There may be some matters built into the general competence power which require control in order to preserve the statewide public interest, to achieve uniformity or minimum standards in outcomes, to protect individual rights and to ensure adequate levels of public accountability. And the Council must ensure, of course, that any decision made does not conflict with State or Federal roles or acts, and where required, complies with the terms of its own legislation. While general competence brings with it a high degree of freedom, it also imposes a high degree of accountability and the need for competence in decision making; the Council cannot, therefore, disregard the formal checks and balances that accompany general competence.

The Council is forbidden (as opposed to imposing a mere obligation on the Council) from making a decision unless certain criteria apply. And it may well be that failure to comply with the criteria will render the decision invalid. The Council is not to decide on any matter which requires the advice of a qualified person without considering such advice. There is no barrier on the Council considering any matter without advice etc. at all (subject to the Meeting Procedures Regulations or a ruling of the Mayor) unless the Council actually makes a decision.

The General Manager is under a strong duty to ensure that any advice, information or recommendation which is actually given to the Council is given by a person with the required qualifications or experience before any decision is made. The Council, of course, need not comply with the advice or make a decision based on the advice, i.e. it is not a 'rubber stamp', but it should always exercise great care if it considers departing from that qualified advice.

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An aggrieved person could request a copy of the reasons for a decision (if any) and if not satisfied could ask for a review of the decision. Where the *Judicial Review Act 2000* applies, it would not necessarily say that the decision was wrong but that the Council should complete the process again.

The question of competence places a duty on a Councillor to have a matter listed on the agenda of the Council. Any attempt to consider a matter not listed on the agenda requires the approval of an absolute majority of the Council and may only be considered if the General Manager has reported:

- (a) the reason it was not possible to include the matter on the agenda; and
- (b) that the matter is urgent; and
- (c) that qualified advice has been provided.

Importantly, whether the matter is listed on the agenda or not, the Council (repeated) is not to decide on any matter which requires the advice of a qualified person without considering such advice. As previously indicated, it could render the decision invalid.

It is timely to note that it may be difficult and sometimes impossible for qualified advice to be provided in respect of matters brought to a meeting without notice.

The principal issue, in summary, is the need to ensure that Councillors have access to all available information and professional advice relevant to the items of business before the Council to enable them to perform their duties and exercise the powers of the Council in a responsible manner.

#### *Acting as a planning authority*

The *Local Government (Meeting Procedures) Regulations 2015* require the General Manager to arrange the agenda so that the items to be dealt with by the Council as a planning authority under the *Land Use Planning and Approvals Act 1993* are sequential and the chairperson is to advise the meeting of the intention to act as a planning authority. This keeps together items that are to be dealt with as a planning authority and serves to remind the meeting of its obligations under planning law.

Councillors are reminded that the Regulations 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.

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### *Gathering of information before the Council meeting*

Councillors are encouraged to obtain as much information as possible from the Departmental Directors prior to a meeting in order to ensure so far as practicable that meetings occupy quality time.

### *Decisions behind closed doors*

The Council is limited in the matters that can be considered by the Council 'behind closed doors'. *The Local Government (Meeting Procedures) Regulations 2015* provide as follows:

All meetings of the Council or Council committees are to be open to the public unless the Council by absolute majority, or a Council committee by simple majority, decides to close a meeting because any one or more of the following matters are to be discussed:

- (a) personnel matters, including complaints against an employee of the Council and industrial relations matters;
- (b) information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposed to conduct, business;
- (c) commercial information of a confidential nature that, if disclosed, is likely to –
  - (i) prejudice the commercial position of the person who supplied it; or
  - (ii) confer a commercial advantage on a competitor of the Council; or
  - (iii) reveal a trade secret;
- (d) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;
- (e) the security of –
  - (i) the Council, Councillors and Council staff; or
  - (ii) the property of the Council;

- 
- (f) proposals for the Council to acquire land or an interest in land or for the disposal of land;
  - (g) information of a personal and confidential nature or information provided to the Council on the condition it is to be kept confidential;
  - (h) applications by Councillors for a leave of absence;
  - (i) matters relating to actual or possible litigation taken, or to be taken, by or involving the Council or an employee of the Council;
  - (j) the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.

#### *Potential insurance claims*

All incidents giving rise to an insurance claim, and any matter that may potentially give rise to a claim, must immediately be notified to the Organisational Services Department.

The Council's insurers advise that no matter what the circumstances, liability should never be admitted in any way. Admission may well affect the contractual relationship between the insurer and the Council.

#### *Occupational health and safety*

Occupational health and safety (OHS) is very important to the Council. As required under the Council's OHS Induction Procedure and to fulfil the Council's duty of care, the Human Resources Systems Officer will undertake the generic part of Councillors' OHS induction at an appropriately arranged time.

#### *Anti-discrimination legislation*

The Council is bound by the *Anti-Discrimination Act 1998*.

The Act requires the Council "to ensure that its members, officers, employees and agents are made aware of the discrimination and prohibited conduct to which this Act relates".

There are two types of discrimination:



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*'direct discrimination'* (or 'less favourable treatment'); and  
*'indirect discrimination'* ('differential impact').

Direct discrimination happens when someone is treated unfairly or less-favourably because of the following:

- . age
- . breastfeeding
- . disability
- . family responsibilities
- . gender/sex
- . industrial activity
- . irrelevant criminal record
- . irrelevant medical record
- . sexual orientation
- . lawful sexual activity
- . marital status
- . parental status
- . political activity
- . political belief or affiliation
- . pregnancy
- . race, colour, nationality, descent
- . religious activity
- . religious belief or affiliation
- . association with a person who has, or is believed to have, any of these attributes or identities.

Indirect discrimination happens when rules and requirements exclude certain people or groups. Sometimes these rules appear to be fair – the same for everyone – but in practice they are not. If it is *not reasonable under the circumstances* it may be considered discriminatory.

Examples where rules and requirements have been *unreasonable* are:

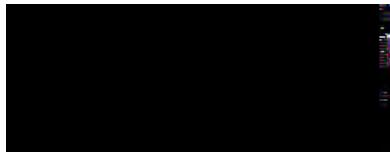
- . height requirements
- . last on first off or 'laying off' all part-time workers
- . bonus only for people who have worked five years uninterrupted service (continuous service)
- . English test for job applicants.

Other conduct which is *unlawful*:

- . sexual harassment
- . harassment because of a person's gender/sex

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- . harassment because of a person's marital status, pregnancy, breastfeeding, parental status, family responsibilities
  - . victimisation and/or bullying
  - . inciting hatred because of race, disability, sexual orientation or lawful sexual activity, religious belief or affiliation or religious activity
  - . promoting discrimination and prohibited conduct.

The information given in this publication is provided for the information of Councillors. It is by no means complete and the information given is very general in its advice. Where a Councillor is uncertain of any matter, the Councillor should contact the General Manager or the appropriate Departmental Director for further advice.



Sandra Ayton  
GENERAL MANAGER



# **Code of Conduct of Councillors**

## **PART 1 – Decision making**

1. A councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a Planning Authority.
2. A councillor must make decisions free from personal bias or prejudgement.
3. In making decisions, a councillor must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware.
4. A councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions.

## **PART 2 – Conflict of interest**

1. When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.
2. A councillor must act openly and honestly in the public interest.
3. A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council.
4. A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.
5. A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible.
6. A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –
  - (a) declare the conflict of interest before discussion on the matter begins; and
  - (b) act in good faith and exercise reasonable judgement to determine whether the conflict of interest is so material that it requires removing himself or herself physically from any Council discussion and remaining out of the room until the matter is decided by the Council.

### **PART 3 – Use of office**

1. The actions of a councillor must not bring the Council or the office of councillor into disrepute.
2. A councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.
3. In his or her personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), a councillor must not expect nor request, expressly or implicitly, preferential treatment for himself or herself or any other person or body.

### **PART 4 – Use of resources**

1. A councillor must use Council resources appropriately in the course of his or her public duties.
2. A councillor must not use Council resources for private purposes except as provided by Council policies and procedures.
3. A councillor must not allow the misuse of Council resources by another person or body.
4. A councillor must avoid any action or situation which may lead to a reasonable perception that Council resources are being misused by the councillor or any other person or body.

### **PART 5 – Use of information**

1. A councillor must protect confidential Council information in his or her possession or knowledge, and only release it if he or she has the authority to do so.
2. A councillor must only access Council information needed to perform his or her role and not for personal reasons or non-official purposes.
3. A councillor must not use Council information for personal reasons or non-official purposes.
4. A councillor must only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

## **PART 6 – Gifts and benefits**

1. A councillor may accept an offer of a gift or benefit if it directly relates to the carrying out of the councillor's public duties and is appropriate in the circumstances.
2. A councillor must avoid situations in which the appearance may be created that any person or body, through the provision of gifts or benefits of any kind, is securing (or attempting to secure) influence or a favour from the councillor or the Council.
3. A councillor must carefully consider –
  - (a) the apparent intent of the giver of the gift or benefit; and
  - (b) the relationship the councillor has with the giver; and
  - (c) whether the giver is seeking to influence his or her decisions or actions, or seeking a favour in return for the gift or benefit.
4. A councillor must not solicit gifts or benefits in the carrying out of his or her duties.
5. A councillor must not accept an offer of cash, cash-like gifts (such as gift cards and vouchers) or credit.
6. A councillor must not accept a gift or benefit if the giver is involved in a matter which is before the Council.
7. A councillor may accept an offer of a gift or benefit that is token in nature (valued at less than \$50) or meets the definition of a token gift or benefit (if the Council has a gifts and benefits policy).
8. If the Council has a gifts register, a councillor who accepts a gift or benefit must record it in the relevant register.

## **PART 7 – Relationships with community, councillors and Council employees**

1. A councillor –
  - (a) must treat all persons with courtesy, fairness, dignity and respect; and
  - (b) must not cause any reasonable person offence or embarrassment; and
  - (c) must not bully or harass any person.

2. A councillor must listen to, and respect, the views of other councillors in Council and committee meetings and any other proceedings of the Council, and endeavour to ensure that issues, not personalities, are the focus of debate.
3. A councillor must not influence, or attempt to influence, any Council employee or delegate of the Council, in the exercise of the functions of the employee or delegate.
4. A councillor must not contact or issue instructions to any of the Council's contractors or tenderers, without appropriate authorisation.
5. A councillor must not contact an employee of the Council in relation to Council matters unless authorised by the General Manager of the Council.

## **PART 8 – Representation**

1. When giving information to the community, a councillor must accurately represent the policies and decisions of the Council.
2. A councillor must not knowingly misrepresent information that he or she has obtained in the course of his or her duties.
3. A councillor must not speak on behalf of the Council unless specifically authorised or delegated by the Mayor or Lord Mayor.
4. A councillor must clearly indicate when he or she is putting forward his or her personal views.
5. A councillor's personal views must not be expressed in such a way as to undermine the decisions of the Council or bring the Council into disrepute.
6. A councillor must show respect when expressing personal views publicly.
7. The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council.
8. When representing the Council on external bodies, a councillor must strive to understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such an appointment.

## **PART 9 – Variation of Code of Conduct**

1. Any variation of this model code of conduct is to be in accordance with section 28T of the Act.

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*QUALIFIED PERSON'S ADVICE*

The *Local Government Act 1993* provides (in part) as follows:

- . A general manager must ensure that any advice, information or recommendation given to the council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- . A council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the council.

I therefore certify that with respect to all advice, information or recommendations provided to the Council in or with the following agenda:

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



Sandra Ayton  
GENERAL MANAGER



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## **AGENDA**

### **COUNCILLORS ATTENDANCE**

### **COUNCILLORS APOLOGIES**

### **EMPLOYEES ATTENDANCE**

### **GUEST(S) OF THE COUNCIL**

### **MEDIA ATTENDANCE**

### **PUBLIC ATTENDANCE**

### **OPENING PRAYER**

May the words of our lips and the meditations of our hearts be always acceptable in Thy sight, O Lord.

### **BUSINESS**

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## **1 CONFIRMATION OF MINUTES OF THE COUNCIL**

### **1.1 Confirmation of minutes**

The Executive Services Officer reports as follows:

“The minutes of the previous ordinary meeting of the Council held on 15 August 2016 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 ordinary meeting of the Council held on 15 August 2016 be confirmed.”
- .....
- .....
- .....

## **2 COUNCIL WORKSHOPS**

### **2.1 Council workshops**

The Executive Services Officer reports as follows:

“The following council workshops have been held since the last ordinary meeting of the Council.

- . 22.08.2016 – Integrity Commission Presentation
- . 29.08.2016 – Cradle Coast Authority – Tourism Update
- . 05.09.2016 – Flood Damage Repairs
- . 12.09.2016 – Rural Lands Strategy

This information is provided for the purpose of record only. A suggested resolution is submitted for consideration.”

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

### **3 MAYOR’S COMMUNICATIONS**

#### **3.1 Mayor’s communications**

The Mayor to report:

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.....

.....

#### **3.2 Mayor’s diary**

The Mayor reports as follows:

“I have attended the following events and functions on behalf of the Council:

- . Penguin Visitor Information Centre – morning tea for Diane Davis in recognition of Cradle Coast Regional Tourism Forum 2016 Volunteer Award
- . Gunns Plains community – Disaster Recovery Workshop (Gunns Plains)
- . MG Car Club of Tasmania – meeting re Australian National Meeting 2016
- . Cradle Coast Authority – farewell function for NRM members (Burnie)
- . Devonport City Council and Learning Communities Special Interest Group – launch of Devonport Festival of Learning (Devonport)
- . Central Coast Chamber of Commerce and Industry – Annual General Meeting and Dinner
- . Council–community morning tea – Riana–South Riana–West Pine–Cuprona–Camena districts (Riana)
- . Local Government Association of Tasmania – General Management Committee meeting (Hobart)
- . Radio 7AD – community report

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- . Central Coast Youth Engaged Steering Committee and Central Coast Chamber of Commerce and Industry – Joint Business Breakfast
  - . Richmond Fellowship Tasmania – performed official reopening of Regional Office, Queen Street, Ulverstone (damaged in the 2015 tornado)
  - . Ulverstone Repertory Theatre Society – opening night of ‘Dying to Meet You’ production
  - . Cradle Coast Innovation – Sponsorship Workshop
  - . Cradle Coast Authority – teleconference re Shared Services Project
  - . Central Coast Community Safety Partnership Committee – meeting
  - . Central Highlands Council – morning tea for retired Mayor Deirdre Flint (Bothwell)
  - . University of Tasmania – Presentation Evening for Science Investigation Awards 2016 (Burnie)
  - . AFL Tasmania – meeting re Dial Regional Sports Complex Development
  - . Friends of Reid Street Reserve – performed launch of ‘The Importance of Small Reserves’ Interpretation signs
  - . Leven Regional Arts – performed opening of ‘A Handful of Memories’, an exhibition of paintings by Kathleen Bentley
  - . North West Football League Tasmania – Grand Final luncheon (Latrobe)
  - . Penguin Recreation Ground Master Plan Project – Family Fun Day (Penguin)
  - . Cradle Coast Authority – meeting with consultants re Shared Services Project
  - . Mersey–Leven Municipal Emergency Management Committee – meeting (Sheffield)
  - . Cradle Coast Authority – Shared Services Workshop (Burnie)
  - . Tasmanian BOFA Film Festival – launch of 2016 program (Burnie)
  - . Friends of the Penguin Cradle Trail and Parks & Wildlife Service – meeting re Penguin to Leven Canyon walking trail
  - . RAAF Association, North–West – Battle of Britain luncheon.”

The Deputy Mayor reports as follows:

“I have attended the following events and functions on behalf of the Council:

- . Ulverstone Meals on Wheels Association – Annual General Meeting.”

Cr van Rooyen reports as follows:

“I have attended the following events and functions on behalf of the Council:

- . Local Government Association of Tasmania – Water and Sewerage Workshop (Longford).”

Cr Carpenter reports as follows:

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“I have attended the following events and functions on behalf of the Council:

- . Ulverstone Anglers Club – Annual Dinner.”

Cr Bloomfield reports as follows:

“I have attended the following events and functions on behalf of the Council:

- . Funeral for the late Jack McLaren (Ulverstone ‘Town Crier’).”

The Executive Services Officer reports as follows:

“A suggested resolution is submitted for consideration.”

- “That the Mayor’s, Deputy Mayor’s and Cr van Rooyen’s, Cr Bloomfield’s and Cr Carpenter’s reports be received.”
- .....
- .....
- .....

### **3.3 Declarations of interest**

The Mayor reports as follows:

“Councillors 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 reports as follows:

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

Councillors 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 councillor must declare any interest in a matter before any discussion on that matter commences.



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

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### **3.4 Public question time**

The Mayor reports as follows:

“At 6.40pm or as soon as practicable thereafter, a period of not more than 30 minutes is to be set aside for public question time during which any member of the public may ask questions relating to the activities of the Council.

Public question time will be conducted as provided by the *Local Government (Meeting Procedures) Regulations 2015* and the supporting procedures adopted by the Council on 20 June 2005 (Minute No. 166/2005).”

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## **4 COUNCILLOR REPORTS**

### **4.1 Councillor reports**

The Executive Services Officer reports as follows:

“Councillors who have been appointed by the Council to community and other organisations are invited at this time to report on actions or provide information arising out of meetings of those organisations.

Any matters for decision by the Council which might arise out of these reports should be placed on a subsequent agenda and made the subject of a considered resolution.”

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## 5 APPLICATIONS FOR LEAVE OF ABSENCE

### 5.1 Leave of absence

The Executive Services Officer reports as follows:

“The *Local Government Act 1993* provides that the office of a councillor becomes vacant if the councillor is absent without leave from three consecutive ordinary meetings of the council.

The Act also provides that applications by councillors for leave of absence may be discussed in a meeting or part of a meeting that is closed to the public.

There are no applications for consideration at this meeting.”

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## 6 DEPUTATIONS

### 6.1 Deputations

The Executive Services Officer 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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## **7 PETITIONS**

### **7.1 Petitions**

The Executive Services Officer reports as follows:

“No petitions under the provisions of the *Local Government Act 1993* have been presented.”

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## **8 COUNCILLORS' QUESTIONS**

### **8.1 Councillors' questions without notice**

The Executive Services Officer reports as follows:

“The *Local Government (Meeting Procedures) Regulations 2015* provide as follows:

'29 (1) A councillor at a meeting may ask a question without notice –

(a) of the chairperson; or

(b) through the chairperson, of –

(i) another councillor; or

(ii) the general manager.

(2) In putting a question without notice at a meeting, a councillor must not –

(a) offer an argument or opinion; or

(b) draw any inferences or make any imputations –

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except so far as may be necessary to explain the question.

- (3) The chairperson of a meeting must not permit any debate of a question without notice or its answer.
- (4) The chairperson, councillor or general manager who is asked a question without notice at a meeting may decline to answer the question.
- (5) The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.
- (6) Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.
- (7) The chairperson may require a councillor to put a question without notice in writing.'

If a question gives rise to a proposed matter for discussion and that matter is not listed on the agenda, Councillors are reminded of the following requirements of the Regulations:

- '8 (5) Subject to subregulation (6), a matter may only be discussed at a meeting if it is specifically listed on the agenda of that meeting.
- (6) A council by absolute majority at an ordinary council meeting, ..., may decide to deal with a matter that is not on the agenda if –
  - (a) the general manager has reported the reason it was not possible to include the matter on the agenda; and
  - (b) the general manager has reported that the matter is urgent; and
  - (c) in a case where the matter requires the advice of a qualified person, the general manager has certified under section 65 of the Act that the advice has been obtained and taken into account in providing general advice to the council.'

Councillors who have questions without notice are requested at this time to give an indication of what their questions are about so that the questions can be allocated to their appropriate Departmental Business section of the agenda."

<i>Councillor</i>	<i>Question</i>	<i>Department</i>
.....	.....	.....

[illegible]

## 8.2 Councillors' questions on notice

The Executive Services Officer reports as follows:

"The *Local Government (Meeting Procedures) Regulations 2015* provide as follows:

'30 (1) A councillor, at least 7 days before an ordinary council meeting or a council committee meeting, may give written notice to the general

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manager of a question in respect of which the councillor seeks an answer at that meeting.

(2) An answer to a question on notice must be in writing.’

It is to be noted that any question on notice and the written answer to the question will be recorded in the minutes of the meeting as provided by the Regulations.

Any questions on notice are to be allocated to their appropriate Departmental Business section of the agenda.

No questions on notice have been received.”

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## NOTES

### 9 DEPARTMENTAL BUSINESS

#### GENERAL MANAGEMENT

##### 9.1 Minutes and notes of committees of the Council and other organisations

The General Manager reports as follows:

“The following (non-confidential) minutes and notes of committees of the Council and other organisations on which the Council has representation have been received:

- . Central Coast Youth Engaged Steering Committee – meeting held 18 August 2016
- . East Ulverstone Swimming Pool Management Committee – meeting held 18 August 2016
- . Ulverstone Wharf Precinct Advisory Committee – meeting held 24 August 2016
- . Turners Beach Community Representatives Committee – meeting held 25 August 2016
- . Central Coast Community Safety Partnership Committee – meeting held 31 August 2016
- . Central Coast Community Shed Management Committee – meeting held 5 September 2016.

Copies of the minutes and notes having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

- “That the (non-confidential) minutes and notes of committees of the Council be received.”

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## NOTES

COMMUNITY SERVICES

**9.2 Statutory determinations**

The Director Community Services reports as follows:

“A Schedule of Statutory Determinations made during the month of August 2016 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reports as follows:

“A copy of the Schedule having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

- “That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received.”

**9.3 Council acting as a planning authority**

The Mayor reports as follows:

“The *Local Government (Meeting Procedures) Regulations 2015* provide that if a council intends to act at a meeting as a planning authority under the *Land Use Planning and Approvals Act 1993*, the chairperson is to advise the meeting accordingly.

The Director Community Services has submitted the following report:

‘If any such actions arise out of Agenda Items 9.5 and 9.6, they are to be dealt with by the Council acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.’”

The Executive Services Officer reports as follows:

“Councillors 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.

A suggested resolution is submitted for consideration.”

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

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#### **9.4 Items referred from Development Support Special Committee**

The Director Community Services reports as follows:

“In the event that any items listed for consideration by the Development Support Special Committee at its scheduled meeting on 12 September 2016 are referred, under its terms of appointment, to the Council or if the Committee is unable to make a determination within the relevant statutory time limit, such items will be placed before the Council at this time while it is acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.

One such item has been referred from the meeting of the Development Support Special Committee on 12 September 2016 because the decision, although carried, was not a unanimous one.

Application No. DA215218 is accordingly to be dealt with by the Council at Agenda Item No. 9.5.”

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**9.5 Visitor Accommodation (two accommodation buildings and two ancillary sheds for boat storage) at CT91766/5 Pine Road, Penguin – Application No. DA215218**

The Director Community Services reports as follows:

“The Town Planner has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:’</i>	DA215218
<i>PROPOSAL:</i>	Visitor Accommodation (two accommodation buildings and two ancillary sheds for boat storage)
<i>APPLICANT:</i>	Mr P and Mrs J Stewart
<i>LOCATION:</i>	CT91766/5 Pine Road, Penguin
<i>ZONE:</i>	Rural Resource
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	6 August 2016
<i>REPRESENTATIONS EXPIRY DATE:</i>	20 August 2016
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	13 September 2016 (extension of time until 19 September 2016)
<i>DECISION DUE:</i>	12 September 2016
<i>PURPOSE</i>	

The purpose of this report is to consider an application for the development of two Visitor Accommodation buildings and ancillary boat storage sheds at CT91766/5 Pine Road, Penguin.

Accompanying this report are the following documents:

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

*BACKGROUND*

*Development description –*

Application is made for Visitor Accommodation development on Rural Resource land at CT91766/5 Pine Road, Penguin. The applicant currently

owns and manages a tourist operation identified as “*Tassie Highland Fishing Accommodation*”. The proposal would expand the business model to the North West region.

Application is made for a staged development across the site comprising the following:

Stage One – Construction of a 125.6m<sup>2</sup> two bedroom Visitor Accommodation cottage.

Stage Two – Construction of a 274.5m<sup>2</sup> three bedroom Visitor Accommodation cottage.

Stage Three – Construction of one 96m<sup>2</sup> five bay boat shed that would be ancillary and subservient to the Visitor Accommodation use of the land.

Stage Four – Construction of a second 96m<sup>2</sup> five bay boat shed.

Stage Five – Construction of an open storage boat area with security fencing for housing of large boats.

Access would be off Pine Road.

The Visitor Accommodation buildings would be clad in rock and timber and roofed in non-reflective “Colorbond” material.

The application is accompanied by supporting documentation including Plans and Elevations by Wood Drafting & Design Service, a “Financial Plan” and written description of the proposal by the Applicants, a “Planning Report” by Planner Jayne Newman, a “Site Classification and On-Site Wastewater System Design” report by Strata Geoscience and Environmental, a “Land Capability Assessment” by Strata Geoscience and Environmental and a “Road Site Distance Assessment” by engineers, Pitt & Sherry.

*Site description and surrounding area –*

The 3.7ha rural property is cleared of native vegetation and does not support any significant rural infrastructure such as sheds, dams or fencing (other than boundary fencing). A small portion the land is used for the raising of chickens, pigs and sheep.

The land is identified on the Council's land capability overlay as Class 3 prime agricultural land. A “Land Capability Assessment” by Strata Geoscience and Environmental classes the land as Class 4 agricultural land, with topsoil depth

greater than 2m. The land is located within the proclaimed Dial/Blythe Irrigation District. The southern, rear portion of the land is slightly elevated, with slopes no greater than 20%.

Surrounding land is also cleared of vegetation and has similar, visible profiles and characteristics. The adjoining rural properties to the east and west are also cleared of vegetation and are used for resource production activities with “required residential” dwellings evident on adjoining rural allotments. A single “residential” dwelling is located directly opposite, the result of a dwelling excision in 1991.

### *History –*

There is no particular history of relevance to the current 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>(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 primary industry that is dependent upon a naturally occurring resource and would not augment ongoing farm operations. The proposal is considered to be associated with the tourism industry; relying on the presence of natural fish stocks across a range of coastal and inland sites. The proposal is considered to be recreational fishing and as such is not classified as a primary industry activity.</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 does not satisfy the Objective. The proposal would result in the permanent loss of</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 style="padding-left: 40px;">(i) required by a primary industry or a resource based activity; or</p> <p style="padding-left: 40px;">(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>land to a tourism industry use of land that has no specific reason to locate on the subject site.</p> <p>(c)(ii) Proposal does not satisfy the Objective. The proposed Visitor Accommodation use has a high potential to unduly conflict, constrain or otherwise interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource. This is due primarily to the proposed proximity of a 'sensitive use' to adjoining primary industry uses.</p> <p>(d) Proposal does not satisfy the Objective. The proposed use is not a primary industry use, rather the proposed use and development would support the tourism industry, in this case, off-site recreational fishing.</p> <p>(e) Proposal does not satisfy the Objective. The subject land is within the Proclaimed Dial/Blythe Irrigation District and is Class 3–4 agricultural land. The proposed use is not related to sustainable agricultural production.</p>
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	<p>(f) Proposal does not satisfy the Objective. Proposed development could be located in other zones, such as General Residential, Rural Living, Low Density Residential, Environmental Living and Recreation; or on other Rural Resource land where potential primary industry use was lost or constrained due to land characteristics. NB: Primary industry also includes activities such as extractive industry and forestry.</p> <p>(g) Proposal does not satisfy the Objective. The proposal satisfies the Objective in that it is associated with the tourism industry. However, accommodation buildings and associated boat sheds are not dependent upon a rural location and would not be undertaken in association with primary industry or a resource based activity on the subject site or on adjoining land. The accompanying Planning Report states the proposed location is favored by the applicants as it allows for easy access to the Bass Highway and coastal fishing sites and offers views to Bass Strait.</p>
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	(h)(i) Not applicable. Not Residential use.
	(h)(ii) Not applicable. Not Residential use.
<b>26.1.3 Desired Future Character Statements</b>	
<p>Use or development on rural land –</p> <p>(a) may create a dynamic, extensively cultivated, highly modified, and relatively sparsely settled working landscape featuring –</p> <ul style="list-style-type: none"> <li>(i) expansive areas for agriculture and forestry;</li> <li>(ii) mining and extraction sites;</li> <li>(iii) utility and transport sites and extended corridors; and</li> <li>(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</li> </ul> <p>(b) may be interspersed with –</p> <ul style="list-style-type: none"> <li>(i) small-scale residential settlement nodes;</li> <li>(ii) places of ecological, scientific, cultural, or aesthetic value; and</li> <li>(iii) pockets of remnant native vegetation</li> </ul>	<p>(a)(i) Proposal is not consistent with Desired Future Character. Proposed development is not associated with a working landscape featuring agriculture or forestry.</p> <p>(a)(ii) Proposal is not consistent with Desired Future Character. Proposed development is not associated with mining and extraction.</p> <p>(a)(iii) Proposal is not consistent with Desired Future Character. Proposed development is not associated with utility and transportation sites or corridors.</p> <p>(a)(iv) Proposal is not consistent with Desired Future Character. Proposed buildings would not be utility service buildings.</p> <p>(b)(i) Not applicable. Proposal will not affect existing residential settlement nodes.</p> <p>(b)(ii) Proposal is consistent with Desired Future Character. Proposed development will not result in a negative effect on places of</p>

<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>ecological, scientific, cultural or aesthetic value.</p> <p>(b)(iii) Not applicable. The site is cleared of native vegetation.</p> <p>(c)(i) Proposal is consistent with Desired Future Character. The proposal would require development of a road, vehicle parking and manoeuvring areas, on-site wastewater and stormwater disposal areas and the construction of five buildings over the site. The underlying physical terrain of the site would remain as existing, although the site would be substantially altered by the proposed constructions and use of the land.</p>
	<p>(c)(ii) Proposal is consistent with Desired Future Character. The site exhibits highly compromised natural biodiversity and ecological systems. The proposal would not</p>

	<p>disturb biodiversity or ecological systems on the site.</p> <p>(c)(iii) Proposal is consistent with Desired Future Character. Proposed development would not disturb existing scenic attributes of the site.</p> <p>(c)(iv) Proposal is consistent with Desired Future Character. Development does not adjoin a Rural Living zone. Development would result in minimal impact on rural residential amenity and would provide additional visitor amenity in this area.</p> <p>(d)(i) Proposal is not consistent with Desired Future Character. Development would not be associated with primary industry.</p> <p>(d)(ii) Proposal is not consistent with Desired Future Character. Development would not be associated with sustainable commercial production based on a naturally occurring resource.</p> <p>(e) Not applicable. Proposal is not significantly influenced by changes in technology, production techniques or economic management and marketing systems.</p>
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**26.3.1 Requirement for discretionary non-residential use to locate on rural resource land**

26.3.1–(P1) Other than for residential use, discretionary permit use must:

- (a) be consistent with local area objectives;
- (b) be consistent with any applicable desired future character statement; and
- (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;

- (a) Non-compliant. Proposal does not meet eight out of 10 of the Local Area Objectives of the Rural Resource zone. Two of the 10 Objectives are not applicable to this application.
- (b) Non-compliant. Proposal does not meet six of the Future Desired Character Statements of the Rural Resource zone. Five of the Statements are satisfied and three are not applicable to this application.
- (c)(i) Non-compliant. A naturally occurring resource in the Rural Resource zone refers to air, water and land resources. Development is for Visitor Accommodation. It is not a requirement of the proposed use and development to locate on rural resource land to access a naturally occurring resource on the site. The application states that the proposal would locate on-site to access views of Bass Strait and for proximity to the Bass Highway.
- (c)(ii) Non-compliant. It is not a requirement of the proposed use and development to access

<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>(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</p>	<p>infrastructure that is only available on the site or adjacent land.</p> <p>(c)(iii) Non-compliant. It is not a requirement of the proposed use and development to access a primary product from a use 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 otherwise available throughout the municipal area for the proposed use and development.</p> <p>(c)(v)(b) Non-compliant. Proposal is not 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) Non-compliant. Proposal would not diversify or value- add to existing or potential primary industry use of the site or adjacent land.</p>
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<p><i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development.</p>	<p>(c)(vii) Non-compliant. Proposal would not provide essential utility or community service.</p> <p>(c)(viii) Non-compliant. No economic, social or environmental cost-benefit analysis to demonstrate significant regional benefit. The application is accompanied by a 2 year Financial Plan that demonstrates the long term viability of the proposal to the developer. It would be fair to state the Financial Plan does not demonstrate significant regional benefit and does not take into account the loss of productive rural land to the region, or wider environmental or social economic impacts or benefits.</p> <p>(d)(i) Non-compliant. Proposal would result in the permanent loss of agricultural land that is located within the Proclaimed Dial/Blythe Irrigation District, for potential primary industry use. The Planning Report accompanying the application states that the site is not within a proclaimed irrigation district. However, this is not the case. The site, including all surrounding land and land on the opposite side of Pine Road, is within the Proclaimed Dial/Blythe Irrigation District;</p>
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	<p>proclaimed under Part 9 of the <i>Water Management Act 1999</i> in February 2014.</p> <p>(d)(ii) Non-compliant. There is a high degree of likelihood the proposal would constrain, fetter or otherwise interfere with existing and potential primary industry use on the site and on adjacent land. Surrounding land would have the opportunity to become part of the Dial/Blythe Irrigation Scheme as irrigation infrastructure is developed. The activities of resource production may result in conflict with an adjoining tourist operation.</p> <p>(d)(iii) Non-compliant. The site is located within the Proclaimed Dial/Blythe Irrigation District. It is considered the proposed use and development would result in the permanent loss of land within a district that was proclaimed under Part 9 of the Water Management Act 1999 in February 2014.</p> <p>Refer to “Issues” section of this report.</p>
<b>26.3.2 Required Residential Use</b>	
26.3.2-(A1) Residential use required as part of a use must:	Not applicable.



