
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, 23 January 2017 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 Lisa Mackrill)
Land Use Planning Group Leader (Mr Ian Sansom)

Media attendance

The Advocate newspaper.

Public attendance

No members of the public attended during the course of the meeting.

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

1/2017 **Confirmation of minutes**

The Executive Services Officer reported as follows:

“The minutes of the previous ordinary meeting of the Council held on 12 December 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 Viney moved and Cr Broad seconded, “That the minutes of the previous ordinary meeting of the Council held on 12 December 2016 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

2/2017 **Council workshops**

The Executive Services Officer reported as follows:

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

. 16.01.2017 – Quarterly update with the Senior Leadership Team.

This information is provided for the purpose of record only.”

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

Carried unanimously

MAYOR’S COMMUNICATIONS

3/2017 **Mayor’s communications**

The Mayor reported as follows:

“I have no communications at this time.”

4/2017 Mayor's diary

The Mayor reported as follows:

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

- . Mersey–Leven Municipal Emergency Management Committee – meeting
- . Radio 7AD – community reports
- . XVI Australian Masters Games – strategy meeting re North–West Tasmania 2017 Games
- . Local Government Association of Tasmania – General Management Committee meeting (Hobart)
- . Premier's Local Government Council – meeting (Hobart)
- . Minister for Health – briefing re the role of the Mersey Community Hospital in the State health system and the importance of securing long–term federal funding (Latrobe)
- . Tasmanian Women in Agriculture – performed North–West launch for anniversary book 'A Place in the Stockyard' (Burnie)
- . Apex Ulverstone Christmas Parade and Party in the Park
- . Ulverstone Carols by Candlelight – presented Mayor's Christmas message
- . Central Coast Girl Guides – history display and concert celebrating 100 years of Girl Guides in Ulverstone
- . Ulverstone High School – Grade 10 leavers assembly
- . Penguin District School – presentation assembly
- . Ulverstone High School – presentation assembly
- . Senator Stephen Parry – joint media photo re Dial Regional Sports Complex Development
- . Deputy Premier, the Hon Jeremy Rockliff MP – meeting
- . Australia Day 2017 – 'Breakfast by the Leven' celebration briefing
- . Australia Day 2017 – citizenship conferees briefing
- . Dementia Support Service, North West Region – meeting re Dementia Friendly Town
- . Media release with the Premier – Northern Economic Stimulus Package."

The Deputy Mayor reported as follows:

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

- . Veteran Car Club of Australia (Tasmania) Inc. – sod–turning ceremony for Maskells Road clubroom extensions."

Cr Howard reported as follows:

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

. North West Christian School – presentation night.”

The Executive Services Officer reported as follows:

■ Cr Tongs moved and Cr Downie seconded, “That the Mayor’s, Deputy Mayor’s and Cr Howard’s reports be received.”

Carried unanimously

5/2017 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.

6/2017 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

7/2017 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 Howard reported on a recent meeting of the Penguin Surf Life Saving Club.

APPLICATIONS FOR LEAVE OF ABSENCE

8/2017 Leave of absence

The Executive Services Officer reported 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

9/2017 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

10/2017 Petition – Extension of time for submission of representations to planning application

The Executive Services Officer reported as follows:

“The following petition has been received:

‘Subject matter	Application for planning permit under S.57 Land Use Planning and Approvals Act 1993 CT245721/1 Zig Zag Road, Sulphur Creek
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Statement of subject matter and action requested	The above application seeks permission to develop land for:
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Utilities (Telecommunications Tower) with ancillary shed and equipment adjacent to Zig Zag Road, Sulphur Creek.

We request a 14 day extension to the closing date for representations regarding the above, due to the timing over the Christmas/New Year holiday period. This has resulted in insufficient time for those affected to fully research information required to make representation to council.

Signatories	There are twenty signatories to this petition from all properties directly surrounding the proposed development.’
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A copy is attached. The petition is in compliance with s.57 of the *Local Government Act 1993* and is accordingly able to be tabled. It is noted that the signatory count has been reduced to 18 as one of the signatories signed on behalf of another person.

The Director Community Services has provided the following response:

‘It is noted that the petition requests an extension of time for representations to be presented relating to a Development Application. Such extensions need to be granted under S.57 of the *Land Use Planning and Approvals Act 1993* and not the *Local Government Act 1993*. Arrangements have been made to allow an additional 10 days for representations to be made on the relevant Development Application and this information has been passed on to the originator of the petition.’

- Cr Howard moved and Cr Carpenter seconded, “That the petition be received.”

Carried unanimously

COUNCILLORS’ QUESTIONS

11/2017 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.

12/2017 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.

A question on notice has been received from Cr Broad and is listed at Minute No. 13/2017."

DEPARTMENTAL BUSINESS

GENERAL MANAGEMENT

13/2017 Councillors' questions on notice (12/2017 – 23.01.2017)

The General Manager reported as follows:

“The following question on notice has been received from Cr Broad.

‘What is the total cost to the Council of the decision to reject the Planning application DA215189 for the Adult Sex Shop at 21 Reibey Street Ulverstone? This would include the cost of legal advice, external planning advice, costs for defending the decision in the Resource Management and Planning Appeals Tribunal, the subsequent costs associated with the required training for Councillors and any other costs reasonably associated with the decision to reject the application.’

The following response is provided:

The total cost to the Council in relation to the Planning Application for 21 Reibey Street, Ulverstone totaled \$19,336 (this included Planning Appeal costs of \$10,000 for the other party). There may be further costs arising out of the Council’s decision in relation to the Planning Application, but this has not been resolved at this time.

The total cost to the Council in relation to the Code of Conduct investigation and required training totaled \$6,998.”

14/2017 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 Community Shed Management Committee – meeting held on 5 December 2016
- . Ulverstone Wharf Precinct Advisory Committee – meeting held on 7 December 2016
- . Development Support Special Committee – meeting held on 9 January 2017.

Copies of the minutes and notes have been circulated to all Councillors.”

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

Carried unanimously

COMMUNITY SERVICES

15/2017 Statutory determinations

The Director Community Services reported as follows:

“A Schedule of Statutory Determinations made during the month of December 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 Downie moved and Cr Tongs seconded, “That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

16/2017 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 Minute No’s 17/2017 and 18/2017, 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 Viney moved and Cr Tongs seconded, “That the Mayor’s report be received.”

Carried unanimously

17/2017 Residential (dwelling extension) – variation to privacy and building height standards at 10 Esplanade, Turners Beach – Application No. DA215102

The Director Community Services reported as follows:

“The Town Planner has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:’</i>	DA215102
<i>PROPOSAL:</i>	Residential (dwelling extension) – variation to privacy and building height standards
<i>APPLICANT:</i>	Phillip Hough and Kate Wylie
<i>LOCATION:</i>	10 Esplanade, Turners Beach
<i>ZONE:</i>	Low Density Residential and Turners Beach Specific Area Plan
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	1 December 2016
<i>REPRESENTATIONS EXPIRY DATE:</i>	17 December 2016
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	10 January 2017 (extension of time granted until 23 January 2017)
<i>DECISION DUE:</i>	23 January 2017
<i>PURPOSE</i>	

The purpose of this report is to consider an application for an upper level extension to an existing dwelling at 10 Esplanade, Turners Beach.

Accompanying this report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation;
- . Annexure 4 – aerial view and photographs; and
- . Annexure 5 – TasWater Submission to Planning Authority Notice TWDA2016/01824-CC.

BACKGROUND

Development description –

Application is made to extend an existing 162m² dwelling that was constructed in 1970, increasing the total floor area to 281m².

The application seeks to legitimise an existing “as constructed” upper level master bedroom with walk-in-wardrobe addition, constructed prior to the current ownership of the land, and to add an additional 11.98m² (3.6m x 3.33m) ensuite to the upper level bedroom area.

The development invokes the following discretionary matters:

- 1 The upper level addition would be setback 1.6m from the adjoining western side boundary and would have a side wall height of 5m.
- 2 The final building height would be 5.8m.

Site description and surrounding area –

The land is zoned Low Density Residential and falls within the Turners Beach Specific Area Plan overlay. The land has a north/south orientation and is located on the southern side of the Esplanade, Turners Beach.

The property has a land area of 617m² and accommodates a single dwelling.

Surrounding land is developed to residential standard.

History –

1965 – Title to the land was Sealed and issued.

1970 – 162m² single-storey dwelling was constructed.

The existing “as constructed” upper level addition was built prior to February 2014; the exact date of construction is unknown.

DISCUSSION

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

12.0 Low Density Residential Zone

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

12.3.2–(A3) Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.	Not applicable. Use is residential.
12.4 Development Standards	
12.4.1 Suitability of a site or lot for use or development	
<p>12.4.1–(A1) A site or each lot on a subdivision must–</p> <p>(a) have an area of:</p> <p style="padding-left: 40px;">(i) not less than 500m² excluding any access strip; or</p> <p style="padding-left: 40px;">(ii) if in a locality shown in the Table to this clause, not less than the site area shown for that locality; and</p> <p>(b) contain a building area of not less than 10.0m x 15.0m:</p> <p style="padding-left: 40px;">(i) clear of any applicable setback from a frontage, side or rear boundary;</p> <p style="padding-left: 40px;">(ii) clear of any applicable setback from a zone boundary;</p> <p style="padding-left: 40px;">(iii) clear of any registered easement;</p>	<p>(a)(i) Compliant. Site area is 617m².</p> <p>(a)(ii) Not applicable. Satisfied by (a)(i).</p> <p>(b)(i) Non-compliant. Development would be clear of front and rear setbacks however, the western side boundary setback would be 1.6m with a side wall height of 5m.</p> <p style="padding-left: 40px;">See “Issues” section below.</p> <p>(b)(ii) Not applicable. No zone boundary.</p> <p>(b)(iii) Not applicable. No registered easement.</p> <p>(b)(iv) Not applicable. No right of way.</p>

<ul style="list-style-type: none"> (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. 	<ul style="list-style-type: none"> (b)(v) Not applicable. No restriction imposed by a utility. (b)(vi) Not applicable. No access strip. (b)(vii) Compliant. Site is accessed from Esplanade. (b)(viii) Not applicable. Not a new lot.
<p>12.4.1–(A2) A site or each lot on a subdivision plan must have a separate access from a road –</p> <ul style="list-style-type: none"> (a) across a frontage over which no other land has a right of access; and (b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or (c) by a right of way connecting to a road– 	<ul style="list-style-type: none"> (a) Compliant. Site has frontage to Esplanade. (b) Not applicable. Not an internal lot. (c)(i) Not applicable. Satisfied by (a). (c)(ii) Not applicable. Satisfied by (a). (d)(i) Compliant. Frontage to Esplanade is 18.31m wide. (d)(ii) Not applicable. Not multiple dwelling development.

<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>(e) Compliant. Access to Esplanade is existing in accordance with the <i>Local Government (Highways) Act 1982</i>.</p>
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<p>12.4.1–(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply–</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system ^{R4} 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) Compliant. The site is connected to a reticulated water system.</p> <p>(b) Not applicable. Satisfied by (a).</p>
<p>12.4.1–(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewerage and liquid trade waste–</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p>	<p>(a) Compliant. The site is connected to a reticulated sewerage system.</p> <p>(b) Not applicable. Satisfied by (a).</p>

<p>(b) by on-site disposal if:</p> <ul style="list-style-type: none"> (i) sewage or 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 c. creates a total sewage and waste water flow of not more than 1,000 litres per day; and (iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2000 On-site domestic wastewater management, clear of any defined building area or access strip. 	
<p>12.4.1–(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater–</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p>	<p>(a) Compliant. The site is connected to a reticulated stormwater system.</p> <p>(b) Not applicable. Satisfied by (a).</p>

<p>(b) if stormwater cannot be drained to a stormwater system:</p> <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; and (iii) the development is for a single dwelling. 	
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12.4.2 Dwelling density	
<p>12.4.2-(A1) The site area per dwelling must–</p> <p>(a) be not less than 500m² if the site has–</p> <p style="padding-left: 40px;">(i) connection to a reticulated water supply;</p> <p style="padding-left: 40px;">(ii) connection to a reticulated sewer system; and</p> <p style="padding-left: 40px;">(iii) connection to a stormwater system; or</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not less than the site area for that locality.</p>	<p>Site has an area of 617m².</p> <p>(a)(i) Compliant. Site is connected to a reticulated water supply.</p> <p>(a)(ii) Compliant. Site is connected to a reticulated sewer system.</p> <p>(a)(iii) Compliant. Site is connected to a reticulated stormwater system.</p> <p>(b) Not applicable. Site not included in Table to this Clause.</p>
12.4.3 Location and configuration of development	
<p>12.4.3-(A1) The wall of a building must be setback from a frontage–</p> <p>(a) not less than 4.5m from a primary frontage; and</p> <p>(b) not less than 3.0m from any secondary frontage; or</p> <p>(c) not less than and not more than the setbacks for any existing building on each of the immediate adjoining sites;</p>	<p>(a) Compliant. Primary frontage setback is approximately 5.77m.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Not applicable. Satisfied by (a).</p> <p>(d) Not applicable. No other buildings on the site.</p>

<p>(d) not less than for any building retained on the site;</p> <p>(e) in accordance with any building area shown on a sealed plan; or</p> <p>(f) if the site abuts a road shown in the Table to this Clause, the setback specified for that road.</p>	<p>(e) Not applicable. No building area on a sealed plan.</p> <p>(f) Compliant. Site is greater than 50m from Bass Highway.</p>
<p>12.4.3–(A2) All buildings must be contained within a building envelope determined by–</p> <p>(a) the applicable frontage setback;</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not less than the setback distance specific from the feature specified;</p> <p>(c) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback–</p> <p>(i) not less than 1.5m from each side boundary; or</p>	<p>(a) Compliant. Frontage setback would be 5.77m.</p> <p>(b) Not applicable. No Table to this Clause.</p> <p>(c)(i) Non-compliant. Building would not be within required envelope. Western side wall of the upper level would be 5m high and setback 1.6m from the western side boundary.</p> <p>See “Issues” section below.</p> <p>(c)(ii) Non-compliant. Eastern side wall would be 5m high.</p> <p>a. – b.</p> <p>See “Issues” section below.</p> <p>(d) Not applicable. No building envelope on a sealed plan.</p>

