
Minutes of an ordinary meeting of the Central Coast Council held in the Council Chamber at the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 19 September 2016 commencing at 6.00pm.

Councillors attendance

Cr Jan Bonde (Mayor)
Cr John Bloomfield
Cr Garry Carpenter
Cr Rowen Tongs
Cr Philip Viney

Cr Kathleen Downie (Deputy Mayor)
Cr Shane Broad
Cr Gerry Howard
Cr Tony van Rooyen

Employees attendance

General Manager (Ms Sandra Ayton)
Director Community Services (Mr Cor Vander Vlist)
Director Infrastructure Services (Mr John Kersnovski)
Director Organisational Services (Mr Vernon Lawrence)
Executive Services Officer (Miss Michelle Gillett)
Land Use Planning Group Leader (Mr Ian Sansom)

Media attendance

The Advocate newspaper.

Public attendance

30 Members of the public attended during the course of the meeting.

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

243/2016 Confirmation of minutes

The Executive Services Officer reported 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.”

■ Cr Howard moved and Cr Downie seconded, “That the minutes of the previous ordinary meeting of the Council held on 15 August 2016 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

244/2016 Council workshops

The Executive Services Officer reported 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.”

■ Cr Viney moved and Cr Tongs seconded, “That the Officer’s report be received.”

Carried unanimously

MAYOR'S COMMUNICATIONS

245/2016 Mayor's communications

The Mayor reported:

"I have no communications at this time."

246/2016 Mayor's diary

The Mayor reported 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
- . 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

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- . 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 reported 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 reported 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 reported as follows:

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

- . Ulverstone Anglers Club – Annual Dinner.”

Cr Bloomfield reported 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 reported as follows:

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

Carried unanimously

247/2016 Declarations of interest

The Mayor reported 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 reported 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.

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

No interests were declared at this time.

248/2016 Public question time

The Mayor reported 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).”

COUNCILLOR REPORTS

249/2016 Councillor reports

The Executive Services Officer reported 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.”

Cr Broad reported on a recent meeting of the Central Coast Chamber of Commerce and Industry.

Cr Bloomfield reported on a recent meeting of the Wharf Committee.

Cr Carpenter reported on a recent meeting of the Coast to Canyon.

Cr Downie reported on an upcoming event of the Slipstream Circus

APPLICATIONS FOR LEAVE OF ABSENCE

250/2016 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.”

DEPUTATIONS

251/2016 Deputations

The Executive Services Officer reported as follows:

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

PETITIONS

252/2016 Petition relating to remove the traffic calming construction in the Main Street of Penguin and to increase parking times in Penguin

Cr Broad presented a petition relating to the removal of the traffic calming construction in the Main Street of Penguin and to increase parking times in Penguin. A report on this matter will be presented at the next Council Meeting, 17 October 2016.

COUNCILLORS' QUESTIONS

253/2016 Councillors' questions without notice

The Executive Services Officer reported 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 –
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."

The allocation of topics ensued.

254/2016 Councillors' questions on notice

The Executive Services Officer reported 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 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.”

DEPARTMENTAL BUSINESS

GENERAL MANAGEMENT

255/2016 Minutes and notes of committees of the Council and other organisations

The General Manager reported 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 have been circulated to all Councillors.”

■ Cr Howard moved and Cr Tongs seconded, “That the (non-confidential) minutes and notes of committees of the Council be received.”

Carried unanimously

COMMUNITY SERVICES

256/2016 Statutory determinations

The Director Community Services reported 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 reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr Broad moved and Cr Viney seconded, “That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

257/2016 Council acting as a planning authority

The Mayor reported 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 reported 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.”

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

Carried unanimously

258/2016 Items referred from Development Support Special Committee

The Director Community Services reported 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.”

259/2016 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 reported 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 125.6m² two bedroom Visitor Accommodation cottage.

Stage Two – Construction of a 274.5m² three bedroom Visitor Accommodation cottage.

Stage Three – Construction of one 96m² five bay boat shed that would be ancillary and subservient to the Visitor Accommodation use of the land.

Stage Four – Construction of a second 96m² 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
26.1.2 Local Area Objectives	
<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>(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>(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>(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>(c)(i) Proposal does not satisfy the Objective. The proposal would result in the permanent loss of 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</p>
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	<p>agricultural land. The proposed use is not related to sustainable agricultural production.</p> <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</p>
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	<p>Highway and coastal fishing sites and offers views to Bass Strait.</p> <p>(h)(i) Not applicable. Not Residential use.</p> <p>(h)(ii) Not applicable. Not Residential use.</p>
26.1.3 Desired Future Character Statements	
<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"> (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 <p>(b) may be interspersed with –</p> <ul style="list-style-type: none"> (i) small-scale residential settlement nodes; (ii) places of ecological, scientific, cultural, or aesthetic value; and 	<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>(iii) pockets of remnant native vegetation</p> <p>(c) will seek to minimise disturbance to –</p> <ul style="list-style-type: none"> (i) physical terrain; (ii) natural biodiversity and ecological systems; (iii) scenic attributes; and (iv) rural residential and visitor amenity; <p>(d) may involve sites of varying size –</p> <ul style="list-style-type: none"> (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; <p>(e) is significantly influenced in temporal nature, character, scale, frequency, and intensity by external factors, including changes in technology, production techniques, and in economic, management, and marketing systems.</p>	<p>(b)(ii) Proposal is consistent with Desired Future Character. Proposed development will not result in a negative effect on places of 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>
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	<p>(c)(ii) Proposal is consistent with Desired Future Character. The site exhibits highly compromised natural biodiversity and ecological systems. The proposal would not 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>
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	(e) Not applicable. Proposal is not significantly influenced by changes in technology, production techniques or economic management and marketing systems.
26.3.1 Requirement for discretionary non-residential use to locate on rural resource land	
<p>26.3.1-(P1) Other than for residential use, discretionary permit use must:</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement; and</p> <p>(c) be required to locate on rural resource land for operational efficiency:</p> <p>(i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;</p> <p>(ii) to access infrastructure only available on the site or on adjacent land in the zone;</p> <p>(iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;</p> <p>(iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;</p>	<p>(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.</p> <p>(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.</p> <p>(c)(i) Non-compliant. A naturally occurring resource in the Rural Resource zone refers to air, water and land resources. Development is for 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</p>

<p>(v) if required</p> <p>a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;</p> <p>b. for security;</p> <p>c. for public health or safety if all measures to minimise impact could create an unacceptable level of risk to human health, life or property if located on land in a zone intended for that purpose;</p> <p>(vi) to provide opportunity for diversification, innovation, and value-adding to secure existing or potential primary industry use of the site or of adjacent land;</p> <p>(vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or</p> <p>(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>would locate on-site to access views of Bass Strait and for proximity to the Bass Highway.</p> <p>(c)(ii) Non-compliant. It is not a requirement of the proposed use and development to access 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>
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<p>(ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and</p> <p>(iii) loss of land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development.</p>	<p>(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> <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</p>
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	<p>on the opposite side of Pine Road, is within the Proclaimed Dial/Blythe Irrigation District; 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>
<p>26.3.2 Required Residential Use</p>	

<p>26.3.2–(A1) Residential use required as part of a use must:</p> <ul style="list-style-type: none"> (a) be an alteration or addition to an existing lawful and structurally sound residential building; (b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling; (c) not intensify an existing lawful residential use; (d) not replace an existing residential use; (e) not create a new residential use through conversion of an existing building; (f) be an outbuilding with a floor area of not more than 100m² appurtenant to an existing lawful and structurally sound residential building; or (g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and (h) there is no change in the title description of the site on which the residential use is located. 	<p>Not applicable.</p> <p>Not a required residential use.</p>
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26.3.3 Residential use	
<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"> (a) be an alteration or addition to an existing lawful and structurally sound residential building; (b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling; (c) not intensify an existing lawful residential use; (d) not replace an existing residential use; (e) not create a new residential use through conversion of an existing building; (f) be an outbuilding with a floor area of not more than 100m² appurtenant to an existing lawful and structurally sound residential building; or (g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and (h) there is no change in the title description of the site on which the residential use is located. 	<p>Not applicable.</p> <p>Not a residential use.</p>

26.4 Development Standards	
26.4.1 Suitability of a site or lot on a plan of subdivision for use or development	
<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 2,000m² 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>(viii) accessible from a frontage or 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 592.1m² comprising a 274.5m² three bedroom, Visitor Accommodation building, a 125.6m² two bedroom, Visitor Accommodation building and two five bay sheds, each 96m².</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> <p>(b)(vii) Not applicable. No access strip.</p>

	(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 advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage,</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>

access strip or right of way to the site or each lot on a proposed subdivision plan.	
<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 ^{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. 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) Not applicable. Site is not connected to a reticulated sewer system.</p> <p>(b)(i) Not applicable. Compliant with (b)(iii).</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> <ul style="list-style-type: none"> (i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and (ii) the development: <ul style="list-style-type: none"> a. is for a single dwelling; or b. provides for an equivalent population of not more than 10 people per day; or (iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS 1547:2000 On-site domestic-wastewater management clear of any defined building area or access strip. 	<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 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>(a) Not applicable. Site is not connected to a reticulated stormwater system.</p> <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) 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 5,000m²;</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</p> <p>e. not more than 50% of the site is impervious surface.</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>
<p>26.4.2 Location and configuration of development</p>	
<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> <p>(a) not less than 20.0m from the frontage; or</p> <p>(b) not less than 50.0m if the development is for sensitive use on land that adjoins the Bass Highway;</p>	<p>(a) Compliant. Boat sheds would be setback 25m from Pine Road frontage. Visitor Accommodation buildings would be setback 250m from the frontage.</p>

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<p>(c) not less than 10.0m from each side boundary; and</p> <p>(d) not less than 10.0m from the rear boundary; or;</p> <p>(e) in accordance with any applicable building area shown on a sealed plan.</p>	<p>(b) Not applicable. Compliant with (a) and land does not adjoin the Bass Highway.</p> <p>(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.</p> <p>(d) Compliant. Boat sheds would be setback 260m from rear boundary. Visitor Accommodation buildings would be setback 35m from rear boundary.</p> <p>(e) Not applicable. No building area is shown on a sealed plan of subdivision.</p>
<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>(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>(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>(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>26.4.3 Location of development for sensitive uses</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>(iv) 100m from land under a reserve management plan;</p> <p>(v) 100m from land designated for production forestry;</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> <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>(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)(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>
<p>26.4.4 Subdivision</p>	
<p>26.4.4-(P1)</p> <p>(a) A plan of subdivision to reconfigure land must:</p> <p>(i) be required to restructure, resize, or reconfigure land for primary industry use; and</p> <p>(ii) not create an additional lot;</p>	<p>Not applicable.</p> <p>No subdivision proposed.</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"> (i) be required for a purpose permissible in the zone; (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; (iii) retain the balance area for primary industry use; (iv) minimise unnecessary and permanent loss of rural resource land for existing and potential primary industry use; (v) minimise constraint or interference to existing and potential primary industry use on the site and of adjacent land in the zone; and (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 	
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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"> (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; (ii) incorporate the excised area into an existing primary industry lot by amalgamation in a manner acceptable to the Recorder of Titles ^{R32}; (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 (iv) retain a lot with a size and shape that: <ul style="list-style-type: none"> a. can accommodate the lawful existing use or development in accordance with the applicable standards for that use; or b. does not further increase any non-compliance for use or development on the existing lot. 	
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26.4.5 Buildings for Controlled Environment Agriculture	
<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	
E1 Bushfire-Prone Areas Code	Not applicable.
E2 Airport Impact Management Code	Not applicable.
E3 Clearing and Conversion of Vegetation Code	Not applicable.
E4 Change in Ground Level Code	Not applicable.
E5 Local Heritage Code	Not applicable.
E6 Hazard Management Code	Not applicable.