<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><li>(e) not create a new residential use through conversion of an existing building;</li><li>(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</li><li>(g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</li><li>(h) there is no change in the title description of the site on which the residential use is located.</li></ul>	Not a required residential use.
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<b>26.3.3 Residential use</b>	
<p>26.3.3-(A1) Residential use that is not required as part of any 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> <li>(e) not create a new residential use through conversion of an existing building;</li> <li>(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</li> <li>(g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</li> <li>(h) there is no change in the title description of the site on which the residential use is located.</li> </ul>	<p>Not applicable.</p> <p>Not a residential use.</p>

<b>26.4 Development Standards</b>	
<b>26.4.1 Suitability of a site or lot on a plan of subdivision for use or development</b>	
<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>(iv) clear of any registered easement;</p> <p>(v) clear of any registered right of way benefiting other land;</p> <p>(vi) clear of any restriction imposed by a utility;</p> <p>(vii) not including an access strip;</p>	<p>(a) Compliant. The area of the subject land is 3.7ha.</p> <p>(b)(i) Compliant. Total proposed building area would be 592.1m<sup>2</sup> comprising a 274.5m<sup>2</sup> three bedroom, Visitor Accommodation building, a 125.6m<sup>2</sup> two bedroom, Visitor Accommodation building and two five bay sheds, each 96m<sup>2</sup>.</p> <p>(b)(ii) Compliant. Buildings meet front, rear and side boundary setback standards.</p> <p>(b)(iii) Not applicable. No zone boundary setbacks.</p> <p>(b)(iv) Not applicable. No registered easements.</p> <p>(b)(v) Not applicable. No right-of-way benefiting other land.</p> <p>(b)(vi) Not applicable. No restrictions imposed by a utility.</p>

(viii) accessible from a frontage or access strip.	(b)(vii) Not applicable. No access strip. (b)(viii) Compliant. Land is accessible from a frontage to Pine Road.
<p>26.4.1–(A2) 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 style="padding-left: 40px;">(i) over land not required as the means of access to any other land; and</p> <p style="padding-left: 40px;">(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 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</p>	<p>(a) Compliant. Development would utilise frontage to Pine Road.</p> <p>(b)–(d) Not applicable. Compliant with (a).</p> <p>(e) Compliant. Existing approved access to Pine Road in accordance with the <i>Local Government (Highways) Act 1982</i>.</p>

<p>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>(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>(a) Not applicable. Compliant with (b).</p> <p>(b)(i) Compliant. The site is not connected to a reticulated system. Each of the proposed Visitor Accommodation buildings would require a (minimum) 10,000 litre water tank supply.</p> <p>(b)(ii)(a) Not applicable.</p> <p>(b)(ii)(b) Compliant. Use would be able to accommodate a maximum of 10 persons 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. is for a single dwelling; or</p> <p>b. provides for an equivalent population of not more than 10 people per day; or</p> <p>(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.</p>	<p>(a) Not applicable. Site is not connected to a reticulated sewer system.</p> <p>(b)(i) Not applicable. Compliant with (b)(iii).</p> <p>(b)(ii) Not applicable. Compliant with (b)(iii).</p> <p>(b)(iii) Compliant. The proposal is supported by a “Site Classification and On-Site Wastewater System Design” report by Strata Geoscience and Environmental. The site has the capacity for on-site disposal of domestic wastewater.</p>
<p>26.4.1–(A5) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use</p>	<p>(a) Not applicable. Site is not connected to a reticulated stormwater system.</p>

<p>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> <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>(i) for discharge to a natural drainage line, water body or watercourse; or</p> <p>(ii) for disposal within the site if:</p> <ol style="list-style-type: none"> <li>the site has an area of not less than 5,000m<sup>2</sup>;</li> <li>the disposal area is not within any defined building area;</li> <li>the disposal area is not within any area required for the disposal of sewage;</li> <li>the disposal area is not within any access strip; and</li> <li>not more than 50% of the site is impervious surface.</li> </ol>	<p>(b)(i) Not applicable. Compliant with (b)(ii).</p> <p>(b)(ii)(a) Compliant. Site has an area of 3.7ha.</p> <p>(b)(ii)(b) Compliant. Stormwater disposal area would be clear of any defined building area.</p> <p>(b)(ii)(c) Compliant. Stormwater disposal area would be clear of wastewater disposal area.</p> <p>(b)(ii)(d) Not applicable. No access strip.</p> <p>(b)(ii)(e) Compliant. More than 50% of the site is permeable land.</p>
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<b>26.4.2 Location and configuration of development</b>	
<p>26.4.2–(A1) A building or a utility structure, other than a crop protection structure for an agriculture use, must be set back:</p> <ul style="list-style-type: none"> <li>(a) not less than 20.0m from the frontage; or</li> <li>(b) not less than 50.0m if the development is for sensitive use on land that adjoins the Bass Highway;</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. Boat sheds would be setback 25m from Pine Road frontage. Visitor Accommodation buildings would be setback 250m from the frontage.</li> <li>(b) Not applicable. Compliant with (a) and land does not adjoin the Bass Highway.</li> <li>(c) Compliant. Boat sheds would be setback 25.4m from nearest side boundary to the east. Visitor Accommodation buildings would be setback 25m from nearest side boundary to the east.</li> <li>(d) Compliant. Boat sheds would be setback 260m from rear boundary. Visitor Accommodation buildings would be setback 35m from rear boundary.</li> <li>(e) Not applicable. No building area is shown on a sealed plan of subdivision.</li> </ul>
<p>26.4.2–(A2) Building height must be not more than 8.5m.</p>	<p>Compliant. Proposed building heights would be a maximum of 4m.</p>



<p>26.4.2–(A3) A building or utility structure, other than a crop protection structure for an agricultural use, must:</p> <p>(a) not project above an elevation 15.0m below the closest ridgeline;</p> <p>(b) be not less than 30.0m from any shoreline to a marine, or aquatic water body, watercourse, or wetland;</p> <p>(c) be below the canopy level of any adjacent forest or woodland vegetation; and</p> <p>(d) be clad and roofed in non-reflective materials.</p>	<p>(a) Non-compliant. Proposed development would be sited on the elevated portion of the property, to take advantage of distant views to Bass Strait.</p> <p>(b) Compliant. Development would be approximately 528m from a waterway.</p> <p>(c) Compliant. Visitor Accommodation buildings would sit below the canopy of any adjacent forest or woodland vegetation.</p> <p>(d) Compliant. Proposed buildings would be clad in rock and timber and roofed in “Colorbond” material.</p>
<p><b>26.4.3 Location of development for sensitive uses</b></p>	
<p>26.4.3–(A1) New development for sensitive uses must:</p> <p>(a) be located not less than:</p> <p>(i) 200m from any agricultural land;</p> <p>(ii) 200m from aquaculture, or controlled environment agriculture;</p> <p>(iii) 500m from extractive industry or intensive animal husbandry;</p>	<p>(a)(i) Non-compliant. Sensitive use would be located 25m from agricultural land.</p> <p>See “Issues” section.</p> <p>(a)(ii) Not applicable. No aquaculture or controlled environment in this area.</p>

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<p>(iv) 100m from land under a reserve management plan;</p> <p>(v) 100m from land designated for production forestry;</p> <p>(vi) 50.0m from a boundary of the land to the Bass Highway, or to a railway line; and</p> <p>(vii) 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>(a)(iii) Compliant. No extractive industry within 500m of the proposed development.</p> <p>(a)(iv) Compliant. No reserve management plan within 100m of the proposed development.</p> <p>(a)(v) Compliant. No production forestry within 100m of proposed development.</p> <p>(a)(vi) Compliant. Proposed development not within 50m of the Bass Highway or a rail line.</p> <p>(a)(vii) Not applicable. No restriction imposed by a utility.</p> <p>(b) Non-compliant. Land is located within the Proclaimed Dial/Blythe Irrigation District, proclaimed under part 9 of the <i>Water Management Act 1999</i> in February 2014.</p> <p>See "Issues" section.</p>
<b>26.4.4 Subdivision</b>	
<p>26.4.4-(P1)</p> <p>(a) A plan of subdivision to reconfigure land must:</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>

<ul style="list-style-type: none"><li>(i) be required to restructure, resize, or reconfigure land for primary industry use; and</li><li>(ii) not create an additional lot;</li></ul> <p>(b) a plan of subdivision to create 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 must retain the balance area for primary industry use;</p> <p>(c) a plan of subdivision to create a new lot must:</p> <ul style="list-style-type: none"><li>(i) be required for a purpose permissible in the zone;</li><li>(ii) be of a size and configuration that is not more than is required to accommodate the nominated use in accordance with the applicable standards of this planning scheme for such use;</li><li>(iii) retain the balance area for primary industry use;</li><li>(iv) minimise unnecessary and permanent loss of rural resource land for existing and potential primary industry use;</li><li>(v) minimise constraint or interference to existing and potential primary industry use on the site and of adjacent land in the zone; and</li></ul>	
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<p>(vi) minimise unnecessary and permanent 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; or</p> <p>(d) a plan of subdivision to reduce the area of an existing lot on a sealed plan containing a lawful use must:</p> <p>(i) not be land containing a residential use approved by a permit granted under the <i>Land Use Planning and Approvals Act 1993</i> as a required part of a permitted use;</p> <p>(ii) incorporate the excised area into an existing primary industry lot by amalgamation in a manner acceptable to the Recorder of Titles <sup>R32</sup>;</p> <p>(iii) minimise likelihood for the existing use on the reduced area lot to further constrain or interfere with use of the balance area or adjacent land for an existing or potential primary industry use; and</p> <p>(iv) retain a lot with a size and shape that:</p> <p>a. can accommodate the lawful existing use or development in accordance with the applicable standards for that use; or</p>	
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b. does not further increase any non-compliance for use or development on the existing lot.	
<b>26.4.5 Buildings for Controlled Environment Agriculture</b>	
<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>(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>	<p>Not applicable.</p> <p>No controlled environment agriculture proposed.</p>
CODES	
<b>E1 Bushfire-Prone Areas Code</b>	Not applicable.
<b>E2 Airport Impact Management Code</b>	Not applicable.
<b>E3 Clearing and Conversion of Vegetation Code</b>	Not applicable.
<b>E4 Change in Ground Level Code</b>	Not applicable.

<b>E5 Local Heritage Code</b>	Not applicable.
<b>E6 Hazard Management Code</b>	Not applicable.
<b>E7 Sign Code</b>	Not applicable.
<b>E8 Telecommunication Code</b>	Not applicable.
<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>	
<p>E9.5.1–(A1) Provision for parking must be:</p> <p>(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;</p> <p>(b) motor bike parking at a rate of one space for every 20 vehicle parking spaces;</p> <p>(c) parking spaces for people with disabilities at the rate of one space for</p>	<p>(a) Compliant. Code E9 requires one space per “holiday cabin” plus one additional space for every three cabins. This equates to a total of three car parking spaces required on the site. There is ample area on the site to accommodate this requirement.</p>

<p>every 20 parking spaces or part thereof; and</p> <p>(d) bicycle parking at the rate of one space for every 20 vehicle parking spaces or part thereof.</p>	<p>(b) Not applicable. Requirement not triggered until 20 vehicle parking spaces are proposed or required.</p> <p>(c) Not applicable. Requirement not triggered until 20 vehicle parking spaces are proposed or required.</p> <p>(d) Not applicable. Requirement not triggered until 20 vehicle parking spaces are proposed or required.</p>
<b>E9.5.2 Provision for loading and unloading of vehicles</b>	
<p>E9.5.2-(A1) There must be provision within a site for:</p> <p>(a) on-site loading area in accordance with the requirement in the Table to this Code; and</p> <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>(a) Compliant. Code E9 requires the site make provision for one small, rigid truck for loading and unloading. There is ample area on the site to accommodate this requirement.</p> <p>(b) Not applicable. Passenger pick-up and set-down facilities not required for business, commercial, educational or retail use.</p>

<b>E9.6 Development Standards</b>	
<b>E9.6.1 Road access</b>	
<p>E9.6.1–(A1) There must be an access to the site from a carriageway of a road <sup>R36</sup>:</p> <p>(a) permitted in accordance with the <i>Local Government (Highways) Act 1982</i>;</p> <p>(b) permitted in accordance with the <i>Roads and Jetties Act 1935</i>; or</p> <p>(c) permitted by a license granted for access to a limited access road under the <i>Roads and Jetties Act 1935</i>.</p>	<p>(a) Compliant. Access to and from Pine Road would be permitted in accordance with the <i>Local Government (Highways) Act 1982</i>.</p> <p>(b) Not applicable. Satisfied by E9.6.1–(A1)(a).</p> <p>(c) Not applicable. Satisfied by E9.6.1–(A1)(a).</p>
<b>E9.6.2 Design of vehicle parking and loading areas</b>	
E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and	Compliant. Development would be required to drain, collect and dispose of stormwater on-site, clear of building sites, wastewater site and access road.
E9.6.2 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 –	(a) Compliant. Circulation and parking areas and vehicle manoeuvring areas would be in accordance with AS/NZS 2890.1 (2004).



<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 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>(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. The site has ample area to accommodate this requirement.</p> <p>(f) Compliant. The site has ample area to accommodate this requirement.</p> <p>(g) Compliant. A condition would need to be applied to a Permit requiring internal roads and car parking areas to be constructed with a compacted sub-base and an all-weather surface.</p>
<p>E9.6.2–(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</p>	<p>Compliant. Design and construction of access vehicle circulation, movement and standing area, must be in accordance with the principles and requirements of the <i>Unsealed Roads Manual – Guideline for Good Practice</i> ARRB.</p>

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Practice ARRB.	
<b>E10 Water and Waterways Code</b>	Not applicable.
<b>Specific Area Plans</b>	Not applicable. No Specific Area Plans apply to this area.

*Issues –*

*1 Development does not meet Scheme Local Area Objectives for the Rural Resources zone –*

The purpose of the Rural Resource zone is to provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunity for resource production. The zone seeks to provide for other use and development that does not constrain or conflict with resource development uses.

The proposed development does not meet any of the Scheme's Local Area Objectives for development and use in the Rural Resource zone. The Local Area Objectives for the Rural Resource zone reference the requirement of the proposed use and development to be reliant upon, be associated with, or have an intention to use a naturally occurring resource that is located on the subject site or adjoining land.

The Objectives seek to protect all agricultural land for sustainable agricultural production and collectively demonstrate that the primary intent of use and development in the Rural Resource zone is to minimise the loss of land for primary industry. Most particularly, minimize the loss of prime agricultural land, protect land that is located within a proclaimed irrigation district and to provide for uses that do not constrain, fetter or conflict with current or future resource development uses.

It is considered the subject proposal is not a use that is associated with primary industry. The proposal is for Visitor Accommodation, whereby visitors would be accommodated for a period of time (overnight or longer term) in cabins and be taken on fishing trips in the North West region. As such, the use of the land is associated with the tourism industry. It is considered the site is not appropriate for the proposed use, which could result in the constraint, fettering or interference with current or future resource development uses in the area.

*2 Development within the Dial/Blythe Irrigation District –*

The Central Coast municipal area accommodates two irrigation districts, proclaimed under Part 9 of the *Water Management Act 1999*. The Kindred/North Motton Irrigation District, proclaimed in August 2012, and the Dial/Blythe Irrigation District, proclaimed in February 2014.

The proposed development would be on land that is located within the Dial/Blythe Irrigation District. All surrounding land is also within the Dial/Blythe Irrigation District.

The Dial/Blythe Irrigation District comprises 12,568ha and is expected to have the capacity to supply 2,855ML of water over the summer irrigation period, giving water security to affected lands. The Scheme is intended to service pasture and cropping land around the settlements of South Riana, Riana, Penguin, West Pine, Cuprona and Howth. Currently, the production of potatoes, other vegetables, poppies, pyrethrum, blueberries, beef and dairy produce are the primary activities in these areas.

It is considered the proposed development would exclude the property from future broad scale irrigation and associated resource production. Development would place a sensitive, tourism use within a recently established irrigation district, where surrounding property may also be able to benefit and augment production from the “roll out” of the Irrigation Scheme.

### *3 Discretionary Non-Residential Use on Rural Resource land –*

The proposed development does not meet any of the Scheme's Standards of Clause 26.3.1–(P1) for “Discretionary” Non-Residential Use to Locate on Rural Resource land. It is mandatory that the proposal meets at least one of the Scheme’s requirements.

Performance Criteria 26.3.1–(P1) states that, other than for residential development, discretionary uses must be reliant or dependent on primary industry to locate on Rural Resource land. The subject proposal is not able to meet these Performance Criteria. The proposal does not require to be located on Rural Resource land to access a naturally occurring resource on the subject site, or to access infrastructure only available on the subject site or adjacent land.

It is not a requirement of the proposed use and development to access a primary product from a use on the subject site or adjacent land or to service primary industry or reasons of public health or safety.

The proposed development would not diversify or value-add to an existing or potential primary industry use of the site or adjacent land.

The proposal would not provide an essential utility or community service and is not required to locate on Rural Resource land for security reasons.

The application is not accompanied by an economic, social and environmental cost-benefit analysis to demonstrate significant regional benefit. It is considered there is no obvious or demonstrated benefit to the region, except for tourism, and the proposal fails on the need to be reliant upon a primary industry resource.

4 *The development of a Sensitive Use on Rural Resource Land –*

Visitor Accommodation is defined as a “sensitive use” under the the Scheme.

The Scheme’s Acceptable Solution 26.4.1 requires that a sensitive use be setback a minimum of 200m from agricultural land. This is to minimise the proximity of a sensitive use to agricultural operational activities. Close proximity, less than 200m, may result in the conflict, interference or fettering of primary industry activity on adjoining agricultural land. Conflict may arise where visitor accommodation use is in close proximity to primary industry due to differing expectations, the spraying of agricultural chemicals, pivot irrigation noise and spray, dust, and the activities of planting, ongoing maintenance and the harvesting of crops that may give rise to a nuisance to occupants of an adjoining sensitive use.

The Scheme’s Performance Criteria 26.4.3–(P1) requires that the new sensitive use must minimise all of the following:

- (a) *permanent loss of land for existing and potential primary industry use;*
- (b) *likely constraint or interference to existing and potential primary industry use on the site and on adjacent land;*
- (c) *permanent loss of land within a proclaimed irrigation district under Part 9 of the Water Management Act 1999 or land that may benefit from the application of broad-scale irrigation development ; and*
- (d) *adverse effect on the operations and safety of a major road, a railway or a utility.*

It is considered the proposed Visitor Accommodation and associated development works over the land would result in the permanent loss of land for existing and potential primary industry use. The proposed 25m side setback and 35m rear setback of Visitor Accommodation buildings from agricultural land would result in a likely constraint, interference or/and fettering of primary industry activity on subject land or on adjacent land.

Note: Other Visitor Accommodation developments approved by the Council have been associated with a primary industry activity on-site; such as a productive truffle farm at Wyllies Road and visitor cabins on a 41ha horse & cattle rearing property at South Nietta, where the use would augment and be associated with on-site activities. Both properties demonstrated viable, on-site primary industry activity, were not located within a proclaimed irrigation district and 'sensitive use' standards were able to be met.

*Referral advice –*

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No comment.
Infrastructure Services	Refer to Statement of Compliance from Road Authority.
TasWater	Not applicable.
Department of State Growth	No applicable.
Environment Protection Authority	No 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
1. Adjoining owners manage land that is to the South and East of the subject property. Adjoining land comprises two Titles (CT91766/4 and CT221745/1). The owners use their property for resource production (agriculture). They object to the proposal and are concerned the use of adjoining land for Visitor Accommodation will affect their use (and management and value) of their land for agriculture. Particularly, they are concerned that the proximity of the proposed accommodation dwellings will interfere with their ability to spray chemicals for farming.	<p>The issue raised is a matter the Local Area Objectives and Standards of the Scheme attempt to address through use and development controls. That is, the constraint, fettering and interference of uses that are not reliant upon, or associated with, primary industry use in the Rural Resource zone.</p> <p>The Scheme requires a “sensitive use”, such as Visitor Accommodation, be setback a minimum of 200m from all boundaries to agricultural land. The setback requirement is to mitigate conflict that may arise due to the spraying of chemicals, pivot irrigation noise and spray, dust, and the planting, maintenance and harvesting of crops on adjoining land.</p> <p>The subject proposal would be setback 25m to the eastern</p>

	boundary and 35m to the rear boundary of the property. The matter raised by the representor is considered to be legitimate.
2. The Representation raises concern that the trees proposed along the eastern and southern boundaries of the subject property will result in root intrusion onto their land and drain soil of nutrients.	<p>This may be a valid matter however it is not a matter the Scheme can adequately address. It is noted that there is an established practice of planting wind breaks across rural land, which does result in the loss of some productive land. The loss of agricultural land is traded “on farm”, with the benefit of the protection of stock and crops from strong winds.</p> <p>If the proposed Visitor Accommodation use was established, then a vegetation screen may limit conflict between adjoining land uses and nuisance complaint.</p>
3. The representation cites Clause 26.3.1 (c)(iii) of the <i>Central Coast Interim Planning Scheme 2013</i> , stating that the proposal does not meet the Performance Criteria as the proposal is not for the purpose of accessing a product for primary industry purpose from a use on the site or on adjacent land.	This matter has been addressed in the “Issues” section of this report. It is accepted that the proposed use (Visitor Accommodation) is not for the purpose of accessing a product for primary industry purpose from a use on the subject site or on adjoining land.
4. The representation cites Clause 26.4.3 of the <i>Central Coast Interim Planning Scheme 2013</i> , stating that the proposal does not meet the Scheme’s Acceptable Solution or the Performance Criteria and that the proposal will constrain or	<p>Clause 26.4.3 relates to the “Location of development for sensitive uses”.</p> <p>This matter has been addressed in the “Issues” section of this report. It is accepted the proposed use (Visitor Accommodation) may result in the permanent loss of land for primary</p>



interfere with existing primary industry use of their property.	industry, constrain or interfere with surrounding agricultural use of land and result in the loss of land within the proclaimed Dial/Blythe Irrigation District.
5. The representation states they would consider withdrawing their objection to the proposal if development was located at least 35m away from boundary lines.	The representor offers a solution to the setback from agricultural land. However, the proposal of a 35m setback does not meet the requirements of the Scheme and does not alter the overriding concerns that have been raised in this report.

#### *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 is deemed to have merit. The proposed use and development of the land for Visitor Accommodation would place a "sensitive use" that would be a tourist orientated operation, within the surrounds of an area that relies on primary industry as the principal means of income and activity. It is considered the potential for land use conflict between agriculture and overnight tourists is likely.

The proposed development is not able to meet key Objectives and Performance Criteria that seek to protect land for primary industry purpose. The proposed use is not a primary industry use of the site, would not be dependent upon access to a primary industry that is dependent upon a

naturally occurring resource and the development would not augment ongoing farm operations.

It is considered the proposal would result in the permanent loss of viable agricultural land with the Proclaimed Dial/Blythe Irrigation District.

*Recommendation –*

It is recommended that the application for Visitor Accommodation (two accommodation buildings and two ancillary sheds for boat storage) at CT91766/5 Pine Road, Penguin be refused on the following grounds:

- 1 The proposal is not able to satisfy the Local Area Objectives for development and use in the Rural Resource zone in that the proposed use and development would not protect agricultural land for sustainable, agricultural production and would not be reliant upon, be associated with, or have an intention to use a naturally occurring resource that is located on the subject site or adjoining land.
- 2 The proposal is not able to satisfy mandatory Performance Criteria for “Discretionary Non-Residential Use to Locate on Rural Resource Land” as stipulated under Clause 26.3.1–(P1) in that the proposed use and development would not be reliant or dependent on primary industry to locate on Rural Resource land and would result in the loss of agricultural land that is located within the Proclaimed Dial/Blythe Irrigation District.
- 3 The development is not able to satisfy the Performance Criteria relative to the “Location of Development for Sensitive Uses” as stipulated under Clause 26.4.3–(P1), in that development less than 200m from agricultural land may result in the constraint, fettering or conflict with current or future resource development uses on adjoining land.

The 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 Visitor Accommodation (two accommodation buildings and two ancillary sheds for boat storage) at CT91766/5 Pine Road, Penguin be refused on the following grounds:

- 1 The proposal is not able to satisfy the Local Area Objectives for development and use in the Rural Resource zone in that the proposed use and development would not protect agricultural land for sustainable, agricultural production and would not be reliant upon, be associated with, or have an intention to use a naturally occurring resource that is located on the subject site or adjoining land.
  - 2 The proposal is not able to satisfy mandatory Performance Criteria for “Discretionary Non-Residential Use to Locate on Rural Resource Land” as stipulated under Clause 26.3.1-(P1) in that the proposed use and development would not be reliant or dependent on primary industry to locate on Rural Resource land and would result in the loss of agricultural land that is located within the Proclaimed Dial/Blythe Irrigation District.
  - 3 The development is not able to satisfy the Performance Criteria relative to the “Location of Development for Sensitive Uses” as stipulated under Clause 26.4.3-(P1), in that development less than 200m from agricultural land may result in the constraint, fettering or conflict with current or future resource development uses on adjoining land.
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**9.6 Residential (outbuildings – laundry and water tank) involving variations to standards for the minimum lot size, frontage setbacks and area for stormwater disposal (re-advertised) at 468 West Pine Road, West Pine – Application No. DA216005**

The Director Community Services reports as follows:

“The Planning Consultant has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA216005
<i>PROPOSAL:</i>	Residential (outbuildings – laundry and water tank) involving variations to standards for the minimum lot size, frontage setbacks and area for stormwater disposal (re-advertised)
<i>APPLICANT:</i>	Graeme Cure
<i>LOCATION:</i>	468 West Pine Road, West Pine
<i>ZONE:</i>	Rural Resource
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	30 July 2016
<i>REPRESENTATIONS EXPIRY DATE:</i>	14 August 2016
<i>REPRESENTATIONS RECEIVED:</i>	15
<i>42-DAY EXPIRY DATE:</i>	30 August 2016 (extension of time to 20 September 2016)
<i>DECISION DUE:</i>	19 September 2016
<i>PURPOSE</i>	

The purpose of this report is to consider an application for Residential (outbuildings – laundry and water tank) involving variations to standards for the minimum lot size, frontage setbacks and area for stormwater disposal (re-advertised) at 468 West Pine Road, West Pine.

Accompanying the report are the following documents:

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

*BACKGROUND*

*Development description –*

The applicant is seeking planning approval for an existing non approved small laundry and 110,000 litre water tank.

The existing laundry is illegally situated over the West Pine Road reserve boundary. The laundry which is approximately 15m<sup>2</sup> in area and clad with galvanised corrugated sheet metal will be re-orientated 45° so that its rear wall will be approximately 200mm from the West Pine Road boundary. The building will also be parallel with the road boundary.

The water tank, which is located next to the large visitor accommodation building, services the laundry and existing on-site accommodation facilities. Overflow from the tank will be directed to an absorption trench located between the visitor accommodation building and Davey's Road.

Wastewater from the laundry is and will be disposed of through the approved on-site wastewater system.

*Site description and surrounding area –*

The subject site is a triangular shaped lot located at the apex intersection of West Pine and Davey's Road, West Pine. The land is 3,194m<sup>2</sup> in area and is relatively flat and cleared of native vegetation. The surrounding land use is agriculture although there are several dwellings nearby.

The site area has been recently expanded from 2,897m<sup>2</sup> with a westwards extension of the boundary adjoining with Davey's Road by 4m.

Also on the site is a large metal clad building converted for the purpose of a six-bedroom visitor accommodation and a converted church building for residential purposes.

The laundry is located within the landscaped and fenced curtilage of the ex-church building (see photos).

The site and surrounding area is situated within the Dial/Blythe Irrigation District.

### *History –*

The development on the site has involved a number of planning, building and plumbing permit issues (eg unauthorised buildings, conflicting information being submitted, non-compliance of Council orders and building in the road reserve). The building and plumbing issues/activities have been subject to an audit by the Department of Justice.

Regardless of the previous issues, the focus in this instance has to be on the application for the water tank and laundry. The applicant has purchased land in Davey's Road from the Crown, a 4m strip, in order to rectify the issue of illegally building within the Road Reserve. In effect, the application is a request for a retrospective approval which is not ideal, but not unusual. As the development has already been constructed the visual impacts can be assessed.

### 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>Approval of the small laundry building and water tank will not have a detrimental effect on the Local Area Objectives. The uses are associated with the approved on-site residential and visitor accommodation. Also the two uses are benign in that they will not create conflict or interfere with primary industry in the area. The primary use of the site is not agriculture.</p>

## COMMUNITY SERVICES

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<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 style="padding-left: 40px;">(i) required by a primary industry or a resource based activity; or</p> <p style="padding-left: 40px;">(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>	
<b>26.1.3 Desired Future Character Statements</b>	
Use or development on rural land –	Similar to above in that the application involves approval of a small building to be used as a laundry



<p>(a) may create a dynamic, extensively cultivated, highly modified, and relatively sparsely settled working landscape featuring –</p> <ul style="list-style-type: none"> <li>(i) expansive areas for agriculture and forestry;</li> <li>(ii) mining and extraction sites;</li> <li>(iii) utility and transport sites and extended corridors; and</li> <li>(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</li> </ul> <p>(b) may be interspersed with –</p> <ul style="list-style-type: none"> <li>(i) small-scale residential settlement nodes;</li> <li>(ii) places of ecological, scientific, cultural, or aesthetic value; and</li> <li>(iii) pockets of remnant native vegetation</li> </ul> <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> </ul>	<p>and an existing water tank. There will be no detrimental effect on the Desired Future Character Statements.</p>
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<ul style="list-style-type: none"> <li>(iii) scenic attributes; and</li> <li>(iv) rural residential and visitor amenity;</li> <li>(d) may involve sites of varying size – <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> </li> <li>(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.</li> </ul>	
<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> <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement; and</li> <li>(c) be required to locate on rural resource land for operational efficiency:</li> </ul>	<p>Not applicable.</p>

<ul style="list-style-type: none"> <li>(i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;</li> <li>(ii) to access infrastructure only available on the site or on adjacent land in the zone;</li> <li>(iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;</li> <li>(iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;</li> <li>(v) if required <ul style="list-style-type: none"> <li>a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;</li> <li>b. for security;</li> <li>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;</li> </ul> </li> <li>(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;</li> </ul>	
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<ul style="list-style-type: none"> <li>(vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or</li> <li>(viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and</li> <li>(d) minimise likelihood for: <ul style="list-style-type: none"> <li>(i) permanent loss of land for existing and potential primary industry use;</li> <li>(ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and</li> <li>(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.</li> </ul> </li> </ul>	
<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> </ul>	<p>Not applicable as the application is for a laundry and water tank associated with the existing residential and accommodation use. The laundry and water tank are integral and subservient to the existing approved uses.</p>

<ul style="list-style-type: none"> <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> <li>(e) not create a new residential use through conversion of an existing building;</li> <li>(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</li> <li>(g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</li> <li>(h) there is no change in the title description of the site on which the residential use is located.</li> </ul>	
<b>26.3.3 Residential use</b>	
<p>26.3.3-(A1) Residential use that is not required as part of another 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> </ul>	<p>Compliant.</p> <p>Both uses are integral and subservient to the existing approved uses.</p>

<ul style="list-style-type: none"> <li>(c) not intensify an existing lawful residential use;</li> <li>(d) not replace an existing residential use;</li> <li>(e) not create a new residential use through conversion of an existing building;</li> <li>(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</li> <li>(g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</li> <li>(h) there is no change in the title description of the site on which the residential use is located.</li> </ul>	
<b>26.4 Development Standards</b>	
<b>26.4.1 Suitability of a site or lot on a plan of subdivision for use or development</b>	
<p>26.4.1–(A1) A site or each lot on a plan of subdivision must:</p> <ul style="list-style-type: none"> <li>(a) unless for agricultural use, have an area of not less than 1.0 hectare not including any access strip; and</li> <li>(b) if intended for a building, contain a building area</li> </ul>	<p>The site area is 3,194m<sup>2</sup> which is less than the required 1ha. The Performance Criteria allows for a lesser area if the access and adjoining development and use and any easement is not compromised. Given the site has received approval for residential and visitor accommodation, on-site wastewater treatment</p>

<ul style="list-style-type: none"> <li>(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;</li> <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>	<p>has been approved and the access is not impinged its considered the site area is adequate.</p>
<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> </ul>	<p>Compliant.</p> <p>The existing access arrangement satisfies the Acceptable Solution.</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 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>Compliant as meets the Performance Criteria.</p> <p>The site is connected to an on-site water system.</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>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 onsite 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>	<p>Compliant.</p> <p>The site is connected to an approved on-site wastewater system.</p>

<p>b. provides for an equivalent population of not more than 10 people per day; or</p> <p>(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.</p>	
<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> <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>(i) for discharge to a natural drainage line, water body or watercourse; or</p> <p>(ii) for disposal within the site if:</p> <p>a. the site has an area of not less than 5,000m<sup>2</sup>;</p> <p>b. the disposal area is not within any defined building area;</p>	<p>Compliant.</p> <p>The site is connected to an on-site stormwater system. The Council's Planning Permit requires compliance with its approval as a Stormwater Authority issued as a Statement of Compliance.</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.</li> </ul>	
<b>26.4.2 Location and configuration of development</b>	
<p>26.4.2–(A1) A building or a utility structure, other than a crop protection structure for an agriculture use, must be set back:</p> <ul style="list-style-type: none"> <li>(a) not less than 20.0m from the frontage; or</li> <li>(b) not less than 50.0m if the development is for sensitive use on land that adjoins the Bass Highway;</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>	<p>Not compliant with the Acceptable Solution A1 (a) as laundry and water tank structures would be setback 200mm and 300mm respectively from West Pine Road and Daveys Road frontages.</p> <p>The application therefore must meet criteria set out in Performance Criteria 26.4.2–(P1)(a) and (b) which allows consideration of the existing streetscape and constraints of the site such as size and shape of the site, orientation and topography of the land, arrangements for water supply and the drainage and disposal of sewage and stormwater.</p> <p>The large green coloured accommodation building which appears as a shed in the landscape dominates the Davey’s Road streetscape but has a lesser degree</p>

	<p>of influence from West Pine Road due to the distance and being part of a complex of buildings. The water tank is lower than the adjacent buildings and is similar in colour and building material. The setback for the tank is similar to the ex-church building and the accommodation building. Moving it further from the boundary is unlikely to make a significant visual improvement to the streetscape. Soakage drains have been installed nearby. It's considered the water tank meets the Performance Criteria.</p> <p>With regard to the laundry, the streetscape is influenced by the large gum trees, the picket fence, the signage and the cottage garden. From some viewing points, the laundry appears as part of the curtilage. It has the appearance of a small rustic shed. It's considered the laundry setback has minimal impact on the streetscape.</p> <p>Acceptable Solutions (b – 5km from Highway), (c–48m) ((d) and (e) – no building area shown) are met.</p>
26.4.2–(A2) Building height must be not more than 8.5m.	Compliant as buildings less than 8.5m.

<p>26.4.2–(A3) A building or utility structure, other than a crop protection structure for an agricultural use, must:</p> <ul style="list-style-type: none"> <li>(a) not project above an elevation 15.0m below the closest ridgeline;</li> <li>(b) be not less than 30.0m from any shoreline to a marine, or aquatic water body, watercourse, or wetland;</li> <li>(c) be below the canopy level of any adjacent forest or woodland vegetation; and</li> <li>(d) be clad and roofed in non-reflective materials.</li> </ul>	<p>Compliant.</p> <p>Compliant as no ridgeline.</p> <p>Compliant as not within 30m of a watercourse or water body. Its noted in the SEAM report that the risk of contamination relation to bore quality is considered to be very low.</p> <p>Compliant as no adjacent forest.</p> <p>Compliant as laundry building is clad with non-reflective corrugated metal sheeting. The water tank is finished in a dark coloured matte material.</p>
<p><b>26.4.3 Location of development for sensitive uses</b></p>	
<p>26.4.3–(A1) New development for sensitive uses must:</p> <ul style="list-style-type: none"> <li>(a) be located not less than: <ul style="list-style-type: none"> <li>(i) 200m from any agricultural land;</li> <li>(ii) 200m from aquaculture, or controlled environment agriculture;</li> <li>(iii) 500m from extractive industry or intensive animal husbandry;</li> </ul> </li> </ul>	<p>Not applicable as buildings not a new sensitive use.</p>

<ul style="list-style-type: none"> <li>(iv) 100m from land under a reserve management plan;</li> <li>(v) 100m from land designated for production forestry;</li> <li>(vi) 50.0m from a boundary of the land to the Bass Highway, or to a railway line; and</li> <li>(vii) 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>	
<b>26.4.4 Subdivision</b>	
<p>26.4.4-(P1)</p> <ul style="list-style-type: none"> <li>(a) A plan of subdivision to reconfigure land must: <ul style="list-style-type: none"> <li>(i) be required to restructure, resize, or reconfigure land for primary industry use; and</li> <li>(ii) not create an additional lot;</li> </ul> </li> </ul>	<p>Not applicable as not an application for subdivision.</p>

<p>(b) a plan of subdivision to create 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 must retain the balance area for primary industry use;</p> <p>(c) a plan of subdivision to create a new lot must:</p> <ul style="list-style-type: none"> <li>(i) be required for a purpose permissible in the zone;</li> <li>(ii) be of a size and configuration that is not more than is required to accommodate the nominated use in accordance with the applicable standards of this planning scheme for such use;</li> <li>(iii) retain the balance area for primary industry use;</li> <li>(iv) minimise unnecessary and permanent loss of rural resource land for existing and potential primary industry use;</li> <li>(v) minimise constraint or interference to existing and potential primary industry use on the site and of adjacent land in the zone; and <ul style="list-style-type: none"> <li>a. minimise unnecessary and permanent 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; or</li> </ul> </li> </ul>	
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<p>(d) a plan of subdivision to reduce the area of an existing lot on a sealed plan containing a lawful use must:</p> <ul style="list-style-type: none"> <li>(i) not be land containing a residential use approved by a permit granted under the <i>Land Use Planning and Approvals Act 1993</i> as a required part of a permitted use;</li> <li>(ii) incorporate the excised area into an existing primary industry lot by amalgamation in a manner acceptable to the Recorder of Titles <sup>R32</sup>;</li> <li>(iii) minimise likelihood for the existing use on the reduced area lot to further constrain or interfere with use of the balance area or adjacent land for an existing or potential primary industry use; and</li> <li>(iv) retain a lot with a size and shape that: <ul style="list-style-type: none"> <li>a. can accommodate the lawful existing use or development in accordance with the applicable standards for that use; or</li> <li>b. does not further increase any non-compliance for use or development on the existing lot.</li> </ul> </li> </ul>	
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<b>26.4.5 Buildings for Controlled Environment Agriculture</b>	
<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>(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>	Not applicable as not an application for controlled environment agriculture.
CODES	
<b>E1 Bushfire-Prone Areas Code</b>	Not applicable as the proposed use is not a defined vulnerable or sensitive use or a subdivision.
<b>E2 Airport Impact Management Code</b>	Not applicable as not within an Airport Impact overlay.
<b>E3 Clearing and Conversion of Vegetation Code</b>	Not applicable as no vegetation to be cleared.
<b>E4 Change in Ground Level Code</b>	Not applicable.
<b>E5 Local Heritage Code</b>	Not applicable as no impact on Heritage items or area.

## COMMUNITY SERVICES

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<b>E6 Hazard Management Code</b>	Not applicable as site known or suspected of contamination or within a mapped area.
<b>E7 Sign Code</b>	Not applicable as no application for a sign.
<b>E8 Telecommunication Code</b>	Not applicable.
<b>E9 Traffic Generating Use and Parking Code</b>	Not applicable as the laundry and water tank are not determinants for car parking.
<b>E10 Water and Waterways Code</b>	Not applicable as not within designated area.
Specific Area Plans	
<b>F1.0 Forth Specific Area Plan</b>	Not applicable as not in defined SAP area.
<b>F2.0 Ulverstone Wharf Specific Area Plan</b>	Not applicable as not in defined SAP area.
<b>F3.0 Penguin Specific Area Plan</b>	Not applicable as not in defined SAP area.
<b>F4.0 Turners Beach Specific Area Plan</b>	Not applicable as not in defined SAP area.

*Issues –*

- 1 This application has been lodged to resolve planning issues such as construction of the water tank and laundry in the road reservation. The applicant has purchased a 4m strip of the Daveys Road reserve and consolidated it and the two existing titles into a single title. The water tank is now located on private property.
- 2 The laundry is to be re-orientated approximately 45° so that it will be located on private property.
- 3 The setback requirements as determined in the Acceptable Solutions are not met. However, as discussed at Clause 26.4.2, it is considered the requirements of the Performance Criteria are met.

*Referral advice –*

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No condition.
Infrastructure Services	Condition as provided.
TasWater	No referral required.
Department of State Growth	No referral required.
Environment Protection Authority	No referral required.
TasRail	No referral required.
Heritage Tasmania	No referral required.
Crown Land Services	No referral required.
Other	No referral 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 –*

Fifteen representations were received within the prescribed time, copies of which are provided at Annexure 3.

The representations are summarised and responded to as follows:

MATTER RAISED	RESPONSE
REPRESENTATION 1	
<p>1. The laundry and tank are being placed in areas that according to the Scheme are to be free of structures. The buildings have been placed without Planning Permits.</p> <p>2. There is plenty of space to place the buildings elsewhere on the title.</p>	<p>The Scheme sets out setback requirements which include the possibility of variations.</p> <p>The application is assessed as requested.</p>
REPRESENTATION 2	
1 Relaxation of standards must not be granted as the size and shape of the block allows location elsewhere.	The Scheme allows consideration of lesser setback distances.
2 Tank overflow is beside the shed foundation.	Owner is responsible for ensuring foundations are structurally sound.
3 Some information on the application is incorrect or conflicting eg a toilet located on	Noted but is not a fatal flaw to the application for the laundry and water tank.

laundry site and information on water usage.	
REPRESENTATION 3	
1 Department of Justice report recommended that both structures (tank and laundry) be relocated so that the building line be observed.	The Scheme sets out the building line. The Scheme also allows a variation.
REPRESENTATION 4	
1 Retrospective planning approval should only be given in exceptional circumstances not when the rules have been ignored.	Retrospective planning is not ideal but not unusual in order to correct mistakes. The application has to be assessed on its merits, not the history of the site.
REPRESENTATION 5	
1 Planning approval for illegal structures has been by stealth.	Retrospective approval is not ideal but is possible. The application has to be assessed on its merits, not the history of the site.
2 Relaxation of standards must not be given.	The Scheme allows relaxation of standards through the use of Performance Criteria.
3 The zone is rural on prime land and should not be developed further.	The land is already substantially converted from agricultural use.
REPRESENTATION 6	
1 The owner should have followed the rules.	Retrospective approval is not ideal but is possible. The application for the laundry and tank has to be assessed on its merits, not the history of the site.