<p>(ii) less than 1.5m from a side boundary if wall height is not more than 3.0m; and:</p> <p>a. built against an existing wall of an adjoining building; or</p> <p>b. the wall or walls:</p> <p>i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;</p> <p>ii. there is no door or window in the wall of the building; and</p> <p>iii. overshadowing does not result in:</p> <p>a. less than two hours of continuous sunlight to a required minimum private open space area in an adjacent dwelling between 9.00am and 3.00pm on 21 June; or</p> <p>b. a further reduction in continuous sunlight to a required minimum</p>	
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<p>private open space area in an adjacent dwelling if already less than two hours between 9.00am and 3.00pm on 21 June; or</p> <p>(d) in accordance with any building envelope shown on a sealed plan.</p>	
<p>12.4.3–(A3) Site coverage must–</p> <p>(a) not be more than 50%; or</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not more than the site coverage for that locality; and</p> <p>(c) not include any part of a site required for the disposal of sewage and stormwater; or</p> <p>(d) be not more than any building area shown on a sealed plan.</p>	<p>(a) Compliant. Site coverage would be 33%.</p> <p>(b) Not applicable. No Table to this Clause.</p> <p>(c) Not applicable. No on–site disposal of sewerage or stormwater.</p> <p>(d) Not applicable. No building area shown on a sealed plan.</p>
<p>12.4.3–(A4) A garage, carport or an external car parking area and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage of a building.</p>	<p>Compliant. Garage is existing and would not be altered by the proposal.</p>
<p>12.4.3–(A5) Total width of openings in the frontage elevation of a garage or carport (whether freestanding or part of any other building) must be the lesser of:</p>	<p>(a) Not applicable. No garage or carport development.</p>

<p>(a) 6.0m; or</p> <p>(b) half the width of the frontage.</p>	<p>(b) Not applicable. No garage or carport development.</p>
<p>12.4.4 Visual and acoustic privacy for residential development</p>	
<p>12.4.4–(A1) A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space or carport of a building must:</p> <p>(a) if the finished floor level is more than 1.0m above natural ground level:</p> <ul style="list-style-type: none"> (i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site; (ii) be not less than 3.0m from a side boundary; (iii) be not less than 4.0m from a rear boundary; (iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of a lot of an adjacent frontage site; or <p>(b) if less than the setbacks in clause A1(a):</p>	<p>(a)(i) Not applicable. No other dwelling on site.</p> <p>(a)(ii) Non-compliant. The window on the western elevation would be 1.6m from the side boundary. The window on the eastern elevation would be >5m from the side boundary.</p> <p>See “Issues” section below.</p> <p>(a)(iii) Compliant. Development would be 14m from the rear boundary.</p> <p>(a)(iv) Not applicable. Not an internal lot.</p> <p>(b)(i) Compliant. Window would be approximately 3m from the window of the adjoining dwelling to the west.</p> <p>(b)(ii) Not applicable. Satisfied by (b)(i).</p>

<ul style="list-style-type: none"> (i) be off-set by not less than 1.5m from the edge of any door or window in another dwelling; (ii) have a window sill height of not less than 1.8m above finished floor level; (iii) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above finished floor level; or (iv) have fixed and durable external screen other than vegetation of not less than 1.8m height above the finished floor level and with a uniform transparency of not more than 25% located for the full width of the door, window, balcony, deck, roof garden, parking space, or carport. 	<p>(b)(iii) Not applicable. Satisfied by (b)(i).</p> <p>(b)(iv) Not applicable. Satisfied by (b)(i).</p>
<p>12.4.4–(A2) An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.</p>	<p>Not applicable.</p> <p>No access strip or shared driveway.</p>

12.4.5 Private open space for residential use	
<p>12.4.5-(A1) Each dwelling must provide private open space –</p> <p>(a) if a dwelling with a floor level of not more than 2.5m above finished ground level, a ground level area:</p> <ul style="list-style-type: none"> (i) located adjoining the rear or side of the dwelling; (ii) accessible from the dwelling; (iii) of not less than 25m²; (iv) with a minimum dimension of 4.0m; (v) on a single level; and (vi) with a gradient of not more than 1 in 10; and <p>(b) if a dwelling with a floor level of more than 2.5m above finished ground level, as an alternative to a ground level area, a private balcony, deck, terrace or roof garden:</p> <ul style="list-style-type: none"> (i) of not less than 25m²; (ii) with a minimum dimension of 4.0m; and (iii) accessible from the dwelling. 	<p>(a) Compliant. Private open space is existing and would not be altered or impacted upon by the proposed development.</p> <p>(b) Not applicable. No private balcony or terrace or roof garden is proposed.</p>

<p>12.4.5–(A2) The required minimum private open space area must be capable of receiving at least three hours of sunlight between 9.00am and 3.00pm on 21 June.</p>	<p>Compliant.</p> <p>Proposed development would not result in change to the subject site's private open space area or result in private open space receiving less than three hours of continuous sunlight between 9.00am and 3.00pm.</p>
<p>12.4.5–(A3) Unless there is a ground level private open space area directly accessible at grade to a shared driveway or pedestrian pathway, each dwelling in a multiple dwelling development must have access to a waste storage area:</p> <ul style="list-style-type: none"> (a) located behind the applicable frontage setback; (b) of not less than 1.5m² per dwelling; (c) screened to view from the frontage and any dwelling by a wall of height not less than 1.2m above finished ground level; and (d) not less than 6.0 from a window, door, balcony, deck, roof garden or private open space area of a dwelling. 	<p>Not applicable.</p> <p>Not a multiple dwelling.</p>

12.4.6 Frontage fences	
<p>12.4.6–(A1) The height of a fence, including any supporting retaining wall, on a frontage or within a frontage setback must be:</p> <p>(a) not more than 1.2m if the fence is solid; or</p> <p>(b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%.</p>	<p>Not applicable.</p> <p>No fencing proposed.</p>
12.4.7 Setback of development for sensitive use	
<p>12.4.7–(A1) A building containing a sensitive use must be contained within a building envelope determined by –</p> <p>(a) the setback distance from the zone boundary as shown on the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45 degrees above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary.</p>	<p>(a) Not applicable. No zone boundary applicable to this site.</p> <p>(b) Not applicable. No zone boundary applicable to this site.</p>
<p>12.4.7–(A2) Development for a sensitive use must be not less than 50.0m from –</p>	<p>(a) Compliant. Development would be 397m from the Bass Highway.</p>

<p>(a) A major road identified in the Table to this Clause;</p> <p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road or rail purposes; or</p> <p>(d) a proclaimed wharf area.</p>	<p>(b) Compliant. Development would be 187m from a railway.</p> <p>(c) Not applicable. No land designated for road or rail purposes.</p> <p>(d) Not applicable. Nearest Proclaimed Wharf Area is in Devonport, some 15km to the east.</p>
12.4.8 Subdivision	
<p>12.4.8-(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) intended for residential use;</p> <p>(b) a lot required for public use by the State Government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>
<p>12.4.8-(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>Not applicable.</p> <p>No subdivision proposed.</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> <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>	
<p>12.4.9 Reticulation of an electricity supply to new lots on a plan of subdivision</p>	
<p>12.4.9–(A1) Electricity reticulation and site connections must be installed underground.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>

CODES	
E1 Bushfire-Prone Areas Code	Not applicable. Site is not a subdivision or vulnerable or hazardous use.
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 or conversion of vegetation 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 in this Scheme.
E6 Hazard Management Code	Not applicable. No hazard mapping applicable.
E7 Sign Code	Not applicable. No signage proposed.
E8 Telecommunication Code	Not applicable. No telecommunication facilities proposed.
E9 Traffic Generating Use and Parking Code	
E9.4 Use or development exempt from this Code	Not exempt. Code applies to all development.

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>Compliant. The Scheme requires two car parking spaces for a single dwelling. Two car parking spaces are existing on the site.</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) Not applicable. On-site loading not required in the Low Density Residential zone.</p> <p>(b) Not applicable. Passenger pick-up and set-down facilities not required for residential use.</p>

E9.6 Development Standards	
E9.6.1 Design of vehicle parking and loading areas	
E9.6.1–(A1.1) All development must provide for the collection, drainage and disposal of stormwater; and	Compliant. Development would be required to connect to a reticulated stormwater system.
<p>E9.6.1–(A1.2) Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS2890.2 (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>Not applicable.</p> <p>Development is for a single dwelling.</p>

COMMUNITY SERVICES

<p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	
<p>E9.6.2-(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.</p>	<p>Not applicable.</p> <p>Provisions do not apply as development is in the Low Density Residential zone.</p>
<p>E10 Water and Waterways Code</p>	<p>Not applicable.</p> <p>Over 30m to nearest waterway.</p>

SPECIFIC AREA PLANS	
F4.0 Turners Beach Specific Area Plan	
F4.4 Application of this Code	<p>Applicable.</p> <p>Site falls within the Turners Beach Specific Area Plan overlay.</p>
F4.7 Development Standards	
F4.7.1 Building height	
F4.7.1-(A1) Building height must not be more than 5.5m.	<p>Non-compliant.</p> <p>Final building height would be 5.8m.</p> <p>See “Issues” section below.</p>
F4.7.2 Vegetation management	
F4.7.2-(A1) There must be no clearing or conversion of vegetation within the littoral, riparian and road reserves.	<p>Not applicable.</p> <p>No clearing or conversion of vegetation proposed.</p>

F4.7.3 Landscaping	
F4.7.3-(A1) Other than for an internal lot, not less than 50% of the site area between the frontage and a building containing a dwelling must be landscaped with not less than grass.	<p>Compliant.</p> <p>Over 50% of the area between the frontage and the building is lawn.</p>
F4.7.4 Beach access	
F4.7.4-(A1) New vehicular or pedestrian accesses to the beach or Forth River must not be created.	<p>Not applicable.</p> <p>No new vehicle or pedestrian access proposed to the beach or the Forth River.</p>

Issues –

Building height and development within the building envelope

The Scheme's Acceptable Solutions 12.4.1–(A1) and 12.4.3–(A2) combined with the Turners Beach Specific Area Plan, require that development be setback 1.5m from a side boundary and project at a line of 45° from the horizontal at a height of 3m above natural ground level, to a height of 5.5m, as specified under the Turners Beach Specific Area Plan; or be setback less than 1.5m from a side boundary if the wall height is no more than 3m and the development is not greater than 9m in length.

In summary, the Turners Beach Specific Area Plan's height requirement is met by the proposed development, however, the Scheme's side boundary setback standard is not.

The proposed upper level addition (ensuite) would be setback 1.6m from the western side boundary and would have a combined wall height (lower and upper level development) of 5m. The "attic" ensuite development would have a length of 3.8m and would be 2.1m higher than the ground level wall height, not extending higher than the existing "as constructed" upper roof height of 5.8m.

The Scheme's Performance Criteria 12.4.3–(P2) requires the proposal be assessed against the following:

"Building height and location of a building in relation to a frontage and site boundaries must –

- (a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;
- (b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;
- (c) be consistent with the streetscape;
- (d) respond to the effect of the slope and orientation of the site; and
- (e) provide separation between buildings to attenuate impact".

Overshadowing –

The subject land at 10 Esplanade and adjoining property to the west at 8 Esplanade, Turners Beach, are both orientated north/south, with frontages facing north and the rear of the properties to the south. Both lots receive direct or proportional amounts of sunlight from the east, then north and west, for much of the day. The subject property at 10 Esplanade would take morning sunlight from 8 Esplanade and vice versa; 8 Esplanade would overshadow some ground level rooms of 10 Esplanade in the afternoon.

Given the orientation of both allotments, it is considered that ample sunlight falls on both properties throughout the day. The internal arrangement of rooms at 8 Esplanade has resulted in habitable rooms located along the eastern side of the dwelling, resulting in that area of the dwelling not receiving morning sunlight due to the proximity of the two dwellings. The proposed additional wall height to 10 Esplanade will not amend or effectively alter this matter. The impact of development would not be substantially different from the current impact of the existing dwelling at 10 Esplanade on the adjoining dwelling. This is because the additional wall height (to 5m) is not for the full length of the existing dwelling at 10 Esplanade, but for a 3.8m length, to allow for an “attic” ensuite.

Scale, bulk and portion of development –

The proposed development would not result in a building of unreasonable scale, bulk or portion. The proposed extension would legitimise existing development that is not considered to be of excessive bulk or scale (refer to Annexure 4) adding an additional 11.98m² of floor area.

Streetscape –

This area of Turners Beach accommodates a mix of single-storey and double-storey residential buildings. The proposal is not inconsistent with the prevailing streetscape.

Slope and orientation –

The land has a slight slope, angling away from the roadway to the south. The orientation of existing allotments is north/south and, as discussed above, this allows for a proportional amount of sunlight to fall on all allotments on both sides of Esplanade, Turners Beach.

Separation between buildings to attenuate impact –

The dwelling subject to this application and the adjoining property are existing. The dwellings have been developed approximately 1.4m from the shared side boundary and, as such, do not have a large area of separation. The proposed development would not lessen or result in a greater separation distance to that which currently exists.

Privacy to adjoining property –

The western elevation shows a 1.5m x 1.5m window of the proposed upper level ensuite overlooking the adjoining property at 8 Esplanade, Turners Beach.

The Scheme requires that a window of a “habitable room”, that has a floor area more than 1m above natural ground level, be setback at least 3m from a side boundary. The proposed ensuite window would be setback 1.6m from the side boundary.

The Scheme’s definition of a “habitable room” is:

“any room of a dwelling other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, hallway, lobby, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.”

An ensuite is not included in the definition of a “habitable room”.

Due to the close proximity of the dwellings, it is considered appropriate that the applicant modify either the shape of the window, to be a minimum of 1,700mm above finished floor level, or install a window that is of translucent materials so that overlooking can be mitigated.

It is considered that, with the incorporation of an appropriate condition, the development would adequately satisfy the standards of the Scheme.

Final roof height of 5.8m –

The Turners Beach Specific Area Plan stipulates that building height is to be 5.5m. Dwellings may have a greater height of 7.5m at the discretion of the Planning Authority. The “as constructed” upper level bedroom has resulted in a final roof height of 5.8m. The date of the upper level construction is not known, although development was likely to be some years prior to the introduction of the Turners Beach Specific Area Plan under the Scheme. The

current owners, who purchased the dwelling with the addition “as constructed”, seek to legitimise the development. It is considered the additional 300mm of existing dwelling height is not substantive, is not inconsistent with residential development in Turners Beach and is well under the 7.5m that a discretionary application could consider.