E7 Sign Code	Not applicable.
E8 Telecommunication Code	Not applicable.
E9 Traffic Generating Use and Parking Code	
E9.2 Application of this Code	Applicable. Applies to all use and development.
E9.4 Use or development exempt from this Code	Not exempt. No Local Area Parking Scheme.
E9.5 Use Standards	
E9.5.1 Provision for parking	
<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. 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>(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>
E9.5.2 Provision for loading and unloading of vehicles	
<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>

E9.6 Development Standards	
E9.6.1 Road access	
<p>E9.6.1–(A1) There must be an access to the site from a carriageway of a road ^{R36}:</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>
E9.6.2 Design of vehicle parking and loading areas	
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.	
E10 Water and Waterways Code	Not applicable.
Specific Area Plans	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 Pine Road, Penguin (CT91 766/5) be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the application for this Permit, unless modified by a condition of this Permit.
- 2 Visitor Accommodation buildings must be setback a minimum of 35m from any boundary.
- 3 Three car parking spaces are to be provided for the visitor accommodation use. The layout of vehicle parking areas, loading area, circulation aisle and manoeuvring areas must be in accordance with AS/NZS 2890. 1 (2004) – Parking Facilities – Off-Street Car Parking.
- 4 Internal driveways and vehicle parking and manoeuvring areas must be constructed with a compacted sub-base and all-weather surface.
- 5 The development must collect, store and dispose of stormwater clear of any building area, wastewater disposal area and access strip.
- 6 The development must be in accordance with the recommendations contained in the "Site Classification to AS2870-2011/4055-2006 and Onsite Wastewater System Design" report by Strata Geoscience and Environmental dated May 2015.
- 7 The development must be in accordance with the conditions of the 'Statement of Compliance for Vehicular Access and Drainage Access' dated August 2016, issued by the Council acting in its capacity as the Road Authority.

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 of time may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 'Substantial commencement' is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site or bank guarantee to undertake such works.
- 3 Building 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 reported as follows:

“A copy of the Annexures referred to in the Town Planner’s report have been circulated to all Councillors.”

■ Cr van Rooyen moved and Cr Downie seconded, “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:

It is recommended that the application for Visitor Accommodation (two accommodation buildings and two ancillary sheds for boat storage) at Pine Road, Penguin (CT91766/5) be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the application for this Permit, unless modified by a condition of this Permit.
- 2 Visitor Accommodation buildings must be setback a minimum of 35m from any boundary.
- 3 Three car parking spaces are to be provided for the visitor accommodation use. The layout of vehicle parking areas, loading area, circulation aisle and manoeuvring areas must be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking.

- 4 Internal driveways and vehicle parking and manoeuvring areas must be constructed with a compacted sub-base and all-weather surface.
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- 3 Building Permits are required for the proposed development. A copy of this Planning Permit should be given to your building surveyor.

Voting for the motion

(8)

Cr Bonde

Cr Bloomfield

Cr Carpenter

Cr Downie

Cr Howard

Cr Tongs

Cr van Rooyen

Cr Viney

Voting against the motion

(1)

Cr Broad

Motion

Carried

260/2016 Public question time

The time being 6.39pm, the Mayor introduced public question time.

Roz Flanagan:

Question 1:

“I am the person that instigated the petition presented tonight in relation to the structure in the Main Street of Penguin. Is this a Pedestrian Crossing?”

The Mayor responded:

“It is a pedestrian refuge centre.”

Question 2:

“It is not in the hand book. There are a lot of new drivers on the road, and if it’s not in the hand book, how are they going to know what it is? If it’s a crossing, that’s fine, it appears that it’s not, so therefore we can be booked by standing in the middle of the road by Tas Police. Is Council aware of this? I have been advised by Tas Police that we can be booked for standing there.”

The Mayor responded:

“It is a pedestrian refuge centre. It has been approved by Department of State Growth. I can’t answer any further than that, other than to tell you it has been approved by State Growth and it’s been used in many communities across Tasmania.”

Karen Standley:

Question 1:

“As Penguin has been unchanged in the Main Street for many many years, people appear to be unaware of the rules and the manner in which they are supposed to use the new traffic calming infrastructure in the Main Street. Since Council approved the placement of the infrastructure, what can they do to educate residents, visitors and tourists to use it safely and lawfully?”

The Mayor responded:

“There is a petition tabled with a huge amount of signatures, we will be doing a report the next meeting. This will be answered in the report.”

Leah Morrow:

Question 1:

“Have you had a chance to look into the parking times in the Main Street of Penguin?”

The Mayor responded:

“No, not yet, but we are going to look into the parking times.”

Question 2:

“When is someone coming to look at the disabled parking bays as promised at the last meeting. Will whoever it is, agree to meet with Roz Flanagan and myself?”

The Mayor responded:

“Engineering and myself are in Penguin tomorrow, in the afternoon. We will make a point of coming in and chatting with you at the same time.”

Warren Barker:

Question 1:

“Will the Council consider replacing a tour bus parking bay in Ulverstone as we used to have to provide access to the central part of Reiby Street?”

The Mayor responded:

“There have been discussions for a bus interchange in relation to Wongi Lane, which is scheduled for construction later this year. It has been an ongoing issue to find the right place. We have been in contact with all coach owners in relation to this.”

Question 2:

“Now that the markings have been done, will tour coaches be booked if they stay more than 30 minutes and also take up more than two spaces?”

The Mayor responded:

“There’s no meter parking, as long as they park up towards the front of the parking space there’s no issue. There’s plenty of spaces where a bus can park for longer periods in other areas. If they are stopping very quickly it’s fine. If they intend to stay for more than half hour, there’s other parking areas available.”

Susan Wood:

Question 1:

“Given that parking on the northern side of Penguin Main Road is part of the Central Coast Parking Plan 2014, and is now monitored, could the Council please give a date or definite time frame for when the half hour parking is going to be changed to an hour? The website merely states that ‘this will occur in the near future’.”

The Mayor responded:

“I do not know, as I just said, because of the number of people that are really concerned, I would like to have a really good look at this. I am making a commitment to look at and review very soon.”

Sarah-Jane Beswick:

Question 1:

“In relation to email addresses, addresses, etc, on 15th September 2016, the Council Agenda was issued. Under the annexures section, it contained personal information and the like. While I was looking at it on the internet I accidentally clicked on the black box, making all of the personal information visible. I called to inform of this breach of privacy. Were you informed by Council staff of the breach online? Did the Council report the breach?”

The Mayor responded:

“There was no breach as this was through a public process.”

The Director of Community Services at the Mayor’s invitation responded:

“Representations are a public process. Legal advice was sought, and we were advised that in the case of public representations these are public documents and that there is no breach.”

Robert Maywald:

Question 1:

“Not all of the representations were online, why not?”

The Director of Community Services at the Mayor’s invitation responded:

“With regard to the Department of Justice Report it is the Council’s understanding that this material was provided to you under the Right to Information Act, and as such the Act does not allow us to make that information public as it was provided to you, and not the Council.”

Karel Fontaine:

Question 1:

“Subsequent to the Forth Community meeting, has there been any progress on a ‘black spot’ designation of the Forth/Leith and Bass Highway intersection?”

The Mayor responded:

“Not yet. I have certainly been following up with the Minister on every occasion, and just recently in relation to the most recent accident. We haven’t heard anything as yet, but have certainly made them aware of the urgency of that work and will keep following up.”

Darryl Barker:

Question 1:

“Is the fountain in Main Street Penguin still being repaired or has it been retired?”

The Director of Infrastructure Services at the Mayor’s invitation responded:

“It is still being repaired. I am not aware of the status but will follow this up.”

Question 2:

“Has the Council become involved in a free range poultry enterprise at the Lawn Cemetery. Is it right for roosters to be running free and crapping on the plaques or is there a by-law to stop them crowing and growing?”

The Mayor responded:

“I am not aware of this, we will chase this up and look at opportunities.”

261/2016 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 reported 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 15m² 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 3,194m² 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 2,897m² 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
26.1.2 Local Area Objectives	
<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>

<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>	
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26.1.3 Desired Future Character Statements	
<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"> (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 <p>(b) may be interspersed with –</p> <ul style="list-style-type: none"> (i) small-scale residential settlement nodes; (ii) places of ecological, scientific, cultural, or aesthetic value; and 	<p>Similar to above in that the application involves approval of a small building to be used as a laundry and an existing water tank. There will be no detrimental effect on the Desired Future Character Statements.</p>

<p>(iii) pockets of remnant native vegetation</p> <p>(c) will seek to minimise disturbance to –</p> <p>(i) physical terrain;</p> <p>(ii) natural biodiversity and ecological systems;</p> <p>(iii) scenic attributes; and</p> <p>(iv) rural residential and visitor amenity;</p> <p>(d) may involve sites of varying size –</p> <p>(i) in accordance with the type, scale and intensity of primary industry; and</p> <p>(ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources;</p> <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>26.3.1 Requirement for discretionary non-residential use to locate on rural resource land</p>	

<p>26.3.1–(P1) Other than for residential use, discretionary permit use must:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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 <ul style="list-style-type: none"> a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose; b. for security; c. for public health or safety if all measures to minimise 	<p>Not applicable.</p>
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<p>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 <i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development.</p>	
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26.3.2 Required Residential Use	
<p>26.3.2-(A1) Residential use required as part of a use must:</p> <ul style="list-style-type: none"> (a) be an alteration or addition to an existing lawful and structurally sound residential building; (b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling; (c) not intensify an existing lawful residential use; (d) not replace an existing residential use; (e) not create a new residential use through conversion of an existing building; (f) be an outbuilding with a floor area of not more than 100m² appurtenant to an existing lawful and structurally sound residential building; or (g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and (h) there is no change in the title description of the site on which the residential use is located. 	<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>

26.3.3 Residential use

26.3.3-(A1) Residential use that is not required as part of another use must:

- (a) be an alteration or addition to an existing lawful and structurally sound residential building;
- (b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;
- (c) not intensify an existing lawful residential use;
- (d) not replace an existing residential use;
- (e) not create a new residential use through conversion of an existing building;
- (f) be an outbuilding with a floor area of not more than 100m² appurtenant to an existing lawful and structurally sound residential building; or
- (g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and
- (h) there is no change in the title description of the site on which the residential use is located.

Compliant.

Both uses are integral and subservient to the existing approved uses.

26.4 Development Standards	
26.4.1 Suitability of a site or lot on a plan of subdivision for use or development	
<p>26.4.1–(A1) A site or each lot on a plan of subdivision must:</p> <ul style="list-style-type: none"> (a) unless for agricultural use, have an area of not less than 1.0 hectare not including any access strip; and (b) if intended for a building, contain a building area <ul style="list-style-type: none"> (i) of not more than 2,000m² or 20% of the area of the site, whichever is the greater unless a crop protection structure for an agricultural use; (ii) clear of any applicable setback from a frontage, side or rear boundary; (iii) clear of any applicable setback from a zone boundary; (iv) clear of any registered easement; (v) clear of any registered right of way benefiting other land; (vi) clear of any restriction imposed by a utility; 	<p>The site area is 3,194m² 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 has been approved and the access is not impinged its considered the site area is adequate.</p>

<p>(vii) not including an access strip;</p> <p>(viii) accessible from a frontage or access strip.</p>	
<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>(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</p>	<p>Compliant.</p> <p>The existing access arrangement satisfies the Acceptable Solution.</p>

COMMUNITY SERVICES

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>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 ^{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. a single dwelling; or</p> <p>b. a use with an equivalent population of not more than 10 people per day.</p>	<p>Compliant as meets the Performance Criteria.</p> <p>The site is connected to an on-site water system.</p>
26.4.1–(A4) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use	Compliant.