2 The large shed looks out of place and doesn't blend in with the streetscape.	The shed has received approval.
REPRESENTATION 7	
1 Retrospective approval should only be given in exceptional circumstances.	Retrospective approval is not ideal but is possible. The application for the laundry and tank has to be assessed on its merits, not the history of the site.
2 No title has been issued for enlarged area.	The title for the enlarged area has been issued.
REPRESENTATION 8	
1 The Council should force the relocation of the buildings as there is enough room on the block. There is no reason to grant a variation.	The application for the laundry and tank has to be assessed on its merits, not the history of the site. If the application satisfactorily meets the Scheme requirements, then there is no reason for refusal.
REPRESENTATION 9	
1 Department of Justice report states the tank should be removed.	The report states that purchase of Crown land will resolve the issue of the construction of the tank over the boundary.
2 Minister Groom only approved the land sale to save the integrity of the church building.	The purported reason for the land sale has no bearing on the Scheme apart from the fact it's incorporated into a single title covering the subject site.
3 Approving a setback of 200mm from the boundary sets a precedent for all other building applications.	Each application has to be treated on its merits.
REPRESENTATION 10	

1 Retrospective approval should only be given in exceptional circumstances.	Retrospective approval is not ideal but is possible. The application for the laundry and tank has to be assessed on its merits, not the history of the site.
2 The large building has altered the streetscape and allowing the laundry and tank to remain put continues to impact on the surrounding environment.	The large building has altered the visual aspect of the site but as indicated elsewhere the tank and laundry in contrast will have a much lesser to minimal visual impact.
3 Questions the height of the tank.	The height meets the Acceptable Solution.
REPRESENTATION 11	
1 If proper procedures had been followed the application for variation would not be required as there is adequate room on the site.	The applicant has requested a variation which needs to be assessed.
2 Car parking is non-existent.	The laundry and water tank are not determinants for car parking.
3 Retrospective approval should only be given in exceptional circumstances.	Retrospective approval is not ideal but is possible. The application for the laundry and tank has to be assessed on its merits, not the history of the site.
4 The water tank has never received planning approval.	The application is for retrospective approval of the tank.
5 Questions the SEAM report re: usage of 80 litres per person per day. The tank has to be topped up in summer.	Noted but not relevant to the application.
6 Some information supplied in the application not correct (eg	Noted but not relevant to the application.

location of an old toilet and slope).	
REPRESENTATION 12	
1 The Council should force the relocation of the buildings as there is enough room on the block. There is no reason to grant a variation.	Retrospective approval is not ideal but is possible. The application for the laundry and tank has to be assessed on its merits, not the history of the site.
2 A precedent for allowing variations for setbacks in the Rural Resource zone will be set.	This is not correct as each application has to be treated on its merits.
3 The setback of the tank has only been achieved by the actions of the applicant which included not following proper procedures.	This may be a sound proposition but the actions of the applicant that include purchasing Crown land to resolve some issues.
4 Questions the SEAM report re: usage of 80 litres per person per day. The tank has to be topped up in summer.	Noted but not relevant to the application.
REPRESENTATION 13	
1 Nothing warrants the laundry and tank being so close to the boundary. No justification given.	The application is assessed on its merits including the Scheme requirements and the site characteristics.
2 No disabled parking spaces.	The laundry and tank are not parking determinants.
3 Conflicting information supplied in the application.	Noted.
4 Possible damage could occur to the building foundations from the stormwater overflow trench.	Responsibility of the owner to ensure that foundations are structurally sound.



5 Laundry will still be in the building line.	The Scheme allows a variation to the Acceptable Solution setback.
REPRESENTATION 14	
1 Questions the SEAM report re: usage of 80 litres per person per day. The tank has to be topped up in summer.	Noted but not relevant to the application.
2 The buildings as setback on the site have impacted on the rural nature of the area. The laundry and tank as they are now located should not be allowed.	The large approved accommodation building and associated development impacts on the streetscape to such an extent that moving the tank and laundry will make relatively little improvement to the streetscape.
3 There is a history of non-compliance regarding development on the site.	Development on the site has been subject to various Council orders and reviews including one by the Department of Justice.
REPRESENTATION 15	
1 Application doesn't meet Rural Resource Objectives.	The site has been converted to a non-agricultural use. Visitor accommodation is an allowed use in the zone.
2 Information supplied in the application incorrect and misleading.	Noted but not a material matter.
3 Questions the SEAM report re: usage of 80 litres per person per day. The tank has to be topped up in summer.	Noted but not relevant to the application.
4 Development on the site often done without appropriate approvals.	Development on the site has been subject to various Council orders and reviews including one by the Department of Justice.

	Retrospective approval is not ideal but is possible. The application for the laundry and tank has to be assessed on its merits, not based on the development history of the site.
5 Raises application issues.	Satisfied the application meets the requirements.
6 Irrigation overspray will impact on the tank water.	It's noted the tank is roofed.
7 Stormwater from the tank is not contained on site.	A condition of approval is that stormwater is to be retained on site.
8 Raised various matters of previous non-compliance.	Not relevant to current application.

*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 requested approval for the existing water tank and laundry is recommended for conditional approval as the application, use and development meets the requirements of the Scheme.

*Recommendation –*

It is recommended that the application for Residential (outbuildings – laundry and water tank) involving variations to standards for the minimum lot size, frontage setbacks and area for stormwater disposal (re-advertised) at 468

West Pine Road, West Pine be approved subject to the following conditions and notes:

- 1 The development is to be in accordance with the application and the following plans submitted with the application; Site Plan Drawing 216059-2, Drainage Plan Drawing 216059-3, Proposed Alterations Drawing 216059-8.
- 2 The disposal of concentrated stormwater drainage from buildings and hard surfaces must be contained on-site and be dealt with by in-ground absorption.

Please note:

- 1 A Planning Permit remains valid for two years. If the use 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 Building and Plumbing Permits are required for the proposed development. A copy of this Planning Permit should be given to your Building Surveyor.'

The report is supported."

The Executive Services Officer reports as follows:

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

■ "That the application for Residential (outbuildings – laundry and water tank) involving variations to standards for the minimum lot size, frontage setbacks and area for stormwater disposal (re-advertised) at 468 West Pine Road West Pine Road be approved subject to the following conditions and notes:

- 1 The development is to be in accordance with the application and the following plans submitted with the application; Site Plan Drawing 216059-2, Drainage Plan Drawing 216059-3, Proposed Alterations Drawing 216059-8.
- 2 The disposal of concentrated stormwater drainage from buildings and hard surfaces must be contained on-site and be dealt with by in-ground absorption.

Please note:

- 1 A Planning Permit remains valid for two years. If the use 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 Building and Plumbing Permits are required for the proposed development. A copy of this Planning Permit should be given to your Building Surveyor."
- .....
- .....
- .....

### **9.7 Visitor Accommodation – proximity to rail line at 204 Main Road, Penguin – Application No. DA216022**

The Director Community Services reports as follows:

"The Town Planner has prepared the following report:

<i>'DEVELOPMENT APPLICATION No.:</i>	DA216022
<i>PROPOSAL:</i>	Visitor Accommodation – proximity to rail line
<i>APPLICANT:</i>	Kimberley Ellis
<i>LOCATION:</i>	204 Main Road, Penguin
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	23 August 2016
<i>REPRESENTATIONS EXPIRY DATE:</i>	7 September 2016
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	30 September 2016
<i>DECISION DUE:</i>	30 September 2016
<i>PURPOSE</i>	

The purpose of this report is to consider an application for conversion of a single dwelling from "Residential" Use Class to "Visitor Accommodation" Use Class at 204 Main Road, Penguin. No works to the existing residential building are proposed.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation;
- . Annexure 4 – photograph of the site; and
- . Annexure 5 – submission from TasRail.

#### *BACKGROUND*

##### *Development description –*

Application is made for a change of “Use Class” over an existing residential building, from “Residential” to “Visitor Accommodation”. The dwelling has a floor area of 162m<sup>2</sup>, comprising four bedrooms, open plan kitchen/living area and a front verandah overlooking Bass Strait. The building would be able to accommodate up to eight persons. No structural alterations to the existing dwelling are proposed.

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

The subject site presents as a 741m<sup>2</sup> allotment in the General Residential zone that accommodates a 162m<sup>2</sup> single-storey, four bedroom dwelling and outbuilding. The site is flat and is located on Main Road, approximately 1.4km west of the Penguin township, forming part of a linear “strip” of residential development that overlooks Bass Strait and the TasRail Western Rail Line.

##### *History –*

The dwelling was constructed in 1993. Dwelling additions were approved and constructed in 2001.

#### *DISCUSSION*

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

**General Residential**

CLAUSE	COMMENT
<b>10.3.1 Discretionary Permit Use</b>	
10.3.1-(P1) Discretionary permit use must:	Not applicable.
(e) be consistent with local area objectives;	Visitor Accommodation is a Permitted use.
(f) be consistent with any applicable desired future character statement; and	
(g) minimise likelihood for unreasonable impact on amenity for use on adjacent land in the zone.	
<b>10.3.2 Impact of Use</b>	
10.3.2-(A1) Use that is not in a dwelling must not occur on more than two adjoining sites.	Not applicable. Use is contained within a dwelling.
10.3.2-(A2) The site for a use that is not in a dwelling must not require pedestrian or vehicular access from a no-through road.	Not applicable. Use is contained within a dwelling.

10.3.2–(A3) Other than for emergency services, residential and visitor accommodation hours of operation must be between 6.00am and 9.00pm.	Not applicable.  Use is Visitor Accommodation.
<b>10.4.1 Residential density for multiple dwellings</b>	
<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 and shown on the planning scheme maps, that specified for the density area.</p>	<p>Not applicable.</p> <p>No multiple dwellings are proposed.</p>
<b>10.4.2 Setbacks and building envelope for all dwellings</b>	
<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,</p>	<p>Not applicable.</p> <p>Application is for a change of Use Class, from Residential to Visitor Accommodation. A single dwelling is located on site. No additional works are proposed.</p>

<p>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 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) not less than 50.0m if the development is on land that abuts the Bass Highway.</p>	
<p>10.4.2–(A2) A garage or carport must have a set back 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>Not applicable.</p> <p>Application is for a change of Use Class, from Residential to Visitor Accommodation. An outbuilding is located on site. No additional works are proposed.</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>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) 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>	<p>Not applicable.</p> <p>Application is for a change of Use Class, from Residential to Visitor Accommodation. A single dwelling is located on site. No additional works are proposed.</p>

<p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary or the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9.0m or one-third the length of the side boundary (whichever is the lesser).</p>	
<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>Not applicable.</p> <p>Application is for a change of Use Class, from Residential to Visitor Accommodation. A single dwelling is located on site. No additional works are proposed.</p>
<p>10.4.3-(A2) A dwelling must have an area of private open space that:</p>	<p>Not applicable.</p>

<p>(a) is in one location and is at least:</p> <ul style="list-style-type: none"> <li>(i) 24.0m<sup>2</sup>; or</li> <li>(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</li> </ul> <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 sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and</p>	<p>Application is for a change of Use Class, from Residential to Visitor Accommodation. A single dwelling is located on site. No additional works are proposed.</p>
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<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><b>10.4.4 Sunlight and overshadowing for all dwellings</b></p>	
<p>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).</p>	<p>Not applicable.</p> <p>Application is for a change of Use Class, from Residential to Visitor Accommodation. A single dwelling is located on site. No additional works are proposed.</p>
<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>Not applicable.</p> <p>No multiple dwellings proposed.</p>

<p>(i) at a distance of 3.0m from the window; and</p> <p>(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> <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 horizontally from the multiple dwelling.</p>	
<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> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>

<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> <p>(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.</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 2.4m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m from the multiple dwelling.</li> </ul>	
<b>10.4.5 Width of openings for garages and carports for all dwellings</b>	
<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>Not applicable.</p> <p>Change of Use Class proposed is Visitor Accommodation. An existing garage is on the site. No additional works are proposed.</p>

<b>10.4.6 Privacy for all dwellings</b>	
<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 not more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6.0m: <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.</li> </ul> </li> </ul>	<p>Not applicable.</p> <p>Change of Use Class proposed is Visitor Accommodation.</p> <p>A single-storey dwelling, with a front verandah that has a floor level not more than 1m above natural ground level is located on the site. No additional works are proposed.</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> <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3.0m from a side boundary, and</li> <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,</li> </ul>	<p>Not applicable.</p> <p>Change of Use Class proposed is Visitor Accommodation.</p> <p>A single-storey dwelling that has a floor level not more than 1m above natural ground level is located on the site. No additional works are proposed.</p>
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<p>to a habitable room of another dwelling; or</p> <p>(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</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 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	
<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</p>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>

<p>driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.</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 which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>	<p>Not applicable.</p> <p>No frontage fencing proposed.</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>Not applicable.</p> <p>No multiple dwellings proposed.</p>

<p>(b) in a communal storage area with an impervious surface that:</p> <ul style="list-style-type: none"> <li>(i) has a setback of at least 4.5m from a frontage; and</li> <li>(ii) is at least 5.5m from any dwelling; and</li> <li>(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.</li> </ul>	
<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> <ul style="list-style-type: none"> <li>(a) have an area of not less than 330m<sup>2</sup> excluding any access strip; and</li> <li>(b) if intended for a building, contain a building area of not less than 10.0m x 15.0m: <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> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. Site has an area of 741m<sup>2</sup>.</li> <li>(b) Not applicable. A change of Use Class to Visitor Accommodation is proposed. A single-storey dwelling is located on site. No additional works are proposed.</li> </ul>

<ul style="list-style-type: none"> <li>(iii) clear of any registered easement;</li> <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>	
<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> <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</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. Site has an existing approved access across a frontage over which no other land has a right of access.</li> <li>(b) Not applicable. Not an internal lot.</li> <li>(c)(i) Not applicable. No right-of-way over the land.</li> <li>(c)(ii) Not applicable. No right-of-way over the land.</li> <li>(d)(i) Compliant. Width of frontage to Main Road is 18.31m.</li> </ul>

<p>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) 3.6m 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>(d)(ii) Not applicable. Satisfied by (d)(i).</p> <p>(e) Compliant. There is an existing crossover to Main Road in accordance with the <i>Local Government (Highways) Act 1982</i>.</p>
<p>10.4.9-(A3) A site or each lot on a plan of subdivision must have a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2009</i>.</p>	<p>Compliant.</p> <p>The site is connected to the reticulated water system.</p>

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10.4.9–(A4) A site or each lot on a plan of subdivision must drain sewage and wastewater to a sewage system provided in accordance with the <i>Water and Sewerage Industry Act 2009</i> .	Compliant.  The site is connected to the reticulated sewerage system.
10.4.9–(A5) A site or each lot on a plan of subdivision must drain stormwater to a stormwater system provided in accordance with the <i>Drains Act 1954</i> .	Compliant.  The site is connected to a stormwater system.
<b>10.4.10 Dwelling density for single dwelling development</b>	
<p>10.4.10–(A1) The site area per dwelling for a single dwelling must:</p> <p>(a) be not less than 330m<sup>2</sup>;</p> <p>(b) be not more than 830m<sup>2</sup>;</p> <p>(c) be not less than one dwelling per lot if the site is a single lot approved for residential use on a plan of subdivision sealed before this planning scheme came into effect.</p>	<p>(a) Compliant. Site has an area of 741m<sup>2</sup>.</p> <p>(b) Compliant. Site has an area of 741m<sup>2</sup>.</p> <p>(c) Compliant. Single allotment supports a single dwelling.</p>
<b>10.4.11 Other development</b>	<p>Not applicable.</p> <p>No “other” development.</p>

<b>10.4.12 Setback of sensitive use development</b>	
<p>10.4.12–(A1) 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 on the Table to this clause; and</li> <li>(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.</li> </ul>	<p>“Visitor Accommodation” use of the site is deemed to be a “sensitive use”.</p> <ul style="list-style-type: none"> <li>(a) Compliant. Site is setback 20.85m from the Utilities zone boundary.</li> <li>(b) Compliant. Dwelling is setback 28.63m and angles away from the from the Utility zone boundary.</li> </ul>
<p>10.4.12–(A2) Development for a sensitive use must be not less than 50.0m 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>	<ul style="list-style-type: none"> <li>(a) Compliant. Sensitive use would be approximately 1.13km from the Bass Highway.</li> <li>(b) Non-compliant. Sensitive use would be approximately 32.3m from a railway.  Refer to “Issues” section of this report.</li> <li>(c) Not applicable. No parcel of land is designated in the Scheme for future road or rail purpose.</li> <li>(d) Compliant. Closest proclaimed wharf area is in Burnie, approximately 15km to the west.</li> </ul>

<b>10.4.13 Subdivision</b>	
<p>10.4.13–(P1) Each new lot on a plan of subdivision must be:</p> <ul style="list-style-type: none"> <li>(a) intended for residential use;</li> <li>(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</li> <li>(c) for a purpose permissible in the zone.</li> </ul>	<p>Not applicable.</p> <p>No subdivision proposed.</p>
<p>10.4.13–(P2)</p> <ul style="list-style-type: none"> <li>(a) A lot must have a frontage to a road; or</li> <li>(b) an internal lot on a plan of subdivision must be: <ul style="list-style-type: none"> <li>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots with a frontage imposed by: <ul style="list-style-type: none"> <li>a. slope, shape, orientation and topography of land;</li> </ul> </li> </ul> </li> </ul>	<p>Not applicable.</p> <p>No subdivision proposed.</p>



<ul style="list-style-type: none"> <li>b. an established pattern of lots and development;</li> <li>c. connection to the road network;</li> <li>d. connection to available or planned utilities;</li> <li>e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a watercourse; or</li> <li>f. exposure to an unacceptable level of risk from a natural hazard; and</li> </ul> <p>(ii) without likely impact on the amenity of adjacent land.</p>	
<b>10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision</b>	
<p>10.4.14–(A1) Electricity reticulation and site connections must be installed underground.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>

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CODES	
<b>E1 Bushfire-Prone Areas Code</b>	Not applicable. Not a subdivision, hazardous or vulnerable use or development.
<b>E2 Airport Impact Management Code</b>	Not applicable. No Airport Impact Management Code in the Scheme.
<b>E3 Clearing and Conversion of Vegetation Code</b>	Not applicable. No clearing proposed.
<b>E4 Change in Ground Level Code</b>	Not applicable. No change in ground level greater than 1 m.
<b>E5 Local Heritage Code</b>	Not applicable. No local heritage listings applicable.
<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 facilities proposed.
<b>E9 Traffic Generating Use and Parking Code</b>	Applicable. 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>	

<b>E9.5 Use Standards</b>	
<b>E9.5.1 Provision for parking</b>	
<p>E9.5.1–(A1) Provision for parking must be:</p> <p>(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;</p> <p>(b) motor bike parking at a rate of one space for every 20 vehicle parking spaces;</p> <p>(c) parking spaces for people with disabilities at the rate of one space for every 20 parking spaces or part thereof; and</p> <p>(d) bicycle parking at the rate of one space for every 20 vehicle parking spaces or part thereof.</p>	<p>(a) Compliant. Table E9A requires a single car parking space per holiday cabin. The site accommodates a double garage.</p> <p>(b) Compliant. Requirement not triggered until 20 vehicle parking spaces are required or proposed.</p> <p>(c) Compliant. Requirement not triggered until 20 vehicle parking spaces are required or proposed.</p> <p>(d) Compliant. Requirement not triggered until 20 vehicle parking spaces are required or proposed.</p>
<b>E9.5.2 Provision for loading and unloading of vehicles</b>	
<p>E9.5.2–(A1) There must be provision within a site for:</p> <p>(c) on-site loading area in accordance with the requirement in the Table to this Code; and</p>	<p>(a) Compliant. Site has a sealed driveway that is able to accommodate a small truck for on-site loading and unloading, if required.</p>

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(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) Not applicable. Applies to business, commercial, educational and retail use.
<b>E9.6 Development Standards</b>	
<b>E9.6.1 Road access</b>	
<p>E9.6.1–(A1) There must be an access to the site from a carriageway of a road <sup>R36</sup>:</p> <p>(a) permitted in accordance with the <i>Local Government (Highways) Act 1982</i>;</p> <p>(b) permitted in accordance with the <i>Roads and Jetties Act 1935</i>; or</p> <p>(c) permitted by a license granted for access to a limited access road under the <i>Roads and Jetties Act 1935</i>.</p>	<p>(a) Compliant. Access to Main Road would be Permitted in accordance with the <i>Local Government (Highways) Act 1982</i>.</p> <p>(b) Not applicable. Satisfied by E9.6.1–(A1) (a).</p> <p>(c) Not applicable. Satisfied by E9.6.1–(A1) (a).</p>
<b>E9.6.2 Design of vehicle parking and loading areas</b>	
E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and	<p>Compliant.</p> <p>Existing sealed driveway disposes of stormwater to Main Road culvert.</p>

<p>E9.6.2 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> <ul style="list-style-type: none"> <li>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</li> <li>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</li> <li>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</li> <li>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</li> <li>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</li> <li>(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;</li> <li>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</li> </ul>	<ul style="list-style-type: none"> <li>(a)–(f) Not applicable. Does not apply to a dwelling in the General Residential zone.</li> <li>(g) Compliant. The site supports a sealed driveway.</li> </ul>
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E9.6.2–(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>Not applicable.</p> <p>Does not apply as use is in the General Residential zone.</p>
<b>E10 Water and Waterways Code</b>	Not applicable. Site within 50m of Bass Strait.
SPECIFIC AREA PLANS	
<b>F1.0 Forth Specific Area Plan</b>	Site not within this Specific Area Plan.
<b>F2.0 Ulverstone Wharf Specific Area Plan</b>	Site not within this Specific Area Plan.
<b>F3.0 Penguin Specific Area Plan</b>	Site not within this Specific Area Plan.
<b>F4.0 Turners Beach Specific Area Plan</b>	Site not within this Specific Area Plan.
<b>F6.0– Revell Lane Specific Area Plan</b>	Site not within this Specific Area Plan.

*Issues –*

*1 Proximity to Railway –*

The use of the land for Visitor Accommodation is “Permitted” in the General Residential zone. However, the proximity of the site to the TasRail Western Rail Line deemed the proposal to be “Discretionary”.

The Scheme’s Acceptable Solution standard 10.4.12–(A2) “Setbacks for Development of a Sensitive Use” requires a sensitive use to be setback 50m from a railway line.

The proposed Visitor Accommodation building would be setback 32.3m from TasRail’s Western Rail Line.

Performance Criteria 10.4.12–(P2) states the development of a sensitive use must:

- (a) have minimal impact for safety and efficient operation of the transport infrastructure; and
- (b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or
- (c) be temporary use or development for which arrangements have been made with the relevant transport infrastructure entity for removal without compensation within three years. The Performance Criteria are discussed below.

*Minimal impact of use on transport infrastructure –*

The proposed use of the land was referred to TasRail for comment. TasRail do not object to the proposed use of the land but have suggested use of on-site land management practices to mitigate impacts on the rail network (refer to Annexure 5). The operators should be encouraged to incorporate the TasRail suggestions. A note to this effect should be included on the Permit.

*Incorporation of appropriate measures to mitigate likely impact of emissions –*

The current use of the site is “Residential”, a use that is also deemed to be a “sensitive use” under the Scheme. In 2001, the Council

approved extensions to the rear of the building that included a study, a new family room and an additional bedroom with walk in robe.

The proposal to convert to Visitor Accommodation use does not include any changes to the built structure of the existing dwelling, such as changes to window treatments. It is recommended that a note be applied to the Permit advising that the installation of double glazed windows to bedrooms 2 and 3 would assist to mitigate noise impacts on future visitors.

*Referral advice –*

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No conditions required.
Infrastructure Services	No conditions required.
TasWater	Referral was not required.
Department of State Growth	Referral was not required.
Environment Protection Authority	Referral was not required.
TasRail	No conditions required. Refer to Annexure 5.
Heritage Tasmania	Referral was not required.
Crown Land Services	Referral was not required.
Other	Referral was 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
1 The conducting of a commercial business in a residential area and the proximity of a business to residence's in the area.	<p>The Site is zoned "General Residential" and, whilst primarily developed to accommodate residential dwellings, the Scheme allocates a "Permitted" status to various uses of land in this zone. Other uses permitted include "Business and Professional Services", "Food Services" (for up to 20 persons if not licenced or a drive-through facility), "General Retail and Hire" (if a local shop) and "Education and Occasional Care" (if long day care or after school care or an employment training centre).</p> <p>The Use Class of "Visitor Accommodation" is also a "Permitted" Use Class in the General Residential zone, allowing the accommodation of up to 16 persons in a Visitor Accommodation facility.</p>
2 The business will result in human and vehicular noise from visitors coming and going from the site and from the regular maintenance vehicles.	<p>The use may result in an increase in activity over the site. However, the Australian Standard for average traffic movements associated with the residential use of land is eight vehicle movements per day. It is considered that Visitor</p>

	<p>Accommodation use would be similar.</p> <p>Excessive domestic noise (for example music) after 11.00pm would be a matter that would be referred to Council's Regulatory Services Officer for investigation under the <i>Environmental Management and Pollution Control Act 1993</i>. Under the Act's Regulations, musical instruments or sound amplifying equipment is to cease at 10.00pm, Monday to Thursday, and at 10.00pm on a Sunday or Public Holiday.</p>
3 The applicant is a resident of Victoria.	This is not a matter relevant to the assessment against the Scheme or the <i>Land Use Planning and Approvals Act 1993</i> .
4 Loss of privacy to adjoining residences.	The existing dwelling meets the Scheme standards for privacy and overlooking. The proposed change of use will maintain existing physical characteristics of the building on site.
5 Lack of street lighting will result in visitor vehicles using adjoining driveways as turning circles.	This is not a matter relevant to the assessment against the Scheme or the <i>Land Use Planning and Approvals Act 1993</i> .
6 There is no pedestrian crossing or signage provided for the rail line opposite the residence, potentially placing visitors in danger, as they would be unfamiliar with the area.	This is not a matter relevant to the assessment against the Scheme or the <i>Land Use Planning and Approvals Act 1993</i> . The proposed change of use was referred to TasRail, who own and operate the rail network. TasRail do not oppose the proposed change of use and, whilst making some suggestions relative to

	management of the land, it does not intend to erect signage identifying the rail line. It is recommended a note be applied to the Permit, advising the applicant of the benefits of identifying the location of the rail line to visitors.
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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 received is deemed not to have sufficient merit, on planning grounds, to justify any site specific related measures by the Council. The only “Discretionary” matter in relation to the proposed change of use is the proximity of the dwelling to the rail line. The Authority that operates the rail line advises that, whilst the subject property is in close proximity to the rail corridor, and may be adversely affected by rail operations, the Authority does not oppose the establishment of a Visitor Accommodation use on the site. Other matters raised in the representation such as noise and nuisance activity are matters that are regulated under the *Environmental Management and Pollution Control Act 1993*, which prohibits hours of use for specific loud equipment.

The land is zoned General Residential. In summary, the key Local Area Objectives for the zone are:

- 1 Suburban residential areas make efficient use of land and optimise available and planned infrastructure provision through a balance of infill and redevelopment of established residential areas and the incremental release of new land.

- 2 Suburban residential areas provide equivalent opportunity for single dwelling and multiple dwelling developments and for shared and supported accommodation through private, public and social investment.
- 3 Suburban residential areas enable opportunity for convenient access to basic level services and facilities for education, health care, retail, social and recreational purposes.

The proposal is deemed to satisfy these Objectives, as well as key Acceptable Solutions and Performance Criteria. As a result, it is considered appropriate the proposed development be approved, subject to conditions.

*Recommendation –*

It is recommended that the application for Visitor Accommodation – proximity to rail line at 204 Main Road, Penguin be approved subject to the following conditions:

- 1 The development must be substantially in accordance with the application for this Permit.

Please note:

- 1 The letter of suggestions from TasRail identifies actions that would help to reduce the impact of the new use on the rail line, such as the Visitor Accommodation operator identifying the location of the line to visitors (copy attached). Further, the installation of double glazed windows to bedrooms 2 and 3 would help to mitigate noise impacts on future visitors. The Council recommends the operator undertake the actions identified.
- 2 A Planning Permit remains valid for two years. If the use has not substantially commenced within this period an extension of time may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 3 A Building Permit may be required for the proposed change of use. A copy of this Planning Permit should be given to your building surveyor.

The report is supported.”

The Executive Services Officer reports as follows:

“Copies 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 Visitor Accommodation – proximity to rail line at 204 Main Road, Penguin be approved subject to the following conditions:

- 1 The development must be substantially in accordance with the application for this Permit.

Please note:

- 1 The letter of suggestions from TasRail identifies actions that would help to reduce the impact of the new use on the rail line, such as the Visitor Accommodation operator identifying the location of the line to visitors. Further, the installation of double glazed windows to bedrooms 2 and 3 would help to mitigate noise impacts on future visitors (copy attached) (a copy being appended to and forming part of the minutes). The Council recommends the operator undertake the actions identified.
- 2 A Planning Permit remains valid for two years. If the use has not substantially commenced within this period an extension of time may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 3 A Building Permit may be required for the proposed change of use. A copy of this Planning Permit should be given to your building surveyor.

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## NOTES

## INFRASTRUCTURE SERVICES

**9.8 Infrastructure Services determinations**

The Director Infrastructure Services reports as follows:

“There are no matters from the Infrastructure Services Department for decision at this meeting.”

**9.9 Budget reallocations for the year ending 30 June 2017 (181/2016 – 20.06.2016)**

The Director Infrastructure Services reports as follows:

“The Engineering Group Leader has provided the following report:

*‘PURPOSE*

In accordance with the *Local Government Act 1993* Section 82 – Estimates, this report is to seek the Council’s approval of amendments to the Capital Estimates for 2016–17 to allow for changes in the current works program due to the impact of floods on the 6 June 2016.

*BACKGROUND*

The *Local Government Act 1993* Section 82 – Estimates states:

- “(1) The general manager must prepare estimates of the council's revenue and expenditure for each financial year.
- (2) Estimates are to contain details of the following:
  - (a) the estimated revenue of the council;
  - (b) the estimated expenditure of the council;
  - (c) the estimated borrowings by the council;
  - (d) the estimated capital works of the council;
  - (e) any other detail required by the Minister.
- (3) Estimates for a financial year must –
  - (a) be adopted by the council, with or without alteration, by absolute majority; and
  - (b) be adopted before 31 August in that financial year; and

- (c) not be adopted more than one month before the start of that financial year.
- (4) A council may alter by absolute majority any estimate referred to in subsection (2) during the financial year.
- (5) A council may make adjustments to individual items within any estimate referred to in subsection (2) by a simple majority so long as the total amount of the estimate is not altered.
- (6) A council, by absolute majority, may authorise the general manager to make minor adjustments up to specified amounts to individual items within any estimate referred to in subsection (2) so long as the total amount of the estimate is not altered.
- (7) The general manager is to report any adjustment and an explanation of the adjustment at the first ordinary meeting of the council following the adjustment.”

In accordance with subsections 1, 2 and 3 above, Estimates were prepared for, and adopted, at the Special Council meeting held on 20 June 2016 (Minute No. 181/2016).

The General Manager has delegation for changes up to \$20,000 in accordance with Section 82(6). As the adjustment is above this threshold a list of proposed alterations is provided in this report to comply with Section 82(4).

The financial impact on the Council's finances from the June 2016 floods is estimated to be in the order of \$5.1m.

The Premier of Tasmania has activated the Natural Disaster Local Government Relief Policy (the Policy) for the purpose of providing financial assistance to councils for the costs associated with responding to and recovering from the flooding that occurred in June 2016.

Normally under the Policy, 50% of the costs will be reimbursed once expenditure on eligible relief and recovery measures exceeds the first threshold of 0.225% of a council's total general rates revenue and general purposes grants receipts two financial years prior. Seventy five per cent of costs will be reimbursed once eligible costs exceed 1.75 times the first threshold.



As previous storm events this year had already activated the Policy, the threshold for 75% assistance from the State Government applies to the total of eligible works.

#### *DISCUSSION*

The amount of emergency response and repair work conducted to 30 June 2016 was \$206,000, primarily on rural roads and bridges. Seventy five percent of this amount has been claimed and will be reimbursed in 2016–17.

At this stage the assessment of the damage identifies a mix of approximately \$300,000 of maintenance works and \$4.8m. of capital works.

The capital works include the construction of two bridges, Marshalls Bridge Road and Taylors Flats Road, both over the Leven River. There are several major landslips, road failures and bridge repairs that have also been identified and these are currently at various stages of investigation, design and construction.

The impact on the Council's capital budget is estimated to be \$5,100,000 in total comprised of 25% Council expenditure (\$1,275,000) and 75% Natural Disaster Relief funding (\$3,825,000). The Council restoration works will be funded over three financial years as the construction of the replacement bridges and some of the major works will be difficult to complete by 30 June 2017.

A summary of the estimates of expenditure is as follows:–

2015–2016

<i>Estimated total cost of flood damage</i>	<i>\$5,100,000</i>
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Actual Expenditure in 2015/16	\$206,000
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This expenditure has been funded as follows:

. Council (25% x \$206,000)	\$51,500
. Natural disaster relief fund (75% x \$206,000)	\$154,500

2016–2017 and 2017–18

Balance Remaining from 2015/16	\$4,894,000
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Estimated Council contribution (25% x \$4,894,000)	\$1,223,500
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Estimated Natural disaster relief fund (75% x \$4,894,000)    \$3,670,500

*Total*    *\$4,894,000*

To fund the Council's 25% responsibility in 2016–17, the deferral of \$520,000 of capital works projects along with \$403,000 of budget adjustments in the 2016–17 capital works program has been recommended.

This includes deferral of

.      Gawler River Bridge – Isandula Road	\$450,000
.      Preston Road	\$70,000

And reducing the budget of

.      Kings Parade Queens Gardens by	\$200,000
.      Urban Reseals	\$203,000

*Total*    *\$923,000*

The balance remaining to be funded in 2017–18 by the Council of the total estimated cost of \$5.1m. is estimated to amount to \$300,000. The Taylors Flats Bridge is recommended for deferral to 2017–2018 in order to investigate options and conduct the tender process when priority bridges throughout Tasmania have already been completed. The estimated cost of \$1,200,000 has a 25% cost to the Council of \$300,000.

As part of the process of identifying works which could be deferred to another year there was the need to ensure there was sufficient work for our own workforce for the balance of the 2016–17 year and that we were still able to comply with our Roads to Recovery funding requirements.

### *CONSULTATION*

Consultation has been undertaken with Councillors at a workshop held on Monday, 5 September 2016 to discuss the allocation of additional funding.

### *RESOURCE, FINANCIAL AND RISK IMPACTS*

The impact of the changes on budgets is shown in the Discussion section of this report. This report seeks Council approval for the deferral of recommended projects so that works can be undertaken to rectify flood damage and not impact on our own workforce or Roads to Recovery funding.

*CORPORATE COMPLIANCE*

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

The Shape of the Place

- Improve the value and use of open space
- Conserve the physical environment in a way that ensures we have a healthy and attractive community

A Connected Central Coast

- Provide for a diverse range of movement patterns
- Connect the people with services

The Environment and Sustainable Infrastructure

- Contribute to a safe and healthy environment
- Develop and manage sustainable built infrastructure

Council Sustainability and Governance

- Improve corporate governance
- Improve service provision
- Improve the Council's financial capacity to sustainably meet community expectations.

*CONCLUSION*

It is recommended that:

- 1 The Council approve the identified flood rectification works (as appended to this report) estimated at \$5.1m., with funding being allocated between the Central Coast Council and the State Government in accordance with the Natural Disaster Local Government Relief Policy; and
- 2 The following proposed budget reallocations for capital funding for 2016–2017 to enable flood rectification works to be undertaken be accepted and approved by the Council:

Project Adjustments–			
LOCATION	ORIGINAL ESTIMATE \$	REVISED ESTIMATE \$	DIFFERENCE \$
<i>Urban sealed</i>			
Street resealing	250,000	47,000	–203,000
Kings Parade/Queens Gardens	670,000	470,000	–200,000
<i>Rural sealed</i>			
Preston road	70,000	0	–70,000
<i>Bridges</i>			
Gawler River, Isandula Road	450,000	0	–450,000
<i>TOTAL</i>	<i>1,440,000</i>	<i>517,000</i>	<i>923,000</i>

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The Director Infrastructure Services report is supported.”

The Executive Services Officer reports as follows:

“A copy of the identified flood rectification works estimates having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

■ “That:

- 1 The Council approve the identified flood rectification works estimated at \$5.1m, with funding being allocated between the Central Coast Council and the State Government in accordance with the Natural Disaster Local Government Relief Policy; and
- 2 The following proposed budget reallocations for capital funding for 2016–2017 to enable flood rectification works to be undertaken be accepted and approved by the Council:

## Project Adjustments–

LOCATION	ORIGINAL ESTIMATE \$	REVISED ESTIMATE \$	DIFFERENCE \$
<i>Urban sealed</i>			
Street resealing	250,000	47,000	–203,000
Kings Parade/Queens Gardens	670,000	470,000	–200,000
<i>Rural sealed</i>			
Preston road	70,000	0	–70,000
<i>Bridges</i>			
Gawler River, Isandula Road	450,000	0	–450,000
<i>TOTAL</i>	<i>1,440,000</i>	<i>517,000</i>	<i>923,000</i>

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## 9.10 Tenders – Bridge Repairs

The Director Infrastructure Services reports as follows:

“The Engineering Group Leader has prepared the following report:

*‘PURPOSE*

The purpose of this report is to make recommendation on tenders received for repair works to four bridges within the Central Coast municipal area. These bridges, (Leven River–Purtons Road, Leven River–Bannons Road, Leven River–Loongana Road and Wilmot River–Spellmans Road) received substantial damage in the June 2016 floods.