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	No comment.
TasWater	Refer to Submission to Planning Authority Notice. Refer to Annexure 5.
Department of State Growth	No comment.
Environment Protection Authority	No comment.
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.

Representation –

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 existing roof line already partially blocks natural sunlight in summer and winter months. The proposed renovation will block even more sunlight and make the lounge and dining room cold and dark.	<p>The existing dwelling, subject to an application to extend the floor area, is located 1.6m from the western side boundary of the allotment. The neighboring dwelling is also located close to the shared boundary. The proposed upper level addition may take natural sunlight from the adjoining property in the morning. However, both lots are orientated north/south, with frontage facing north, and with such orientation, both lots receive direct or proportional sunlight from the east, north and west for much of the day.</p> <p>The subject property at 10 Esplanade would take morning sunlight from 8 Esplanade and, vice versa, 8 Esplanade would overshadow ground level rooms of 10 Esplanade in the afternoon. Given the orientation of both lots, ample sunlight falls on both lots throughout the day. Refer to “Issues” section above.</p>
2 The renovation would have a window looking directly into the front door, lounge room and possibly dining room of 8 Esplanade, resulting in a loss of privacy.	<p>It is correct that the western elevation shows a single 1.5m x 1.5m window overlooking the adjoining property.</p> <p>The Scheme requires that a window of a “habitable room”, that has a</p>

	<p>floor area more than 1m above natural ground level, be setback at least 3m from a side boundary. The proposed ensuite would be setback 1.6m from the side boundary.</p> <p>However, an ensuite is not included in the Scheme's definition of a "habitable room". Due to the close proximity of the dwellings, it is considered appropriate that the applicant modify either the shape of the window, to be a minimum of 1,700mm above finished floor level, or install a window that is of translucent materials. Refer to "Issues" section above.</p>
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RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

CONCLUSION

The application is to legitimise an existing upper level addition to the dwelling at 10 Esplanade, Turners Beach and to add an 11.98m² ensuite to the upper bedroom area. The proposal is considered to be satisfactory development. Whilst overshadowing the adjoining property to the west for a portion of the day, the development would not result in extensive overshadowing, over and above existing, due to the orientation of the subject and adjoining allotments and the small floor area proposed. The matter of privacy and overlooking can be addressed by applying a condition to the Permit, requiring a modification of the western, upper level window.

The proposal satisfies the Local Area Objectives and Desired Future Character Statements of the zone and relevant Performance Criteria. The Council would be justified in granting conditional, discretionary approval of the proposed development.

Recommendation –

It is recommended that the application for Residential (dwelling extension) – variation to privacy and building height standards at 10 Esplanade, Turners Beach be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans by Steven Penton Building Design, Project No. 1415-023, Drawing Nos. 02 to 10, dated 18 June 2015, unless modified by a condition of this Permit.
- 2 The western window of the upper level ensuite must be of a translucent glaze or be located a minimum of 1.7m above finished floor level.
- 3 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice TWDA2016/01824-CC dated 5 December 2016 (copy attached).

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 Downie moved and Cr Broad seconded, “That the application for Residential (dwelling extension) – variation to privacy and building height standards at 10 Esplanade, Turners Beach be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans by Steven Penton Building Design, Project No. 1415-023, Drawing Nos. 02 to 10, dated 18 June 2015, unless modified by a condition of this Permit.
- 2 The western window of the upper level ensuite must be of a translucent glaze or be located a minimum of 1.7m above finished floor level.
- 3 The development must be in accordance with the conditions of TasWater’s Submission to Planning Authority Notice TWDA2016/01824-CC dated 5 December 2016 (copy attached) (a copy being appended to and forming part of the minutes).

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.”

Carried unanimously

18/2017 Subdivision – two lots and boundary realignments – 76 Reynolds Road, Heybridge and 83 Allegra Drive, Heybridge – Application No. DA216098

The Director Community Services reported as follows:

“The Town Planner has prepared the following report:

<i>‘DEVELOPMENT APPLICATION No.:’</i>	DA216098
<i>PROPOSAL:</i>	Subdivision – two lots and boundary realignments
<i>APPLICANT:</i>	Michell Hodgetts & Associates Pty Ltd

<i>LOCATION:</i>	76 Reynolds Road, Heybridge and 83 Allegra Drive, Heybridge
<i>ZONES:</i>	Rural Resource and Rural Living
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	17 December 2016
<i>REPRESENTATIONS EXPIRY DATE:</i>	7 January 2017
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	25 January 2017
<i>DECISION DUE:</i>	23 January 2017

PURPOSE

The purpose of this report is to consider an application for a subdivision of land to create two new lots (not additional lots) and two boundary realignments to facilitate legal access to the proposed Lot 1.

Accompanying this report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation;
- . Annexure 4 – aerial view and photographs;
- . Annexure 5 – TasWater’s Submission to Planning Authority Notice TWDA 2016/01926-CC.

BACKGROUND

Development description –

Application is made to subdivide two existing allotments of Rural Resource land identified as 76 Reynolds Road, Heybridge. The subdivision would reconfigure the existing Titles, that have a combined land area of 8.2ha, resulting in two new allotments, described as follows:

- . Lot 1 comprising 4ha. The allotment would be vacant land zoned Rural Resource, accessed via an existing right-of-way over adjoining “Rural Living” land identified as 85 Allegra Drive, Heybridge.
- . Lot 2 comprising 4.2ha. The allotment would support an existing dwelling and associated infrastructure, be accessed via Reynolds Road and zoned Rural Resource. No actual ground works are required to effect the reconfiguration of Titles.

Application is also made for two combined 1,110m² boundary adjustments over a neighboring 1.097ha parcel of land to the west, identified as 83 Allegra Drive, Heybridge. The neighbouring land is zoned Rural Living. The boundary adjustment would take 555m² of land from 83 Allegra Drive, to widen the access to proposed Lot 1 (Rural Resource land) and replace the land loss with a 555m² area of land on the eastern boundary of the Rural Living allotment. The boundary adjustments would require road works over the subject areas of land.

The boundary adjustments would result in the Rural Living allotment at 83 Allegra Drive having an unchanged land area of 1.1ha.

Site descriptions and surrounding area –

76 Reynolds Road, Heybridge

The land at 76 Reynolds Road currently comprises two Titles and is zoned Rural Resource, with other Rural Resource properties to the east and south of the subject parcel. Land to the west is zoned Rural Living and land to the north is zoned Environmental Management.

The existing Lot 1 of the property has a land area of 7.363ha and is shown on the Council aerial view to be heavily vegetated. The western portion of the land has recently been cleared of vegetation. Refer to photographs of Lot 1 at Annexure 4.

The 7.363ha parcel supports a single dwelling and associated infrastructure and is accessed via a right-of-way off Reynolds Road. The land parcel is 'split' by a large, central dam that has a separate Certificate of Title and is owned by a third party.

The existing Lot 2 of the property is a 20.12m wide and 416.97m long (8,372m²) linear strip of land that runs along the eastern length of Lot 1. The shape and location of this parcel means it has most likely been a road reserve in the past, prior to private ownership.

The land falls within the Dial Blythe Proclaimed Irrigation District.

83 Allegra Drive, Heybridge

The property at 83 Allegra Drive is zoned Rural Living and is located within a cluster of 15 Rural Living allotments. Adjoining lots to the north, south and west accommodate residential developments. Land immediately to the east is zoned Rural Resource, including 76 Reynolds Road.

History –

There is no site history recorded in relation to the subject proposal. However, it is noted upon inspection of the site that extensive land clearance has been undertaken, including the clearance of steep watercourse drainage lines. The works have been undertaken without the lodgement of a Development Application or a Forest Practices Plan. This matter is addressed further in the “Issues” section of this report.

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>(e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;</p>	<p>(a) Proposal satisfies the Objective. The proposed development is for the division and reconfiguration of land so as to result in more usable land parcels and to allow for improved access to the western side of the property, overcoming the current separation of the land by the central dam that is owned by a third party. The priority purpose of the land as stated in the application is Primary Industry. Both lots would remain parcels of land zoned Rural Resource and as such, any future development would be subject to all Scheme standards imposed on Rural Resource land.</p> <p>(b) Not applicable. The proposed subdivision would not impact on air, land or water resources for primary industry production.</p>

<p>(f) Rural land may be used and developed for economic, community, and utility activity that cannot reasonably be accommodated on land within a settlement or nature conservation area;</p> <p>(g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry;</p> <p>(h) Residential use and development on rural land is appropriate only if –</p> <p>(i) required by a primary industry or a resource based activity; or</p> <p>(ii) without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes.</p>	<p>(c)(i) Proposal satisfies the Objective. The subdivision would not result in the permanent loss of land for intensive primary industry production.</p> <p>(c)(ii) Proposal satisfies the Objective. The proposed subdivision would not alter the prospective use of land for primary industry purpose, or otherwise interfere with the practice of primary industry on the site.</p> <p>(d) Proposal satisfies the Objective. The proposed use of the land for primary industry is not changed by the proposed subdivision.</p> <p>(e) Proposal satisfies the Objective. The subject land is within the Proclaimed Dial Blythe Irrigation District and is Class 5–6 agricultural land. The proposed subdivision would not alter the prospective use of land for primary industry purpose.</p> <p>(f) Not applicable. Proposal is not for economic, utility or community activity.</p>
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	<p>(g) Not applicable. The proposal is not tourism or recreation use.</p> <p>(h)(i) Not applicable. No Residential use proposed.</p> <p>(h)(ii) Not applicable. No Residential use proposed.</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> <p>(i) expansive areas for agriculture and forestry;</p> <p>(ii) mining and extraction sites;</p> <p>(iii) utility and transport sites and extended corridors; and</p> <p>(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>	<p>(a)(i) Not applicable. Proposed development is not agriculture or forestry.</p> <p>(a)(ii) Not applicable. Proposed development is not associated with mining and extraction.</p> <p>(a)(iii) Not applicable. Proposed development is not Utility or transport infrastructure.</p> <p>(a)(iv) Not applicable. No service or support buildings proposed.</p> <p>(b)(i) Proposal is consistent with Desired Future Character. Proposal adjoins Rural Living settlement node.</p>

<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 (iii) pockets of remnant native vegetation <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>(b)(ii) Proposal is not consistent with Desired Future Character. Land of likely ecological value has been logged without the required Permits.</p> <p>(b)(iii) Proposal is not consistent with Desired Future Character. The site is cleared of native vegetation, including stormwater drainage lines.</p> <p>(c)(i) Proposal is not consistent with Desired Future Character. The land has been logged, including drainage lines, making slopes subject to erosion.</p> <p>(c)(ii) Proposal is not consistent with Desired Future Character. The land has been logged, including drainage lines, exposing a compromised natural biodiversity and ecological system.</p> <p>(c)(iii) Proposal is not consistent with Desired Future Character. The land has been logged, including drainage lines, degrading existing scenic attributes of the site.</p>
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<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>(c)(iv) Proposal is consistent with Desired Future Character. Subdivision would not impact on existing use of subject or adjoining land.</p> <p>(d)(i) Proposal is consistent with Desired Future Character. Subdivision would provide a lot able to be developed for intensive agriculture.</p> <p>(d)(ii) Proposal is consistent with Desired Future Character. Subdivision would provide a lot able to be developed for commercial production.</p> <p>(e) Not applicable. Proposal is not significantly influenced by current and future changes in technology.</p> <p>See "Issues" section of this report.</p>
<p>26.3 Use Standards</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>	<p>(a) Compliant. Proposal satisfies five out of ten of the Local Area Objectives of the Rural</p>

<p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement;</p> <p>(c) be required to locate on rural resource land for operational efficiency:</p> <p>(i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;</p> <p>(ii) to access infrastructure only available on the site or on adjacent land in the zone;</p> <p>(iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;</p> <p>(iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;</p> <p>(v) if required –</p> <p>a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;</p> <p>b. for security;</p> <p>c. for public health or safety if all measures to minimise</p>	<p>Resource zone. Four of the ten Objectives are not applicable to this application and one are not able to be met.</p> <p>(b) Non-compliant. Proposal does not meet five of the Future Desired Character Statements of the Rural Resource zone. Four of the Statements are satisfied and five are not applicable to this application.</p> <p>(c)(i) Compliant. Subdivision is to reconfigure existing Titles and to allow for improved access to proposed Lot 1.</p> <p>(c)(ii) Compliant. Subdivision is to reconfigure existing Titles and to allow for improved access to proposed Lot 1.</p> <p>(c)(iii) Compliant. Subdivision is to reconfigure existing Titles and to allow for improved access to proposed Lot 1, including resources that may be available on Lot 1.</p> <p>(c)(iv) Compliant. Subdivision is to reconfigure existing Titles and to allow for improved access to proposed Lot 1.</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>	<p>(c)(v)(a) Not applicable. Access to the land is existing.</p> <p>(c)(v)(b) Not applicable. Proposal is not for security reasons.</p> <p>(c)(v)(c) Not applicable. Proposal is not required for public health or safety.</p> <p>(c)(vi) Compliant. Subdivision is to reconfigure existing Titles and to allow for improved access to proposed Lot 1. Proposal would offer opportunity for diversification or value-adding to existing use of the site for primary industry purpose.</p> <p>(c)(vii) Not applicable. Proposal is not for an essential utility or community service.</p> <p>(c)(viii) Non-compliant. No economic, social or environmental cost-benefit analysis accompanies the application to demonstrate significant regional benefit.</p> <p>(d)(i) Compliant. The site is within the Proclaimed Dial Blythe Irrigation District;</p>
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	<p>proclaimed under Part 9 of the <i>Water Management Act 1999</i> in February 2014. The proposal would not result in the permanent loss of agricultural land that is located within the Proclaimed Dial Blythe Irrigation District as, whilst land Titles are to be reconfigured, no land zone changes are proposed.</p> <p>(d)(ii) Compliant. There is minimal likelihood the subdivision proposal would constrain, fetter or otherwise interfere with existing and potential primary industry use on the site as, whilst land Titles are to be reconfigured, no land zone changes are proposed.</p> <p>(d)(iii) Compliant. The site is located within the Proclaimed Dial Blythe Irrigation District. The proposed subdivision would not result in a loss of land that may benefit from the application of broad-scale irrigation development.</p> <p>See “Issues” section of this report.</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) replace a lawful existing residential use; (e) not create a new residential use through conversion of an existing building; or (f) be home based business in association with occupation of an existing lawful and structurally sound residential building; and (g) there is no change in the title description of the site on which the residential use is located. 	<p>Not applicable.</p> <p>The development is not a required residential use.</p>