<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 sewage and liquid trade waste:</p> <ul style="list-style-type: none"> (a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or (b) by onsite disposal if: <ul style="list-style-type: none"> (i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and (ii) the development: <ul style="list-style-type: none"> a. is for a single dwelling; or b. provides for an equivalent population of not more than 10 people per day; or (iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS 1547:2000 On-site domestic-wastewater management clear of any defined building area or access strip. 	<p>The site is connected to an approved on-site wastewater system.</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>Compliant.</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> <ul style="list-style-type: none"> (a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or (b) if stormwater cannot be drained to a stormwater system: <ul style="list-style-type: none"> (i) for discharge to a natural drainage line, water body or watercourse; or (ii) for disposal within the site if: <ul style="list-style-type: none"> a. the site has an area of not less than 5,000m²; b. the disposal area is not within any defined building area; c. the disposal area is not within any area required for the disposal of sewage; d. the disposal area is not within any access strip; and e. not more than 50% of the site is impervious surface. 	<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>
<p>26.4.2 Location and configuration of development</p>	

<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"> (a) not less than 20.0m from the frontage; or (b) not less than 50.0m if the development is for sensitive use on land that adjoins the Bass Highway; (c) not less than 10.0m from each side boundary; and (d) not less than 10.0m from the rear boundary; or; (e) in accordance with any applicable building area shown on a sealed plan. 	<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 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</p>
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	<p>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> <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>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</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>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>26.4.3 Location of development for sensitive uses</p>	
<p>26.4.3-(A1) New development for sensitive uses must:</p> <p>(a) be located not less than:</p> <ul style="list-style-type: none"> (i) 200m from any agricultural land; (ii) 200m from aquaculture, or controlled environment agriculture; (iii) 500m from extractive industry or intensive animal husbandry; (iv) 100m from land under a reserve management plan; (v) 100m from land designated for production forestry; 	<p>Not applicable as buildings not a new sensitive use.</p>

<ul style="list-style-type: none"> (vi) 50.0m from a boundary of the land to the Bass Highway, or to a railway line; and (vii) clear of any restriction imposed by a utility; and (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. 	
26.4.4 Subdivision	
<p>26.4.4-(P1)</p> <ul style="list-style-type: none"> (a) A plan of subdivision to reconfigure land must: <ul style="list-style-type: none"> (i) be required to restructure, resize, or reconfigure land for primary industry use; and (ii) not create an additional lot; (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>Not applicable as not an application for subdivision.</p>

<p>(c) a plan of subdivision to create a new lot must:</p> <ul style="list-style-type: none"> (i) be required for a purpose permissible in the zone; (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; (iii) retain the balance area for primary industry use; (iv) minimise unnecessary and permanent loss of rural resource land for existing and potential primary industry use; (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"> 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 <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"> (i) not be land containing a residential use approved by a permit 	
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<p>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 ^{R32};</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> <ol style="list-style-type: none"> a. can accommodate the lawful existing use or development in accordance with the applicable standards for that use; or b. does not further increase any non-compliance for use or development on the existing lot. 	
<p>26.4.5 Buildings for Controlled Environment Agriculture</p>	

<p>26.4.5–(A1)</p> <p>A building for controlled environment agriculture use must be a crop protection structure and the agricultural use inside the building must satisfy one of the following:</p> <p>(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 as not an application for controlled environment agriculture.</p>
CODES	
E1 Bushfire–Prone Areas Code	Not applicable as the proposed use is not a defined vulnerable or sensitive use or a subdivision.
E2 Airport Impact Management Code	Not applicable as not within an Airport Impact overlay.
E3 Clearing and Conversion of Vegetation Code	Not applicable as no vegetation to be cleared.
E4 Change in Ground Level Code	Not applicable.

COMMUNITY SERVICES

E5 Local Heritage Code	Not applicable as no impact on Heritage items or area.
E6 Hazard Management Code	Not applicable as site known or suspected of contamination or within a mapped area.
E7 Sign Code	Not applicable as no application for a sign.
E8 Telecommunication Code	Not applicable.
E9 Traffic Generating Use and Parking Code	Not applicable as the laundry and water tank are not determinants for car parking.
E10 Water and Waterways Code	Not applicable as not within designated area.
Specific Area Plans	
F1.0 Forth Specific Area Plan	Not applicable as not in defined SAP area.
F2.0 Ulverstone Wharf Specific Area Plan	Not applicable as not in defined SAP area.
F3.0 Penguin Specific Area Plan	Not applicable as not in defined SAP area.
F4.0 Turners Beach Specific Area Plan	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 location of an old toilet and slope).	Noted but not relevant to the application.
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 reported as follows:

“A copy of the Annexures referred to in the Planning Consultant's report have been circulated to all Councillors.”

■ Cr Carpenter moved and Cr Broad seconded, “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."

Voting for the motion

(7)

Cr Bonde

Cr Broad

Cr Carpenter

Cr Downie

Cr Tongs

Cr van Rooyen

Cr Viney

Voting against the motion

(2)

Cr Bloomfield

Cr Howard

Motion

Carried

262/2016 Visitor Accommodation – proximity to rail line at 204 Main Road, Penguin – Application No. DA216022

The Director Community Services reported 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

PURPOSE

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 162m², 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 741m² allotment in the General Residential zone that accommodates a 162m² 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
10.3.1 Discretionary Permit Use	
<p>10.3.1–(P1) Discretionary permit use must:</p> <p>(e) be consistent with local area objectives;</p> <p>(f) be consistent with any applicable desired future character statement; and</p> <p>(g) minimise likelihood for unreasonable impact on amenity for use on adjacent land in the zone.</p>	<p>Not applicable.</p> <p>Visitor Accommodation is a Permitted use.</p>
10.3.2 Impact of Use	
<p>10.3.2–(A1) Use that is not in a dwelling must not occur on more than two adjoining sites.</p>	<p>Not applicable.</p> <p>Use is contained within a dwelling.</p>
<p>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.</p>	<p>Not applicable.</p> <p>Use is contained within a dwelling.</p>

10.3.2–(A3) Other than for emergency services, residential and visitor accommodation hours of operation must be between 6.00am and 9.00pm.	Not applicable. Use is Visitor Accommodation.
10.4.1 Residential density for multiple dwellings	
10.4.1–(A1) Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (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.	Not applicable. No multiple dwellings are proposed.
10.4.2 Setbacks and building envelope for all dwellings	
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: (a) if the frontage is a primary frontage at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback from the primary frontage of any existing dwelling on the site; or	Not applicable. 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>(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>(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>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>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</p>	<p>Not applicable.</p>

<p>awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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 (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 (b) only have a setback within 1.5m of a side boundary if the dwelling: <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary or the adjoining lot; or (ii) does not exceed a total length of 9.0m or one-third the length of the side boundary (whichever is the lesser). 	<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 Site coverage and private open space for all dwellings</p>	

<p>10.4.3–(A1) Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and (b) for multiple dwellings, a total area of private open space of not less than 60.0m² 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 (c) a site area of which at least 25% of the site area is free from impervious surfaces. 	<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> <ul style="list-style-type: none"> (a) is in one location and is at least: <ul style="list-style-type: none"> (i) 24.0m²; or (ii) 12.0m², 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 (b) has a minimum horizontal dimension of: 	<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) 4.0m; or</p> <p>(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</p> <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>(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>	
10.4.4 Sunlight and overshadowing for all dwellings	
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	Not applicable.

<p>30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</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> <ul style="list-style-type: none"> (i) at a distance of 3.0m from the window; and (ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal. <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> <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4m; or 	<p>Not applicable.</p> <p>No multiple dwellings proposed.</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>(i) at a distance of 3.0m from the northern edge of the private open space; 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 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> <p>(i) an outbuilding with a building height no more than 2.4m; or</p>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>

(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m from the multiple dwelling.	
10.4.5 Width of openings for garages and carports for all dwellings	
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>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>
10.4.6 Privacy for all dwellings	
<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> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3.0m from the side boundary; and</p>	<p>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>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4.0m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6.0m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.</p>	
<p>10.4.6–(A2) A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1.0m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <p>(i) is to have a setback of at least 3.0m from a side boundary, and</p> <p>(ii) is to have a setback of at least 4.0m from a rear boundary, and</p>	<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>

<p>(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</p> <p>(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.</p> <p>(b) The window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or</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</p>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>

<p>distance of at least:</p> <p>(a) 2.5m; or</p> <p>(b) 1.0m if:</p> <p>(i) it is separated by a screen of at least 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.</p>	
10.4.7 Frontage fences for all dwellings	
<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>

10.4.8 Waste storage for multiple dwellings	
<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 1.5m² per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <p>(i) has a setback of at least 4.5m from a frontage; and</p> <p>(ii) is at least 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.</p>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>
10.4.9 Suitability of a site or lot for use or development	
<p>10.4.9-(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) have an area of not less than 330m² excluding any access strip; and</p> <p>(b) if intended for a building, contain a building area of not less</p>	<p>(a) Compliant. Site has an area of 741m².</p> <p>(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.</p>

<p>than 10.0m x 15.0m:</p> <ul style="list-style-type: none"> (i) clear of any applicable setback from a frontage, side or rear boundary; (ii) clear of any applicable setback from a zone boundary; (iii) clear of any registered easement; (iv) clear of any registered right-of-way benefiting other land; (v) clear of any restriction imposed by a utility; (vi) not including an access strip; (vii) accessible from a frontage, or access strip; and (viii) if a new residential, lot with a long axis within the range 30 degrees east of north and 20 degrees west of north. 	
<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"> (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 	<ul style="list-style-type: none"> (a) Compliant. Site has an existing approved access across a frontage over which no other land has a right of access. (b) Not applicable. Not an internal lot.

<p>land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road</p> <p>(i) over land not required as the means of access to any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than:</p> <p>(i) 3.6m 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>(c)(i) Not applicable. No right-of-way over the land.</p> <p>(c)(ii) Not applicable. No right-of-way over the land.</p> <p>(d)(i) Compliant. Width of frontage to Main Road is 18.31 m.</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>
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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> .	Compliant. The site is connected to the reticulated water system.
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.
10.4.10 Dwelling density for single dwelling development	
10.4.10–(A1) The site area per dwelling for a single dwelling must: (a) be not less than 330m ² ; (b) be not more than 830m ² ; (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.	(a) Compliant. Site has an area of 741m ² . (b) Compliant. Site has an area of 741m ² . (c) Compliant. Single allotment supports a single dwelling.
10.4.11 Other development	Not applicable.

	No “other” development.
10.4.12 Setback of sensitive use development	
<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"> (a) the setback distance from the zone boundary as shown on the Table to this clause; and (b) projecting upward and away from the zone boundary at an angle of 45 degrees above the horizontal from a wall height of 3.0m at the required setback distance from the zone boundary. 	<p>“Visitor Accommodation” use of the site is deemed to be a “sensitive use”.</p> <ul style="list-style-type: none"> (a) Compliant. Site is setback 20.85m from the Utilities zone boundary. (b) Compliant. Dwelling is setback 28.63m and angles away from the from the Utility zone boundary.
<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"> (a) a major road identified in the Table to this clause; (b) a railway; (c) land designated in the planning scheme for future road, or rail purposes; or (d) a proclaimed wharf area. 	<ul style="list-style-type: none"> (a) Compliant. Sensitive use would be approximately 1.13km from the Bass Highway. (b) Non-compliant. Sensitive use would be approximately 32.3m from a railway. Refer to “Issues” section of this report. (c) Not applicable. No parcel of land is designated in the Scheme for future road or rail purpose.

	(d) Compliant. Closest proclaimed wharf area is in Burnie, approximately 15km to the west.
10.4.13 Subdivision	
<p>10.4.13–(P1) Each new lot on a plan of subdivision must be:</p> <p>(a) intended for residential use;</p> <p>(b) a lot required for public use by the State Government, a Council, a statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority; or</p> <p>(c) for a purpose permissible in the zone.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>
<p>10.4.13–(P2)</p> <p>(a) A lot must have a frontage to a road; or</p> <p>(b) an internal lot on a plan of subdivision must be:</p> <p>(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:</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>

COMMUNITY SERVICES

<ul style="list-style-type: none"> a. slope, shape, orientation and topography of land; b. an established pattern of lots and development; c. connection to the road network; d. connection to available or planned utilities; e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a watercourse; or f. exposure to an unacceptable level of risk from a natural hazard; and <p>(ii) without likely impact on the amenity of adjacent land.</p>	
10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision	
10.4.14–(A1) Electricity reticulation and site connections must be installed underground.	<p>Not applicable.</p> <p>No subdivision proposed.</p>
CODES	
E1 Bushfire–Prone Areas Code	Not applicable. Not a subdivision, hazardous or vulnerable use or development.