### *BACKGROUND*

Design and construct tenders were called for the above bridge repairs on 23 July 2016, closing at 2.00pm on 23 August 2016. A scope of works was outlined, along with general evaluation criteria.

### *DISCUSSION*

Tender documents included designs prepared by the Council's Infrastructure Services Department. The tender was advertised in The Advocate newspaper and also on the Council's internet portal, Tenderlink, to ensure as wide a coverage as possible.

## INFRASTRUCTURE SERVICES

Tenders were received as follows (including GST):

	CIVILSCAPE CONTRACTING	VEC CIVIL ENGINEERING	BRIDGEPRO ENGINEERING	TASSPAN CIVIL CONTRACTING
Leven River, Purtons Road	\$43,418.00	\$16,558.00	\$35,900.00	\$62,791.11
Leven River, Bannons Bridge Road	\$88,800.80	\$81,757.00	\$123,500.00	\$143,066.76
Wilmot River, Spellmans Road	\$29,634.00	\$27,906.00	\$67,800.00	\$56,851.00
Leven River, Loongana Road	\$47,647.60	\$99,319.00	\$83,700.00	\$182,487.00
Contingency	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00
<i>TOTAL</i>	<i>\$229,500.40</i>	<i>\$245,540.00</i>	<i>\$330,900.00</i>	<i>\$465,195.87</i>

The scope of works specified were as follows:

### **1417 – Leven River, Purtons Road**

Timber Bridge

- Repair structure barrier on eastern end; and
- Reinstall protection around abutment on west side with a more robust and durable solution.

### **1567 – Leven River, Bannons Bridge Road**

Concrete Bridge

- Repair structure barrier on southern end;
- Repair structure barrier on northern end; and
- Install concrete run off slab.

### **1120 – Wilmot River, Spellmans Road**

Concrete Bridge

- Repair damaged concrete deck and reinstall galvanised steel posts and rails;
- This work to include design and certification by suitably qualified engineer;
- Alternate designs for the replacement of all the upstream post should be considered, with a resilience to future damage caused by flood; and
- Reinstall behind wing wall on east (Kentish) side with a more robust and durable solution.

### **1291 – Leven River, Loongana Road**

Timber Bridge with concrete overlay

- Remove existing dislodged pile and install new pile and fasten to structure;
- Excavate behind wing wall and abutment sheeting. Extend abutment and wing wall sheeting to river bed level. Backfill with select material compacted in 200mm layers;
- Place scour protection around abutment and wing wall on west side; and
- Reinstall compacted gravel pavement.



The Council uses a weighted tender assessment method based on:

- . compliance with tender documents;
- . previous experience;
- . supervisory personnel;
- . construction period;
- . WHS policy and record;
- . methodology; and
- . tender price.

VEC Civil Engineering achieved the highest rating based on this method.

The provided construction program provides for a completion date of six weeks from possession of site.

#### *CONSULTATION*

This item has followed a public tendering process.

Local consultation and public notice will be provided at the time of construction.

#### *RESOURCE, FINANCIAL AND RISK IMPACTS*

These unscheduled bridge repairs works are a substantial impact on resources. Funding will effectively consist of 25% share from the Council and 75% share from the Natural Disaster Relief and Recovery Arrangements. The Council share will be funded from deferred projects within the 2016–2017 works budgets.

#### *CORPORATE COMPLIANCE*

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

##### The Shape of the Place

##### A Connected Central Coast

- . Provide for a diverse range of movement patterns
- . Connect the people with services

##### The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure

### Council Sustainability and Governance

- Improve service provision.

### *CONCLUSION*

It is recommended that the tender from VEC Civil Engineering for the sum of \$223,218.18, (excluding GST) [\$245,540.00 (including GST)] for the repair works to four bridges within the Central Coast municipal area be accepted and approved by the Council.'

The Engineering Group Leader's report is supported."

The Executive Services Officer reports as follows:

"A suggested resolution is submitted for consideration."

■ "That the tender from VEC Civil Engineering for the sum of \$245,540.00 (including GST) for the bridge repairs works at:

- Leven River – Purtons Road;
- Leven River – Bannons Bridge Road;
- Wilmot River – Spellmans Road; and
- Leven River – Loongana Road

be accepted."

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## NOTES

ORGANISATIONAL SERVICES

**9.11 Contracts and agreements**

The Director Organisational Services reports as follows:

“A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into during the month of August 2016 has been submitted by the General Manager to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reports as follows:

“A copy of the Schedule having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

- “That the Schedule of Contracts and Agreements (a copy being appended to and forming part of the minutes) be received.”
- .....
- .....
- .....

**9.12 Correspondence addressed to the Mayor and Councillors**

The Director Organisational Services reports as follows:

*“PURPOSE*

This report is to inform the meeting of any correspondence received during the month of August 2016 and which was addressed to the ‘Mayor and Councillors’. Reporting of this correspondence is required in accordance with Council policy.

*CORRESPONDENCE RECEIVED*

The following correspondence has been received and circulated to all Councillors:

- . Letter from residents of Carroo Court acknowledging the work of staff.
- . Letter from the residents of Carroo Court regarding security of tenure.
- . Letter regarding safety issues on Thompsons Road and Kindred Road.

- . Letter expressing concern relating to the rejection of the planning application for 21 Reibey Street, Ulverstone.
- . Email relating to West Pine Visitor Accommodation and the Access Centre, Penguin.
- . Letter regarding the storm water drainage issues in Hull Street, Leith.

Where a matter requires a Council decision based on a professionally developed report the matter will be referred to the Council. Matters other than those requiring a report will be administered on the same basis as other correspondence received by the Council and managed as part of the day-to-day operations.”

The Executive Services Officer reports as follows:

“A suggested resolution is submitted for consideration.”

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

### 9.13 Common seal

The Director Organisational Services reports as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 16 August 2016 to 19 September 2016 is submitted for the authority of the Council to be given. Use of the common seal must first be authorised by a resolution of the Council.

The Schedule also includes for information advice of final plans of subdivision sealed in accordance with approved delegation and responsibilities.”

The Executive Services Officer reports as follows:

“A copy of the Schedule having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

- “That the common seal (a copy of the Schedule of Documents for Affixing of the Common Seal being appended to and forming part of the minutes) be affixed subject to compliance with all conditions of approval in respect of each document, and that the advice of final plans

of subdivision sealed in accordance with approved delegation and responsibilities be received.”

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#### **9.14 Financial statements**

The Director Organisational Services reports as follows:

“The following principal financial statements of the Council for the period ended 31 August 2016 are submitted for consideration:

- . Summary of Rates and Fire Service Levies
- . Operating and Capital Statement
- . Cashflow Statement
- . Capital Works Resource Schedule.”

The Executive Services Officer reports as follows:

“Copies of the financial statements having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

■ “That the financial statements (copies being appended to and forming part of the minutes) be received.”

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#### **9.15 Roads and streets nomenclature – Renaming of Bonneys Road, Gunns Plains**

The Director Organisational Services reports as follows:

*"PURPOSE*

This purpose of this report is to consider the renaming of an existing road, Bonneys Road off Lowana Road, Gunns Plains (see attached location plan highlighting the road).

*BACKGROUND*

Council has been requested to provide an address for a ratepayer who resides at the end of the road currently named as Bonneys Road, Gunns Plains. Upon investigation it has become clear that the renaming of the road has become necessary. The reasons for this are firstly, the name is duplicated in our Council area as there is a Bonneys Road and a Bonneys Lane in West Pine. This is contrary to the policies of the Nomenclature Board as it creates confusion. It is further contrary to Council policy (Minute No. 472/95 – 18.9.95 item [iv]).

Secondly, the matter is further complicated by the fact that the road has been signposted as and is known locally to residents as Kaines Road. The reasons for this have not been established with any certainty. The road cannot be renamed Kaines Road either due to duplication issues as there is a Kaines Road in Penguin. Therefore, a new name needed to be found for the road.

Following discussions with the Nomenclature Board and the affected residents, it is proposed that the new street be named Gladman Road. Part of this process was that Council staff advised the residents of the general requirements and policy for the naming of a new street and sought suggestions.

The naming of Gladman Road relates to the original owner of the property through which the road has been constructed.

Comments and suggestions were given deliberation prior to final nomination. There is no duplication with other road/street names in the Council area.

*DISCUSSION*

The Council's policy for the naming of local roads and streets (Minute No. 472/95 – 18.9.95) is as follows:

‘That ... the Council promote road and street names that:

- (i) are in keeping with the character of the area in which they are located;
- (ii) assist in developing the identity of the area in which they are located;

- (iii) reflect the history of the area in which they are located;
- (iv) do not duplicate other road/street names;
- (v) are not offensive/insulting/irreverent;
- (vi) are not misleading.'

The policy is generally in accordance with rules defined by the Nomenclature Board.

### *CONSULTATION*

The report outlines the consultation undertaken.

### *RESOURCE, FINANCIAL AND RISK IMPACTS*

Apart from the cost of signage, there will be no impact on Council resources.

### *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*

It is recommended that the Council forward a request to the Nomenclature Board of Tasmania that Bonneys Road, Gunns Plains, be renamed Gladman Road."

The Executive Services Officer reports as follows:

"Copies of the location plan and plan highlighting the new street having been circulated to all Councillors, a suggested resolution is submitted for consideration."

- "That the Council request that the Nomenclature Board of Tasmania rename Bonneys Road, Gunns Plains (a copy of the plans identifying the location of the street being appended to and forming part of the minutes), Gladman Road."



## NOTES

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## 10 CLOSURE OF MEETING TO THE PUBLIC

### 10.1 Meeting closed to the public

The Executive Services Officer reports as follows:

“The *Local Government (Meeting Procedures) Regulations 2015* provide that a meeting of a council is to be open to the public unless the council, by absolute majority, decides to close part of the meeting because one or more of the following matters are being, or are to be, discussed at the meeting.

Moving into a closed meeting is to be by procedural motion. Once a meeting is closed, meeting procedures are not relaxed unless the council so decides.

It is considered desirable that the following matters be discussed in a closed meeting:

- Confirmation of Closed session minutes; and
- Minutes and notes of other organisations and committees of the Council.

These are matters relating to:

- information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

A suggested resolution is submitted for consideration.”

■ “That the Council close the meeting to the public to consider the following matters, they being matters relating to:

- information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;

and the Council being of the opinion that it is lawful and proper to close the meeting to the public:

- Confirmation of Closed session minutes; and
  - Minutes and notes of other organisations and committees of the Council.”
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The Executive Services Officer further reports as follows:

- “1     The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of any matter discussed at a closed meeting that the general manager is to record in the minutes of the open meeting, in a manner that protects confidentiality, the fact that the matter was discussed and a brief description of the matter so discussed, and is not to record in the minutes of the open meeting the details of the outcome unless the council determines otherwise.
  - 2     While in a closed meeting, the council is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.
  - 3     The *Local Government Act 1993* provides that a councillor must not disclose information seen or heard at a meeting or part of a meeting that is closed to the public that is not authorised by the council to be disclosed.
- Similarly, an employee of a council must not disclose information acquired as such an employee on the condition that it be kept confidential.
- 4     In the event that additional business is required to be conducted by a council after the matter(s) for which the meeting has been closed to the public have been conducted, the Regulations provide that a council may, by simple majority, re-open a closed meeting to the public.”

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# Associated Reports And Documents

**Central Coast  
Youth Engaged Steering Committee  
Minutes of a meeting held at  
North West Christian School, Penguin  
Thursday 18 August 2016 at 9.00am**

Doc ID: 249420



**PRESENT:**

**Sandra Ayton** (General Manager – Central Coast Council [CCC]); **Rowen Tongs** (Community Rep. /Councillor); **Philip Viney** (Councillor/Accountant/Ulverstone Lions Club); **Melissa Budgeon** (Community Wellbeing Officer – Central Coast Council [CCC]); **Jonathon Sijl** and **Esther Magor** (Student Reps. – LCS); **Mike Vos** (Acting Principal – LCS); **Jenny Ashton** (Assistant Principal – PDS); **Wayne Pepper** (Teacher NWCS); **Amy Archer** and **Ashlin Badger** (Student Rep. – NWCS); **Adam Knapp**, and **Samantha Evans** (Student Reps. – UHS); **Brooke Farrelly**, **Poppy Giddings** and **Zoe Watts** (Student Reps. – PDS);

**1 WELCOME**

**Jonathon Sijl** (Student Rep. – LCS) chaired the meeting assisted by **Sandra Ayton** (General Manager – Central Coast Council [CCC]). Jonathon welcomed everyone and declared the meeting opened at 9.05pm.

**2 APOLOGIES**

**Glen Lutwyche** (Principal – UHS); **Kellie Conkie** (Work Placement Coordinator – UHS); **Matthew Grining** (Principal – PDS); **Glenn Mace** (Acting Principal – LCS); **Mrs Cheryl Walsh** (Principal – NWCS); **Michael Walsh**; **Rebekah Lee** (Student Rep. – UHS); **Harriet Knapman** (Student Rep. – LCS); and **Libby Dobson** (Central Coast Chamber of Commerce and Industry [CCCCI])

**3 MINUTES OF THE PREVIOUS MEETING**

**Ashlin Badger** request an amendment to be made to the North West Christian School report in the minutes of 21 July 2016. In the last dot point replace the name Poppy Giddings with Ashlin Badger.

■ **Adam Knapp** moved and **Poppy Giddings** seconded, “That the Minutes of the previous meeting held on 21 July 2016 be confirmed”. **Carried**

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#### 4 MATTERS FOR DISCUSSION FROM PREVIOUS MEETING

##### 4.1 Chamber of Commerce business Breakfast

Sandra reported that the guest speakers for the breakfast are:

- . Damian Peirce from MEGT who will speak on apprenticeships and traineeships (experience point of view - practical examples).
- . Lesley Richardson, Manager School Based Apprenticeships who will talk about school based apprenticeships.

The Council will pay for the breakfast for the student reps that will be attending. The breakfast is on Thursday 25 August 2016 between 7.00am – 8.30am.

##### 4.2 All About Arts

Melissa has spoken with the schools and set the date for Monday 24 October 2016 and asked schools to get back to her as soon as possible to confirm this date is suitable. The program will commence at 9.00 a.m. and conclude at 12.00 noon and this will cater for 50 students.

This is an opportunity for students to have a conversation with artists from different disciplines. The program format has been created to assist students to engage with two fields over a morning, to be able to have a small group conversation about career pathways. Students will nominate two conversations that they would like to have, and then groups will be arranged.

##### 4.2 National Leadership Camp Report

Brooke Farrelly gave a report of each day's activity from the National Leadership Camp. All the students who attended felt that they took something away from the camp that would help them in the future. Sandra asked them individually what they took away from the camp. The replies were vision/challenges/talking to people about things/learning how important it is to know your own values.

Brooke also had a video she produced on the camp and will show that at the next Youth Engaged Steering Committee meeting to be held at the Council.

Melissa read an email received from Kelsie Realf from Burnbright which thanked the students for attending and gave an over view of the Camp's program.

#### 4.4 Community Safety survey – Focus Group Feedback

Jenny Ashton reported that the survey was shared at the senior leadership group meeting at Penguin District School and that it would be sent to the parents and students of the school.

Melissa Budgeon is keen to get feedback from students within the next two weeks enabling her to commence putting things together and distributing the results to the Community Safety Partnership Committee.

### 5 MEMBER REPORTS

**Penguin District School** Student Representatives reported on school events:

- . Author, Christina Booth will be attending the school during Book Week. There will be workshops for year 9 and 10 students during Book Week. The whole school will dress up and secondary students will be reading to students.
- . Vietnam Trip only 28 days away. It is a 15 day trip where students will be building a house and visiting an orphanage as well as other activities. The school held their last fundraiser on Sunday which was successful.
- . Grade 6 Canberra Trip, 25 grade 6 students are attending for 6 days and this trip provides students with experiences that teach them about the history of Canberra and government processes.
- . Held a math's relay yesterday for secondary students. The primary students' competition will be held soon.
- . Ski trip coming up to Mount Hotham.
- . Social – Glow in the dark night held on 17 August for secondary students.
- . The History Challenge was an amazing race based around the Olympics.
- . Health care day to be held on 25 August 6 students will be attending.
- . School production of 'Popstars' – rehearsals are underway for the production which will be held in November 2016.
- . Work placements – 5 students were placed at the NWR Hospital for a week to learn about health careers.

**Leighland Christian School** Student Representatives reported on school events:

- . Participating in Book Week.
- . Production of Annie most shows were all sold out.
- . New principal Mr Mace Assistant principal Mr Vos.
- . Year 11 and 12 information night.
- . Grade 5 fun day to be held at Camp Clayton.
- . Grade 7 and 8 will be holding a mini Olympics afternoon.
- . Last week of this term students will be doing work experience.

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**North West Christian School** Student Representatives reported on school events:

- . The Adra shop in Ulverstone has kindly donated some money to purchase fruit to be given out at the primary fruit break at the school.
  - . As part of the Vision Statement (service to others) the school will be supplying stationery to be sent with a teacher who is visiting Cambodia orphanages, stationery and small toys for a teacher who is visiting a school for disadvantaged girls in Cambodia and students will be involved in operation Christmas shoe boxes for Cambodia or Vietnam.
  - . Students have started up a youth group called MESH.
  - . Students have painted 50 x 30cm wooden Penguins to go to Hobart.
  - . The school is restarting its accreditation for "Move well and eat well".
  - . The schools Secretary, Mr Purton has retired after 24 years.
  - . Swimming lesson has commenced for kinder to year 10 students.
  - . Year 9's are going to a Health Career information session.
  - . Premiers reading challenge will finish soon.
  - . High School camp trip was to Hobart.
  - . Textile class is making a quilt to send to a Children's Hospital.
- 

**Ulverstone High School** Student Representative reported on school events:

- . 10 August is grade 7 information night and year 11 and 12 information night will be held tonight.
  - . Subjects for year 11 and 12 have been released.
  - . Drama night will be held 25 August.
  - . Tutoring Thursdays after school is available for students.
  - . 26 August is wear it purple day.
  - . 8 September is the schools Olympic theme day.
  - . Cows create careers.
  - . Building and construction presentation will be held next week.
  - . Student and teachers basketball match to be held soon.
  - . The school will be holding a math's relay.
- 

## 6 GENERAL BUSINESS

Melissa handed out a flyer for 16–25 years of age students who have been affected by cancer directly or through an immediate family member, called "sieve the day awards scholarship". The scholarship is for those studying (full time, part time or externally) in courses starting or continuing next year. The flyer along with other information will be emailed out with the minutes from the meeting.



Brooke Farrelly gave a report on the recent Camp she attended at Queenscliffe in Victoria. It was a seven day camp attended by 13 students from seven different countries.

## 7 REVIEW OF THE MEETING

Comments from today's meeting:

- 1 Melissa would like to have the safety survey returned soon as possible and the school to advise her that they are happy with the date set for the "All About Arts".
- 2 Jenny Ashton reported that the meeting was great and felt that the students all contributed.
- 3 The meeting thanked Jonathan for chairing the meeting and applauded him for a job well done.

## 8 NEXT MEETING

Sandra asked if there would be a Student who would like to volunteer to chair the next meeting and Zoe Watts accepted.

The meeting concluded at 9.58am. The Committee agreed that the next meeting to be held at the Central Coast Council on **Thursday, 15 September 2016** commencing at **9.00am**.

## **Meeting Minutes**

**Thursday, 18 August at 3.30pm**

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### **East Ulverstone Swimming Pool Management Committee**

Doc. ID: 249476

#### **1 PRESENT/APOLOGIES**

##### **PRESENT**

**Ed. Department Representatives** Alan Graham, Wendy Cracknell, James Lyons and Jason Bell (DoE Facility Operations Co-ordinator)

**Council Representatives** Liz Eustace and Steve Turner

**APOLOGIES** Steve Crocker; Grant Armitstead and Cr Kath Downie

#### **2 INTRODUCTIONS**

Wendy Cracknell and Jason Bell were introduced to the committee, Wendy as the Principal Education Officer for Health and Wellbeing taking over from John Rigby and Jason to speak about the committees Solar Panel proposal.

#### **3 CONFIRMATION OF MINUTES**

The minutes of the previous meeting dated Thursday, 26 May 2016 were accepted as a true and accurate record. Moved by Alan Graham and seconded by Liz Eustace.

#### **4 SOLAR PANEL PROPOSAL**

Jason spoke to the committee about their proposal to seek funding to place solar panels at the swimming pool and advised of some steps that need to be followed before putting a proposal forward. He advised any maintenance issues with the solar panels would be the sole responsibility of the pool.

#### **5 BUSINESS ARISING FROM THE PREVIOUS MINUTES**

- . Ducted air to change rooms - air damper and solar panels all covered in Department of Education Report.

## 6 EDUCATION DEPARTMENT REPORT

### Maintenance/Capital Works Projects recently completed:

- Painting:
  - Both the change rooms had the ceilings painted in the holidays. There were signs of mould and this was treated with mould resistant prime/paint.
- Pool Cover Roller System:
  - The pool cover roller system broke down late last term. During the repair process the engineering company discovered some welding cracks, deeming the system unsafe. This resulted in the removal of the rollers (with the use of a crane), re-welding of damaged parts and the rollers being reinstalled. This was completed in the school holidays. The system is now fully operational.
- Heat Pump for Pool Water Temperature:
  - Last week the pool temperature dropped to 26° - 27°. The pool water heat pump was only working at 50% capacity as a result of a blockage. Klimate Solutions rectified the problem yesterday but are suggesting that this particular heat pump is getting towards the end of its lifespan and they will put a recommendation to the DoE to replace it in the future (approx. \$40,000).

### Maintenance/Capital Works Projects – incomplete

- Re-instatement of change room ducted air supply (as mentioned at the previous meeting):
  - Finance has been approved – waiting on Klimate Solutions to act.
- Building heat/cool economy cycle (as mentioned at the previous meeting):
  - Finance has been approved – waiting on Klimate Solutions to act.
- Solar panels:
  - Further advice required in regards this matter.
- Carpark area:
  - To prevent after hours user groups parking directly outside the pool entrance (dangerous for children exiting the facility) the council has painted the curb yellow and has organised a ‘no standing sign’.

This has had limited success. A pedestrian crossing is hoped to be painted adjacent to the entrance as another warning to motorists that pedestrians are present. It is hoped this will solve the potential danger. The DoE is very appreciative of the assistance the Council has given in regards to this matter.

### Other Issues

- Burnie Aquatic Centre (Indoor Pool) has opened:
  - The new Burnie indoor facility has now opened. The DoE has used it for a number of its SWSPs and are delighted about the functionality of the facility towards learn to swim programs. Despite the opening of this new facility the DoE will still maximise the use of the Ulverstone Pool with DoE SWSPs.

### Questions:

- 1 How will the 'after hours' usage be affected?
- 2 Has there been any further advertising indicating the increased availability of the Ulverstone Pool?
- 3 Can anything more be done to maximise the 'after hours' usage?

## 7 CORRESPONDENCE

- **Inward** - anonymous email from member of public concerned about the water temperature at pool.
- **Outward** - same email forwarded to DoE.

## 8 GENERAL BUSINESS

- Wendy has been in touch with the member of public who had raised the issue of water temperature and after some explanation and discussion this issue has now been resolved.
- Steve Turner to follow up with getting a crossing marked outside the entrance to pool and check with the Council Public Safety Officer to seek his view on the parking issues at the pool and any ideas he may have to help situation.

## 9 NEXT MEETING

The next meeting is to be held on Thursday, 10 November 2016.

## 10 MEETING CLOSED

As there was no further business for discussion the meeting closed at 4.40pm.

## **East Ulverstone Swimming Pool Management Committee**

Meeting – 18<sup>th</sup> August 2016

Department of Education Report

### **Maintenance/Capital Works Projects – Recently Completed**

- Painting
  - Both the change rooms had the ceilings painted in the holidays. There were signs of mould and this was treated with mould resistant primer/paint.
- Pool Cover Roller System
  - The pool cover roller system broke down late last term. During the repair process the engineering company discovered some welding cracks, deeming the system unsafe. This resulted in the removal of the rollers (with the use of a crane), re-welding of damaged parts and the rollers being reinstalled. This was completed in the school holidays. The system is now fully operational.
- Heat Pump for Pool Water Temperature
  - Last week the pool temperature dropped to 26° - 27°. The pool water heat pump was only working at 50% capacity as a result of a blockage. Klimate Solutions rectified the problem yesterday but are suggesting that this particular heat pump is getting towards the end of its lifespan and they will put a recommendation to the DoE to replace it in the future (approx. \$40,000).

### **Maintenance/Capital Works Projects – Incomplete**

- Re-instatement of Change Room Ducted Air Supply (as mentioned at the previous meeting)
  - Finance has been approved – waiting on Klimate Solutions to act.
- Building Heat/Cool Economy Cycle (as mentioned at the previous meeting)
  - Finance has been approved – waiting on Klimate Solutions to act.
- Solar Panels
  - Further advice required in regards this matter.
- Carpark Area
  - To prevent after hours user groups parking directly outside the pool entrance (dangerous for children exiting the facility) the council has painted the curb yellow and has organised a 'no standing sign'. This has had limited success. A pedestrian crossing is hoped to be painted adjacent to the entrance as another warning to motorists that pedestrians are present. It is hoped this will solve the potential danger. The DoE is very appreciative of the assistance the council has given in regards to this matter.

### **Other Issues**

- Burnie Aquatic Centre (Indoor Pool) has opened
  - The new Burnie indoor facility has now opened. The DoE has used it for a number of its SWSPs and are delighted about the functionality of the facility towards learn to swim programs. Despite the opening of this new facility the DoE will still maximise the use of the Ulverstone Pool with DoE SWSPs.

Question: How will the 'after hours' usage be affected? Has there been any further advertising indicating the increased availability of the Ulverstone Pool? Can anything more be done to maximise the 'after hours' usage?

**Alan Graham and Wendy Cracknell**

# Ulverstone Wharf Precinct Advisory Committee

Minutes of a meeting held in the Council Chamber  
Central Coast Council, 19 King Edward Street, Ulverstone

Wednesday, 24 August 2016, commencing at 4.15pm

## PRESENT

**Jackie Merchant** (Central Coast Council), **Cor Vander Vlist** (CCC Director Community Services), **Rod White** (Pedro's), **Mike Hales** (Live @ The Wharf), **Georgina Harvey** (UHS), **Tony O'Neil** (Central Coast Farmers Market), and **Matthew Waller** (Pier01).

## 1 WELCOME/APOLOGIES

**Apologies** received from **Maree Gleeson** (Health Promotions), **Bruce Mansfield** (Community). **Heather Davidson** (Live @ the Wharf Inc.), **Cr John Bloomfield** (Central Coast Council)

## 2 PREVIOUS MINUTES

Minutes from the previous meeting were approved.

■ The meeting approved the minutes of the Ulverstone Wharf Precinct Advisory Committee meeting held on 1 June 2016 is approved.

## 3 MATTERS ARISING

### 3.1 Funding for Arts Installation

Jackie Merchant reported the proposed arts installation for Mental Health Week is not happening and in its place the Council is running a music workshop for young men (18 – 35) during Mental Health Week. Apex will be holding a BBQ for lunch.

### 3.2 Discussion on Committee Charter

Jackie introduced Cor Vander Vlist the Director of Community Services to the meeting to discuss the relevance of the committee and its charter. Discussions were held to explore where the committee would like to go. As the committee was set up by the council any changes to the charter are to be presented at a meeting of the Council.

The meeting requested Cor to take back to the Council meeting that the committee would like to hold three monthly meetings and include operational issues into the charter for the group.

Cor stated that operational issues should follow the correct process and be placed on a merit form or discussed with the Building and Facilities Maintenance Officer. The committee members felt that the current process is not working effectively and some groups that use the wharf facilities may not be aware that there is a Building and Facilities Maintenance Officer.

### **3.3 Major events at the Wharf Precinct**

The committee would like to see the Council contribute more to major events held at the Wharf Precinct. Cor stated that if the Council knows in advance of any major events that may be coming up he then can put in a budget request to assist these events. Council can only do this if they know at least 12 months in advance and if it is to the benefit of the town.

## **4 REPORTS**

### **Reports from Groups:**

#### **4.1 Live @ The Wharf – represented by Mike Hales (on behalf of Heather Davidson)**

Mike Hales reported that Live @ The Wharf committee will be holding their Annual General meeting in a few weeks' time.

The Live @ The Wharf has had over 23,000 patrons attend their events for the year.

This year the Live @ The Wharf committee will not be putting on the New Year's Eve celebrations at the Sound shell due to a financial loss last year. The committee approached the Council General Manager, Sandra Ayton to meet and discuss the event but had no reply and as it is was getting late in the year decided to run a smaller event at the wharf using the Gnomon room and the River Room and outside the venue. The Wharf Precinct is easier to fence off making sure patrons pay the entry fee.

Cor advised the meeting that a request was brought forward by the Council for more information regarding the amount of funding required for Live @ The Wharf to run a New Year's event, however a decision had already been made not to pursue the event at the Sound Shell by the Live @ The Wharf Committee for this year.

The Live @ The Wharf committee will be holding a '200th show Gala Event' on Friday, November 11 and would require the River Room and Gnomon Room. Mike asked Cor for confirmation on who he needed to book the River Room through and was it through Matthew Waller. Cor advised due to the lease agreement the Council has with Matthew the bookings for the River Room do need to go through him.

The Live @ The Wharf committee will be involved in Senior's Week in October in partnership with Island Care and the Last family and will be holding a late afternoon/evening event on the Friday of Senior's Week.

The Burnie Council approached the Live @ The Wharf committee to assist in running events during Burnie Shines celebrations. The committee is working with Burnie to provide something similar to what they hold on Friday nights at the wharf precinct in Ulverstone and would look at holding the event on Sunday afternoons at The Point near West Park in Burnie.

#### **4.2 Cradle Coast Market – Tony O'Neil**

Tony O'Neil reported the market is operating well and the committee has noticed a lot of tourists who have been arriving on the Spirit of Tasmania stopping and visiting the market whilst travelling to other destinations along the North West Coast.

#### **4.3 Maree Gleeson – Community Member (Health)**

No report given as Maree Gleeson was an apology to the meeting.

#### **4.4 Georgina Harvey –**

Georgina reported the high school students would like to get involved in the Live @ The Wharf space on a Friday night. Mike advised her that the students would need to book at least six months ahead. Jackie advised Georgina to contact Melissa and speak to her about youth and arts projects.

#### **4.5 Artizano**

No Representative at present.

#### **4.6 Pier01 – Matthew Waller**

Matthew Waller reported that there will be a Melbourne Cup event held at Pier01 in October which coincides with a visit of the Melbourne Cup to Ulverstone. Another function that is to be held is the Beyond Blue event. Functions have increased and will impact the restaurant operations during the summer period.



**4.7 Rod White – Pedros Restaurant**

Nothing to report.

**4.8 Bruce Mansfield – Community Member.**

Bruce Mansfield was an apology to the meeting and put forward to the council the following items:

- a *Continuation of Wharf Precinct Advisory Committee (WPAC) and its relevance.*

This was dealt with in item 3.2.

- b *Drink stations, will they be placed along the walking trails.*

The Council has put in a program to install drink stations along the walking trails.

**5 GENERAL BUSINESS**

There was no other general business to report.

**6 MEETING CLOSURE**

**Meeting closed – 5.25pm**

**Next meeting scheduled – Wednesday, 5 October 2016 at 4.15pm in the Council Chamber.**

# Turners Beach Community Representatives Committee

Minutes of the meeting held in the Turners Beach Hall

Thursday, 25 August 2016 commencing at 4.00pm

## 1 PRESENT

**Community Representatives:** Merryn Gilham, Barry Isaac, Anne Thompson (proxy) Waine Whitbread, Susan Spinks, Andrew Leary and Rod Priestley.

**Central Coast Council (CCC) Representatives:** Sandra Ayton (General Manager), Jackie Merchant (Community Development Officer) and Cor Vander Vlist (Director Community Services).

## 2 APOLOGIES

John Kersnovski (Director Infrastructure Services) and Tim Horniblow

## 3 MINUTES OF PREVIOUS MEETING

Minutes for the meeting held on Thursday, 26th May 2016 were confirmed with one correction, Rod Priestley wished his apology for the last meeting recorded.

## 4 MATTERS ARISING FROM PREVIOUS MINUTES

### (a) Forth and Leith shared pathway

Council is waiting on the outcome of its application to the Regional Revival Fund; as yet no advice has been received. It is hoped Council will hear by the end of August.

### (b) Bass Highway and Leith connection

Nothing was in the state budget which would indicate progress here.

### (c) Public Access to toilets at Turners Beach Hall

Adrian Mansfield and John Kersnovski from Council have undertaken a site inspection and will report to next meeting. **Action: John Kersnovski**

## 5 MATTERS FOR CONSIDERATION

### 5.1 COUNCIL UPDATE

- (a) Nothing to report from Council

### 5.2 COMMUNITY UPDATE

- (a) **Andrew Leary**

#### **Fencing the fire break**

People are fencing the fire break adjacent to dunes into their own properties. Sonya Stallbaum to be asked to investigate intrusion into the fire break.

**Action: John Kersnovski**

#### **Street plantings in White Gum Way**

Andrew Leary raised concerns about the plantings in White Gum Way. Some consideration of plantings and chipping is required.

**Action: John Kersnovski**

- (b) **Rod Priestley**

There is a handrail missing on the walkway, where the steps meet the beach (walkway located opposite La Mar). The top of the fence at the sandbags needs re-straining or re-fencing.

**Action: John Kersnovski**

The viewing platforms near the service station no longer provide a view due to the height of the shrubbery. Trimming to be organised to allow for the view to be re-established, particularly for those who may be unable to access the beach.

**Action: John Kersnovski**

One of the dog signs is missing half way down the walkway at the central access of the Esplanade.

**Action: Cor Vander Vlist**

There is a large directional sign down at the railway line.

**Action: John Kersnovski**

Requested that call for Agenda items also contain a closing date for items.

**Action: Jackie Merchant**

- (c) **Susan Spinks – Community Garden**

*Dead trees at the hall* – a request has been made to remove the dead tree at the back of hall and the area be cleaned up. Cor Vander Vlist

responded that discussions are underway with the Bowls Club about a new fence and that the tree and clean-up will be dealt with at the same time.  
**Action: John Kersnovski**

*New roof and Builders rubbish* – Cor advised that a new roof for the hall is budgeted for this year. Alison requested that the builders be asked to be mindful of their rubbish as when previous work was done on the roof, scrap including sharp pieces of tin were thrown over the end of the roof and that this posed a threat especially to children accessing the playground area.  
**Action: Cor Vander Vlist/John Kersnovski**

*A new tap is in place* – Alison asked for a removable top for the tap. Cor advised these are a standard fitting and can be purchased from the hardware store.  
**Action: John Kersnovski**

*Lighting* – the Community Garden Group requested a light to be fitted to the outside to allow for activities which take place in the evening. Adrian to be asked to organise and that light fitting is motion sensitive and has a hood to limit possible intrusion onto neighbouring properties.

**Action: John Kersnovski**

*Front retaining wall* – wall continues to deteriorate, to be reviewed.

**Action: John Kersnovski**

*Wheel chair access to the garden* – garden is currently not able to be accessed by people in wheelchairs, or with prams or limited mobility.

*Path* – The Council will investigate extending a path from the concrete pad which currently is at the back of the hall.

**Action: John Kersnovski**

*Promotion of community garden* – Council has capacity to promote the garden on the Council's Facebook site, events Facebook page and in the e-newsletter next issue is due out in October. Lou Brooke is to be the contact for this. Jackie is to forward Lou's details to Alison Spinks.

**Action: Jackie Merchant**

**(d) Waive Whitbread – Community Representative**

*Hooping after football games* – a problem continues, particularly with football crowds or cars hooping in the area. Council explained that this is a police matter and that the community should contact the police to report and ask for patrols, or speed gun patrols.

A conversation can be held with the football club to ask them to remind members and visitors to consider locals and safety.

*Mayor's morning tea* – Waine question notification process around the Mayor's morning tea. Sandra explained the notification process and that no community groups previously have been used as channels for Mayors morning teas, they are advertised through Facebook, Mayors message and letterbox drops. As an oversight the OC Ling Caravan Park was not letterboxed this time but will be in future.

*Accommodation sign* – there is a bed icon on an accommodation sign at Lethborg Avenue, is there still accommodation there and can the Council remove the sign if there is no longer accommodation.

**Action: Cor Vander Vlist**

*Log jam still in place under road and rail bridge from floods* – Sandra informed group that responsibility has been identified for clearing of the debris between State Rail and State Growth and should be cleared up shortly.

*Removal of timber from beaches* – Council is working toward a coordinated approach for removal of wood from beaches to limit damage to dunes and central areas. It is hoped timber will be able to be taken to a central location for people to access.

**(e) Barry Isaac – Community Representative**

*Pathway on Turners Avenue* – It was asked if the Council would put in a pathway along Turners Avenue. Sandra suggested that this should be looked at in a broader context of the infrastructure of Turners Beach, so that the local amenity can be maintained whilst catering for the growing community and changing demographics. Further discussion at the next meeting when Infrastructure Services Staff are present.

**Action: John Kersnovski**

**(f) Merryn Gilham – Community Representative**

*Boom gate at Leith* – Council advised the boom gate was put in by Crown Land Services. Crown land Services and parks are aware of the rubbish and access issues and are working to address them.

*Removal of the wheelie bin* – this has made it difficult to dispose of rubbish picked up on the beach.

*Esplanade trees* – some of the trees on the north side of the Esplanade need to be inspected as it would appear that some of the limbs may pose a threat to cars and pedestrians.

**Action: John Kersnovski**

5

**6 MATTERS FOR CONSIDERATION**

**6.1 OTHER ITEMS**

No other matters.

**7 NEXT MEETING**

As there was no further business to discuss the meeting closed at 5.00pm. The next ordinary meeting of the Committee will be held on 24 November 2016 at 4.00pm in the Turners Beach Hall.