26.3.3 Residential use	
<p>26.3.3–(A1) Residential use that is not required as part of an other use must:</p> <ul style="list-style-type: none">(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>The development is not a non–required 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 style="padding-left: 40px;">(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 style="padding-left: 40px;">(ii) clear of any applicable setback from a frontage, side or rear boundary;</p> <p style="padding-left: 40px;">(iii) clear of any applicable setback from a zone boundary;</p> <p style="padding-left: 40px;">(iv) clear of any registered easement;</p> <p style="padding-left: 40px;">(v) clear of any registered right of way benefiting other land;</p> <p style="padding-left: 40px;">(vi) clear of any restriction imposed by a utility;</p> <p style="padding-left: 40px;">(vii) not including an access strip;</p>	<p>(a) Compliant. Proposed Lot 1 would be 4ha and proposed Lot 2 would be 4.2ha.</p> <p>(b)(i) Compliant. There is an existing lawful dwelling on Lot 2. Lot 1 is vacant Rural Resource land.</p> <p>(b)(ii) Compliant. Lawful existing buildings on Lot 2. Frontage setback would remain unchanged. The existing dwelling on proposed Lot 2 would be setback 28m from the eastern side boundary, 63m from the southern rear boundary and 180m from the western side boundary. Proposed Lot 1 would be vacant Rural Resource land.</p> <p>(b)(iii) Not applicable.</p> <p>(b)(iv) Compliant. Clear of easements.</p> <p>(b)(v) Compliant. Clear of rights-of-way.</p>

<p>(viii) accessible from a frontage or access strip.</p>	<p>(b)(vi) Compliant. Clear of utilities.</p> <p>(b)(vii) Compliant. Clear of access strip.</p> <p>(b)(viii) Compliant. Proposed Lots 1 and 2 would be accessible over rights-of-way off Reynolds Road and Allegra Drive.</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 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>(a) Not applicable. Lots 1 and 2 would both be internal lots.</p> <p>(b) Not applicable. No access strips.</p> <p>(c)(i) Non-compliant. Existing access to Lot 2 is via a right-of-way also required for access by another party. Lot 1 access would be over an existing right-of-way not required for access by another party.</p> <p style="padding-left: 40px;">See “Issues” section of this report.</p> <p>(c)(ii) Compliant. Existing rights-of-way are not required to give the allotments the minimum properties of a lot.</p> <p>(d) Non-compliant. Lot 2 right-of-way off Reynolds Road is 5m wide.</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>See “Issues” section of the report.</p> <p>(e) Compliant. Access would be in accordance with with the <i>Local Government (Highways) Act 1982</i> and Statement of Compliance by the Council acting in its capacity as the Road Authority.</p>
<p>26.4.1–(A3) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of connecting to a water supply:</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system ^{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>(a) Not applicable. No reticulated service available.</p> <p>(b) Compliant. Development is subdivision (reconfiguration of lots). Proposed Lot 2 has existing water storage infrastructure.</p>

<p>b. a use with an equivalent population of not more than 10 people per day.</p>	
<p>26.4.1–(A4) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste:</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if:</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development:</p> <p>a. is for a single dwelling; or</p> <p>b. provides for an equivalent population of not more than 10 people per day; or</p> <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS 1547:2000 On-site domestic–</p>	<p>(a) Not applicable. No reticulated sewer service available.</p> <p>(b) Compliant. Development is subdivision (reconfiguration of lots). Proposed Lot 2 has existing on-site wastewater system.</p>

wastewater management clear of any defined building area or access strip.	
<p>26.4.1–(A5) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system:</p> <p>(i) for discharge to a natural drainage line, water body or watercourse; or</p> <p>(ii) for disposal within the site if:</p> <p>a. the site has an area of not less than 5,000m²;</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>(a) Not applicable. No reticulated stormwater service available.</p> <p>(b) Compliant. Stormwater from existing development on Lot 2 is disposed of by on-site, in-ground absorption and drainage to the central water body.</p>

26.4.2 Location and configuration of development	
<p>26.4.2–(A1) A building or a utility structure, other than a crop protection structure for an agriculture use, must be setback:</p> <ul style="list-style-type: none"> (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. 	<ul style="list-style-type: none"> (a) Compliant. Front setback to the dwelling on Lot 2 is existing. Lot 1 is vacant. (b) Compliant. Existing dwelling is 483m from the Bass Highway. (c) Compliant. Boundary setbacks for the existing dwelling would be improved by the consolidation of the “old” Lot 2 into the new Lot 2. (d) Compliant. Rear boundary setbacks for the existing dwelling would not alter. (e) Not applicable. No building area on a sealed plan.
<p>26.4.2–(A2) Building height must be not more than 8.5m.</p>	<p>Not applicable.</p> <p>No new building work proposed. The height of existing buildings would not alter.</p>

<p>26.4.2 – A3.1</p> <p>A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must –</p> <ul style="list-style-type: none"> (a) not project above an elevation 15m below the closest ridgeline; (b) be not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland; (c) be below the canopy level of any adjacent forest or woodland vegetation; and (d) clad and roofed with materials with a light reflectance value of less than 40%. 	<p>A3.1</p> <ul style="list-style-type: none"> (a) Not applicable. No new building work or structures proposed. The location of existing buildings would not alter. (b) Not applicable. No new building work or structures proposed. The location of existing buildings would not alter. (c) Not applicable. No new building work or structures proposed. The location of existing buildings would not alter. (d) Not applicable. No new building work or structures proposed. The location of existing buildings would not alter.
<p>26.4.2 – A3.2</p> <p>Wind power turbines and wind power pumps must not exceed 20m in height.</p>	<p>Not applicable. The proposed development is not a wind power turbine or wind power pump.</p>

26.4.3 Location of development for sensitive uses

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

(a) be located not less than:

- (i) 200m from any agricultural land;
- (ii) 200m from aquaculture or controlled environment agriculture;
- (iii) 500m from the operational area boundary established by a mining lease issued in accordance with the *Mineral Resources Development Act 1995* if blasting does not occur; or
- (iv) 1000m from the operational area boundary established by a mining lease issued in accordance with the *Mineral Resources Development Act 1995* if blasting does occur; or
- (v) 500m from intensive animal husbandry;
- (vi) 100m from land under a reserve management plan;
- (vii) 100m from land designated for production forestry;
- (viii) 50.0m from a boundary of the land to the Bass Highway, or to a railway line; and

Not applicable.

Not a sensitive use.

<p>(ix) clear of any restriction imposed by a utility; and</p> <p>(b) not be on land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i>, or land that may benefit from the application of broad-scale irrigation development.</p>	
<p>26.4.4 Subdivision</p>	
<p>26.4.4-(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use either State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority.</p>	<p>Non-compliant.</p> <p>Subdivision not required for public use by State government, a Council, a Statutory authority or a corporation.</p> <p>Refer to Performance Criteria 26.4.4-(P1) below.</p>
<p>26.4.4-(P1)</p> <p>(a) A plan of subdivision to reconfigure land must:</p> <p>(i) be required to restructure, re-size, or reconfigure land for primary industry use; and</p> <p>(ii) not create an additional lot;</p> <p>(b) a plan of subdivision to create a new lot must:</p>	<p>(a)(i) Compliant. Application states that subdivision to reconfigure land is to allow for improved access to Rural Resource land.</p> <p>(a)(ii) Compliant. No additional lot would be created.</p> <p>(b)(i) Compliant. New lot would be for a purpose permissible in the zone (Resource Development).</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 <p>(c) 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; 	<ul style="list-style-type: none"> (b)(ii) Compliant. Size of actual usable land parcel would not change. (b)(iii) Not applicable. No balance land area would result from the subdivision. (b)(iv) Compliant. Proposal would not alter the ability of the land to support primary industry development. (b)(v) Compliant. Proposal would not increase any constraint or interference to existing and potential primary industry use of the land. (b)(vi) Compliant. Proposed subdivision would not result in the permanent loss of land within a Proclaimed Irrigation District. (c) Not applicable. Satisfied by (b).
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<ul style="list-style-type: none"> (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. 	
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>Not applicable.</p> <p>Not controlled environment agriculture.</p>

(a) rely on the soil as a growth medium into which plants are directly sown;	
(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.	

13.0 Rural Living Zone

CLAUSE	COMMENT
13.3 Use Standards	
13.3.1 Discretionary permit use	
<p>13.3.2–(P1) Discretionary permit use must:</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement; and</p> <p>(c) minimise likelihood for adverse impact on amenity for residential use on adjacent land in the zone.</p>	<p>(a) Compliant. Proposed boundary line adjustments are consistent with Local Area Objectives.</p> <p>(b) Compliant. Proposed boundary line adjustments are consistent with Desired Future Character Statements.</p> <p>(c) Compliant. Proposed boundary line adjustments would not result in an</p>

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	adverse impact on amenity for residential use on adjacent land in the zone.
13.3.2 Impact of use	
13.3.2-(A1) Permitted non-residential use must adjoin at least one residential use on the same street frontage.	Not applicable. Use of land is Residential.
13.3.2-(A2) Permitted non-residential use must not generate more than 40 average daily vehicle movements.	Not applicable. Use of land is Residential
13.3.2-(A3) Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.	Not applicable.
13.4 Development Standards	
13.4.1 Suitability of a site or lot for use or development	
<p>13.4.1-(A1) Each site or each lot on a plan of subdivision must:</p> <p>(a) have an area not less than:</p> <p>(i) 1.0 hectares excluding any access strip; or</p> <p>(ii) if in a locality shown in the Table to this clause, not less than the site area shown for that locality; and</p>	<p>(a)(i) Compliant. 83 Allegra Drive would have a resulting land area of 1.1 ha.</p> <p>(a)(ii) Not applicable. This area is not in the Table to this Clause.</p> <p>(b) Compliant. "Rural Living" site is to accommodate a dwelling. A development</p>

<p>(b) if intended for a building, contain a building area:</p> <ul style="list-style-type: none"> (i) of not more than 1,000m²; (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; (vii) not including any access strip; (viii) clear of any area required for the on-site disposal of sewage or stormwater; and (ix) accessible from a frontage or access strip. 	<p>application was approved in 2014 and Building Permit approved 2016.</p>
<p>13.4.1–(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>(a) Compliant. Legal approved access to Allegra Drive.</p> <p>(b) Not applicable. Satisfied by (a).</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, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>(c)(i) Not applicable. Satisfied by (a).</p> <p>(c)(ii) Not applicable. Satisfied by (a).</p> <p>(d) Compliant. Existing frontage to Allegra Drive is approximately 28m wide.</p> <p>(e) Compliant. Existing access is in accordance with the <i>Local Government (Highways) Act 1982</i>.</p>
<p>13.4.1–(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply:</p> <p>(a) from a connection to a water supply provided in accordance with the</p>	<p>(a) Not applicable. Satisfied by (b).</p>

<p><i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system ^{R6} 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>(b) Compliant. The site is capable of accommodating an on-site rechargeable drinking water system.</p> <p>(b)(i) Compliant. No reticulated water supply available.</p> <p>(b)(ii) Compliant. Land is capable of supporting a water supply for a single dwelling.</p>
<p>13.4.1 –(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and trade waste:</p> <p>(a) to a reticulated sewer system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if:</p> <p>(i) sewage or trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development:</p>	<p>(a) Not applicable. Satisfied by (b).</p> <p>(b) Compliant. The site is capable of supporting an on-site wastewater disposal system.</p> <p>(b)(i) Compliant. No reticulated sewer supply available.</p> <p>(b)(ii)(a) Compliant. Land is capable of supporting a sewerage system for a single dwelling.</p> <p>(b)(ii)(b) Not applicable. Satisfied by (b)(ii)a.</p>

<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 c. creates a total sewage and waste water flow of not more than 1,000 litres per day; and <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip.</p>	<p>(b)(ii)(c) Not applicable. Satisfied by (b)(ii)a.</p> <p>(b)(iii) Compliant. The site is able to accommodate on-site disposal of domestic wastewater in accordance with AS/NZS1547:2012 that would be clear of any defined building area or access strip.</p>
<p>13.4.1–(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <ul style="list-style-type: none"> (a) for discharge 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: 	<p>(a) Not applicable. The proposal is compliant with (b).</p> <p>(b)(i) Not applicable. Compliant with (b)(ii).</p> <p>(b)(ii) Compliant. The site is capable of collecting and disposing of stormwater.</p>

<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; and <p>(iii) the development is for a single dwelling.</p>	
13.4.2 Dwelling density	
<p>13.4.2-(A1) The site area per dwelling must:</p> <ul style="list-style-type: none"> (a) be not less than 1.0 hectare; or (b) if the site is in a locality shown in the Table to this clause, the site area for that locality. 	<ul style="list-style-type: none"> (a) Compliant. Proposed boundary line adjustments would not result in the loss of any land area. Site would retain 1.1 ha land area. (b) Not applicable. This site is not noted in the Table to this Clause.