E2 Airport Impact Management Code	Not applicable. No Airport Impact Management Code in the Scheme.
E3 Clearing and Conversion of Vegetation Code	Not applicable. No clearing proposed.
E4 Change in Ground Level Code	Not applicable. No change in ground level greater than 1m.
E5 Local Heritage Code	Not applicable. No local heritage listings applicable.
E6 Hazard Management Code	Not applicable. No hazard identified.
E7 Sign Code	Not applicable. No signage proposed.
E8 Telecommunication Code	Not applicable. No telecommunications facilities proposed.
E9 Traffic Generating Use and Parking Code	Applicable. Applies to all use and development.
E9.2 Application of this Code	
E9.4 Use or development exempt from this Code	
E9.5 Use Standards	
E9.5.1 Provision for parking	
E9.5.1–(A1) Provision for parking must be:	(a) Compliant. Table E9A requires a single car parking space per holiday cabin. The site accommodates a double garage.
(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;	(b) Compliant. Requirement not triggered until 20 vehicle parking spaces are required or proposed.
(b) motor bike parking at a rate of one space for every 20 vehicle parking spaces;	(c) Compliant. Requirement not triggered until 20 vehicle parking spaces are required or proposed.
(c) parking spaces for people with disabilities at the rate of one space for every 20 parking spaces or part thereof; and	(d) Compliant. Requirement not triggered until 20 vehicle parking spaces are required or proposed.
(d) bicycle parking at the rate of one space for every 20 vehicle parking spaces or part thereof.	
E9.5.2 Provision for loading and unloading of vehicles	
E9.5.2-(A1) There must be provision within a site for:	
(c) on-site loading area in accordance with the requirement in the Table to this Code; and	(a) Compliant. Site has a sealed driveway that is able to accommodate a small truck for on-site loading and unloading, if required.
(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.

E9.6 Development Standards	
E9.6.1 Road access	
E9.6.1-(A1) There must be an access to the site from a carriageway of a road ^{R36} :	(a) Compliant. Access to Main Road would be Permitted in accordance with the <i>Local Government (Highways) Act 1982</i> .
(a) permitted in accordance with the <i>Local Government (Highways) Act 1982</i> ;	(b) Not applicable. Satisfied by E9.6.1-(A1) (a).
(b) permitted in accordance with the <i>Roads and Jetties Act 1935</i> ; or	(c) Not applicable. Satisfied by E9.6.1-(A1) (a).
(c) permitted by a license granted for access to a limited access road under the <i>Roads and Jetties Act 1935</i> .	
E9.6.2 Design of vehicle parking and loading areas	
E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and	Compliant. Existing sealed driveway disposes of stormwater to Main Road culvert.
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)–(f) Not applicable. Does not apply to a dwelling in the General Residential zone. (g) Compliant. The site supports a sealed driveway.

<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>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</p>	<p>Not applicable.</p> <p>Does not apply as use is in the General Residential zone.</p>

and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.	
E10 Water and Waterways Code	Not applicable. Site within 50m of Bass Strait.
SPECIFIC AREA PLANS	
F1.0 Forth Specific Area Plan	Site not within this Specific Area Plan.
F2.0 Ulverstone Wharf Specific Area Plan	Site not within this Specific Area Plan.
F3.0 Penguin Specific Area Plan	Site not within this Specific Area Plan.
F4.0 Turners Beach Specific Area Plan	Site not within this Specific Area Plan.
F6.0– Revell Lane Specific Area Plan	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 reported as follows:

“Copies of the Annexures referred to in the Town Planner’s report have been circulated to all Councillors.”

■ Cr Howard moved and Cr Downie seconded, “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.

Carried unanimously

INFRASTRUCTURE SERVICES

263/2016 Budget reallocations for the year ending 30 June 2017 (181/2016 – 20.06.2016)

The Director Infrastructure Services reported 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
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<i>Total</i>	<i>\$4,894,000</i>
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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	\$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>			

INFRASTRUCTURE SERVICES

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>

The Director Infrastructure Services report is supported.”

The Executive Services Officer reported as follows:

“A copy of the identified flood rectification works estimates have been circulated to all Councillors.”

■ Cr Broad moved and Cr Downie seconded, “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>

.”

Voting for the motion

(7)

Cr Bonde

Cr Broad

Cr Downie

Cr Howard

Cr Tongs

Cr van Rooyen

Cr Viney

Voting against the motion

(1)

Cr Bloomfield

Motion

Carried

264/2016 Tenders – Bridge Repairs

The Director Infrastructure Services reported 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.

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 reported as follows:

■ Cr van Rooyen moved and Cr Viney seconded, "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."

Carried unanimously

ORGANISATIONAL SERVICES

265/2016 Contracts and agreements

The Director Organisational Services reported 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 reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr Downie moved and Cr Tongs seconded, “That the Schedule of Contracts and Agreements (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

266/2016 Correspondence addressed to the Mayor and Councillors

The Director Organisational Services reported 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 reported as follows:

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

Carried unanimously

267/2016 Financial statements

The Director Organisational Services reported 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 reported as follows:

“Copies of the financial statements have been circulated to all Councillors.”

- Cr Broad moved and Cr Downie seconded, “That the financial statements (copies being appended to and forming part of the minutes) be received.”

Carried unanimously

268/2016 Roads and streets nomenclature – Renaming of Bonneys Road, Gunns Plains

The Director Organisational Services reported 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 reported as follows:

“Copies of the location plan and plan highlighting the new street have been circulated to all Councillors.”

- Cr Carpenter moved and Cr van Rooyen seconded, “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.”

Carried unanimously

CLOSURE OF MEETING TO THE PUBLIC

269/2016 Meeting closed to the public

The Executive Services Officer reported 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.”

■ Cr Viney moved and Cr Downie seconded, “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.”

Carried unanimously and by absolute majority

The Executive Services Officer further reported 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."

The meeting moved into Closed session at 7.37pm.

270/2016 Confirmation of Closed session minutes

The Executive Services Officer reported as follows:

“The Closed session 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 in respect of a matter discussed at a closed meeting –

‘34(1)(b) in relation to a matter discussed at the closed meeting –

(i) the fact that the matter was discussed at the closed meeting; and

(ii) a brief description of the matter so discussed –

are to be recorded in the minutes of that part of the meeting that is open to the public, but are to be recorded in a manner that does not disclose any confidential information and protects confidentiality; and

(c) in relation to a matter discussed at the closed meeting, the details of the discussion of the matter, and the outcome of the discussion, are not to be recorded in the minutes of that part of the meeting that is open to the public unless the council, or council committee, determines otherwise.’

The details of this matter are accordingly to be recorded in the minutes of the closed part of the meeting.”

GENERAL MANAGEMENT

271/2016 Minutes and notes of other organisations and committees of the Council

The General Manager reported as follows:

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

...

The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of a matter discussed at a closed meeting –

‘34(1)(b) in relation to a matter discussed at the closed meeting –

(i) the fact that the matter was discussed at the closed meeting; and

(ii) a brief description of the matter so discussed –

are to be recorded in the minutes of that part of the meeting that is open to the public, but are to be recorded in a manner that does not disclose any confidential information and protects confidentiality; and

(c) in relation to a matter discussed at the closed meeting, the details of the discussion of the matter, and the outcome of the discussion, are not to be recorded in the minutes of that part of the meeting that is open to the public unless the council, or council committee, determines otherwise.’

The details of this matter are accordingly to be recorded in the minutes of the closed part of the meeting.”

272/2016 Dial Regional Sports Complex – lease of land and the receipt of a transfer of land

The General Manager reported as follows:

“The Director Organisational Services has prepared the following report:

‘PURPOSE

The purpose of this report is to seek the Council's support for the General Manager to enter into a lease agreement with the Department of Education for the lease of land comprising approximately 2.9ha forming part of folio of the Register Volume 222618 Folio 1 and Volume 229242 Folio 8 as shown hatched in blue on the attached plan. The purpose is also to give authority to the General Manager to undertake the transfer of both Crown and Education components of land as a package following Ministerial approvals subject to the Council paying for all survey costs, stamp duties and registration fees (shown as hatched in black and highlighted in yellow on the attached plan).”

...

The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of a matter discussed at a closed meeting –

‘34(1)(b) in relation to a matter discussed at the closed meeting –

- (i) the fact that the matter was discussed at the closed meeting; and
- (ii) a brief description of the matter so discussed –

are to be recorded in the minutes of that part of the meeting that is open to the public, but are to be recorded in a manner that does not disclose any confidential information and protects confidentiality; and

- (c) in relation to a matter discussed at the closed meeting, the details of the discussion of the matter, and the outcome of the discussion, are not to be recorded in the minutes of that part of the meeting that is open to the public unless the council, or council committee, determines otherwise.’

The details of this matter are accordingly to be recorded in the minutes of the closed part of the meeting.”

Closure

There being no further business, the Mayor declared the meeting closed at 7.59pm.

CONFIRMED THIS 17TH DAY OF OCTOBER, 2016.

Chairperson

(mg:lb)

Appendices

- Minute No. 256/2016 – Schedule of Statutory Determinations
- Minute No. 265/2016 – Visitor Accommodation – proximity to rail line at 204 Main Road, Penguin – Application No. DA216022
- Minute No. 265/2016 – Schedule of Contracts & Agreements
- Minute No. 267/2016 – Financial statements
- Minute No. 268/2016 – Roads and streets nomenclature – Renaming of Bonneys Road, Gunns Plains

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 recommendation provided to the Council within these minutes:

(i) the advice, information or recommendation was given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and

(ii) where any advice was 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

Associated Reports And Documents

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

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
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

TR Ref: 2016 – TR/CCC – 0249

Council Reference: DA216022

Level 2, 24 Murray Street
Hobart TAS 7001
PO Box 335
Kings Meadows TAS 7249
T 03 6227 5212
F 03 6227 5220
E landmanagement@tasrail.com.au

General Manager
Central Coast Council
PO Box 220
Ulverstone TAS 7315

COUNCIL
REGULATORY SERVICES

25 AUG 2016

Sent via email: admin@centralcoast.tas.gov.au Application No:

Doc. ID:

Dear Council,

RE: APPLICATION FOR PLANNING PERMIT FOR LAND ADJOINING RAILWAY ASSET

Thank you for Councils notification received by email on 25 August 2016 regarding an application for Visitor Accommodation – Variation to proximity to rail line at 204 Main Road, Penguin.

The rail infrastructure in the state is a critical part of the state's transport infrastructure and capacity. It must be assumed in the consideration of any development that rail services will be maintained and even increased. The railway at the location of the proposed development is currently part of Tasmania's operational rail network and it should therefore be noted that property in proximity to the rail corridor can be adversely affected by a number of factors, these include:

Night time noise

- Train operations are undertaken at any time of the day or night. This is not expected to change.
- Any development must take this into consideration

Vibration and noise

Train operations create vibration and noise. Any new development must take this into consideration as it may impact on quality of life. Building structure design should consider these issues. We recommend that buildings are located as far as possible from the rail corridor;

Please read the attached *Environment Protection Authority (noise) Policy 2009. Part 4;* transport infrastructure, public roads, railways, ports & airports.

Drainage

- Water creates major problems for rail formations and must be controlled within the rail corridor. As a result, a licence is required from TasRail for any proposed drainage onto the rail corridor from an adjoining property;
- In certain circumstances drainage from the rail corridor onto adjoining property is permitted and may impact the adjoining property.