## Central Coast Community Safety Partnership Committee

Minutes of a meeting held in the Central Coast Council Chamber,  
19 King Edward Street, Ulverstone

**Wednesday, 31 August 2016 – Commencing at 10.10am**

### PRESENT

**Cr Jan Bonde** (Mayor – CCC); **Sandra Ayton** (General Manager – CCC); **Melisa Budgeon** (Community Wellbeing Officer – CCC); **Matthew Cope** (Engineering Proxy for Paul Breden – CCC); **Garth Johnston** (Penguin Neighbourhood Watch); **John Deacon** (Central Coast Community Shed); and **Insp. Stuart Wilkinson** (Tasmania Police).

### WELCOME

Sandra Ayton opened the meeting, introductions made and welcomes extended.

### 1 APOLOGIES

**Simon Douglas** (Ulverstone Community House); **Julie Milnes** (Health Promotion Coordinator [Mersey] DHHS); **Sgt Debbie Williams** (Tasmania Police); **Libby Dobson** (CCCCI); **Paul Breden** (Engineering Group Leader – CCC); **Kathryn Robinson** (Community Development Officer – Housing Choices Tasmania); **Glen Lutwyche** (Principal – Ulverstone High School [UHS]) and **Barry Isaac** (Turners Beach Neighbourhood Watch).

### 2 MINUTES OF PREVIOUS MEETING

John Deacon moved and Garth Johnston seconded, “That the minutes from the meeting held on Wednesday, 29 June 2016 be confirmed”.

Carried

### 3 MATTERS ARISING FROM PREVIOUS MEETING

**Entering Queen Street, West Ulverstone from the car park behind the shopping centre** – Still to go to traffic committee meeting will report to next meeting.

**Action: Paul Breden**

**Community Safety Plan and Survey**.....(Melissa Budgeon)

Report to be given in point 4(a).

#### 4 GENERAL BUSINESS

##### (a) Community Safety Action Plan

**Melissa Budgeon**

Melissa reported that she is currently looking at the Australian Safe Communities Foundation – Pan Pacific Safe Community Accreditation a model that is used by a number of Local Government areas in Victoria. Melissa circulated the Moonee Valley Community Safety Program as an example. The model provides a recognised evidence based practice for the Council to develop community safety with tangible outcomes. The Community Safety Partnership committee has been keen to promote the Central Coast municipal area as a safe place to visit and live, this accreditation may provide a real lead in this area.

Melissa advised that a draft of the Safety Program will be circulated to the committee representatives prior to the October meeting where it can be workshopped.

The committee agreed to look at as part of the draft Community Safety Plan, the representation on the Community Safety Partnership Committee and make sure that the group covers all areas within the community. It was suggested that there is one representation that is not covered on and that is a voice for the Youth. It was suggested that Rotaract may provide a youth representation on the committee.

##### (b) Crime Report

**Insp Stuart Wilkinson – Tasmania Police**

Insp. Stuart Wilkinson introduced himself to the meeting and advised that he has been appointed as the Divisional Inspector for Devonport, Latrobe, Central Coast and Kentish and commenced on 15 August.

*Crime report for Ulverstone* – Some charity donation tins have been removed from shops – this is a timely reminder that these are an easy target and that tightening of security measures is needed. The cemetery at Penguin has also been vandalised and Insp Wilkinson reported that the police heard about this through the media. In assisting the Tasmania Police the Inspector asked that members share a reminder that reporting and providing valuable information to the police in the first instance does have an impact on the outcome from these incidents. He stated that in general the Central Coast Municipality has been quiet for burglary related incidents.

John Deacon asked if there was a pathway program or community conferencing for offenders to work with community groups or individuals to help them to rehabilitate and be set on the right path in life.



Insp. Wilkinson advised the police have programs in place to deal with this but is happy to talk with John to see what can be provided through the Community Shed. Sandra reported the Council has signed a Memorandum of Understanding (MOU) with the police to provide community service work for offenders.

Melissa also advised there is an active IAST Inter-Agency Support Team involving Child protection, Police, Education, Youth Justice and other relevant service providers which meet regularly to communicate caseloads to support young people at risk in the Central Coast area.

With the concerns of the Bandidos Motorcycle gang setting up in Devonport or in other areas along the coast, the police have conducted a blitz within the region and advised this has been successful.

Insp. Wilkinson advised that Sgt Kevin Clayton has moved to Penguin from Ulverstone and Kym Turale has been appointed to Welfare Officer.

A new group has been established in Hobart called 'Save a Families Unit – bringing together government agencies who meet and discuss issues relating to the breakdown of the family unity within the community.

**(c) Central Coast Chamber of Commerce & Industry  
Report (CCCCI)**

**Libby Dobson**

Melissa reported that positive feedback had been given at a meeting of the Chamber of Commerce regarding business contacting the police assistance line. The Chamber is promoting fridge magnets with the police assist number 131444 and placing out through the community. She reported that there are a few female shop attendants that leave work late at night and have contacted the police to do a regular drive around at night as they were feeling unsafe leaving their business so late at night with takings.

Garth Johnston is currently in talks with a printing firm to make stickers for mobile phones with the emergency 000 or Police Assist 131444 phone number on them.

**(d) Primary Health Report**

**Julie Milnes**

No report provided.

**(e) Education (all schools) Report**

**Glen Lutwyche**

*Riana Primary:*

. Concerns that the school bus stops in South Riana don't have signs to alert motorists. Locals know where they are but not

tourists. Principal suggests parents raise with the Council but hasn't heard whether they did or not.

Council is not aware of this but will investigate.

*Ulverstone High School:*

- . Concerns have been raised regarding bus and student movement in streets around the High School near the bus interchange at the beginning and end of day.

Sandra to follow up with Glenn Lutwyche to see if this has been resolved. **Action: Sandra Ayton**

- . Grade 10 students participated in the RYDA Program at Camp Clayton.

- . You're Kidding Class had some students from the Rural Health Clinical School in to discuss personal safety and infant safety

**(f) Ulverstone Neighbourhood House Simon Douglas**

No report provided.

**(g) Housing Choices Tasmania (HCT) Report Kathryn Robinson**

No report provided.

**(h) Community Housing Report Leonie Hyde**

No report provided.

**(i) Neighbourhood Watch Reports Barry Isaac/Garth Johnston**

Garth Johnston advised there is a petition going around in regard to Main Street, Penguin. The council is finalising a fact sheet to provide further information to the community.

*Road marking and traffic calmer installation in Main Street* – Garth Johnston asked if the faded line marking can be redone especially the marking where parking is not permitted.

*Penguin Scout Hall Placement of CCTV* – Garth would like the Council to assist with the placement of CCTV near the Scout Hall in light of the recent vandalism to the hall. He is in negotiations with Neighbourhood Watch Australasia who are happy to grant \$3,000 to do this. Sandra reported that the Council would look at the safety issue and see if the Council can incorporate the skate park and the boat ramp.

*Paving near the Flight Centre Ulverstone* – Matthew Cope reported this area has been included in the 2016–2017 budget for renewal.

*Neighbourhood Watch Turners Beach* – Garth Johnston has been assisting the committee out and has organised someone to attend the next meeting. Barry Issaac is unable to continue on representing the group due to ill health. A comment from the committee is that they would like a police representative to attend their meetings.

*Penguin Men's Shed* – Garth Johnston attended a recent meeting which discussed the setting up of a Men's Shed in Penguin. The group have looked at a couple of places and have been in talks with the people that run the Penguin wood chopping arena. 22 people attended the meeting.

Garth is also in talks with Neighbourhood Watch Tasmania to look at modernising the branding name of Neighbourhood Watch.

**(j) Central Coast Community Shed**

**John Deacon**

20 Females attended the Community Shed and all had projects to do.

John Deacon to discuss with Melissa on what paper work is to be sign off by him as there seems to be some confusion on what needs to be done.

The Community Shed is continuing with their mentor training and activities through the primary schools in the area.

**5 OTHER BUSINESS**

No other business to report.

**6 CLOSURE**

There being no further business to discuss the meeting closed at 10.59am.

The next Committee meeting to be held on Wednesday, 26 October 2016 commencing at 10.00am in the Council Chamber, Central Coast Council, 19 King Edward Street, Ulverstone.



## **Central Coast Community Shed Management Committee**

Minutes of the General Meeting held at the Community Shed  
following the Annual General Meeting on:

**Monday, 5 September 2016**

### **1 PRESENT/APOLOGIES**

**Members Present:** Len Blair, David Dunn, Colin Perry, Cr Philip Viney, Anne Williams, Trish Bock, Sam Caberica, Zac Carter (Richmond Fellowship Tasmania), Norm Frampton (Lions Club, Ulverstone Show Society), Greg Layton, Merv Gee, Kevin Douglas, Peter Evans and Len Carr.

**Apologies:** Rob McKenzie, John Deacon, Jack Eaton, and Lynne Jarvis (Coffin Club).

**Coordinator / Admin:** Melissa Budgeon

### **2 CONFIRMATION OF MINUTES**

The meeting resolved, "That the minutes of the meeting held on Monday, 1 August 2016 were a correct record of the meeting."  
**Carried**

### **3 BUSINESS ARISING FROM MINUTES**

- . The internet connection has improved working very efficiently, the Recreation Centre staff assisted greatly. Thank you to Robert and Julie for their assistance.
- . Gardening Australia – Tino, Rob McKenzie no confirmation has been received to date. Len to follow up in Rob's absence.
- . Upcoming activities – Stroke information session and open day BBQ, 14 September at 11.00am.
- . 'Operation game' advice from UTAS, that if the Shed wanted to use the game any time that this was available for promotional use. The Community shed would like to use it during the Ulverstone Show.
- . Flyer for the Girls Group has been developed, and a sandwich board sign is waiting to be collected.
- . Parking at the Shed is OK and will monitor when there is heavy rain.
- . Shirts for the groups – ongoing item.

### **4 CORRESPONDENCE**

No correspondence was received.

## 5 TREASURER REPORT

The financial report was circulated to members.

Ladies Group 68 over the month ranging from 12 – 17 participants each day.

Men's Group 429 for the month, average 22 –37 participants each day.

The meeting resolved that the financial report be accepted.

**Accepted**

## 6 GENERAL BUSINESS

- . Zac advised that Richmond Fellowship is undergoing some structural changes but are very much looking forward to reconnecting clients to the Shed in the very near future.
- . Greg reported he has almost completed the security wires to the top of the back gate. Also asked members to confirm numbers for the annual Christmas dinner at the RSL Club on the December 9 at 12pm. Cost is \$25 per person.
- . Len Blair suggested that Russell from the Coffin club be considered as a Supervisor for the Shed. Russell is a retired builder with the necessary skills and experience, however will need to be signed off as per requirements to be a supervisor to enable use of the appropriate machines.

The Coffin Club is considering the Tuesday morning timeslot, 10 – 12.30 to bump up to the Girls group, this is to be discussed with the Girls Group.

- . Anne and Trish went to the Wharf Market on Sunday and were able to promote the Girls Group. Numbers continue to increase. Sandwich board sign is being made. A suggestion made, that another electric hand drill might be useful.
- . Len Carr suggested that a Supervisor's roster be reinstated enabling the work load of supervising the Shed to be shared around. A TV will be installed in the coming weeks and a cover has been made for this.
- . Chairs have arrived from the Small Grant and are already very well used, and appreciated.
- . Kevin encouraged supervisors to help out where they could to spread the work load also.
- . John asked about testing and tagging – Melissa advised that this is to be carried out by the Council's preferred supplier.

Suggestion made to advertise the great support of TASPAC in supplying the tea bags and other consumables – perhaps the Central Coast Voice would do a story on the Shed.

- . Merv reported that the Garden is well established and doing well.

**7 NEXT MEETING**

The next ordinary meeting of the Committee will be held on Monday, 3 October at 1.00pm.

**8 CLOSURE**

As there was no more business to discuss the meeting closed at 1.50pm.

## Central Coast Community Shed – Financial Statement 2016–2017

as at:  
1 September 2016

<b>Revenue</b>		<b>Estimates</b>	<b>Actual</b>
11413.06			
	Fees	3,000.00	2,181.82
	Material Donations		
	Project Donations	3,000.00	
	GST allocation		
	<b>Total Revenue</b>	<b>\$6,000.00</b>	<b>\$2,181.82</b>
11413.06	Building Fund (carried over)		\$2,500.00
<b>Expenditure</b>		<b>Estimates</b>	<b>Actual</b>
11481			
1	Aurora	1,800.00	
2	Telstra/Internet	700.00	81.52
3	Office	200.00	
4	Bus	0.00	
5	Testing and tagging	1,000.00	
6	Petty Cash	0.00	
7	Training	250.00	154.65
8	Membership	200.00	50.00
9	Room Hire	0.00	
10	Repairs and Maintenance	2,000.00	923.00
11	Safety Equipment	500.00	
12	Project Materials	3,000.00	261.86
	Insurance	200.00	
	Water/Sewage	150.00	
	Inspections/Building maintenance		
13	Checks	0.00	
	<i>Plans</i>		
	<b>Total Expenses</b>	<b>\$10,000.00</b>	<b>\$1,471.03</b>

# Central Coast Council

## List of Development Applications Determined

Period From: 01-Aug-2016 To 31-Aug-2016

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
DA215172	44 Jermyn Street Ulverstone 7315	Discretionary Development Application	Residential (multiple dwellings)	02-May-2016	18-Aug-2016	41
DA215193	CT 34175/1 Lobster Creek Road West Ulverstone 7315	Discretionary Development Application	Residential (single dwelling)	06-Jun-2016	10-Aug-2016	39
DA215207	1 Braids Road Gawler 7315	Discretionary Development Application	Residential (dwelling)	23-Jun-2016	03-Aug-2016	36
DA215223	22 Hull Street Leith 7315	Discretionary Development Application	Residential (dwelling)	07-Jul-2016	10-Aug-2016	32
DA216002	155 Spellmans Road Upper Castra 7315	Discretionary Development Application	Subdivision (excision of a dwelling and consolidation of titles).	11-Jul-2016	05-Aug-2016	22
DA216007	3 Crawford Street Ulverstone 7315	Discretionary Development Application	Residential (deck and outbuildings - shed and carport)	12-Jul-2016	10-Aug-2016	24
DA216006	250 Stubbs Road Turners Beach 7315	Permitted Development Application	Residential (outbuilding)	15-Jul-2016	10-Aug-2016	11
DA216011	10 Oceanside Boulevard Sulphur Creek 7316	Discretionary Development Application	Residential (dwelling)	22-Jul-2016	22-Aug-2016	28
DA215213	59 West Gawler Road Gawler 7315	Permitted Development Application	Residential (deck and verandah)	22-Jul-2016	02-Aug-2016	6
DA215214	Wyllies Road Riana 7316	Discretionary Development Application	Resource Processing and Residential (dwelling) and Visitor Accommodation with outbuildings (laundry/store and common living room)	25-Jul-2016	17-Aug-2016	21
DA215217	190 Brearleys Road Upper Castra 7315	Discretionary Development Application	Visitor Accommodation (two cabins)	26-Jul-2016	22-Aug-2016	20



<b>Application Number</b>	<b>Property Address</b>	<b>Development Application Type</b>	<b>Description of Proposed Use</b>	<b>Application Date</b>	<b>Decision Date</b>	<b>Day Determined</b>
DA216012	370 Preservation Drive Sulphur Creek 7316	Discretionary Development Application	Residential (retaining wall and garage)	29-Jul-2016	23-Aug-2016	24
DA216018	13 Arcadia Avenue Turners Beach 7315	Discretionary Development Application	Residential (outbuilding - shed)	03-Aug-2016	31-Aug-2016	23
DA215173-2	179 Maxfields Road South Nietta 7315	Discretionary Development Application	Utilities (Water Transfer Infrastructure, including Pump House, Pipeline, Penstock and Turbine House)	05-Aug-2016	10-Aug-2016	3
DA211279-1	41 Amherst Street Ulverstone 7315	Discretionary Development Application	Residential - Multiple dwellings	10-Aug-2016	23-Aug-2016	9
DA216015	34 Industrial Drive Ulverstone 7315	Permitted Development Application	Manufacturing and Processing (addition to storage facility)	19-Aug-2016	26-Aug-2016	7

**SCHEDULE OF STATUTORY DETERMINATIONS  
MADE UNDER DELEGATION**

Period: 1 August 2016 to 31 August 2016

Building Approvals – 21

<i>Type</i>	<i>No.</i>	<i>Total Value (\$)</i>
Dwellings	7	3,080,000
Flats/Units	0	0
Additions/Alterations	4	82,150
Outbuildings	9	443,000
Other	1	600,000
The estimated cost of building works totalled		<u>\$4,205,150</u>

Permit to Proceed – 1

Plumbing Permits – 19

Special Plumbing Permits – 2

Special Plumbing Permits (on-site wastewater management systems) – 3

Food Business registrations (renewals) – 16

Food Business registrations – 1

Temporary Food Business registrations – 5

Temporary 12 month Food Business Registrations – 1



Cor Vander Vlist  
DIRECTOR COMMUNITY SERVICES



## Local Government

## LATROBE COUNCIL

## APPLICATIONS FOR PLANNING PERMITS

The following applications have been received under Section 57 of the Land Use Planning & Approvals Act 1993:

Application No.: DA 92/2016

Site: 32 Cherry Hill Road, Latrobe  
 Proposal: Proposed shed with reliance on Performance Criteria under the Rural Resource zone provisions (increase in height)

Application No.: DA 99/2016

Site: 15 Hamilton Street, Latrobe  
 Proposal: Proposed garage with reliance on Performance Criteria under the General Residential zone provisions (reduced setback)  
 The application is also being advertised in accordance with Part 6 of the Historic Cultural Heritage Act 1995

The applications and associated materials will be available for inspection at the Council office during normal office hours 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@latrobe.tas.gov.au

Dated at Latrobe this 6<sup>th</sup> day of August 2016.

Gerald Monson  
 General Manager



## LAND USE PLANNING AND APPROVALS ACT 1993

## NOTICE UNDER SECTION 38

## 2-4 UPLANDS PLACE, PARK GROVE

CT 239491/1

## Burnie Interim Planning Scheme 2013

## Draft Amendment No. 2016/72

Burnie City Council has initiated a draft amendment to the Burnie Interim Planning Scheme 2013 so as to change the zone assigned for land at 2-4 Uplands Place, Park Grove as described in CT 239491/1 from Community Purposes to General Residential.

Copy of the draft amendment together with all supporting material is available for inspection at the Burnie City Council Offices, Ground Floor, 80 Wilson Street, Burnie between 8.30am - 5.00pm Monday to Friday inclusive or on Council's website at www.burnie.net for a period of three weeks from Saturday 6 August 2016.

Any person wishing to make a representation on the draft amendment must do so in writing addressed to the General Manager, Burnie City Council, PO Box 973, Burnie 7320 or burnie@burnie.net by expiration of the exhibition period at 5.00pm on Monday 29 August 2016.

Enquiries - phone 6430 5838, or visit the City Offices, 80 Wilson Street, Burnie.

## 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 2016/1259  
 Site: 12 Tracey Street, Park Grove  
 CT 62829/3

Proposal: Subdivision to create two (2) lots. Lot 2 to contain existing dwelling.

Discretionary Matter: Grant of Permit reliant on assessment against Clause 10.4.6(P1), 10.4.9(P1), 10.4.10(P1) and Clause 10.4.13(P1&P2).

The application and documentation may be viewed at the Burnie City Council Offices, Ground Floor, 80 Wilson Street, Burnie between 8.30am - 5.00pm Monday to Friday inclusive or on Council's website at www.burnie.net

Any person may make representation relating to an application. Representations regarding the proposal should be in writing addressed to the General Manager, Burnie City Council, PO Box 973, Burnie 7320 or burnie@burnie.net to be received no later than 5.00pm on 22 August 2016.

Dated: 6 August 2016

Andrew Wardlaw  
 GENERAL MANAGER

www.burnie.net



## Local Government



DEVONPORT CITY COUNCIL  
 17 Fenton Way, Devonport TAS 7310  
 Phone: 03 6424 0511  
 www.devonport.tas.gov.au

## APPLICATION FOR PLANNING PERMIT

A planning application has been made for the following proposal:

Application No.: PA2016.0104  
 Proposal: Residential (outbuilding) - assessment against performance criteria for setbacks and building envelope  
 Address: 121 David Street, East 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 by close of business on 22 August 2016.

## NOTICE OF PUBLIC EXHIBITION OF DRAFT AMENDMENT TO THE DEVONPORT INTERIM PLANNING SCHEME 2013 AND ASSOCIATED PERMIT - LAND USE PLANNING AND APPROVALS ACT 1993, S.38 &amp; S.43F

Notice is hereby given of the public exhibition of the following draft amendment to the Devonport Interim Planning Scheme 2013 (DIPS) and associated S.43A permit:

Draft Amendment AM2016.02 seeks to:  
 • Rezone 83 Stewart Street, Devonport (CT 216837/2) from General Residential to Central Business

The associated planning application, PA2016.0009 at 83 Stewart Street, 114-116 William Street and 118 William Street, Devonport, allows for:

• Service Station Redevelopment (including demolition) - assessment against performance criteria under clause 22.3.1, 22.4.2 and 22.4.5 and Sign Code (E7)

The application documents can be inspected at the Council Offices located at 17 Fenton Way, Devonport during ordinary office hours. The details are also available on Council's website at www.devonport.tas.gov.au.

In accordance with S.39(1) & S.43F of the Land Use Planning & Approvals Act 1993, representations in relation to the draft amendment and permit may be submitted to the General Manager, Devonport City Council, PO Box 604, Devonport or by email to council@devonport.tas.gov.au on or before 27 August 2016.

Dated 6 August 2016

Paul West  
 GENERAL MANAGER

## KENTISH COUNCIL

Pursuant to s.139(A) of the Local Government Act 1993  
 Register of Money Remaining After Sale of Land Under s.137 for Non-Payment of Rates

PID	Owner/Ratepayer at time of auction	Address of Property Sold	Date of Settlement	Surplus Monies
2716731	William John Wright	West Nook Road, Sheffield	15 July 2016	\$22,394.93
6491410	Sandra Carol Smith	189 Botts Road, Lorinna	15 July 2016	\$31,995.61
2007185	Alfred Evershed	Lower Beulah Road, Lower Beulah	15 July 2016	\$3,387.82

Under s.139(A) of the Local Government Act 1993, Council must keep a register of all the monies remaining after the sale of land sold under s.137 for non-payment of rates. Any surplus monies received by Council from the sale of land which are not claimed by the owner of the land within three (3) years of the sale vests in the Council. Anyone with any queries should contact, Corporate Services Manager, Andrew Cook on 6491 0200.

Dated at Sheffield this day 6 August

Gerald Monson  
 GENERAL MANAGER



## Local Government



19 King Edward Street  
 Ulverstone Tasmania 7315  
 Tel. 03 6429 8900  
 Fax 03 6425 1224  
 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: CT91766/5 Pine Road, Penguin  
 Proposal: Visitor Accommodation (two accommodation buildings and two ancillary sheds for boat storage)  
 Application No.: DA215218  
 • Location: 13 Arcadia Avenue, Turners Beach  
 Proposal: Residential (outbuilding - shed) - variation to rear boundary setback  
 Application No.: DA216018

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. Representations must be made on or before 20 August 2016.

## DISPOSAL OF ABANDONED VEHICLE

Offers are invited for purchase of the following abandoned vehicle which has remained unclaimed following its removal from the BP Service Station:

• Mitsubishi Triton Ute  
 Licence plates removed  
 Removed from the BP Service Station, Ulverstone on 14 April 2016

Offers, in writing, should be addressed to the General Manager, Central Coast Council, PO Box 220, Ulverstone 7315. The closing date for offers is Thursday 19 August 2016.

Enquiries for inspection of vehicle should be directed to the Council Inspector by phoning 6429 8914.

Dated at Ulverstone this 4th day of August 2016.

SANDRA AYTON  
 General Manager

## Public Notices

## Become a Recognised Tasmanian 'Paddle Safe Partner'

Marine and Safety Tasmania and Surf Life Saving Tasmania invite marine retailers, chandleries, retailers and all those selling kayaks and paddle craft to become a Tasmanian recognised

'Paddle Safe Partner'  
 We need your help in promoting safe and enjoyable paddling in Tasmania. No cost involved.

For an information pack, please register your interest at admin@mast.tas.gov.au or ring 6235 8829.

This is a joint MAST and SLST safety initiative.



## Public Notices



On Saturday, September 17, 2016, you are invited to celebrate

100 years OF BURNIE HIGH SCHOOL at the Burnie High Centenary Gala Event.

A culmination of celebrations, this event will provide an opportunity for alumni, staff and friends from across the years to peruse memorabilia from the School's archives and personal collections and recount memories and experiences from their time with Burnie High School.

The evening will be an informal cocktail setting for guests to mingle and chat. Also included will be keynote speeches and musical items led by former music teacher and current Head of the Conservatorium of Music, Andrew Legg, accompanied by fellow musicians with an association to Burnie High.

TICKETS \$50

This includes finger food and a complimentary beverage on arrival

Available on 6431 2744, or book online via the link at www.burniehigh.org.  
 Venue: 6.30pm for 7.00pm at Burnie Arts & Function Centre  
 Dress: Semi-formal  
 RSVP: September 10 - chris.phillip@education.tas.gov.au  
 This event is open to the public.

## Public Notices

## AUSTRALIA DAY AWARDS 2017

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 Award  
 Young Citizen of the Year Award  
 Community Event of the Year Award

Nomination forms are available from the Burnie City Council, 80 Wilson Street, Burnie, or online at www.burnie.net

Nominations close at 4.00pm on Friday 25 November 2016. Nominations must be received in writing and contain the name and address of both the nominee and the nominator.

## UPPER NATONE RESERVE SPECIAL COMMITTEE

## Annual General Meeting

Notice is hereby given that the Annual General Meeting of the Upper Natone Reserve Special Committee for 2016 will be held at the Natone Primary School on Monday 22 August 2016, commencing at 7.30pm

The Agenda for the meeting includes the formal presentation of the Annual Report for the Committee. Dated 6 August 2016.

Andrew Wardlaw  
 GENERAL MANAGER

www.burnie.net



## CCCCI Annual General Meeting

The Annual General Meeting of the Central Coast Chamber of Commerce and Industry Inc. will be held at Turners Beach Berry Patch, Blackburn Drive, Turners Beach on Saturday 20 August 2016 commencing at 7pm. Nominations for Office Bearers close 10 August 2016. For details of business see www.centralcoastccci.com Vicky Pearson Public Officer



DEVONPORT CITY COUNCIL  
 17 Fenton Way, Devonport TAS 7310  
 Phone: 03 6424 0511  
 www.devonport.tas.gov.au

## MAIDSTONE PARK - BMX TRACK CLOSURES - AUGUST 2016

Due to the North West Football Association finals being held at Maidstone Park on the 13th, 14th, 20th, 21st & 27th August, Council advises that the Maidstone Park BMX track will be closed on the above dates between 9am & 5pm.

Paul West  
 GENERAL MANAGER

Town Talk \$8.50 per col/cm everyday

It's not just word of mouth!

classifieds 1300 363 789



# Annexure 1

Pine Road, Penguin



6

419000

PINE

204

202

120

5447000

193

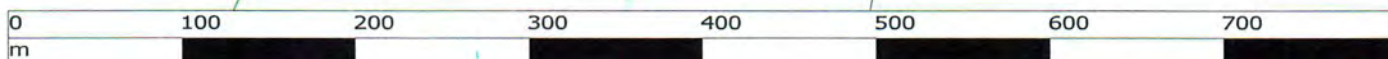
149

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

Received: 30 JUN 2016

Application No: DA215218

Doc. ID: 238453



DA215218

# Annexure 2



PO Box 220  
19 King Edward Street  
Ulverstone Tasmania 7315  
Tel (03) 6429 8900  
Fax (03) 6425 1224  
admin@centralcoast.tas.gov.au  
www.centralcoast.tas.gov.au

## DEVELOPMENT APPLICATION

Sections 57 & 58

Application Number DA215218

### APPLICANT DETAILS

Applicant Name	Mr Phillip Stewart, Mrs Joanne Stewart		
Postal Address	6 Anglers Crescent MIENA TAS 7030		
Phone(B)	Phone(H)	Mobile	Fax

### OWNER DETAILS

Owner/Authority Name	Annie May Jones, Joseph Jones
Address	89 Pine Road PENGUIN TAS 7316

### DEVELOPMENT APPLICATION DETAILS

Property Address	Pine Road Penguin 7316
Title Reference	CT 9176615
Zone(s)	Rural Resource [Central Coast Interim Planning Scheme 2013]

*Note: Council requires a survey plan or certificate of title to clarify the property description*

Present Use	Vacant land
Proposal (intended use)	Visitor Accommodation (two accommodation buildings and two ancillary sheds)
Development Type	Discretionary Permit Area >250m2
Estimated Value of Development	

Building Application	No
Are all Documents Attached? (Refer to Application Checklist)	Yes

Existing Floor Area	Area:	m2
New or Additional Floor Area	Area:	m2

CENTRAL COAST COUNCIL  
LAND USE PLANNING & REGULATORY SERVICES

Received: 30 JUN 2016

Application No: DA215218





Application Number: DA215218

## NON-RESIDENTIAL DEVELOPMENT/USE

Hours of Operation	Monday/Friday		to	
	Saturday		to	
	Sunday		to	

Number of Car Parking (Existing)		Number of Employees (Existing)	
Number of Car Parking (Additional)		Number of Employees (Additional)	

Type of Machinery Installed	
Details of Trade Waste and Method of Disposal	

## APPLICANT DECLARATION

**YOUR DECLARATION - To be completed by all applicants.**

I apply for consent to carry out the development described in this application. I declare that all the information given is true and correct. I also understand that:

if incomplete, the application may be delayed or rejected.

more information may be requested within 21 days of lodgement.

### PUBLIC ACCESS TO DISCRETIONARY PLANNING DOCUMENTS

I, the undersigned understand that during the 14-day public display period, all documentation included with this planning application will be made available for inspection by the public and upon request and following payment of a prescribed fee, copies of submitted documentation, with the exception of plans which will be made available for display only, will be provided to members of the public.

### OWNERS NOTIFICATION

I declare that I have notified the owner of the intention to make of this application.

If the land is subject to a mining lease, or is owned by the Crown or Council, the written consent of the Owner must be submitted with the application in accordance with s.52 of the Act.

In the course of inspections and investigations relating to this application, it may be necessary for Council officers to enter upon the land which is subject to this application. Accordingly, permission is hereby granted for entry for that purpose provided reasonable attempts are made on site to inform any resident or occupant on the property at that time.

Applicant: Name (Print): Phillip Stewart Signed: [Signature] Date: 30/6/16  
Scanne Stewart

Received 30 JUN 2016

Application No: DA215218

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
91766	5
EDITION	DATE OF ISSUE
1	28-Jul-1994

SEARCH DATE : 02-Aug-2016

SEARCH TIME : 10.45 AM

DESCRIPTION OF LAND

Parish of ASHWATER, Land District of DEVON  
 Lot 5 on Sealed Plan 91766 (formerly being SP4822)  
 Derivation : Part of Lot 2206, Gtd. to C. Lillico.  
 Prior CT 3347/42

SCHEDULE 1

A636120 TRANSFER to JOSEPH EDWARD JONES and ANNIE MAY JONES

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
 SP 4822 EASEMENTS in Schedule of Easements

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



[www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)



(7)



**SCHEDULE OF EASEMENTS**

PLAN NO.

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

**S.P. 4822**

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

EASEMENTS

Lot 2 is:— Together with a right to use the existing pump in Fidler's Creek in or on the land marked Pump Site hereon (or any other pump or pumps or other apparatus hereafter provided as a replacement for or for use in conjunction with the said existing pump) and to use the existing underground water pipes under the strip of land marked Pipeline Easement between the points marked FASC and DE hereon (or any other pipe or pipes hereafter provided as a replacement for the existing pipes) for the supply of water to the said lot 2 for all purposes and the right of inspecting cleansing repairing maintaining removing and enlarging the same and for such purposes of entering on and perambulating over the said Pipeline Easement (between the said points marked FASC and DE hereon) and the said Pump Site shown hereon and of doing any necessary work for the purpose aforesaid causing as little damage as possible and making reasonable compensation for all damage done or caused thereby PROVIDED ALWAYS that all pipes hereafter laid in pursuance of the said rights shall not exceed in diameter 1.1/4 inches and shall be laid in the ground at a depth of not less than one clear foot below the natural surface of the soil.

Lot 1 is:— Subject to a right (appurtenant to Lot 2) to use the existing water pipes under the strip of land marked "Pipeline Easement" between the points marked FA hereon (or any other pipe or pipes hereafter provided as a replacement for the existing pipes) for the supply of water to lot 2 for all purposes and the right of inspecting cleansing repairing maintaining removing and enlarging the same and for such purposes of entering on and perambulating over the said Pipeline Easement (between the said points marked FA hereon) and of doing any necessary work for the purpose aforesaid causing as little damage as possible and making reasonable compensation for all damage done or caused thereby. PROVIDED ALWAYS that all pipes hereafter laid in pursuance of the said rights shall not exceed in diameter 1.1/4 inches and shall be laid in the ground at a depth of not less than one clear foot below the natural surface of the soil.

Lots 1, 2 3 and 5 are:— Together with a Pole Easement (more particularly set forth hereunder) over the Pump Site shown hereon and Pipeline Easement (between the points marked DE hereon).

Lots 1, 3 and 5 are:— Together with a Pump Easement (more particularly set forth hereunder) over the Pump Site shown hereon.

Each Lot in Column A hereunder is:—

- (i) Together with a Pipe Easement (more particularly set forth hereunder) over the Pipeline Easement shown hereon passing through the lots and land specified opposite thereto in Column B
- (ii) Subject to a Pipe Easement over the Pipeline Easement shown hereon passing through that lot as appurtenant to the Lots shown hereon and specified opposite thereto in Column C

<u>Column A</u>	<u>Column B</u>	<u>Column C</u>
Lot 1	ABC and DE	3 and 5
Lot 2	Nil	3 and 5
Lot 3	1, 2, ABC and DE	5
Lot 4	Nil	5
Lot 5	1, 2, 3, 4, ABC and DE	Nil



Lot 3 is:- Subject to the right (appurtenant to lot 5) for the purpose of the supply of water to use the Water Tank (in or on Lot 3 shown hereon and marked "Water Tank Site No.2") or any water tank or water tanks hereafter provided as a replacement for or use in conjunction with the said water supply and for all purposes of inspecting cleansing repairing maintaining removing and enlarging the same and for such purposes of entering in or perambulating over the said Pipeline Easement passing through Lot 3 and "Water Tank Site No.2" and of doing any necessary work for the purpose aforesaid causing as little damage as possible and making reasonable compensation for all damage done or caused thereby PROVIDED ALWAYS that the owner or owners of the said Lot 5 his and their successors in title shall pay and contribute one moiety of the cost of erection of the said Water Tank on the said Water Tank Site No.2 and its appendages and the expenses of keeping the same in repair And the owner or owners of the said Lot 3 for himself and themselves and his and their successors in title do hereby bind himself and themselves to execute from time to time such installation and repairs and Lot 5 is together with a like right over the Water Tank Site No.2 and Pipeline Easement within Lot 3 set forth herein and subject to the provision set forth above

INTERPRETATION

1. PUMP EASEMENT is the right to erect or install and maintain in or upon the Pump Site shown hereon a pump or pumps or other apparatus for use in connection with the said Pipe Easement for the purpose of the supply of water to the said lot or any part thereof for all purposes and of inspecting cleansing repairing maintaining removing and replacing the same and for such purposes of entering on and perambulating over the said Pump Site and of doing any necessary work for the purpose aforesaid causing as little damage as possible and making reasonable compensation for all damage done or caused thereby.

2. PIPE EASEMENT is the right to lay down pipes of a diameter of not more than 1.1/4 inches in over along and through the said Pipeline Easement and Pump Site for the purpose of carrying water through the said pipes for the supply of water to the said lot or any part thereof for all purposes and of inspecting cleansing repairing maintaining removing and enlarging the same and for such purposes of entering on and perambulating over the said Pipeline Easement and Pump Site and of doing any necessary work for the purpose aforesaid causing as little damage as possible and making reasonable compensation for all damage done or caused thereby PROVIDED ALWAYS that all pipes laid in pursuance of the said rights shall be laid at a depth of not less than one clear foot below the natural surface of the soil PROVIDED FURTHER that the said rights shall not confer upon the owner or owners for the time being of Lots 1, 3 and 5 and his and their successors in title the right to use the Water Tank on Lot 2.

3. POLE EASEMENT is the right to erect and maintain poles and affix wires thereto for the purpose of a supply of electricity to any pump or pumps or other apparatus to be erected or installed as hereinbefore provided through over and along the said Pipeline Easement marked DE hereon and Pump Site shown hereon and the right from time to time and at all times to enter into and upon and perambulating over the said Pipeline Easement marked DE hereon and Pump Site shown hereon to inspect repair maintain remove and amend any such poles or wires affixed thereto causing as little damage as possible and making reasonable compensation for all damage done or caused thereby.

SIGNED this

12<sup>th</sup> day of April

1973.