13.4.3 Location and configuration of development	
<p>13.4.3-(A1) A building, utility structure, garage or carport must be set back from a frontage:</p> <ul style="list-style-type: none"> (a) not less than 20.0m; (b) not less than or not more than the setbacks for any existing building on each of the immediate adjoining sites; (c) not less than for any building retained on the site; (d) in accordance with any building area shown on a sealed plan of subdivision; or (e) if the site abuts a road shown in the Table to this Clause, the setback specified for that road; or (f) if the site is in a locality shown in the Table to this Clause, the setback for that locality. 	<p>Not applicable. No building, utility structure, garage or carport proposed.</p>
<p>13.4.3-(A2) All buildings must be contained within a building envelope determined by:</p> <ul style="list-style-type: none"> (a) the applicable frontage setback; (b) a setback of not less than 10.0m from each side boundary; 	<p>Not applicable. No building proposed.</p>

<p>(c) a setback of not less than 10.0m from the rear boundary;</p> <p>(d) a setback of not less than 20.0m from any designated building area on each adjacent site; or</p> <p>(e) if the site is in a locality shown in the Table to this Clause, the setback for that locality; or</p> <p>(f) any building area shown on a sealed plan; and</p> <p>(g) building height of not more than 8.5m.</p>	
<p>13.4.3–(A3) Site coverage must:</p> <p>(a) be not more than 500m²; and</p> <p>(b) not include any part of a site required for the disposal and drainage of sewage or stormwater; or</p> <p>(c) be not more than any building area shown on a sealed plan.</p>	<p>Not applicable. No building proposed.</p>
<p>13.4.3–(A4)</p> <p>(a) A utility structure must be a power pole, antenna or a single domestic-scale turbine to a maximum of 10m in height which is:</p>	<p>(a) Not applicable. No utility structure proposed.</p> <p>(b) Not applicable. No building proposed.</p>

<ul style="list-style-type: none"> (i) not part of a wind farm; (ii) not sighted on a skyline; and (iii) if a wind turbine, not located within 60m of a dwelling in other ownership nor within 30m of a public road. <p>(b) A building, except a utility structure must be –</p> <ul style="list-style-type: none"> (i) located not less than 15m below the level of any adjoining ridgeline; and (ii) not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland. (iii) Clad and roofed with materials with a light reflectance value of less than 40%. 	
<p>13.4.3–(A5) Area for the display, handling of good, storage or waste must not be located in front of the building line.</p>	<p>Not applicable. No building proposed.</p>
<p>13.4.4 Acoustic and visual privacy for residential development</p>	
<p>13.4.4–(A1) A door or window to a habitable room or any part of a balcony, deck, roof garden, parking space or carport of a building must:</p>	<p>Not applicable. No building proposed.</p>

<p>(a) be not less than 10.0m from a side boundary and 10.0m from a rear boundary to adjoining land in any zone for residential purposes; or</p> <p>(b) be not less than 10.0m from a door or window to a habitable room or any part of a balcony, deck, or roof garden in an adjacent dwelling.</p>	
<p>13.4.4–(A2) An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a distance of not less than 5.0m horizontally from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.</p>	<p>Not applicable. No building proposed.</p>
<p>13.4.5 Private open space for multiple dwelling residential use</p>	
<p>13.4.5–(A1) Each dwelling in a multiple dwelling must have external private open space that:</p> <p>(a) is accessible from the dwelling;</p> <p>(b) comprises an area of not less than 50.0m²;</p> <p>(c) has a minimum dimension of 5.0m; and</p> <p>(d) has a gradient of not more than 1 in 10.</p>	<p>Not applicable. No multiple dwelling development proposed.</p>

13.4.5–(A2) The required minimum private open space area must be capable of receiving at least three hours of sunlight between 9.00am and 3.00pm on 21 June.	Not applicable. No multiple dwelling development proposed.
13.4.6 Setback of development for sensitive use	
<p>13.4.6–(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 setback distance from the zone boundary. 	Not applicable. No building proposed.
<p>13.4.6–(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. 	Not applicable. No building proposed.

13.4.7 Subdivision	
<p>13.4.7–(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.</p>	<p>(a) Compliant. The lot is zoned Rural Living and is intended for residential use.</p> <p>(b) Not applicable. Not for public use by the State government, a Council, a Statutory authority or a corporation.</p>
<p>13.4.7–(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>a. slope, shape, orientation and topography of land;</p> <p>b. an established pattern of lots and development;</p> <p>c. connection to the road network;</p> <p>d. connection to available or planned utilities;</p>	<p>(a) Compliant. Site has frontage to Allegra Drive.</p> <p>(b) Not applicable. Satisfied by (a).</p>

<p>e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a watercourse; or</p> <p>f. exposure to an unacceptable level of risk from a natural hazard; and</p> <p>(ii) without likely impact on the amenity of adjacent land.</p>	
13.4.8 Reticulation of an electricity supply to new lots on a plan of subdivision	
13.4.8-(A1) Electricity reticulation and site connections must be installed underground.	Compliant. Allegra Drive has electricity reticulation.
CODES	
E1 Bushfire-Prone Areas Code	
E1.2 Application of this Code	Code applies because the development is subdivision and land is within a bushfire-prone area.
E1.4 Use or development exempt from this Code	Not exempt from this Code.

E1.5 Use Standards	
E1.5.1 Vulnerable Uses	Not applicable. Not a vulnerable use.
E1.5.2 Hazardous uses	Not applicable. Not a hazardous use.
E1.6 Development Standards	
E1.6.1 Development standards for subdivision	<p>The application is accompanied by a “Bushfire Risk Report” and Hazard Management Plan by Micheal Wells of EnviroPlan dated 30 November 2016, Accreditation No. BFP-128.</p> <p>Refer to the “Bushfire Risk Report” and Hazard Management Plan in Annexure 2.</p>
E1.6.1.1 Subdivision: Provision of hazard management areas	
<p>E1.6.1.1-(A1)</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</p> <p>(b) The proposed plan of subdivision:</p>	<p>(a) Not applicable. Satisfied by (b).</p> <p>(b)(i) Compliant. Plan of subdivision shows all lots.</p> <p>(b)(ii) Compliant. Plan of subdivision shows building areas for each lot.</p>

<p>(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivisions;</p> <p>(ii) shows the building area for each lot;</p> <p>(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas; and</p> <p>(iv) is accompanied by a bushfire hazard management plan for each individual lot, certified by the TFS or accredited person, showing hazard management areas greater than the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas; and</p> <p>(v) applications for subdivision requiring hazard management areas to be located on land that is external to the proposed subdivision must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property</p>	<p>(b)(iii) Compliant. Applicant shows hazard management areas for each lot.</p> <p>(b)(iv) Compliant. Subdivision application is accompanied by a “Bushfire Risk Report” and Hazard Management Plan, certified by TFS accredited person Micheal Wells of EnviroPlan, Accreditation No. BFP-128.</p> <p>(b)(v) Not applicable. No Part 5 Agreement required.</p>
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providing for the affected land to be managed in accordance with the bushfire hazard management plan.	
E1.6.1.2 Subdivision: Public and fire fighting access	
<p>E1.6.1.2-(A1)</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of property access to building areas, and which complies to the extent necessary with Tables E3, E4 & E5, is included in a bushfire hazard management plan certified by the TFS or accredited person.</p>	<p>(a) Not applicable. Satisfied by (b).</p> <p>(b) Compliant. Subdivision application is accompanied by a "Bushfire Risk Report" and Hazard Management Plan certified by TFS accredited person Micheal Wells of EnviroPlan, Accreditation No. BFP-128 who certifies that the proposed subdivision meets the requirements of Table E4 "Standards for Property Access".</p>
E1.6.1.3 Subdivision: Provision of water supply for fire fighting purposes	
<p>E1.6.1.3-(A1) In areas serviced with reticulated water by the water corporation:</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes; or</p> <p>(b) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for</p>	<p>Not applicable.</p> <p>No reticulated water service available.</p>

<p>fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire; or</p> <p>(c) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E6.</p>	
<p>E1.6.1.3–(A2) In areas that are not serviced by reticulated water by the water corporation:</p> <p>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes; or</p> <p>(b) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire; or</p> <p>(c) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E7.</p>	<p>(a) Not applicable. Satisfied by (c).</p> <p>(b) Not applicable. Satisfied by (c).</p> <p>(c) Compliant. Subdivision application is accompanied by a “Bushfire Risk Report” and Hazard Management Plan certified by TFS accredited person Micheal Wells of EnviroPlan, Accreditation No. BFP–128 who certifies that proposed subdivision meets requirements of Table E7 “Static Water Supply for Fire Fighting”.</p>

E2 Airport Impact Management Code	Not applicable. Not in this Scheme.
E3 Clearing and Conversion of Vegetation Code	Not applicable. No land clearance or conversion of vegetation proposed.
E4 Change in Ground Level Code	Not applicable. No cut and fill greater than 1 m.
E5 Local Heritage Code	Not applicable. No places of local heritage listed in this Scheme.
E6 Hazard Management Code	Not applicable. The site is not located within an area of landslide or erosion or inundation risk.
E7 Sign Code	Not applicable. No signage proposed.
E8 Telecommunication Code	Not applicable. No telecommunications facility proposed.
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>Compliant. The existing dwelling on Lot 2 makes provision for two car parking spaces. No specific requirement is set under the Scheme for vacant Rural Resource land. Rather, development must provide for the number of workers that may attend the site.</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. No specific requirement is set under the Scheme. The development must provide for the number of workers that may attend the site.</p> <p>(b) Not applicable. Passenger pick-up and set-down facilities not required.</p>

E9.6 Development Standards	
E9.6.1 Design of vehicle parking and loading areas	
E9.6.1 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and	<p>Compliant.</p> <p>Existing dwelling on Lot 2 is required to collect and dispose of stormwater.</p>
<p>E9.6.1 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p>	<p>(a) Compliant by a Condition to a Permit.</p> <p>(b) Compliant by a Condition to a Permit.</p> <p>(c) Not applicable.</p> <p>(d) Not applicable.</p> <p>(e) Not applicable.</p> <p>(f) Compliant.</p> <p>(g) Compliant by a Condition to a Permit.</p>

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<p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	
<p>E9.6.2–(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.</p>	<p>Compliant by a Condition to a Permit.</p>
<p>E10 Water and Waterways Code</p>	
<p>E10.2 Application of this Code</p>	<p>Applicable. Subdivision boundary is within 30m of a water body.</p>
<p>E10.4 Use or development exempt from this Code</p>	
<p>E10.4.1</p> <p>Use or development is exempt from this Code if –</p>	<p>(a) Not exempt. Not for risk management, emergency or rescue purposes.</p>

<ul style="list-style-type: none"> (a) for risk management, emergency, or rescue purposes; (b) works undertaken in accordance with a reserve management plan; (c) control of declared weeds; or (d) crop protection structures on existing cleared agricultural land that do not collect stormwater for concentrated disposal. 	<ul style="list-style-type: none"> (b) Not exempt. No reserve management plan. (c) Not exempt. No declared weeds. (d) Not exempt. Not for crop protection.
E10.6 Development Standards	
E10.6.1 Development in proximity to a water body, watercourse, or wetland	
<p>E10.6.1–(P1) Development must:</p> <ul style="list-style-type: none"> (a) minimise risk to the function and values of a water body, watercourse, or wetland ^{R37}, including for: <ul style="list-style-type: none"> (i) hydraulic performance; (ii) economic value; (iii) water based activity; (iv) disturbance and change in natural ground level; 	<p>Applicable. The definition of “development” includes the subdivision of land.</p> <p>Proposed Lot 1 would adjoin a water body and other drainage watercourses transect the site.</p> <p>The application is based on the realignment of boundary lines, with no ground works proposed to affect the arrangement of new lots.</p> <p>As no works are proposed to affect the division of land, the proposal satisfies E10.6.1–(P1).</p>

<ul style="list-style-type: none"> (v) control of sediment and contaminants; (vi) public access and use; (vii) aesthetic or scenic quality; (viii) water quality management arrangements for stormwater and sewage disposal; (ix) modification of a natural drainage channel; (x) biodiversity and ecological function; (xi) level of likely risk from exposure to natural hazards of flooding and inundation; and (xii) community risk and public safety; and <p>(b) be consistent with any advice or decision of a relevant entity administering or enforcing compliance with an applicable protection and conservation regulation for:</p> <ul style="list-style-type: none"> (i) impact of the development on the objectives and outcomes for protection of the water body, watercourse or wetland; and (ii) any condition or requirement for protection of the water body, watercourse or wetland. 	<p>Note – the clearance of land has occurred in the area identified as Lot 1. This is a matter separate to this application for the division of land.</p> <p>Refer to “Issues” section of this report.</p>
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E10.6.2 Development in a shoreline area	
<p>E10.6.2–(P1) Development must:</p> <ul style="list-style-type: none"> (a) be required to locate in, over, on or under the shoreline, sea or tidal waters for operational efficiency; (b) avoid unreasonably or unnecessary impact on existing or potential access by the public to shoreline land or waters; (c) minimise impact on scenic quality of the sea-shore area; (d) minimise impact on amenity or aesthetic appearance of the sea-shore area as a result of: <ul style="list-style-type: none"> (i) nature and operational characteristics of the development; (ii) location; (iii) bulk, size, and overall built form of any building or work; (iv) overshadowing; or (v) obstruction of views from a public place; and (e) minimise immediate or cumulative adverse effect for: 	<p>Not applicable.</p> <p>No development within a shoreline area.</p>

<ul style="list-style-type: none"> (i) tidal, wave, current, or sediment movement processes; (ii) coastal landforms, seabed, and other geomorphic features, including sand dunes and mobile landforms; (iii) vulnerability to erosion and recession; (iv) natural cycles of deposition and erosion; (v) conservation of biodiversity and marine habitat, including during critical lifecycle stages of individual and migratory species; (vi) drainage from a water course, wetland, ground water, flood, stormwater, or tidal water; (vii) coastal water quality; (viii) likely interference or constraint on use of public areas; (ix) any scientific, architectural, aesthetic, historic or special cultural value; (x) exposure to or increased risk from a natural hazard, including sea level rise, storm surge, or inundation as a result of climate change; 	
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<ul style="list-style-type: none"> (xi) coastal protection and rehabilitation works required to address erosion, instability, regression, or inundation; (xii) collection, treatment, and disposal of waste, including bilge waters and excavated or dredged sediment; (xiii) economic activity dependent for operational efficiency on a sea-shore location; (xiv) public safety and emergency services; (xv) marine navigation and communication systems; (xvi) safety of recreational boating; and (xvii) be consistent with the current edition of Tasmanian Coastal Works Manual DPIPWE 2011. 	
Specific Area Plans	No Specific Area Plans apply to the site.

Issues –

Subdivision of land –

The application for subdivision comprises the reconfiguration of land and the realignment of existing boundary lines. There are no proposed works to affect the creation of the two new Titles in the Rural Resource zone. Further, no application is made for any additional use or development over the land, other than the division of land for primary industry purpose and to effect improved access.

The subdivision would result in a parcel of land (Lot 1) that could be sold and, now clear of vegetation, has the appearance of a Rural Living allotment. However, the land remains in the Rural Resource zone and any future use of the land would remain subject to the Scheme's standards for development in the Rural Resource zone. As such, future use or development would be subject to examination and assessment by the Council and, if required, by the broader community.