Line of sight

- From a safety perspective line of sight is important when operating a railway. New developments that are going to impact on the line of sight must be assessed by the rail operator. This can include proposed planting/growth of vegetation and building structures.

Level crossing

- Line of sight is critical for level crossings and must be maintained.

Safety issues are addressed

- Access to the rail corridor is limited to people with permission;
- A 3m safety exclusion zone exists along the railway line.

Traffic

- We would recommend that the council consider any changes to traffic volumes in regards to current crossing capacity and design within the locality of any development proposal.

Access to corridor

- Residents need to be aware that access to the rail corridor needs to be approved and that any use of the rail corridor needs to be licensed. This includes such issues as drainage, water pipes, electrical infrastructure, crossings or the like. It must also be stressed that there is, under all circumstances, a 3m safety exclusion zone exists from the edge of the nearest rail out each side;
- Access to the rail corridor requires relevant safety methods in place and subsequent approval by TasRail must be sought.

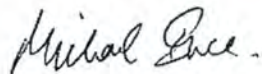
Access to property across the rail corridor

- All crossings must be licensed; conditions appropriate to the location will apply. It is illegal to build and access a private rail crossing without a licence.

Providing that the applicant is made aware of the issues detailed above, TasRail can see no reason why this development should not proceed.

If Council or the applicant would like to discuss this matter further please contact me on (03) 6227 5212 or by email landmanagement@tasrail.com.au

Yours sincerely,

A handwritten signature in black ink, appearing to read "Michael Ince".

Michael Ince
MANAGER
PROPERTY SERVICES

25 August 2016

PART 4 – TRANSPORT INFRASTRUCTURE

Public roads, railways, ports & airports

11. (1) it is recognised that although the operation or use of public roads, railways, ports or airports may prejudice protection of the environmental values, the function the transport network serves is necessary for the community's economic, environmental and social wellbeing.

(2) Notwithstanding sub-clause (1), it is intended that -

- (a)** Transport planning initiatives for freight and passenger movement and new transport infrastructure be developed in a systematic way to achieve an optimal balance of economic, environmental and social benefits and costs with major criterion of minimising the number of people exposed to noise levels that would prejudice protection of the environmental values; and
 - (b)** Where environmental values are acutely prejudiced, existing transport infrastructure noise should be reduced to the greatest extent that is reasonably practical, consistent with achieving an optimal balance of economic, environmental and social benefits and costs.
- (3)** The allocation of any public resources to minimise noise impacts resulting from public roads, railways, ports or airports shall aim to achieve the most benefit for the greatest number of people exposed to those impacts.
- (4)** A transport noise strategy will be developed to improve transport noise outcomes, further the objectives of the Act and assist in implementation of subclauses (2) and (3)

SCHEDULE OF CONTRACTS AND AGREEMENTS

(Other than those approved under the Common Seal)

Period: 1 to 31 August 2016

Contracts

- . Contract No. 2/2016-17
Peacock Darcy and Anderson
Provision of detailed engineering services
Net Price \$8,586.60 (incl. GST)

Agreements

- . The Crown in Right of Tasmania
Grant agreement
Tasmanian Mens Shed Association Grants Program
- . Car Park Redevelopment Agreement
Ellis Court Pty Ltd, Vantage Hotel Group Pty Ltd and Coles Supermarkets
Australia Pty Ltd
Coles/Furners car park redevelopment
- . APH Agreement
Unit 14 Cooina Court
35-37 Main Street, Ulverstone
- . Grazing Licence
Land situated at 1299 Castra Road, Sprent
- . Leven Pony Club
Clubrooms lease
North Motton Equestrian Centre, North Motton



Sandra Ayton
GENERAL MANAGER

**A SUMMARY OF RATES & FIRE SERVICE LEVIES
FOR THE PERIOD ENDED 31 AUGUST 2016**

	2015/2016		2016/2017	
	\$	%	\$	%
Rates paid in Advance	- 837,326.01	-5.97	- 892,195.10	-6.21
Rates Receivable	295,911.64	2.11	228,216.09	1.59
Rates Demanded	14,561,987.40	103.86	15,038,148.67	104.62
Supplementary Rates	-	0.00	-	0.00
	14,020,573.03	100.00	14,374,169.66	100.00
Collected	9,212,621.31	65.71	9,684,422.55	67.37
Add Pensioners – Government	806,839.73	5.75	825,518.49	5.74
Pensioners – Council	30,870.00	0.22	31,640.00	0.22
	2,561,598.94	71.68	10,541,581.04	73.34
Remitted	1,060.99	0.01	-	0.00
Discount Allowed	533,283.26	3.80	556,971.39	3.87
Paid in advance	- 257,264.52	-1.83	- 255,227.69	-1.78
Outstanding	3,693,162.26	26.34	3,530,844.92	24.57
	14,020,573.03	100.00	14,374,169.66	100.00

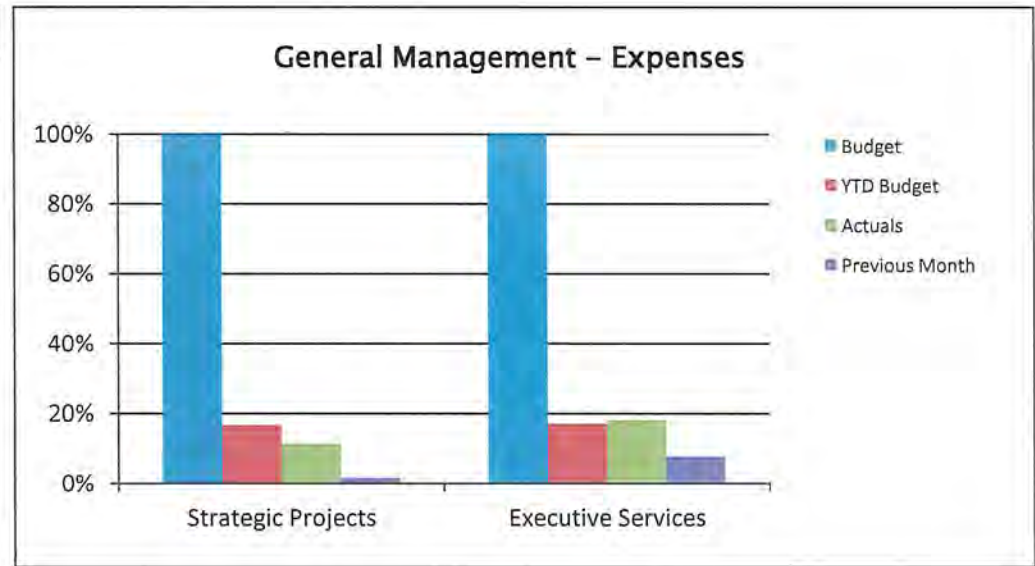
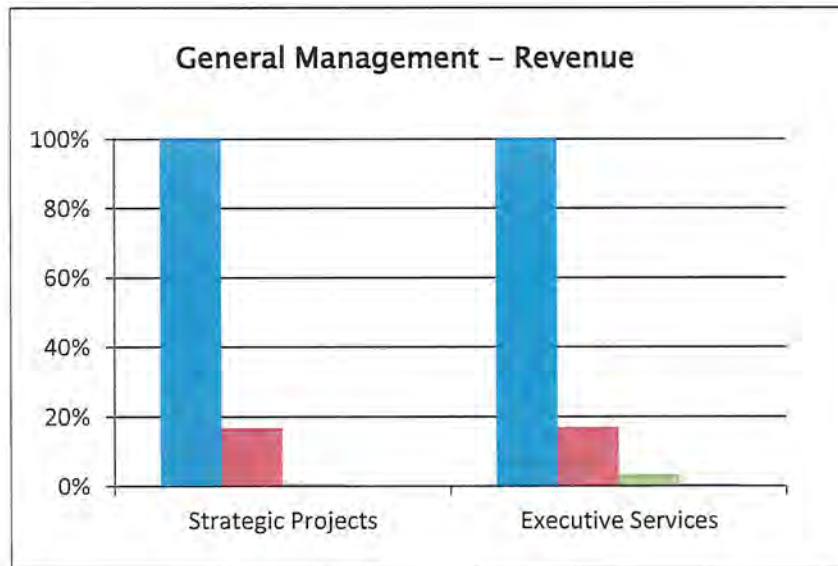


Andrea O'Rourke
ASSISTANT ACCOUNTANT

7-Sep-2016

Finance Report – August 2016

GENERAL MANAGEMENT	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Strategic Projects	(4,373,000)	(728,900)	(26,214)	(1,146)	(702,686)	(4,346,786)	1%
Executive Services	(16,000)	(2,700)	(535)	(70)	(2,165)	(15,465)	3%
	\$ (4,389,000)	\$ (731,600)	\$ (26,750)	\$ (1,216)	\$ (704,850)	\$ (4,362,250)	
Expenses							
Strategic Projects	134,000	22,400	15,132	2,070	7,268	118,868	11%
Executive Services	1,490,000	253,060	267,348	111,987	(14,288)	1,222,652	18%
	\$ 1,624,000	\$ 275,460	\$ 282,480	\$ 114,057	\$ (7,020)	\$ 1,341,520	



Variance

Strategic Projects

Revenue less than YTD budget – Budget timing – sale of property and capital contributions.

Strategic Projects

Expenditure less than YTD budget – timing in general.

Executive Services

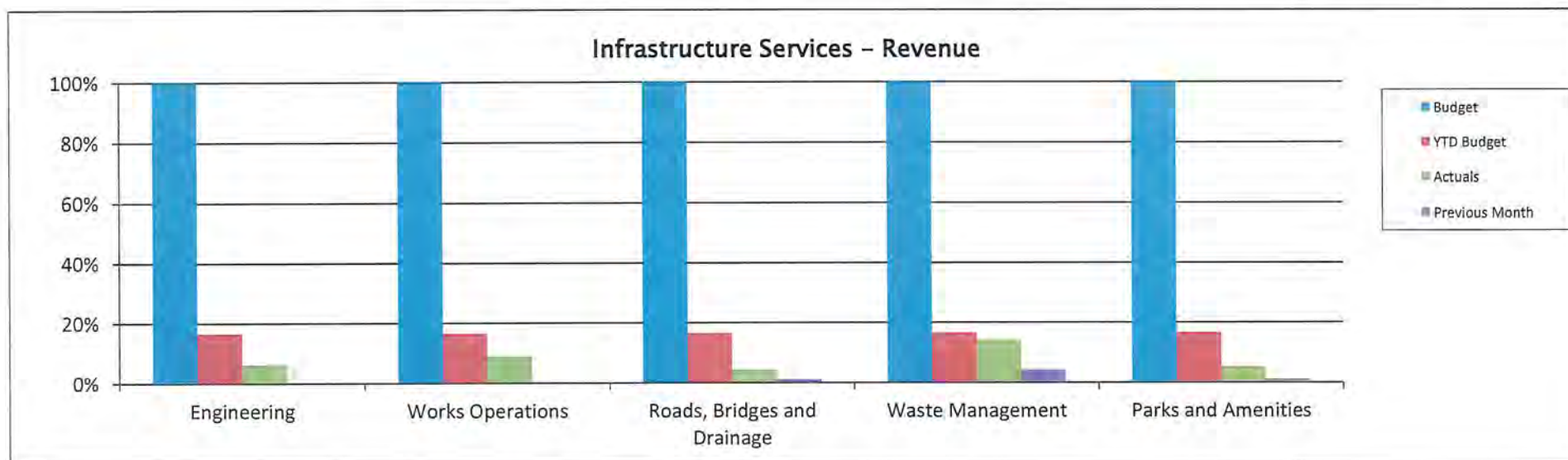
Revenue less than YTD budget – plant allocated behind budget.

Executive Services

Expenditure more than YTD budget – timing related to the Cradle Coast Authority contribution.