SIGNED by DONALD HUGH LILLICO the  
tenant in fee simple of the land  
comprised in Conveyance No.35/4672  
in the presence of:

*D.H. Lillico*

*[Signature]*  
SOLICITOR'S CLERK  
ULVERSTONE

SIGNED by JACK ANDREW LIDDLE HARRIS  
the tenant in fee simple of the land  
comprised in Conveyance No.40/1441  
in the presence of:

*J.A. Harris*

*[Signature]*

SOLICITOR  
ULVERSTONE

SIGNED by RAYMOND CHARLES EASTLEY  
and BARRY CHARLES EASTLEY the  
tenants in fee simple of the land  
comprised in Conveyance No. 40/938  
in the presence of:

*R.C. Eastley*  
*B.C. Eastley*

*G.H. Mann*  
*Solicitor*  
*Burnie*

SIGNED, SEALED AND DELIVERED for and  
on behalf of ~~THE COMMONWEALTH~~  
TRADING BANK OF AUSTRALIA as  
mortgagee under Mortgage No.35/7442  
by Alexander Robert NIMMO  
its duly constituted Attorney ~~in~~  
~~the~~ Under Power of  
Attorney No 16375 in the presence of:

COMMONWEALTH TRADING BANK OF AUSTRALIA  
by its Attorney  
*[Signature]*  
Assistant Manager Hobart



SIGNED SEALED AND DELIVERED by

IAN JEFFREY BEATON  
as the Attorney for and as the  
act and deed of BANK OF NEW  
SOUTH WALES as Mortgagee under  
Mortgage No.40/939 from the said  
Raymond Charles Bastley and  
Barry Charles Bastley to Bank of  
New South Wales (and the said

IAN JEFFREY BEATON  
acting under Power of Attorney  
No.18942 hereby declares that  
he has received no notice of  
revocation of the said Power of  
Attorney) in the presence of:

.....  
A Justice of the Peace

1. CERTIFICATE OF EASEMENT  
2. CERTIFICATE OF EASEMENT

*[Signature]*

MANAGER

CERTIFIED correct for the purposes of the Real Property Act 1862  
as amended

ARCHER JACKSON & JONES

Per:

Solicitors for the Subdivider

This is the schedule of easements attached to the plan of Mr. Surveyor

P.N. Anderson comprising part of the land in

Conveyance 35/4672

(Insert Title Reference)

Sealed by Penguin Municipal Council on 30th April 19 73

*[Signature]*  
Council Clerk/Town Clerk

21928

Pine Road, Penguin



6

419000

PINE

204

202

120

5447000

193

149

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

Received: 30 JUN 2016

Application No: DA215218

Doc. ID: 238453



DA215218



# Central Coast Fishing Accommodation and Boat Storage Facility

## 1 SUPPORTING INFORMATION

As the owners of Tassie Highland Fishing Accommodation, we are looking at expanding our business to the North-West Coast, where we see a real need for such accommodation in an area of fishing diversity and tourism opportunities. Our existing clients have discussed their interest in additional river and lake fishing in areas of more moderate weather conditions, ideally close to boat terminals and other services. On visiting this site, my wife and I have found it to be the perfect location for direct access to the highway, in close proximity to prominent fishing areas in the central coast region. Specific fishing areas in close proximity have been identified as;

• Leven River	• Isundula Dam
• Lake Gardner	• Gawler River
• Forth River	• Palooona Dam
• Lake Lea	• Buttons Creek

This proposed business venture will be owned by the Stewart Superannuation fund and Managed by Joanne and Phillip Stewart under two business names being Central Coast Fishing Accommodation and Central Coast Boat Storage Facilities.

The proposal consists of a four stage development. The stages are proposed as follows;

- 1- Stage one consists of a two bedroom self-contained cottage with an attached double garage, one bay designated for a vehicle and the other for boat storage.
- 2- Stage two proposes a feature rock/colorbond three accommodation house.
- 3- Stage three consists of an 18x8 metre timber framed boat storage facility providing clients with long term storage options for their boats. Security fencing of this area is also proposed during this stage.
- 4- Stage four consists of the second 18x8 metre Boat Storage Facility within the already secured fencing area.
- 5- Stage five consists of a 30x25 metre open boat storage facility to allow for the storage of larger boats.

The site has been chosen for its central location and direct access to the Bass Highway. Development within a rural setting also provides both mainland and local visitors with the enjoyment of our rural area without impacting on neighboring agricultural activities (see planning report for further detail). The frontage of the site, being on the brow of a hill, allows for good site distance in both directions for the entering and exiting of the site with trailing boats.

We hope that the Council and community see this as a great opportunity to showcase our local natural resources and support us in the expansion of our Tasmanian fishing tourism business.

Yours kindly,

Joanne and Phillip Stewart

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

Received: 30 MAY 2018

Accession #: DA215218

File #: 238453



# FINANCIAL PLAN

For additional demonstration of the long term viability of the proposal, a financial plan for the first two years has been provided.

## Year 1

<b>Two Bedroom Cottage</b>
Estimated occupancy rate of 30% at \$150 per night (including 4 adults)
= 109 days – Total: \$17,520

<b>Three Bedroom House</b>
Estimated occupancy rate of 30% at \$250 per night (including 4 adults)
= 109 days – Total \$27,250

<b>Boat Storage Facility (10 Boats)</b>
Estimated occupancy rate of 70% at \$125 per month
= Total \$10,500

<b>Open Boat Storage Facility (6 Boats)</b>
Estimated occupancy rate of 66%
= Total \$4,752

<b>YEAR 1 TOTAL ESTIMATED YEARLY INCOME IS</b>	<b>Total \$60,022</b>
--	-----------------------

## Year 2

<b>Two Bedroom Cottage</b>
Estimated occupancy rate of 40% at \$165 per night (including 4 adults)
= 146 days – Total: \$24,090

<b>Three Bedroom House</b>
Estimated occupancy rate of 45% at \$255 per night (including 4 adults)
= 164 days – Total \$41,883

<b>Boat Storage Facility (10 Boats)</b>
Estimated occupancy rate of 90% at \$130 per month
= Total \$14,040

<b>Open Boat Storage Facility (6 Boats)</b>	
Estimated occupancy rate of 84%	
	<b>= Total \$6,652</b>
<b>YEAR 1 TOTAL ESTIMATED YEARLY INCOME IS</b>	
	<b>Total \$86,665</b>

This financial plan does not take into account the level of revenue and exposure this business will bring to the central coast area and specifically Penguin. The benefits to local businesses and exposure of the region as a tourism and sports fishing area, cannot be discounted and is further addressed in the planning report provided.

Having been in the fishing accommodation and boat storage business from over 12 years as current owners and manager of Highlands Fishing Accommodation, we feel that we are experienced enough to understand the financial and operational management required to ensure that the expansion of our business to the central coast region is successful.



# PLANNING REPORT

APPLICANT	Phillip and Joanne Stewart
ADDRESS	Pine Road, Penguin
DATE	14 March 2016
PID	6775421
CT REF	91766/5
PROPERTY SIZE	3.7ha (approximately)
PROPOSED USE	Visitor Accommodation (Permitted - Less than 16 guests) which has boat storage proposed that is integral and subservient to the Visitor Accommodation use and is not a stand alone use.
ZONING	Rural Resource
USE STATUS	Permitted
DEVELOPMENT STATUS	Discretionary
REPORTING PLANNER	Jayne Newman



CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

Received: 30 MAY 2016

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Doc ID: 238453



# Fishing Accommodation and Boat Storage Facilities

Pine Road, Penguin – CT 91766/5

## EXISTING SITE CONFIGURATION

The property is located at Pine Road Penguin, two kilometers south of the Bass Highway. The lot area is approximate 3.7ha which slopes upwards from the roads edge, north to south.

## EXISTING USE

The existing use of the site looks to be for the storage of goods with a small number of free range hens on the lower section of the lot. Water for the animals must be brought to the site as the site does not have any available water connection or storage ability. The egg production is only for personal use of the owner, with no primary production occurring on the site.

## 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.

## 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



### 26.1.3 Future Character Statement

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
- (c) will seek to minimise disturbance to –
  - (i) physical terrain;
  - (ii) natural biodiversity and ecological systems;
  - (iii) scenic attributes; and
  - (iv) rural residential and visitor amenity;may involve sites of varying size –
  - (i) in accordance with the type, scale and intensity of primary industry; and
  - (ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources;
- (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

#### Comment:

*The proposal relates to visitor accommodation, providing for access to the array of aquatic areas around the Central Coast region, allowing direct access to Tasmania's natural resources. The proposal is considered to be consistent with the Zone Purpose Statement, by providing access to natural aquaculture without constraining or conflicting resource development, being agricultural activities on neighboring sites. The lot in question is constrained by size, topography (having slip potential) and a lack of water for animal or crop production. The site is adjoined to the west and south by similar size lots, which takes the land out of resource production and into "hobby farm" style residential lots. Looking at the lot to the east, this is a larger lot, but is also constrained by topography, limiting the level of production of this lot. That being said, there is still the ability for this land to be used for agricultural pursuits; therefore dense screen planting has been proposed to limit any impacts that may occur between the two uses.*

*This site has been chosen for its central location in relation to naturally occurring fishing resources that are located in the Central Coast area. This application is not considered to be a risk to the air quality of the rural area and supporting reports are included in this application to ensure the protection of ground water. The proposal is considered to create an economic benefit for the community by increasing tourism to the region. This proposal is not considered to be suitable for location in an area of settlement or conservation, but better suited in an area with easy access to the Highway while also promoting coastal views, without impact to conservation areas.*

*In relation to the Zone Purpose Statement, the location of smaller lots in close proximity is considered to categorise the area into a residential settlement node, with other lots already developed and having insufficient land area to be considered required residential uses. The use of this lot will provide promotion of the Central Coast area for both its man-made and naturally occurring resources being fishing locations increasing tourism and promotion of the area. The development on-site has been located to minimise excavation and soil disturbance, while taking advantage of coastal views. Ensuring development is within an area that has been fettered by small scale development together with mitigating factors, such as construction material and dense screen planting, ensures that the proposal will not impact existing or future resource development uses on adjoining lots.*



## USE STANDARDS

### 26.3.1 Requirement for discretionary non-residential use to locate on rural resource land

A1	P1
<p>There is no acceptable solution</p>	<p>Other than for residential use, discretionary permit use must</p> <ul style="list-style-type: none"> <li>(a) be consistent with the local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement;</li> <li>(c) be required to locate on rural resource land for operational efficiency – <ul style="list-style-type: none"> <li>(i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;</li> <li>(ii) to access infrastructure only available on the site or on adjacent land in the zone;</li> <li>(iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;</li> <li>(iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;</li> <li>(v) if required – <ul style="list-style-type: none"> <li>a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;</li> <li>b. for security;</li> <li>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;</li> </ul> </li> <li>(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;</li> <li>(vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or</li> <li>(viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and</li> </ul> </li> <li>(d) minimise likelihood for – <ul style="list-style-type: none"> <li>(i) permanent loss of land for existing and potential primary industry use;</li> <li>(ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and</li> <li>(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</li> </ul> </li> </ul>



**Comment:**

As stated on the previous page, the proposal is considered to be consistent with the Local Area Objectives and the applicable Future Character Statements.

The site has been chosen for its close proximity to the Bass Highway, scenic views, and aquatic resources required for recreational fishing, providing operational efficiency in a central location. The cost benefit of the proposal to the Penguin and Central Coast Region has to be considered relative to the population of the Penguin area. Looking at the first year's occupancy, being 4 adults per habitable building with an occupancy rate of 30%, staying on average 2 nights each; this development has the potential to increase tourism to the Penguin area by 1,744 people per annum, in the first year. This rate is anticipated to increase by approximately 15% in the second year. Statistics on the Tasmanian Parliament website, detail that the average tourist in Tasmania spends \$1,676, which This equates to an economic benefit of \$2,922,944.00. Looking at Penguins population of 5,500 (Central Coast Tas 2016) the economic benefit to this area is considered to be significant.

As previously stated, the lot is located in what is considered to be a small "hobby farm" style settlement node with both lots bounding the south and west both having similar lot sizes with existing dwellings. As this area is already constrained by size, topography, lack of water on-site and the location of existing residential uses, the site is considered to be already fettered by existing circumstance. A Land Capability Report by Strata Consulting has also been included in the application. This report concludes that the site has a land classification of 4e, with the site susceptible to erosion through land slip and slumping. This makes the area unsuitable for cropping and limited in relation to grazing. Measures such as screen planting, acoustic construction with double glazed windows, rock walls and also the sensitive location of buildings ensures that the two uses can cohabitate without constraint to the existing and future primary industries pursuits of the adjacent lots to the east and opposite Pine Road.

The lot is not within a proclaimed irrigation district, therefore (d)(ii) is not applicable.

## Development Standards

### 26.4.1 Suitability of a site or lot on a plan of subdivision for use or development

A1	P1
<p>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 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 2000m<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>(iv) clear of any registered easement;</p> <p>(v) clear of any registered right of way benefiting other land;</p> <p>(vi) clear of any restriction imposed by a utility;</p> <p>(vii) not including an access strip; (viii) accessible from a frontage or access strip</p>	<p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –</p> <p>(a) erection of a building if required by the intended use;</p> <p>(b) access to the site;</p> <p>(c) use or development of adjacent land;</p> <p>(d) a utility; and</p> <p>(e) any easement or lawful entitlement for access to other land</p>



**COMMENT:**

*The lot has an area exceeding 1 ha in size.*

*The proposed total floor area is 612m<sup>2</sup>.*

*All development proposed is clear of any zone boundaries, easements, right of ways and utilities and does not include area for the internal access strip.*

**A2**

A site or each lot on a subdivision plan must have a separate access from a road –

(a) across a frontage over which no other land has a right of access; and

(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

(c) by a right of way connecting to a road –

(i) over land not required as the means of access to any other land; and

(i) 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

(d) with a width of frontage and any access strip or right of way of not less than 6.0m; and

(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.

**P2**

(a) A site must have a reasonable and secure access from a road provided –

(i) across a frontage; or

(ii) by an access strip connecting to a frontage, if for an internal lot; or

(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

(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 –

a. the intended use; and

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

(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

(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.

**COMMENT:**

*site has an existing private access onto Pine Road, which exceeds 6 metres in width. The access is proposed for upgrade with a sealed crossover onto Pine Road.*



A3	P3
<p>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 Water and Sewerage Industry Act 2008; or</p> <p>(b) from a rechargeable drinking water system R31 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 single dwelling; or</p> <p>a use with an equivalent population of not more than 10 people per day</p>	<p>(a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</p> <p>(b) It must be unnecessary to require a water supply</p>

#### COMMENT

*As the site is un-serviced, the proposal includes on-site water storage. Both the accommodation residence and cottage have a combined maximum occupancy of 8 people. The site plan provided shows four 10,000 litre water storage tanks behind the cottage, with a further three tanks located near the boat storage sheds.*

A4	P4
<p>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 Water and Sewerage Industry Act 2008; 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>b. provides for an equivalent population of not more than 10 people per day; or</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>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste</p> <p>(i) in accordance with any prescribed emission limits for discharge of waste water;</p> <p>(ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;</p> <p>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</p> <p>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</p> <p>(v) with appropriate safeguards to minimise contamination if the use or development has potential to</p> <p>a. indirectly cause the contamination of surface or ground water; or</p> <p>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or liquid trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or</p> <p>(b) It must be unnecessary to require the drainage and disposal of sewage or liquid trade waste</p>



**COMMENT:**

*The site and soil report provided by Strata Geoscience and Environmental (dated May 2016) demonstrates the site as being capable of supporting an onsite wastewater disposal system for both accommodation buildings in accordance with AS/NZS1547:2012.*

A5	P5
<p>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> <p>(a) to a stormwater system provided in accordance with the Urban Drainage Act 2013; or</p> <p>(b) if stormwater cannot be drained to a stormwater system –</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within the site if –</p> <p>a. the site has an area of not less than 5000m<sup>2</sup>;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and e. not more than 50% of the site is impervious surface</p>	<p>(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –</p> <p>(i) to accommodate the anticipated stormwater –</p> <p>a. currently entering from beyond its boundaries; and</p> <p>b. from the proposed development;</p> <p>(ii) without likelihood for concentration on adjacent land;</p> <p>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(v) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or</p> <p>(b) It must be unnecessary to require the drainage and disposal of stormwater</p>
<b>COMMENT:</b> <p><i>The site plan shows the capturing of stormwater into seven waters storage tanks on-site. As the site has sufficient land area, overflow from the tanks will be contained within a French Drain on-site, with a specific location to be determined during the Plumbing Application process.</i></p>	



## 26.4.2 Location and configuration of development

A1	P1
<p>A building or a utility structure, other than a crop protection structure for an agricultural 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>	<p>The setback of a building or utility structure must be –</p> <ul style="list-style-type: none"> <li>(a) consistent with the streetscape; and</li> <li>(b) required by a constraint imposed by – <ul style="list-style-type: none"> <li>(i) size and shape of the site;</li> <li>(ii) orientation and topography of land;</li> <li>(iv) arrangements for vehicular or pedestrian access;</li> <li>(v) a utility; or</li> <li>(vi) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</li> <li>(vii) any lawful and binding requirement – <ul style="list-style-type: none"> <li>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</li> </ul> </li> </ul> </li> </ul>
<p><b>COMMENT:</b></p> <p><i>The plans provided in support of this application, show the closest building with a frontage setback of 25 metres with all other development located more than 10 metres from the side and rear boundaries.</i></p>	

A2	P2
<p>Building height must be not be more than 8.5m</p>	<p>Building height must -</p> <ul style="list-style-type: none"> <li>(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</li> <li>(b) minimise apparent scale, bulk, massing and proportion in relation to any adjacent building;</li> <li>(c) be consistent with the streetscape and rural landscape;</li> <li>(d) respond to the effect of the slope and orientation of the site; and</li> <li>(e) take into account the effect and durability of screening other than vegetation to attenuate impact</li> </ul>
<p><b>COMMENT:</b></p> <p><i>No buildings proposed exceed 8.5 metres above natural ground level, see elevation plans for further detail.</i></p>	



A3	F3
<p>A building or utility structure, other than a crop protection structure for an agricultural use, 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) be clad and roofed in non-reflective materials</p>	<p>The location and design of a building or structure must minimise –</p> <p>(a) visual impact on the skyline;</p> <p>(b) height above the adjacent vegetation canopy;</p> <p>(c) visual impact on the shoreline or a marine or aquatic water body, water course, or wetland; and</p> <p>(d) visual impact from reflective surfaces.</p>

**COMMENT:**

*The proposal is not within 15 metres of a ridgeline, nor is it within 30 metres of a waterway. There is no vegetation or woodlands adjoining the site and the materials used will be rock and colorbond, both non reflective materials.*

### 26.4.3 Location of development for sensitive uses

A1	P2
<p>New development for sensitive uses must –</p> <p>(a) be located not less than –</p> <p>(i) 200m from any agricultural land;</p> <p>(ii) 200m from aquaculture or controlled environment agriculture;</p> <p>(iii) 500m from extractive industry or intensive animal husbandry;</p> <p>(iv) 100m from land under a reserve management plan;</p> <p>(v) 100m from land designated for production forestry;</p> <p>(vi) 50m from a boundary of the land to a road identified in Clause 26.4.2 or to a railway line; and</p> <p>(vii) clear of any restriction imposed by a utility; and</p> <p>(viii) not be on land within a proclaimed irrigation district under Part 9 Water Management Act 1999 or land that may benefit from the application of broadscale irrigation development</p>	<p>New development for sensitive uses must minimise –</p> <p>(a) permanent loss of land for existing and potential primary industry use;</p> <p>(b) likely constraint or interference to existing and potential primary industry use on the site and on adjacent land;</p> <p>(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</p> <p>(d) adverse effect on the operability and safety of a major road, a railway or a utility</p>

**COMMENT:**

*The site is a small rural parcel of land, which is surrounded to the south and west by similar size "hobby farm" style lots. The site is constrained by its size, and also its proximity to similar size lots to the west and south containing existing residential uses. The land to the east is a larger farm and there is also larger farms on the northern side, which is buffered by Pine Road. As confirmed with the Land Capability Report (by Strata Geoscience and Environmental), the topography of the site constrains the level of agricultural use possible on this property. It is proposed in this application that measures such as increased screen planting and acoustic sensitive building materials will ensure that any possible impacts, such as spray drift and noise are limited. The site is not within a proclaimed irrigation district and the use of the site is not in any proximity to a railway and has a setback greater than 50 metres to the Bass Highway. Additionally the proposal is not seen to have any adverse impact on the safe operation of the Bass Highway, allowing for the use of slip lanes on entry and exiting the Bass Highway, onto Pine Road.*



CODES	
<b>E1 – Bushfire-Prone Areas Code</b>	N/A
This application does not include and vulnerable or hazardous use or any subdivision of land.	
<b>E2 Airport Impact Management Code</b>	N/A
The Code is not relevant in the <i>Central Coast Interim Planning Scheme 2013</i> .	
<b>E3 – Clearing and Conversion of Vegetation Code</b>	N/A
The Code is not applicable as the proposed development does not invoke any of E3.2.1 (a) through to (f).	
<b>E4 Change in Ground Level Code</b>	N/A
The development is exempt from the Code as: the change in ground level is not more than 1.0m; is not less than 1.5m from a boundary to the site; is not within a natural or constructed drainage channel; is not less than 1.0m from any easement, road or right-of-way; involves an area of less than 200m <sup>2</sup> ; and requires a slope batter of less than 25%. Both sheds will require a small amount of excavation, but this will not exceed 200m <sup>2</sup> in area. Both the accommodation dwelling and cottage will be constructed on piers, therefore not requiring excavation.	
<b>Local Heritage Code</b>	N/A
This Code is not applicable as the lot is not listed within the Heritage Code nor is the lot listed on the Tasmanian Heritage Register.	
<b>E6 Hazard Management Code</b>	N/A
This Code is not applicable as the site is not within an identified hazard area.	
<b>E7 Sign Code</b>	N/A
There are no signs as part of this permit application. The permit application states that <i>"an application for signage on the said building is separate to this application."</i>	
<b>E8 Telecommunication Code</b>	N/A
This Code is not applicable as the permit application does not propose any telecommunication facilities.	
<b>E9 Traffic Generating Use and Parking Code</b>	N/A
Two undercover space per accommodation unit are provided on-site, with the site plan depicting the access and turning areas consistent with the Australian Standard. An upgrade to the access of the site has been discussed with Councils Engineering department.	
<b>E10 Water and Waterways Code</b>	N/A
This Code is not applicable as the site is not within 30m of any water body, water course, or wetland.	

## Reference:

Iplan – Planning Schemes – <http://www.iplan.tas.gov.au> - Central Coast – accessed May 2016

Central Coast Tas - <http://www.centralcoast.tas.gov.au/webdata/resources/files/live.pdf> accessed May 2016

Tasmanian Parliament – Legislative Council Select Committee – Tourism in Tasmania – Chairman’s Foreword and Executive Summary – <http://www.parliament.tas.gov.au> – accessed May 2016



29 July 2016

The Stewart Superannuation Fund  
c/o 6 Anglers Crescent  
MIENA TAS 7030

Dear Sir/ Madam,

## Lot 5 Pine Road Sight Distance Assessment

### Background

Visitor accommodation is proposed at Lot 5 Pine Road to the south east of the Penguin Town Centre. As part of the Development Application, Central Coast Council has requested that an assessment of the proposed property access/ crossover is undertaken to determine compliance with *Australian Standard AS2890.1*.

The Client has engaged **pitt&sherry** to prepare a traffic statement including a detailed assessment of the sight distances from the proposed access. This Traffic Statement includes a detailed assessment of the sight distances from the proposed access in accordance with *Australian Standard AS 2890.1* and the *Austroads Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections*.

### Site Location

The site is located at Lot 5 Pine Road approximately 1.5km south-west of the Bass Highway junction and approximately 3km south-west of the Penguin Town Centre. The site has a land use classification as 26.0 Rural Resource under the *Central Coast Interim Planning Scheme 2013*. Surrounding land uses are predominately rural and rural residential properties.

The existing driveway entry location will remain which is located on the eastern end of the site frontage. Plans showing the driveway location are attached.

Figure 1 shows the location of the site in the local context.



transport  
community  
mining  
industrial  
food & beverage  
carbon & energy

Hobart  
GF Surrey House  
199 Macquarie Street  
Hobart 7000  
GPO Box 94  
Hobart TAS 7001  
T (03) 6210 1400

Offices in:  
Brisbane  
T (07) 3221 0080

Canberra  
T (02) 6274 0100

Devonport  
T (03) 6424 1641

Launceston  
T (03) 6323 1900

Melbourne  
T (03) 9682 5290

E [info@pittsh.com.au](mailto:info@pittsh.com.au)  
[www.pittsh.com.au](http://www.pittsh.com.au)  
1300 pittsh

Incorporated as  
Pitt & Sherry  
(Operations) Pty Ltd  
ABN 67 140 184 309

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

Received: - 2 AUG 2016  
Application No: DA215218  
Doc. ID: 238453



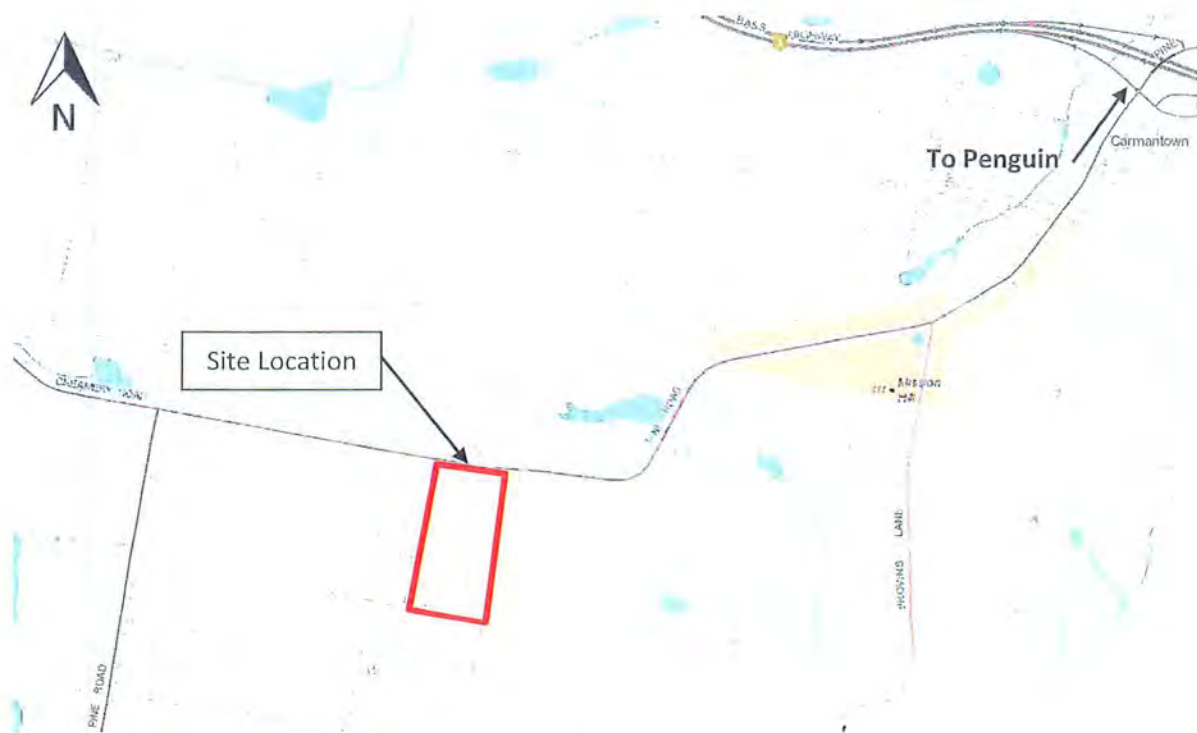


Figure 1: Site Location (basemap source: thelist.tas.gov.au)

### Pine Road

Pine Road is a Council owned road that connects rural towns and properties with Penguin. It is a windy road that generally runs in a north-south direction, however in the vicinity of the site it runs in an east-west direction. Pine Road has 90 degree bends located approximately 250 metres east of the site and 650 metres west of the site. It is a two-way road with one lane in each direction.

Eastbound vehicles have a speed limit of 80km/h (entering residential area) and westbound vehicles have a speed limit of 100km/h. A 60km/h zone ends approximately 90m east of the proposed access.

### Site Inspection

A site inspection was undertaken by Andrew Van Tatenhove of **pitt&sherry** on 27 July 2016. During the site visit the sight distances were measured and observations were made at the site access and on Pine Road.

The sight distance measurements were taken from a point 3 metres back from the edge of Pine Road and at a height of 1.1m in accordance with Figure 3.2 of the *AUSTROADS Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections*.

The sight distance for westbound vehicles was observed to be unobscured for more than 200m. Eastbound vehicles are partially obscured (top half of the car visible) by a crest for approximately 42m at a distance of 105m to 147m from the site before being clearly visible again for more than 200m after 147m. The car is partially obscured for a very short period of time.

In addition to the sight distances, the following observations were made:

- In the vicinity of the site the traffic volumes were observed to be very low
- Vehicles were observed to travel no faster than 80km/h



- The proposed site access is located on a high point
- The road grade is approximately 5% uphill travelling in a westbound direction
- The road grade varies between uphill and downhill for vehicles travelling in an eastbound direction with the final 105m heading uphill at a 5% grade approximately.

Photos of the Pine Road are shown in Figure 2 and Figure 3.



Figure 2: Pine Road – facing east from near access



Figure 3: Pine Road – facing west from near access

### **Sight Distance Assessment**

As a result of the site observations, the sight distance assessment is based on a speed of 80km/h in both directions as it is expected that the majority of vehicles would travel at a speed of 80km/h or lower.

The *Austroads Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections* and *Australian Standard AS 2890.1* were used to determine the minimum sight distances required.

The Austroads Guidelines state that the following types of sight distance should be provided at an intersection:

- Safe intersection sight distance (SISD) – minimum safe sight distance for a driver on the major road to view the minor road
- Minimum Gap Sight Distance (MGSD) – minimum distance required to complete a manoeuvre from the minor road
- Approach sight distance (ASD) – minimum safe sight distance for a driver on the minor road to view the major road.

The site distance requirements are outlined in Table 1.

Table 1: Site Distance Requirements

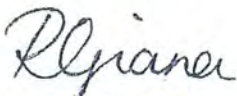
Requirements	Type of Sight Distance	Sight Distance Requirement at 80km/h (estimated operating speed)
<b>AUSTROADS Guide Part 4A: Unsignalised and Signalised Intersections</b>	ASD (with desirable minimum reaction time of 2 seconds)	114m
	SISD (with desirable minimum reaction time of 2 seconds)	181m
	MGSD (with critical gap of 5 seconds)	111m
<b>Australian Standards (AS2890.1)</b>	Domestic property access	95m
	Access driveway	105m

Based on the above table, the sight distance in both directions meets requirements of the Austroads Guide and the Australian Standard. It is further noted that the sight distance for eastbound vehicles is 105m before reaching the crest which is the same as the Australian Standard sight distance requirement for an access driveway.

### Summary of Findings

An assessment of the sight distances at the proposed access to proposed new visitor accommodation at Lot 5 Pine Road has been undertaken. This assessment included measurements of sight distance at the proposed access to ensure compliance with the requirements of the *The Austroads Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections* and *Australian Standard AS 2890.1*. The assessment concluded that the sight distance at the proposed access location is acceptable for a visitor accommodation property access in the existing road environment.

Yours sincerely



Rebekah Giana  
Traffic Engineer

Enc. Site Plan



## PLUMBING NOTES

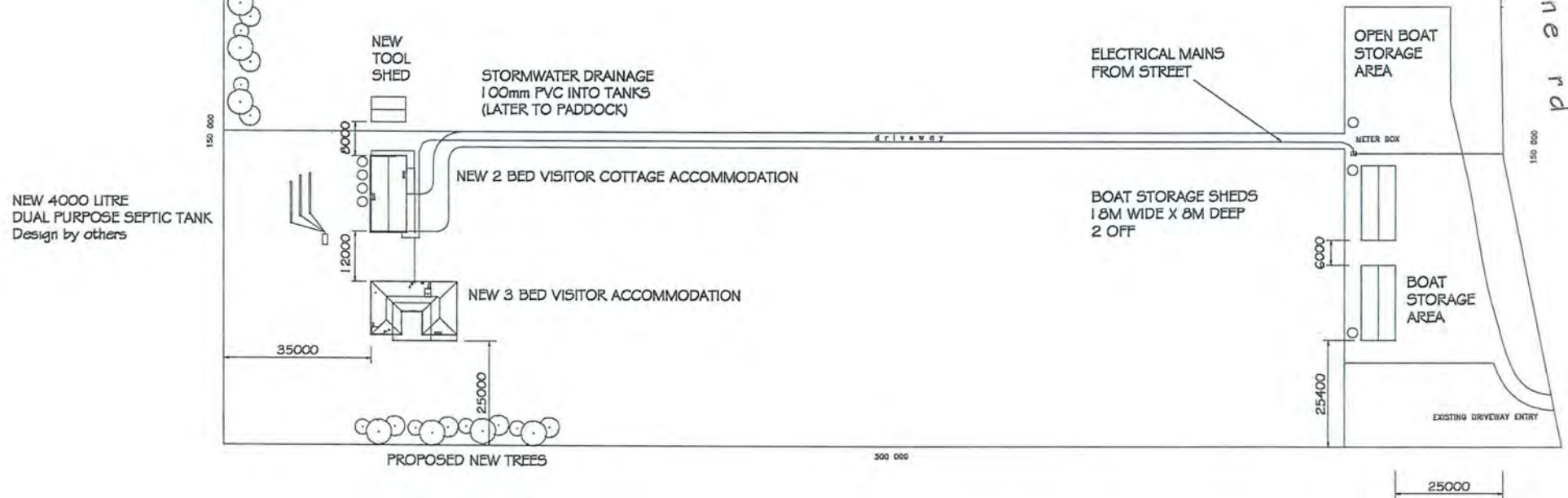
STORMWATER 100mm PVC  
SEWER 100mm PVC  
GREY WATER 100mm PVC

B BATH  
V VANITY  
SPA SPA BATH  
SH SHOWER  
TR TROUGH  
S SINK  
WC TOILET  
HWC HOT WATER CYLINDER  
FD FLOOR DRAIN  
EV EDUCT VENT  
ORG OVER FLOW RELIEF GULLY  
RE ROD EYE  
DP DOWNPIPE  
IO INSPECTION OPENING  
IS INSPECTION SHAFT

NOTE:-

NEW PLUMBING LAYOUT TO BE  
PROVIDED BY PLUMBER

Lot -  
Area - 4.56 ha  
Vol -  
Folio -

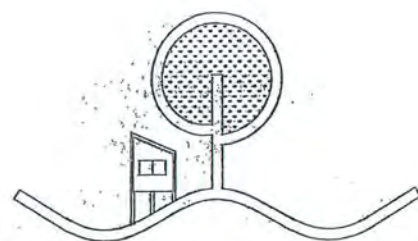


SITE PLAN



<b>WOOD</b> DRAFTING & DESIGN SERVICES	PAUL WOOD 3/55 BEST ST DEVONPORT TAS 7310 PH: 03 6424 6511 FAX: 03 6424 6577 MOBILE: 0408 563 646	Project:- NEW VISITOR ACCOMODATION		
	STEWART SUPERANNUATION FUND PINE RD PENGUIN TAS 7316			
	SITE PLAN		SHEET	
	SCALE 1:1000	DATE 10.5.16	REV 0	DRAW NUMB PS-1300





WOOD DRAFTING & DESIGN SERVICE

5/55 BEST ST

DEVONPORT

TAS 7310

Accreditation Number CC697C

ABN 75 109 825 194

Drawing Number=PS-1300-01 to 10

Drawings

- 1 Site Plan
- 2A 3 Bed Visitor Accommodation Floor Plan
- 2B 3 Bed Visitor Accommodation Section
- 2C 3 Bed Visitor Accommodation Elevations
- 2D 3 Bed Visitor Accommodation Window Schedule
- 2E 3 Bed Visitor Accommodation Foundation Plan
- 2F 3 Bed Visitor Accommodation Roof Plan
- 2G 3 Bed Visitor Accommodation Lighting Plan
- 3A 2 Bed Cottage Accommodation Floor Plan
- 3B 2 Bed Cottage Accommodation Section
- 3C 2 Bed Cottage Accommodation Elevations
- 3D 2 Bed Cottage Accommodation Window Schedule
- 3E 2 Bed Cottage Accommodation Foundation Plan
- 3F 2 Bed Cottage Accommodation Roof Plan
- 3G 2 Bed Cottage Accommodation Lighting Plan
- 4A Shed Floor Plan
- 4B Shed Section
- 4C Shed Elevations
- 4D Shed Foundation Plan
- 4E Shed Roof Plan
- 05 Bracing Details
- 06 Foundation Detail
- 08 Wall Detail
- 09 NCC Notes
- 10 OH&S Notes

CLIMATE ZONE - 7  
WIND SPEED DESIGN- N3  
SITE SOIL CLASSIFICATION=  
CLASS M-P TO AS2870-1996  
Volume TBA Folio  
BAL-LOW

Received: 29 JUL 2016

Application No: D1215218

Doc ID: 238453

CLIMATE ZONE - 7

WIND SPEED DESIGN- N3

SITE SOIL CLASSIFICATION=  
CLASS M-P TO AS2870-1996

Volume TBA Folio

BAL-LOW

# PROJECT:- NEW VISITOR ACCOMMODATION

STEWART SUPERANNUATION FUND  
PINE RD  
PENGUIN  
TAS 7316

FLOOR AREA  
SHED 96.0 m2

FLOOR AREA  
HOUSE 183.6 m2  
DECK 90.9  
TOTAL 274.5 m2

FLOOR AREA  
COTTAGE 96.0 m2  
VERANDAH 11.2  
DECK 18.4  
TOTAL 125.6 m2

No	DESCRIPTION	DATE
0	To PLANNING	10.5.16
REVISIONS		



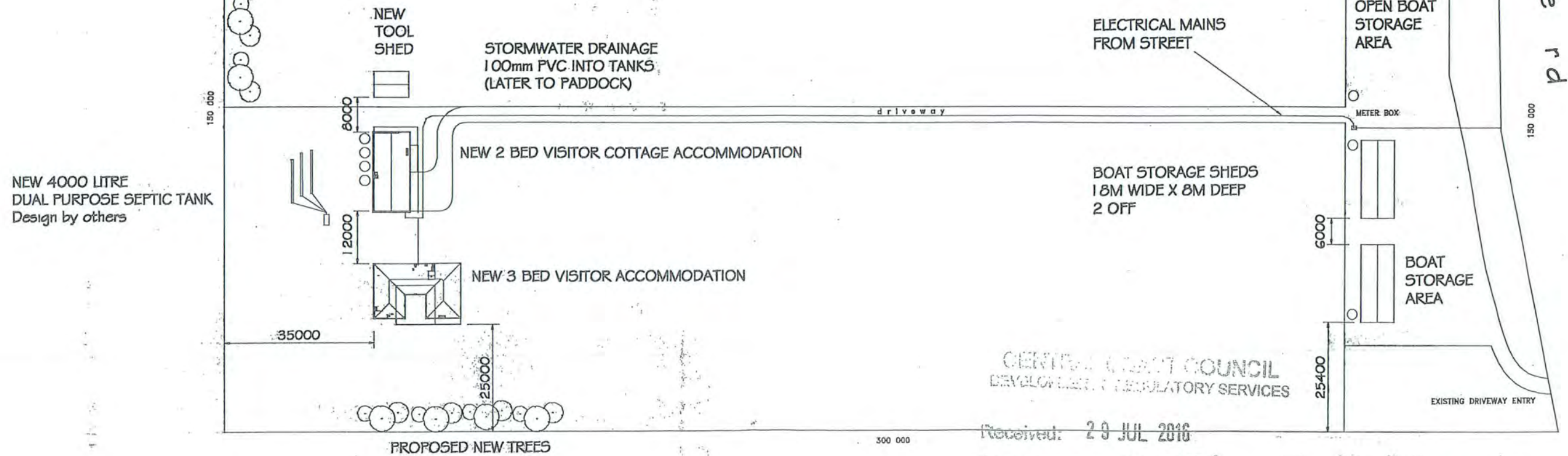
**PLUMBING NOTES**

STORMWATER 100mm PVC  
SEWER 100mm PVC  
GREY WATER 100mm PVC

B BATH  
V VANITY  
SPA SPA BATH  
SH SHOWER  
TR TROUGH  
S SINK  
WC TOILET  
HWC HOT WATER CYLINDER  
FD FLOOR DRAIN  
EV EDUCT VENT  
ORG OVER FLOW RELIEF GULLY  
RE ROD EYE  
DP DOWNPIPE  
IO INSPECTION OPENING  
IS INSPECTION SHAFT