Right-of-way to Lot 2 –

The legal right-of-way to the current and proposed Lot 2 is 5m wide. The Scheme requires a right-of-way to be 6m wide.

The formed road and legal access is existing and the reconfiguration of land would not result in an increase in traffic movements to the proposed Lot 2 that accommodates a single dwelling and resource development activity (a small orchard).

Clearance of vegetation within 30m of a water body –

Clearance of vegetation over much of the western area of Lot 1 has recently occurred, including along stormwater drainage lines and adjacent the central dam. This matter came to the attention of Council staff when site photographs were recently taken, in relation to the subject application.

A Planning Permit is required if vegetation clearance is to occur within 30m of a water body or water course. No Permit for clearance has been issued, so this is a matter of land use enforcement and the land owners will be asked to make application for a Planning Permit, for the land clearance, separate to this application for the division of land by way of the reconfiguration of Titles. This would allow for all relevant Standards required under the Scheme for land clearance to be examined.

The matter has also been referred to the Forest Practices Authority for inspection and investigation under the *Forest Practices Act 1985*, as clearance of an area greater than 1 ha, unless deemed to be exempt by a Forest Practices Officer, requires works to be undertaken in accordance with an approved Forest Practices Plan (FPP).

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	No comment.
TasWater	Refer to Submission to Planning Authority Notice TWDA 2016/01926-CC. See Annexure 5.
Department of State Growth	No comment.
Environment Protection Authority	No comment.
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 A covenant on the Title of 83 Allegra Drive restricts the subdivision of land.	This is correct. A covenant over 83 Allegra Drive, Heybridge (CT 154629/7) restricts the subdivision of land if it reduces the area of the land. Whilst it is proposed the boundaries to 83 Allegra Drive be changed, the proposal would not result in a reduction of land area. The boundary adjustments would take 555m ² of land from 83 Allegra Drive, to widen the access to the proposed Lot 1 (Rural Resource land) and replace the land loss with a 555m ² area of land on the eastern boundary of the Rural Living allotment. Therefore, 83 Allegra Drive would retain a total land area of 1.1 ha.
2 The subdivision may result in increased traffic and noise by those accessing the new Lot 1.	<p>The land identified as Lot 1 currently has legal access via two defined rights-of-way off Allegra Drive (over land identified as 85 Allegra Drive). The proposal would not change this matter.</p> <p>The boundary realignments to 83 Allegra Drive are to improve access arrangements and to accommodate a road that has recently been constructed on the land.</p>

3 The land has been cleared of bushland, exposing a creek, dam and gully and endangering fresh water lobster habitat.	<p>This is correct.</p> <p>Refer to “Issues” section above.</p>
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RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure.

CONCLUSION

It is considered there are minimal issues in relation to the proposed realignment of the two Titles that comprise 76 Reynolds Road. The zoning of the land would remain as existing. Access and use of the land would be as existing and remain somewhat limited by the characteristics of the land.

The boundary line adjustments, relative to 83 Allegra Drive, would not result in a reduction of land area over that allotment and would not take away, or add to, legal rights of access that burden 85 Allegra Drive and benefit 76 Reynolds Road.

Recommendation –

It is recommended that the application for Subdivision – two lots and boundary realignments at 76 Reynolds Road, Heybridge and 83 Allegra Drive, Heybridge be approved, subject the following conditions:

- 1 The development must be substantially in accordance with the plans by Michell Hodgetts & Associates Pty Ltd dated 10 October 2016.
- 2 The development must be in accordance with the Bushfire Risk Report and Hazard Management Plan by Micheal Wells of EnviroPlan, Accreditation No. BFP-128 dated 30 November 2016.

- 3 Driveways and vehicle parking and manoeuvring areas must be constructed with a compacted sub-base and an all-weather surface.
- 4 The collection, drainage and disposal of stormwater from vehicle parking and manoeuvring areas to an approved stormwater system.
- 5 The development must be in accordance with TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2016/01926-CC dated 22 December 2016 (copy attached).

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 engineering drawings and the physical commencement of infrastructure works on the site or bank guarantee to undertake such works.'

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 Howard moved and Cr Viney seconded, "That the application for Subdivision – two lots and boundary realignments at 76 Reynolds Road and 83 Allegra Drive, Heybridge be approved, subject the following conditions:

- 1 The development must be substantially in accordance with the plans by Michell Hodgetts & Associates Pty Ltd dated 10 October 2016.
- 2 The development must be in accordance with the Bushfire Risk Report and Hazard Management Plan by Micheal Wells of EnviroPlan, Accreditation NO BFP-128 dated 30 November 2016.
- 3 Driveways and vehicle parking and manoeuvring areas must be constructed with a compacted sub-base and an all-weather surface.

- 4 The collection, drainage and disposal of stormwater from vehicle parking and manoeuvring areas to an approved stormwater system.
- 5 The development must be in accordance with TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2016/01926-CC dated 22 December 2016 (copy attached) (a copy being appended to and forming part of the minutes).

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 engineering drawings and the physical commencement of infrastructure works on the site or bank guarantee to undertake such works."

Carried unanimously

19/2017 Use of the Council's roads for Targa Tasmania – 26 April 2017

The Director Community Services reported as follows:

"The Cultural Facilities & Events Officer has prepared the following report:

'PURPOSE

The purpose of this report is to consider closure and use of the Council's roads on 26 April 2017 for Targa Tasmania 2017.

BACKGROUND

At its meeting on 25 October 2004 the Council resolved (Minute No. 402/2004) as follows:

"That the promoters of motor-vehicle rallies and trials be advised that the Council will not consider applications for road closures for rally stages in the Central Coast municipal area unless the application is received not later than 15 weeks prior to the event and is accompanied by evidence of:

- 1 written notification having been sent to harvesting contractors and companies (including transporters of timber products), milk transport contractors and companies, and tourism authorities and operators;
- 2 written notification having been sent to all residents on that part of the road for which road closures are being requested; and
- 3 public notification of any new event having been twice advertised in a daily newspaper circulating in the municipal area;

advising that an application for road closures is being submitted, and that residents and road users should contact the promoter and the Council not later than 13 weeks prior to the event if they have concerns over the closures;

and further that, following any approval having been given by the Council for road closures, the promoter is to undertake public notification of the event by a minimum of two advertisements in a daily newspaper circulating in the municipal area in the weeks immediately preceding the event."

The Council, at its meeting on 19 February 2007 (Minute No. 75/2007), included in the motion to approve the road closures for Targa, a condition that, "...future requests for road closures will be denied unless an annual, suitable 'Targa event', acceptable to the Council, is staged within the municipal area."

The Council has received the following correspondence from the Clerk of Course, Targa Australia, which reads as follows:

"I wish to make application to council seeking in principal support of proposed road closures in connection with the international tarmac rally Targa Tasmania.

The event is scheduled to cover a statewide route from Monday 24th April to Saturday 29th May 2017, with all activities relating to the Central Coast municipality concentrated on Wednesday 26th April.

In accordance with the conditions of the Tasmania Police motor sport permits policy; I request approval in principal for the use and closure of the following roads for a maximum period of four and a half hours:

LEG THREE – WEDNESDAY 26th APRIL

MUNICIPALITY OF KENTISH AND CENTRAL COAST

'CASTRA'	Road Closure: 11:54 – 16:24
ROAD CLOSED:	BETWEEN FOLLOWING ROADS:
Back Road	Wilmot Road and Spellmans Road
Spellmans Road	Back Road and Castra Road

MUNICIPALITY OF CENTRAL COAST

'GUNNS PLAINS'	Road Closure: 12:14 – 16:44
ROAD CLOSED	BETWEEN FOLLOWING ROADS
Central Castra Road	Castra Road and Preston-Castra Road
Preston-Castra Road	Central Castra Road and Preston Road
Preston Road	Preston-Castra Road and Raymond Road
Raymond Road	Preston Road and Gunns Plains Road

MUNICIPALITY OF CENTRAL COAST AND CITY OF BURNIE

'RIANA'	Road Closure: 12:32 – 17:02
ROAD CLOSED:	BETWEEN FOLLOWING ROADS:
Lowana Road	Marshalls Bridge Road and South Riana Road
South Riana Road	Lowana Road and Upper Natone Road
Upper Natone Road	South Riana Road and Camena Road
Camena Road	Upper Natone Road and Stotts Road
Stotts Road	Camena Road and Wyllies Road

In accordance with councils policy regarding road closures for rally stages I can confirm Targa Australia has provided written notification of the proposed road closures and the rout [sic] of Targa Tasmania 2017 to companies and contractors including road transport, harvesting and tourism operators. As in the past this notification will be followed up by further documentation.

Targa Australia has also provided written notification to residents on the sections of roads affected by the road closures specific to the targa stage on which those roads fall. Please find copies of these attached. Further to this Targa Australia will be issuing further letters to residents.

Specifically the following Central Coast resident's addresses with written advice regarding road closures.

Thank you in anticipation, should you require further information please do not hesitate to contact me.

Castra Targa Stage

Spellmans Rd	445	Eastleys Rd	385
	410		259
	385		???
	310		???
	259		289
	179		75
	155		
	99		
	80		
	65		
	609		
	9		

Gunns Plains Targa Stage

Central Castra Rd	9	Preston-Castra Rd	300
	19		299
	80		184
	109		163
	199		140
	345		
	379		
Preston Rd	1633	Goulds Rd	3
	1634		65
	1636		
	1638	Raymond Rd	130
	1641		150
	1647		161
	1648		170
	1668		220
	1667		299
	1709		319
	1747		321
	1749		468
	1777		510

Riana Targa Stage

Lowana Rd	230	South Riana Rd	1730
	224		1655
	209		1603
	180		1601

	160	1512
	84	1462
		1335
Stotts Rd	754	1336
	669	1275
	576	1259
	494	1212
	450	1179
	398	1137
	329	????
		1089
Bennetts Rd	95	1077
	90	1033
		1002
Hornes Rd	51	997
	63	996
	214	918
	???	???
		862
		787
		759
		744
		743
		729
		617
		608
		542
		425
		414
		387

Masters road, Loyetea road, Jansens road and Barkers road done via Australia Post (South Riana Shop)."

Letters to residents were posted on Monday, 19 December 2016. Copies of maps provided with the correspondence are attached at Annexure 1.

DISCUSSION

Resealing works have recently been completed on South Riana Road at Lees Park and this section will be covered in loose gravel. South Riana Hill has been reduced to one lane with appropriate signage in place.

Targa officials have been advised of these sections. It was decided that the sections would be acceptable to traffic but that further inspection would be required closer to the event to confirm this. If it is decided that these sections cannot be included in a racing stage, there are other options available to Targa to change driver behaviour at those locations.

The Council has not received any representations.

Discussions were held with Targa officials on 24 November 2016, as to a suitable 'Targa event', acceptable to the Council, to be staged within the municipal area. University of Tasmania and TAFE Tasmania were contacted to gain their interest in collaborating on an educational event based around Targa, although unfortunately this idea has not attracted any support.

The requested road closures in Central Coast area as follows:

Wednesday, 26 April –

from 11.54am to 4.24pm

- . Spellmans Road – from municipal boundary to Castra Road; and

from 12.14pm to 4.44pm

- . Central Castra Road – from Castra Road to Preston–Castra Road;
- . Preston–Castra Road – from Central Castra Road to Preston Road;
- . Preston Road – from Preston–Castra Road to Raymond Road;
- . Raymond Road – from Preston Road to Gunns Plains Road; and

from 12.32pm to 5.02pm

- . Lowana Road – from Marshalls Bridge Road to South Riana Road;
- . South Riana Road – from Lowana Road to Blythe River;
- . Camena Road – from Blythe River to Stotts Road;
- . Stotts Road – from Camena Road to Wyllies Road.

The proposed non-competition uses do not require approval. Closure to the public only applies to competition stages.

CONSULTATION

The Clerk of Course has advised that notifications requested by the Council have been implemented.

No representations regarding the event have been received by the Council following Targa's mail-out to affected residents.

RESOURCE, FINANCIAL AND RISK IMPACTS

The Engineering Group Leader advises as follows:

"The Council's roads are currently to a standard applicable to normal rural traffic only and are maintained accordingly.

Any damage to any of the roads used for the rally should be reinstated by the Council (or the Council's contractor) at the organiser's expense."

CORPORATE COMPLIANCE

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

The Shape of the Place

- Conserve the physical environment in a way that ensures we have a healthy and attractive community

A Connected Central Coast

- Improve community well-being

Community Capacity and Creativity

- Cultivate a culture of creativity in the community

The Environment and Sustainable Infrastructure

- Contribute to a safe and healthy environment
- Contribute to the preservation of the natural environment.

CONCLUSION

It is recommended that no objection be offered to the requested road closures for Targa Tasmania 2017 and also subject to Targa Australia:

- 1 maintaining its standard organisational arrangements;
- 2 following this approval having been given by the Council, undertaking public notification of the event by a minimum of two advertisements in a daily newspaper circulating in the municipal area in the weeks immediately preceding the event;

- 3 meeting the cost of the Council reinstating any damage to any of the roads used for the Rally;
- 4 subject to Council approval, arranging for the repair of any road or road infrastructure damage within two weeks of the event;
- 5 arranging same-day repairs of any fences damaged during the Rally; and further,
- 6 that Targa Australia be advised that the Council's roads are currently to a standard applicable to normal rural traffic only and are maintained accordingly.'

The report is supported."

The Executive Services Officer reported as follows:

"Copies of the promoter's supporting information have been circulated to all Councillors."

■ Cr Viney moved and Cr Broad seconded, "That no objection be offered to the requested road closures for Targa Tasmania 2017, and also subject to Targa Tasmania:

- 1 maintaining its standard organisational arrangements;
- 2 following this approval having been given by the Council, undertaking public notification of the event by a minimum of two advertisements in a daily newspaper circulating in the municipal area in the weeks immediately preceding the event;
- 3 meeting the cost of the Council reinstating any damage to any of the roads used for the Rally;
- 4 subject to Council approval, arranging for the repair of any road or road infrastructure damage within two weeks of the event;
- 5 arranging same-day repairs of any fences damaged during the Rally; and further,
- 6 that Targa Australia be advised that the Council's roads are currently to a standard applicable to normal rural traffic only and are maintained accordingly."