Finance Report – August 2016

INFRASTRUCTURE SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Engineering	(1,486,000)	(247,600)	(93,255)	(4,658)	(154,345)	(1,392,745)	6%
Works Operations	(1,179,000)	(196,500)	(106,235)	(4,090)	(90,265)	(1,072,765)	9%
Roads, Bridges and Drainage	(2,562,200)	(427,000)	(113,242)	(29,491)	(313,758)	(2,448,958)	4%
Waste Management	(593,500)	(98,900)	(84,844)	(25,095)	(14,056)	(508,656)	14%
Parks and Amenities	(489,700)	(81,600)	(25,658)	(5,468)	(55,942)	(464,042)	5%
	\$ (6,310,400)	\$ (1,051,600)	\$ (423,234)	\$ (68,801)	\$ (628,366)	\$ (5,887,166)	

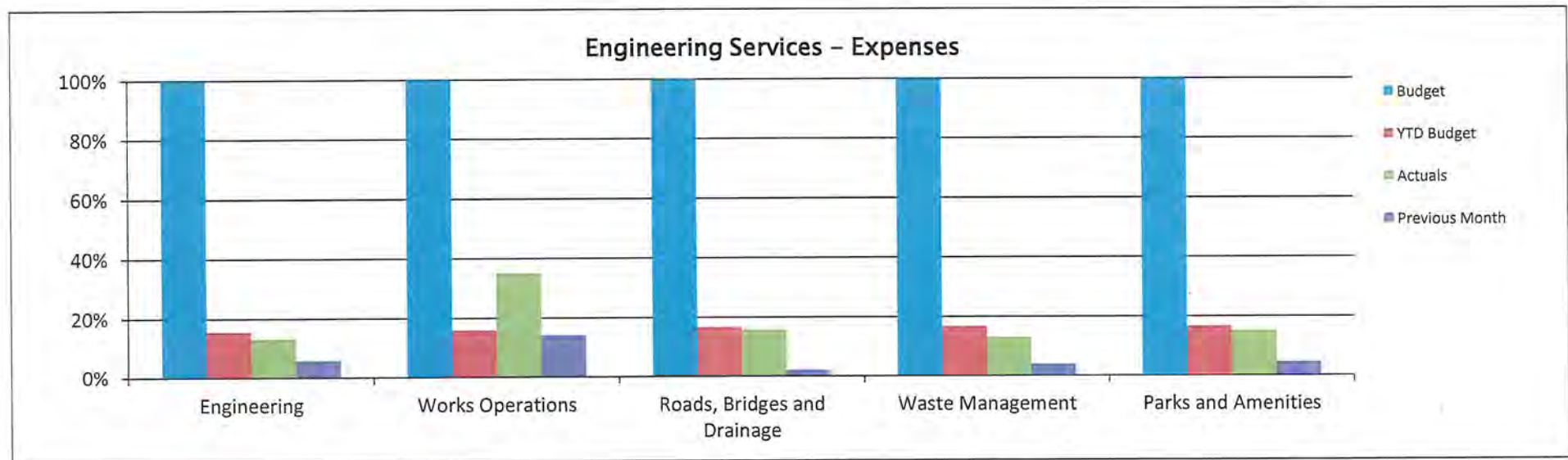


Variance

Engineering	Revenue under YTD budget – Timing – capital works program affected by flood works.
Works Operations	Revenue under YTD budget – Timing – operational programs behind in cost allocations.
Roads, Bridges and Drainage	Revenue under YTD budget – Timing – capital grants not yet received.
Waste Management	Revenue under YTD budget – Resource Recovery Centre – entry fees and scrap metal sales behind budget.
Parks and Amenities	Revenue under YTD budget – Timing of revenue in general.

Finance Report – August 2016

INFRASTRUCTURE SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Expenses							
Engineering	1,486,000	230,150	195,196	85,311	34,954	1,290,804	13%
Works Operations	1,209,000	191,740	424,614	171,611	(232,874)	784,386	35%
Roads, Bridges and Drainage	6,997,000	1,166,130	1,102,967	153,303	63,163	5,894,033	16%
Waste Management	3,587,500	598,000	465,149	138,440	132,851	3,122,351	13%
Parks and Amenities	2,583,700	430,160	387,048	113,518	43,112	2,196,652	15%
	\$ 15,863,200	\$ 2,616,180	\$ 2,574,974	\$ 662,183	\$ 41,206	\$ 13,288,226	

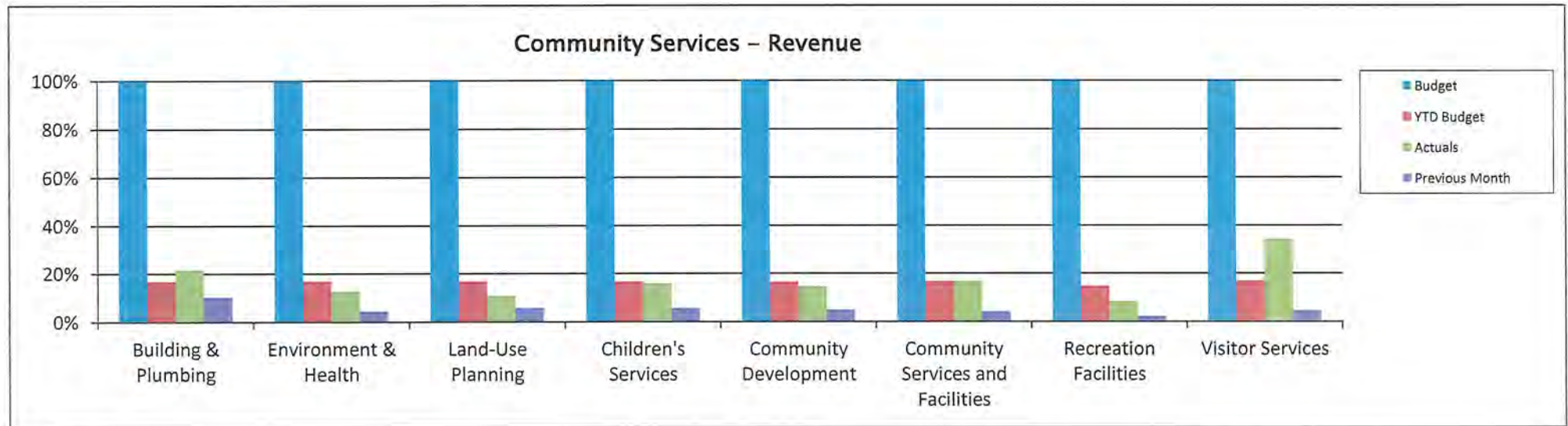


Variance

Engineering	Expenditure under YTD budget – Timing of costs mainly staff costs.
Works Operations	Expenditure over YTD budget – Flood recovery expenses not budgeted for.
Roads, Bridges and Drainage	Expenditure under YTD budget – Timing of costs in general.
Waste Management	Expenditure under YTD budget – Garbage and recycling collection costs for July and August not yet received.
Parks and amenities	Expenditure under YTD budget – Timing of costs in general.

Finance Report – August 2016

COMMUNITY SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Building and Plumbing	(220,000)	(36,700)	(47,182)	(22,341)	10,482	(172,818)	21%
Environment and Health	(62,000)	(10,400)	(7,795)	(2,658)	(2,605)	(54,205)	13%
Land-Use Planning	(156,000)	(26,100)	(16,807)	(8,861)	(9,293)	(139,193)	11%
Children's Services	(1,399,000)	(233,000)	(222,474)	(77,433)	(10,526)	(1,176,526)	16%
Community Development	(78,000)	(12,850)	(11,337)	(3,824)	(1,513)	(66,663)	15%
Community Services and Facilities	(975,800)	(162,420)	(174,892)	(45,033)	12,472	(800,908)	18%
Recreation Facilities	(537,000)	(78,500)	(44,170)	(11,683)	(34,330)	(492,830)	8%
Visitor Services	(89,000)	(14,840)	(30,342)	(3,856)	15,502	(58,658)	34%
	\$ (3,516,800)	\$ (574,810)	\$ (554,998)	\$ (175,688)	\$ (19,812)	\$ (2,961,802)	

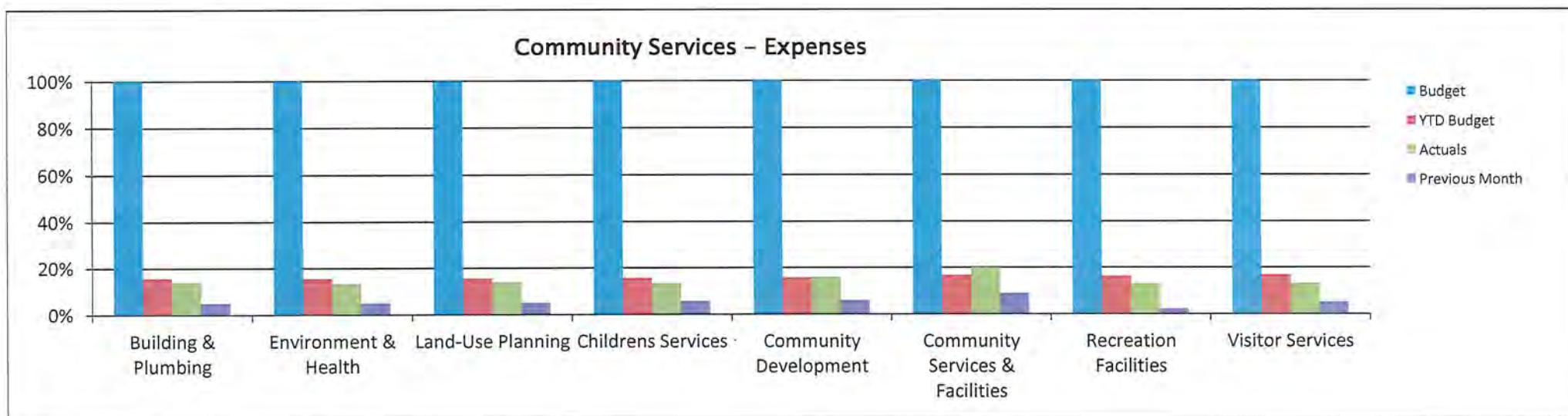


Variance

Building and Plumbing	Revenue greater than YTD budget – Revenue ahead of budget in general.
Children's Services	Revenue less than YTD budget – Timing of contribution income.
Community Services and Facilities	Revenue greater than YTD budget – Timing in general.
Recreation Facilities	Revenue less than YTD budget – Timing in general.
Visitor Services	Revenue greater than YTD budget – Revenue ahead of budget due to ticket sales.

Finance Report – August 2016

COMMUNITY SERVICES Expenses	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Building and Plumbing	474,000	74,340	65,969	23,593	8,371	408,031	14%
Environment and Health	330,000	51,400	43,595	16,260	7,805	286,405	13%
Land-Use Planning	577,500	90,180	80,646	28,806	9,534	496,854	14%
Children's Services	1,388,000	216,940	186,044	79,024	30,896	1,201,956	13%
Community Development	812,700	127,990	130,266	48,078	(2,276)	682,434	16%
Community Services and Facilities	1,559,700	259,080	309,360	136,312	(50,280)	1,250,340	20%
Recreation Facilities	1,957,300	317,000	254,039	40,216	62,961	1,703,261	13%
Visitor Services	289,000	48,100	37,460	14,094	10,640	251,540	13%
	\$ 7,388,200	\$ 1,185,030	\$ 1,107,379	\$ 386,383	\$ 77,651	\$ 6,280,821	



Variance

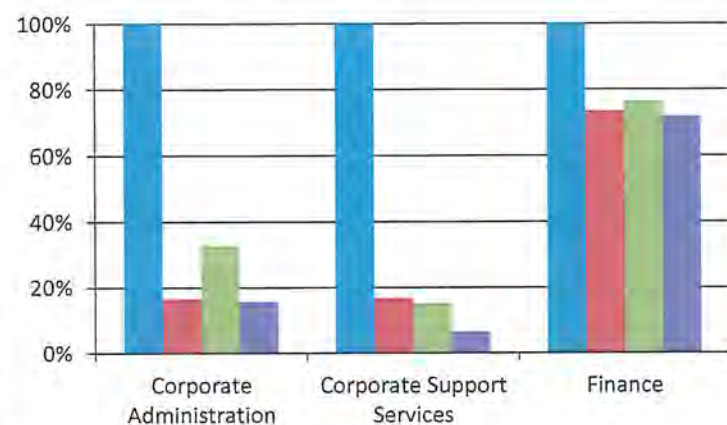
Children's Services

Actuals less than YTD budget – staff costs running less than budget.