NOTE:-  
NEW PLUMBING LAYOUT TO BE  
PROVIDED BY PLUMBER

Lot -  
Area - 4.56 ha  
Vol -  
Folio -



CENTRAL COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

Received: 29 JUL 2016

Application No: 09 215218

Doc. ID: 238453

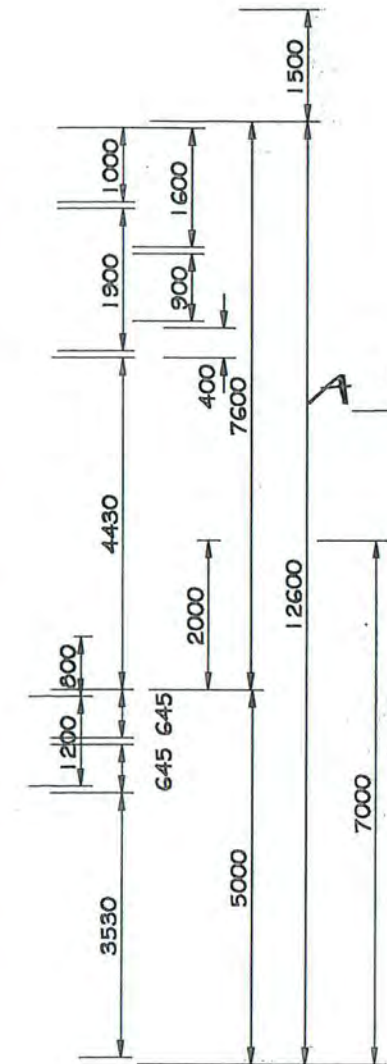
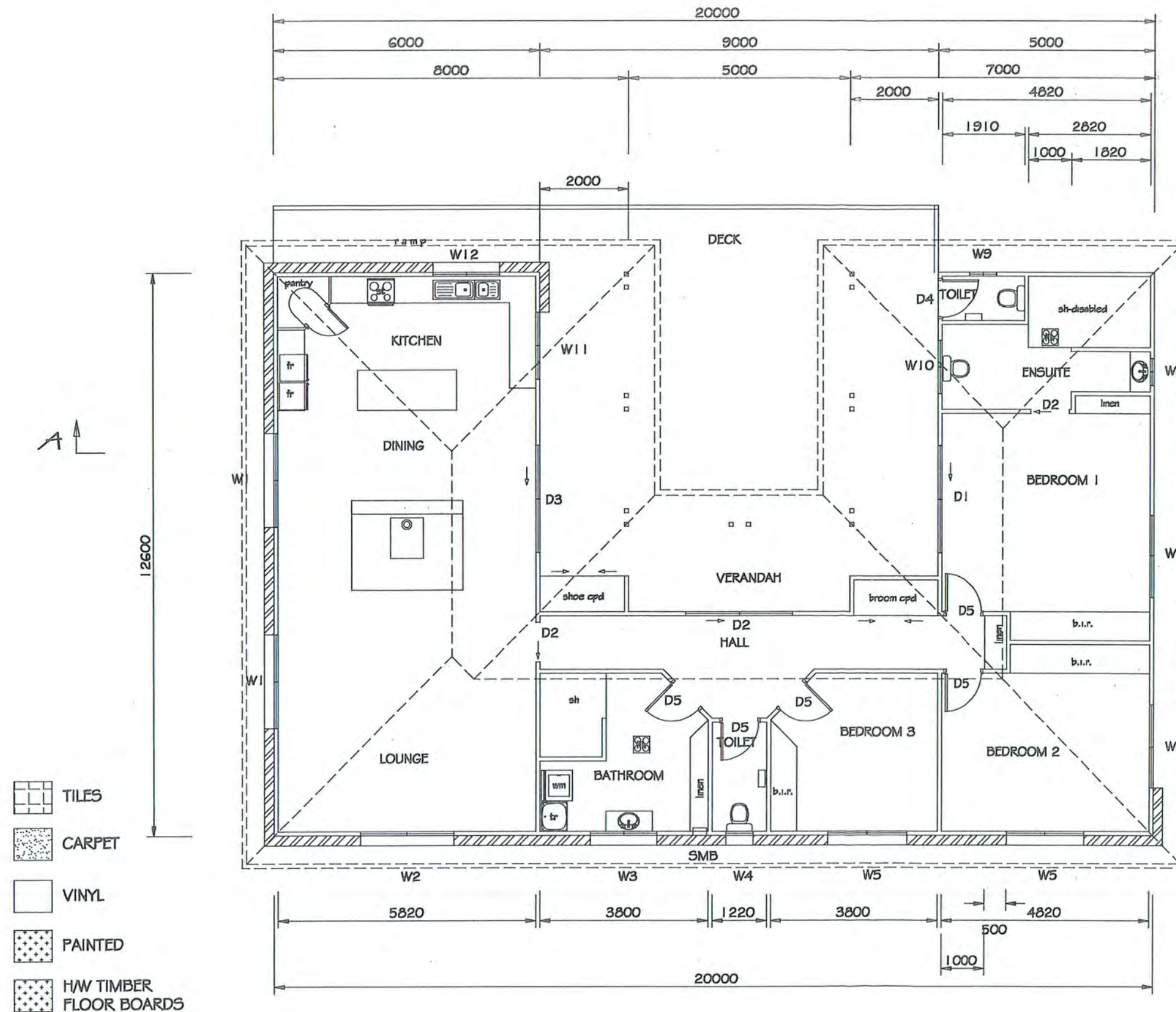
**SITE PLAN**



<p>WOOD DRAFTING &amp; DESIGN SERVICES</p>	<p>PAUL WOOD 5/55 BEST ST DEVONPORT TAS 7310</p>		<p>Project: NEW VISITOR ACCOMODATION</p>	
	<p>PH: 03 6424 6511 FAX: 03 6424 6577 MOBILE: 0408 583 648</p>		<p>STEWART SUPERANNUATION FUND PINE RD PENGUIN TAS 7316</p>	
	<p>SITE PLAN</p>		<p>SHEET</p>	
	<p>SCALE</p>	<p>DATE</p>	<p>REV</p>	<p>DRAW NUMB</p>



ALL DIMENSIONS IN MILLIMETRES IF IN DOUBT-DO NOT SCALE



Received: 18 JUL 2013  
 Application: DA215218  
 Doc. #: 238453

FLOOR AREA	
HOUSE	183.6 m2
DECK	90.9
TOTAL	274.5 m2

### 3 Bed VISITOR Accommodation



## FLOOR PLAN

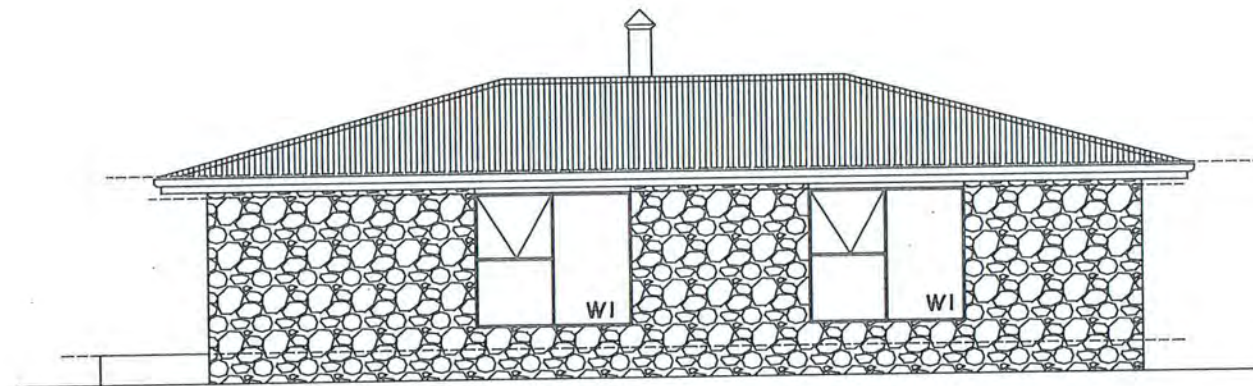
<b>WOOD</b> DRAFTING & DESIGN SERVICES	PAUL WOOD 5/55 BEST ST. DEVONPORT TAS. 7310		Project: NEW VISITOR ACCOMODATION	
	PH: 03 6424 6511 FAX: 03 6424 6577 MOBILE: 0408 583 646		STEWART SUPERANNUATION FUND PINE RD PENGUIN TAS 7316	
	CC897C		FLOOR PLAN	
	SCALE 1:100	DATE 10.5.16	REV 0	DRAW NUMB PS-1300
				SHEET 2A OF 10



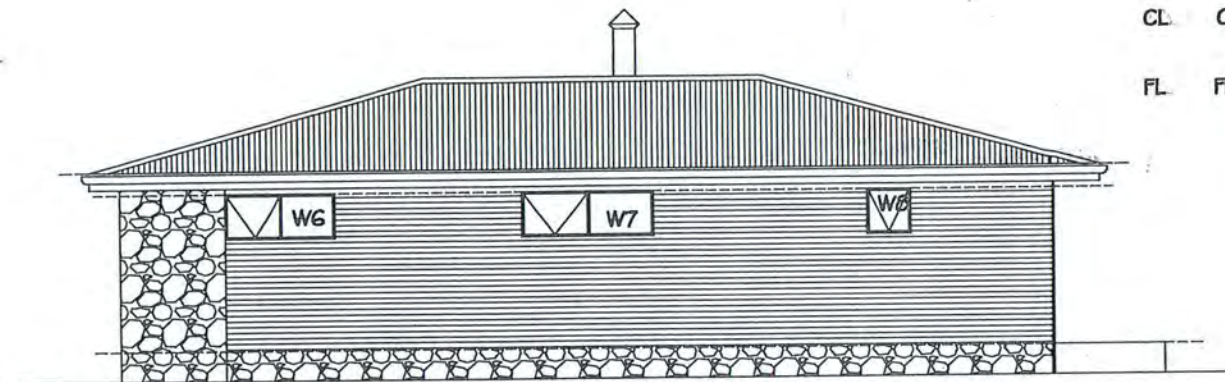
ALL DIMENSIONS IN MILLIMETRES IF IN DOUBT-DO NOT SCALE

# LEGEND & NOTES - Elevations

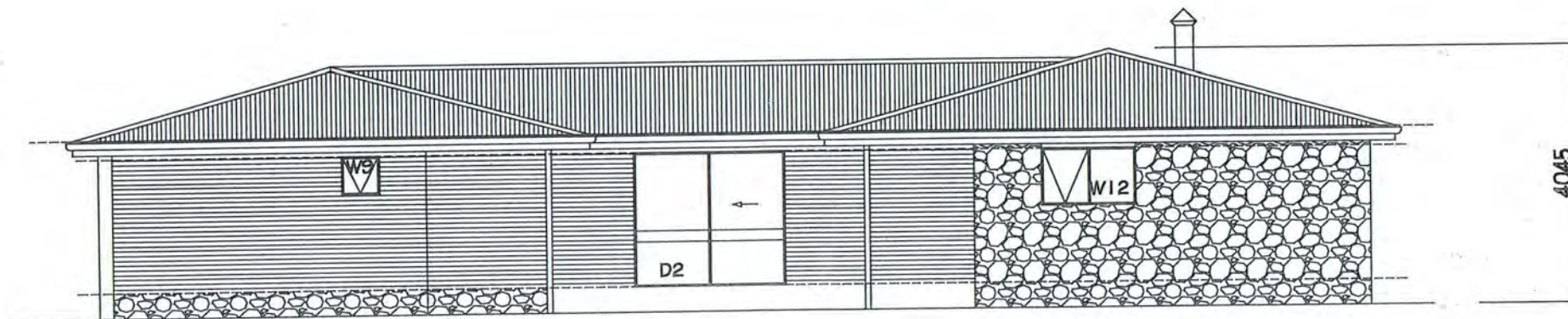
- Cj Control joint
- DP Downpipe
- SD Sliding door
- A Awning window
- F Fixed window
- CL Ceiling level
- FL Floor level



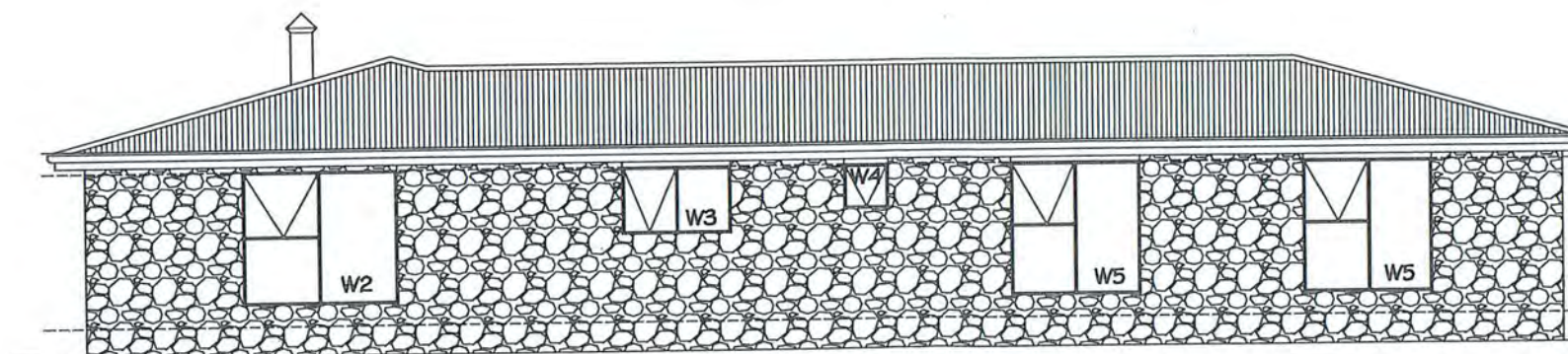
NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

RECEIVED  
2016/05/16  
MAY 16 2016  
REGISTRAR GENERAL SERVICES

Received: 2016/05/16  
Apportioned: DA21528  
Cost: 238453

## 3 Bed VISITOR Accommodation



<b>WOOD</b> 5/55 BEST ST DEVONPORT TAS 7310 PH: 03 6424 6511 FAX: 03 6424 6577 MOBILE: 0408 583 646 CC697C		Project: NEW VISITOR ACCOMODATION STEWART SUPERANNUATION FUND FINE RD PENGUIN TAS 7316	
<b>DRAFTING</b> & DESIGN SERVICES		ELEVATIONS SCALE: 1:100 DATE: 10.5.16 REV: 0 DRAW NUMB: PS-1300	SHEET 2C OF 10



## LEGEND &amp; NOTES - Window Schedule

Flyscreens to be fitted to all open-able windows and doors.

Glazing Requirement as outlined in the attached Glazing Calculator can be achieved with the following within a thermally broken aluminium frame:

Type	Glazing	U-value	SHGC
Awning	4CIR / 12Ar / 4CIR	4.8	0.51
Fixed window	4 / 12Ar / 4	4.8	0.59
Sliding door	5CIR / 12Ar / 5CIR	4.8	0.59

Alternative options from glazing supplier may be presented to the designer and Building Surveyor in the form of a new Glazing Calculation

Glazing types available in Tasmania can be accessed at [www.wers.net](http://www.wers.net)

## Shower screens

1800H Semi-framless shower screens to comply with BCA Table 3.6.5 & AS1288. Minimum 4mm thick Grade A toughened safety glass, labelled to comply with industry standards.

## Opaque bands

Where glazed doors or side panels are capable of being mistaken for a doorway or opening, the glass must be marked to make it readily visible as follows

- Marking in the form of an opaque band not less than 20mm in height;
- The upper edge is not less than 700mm above the floor;
- The lower edge is not more than 1200mm above the floor;

## Flashing to wall openings

All openings must be adequately flashed using materials that comply with AS/NZS 2904

refer to drawing A05 for window head and sill details. Flashing to be installed with glazing manufacturer's specifications for brick veneer construction

ALL GLAZED WINDOWS & DOORS ASSEMBLIES IN EXTERNAL WALLS TO COMPLY WITH AS 2047. ALL OTHER GLASS TO COMPLY WITH AS 1288

WINDOW SCHEDULE							STEWART-1300-RESIDENCE						
							WIND RATING N2 - BAL RATING LOW						
WINDOW	HEIGHT	WIDTH	QTY	U Value	SHG	OPENING	TYPE	GLAZING	FRAME	LINTEL	STUD	WALL	ORIENTATION
W1	1.8	2.1	2	4.8	0.51	1.89	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STONE	NORTH
							Grade A safety glass min - 4mm						
W2	1.8	2.1	1	4.8	0.51	1.89	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STONE	NORTH
							Grade A safety glass min - 4mm						
W3	0.9	1.5	1	4.8	0.51	0.675	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STONE	WEST
							Grade A safety glass min - 4mm	FROSTED					
W4	0.6	0.6	1	4.8	0.51	0.36	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Single	STONE	WEST
							Grade A safety glass min - 4mm	FROSTED					
W5	1.8	1.8	1	4.8	0.51	1.62	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STONE	WEST
							Grade A safety glass min - 4mm						
W6	0.6	1.5	1	4.8	0.51	0.45	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STUD	SOUTH
							Grade A safety glass min - 4mm						
W7	0.6	1.8	1	4.8	0.51	0.54	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STUD	SOUTH
							Grade A safety glass min - 4mm						
W8	0.6	0.6	1	4.8	0.51	0.36	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Single	STUD	SOUTH
							Grade A safety glass min - 4mm	FROSTED					
W9	0.6	0.6	1	4.8	0.51	0.36	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Single	STUD	EAST
							Grade A safety glass min - 4mm						
W10	0.6	1.2	1	4.8	0.51	0.36	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STUD	NORTH
							Grade A safety glass min - 4mm	FROSTED					
W11	0.9	1.5	1	4.8	0.51	0.675	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STUD	SOUTH
							Grade A safety glass min - 4mm						
W12	0.9	1.5	1	4.8	0.51	0.675	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STONE	EAST
							Grade A safety glass min - 4mm						
W13	0.6	1.8	1	4.8	0.51	0.54	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STUD	WEST
							Grade A safety glass min - 4mm						

DOOR SCHEDULE							STEWART-1300-RESIDENCE						
							WIND RATING N2 - BAL RATING LOW						
DOOR	HEIGHT	WIDTH	QTY	U Value	SHG	OPENING	TYPE	GLAZING	FRAME	LINTEL	STUD	WALL	ORIENTATION
D1	2.1	2.4	1	4.8	0.59	2.52	SLIDING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STUD	EAST
D2	2.1	2.4	1	4.8	0.59	2.52	SLIDING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STUD	NORTH
D3	2.1	2.4	1	4.8	0.59	2.52	SLIDING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STUD	
D4	2.04	0.92	1				EXTERNAL TIMBER-1/3 GLASS				Single	STUD	
D5	2.04	0.82	5				TIMBER PANEL				Single	STUD	
D6	2.04	0.92	2				CAVITY SLIDE				Single	STUD	

## WINDOW SCHEDULE



A3

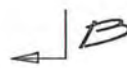
Received: 28 JUL 2016  
 Application No: DA215218  
 Doc. No: 238453

### 3 Bed VISITOR Accommodation

WOOD DRAFTING & DESIGN SERVICES	PAUL WOOD 5/55, BEST ST DEVONPORT TAS 7310		Project: NEW VISITOR ACCOMODATION	
	PH: 03 6424 6511 FAX: 03 6424 6577 MOBILE: 0408 583 646		STEWART SUPERANNUATION FUND PINE RD FENGUIN TAS 7316	
	CC697C		WINDOW SCHEDULE	
	SCALE: 1:100		SHEET 2D OF 10	




→ B



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Applicant: DA215218  
Doc. #: 238453

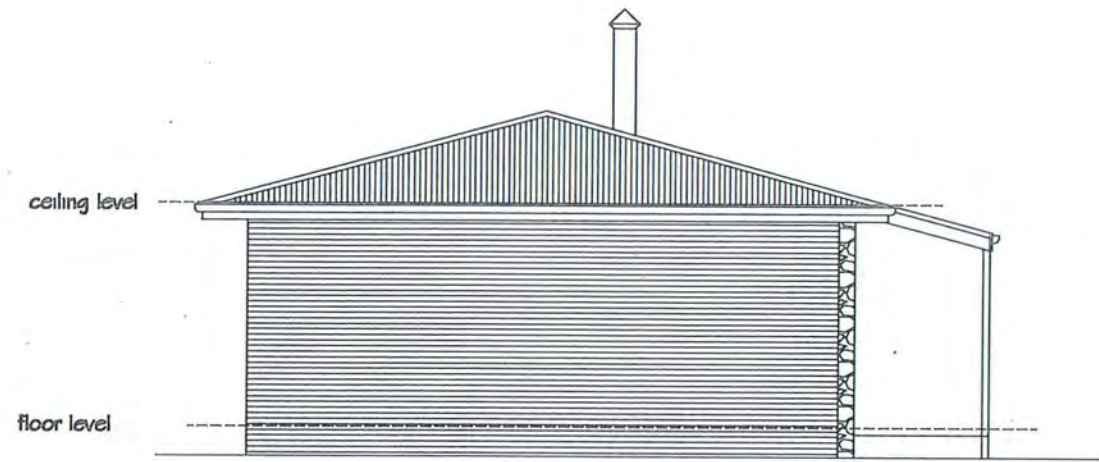
## 2 Bed Visitor COTTAGE Accommodation

WOOD		PAUL: WOOD 5/55, REST ST. DEVONPORT TAS 7310.	Project:- NEW VISITOR ACCOMMODATION				
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		CC897C					
DRAFTING & DESIGN SERVICES			FLOOR PLAN			SHEET	
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			1:100	10.5.16	0	PS-1300	OF 10

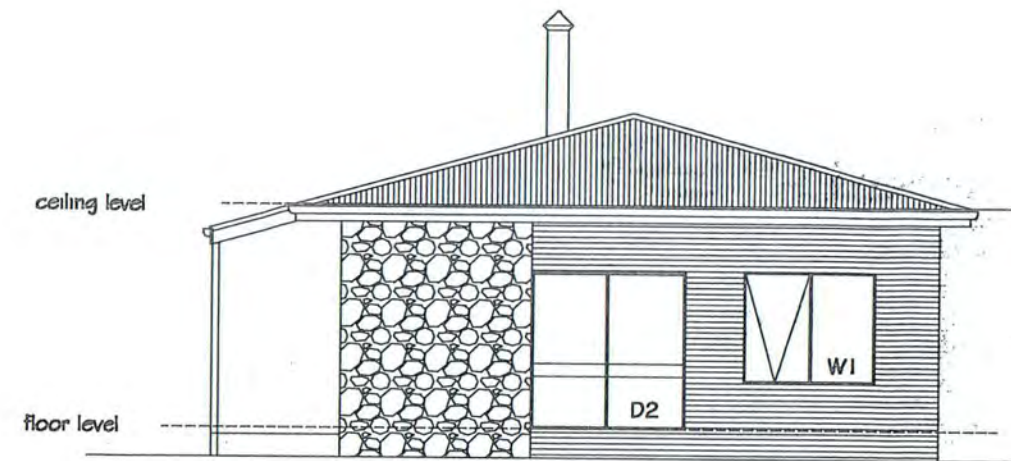


LEGEND & NOTES - Elevations

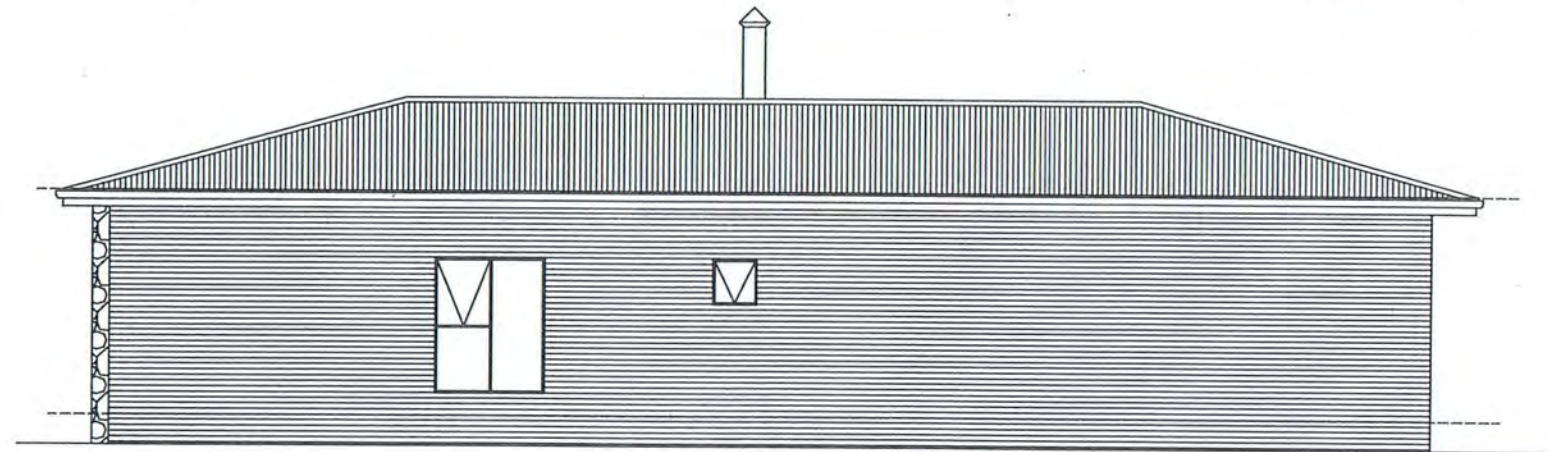
- Cj Control joint
- DP Downpipe
- SD Sliding door
- A Awning window
- F Fixed window
- CL Ceiling level
- FL Floor level



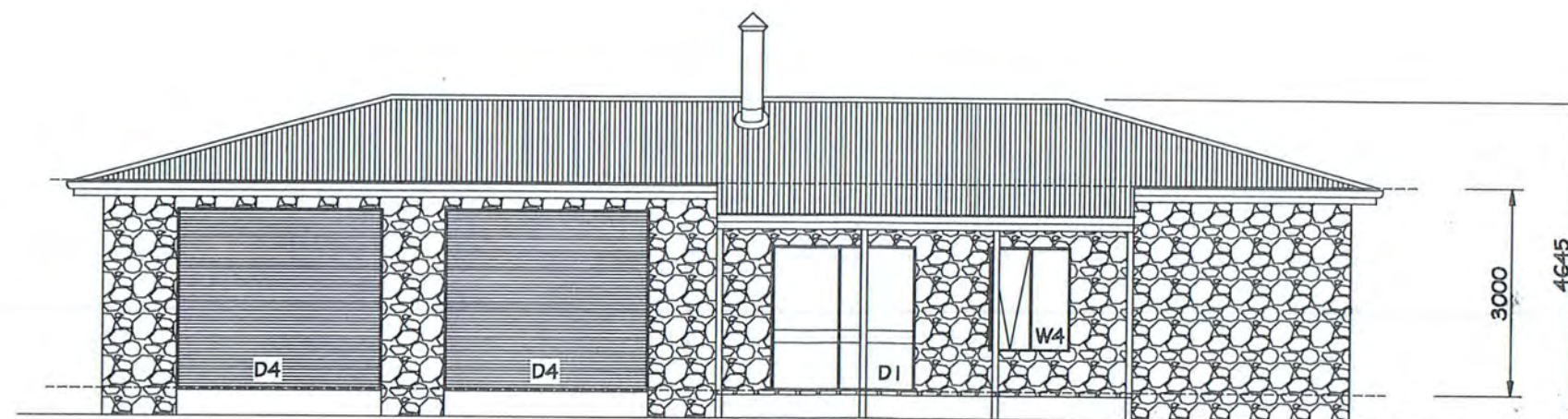
EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

2 Bed Visitor COTTAGE Accommodation



<p>WOOD</p> <p>DRAFTING &amp; DESIGN SERVICES</p>	<p>PAUL WOOD 5/55 BEST ST DEVONPORT TAS 7310</p>		<p>Project: NEW VISITOR ACCOMMODATION</p>	
	<p>PH: 03 6424 6511 FAX: 03 6424 6577 MOBILE: 0408 583 646</p>		<p>STEWART SUPERANNUATION FUND PINE RD PENGUIN TAS 7316</p>	
	<p>ELEVATIONS</p>		<p>SHEET</p>	
	<p>SCALE</p>	<p>DATE</p>	<p>REV</p>	<p>DRAW NUMB</p>
<p>1:100</p>	<p>10.5.16</p>	<p>0</p>	<p>PS-1300</p>	<p>3C OF 10</p>



**LEGEND & NOTES - Window Schedule**

Flyscreens to be fitted to all openable windows and doors.

Glazing Requirement as outlined in the attached Glazing Calculator can be achieved with the following within a thermally broken aluminium frame:

Type	Glazing	U-value	SHGC
Awning	4Clr / 12Ar / 4Clr	4.8	0.51
Fixed window	4 / 12Ar / 4	4.8	0.59
Sliding door	5Clr / 12Ar / 5Clr	4.8	0.59

Alternative options from glazing supplier may be presented to the designer and Building Surveyor in the form of a new Glazing Calculation

Glazing types available in Tasmania can be accessed at [www.wers.net](http://www.wers.net)

**Shower screens**

1800H Semi-framless shower screens to comply with BCA Table 3.6.5 & AS1288. Minimum 4mm thick Grade A toughened safety glass, labelled to comply with industry standards.

**Opaque bands**

Where glazed doors or side panels are capable of being mistaken for a doorway or opening, the glass must be marked to make it readily visible as follows

- Marking in the form of an opaque band not less than 20mm in height;
- The upper edge is not less than 700mm above the floor;
- The lower edge is not more than 1200mm above the floor;

**Flashing to wall openings**

All openings must be adequately flashed using materials that comply with AS/NZS 2904

refer to drawing A05 for window head and sill details. Flashing to be installed with glazing manufacturer's specifications for brick veneer construction

ALL SLAZED WINDOWS & DOORS ASSEMBLIES IN EXTERNAL WALLS TO COMPLY WITH AS 2047. ALL OTHER GLASS TO COMPLY WITH AS 1288

Revised: 22.10.2017

As Issued: 04.12.2018

**2 Bed Visitor COTTAGE Accommodation**

233453

**WINDOW SCHEDULE**

WINDOW SCHEDULE							STEWART-1300-COTTAGE						
							WIND RATING N2 - BAL RATING LOW						
WINDOW	HEIGHT	WIDTH	QTY	U Value	SHG	OPENING	TYPE	GLAZING	FRAME	LINTEL	STUD	WALL	ORIENTATION
W1	1.8	1.5	1	4.8	0.51	1.35	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STUD	WEST
							Grade A safety glass min - 4mm						
W2	1.8	1.5	1	4.8	0.51	1.35	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STUD	SOUTH
							Grade A safety glass min - 4mm						
W3	0.6	0.6	1	4.8	0.51	0.36	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Single	STUD	SOUTH
							Grade A safety glass min - 4mm	FROSTED					
W4	1.5	1.2	1	4.8	0.51	0.9	AWNING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STONE	NORTH
							Grade A safety glass min - 4mm						

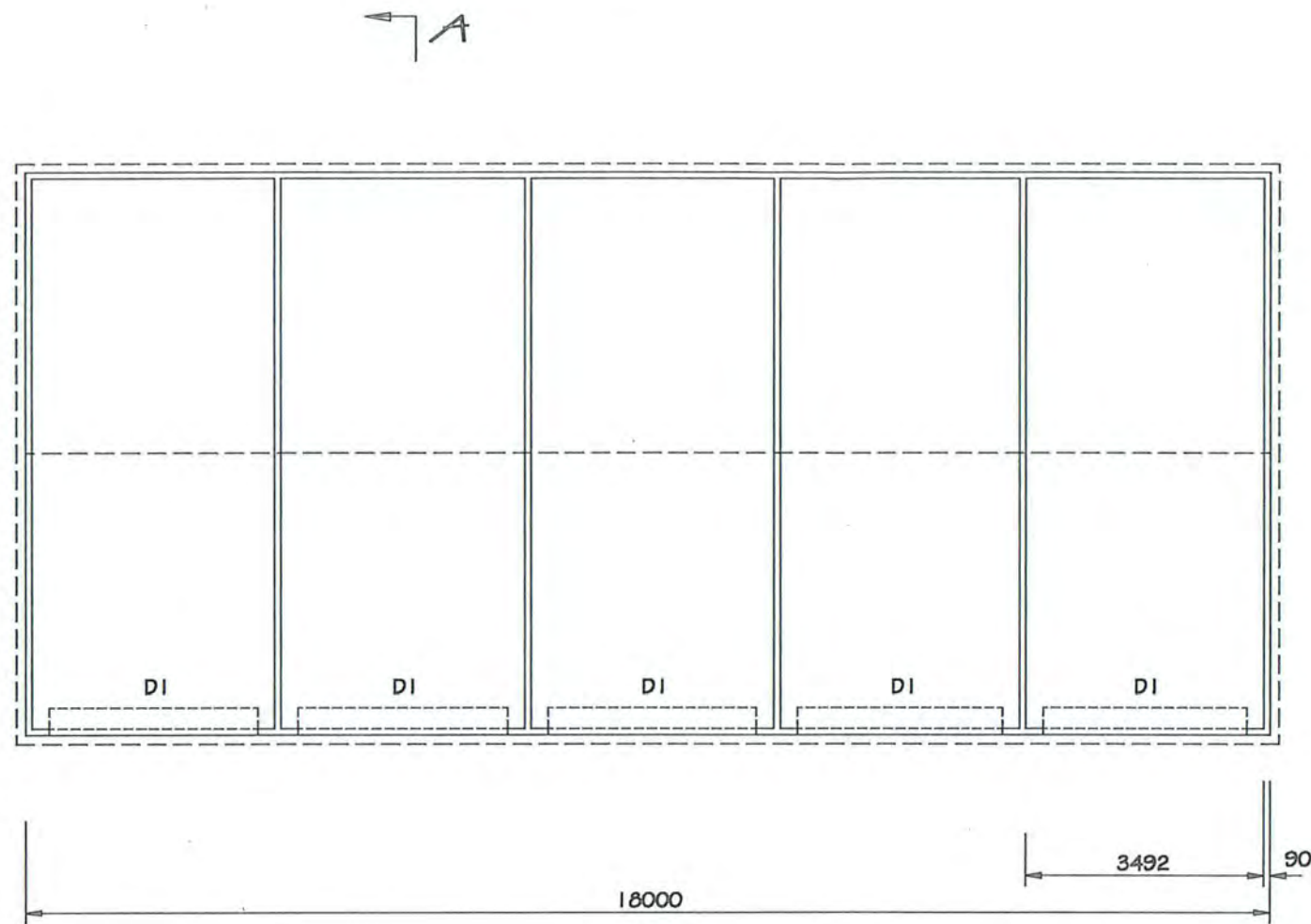
DOOR SCHEDULE							STEWART-1300-COTTAGE						
							WIND RATING N2 - BAL RATING LOW						
DOOR	HEIGHT	WIDTH	QTY	U Value	SHG	OPENING	TYPE	GLAZING	FRAME	LINTEL	STUD	WALL	ORIENTATION
D1	2.1	2.1	1	4.8	0.59	2.205	SLIDING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STONE	NORTH
D2	2.1	2.1	1	4.8	0.59	2.205	SLIDING	Double	ALUMINIUM	140 x 45 -LVL hySPAN	Double	STUD	WEST
D3	2.04	0.82	1				TIMBER PANEL					STUD	
D4	2.6	3	2				ROLLER			200 x 45 -LVL hySPAN		STONE	NORTH








WOOD DRAFTING & DESIGN SERVICES	PAUL WOOD 5/55, BEST ST. DEVONPORT TAS 7310		Project: NEW VISITOR ACCOMODATION	
	PH: 03 6424 6511 FAX: 03 6424 6577 MOBILE: 0408 583 646		STEWART SUPERANNUATION FUND FINE RD PENGUIN TAS 7316	
	C0697C		WINDOW SCHEDULE	
	SCALE: 1:100 DATE: 10.5.16 REV: 0 DRAW NUMB: PS-1300 SHEET: 3D OF 10			



ALL DIMENSIONS IN MILLIMETRES IF IN DOUBT-DO NOT SCALE.