Carried unanimously

INFRASTRUCTURE SERVICES

20/2017 Infrastructure Services determinations

The Director Infrastructure Services reported as follows:

“A Schedule of Infrastructure Services Determinations made during the month of December 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 Downie moved and Cr Tongs seconded, “That the Schedule of Infrastructure Services Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

ORGANISATIONAL SERVICES

21/2017 **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 December 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 Broad 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

22/2017 **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 December 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:

- . Email relating to proposed works at 22 George Street, Ulverstone.

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.”

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

Carried unanimously

23/2017 Common seal

The Director Organisational Services reported as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 13 December 2016 to 23 January 2017 is submitted for the authority of the Council to be given. Use of the common seal must first be authorised by a resolution of the Council.

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

The Executive Services Officer reported as follows:

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

■ Cr Tongs moved and Cr Howard seconded, “That the common seal (a copy of the Schedule of Documents for Affixing of the Common Seal being appended to and forming part of the minutes) be affixed subject to compliance with all conditions of approval in respect of each document, and that the advice of final plans of subdivision sealed in accordance with approved delegation and responsibilities be received.”

Carried unanimously

24/2017 Financial statements

The Director Organisational Services reported as follows:

“The following principal financial statements of the Council for the period ended 31 December 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 Downie moved and Cr Tongs seconded, “That the financial statements (copies being appended to and forming part of the minutes) be received.”

Carried unanimously

25/2017 Rate remissions

The Director Organisational Services reported as follows:

“The following remissions are proposed for the Council’s consideration:

<i>PROPERTY NO.</i>	302330.0260
<i>PROPERTY ADDRESS</i>	Braddons Lookout Road, Leith
<i>REMISSION</i>	\$223.22
<i>REASON</i>	Property deemed to be valueless. (Refer Minute No. 611/95 – 11.12.1995)
<i>PROPERTY NO.</i>	504725.0040
<i>PROPERTY ADDRESS</i>	Goulds Road, Preston
<i>REMISSION</i>	\$270.00
<i>REASON</i>	Remit the General Rate charged incorrectly to the Crown on land described as Park Road Reserve.
<i>PROPERTY NO.</i>	101130.0120
<i>PROPERTY ADDRESS</i>	40 Maskells Road, Ulverstone
<i>REMISSION</i>	\$441.18
<i>REASON</i>	Remit 50% of General Rate for Club. (Refer Minute No. 448/2000 – 30.10.2000)

The Executive Services Officer reported as follows:

“The *Local Government Act 1993* provides that a council, by absolute majority, may grant a remission of all or part of any rates.”

■ Cr Viney moved and Cr Broad seconded, “That the following remissions be approved:

- . Property No. 302330.0260 – \$223.22
- . Property No. 504725.0040 – \$270.00
- . Property No. 101130.0120 – \$441.18”

Carried unanimously and by absolute majority

26/2017 Debtor remission

The Director Organisational Services reported as follows:

“The following debtor remission is proposed for the Council’s consideration:

<i>DEBTOR NO.</i>	959550
<i>REMISSION</i>	\$48.00
<i>REASON</i>	Debts for Resource Recovery Centre entry fees, June 2015 (docket numbers 22538, 22542, 22587 and 22594) regarded as not recoverable as per advice from Tasmanian Collection Service that the debtor has declared themselves bankrupt."

- Cr Viney moved and Cr Howard seconded, "That the following remission be approved:

. Debtor No. 959550 – \$48.00."

Carried unanimously

27/2017 Public question time

With the time being 6.24pm and the Council about to proceed into the closed section of the meeting, the Mayor advised that should any members of the public arrive for public question time prior to the closure of the meeting, the meeting would be re-opened to the public.

CLOSURE OF MEETING TO THE PUBLIC

28/2017 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 Tongs moved and Cr Viney 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 6.24pm.

29/2017 Confirmation of Closed session minutes

The Executive Services Officer reported (reproduced in part) as follows:

“The Closed session minutes of the previous ordinary meeting of the Council held on 12 December 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

30/2017 Minutes and notes of other organisations and committees of the Council

The General Manager reported (reproduced in part) 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.”

Closure

There being no further business, the Mayor declared the meeting closed at 6.34pm.

CONFIRMED THIS 20TH DAY OF FEBRUARY, 2017.

Chairperson

(Imm:lb)

Appendices

- Minute No. 15/2017 – Schedule of Statutory Determinations
- Minute No. 17/2017 – Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2016/01824-CC at 10 Esplanade, Turners Beach – Application No. DA215102
- Minute No. 18/2017 – Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2016/01926-CC at 76 Reynolds Road, Heybridge and 83 Allegra Drive, Heybridge – Application No. DA216098
- Minute No. 20/2017 – Schedule of Infrastructure Services Determinations
- Minute No. 21/2017 – Schedule of Contracts & Agreements
- Minute No. 23/2017 – Schedule of Documents for Affixing of the Common Seal
- Minute No. 24/2017 – Financial statements

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-Dec-2016 To 31-Dec-2016

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
DA216049	15 Tasmania Street Leith 7315	Discretionary Development Application	Residential (dwelling extension)	26-Sep-2016	06-Dec-2016	28
DA216057	505 Castra Road Abbotsham 7315	Discretionary Development Application	Change of Use - Manufacturing and Processing (assembly of furniture)	10-Oct-2016	16-Dec-2016	58
DA216081	South Nietta Road Nietta 7315	Discretionary Development Application	Resource Development - (outbuilding - barn and tool shed)	20-Oct-2016	01-Dec-2016	27
DA216083	42 Eastland Drive Ulverstone 7315	Discretionary Development Application	Residential (outbuilding - carport)	31-Oct-2016	01-Dec-2016	28
DA216087	42 Hull Street Leith 7315	Discretionary Development Application	Residential (dwelling extension, shed and conversion of existing garage to studio)	03-Nov-2016	07-Dec-2016	18
DA216019	25 Pine Road Penguin 7316	Discretionary Development Application	Residential (dwelling)	08-Nov-2016	07-Dec-2016	28
DA216073	14 Henslowes Road Ulverstone 7315	Discretionary Development Application	Residential (two lot subdivision)	10-Nov-2016	07-Dec-2016	8
DA214058-2	Lowana Road Gunns Plains 7316	Discretionary Development Application	Residential (dwelling)	11-Nov-2016	06-Dec-2016	6
DA216090	7 Ploverton Court Gawler 7315	Discretionary Development Application	Resource development shed)	14-Nov-2016	15-Dec-2016	28
DA216093	37 Henslowes Road Ulverstone 7315	Discretionary Development Application	Residential (carport)	14-Nov-2016	09-Dec-2016	23
DA216103	11 Mountain View Place Penguin 7316	Discretionary Development Application	Residential (outbuilding- shed)	28-Nov-2016	16-Dec-2016	17
DA216101	Winduss Road Gunns Plains 7316	Discretionary Development Application	Resource development (shed)	28-Nov-2016	16-Dec-2016	17
DA216104	7 Browns Lane Penguin 7316	Discretionary Development Application	Residential (Multiple Dwellings)	29-Nov-2016	23-Dec-2016	16
DA216102	414 South Riana Road South Riana 7316	Permitted Development Application	Residential (Outbuilding - garage)	29-Nov-2016	06-Dec-2016	3

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
DA216114	16 Beach Road Ulverstone 7315	Permitted Development Application	Residential (Boundary adjustment)	08-Dec-2016	21-Dec-2016	11
DA216112	42 Enterprise Avenue Penguin 7316	Permitted Development Application	Subdivision - boundary adjustment	12-Dec-2016	21-Dec-2016	8
DA216117	33 Victoria Street Ulverstone 7315	Permitted Development Application	Hotel Industry (roof replacement)	12-Dec-2016	21-Dec-2016	8

**SCHEDULE OF STATUTORY DETERMINATIONS
MADE UNDER DELEGATION**

Period: 1 December 2016 to 31 December 2016

Building Approvals – 31

<i>Type</i>	<i>No.</i>	<i>Total Value (\$)</i>
Dwellings	8	3,194,000
Flats/Units/Apartments	0	0
Additions/Alterations	10	392,227
Outbuildings	10	266,529
Other	3	854,900
The estimated cost of building works totalled		4,707,656

Permit to Proceed – 1 (\$2,000)

Minor Works Applications – 1

Plumbing Permits – 21

Special Plumbing Permits (on-site wastewater management systems) – 5

Food Business registrations (renewals) – 11

Food Business registrations – 3

Temporary Food Business registrations – 3

Temporary 12 month Food Business Registrations – 5

Public Health Risk Activity Premises Registration – 1

Kennel Licences issued – 1

<i>Address</i>	<i>Owner</i>
10 Ling Street, Ulverstone	Jason & Janine Churchill

Abatement notices issued – 16

<i>Address</i>	<i>Property ID</i>
78 Esplanade, Turners Beach	202050.1140
1 Phoenix Court, Ulverstone	101343.0020
5 Phoenix Court, Ulverstone	101343.0100
6 Phoenix Court, Ulverstone	101343.0120
7 Phoenix Court, Ulverstone	101343.0140
22 Alexandra Road, Ulverstone	100020.0740
126A Trevor Street, Ulverstone	101670.1060
45 Amy Street, West Ulverstone	100080.0500
78 Clara Street, West Ulverstone	100260.1480
27 Westland Drive, West Ulverstone	101850.0260
154 South Road, Penguin	403570.2514
2 Stubbs Court, Penguin	403590.0040


8 Oceanside Boulevard, Sulphur Creek
94 Preservation Drive, Preservation Bay
96 Preservation Drive, Preservation Bay
98 Preservation Drive, Preservation Bay

403042.0120
403485.0090
403485.0095
403485.0097

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a horizontal line and a small 'V' at the end.

Cor Vander Vlist
DIRECTOR COMMUNITY SERVICES

Submission to Planning Authority Notice

Council Planning Permit No.	DA215102	Council notice date	1/12/2016
TasWater details			
TasWater Reference No.	TWDA 2016/01824-CC	Date of response	5/12/2016
TasWater Contact	Jacob Ziesel	Phone No.	6237 8440
Response issued to			
Council name	CENTRAL COAST COUNCIL		
Contact details	planning.cmw@centralcoast.tas.gov.au		
Development details			
Address	10 ESPLANADE , TURNERS BEACH	Property ID (PID)	6979301
Description of development	Extension		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Steven Penton Building Design	Site Plan	02	18/06/2015
Conditions			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater does not object to the proposed development and no conditions are imposed.			
Advice			
<p>For information on TasWater development standards, please visit http://www.taswater.com.au/Development/Development-Standards</p> <p>For application forms please visit http://www.taswater.com.au/Development/Forms</p> <p>The developer is responsible for arranging to locate existing TasWater infrastructure and clearly showing it on any drawings. Existing TasWater infrastructure may be located by TasWater (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor may be engaged at the developers cost to locate the infrastructure.</p>			
Declaration			
The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.			
Authorised by			
 Jason Taylor Development Assessment Manager			
TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

Submission to Planning Authority Notice

Council Planning Permit No.	DA216098	Council notice date	16/12/2016
TasWater details			
TasWater Reference No.	TWDA 2016/01926-CC	Date of response	22/12/2016
TasWater Contact	David Boyle	Phone No.	6345 6323
Response issued to			
Council name	CENTRAL COAST COUNCIL		
Contact details	planning.cmw@centralcoast.tas.gov.au		
Development details			
Address	83 ALLEGRA DR, HEYBRIDGE	Property ID (PID)	3132009
Description of development	2 lot subdivision & boundary realignments		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Michell Hodgetts	214201		10/10/2016
Conditions			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater does not object to the proposed development and no conditions are imposed.			
Advice			
Nil			
Declaration			
The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.			
Authorised by			
 Jason Taylor Development Assessment Manager			
TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au



CENTRAL COAST COUNCIL

SCHEDULE OF INFRASTRUCTURE SERVICES DETERMINATIONS

Period: 1 December 2016 to 31 December 2016

Approval of Roadworks and Services

Developer: R C D & J M Johnson
Location: River Avenue, Heybridge
No. of Lots: 2
Engineer: AJL Consulting Engineers

John Kersnovski
DIRECTOR INFRASTRUCTURE SERVICES

SCHEDULE OF CONTRACTS AND AGREEMENTS

(Other than those approved under the Common Seal)

Period: 1 to 31 December 2016

Contracts

- . Contract No. 6/2016-17
Tox Free Australia Pty Ltd
CBD Area Street Bin Waste Collection Service
Contract amount per receptacle \$4.62 (incl. GST) for weekday collection and disposal – 57 receptacles
Contract amount per receptacle \$6.71 (incl. GST) for weekend collection and disposal – 57 receptacles
- . Contract No 7/2016-17
Tox Free Australia Pty Ltd
Public Area Waste Collection Service
Contract amount per MGB \$3.058 (incl. GST) for twice weekly collection and disposal – 99 receptacles
Contract amount per MGB \$3.058 (incl. GST) for one weekly collection and disposal – 30 receptacles
- . Contract No. 11/2016-17
Pellows Saws and Mowers
Supply and deliver of Toro Groundsmaster 4010-D Wide Area Mower
Contract amount – \$99,801 (incl. GST)
- . Contract No. 12/2016-17
Civilscape Contracting Tasmania Pty Ltd
Reconstruction of the Council, Furner's and Coles car parking area
Contract amount – \$505,488.34 (incl. GST)
- . Contract No. 13/2016-17
S&K Design Building
Provision of Gardening Services in accordance with specification documents for period 1 January 2017 – 31 December 2019
Contract amount – \$38,040 per annum (excl. GST)
- . Contract No. 14/2016-17
S&K Design Building
Provision of Cleaning Services in accordance with specification documents for period 1 January 2017 – 31 December 2019
Contract amount – \$44,454.55 per annum (excl. GST)

- . Contract No. 15/2016-17
Cradle Coast Electrical
Undertake Electrical Maintenance Services in accordance with specification documents for period 1 January 2017 - 31 December 2019
Contract amount - \$59.10 per hour (excl. GST)
- . Contract No. 16/2016-17
ETCS Electrical & Fire
Undertake essential safety and health features and measures
Contract amount - \$50.00 per hour (excl. GST) - Electrical Inspections
Contract amount - \$5.00 per item (excl. GST) - Fire Inspections
Contract amount - \$3.50 per item (excl. GST) - Testing and Tagging