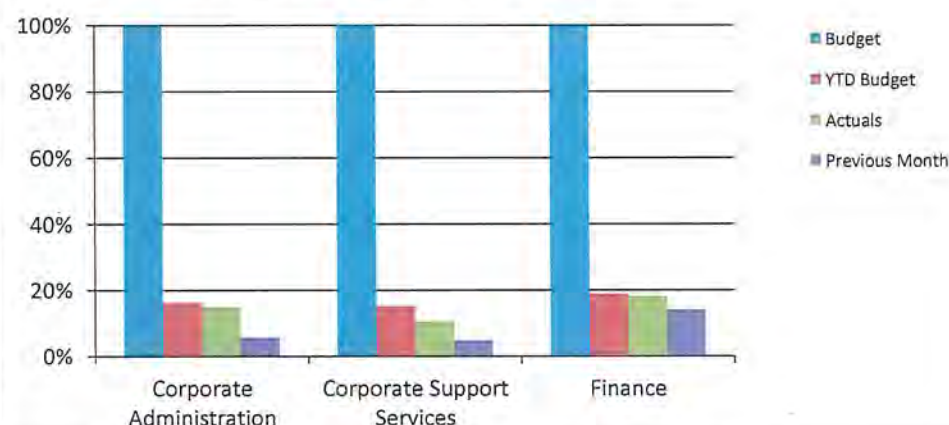
Finance Report – August 2016

ORGANISATIONAL SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Corporate Administration	(154,200)	(25,700)	(21,112)	(6,412)	(4,588)	(133,088)	14%
Corporate Support Services	(3,333,000)	(555,500)	(501,141)	(213,735)	(54,359)	(2,831,859)	15%
Finance	(21,083,000)	(15,499,450)	(16,111,020)	(15,153,802)	611,570	(4,971,980)	76%
	\$ (24,570,200)	\$ (16,080,650)	\$ (16,633,273)	\$ (15,373,948)	\$ 552,623	\$ (7,936,927)	
Expenses							
Corporate Administration	655,600	105,900	99,683	23,593	6,217	555,917	15%
Corporate Support Services	4,120,000	618,320	433,848	16,260	184,472	3,686,152	11%
Finance	1,927,500	360,000	349,013	28,806	10,987	1,578,487	18%
	\$ 6,703,100	\$ 1,084,220	\$ 882,544	\$ 68,659	\$ 201,676	\$ 5,820,556	

Organisational Services – Revenue



Orgainsational Services – Expenses



Variance

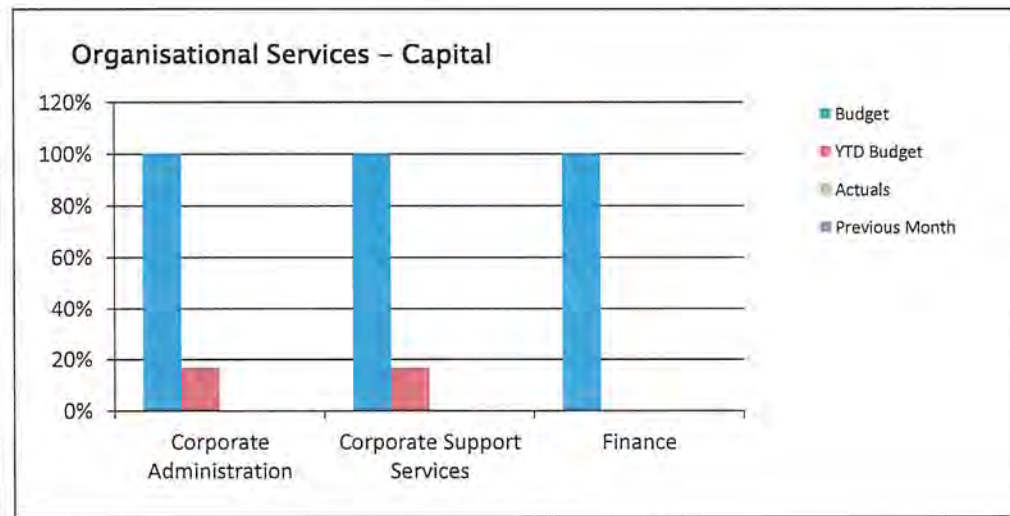
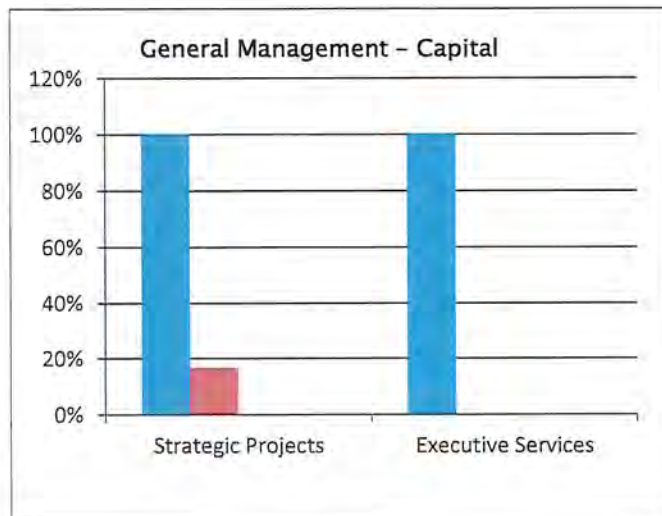
Corporate Administration	Revenue less than YTD Budget – Timing in general.
Corporate Administration	Expenses less than YTD Budget – Timing in general.
Corporate Support Services	Revenue less than YTD Budget – Timing relating to reallocations.
Corporate Support Services	Expenses less than YTD Budget – Timing in general.
Finance	Revenue less than YTD Budget – Rates reflected at gross amount before rebates and discounts.
Finance	Expenses less than YTD Budget – Prepayment of insurances offset by timing of Fire Service contribution.

Finance Report – August 2016

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
GENERAL MANAGEMENT							
Strategic Projects	5,978,000	996,200	21,076	1,415	975,124	5,956,924	0%
Executive Services	30,000	-	-	-	-	30,000	0%
	\$ 6,008,000	\$ 996,200	\$ 21,076	\$ 1,415	\$ 975,124	\$ 5,986,924	

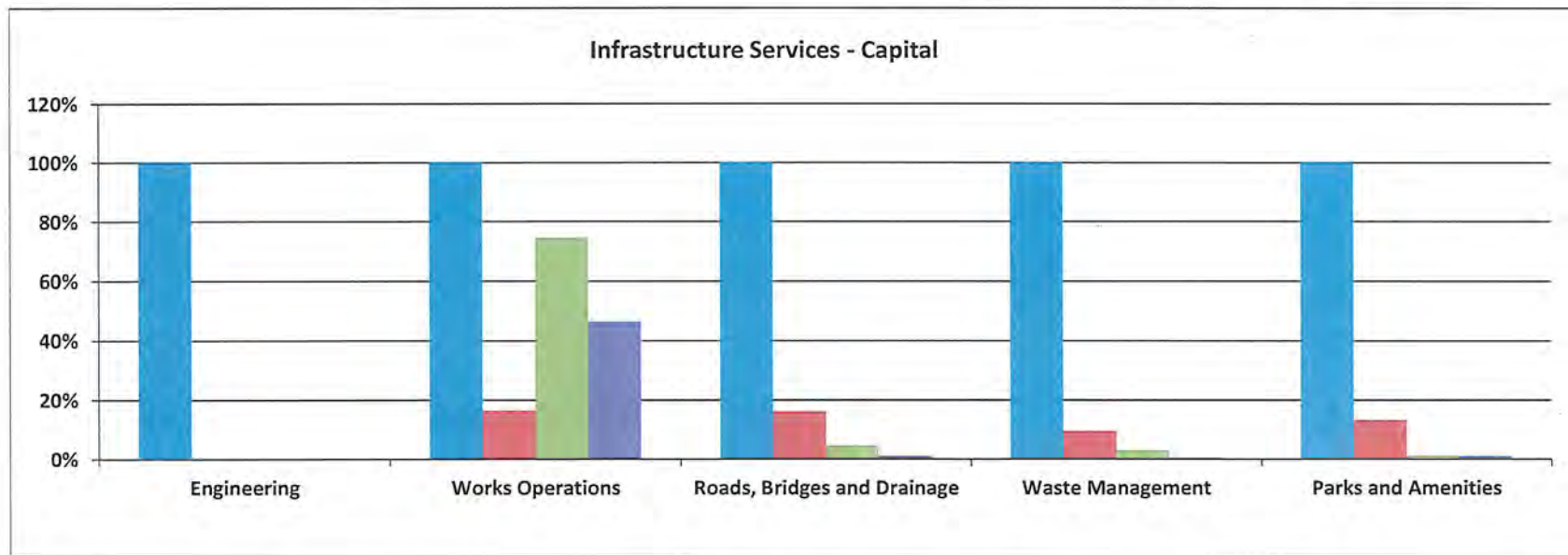
ORGANISATIONAL SERVICES

Corporate Administration	71,000	11,900	-	-	11,900	71,000	0%
Corporate Support Services	120,000	20,000	520	-	19,480	119,480	0%
Finance	-	-	-	-	-	-	0%
	\$ 191,000	\$ 31,900	\$ 520	\$ -	\$ 31,380	\$ 190,480	



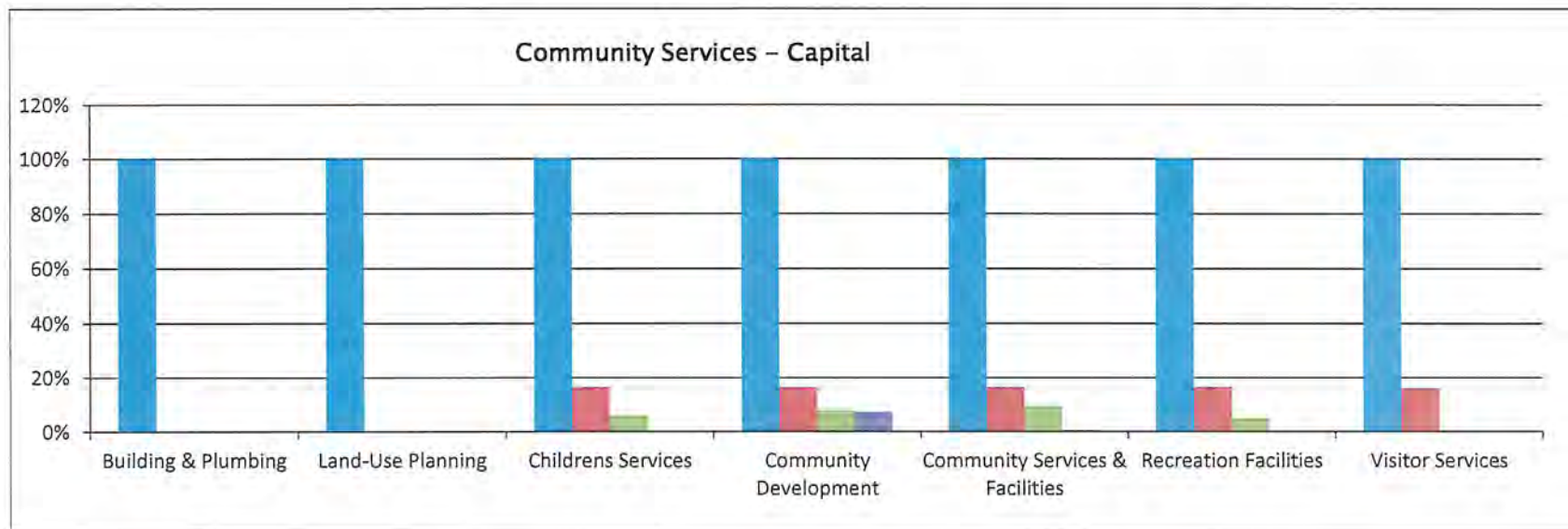
Finance Report – August 2016

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
INFRASTRUCTURE SERVICES							
Engineering	62,000	-	-	-	-	62,000	0%
Works Operations	207,000	34,500	154,827	96,367	(120,327)	52,173	75%
Roads, Bridges and Drainage	6,101,000	990,100	287,677	80,012	702,423	5,813,323	5%
Waste Management	535,000	51,600	16,864	2,700	34,736	518,136	3%
Parks and Amenities	829,000	109,000	10,387	8,115	98,613	818,613	1%
	\$ 7,734,000	\$ 1,185,200	\$ 469,755	\$ 187,194	\$ 715,445	\$ 7,264,245	