-  TILES
-  CARPET
-  VINYL
-  PAINTED
-  H/W TIMBER FLOOR BOARDS



## FLOOR PLAN

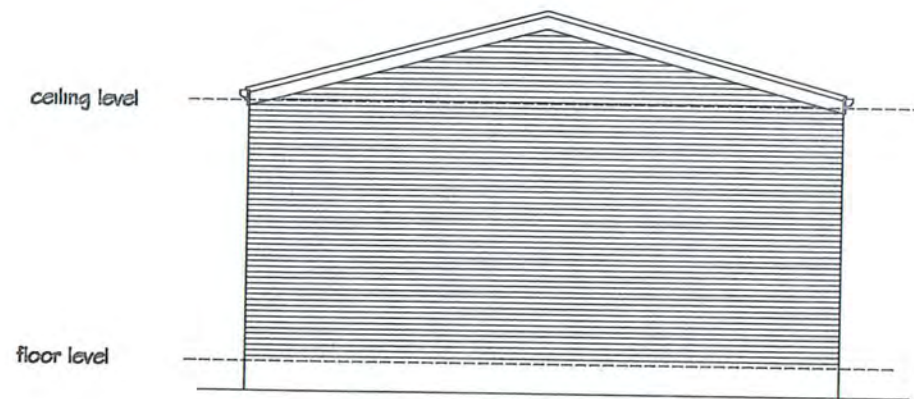
## BOAT STORAGE SHED

<b>WOOD</b>  <b>DRAFTING</b> & DESIGN SERVICES	PAUL WOOD 5/55 REST ST DEVONPORT TAS 7310		Project: NEW VISITOR ACCOMODATION		
	PH: 03 6424 6511 FAX: 03 6424 6577 MOBILE: 0408 583 646		STEWART SUPERANNUATION FUND FINE RD PENGUIN TAS 7316		
	CC697C		FLOOR AREA SHED 96.0 m2		
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		REV 0		DRAW NUMB PS-1300	
				SHEET 4A OF 10	

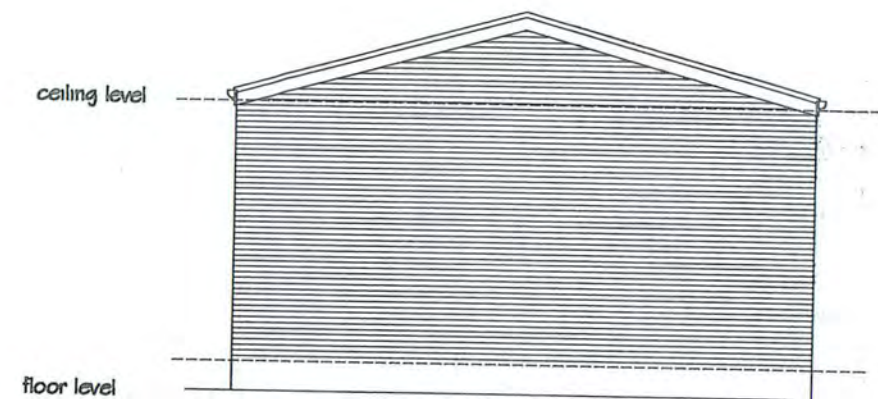


# LEGEND & NOTES - Elevations

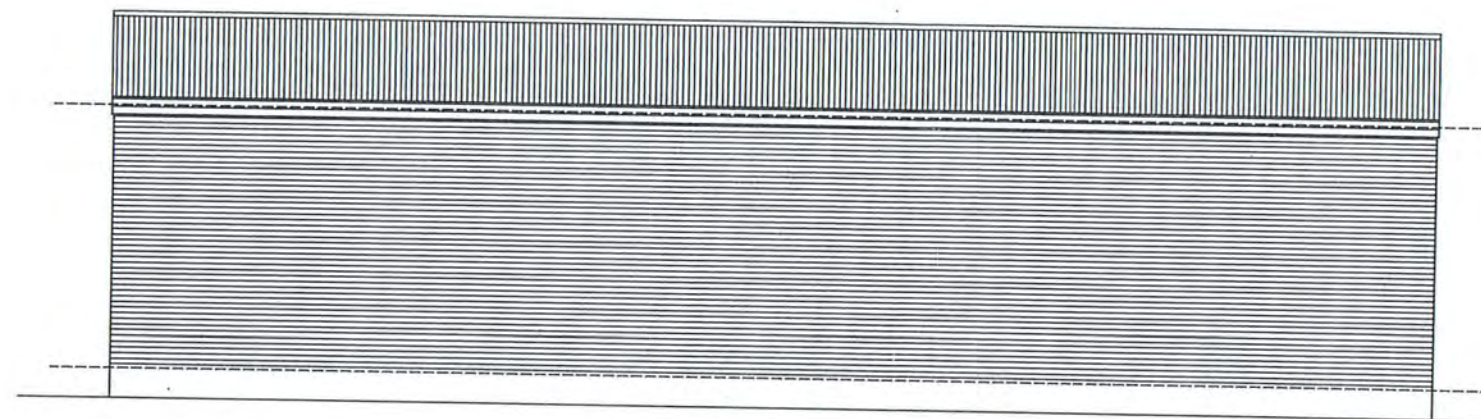
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- DP Downpipe
- SD Sliding door
- A Awning window
- F Fixed window
- CL Ceiling level
- FL Floor level



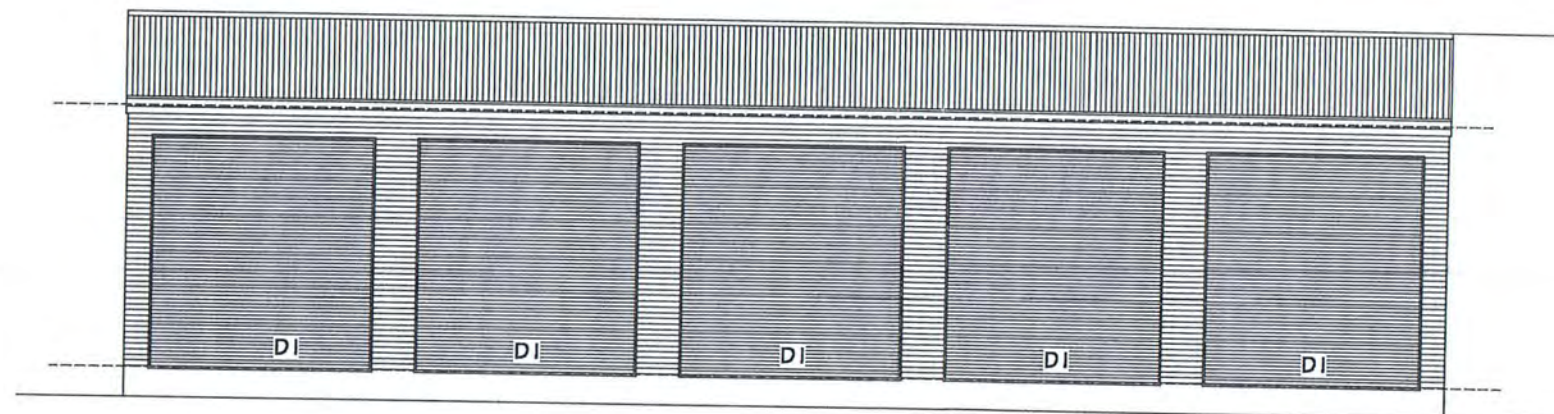
EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

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 29 JUL 2018  
 DA215218  
 238453

## BOAT STORAGE SHED



WOOD DRAFTING & DESIGN SERVICES	PAUL WOOD 5/55 BEST ST DEVONPORT TAS 7310		Project: NEW VISITOR ACCOMMODATION	
	PH: 03 6424 6511 FAX: 03 6424 6577 MOBILE: 0408 583 646		STEWART SUPERANNUATION FUND FINE RD PENGUIN TAS 7316	
	ELEVATIONS		SHEET	
	SCALE	DATE	REV	DRAW NUMB
1:100	10.5.16	0	PS-1300	4C



**strata**  
geoscience and environmental

*Land Capability Assessment for*

## **Lot 5 Pine Road Penguin**

*May 2016*

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

Received: 30 MAY 2016

Application No: DA215218

Doc. ID: 238453



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## **1. Introduction and Legislative Context**

### **1.1 Introduction**

Strata Geoscience and Environmental P/L was commissioned by Phil Stewart to carry out a land capability assessment of Pine Road Penguin for the purposes of determining site suitability for residential development. This investigation has been triggered due to the site's location on or near rural land and seeks to identify issues associated with a residential development of the site given these classifications. This report should also be read in conjunction with the Preliminary Geotechnical Investigation prepared by Strata Geoscience and Environmental P/L.

### **1.2 Legislative context**

The state policy on the protection of agricultural land 2009 has two objectives:  
To enable the sustainable development of agriculture by minimising:

- (a) conflict with or interference from other land uses; and
- (b) non-agricultural use or development on agricultural land that precludes the return of that land to agricultural use.

The above objectives aim to protect prime agricultural land from conversion to other non agricultural uses, with prime land being defined as:

"Prime agricultural land" means agricultural land classified as Class 1, 2 or 3 land based on the class definitions and methodology from the Land Capability Handbook, Second Edition, C J Grose, 1999, Department of Primary Industries, Water and Environment, Tasmania.

This Policy applies to all agricultural land in Tasmania. A decision made in accordance with the provisions of a planning scheme; (a) approved under the Land Use Planning and Approvals Act 1993, as being in accordance with this Policy, or (b) amended in accordance with section 13 of the State Policies and Projects Act 1993, is taken to have been made in accordance with the Policy.

## **2. Investigation**

The investigation incorporated the following:

- Desktop survey included investigation of land capability and geological mapping units, landslip zoning, relevant meteorological information, Land Title and Freedom of Information (FOI) searches where relevant.
- Field investigation involved site reconnaissance and intrusive geotechnical drilling using a vehicle based auger drilling rig characterising soils to 2.0m

The above desktop and site surveys were integrated into a detailed land capability assessment of the site according to the principles outlined in Grose (1999).



### 3. Results

#### 3.1 Site Location and Planning Context

The 3.4 Ha site is located approximately 4 km south west of the township of Penguin on a north facing concavo-convex slope of approximately 5-20% between 140-160 m AHD. The site is bordered to the north by the Pine Road and consists of one title (91766/5). The site is zoned "Rural Resource" under the Tasmanian Interim Planning Scheme. Please refer to Appendix 1 and 2 for further site context.

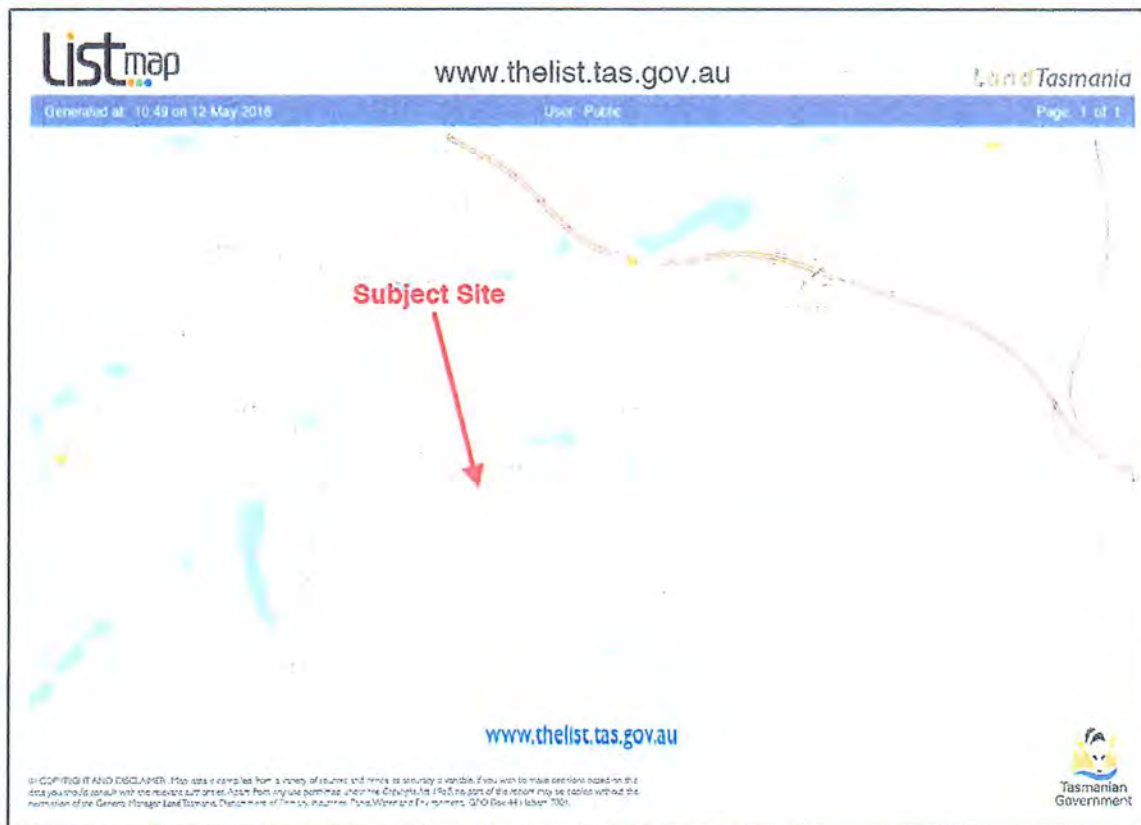
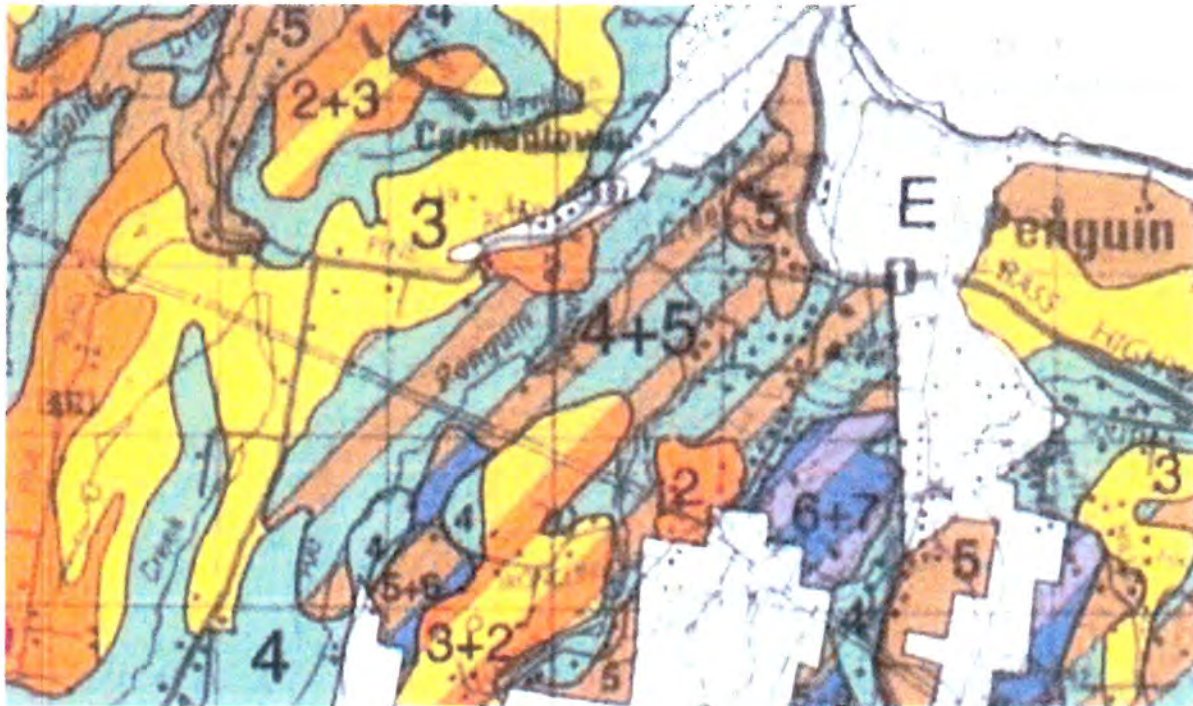


Figure 1: Site Location (Listmap, 2016)



### 3.2 Land Capability Mapping

The land capability assessment undertaken by Moreton (1999) designates the subject property as Class 3/4. The delineation between the Class 3/4 designation runs in a NE/SW direction and appears to follow the ridgeline contour.



**3 CLASS 3**  
Land suitable for cropping and intensive grazing. Cropping phase is normally limited to two to five years out of ten in rotation with pasture or equivalent, and/or the variety of crops that can be grown is significantly more restricted than on Class 1 and 2 land. Soil conservation practices and sound management are required to overcome the moderate limitations to cropping use.

**4 CLASS 4**  
Land marginally suitable for cropping because of severe limitations which restrict the range of crops that can be grown and/or make major conservation treatment and careful management necessary. Cropping rotations should normally be restricted to one to two years out of ten in a rotation with pasture or equivalent. This land is well suited to intensive grazing.

Figure 2: Morton and Gross (1997) Land Capability Survey of Tasmania Forth 1:100000

It is noteworthy that the coarse scale 1:100000 Land Capability Mapping Series (Moreton and Gross 1997) has been utilised to help assign planning boundaries in the local area. Given that a 1:100000 scale mapping sheet has an error factor of approximately 400m, combined with the fact that a boundary between two classes is proximal to the property, a site specific land capability assessment is warranted.

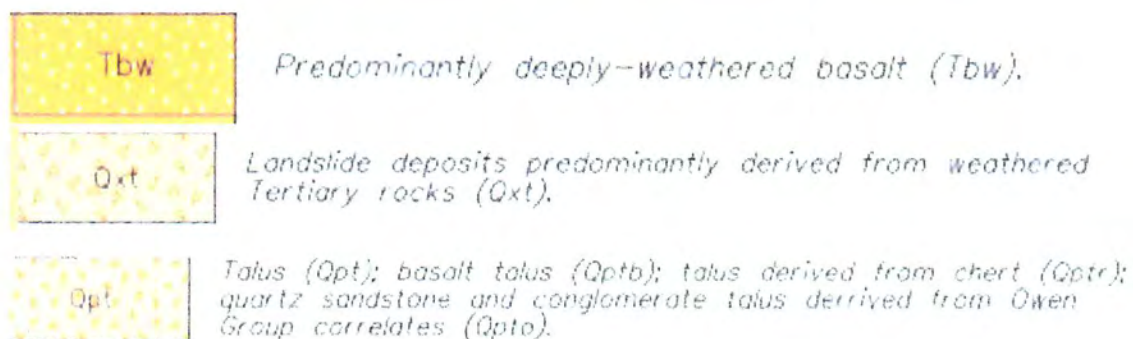
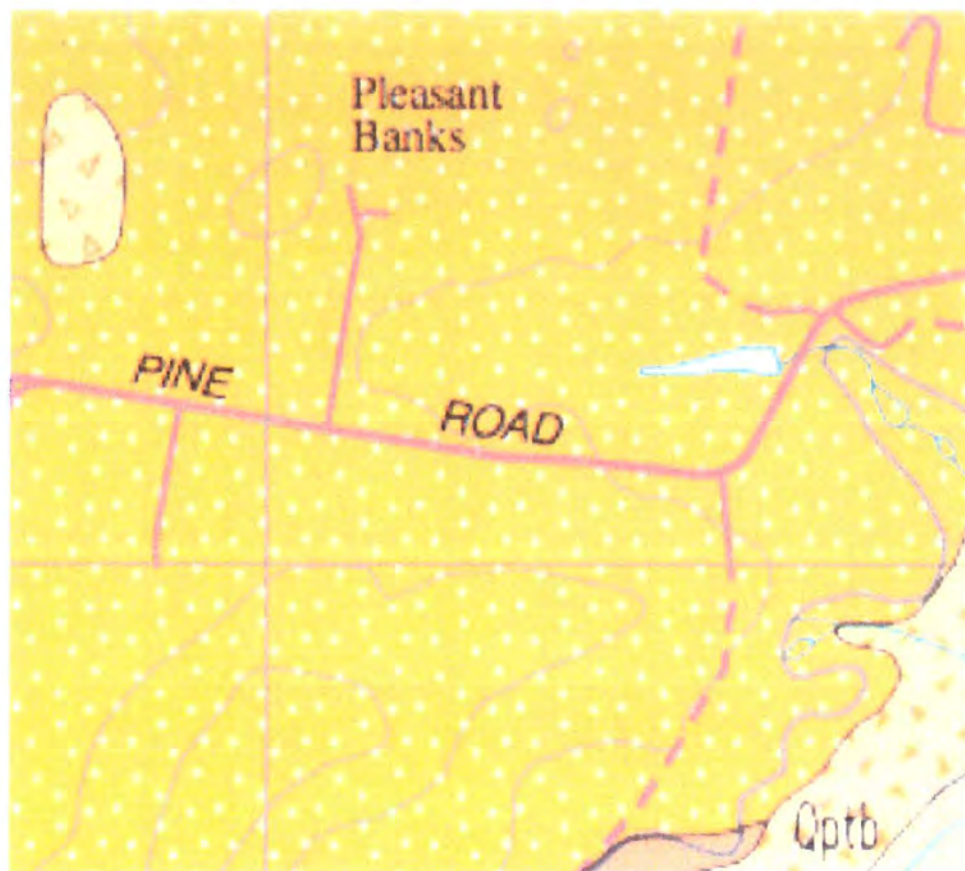
### **3.4 Geology, Geomorphology and Slope**

The site exists as a north facing concavo-convex slope up to 20%.

The Mineral Resources Tasmanian Geological Map Series 1:25000 Ulverstone sheet shows the underlying geology of the localised area to consist of Tertiary Basalt bedrock (Tbw) and Quaternary Landslide deposits predominantly derived from weathering Tertiary rocks (denoted as Qxt/Qpt). This is consistent with the field investigation of the site with deep Clayey SILTS (ML) and Silty CLAYS (CL/CH) weathering from inferred Basalt rocks observed in bores.

The basalt rocks have come from a large regional basalt flow over older geological surfaces. Where the basalt rocks have fractured into colluvial material and accumulated as weathering products on slopes, the Qxt/Qpt surfaces are formed.





**Figure 3 : Extracts from MRT 1:25000 Ulverstone Sheet**

### 3.5 Soils

Geotechnical reconnaissance over the site revealed consistent soils type of Clayey SILTS (ML) parting to Silty CLAYS (CL/CH) to a characterised depth >2m. Bore logs are presented in Appendix 3. According to the Unified Soil Classification System (Isbell, 2003) soils are classified as Ferrosols being soils with free iron contents >5%.

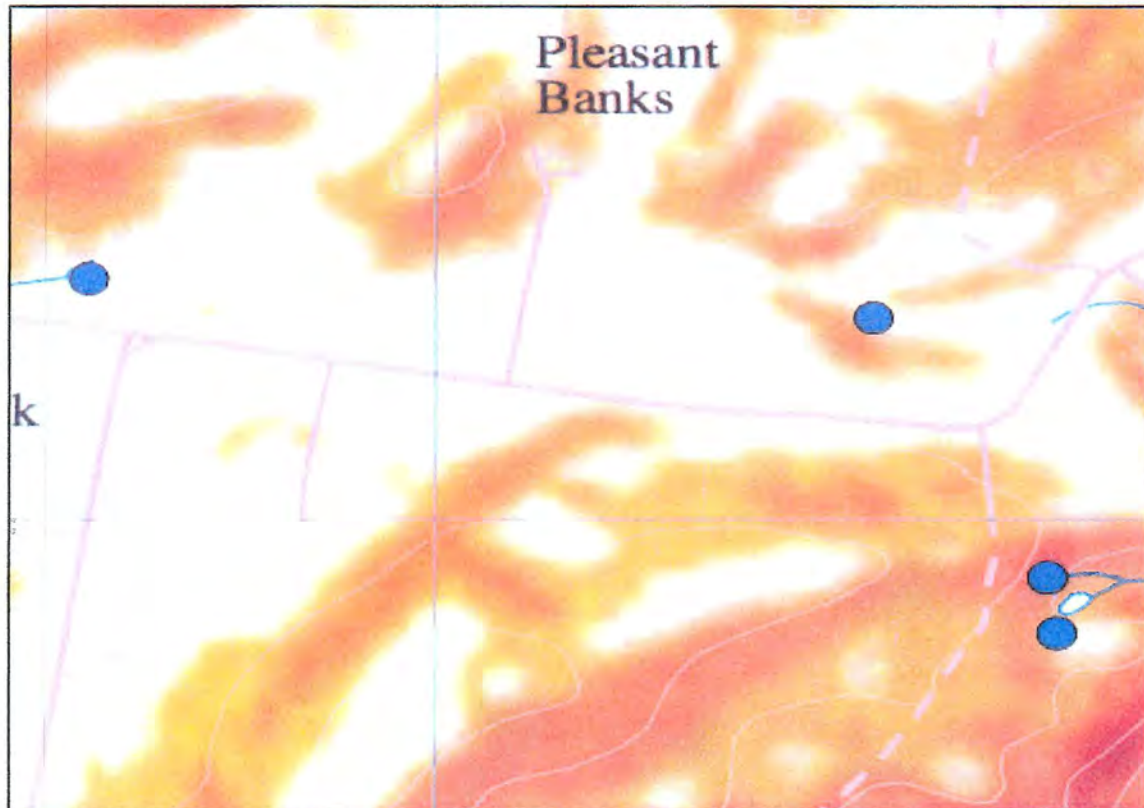
### 3.6 Landslide Zoning and Erosion Susceptibility

Reference was also made to the MRT Shallow Slide and Flow Susceptibility Ulverstone 1:25000 map series slide/flow zones categorised as low parting to moderate associated with steeper areas of the site.

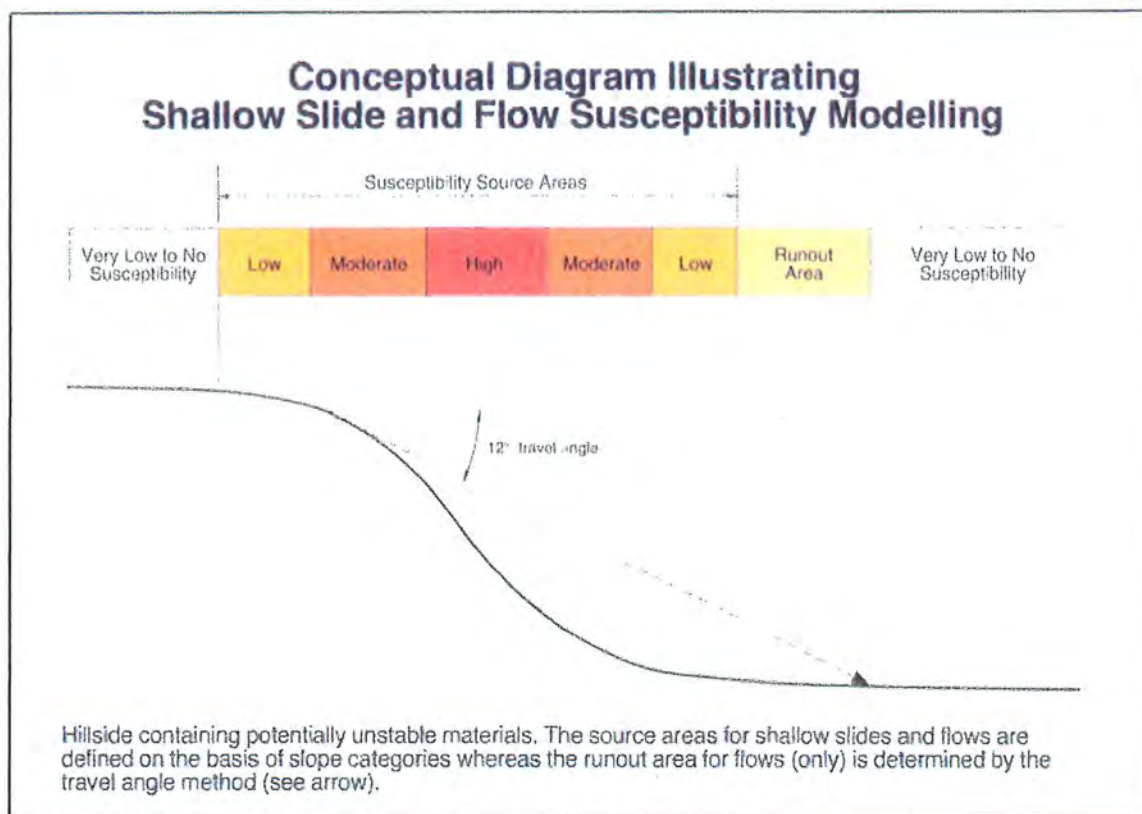
It is notable where moderate risk areas on steeper slopes exist, the risk of slide/flow movement will be accentuated by soil disturbance. In an agricultural context disturbance may be triggered by some are all of the following activities:

1. Intensive cultivation and cropping
2. Intensive grazing and high stocking densities
3. Concentration of irrigation
4. Over cropping

Furthermore triggered slides and flows can lead to soil erosion, soil loss and soil structural degradation, further reducing the productive capability of the land.







**Figure: 4/5 Extracts from Shallow Slide/Susceptibility MRT 1:25000 Ulverstone Sheet**

### **3.7 Climate**

Climate data for the West Pine Station is presented in Appendix 3. Data reveals an annum rainfall of 1003 mm with falls predominantly based in the winter months when evapotranspiration rates are at their lowest. This rainfall distribution has the potential to create adverse soil moisture conditions leading to an increase in the risk for mass movement on slopes.

## **4. Agricultural Land Capability Assessment**

### **4.1 Background**

Agricultural Land Capability assessment has been developed in Tasmania by the Department of Primary Industries Water and Environment according to the guidelines described in Gross (1999).

The classification system in Tasmania is based primarily upon three permanent biophysical features of the landscape - soil, slope and climate, and their interactions. These three factors have a major influence in determining the capability of the land to support various levels of agricultural production. Other factors which must be taken into account are rock type, erosion hazard, range of crops that can be grown, management practices, soil conservation treatment, risk of flooding and past land use history (Gross, 1999)

The system is hierarchical and comprises seven classes, ranked in order of increasing degree of limitations to use, and in decreasing order of versatility. Class 1 land can produce a wider variety of crops and pastures at higher levels of production with lower costs, or with less risk of damage to the land, than any of the other classes of land. Class 2 land is similarly superior to classes 3 to 7, and so on. Class 4 land is considered the limit for cropping. It is restricted by severe hazards or limitations to production such that cropping can only occur one or two years out of ten without leading to degradation of the soil resource or is limited to only one or two crop types which require low inputs and management but which allow more frequent cropping. The capability class is therefore an indicator of the degree of versatility, level of productivity and risk of degradation for a particular area of land. The second level of classification, indicated by the subclass code, identifies the nature of the risk or the type of hazard or limitation present. Limitations may be defined as physical factors or constraints which affect the range of crops that can be grown or limit the frequency of cultivation. This information is usually only presented on maps of scale 1:50 000 or greater although limited subclass information is available for some of the more recently published maps. The subclass code is indicated by a letter following the class



code. Initially the system identified four major limitation groups - erosion, wetness, soils and climate. However, this approach is considered to provide only limited information to potential users and that subclass information could be made more valuable by increasing the range of limitations identified. The identification of a wider range of limitations is a new approach to mapping adopted for maps published from 1999 onwards. The third level of classification is the unit level, identified by a number following the subclass code. Unit level mapping is usually appropriate to 1:25 000 scale mapping or 8 larger. The unit level takes into account the levels of production, management strategies and soil conservation requirements that the land may need in order to maintain that level of production without long-term degradation. The system considers degradation of the soil resource and does not take into account the possible effects of agricultural land use on water quality, aesthetics, wildlife, etc. (Gross, 1999)

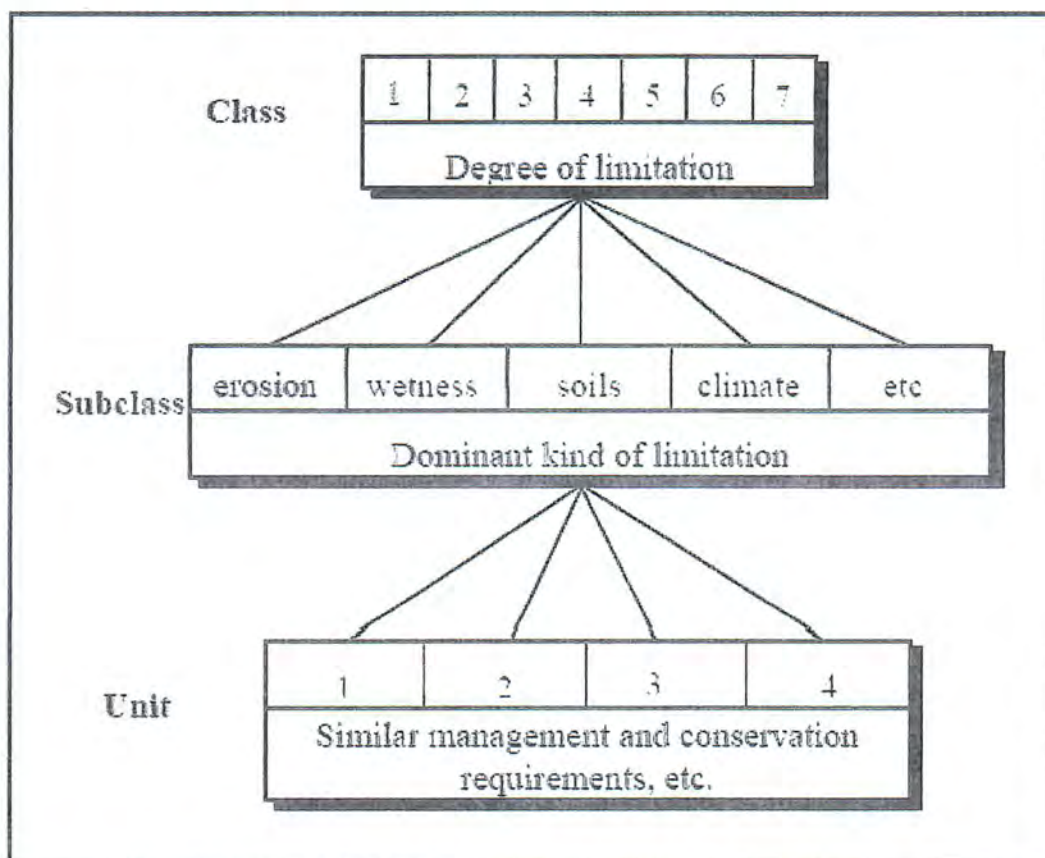


Figure 3. Levels of the land capability classification system.  
(Adapted from: National Water and Soil Conservation Organisation, 1979,  
Our Land Resources. (NWASCO), Wellington, New Zealand.)

## **4.2 Site Specific Agricultural Land Capability Assessment**

### **4.2.1 Summary of Findings and Handbook Definitions**

The land contained within the study area was the subject of a site specific land capability assessment according to the methodology of the land capability handbook of Gross (1999). Desktop and field survey has found that:

- The published map sheet for the area shows the property at a boundary between Class 3/4, however, due to the limitations of the 1:100 mapping scale and the associated 400m error in boundary delineation it is clear the published classification is not exact.
- Deep uniform Ferrosol soil types weathering from inferred Tertiary Basalt were observed from geotechnical drilling.
- Significant slopes up to 20% were observed over steeper areas of the site.
- Climate data reveals high winter rainfalls which may lead to adverse soil moisture relations increasing the risk of mass movement on slopes.

Referring to Gross (1999) a summary of land characteristics for Class 3 and 4 land is as follows:

**CLASS 3** land has most or all of the following features:

- slopes may range up to 18%,
- high to moderately high levels of productivity under improved pasture species and crops,
- the range of crops is generally more restricted than on Class 1 or 2 land,
- soil depth and drainage can be variable,
- conservation measures are necessary under cropping,
- soil physical features and/or slope restrict the amount of cultivation the land will tolerate between pasture phases,
- adverse climatic conditions affect range of cropping options and/or productivity levels.



In addition they may have a range of limitations from among the following:

- erosion hazard,
- soil physical handicaps (e.g. stoniness, internal drainage, soil structure, nutrient deficiencies),
- salinity hazard,
- periodic flooding.

**CLASS 4** land has a similar set of limitations to those described above for Class 3 but the limitations are more severe so that only occasional cropping is possible. Slopes may range up to 28%. Major soil conservation practices and careful management may be necessary under cropping.

Furthermore definitions of each class are as follows (Gross, 1999),

**CLASS 3** Land suitable for cropping and intensive grazing. Moderate levels of limitation restrict the choice of crops or reduce productivity in relation to Class 1 or Class 2 land. Soil conservation practices and sound management are needed to overcome the moderate limitations to cropping use. Land is moderately productive, requiring a higher level of inputs than Classes 1 and 2. Limitations either restrict the range of crops that can be grown or the risk of damage to the soil resource is such that cropping should be confined to three to five years out of ten in a rotation with pasture or equivalent during normal years.

**CLASS 4** 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.)

#### **4.2.2 Site Specific Land Capability Class**

Given the above land area surveyed should be classified as predominantly **Class 4** due to the existence of deep soils on slopes up to 20% which may be subject to site seasonal waterlogging.

The identified Land Capability Subclass therefore becomes **erosion (e)** due to the potential for landslip, slumping, soil creep or other forms of mass movement on slopes.

**Site Land Capability Class:**

**Class 4e**



## 5. Conclusions

This Land Capability Assessment has found that:

- The subject site contains Class 3-4 with respect to the mapping produced by Moreton (1999)
- That a site specific land capability assessment has determined that the site should be classified as **Class 4e** given that:
  - the site contains deep soils on slopes up to 20% which may be subject to site seasonal waterlogging.
  - The site therefore presents an erosion hazard due to the potential for landslip, slumping, soil creep or other forms of mass movement on slopes under intensive cultivation.

Given the potential of mass movement and erosion on steeper slopes intensive cultivation/cropping is not suitable.

Following the definitions of Gross 1999, Class 4 land is 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.

Given these conclusions the residential development of the land would not be in conflict with the intent of the planning scheme or the State Agricultural Land Policy regarding the protection of prime agricultural land for sustainable production.

Lastly, to further facilitate planning decisions this report should be read in conjunction with the Preliminary Geotechnical Investigation for the site produced by Strata Geoscience and Environmental P/L.



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w [www.strataconsulting.com.au](http://www.strataconsulting.com.au)

## 6. References

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