Finance Report – August 2016

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
COMMUNITY SERVICES							
Building & Plumbing	30,000	–	–	–	–	30,000	0%
Land-Use Planning	58,000	–	–	–	–	58,000	0%
Childrens Services	33,000	5,500	1,986	–	3,514	31,014	0%
Community Development	99,000	16,400	7,782	7,273	8,618	91,218	8%
Community Services & Facilities	393,300	65,220	36,122	1,557	29,098	357,178	9%
Recreation Facilities	423,000	70,200	20,325	1,345	49,875	402,675	5%
Visitor Services	5,000	800	–	–	800	5,000	0%
	\$ 1,041,300	\$ 158,120	\$ 66,215	\$ 10,175	\$ 91,905	\$ 975,085	



Strategic Projects
Works Operations
Roads, Bridges and Drainage
Waste Management
Parks and Amenities

Expenses less than budget – Timing of projects relating to the receipt of grant income.
Expenses greater than budget – Impact of flood rectification works.
Expenses less than budget – Timing of projects and impact of floods on works program.
Expenses less than budget – Timing of projects in general.
Expenses less than budget – Timing of projects in general.

BANK RECONCILIATION

FOR THE PERIOD 1 AUGUST TO 31 AUGUST 2016

Balance Brought Forward (31/7/2016)	6,405,435.33
Add, Revenue for month	9,551,911.87
	15,957,347.20

Less, Payments for month	1,961,712.30

Balance as at 31 August 2016	13,995,634.90

Balance as at Bank Account as at 31 August 2016	1,113,578.86
Less, Unpresented Payments	- 17,363.02

	1,096,215.84
Cash on Hand	- 201,867.19

Operating Account	894,348.65
Interest Bearing Term Deposits	13,101,286.25

	13,995,634.90

Rachel Morris
ASSISTANT ACCOUNTANT

07-September-2016

Works Program 2016-2017

(Schedule indicates site construction only)

Status	Task Name	Budget	Notes	Scheduling Comments	July 27 4 11 18 25	August 1 8 15 22 29	September 5 12 19 26	October 3 10 17 24	November 31 7 14 21 28	December 5 12 19 26	January 2 9 16 23 30	February 6 13 20 27	March 6 13 20 27	April 3 10 17 24	May 1 8 15 22 29	June 5 12 19 26
	Works Schedule 2016-2017	\$18,426,000														
	CAPITAL WORKS PROGRAM 2016-17	\$14,801,000														
	Strategic Projects	\$5,423,000														
	Dial Regional Sports Complex - Detailed Design	\$0														
	Dial Regional Sports Complex - Construction	\$3,840,000														
	Wongi Lane Bus Interchange	\$320,000														
	Forth/Leith Shared Pathway	\$903,000														
	Reibey Street Beautification	\$50,000	Replace tree pits													
	Ulverstone Sports & Leisure Centre	\$110,000	Solar Power/Panels													
	Anzac Park	\$200,000	Shared Pathway													
	Property Management	\$605,000														
	Dial Road Development	\$500,000														
	East Ulverstone Industrial Estate	\$105,000														
	Works Depot	\$95,000														
	Penguin Depot	\$30,000	Decommission													
	Works Assistant Office	\$5,000	Window													
	Office Relocation	\$30,000														
	Painting Program	\$5,000														
	Office Roof Renewal	\$10,000														
	Surveillance Cameras	\$15,000														
	Emergency Services	\$15,000														
	SES Building and Equipment	\$5,000														
	Generator	\$10,000														
	Roads - Urban Sealed	\$3,103,000														
	Street Resealing	\$50,000	Preparation Works													
	Street Resealing	\$200,000	Sealing Works													
	Traffic Management/Safety Improvements	\$10,000														
	Victoria Street Laneway	\$3,000														
	Hobbs Parade	\$578,000	Queen Street to Tasma Parade													
	Victoria Street	\$200,000														
	Leven Street	\$523,000	Risby Street to Clarke Street													
	Hampson Street	\$260,000														
	Main Road	\$30,000	Near No. 134													
	Turners Beach Road	\$30,000	Roundabout Modifications													
	Ironcliffe Road Retaining Wall	\$77,000	Frontages of No.56 & No.58													
	Safe Cycling Routes	\$5,000														
	Railway Crossings	\$20,000														
	Kerb Ramp Improvements	\$30,000														
	Queen Street	\$5,000	Median Treatment,Intersection, Ped. Crossings													
	McDonald Street	\$15,000	Retention sum only													
	Crescent Street/Reibey Street/Kings Parade	\$100,000														
	Kings Parade/Queen's Gardens	\$635,000	Possible defer \$200k floods ?													
	Jermyn Street/Leven Street Intersection	\$217,000	Roundabout Construction													
	Main Road Pedestrian Crossing	\$115,000	Centre Refuge & Crossings													
	Roads - Rural Sealed	\$1,550,000														
	Road Resealing	\$100,000	Preparation Works													
	Road Resealing	\$600,000	Sealing Works													
	Pine Road Geofabric Reseal	\$0	Continuation of Geofab seal program													
	Raymond Road Landslip	\$10,000														
	Penguin Road Landslip	\$50,000														
	Raymond Road Bank Stabilisation	\$35,000	Carryover Embankment Stabilisation													
	Gunns Plains Road	\$100,000	Embankment Stabilisation													
	Harveys Road	\$80,000	Embankment Stabilisation													
	Preston Road	\$70,000	Embankment Stabilisation, defer floods ?													
	Hull Street	\$50,000	Road drainage													
	Nine Mile Road	\$430,000	Bass Highway to Zig Zag Road	Final Seal when weather improves												
	Intersection Improvements	\$20,000														
	Traffic Management	\$5,000														
	Footpaths	\$468,000														
	Victoria Street	\$200,000														
	Midway Point	\$25,000	Formation of link													
	West Ulverstone Shared Pathway	\$10,000	Install Signage													
	River Avenue	\$200,000														
	Reibey Street	\$33,000	Replace damaged pavers													
	Bridges	\$510,000														
	Penguin Creek - Browns Lane	\$10,000	Road Reservation transfer													
	Gawler River - Coxs Road	\$50,000	Completion of Bridgework and Seal to Isandula													
	Gawler River - Isandula Road	\$450,000	Possible defer to floods?													
	Car Parks	\$729,000														
	Bannons Carpark	\$140,000	Regrade, Resurface & Linemark...													
	Disabled Parking Spaces	\$20,000														

Works Program 2016-2017

(Schedule indicates site construction only)

Task Name	Budget	Notes	Scheduling Comments	27 4 11 18 25	1 8 15 22 29	5 12 19 26	3 10 17 24	31 7 14 21 28	5 12 19 26	2 9 16 23 30	6 13 20 27	3 10 17 24	1 8 15 22 29	5 12 19 26
Car Park Signage	\$29,000	CBD Linemarking												
Parking Plan	\$90,000	Strategic Items												
Coles/Furners Carpark	\$450,000	Upgrade works												
Drainage	\$300,000													
Manhole/Side Entry Pits	\$30,000													
Deviation Road	\$10,000	Improvements to capacity												
Heather Court Outfall	\$10,000	Replace outfall with more durable pipe												
River Avenue	\$30,000	Upgrade through No.72												
Alexandra Road	\$20,000	Relocate DN600 through No.47												
Bertha Street	\$20,000	Catchment Survey & Outfall Improvements												
Commonwealth Court	\$30,000	Upgrade pipeline downstream of No.7												
Helen Street	\$10,000	Backflow Prevention												
Ironcliffe Road/Sports Complex Avenue	\$10,000	Drainage improvements at No.135												
Jackson Avenue	\$10,000	Address ponding issue												
Main Road	\$30,000	Upgrade near No.9												
Preservation Drive	\$30,000	Upgrade drainage at No.322												
South Road	\$30,000	Stage 2 of upgrade below No.121A												
Forth Road	\$0													
Miscellaneous Drainage	\$20,000													
Mountain View Place	\$10,000	Capacity issue downstream of MH PH1/2												
Household Garbage	\$310,000													
Penguin Refuse Disposal Site	\$90,000													
Resource Recovery Centre - Landscaping	\$10,000													
Resource Recovery Centre - Leachate Improvements	\$60,000													
Resource Recovery Centre - Rehabilitation	\$20,000													
Resource Recovery Centre - Site Development	\$40,000													
Resource Recovery Centre - Stormwater Lagoon	\$15,000													
Country Waste Facilities - Signage Upgrade	\$10,000													
Castra Transfer Station - Site & Rehabilitation	\$5,000													
Preston Transfer Station - Safety Improvements	\$20,000													
Preston Transfer Station - Retaining Wall	\$20,000													
Preston Transfer Station - Site & Rehabilitation	\$5,000													
South Riana Transfer Station - Site & Rehabilitation	\$5,000													
Ulverstone Transfer Station - Site & Rehabilitation	\$10,000													
Parks	\$447,000													
Playground Renewals	\$75,000													
Parks Asset Renewals	\$80,000													
Beach Access Upgrades	\$10,000													
Flagpole Replacements	\$5,000													
Park Signage Upgrade	\$10,000													
Industrial Estate	\$15,000	Landscaping												
Forth Recreation Ground	\$10,000	Tree Planting												
Johnsons Beach Master Plan	\$15,000	Stage 2												
Forth Recreation Ground - BBQ Refurbishment	\$10,000													
Picnic Hut Renewal	\$20,000	Beach Road												
Beach Road Viewing Area	\$10,000	Landscaping												
Physical Activity Equipment	\$30,000	Penguin...												
Robins Roost/Fairway Park - BBQ	\$80,000													
Penguin Crek Cleanup	\$10,000													
Haywoods Reserve Playground	\$60,000													
Public Amenities	\$154,000													
Toilet Refurbishments	\$30,000													
Bus Shelter Renewals	\$10,000													
Coles Toilet Renewal	\$50,000													
Drinking Water Stations	\$6,000													
Public Toilet	\$5,000	Minor works												
Public Toilets	\$3,000	External Lighting												
Cemeteries	\$75,000													
Memorial Park - Watering System	\$10,000													
Memorial Park - New Plinths	\$15,000													
Memorial Park - Path Networks	\$10,000													
Memorial Park - Memorial Garden	\$20,000													
Master Plan	\$0													
Administration Centre	\$71,000													
Painting Program	\$5,000													
Carpet Replacement Program	\$10,000													
Lighting Upgrade	\$10,000													
Heat Pump Renewals	\$10,000													
Electrical Upgrade	\$30,000	Switchover Stage 2												
Sit to stand desk	\$6,000													
Community Development	\$30,000													

Works Program 2016-2017

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