Agreements

- . Grant Funding Agreement
Department of Premier and Cabinet
Australia Day Great Idea Grants 2017
- . Grant Funding Agreement
Cradle Coast Authority
Cape Ivy Blitz
- . Mining Lease - Renewal
Department of State Growth
Barren Knob, Preston
- . Grant Funding Agreement
Department of Infrastructure and Regional Development
Dial Regional Sports Complex, Penguin
- . Crown Land Lease Agreement
Department of Education
Dial Regional Sports Complex, Penguin



Sandra Ayton
GENERAL MANAGER



**SCHEDULE OF DOCUMENTS FOR AFFIXING OF
THE COMMON SEAL**

Period: 13 December 2016 to 23 January 2017

Documents for affixing of the common seal

Nil

Final plans of subdivision sealed under delegation

Final Plan of Survey

Jordans Road, North Motton

Application No. DA214205

Final Plan of Survey

Stages 1A and 5A – Henslowes Road, Ulverstone

Application – SUB2009.15

Sandra Ayton
GENERAL MANAGER

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

	2015/2016		2016/2017	
	\$	%	\$	%
Rates paid in Advance	- 837,326.01	-5.97	- 892,195.10	-6.20
Rates Receivable	295,911.64	2.11	228,216.09	1.58
Rates Demanded	14,561,987.40	103.76	15,038,148.67	104.42
Supplementary Rates	13,621.32	0.10	27,290.64	0.20
	14,034,194.35	100.00	14,401,460.30	100.00
Collected	11,641,450.03	82.95	12,050,809.97	83.68
Add Pensioners - Government	806,857.98	5.75	825,518.49	5.73
Pensioners - Council	31,080.00	0.22	32,025.00	0.22
	12,479,388.01	88.91	12,908,353.46	89.63
Remitted	1,492.86	0.01	-	0.00
Discount Allowed	546,717.29	3.90	583,036.92	4.05
Paid in advance	- 453,164.56	-3.23	- 476,077.66	-3.31
Outstanding	1,462,149.22	10.42	1,386,147.58	9.63
	14,036,582.82	100.00	14,401,460.30	100.00

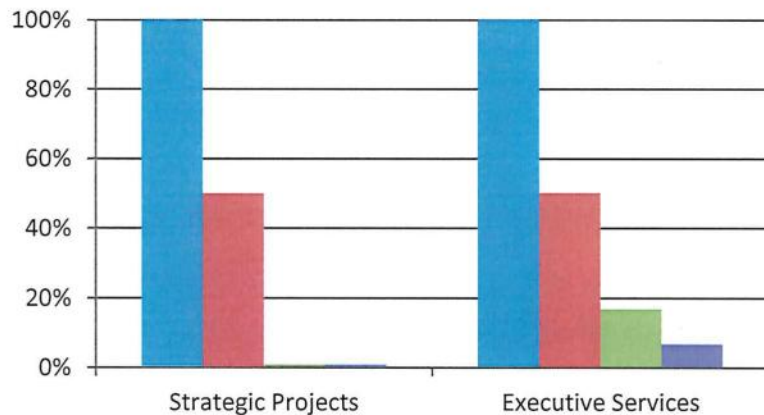
Andrea O'Rourke
ASSISTANT ACCOUNTANT

4-Jan-2017

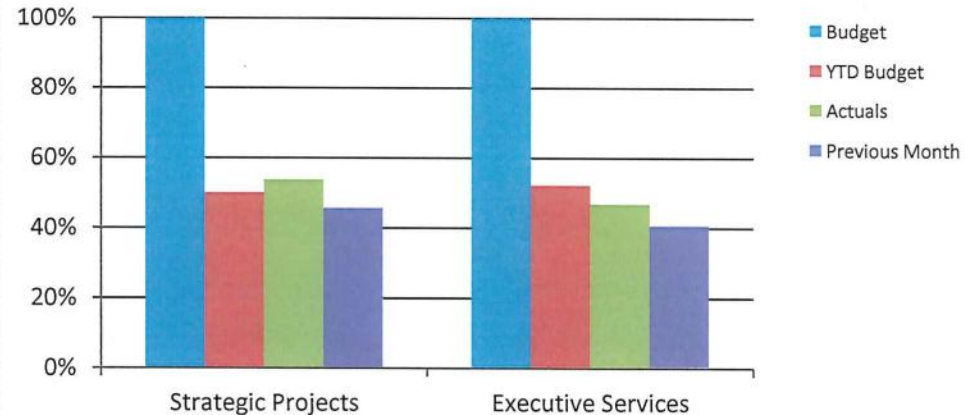
Finance Report – January 2017 meeting

GENERAL MANAGEMENT	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Strategic Projects	(4,373,000)	(2,186,540)	(31,639)	(31,605)	(2,154,901)	(4,341,361)	1%
Executive Services	(16,000)	(8,020)	(2,696)	(1,089)	(5,324)	(13,304)	17%
	\$ (4,389,000)	\$ (2,194,560)	\$ (34,335)	\$ (32,694)	\$ (2,160,225)	\$ (4,354,665)	
Expenses							
Strategic Projects	134,000	67,040	72,037	61,185	(4,997)	61,963	54%
Executive Services	1,490,000	776,940	695,858	603,449	81,082	794,142	47%
	\$ 1,624,000	\$ 843,980	\$ 767,896	\$ 664,634	\$ 76,084	\$ 856,104	

General Management – Revenue



General Management – Expenses



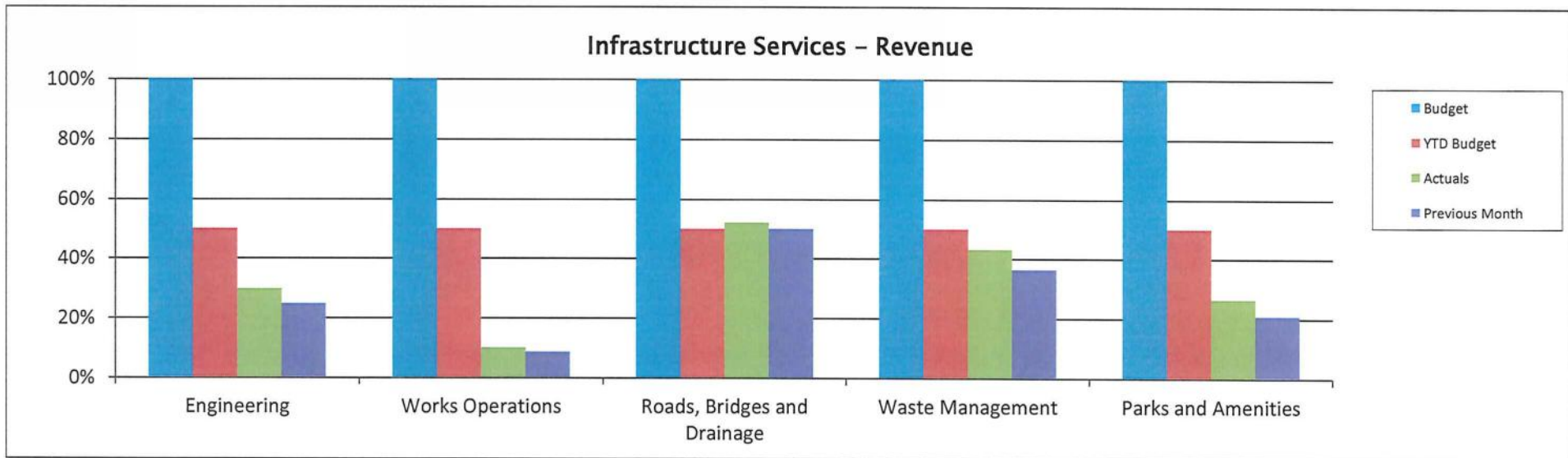
Variance

Strategic Projects
Strategic Projects
Executive Services
Executive Services

Revenue less than YTD budget – Budget timing – sale of property and capital contributions.
Expenditure greater than YTD budget – timing in general.
Revenue less than YTD budget – plant allocated behind budget.
Expenditure less than YTD budget – timing in general.

Finance Report – January 2017 meeting

INFRASTRUCTURE SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Engineering	(1,486,000)	(742,960)	(440,602)	(368,555)	(302,358)	(1,045,398)	30%
Works Operations	(3,953,000)	(1,976,498)	(401,296)	(344,895)	(1,575,202)	(3,551,704)	10%
Roads, Bridges and Drainage	(2,562,200)	(1,281,080)	(1,337,259)	(1,282,137)	56,179	(1,224,941)	52%
Waste Management	(593,500)	(296,740)	(255,851)	(216,419)	(40,889)	(337,649)	43%
Parks and Amenities	(496,250)	(248,114)	(131,083)	(103,163)	(117,031)	(365,167)	26%
	\$ (9,090,950)	\$ (4,545,392)	\$ (2,566,091)	\$ (2,315,169)	\$ (1,979,301)	\$ (6,524,859)	

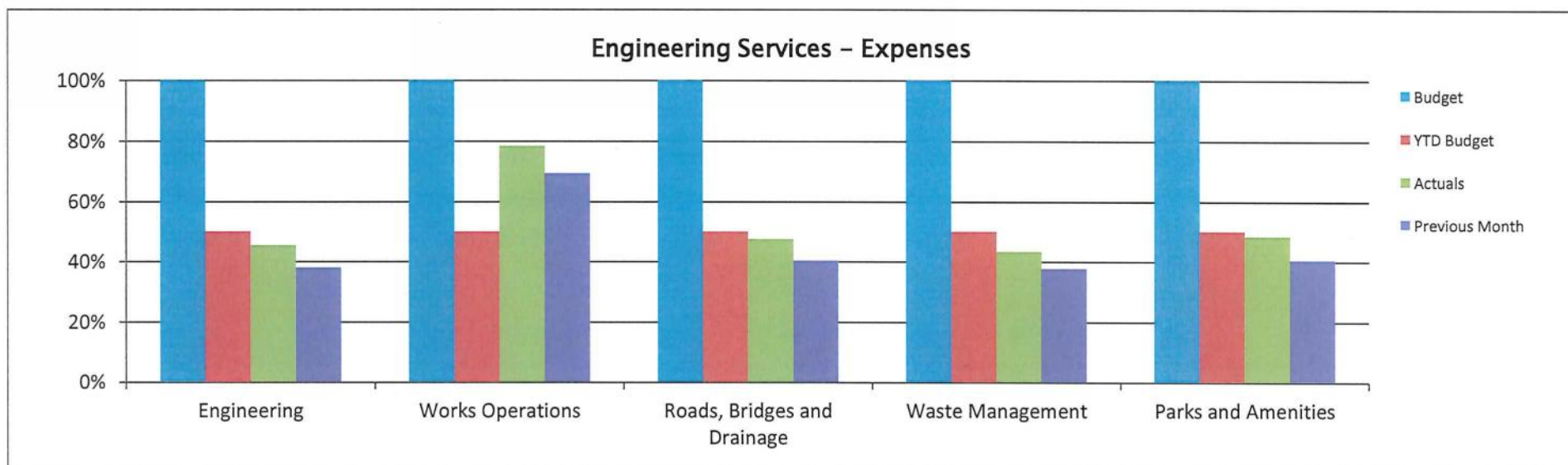


Variance

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 over YTD budget – Timing – capital grants have been 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 – January 2017 meeting

INFRASTRUCTURE SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Expenses							
Engineering	1,486,000	743,060	674,330	564,773	68,730	811,670	45%
Works Operations	1,209,000	604,390	949,562	839,694	(345,172)	259,438	79%
Roads, Bridges and Drainage	6,997,000	3,498,478	3,328,700	2,825,409	169,778	3,668,300	48%
Waste Management	3,587,500	1,793,848	1,557,754	1,355,028	236,094	2,029,746	43%
Parks and Amenities	2,590,250	1,294,850	1,251,500	1,046,587	43,350	1,338,750	48%
	\$ 15,869,750	\$ 7,934,626	\$ 7,761,846	\$ 6,631,491	\$ 172,780	\$ 8,107,904	

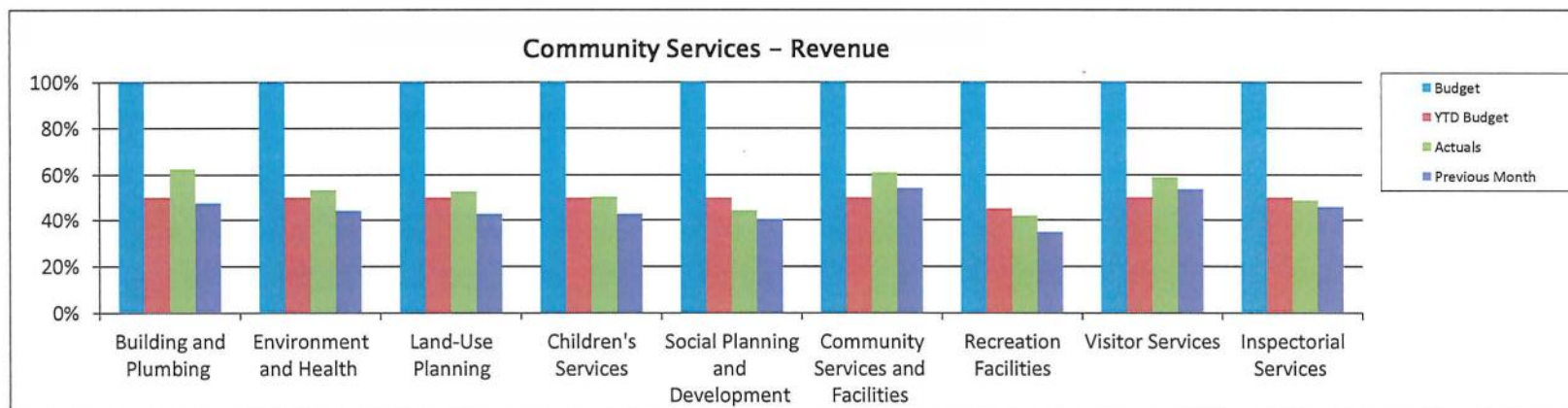


Variance

Engineering	Expenditure under YTD budget – Timing of costs mainly staff costs.
Works Operations	Expenditure over YTD budget – Flood recovery expenses not budgeted for. Will reflect in revenue when grants are received.
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 December not yet received.
Parks and amenities	Expenditure under YTD budget – Timing of costs in general.

Finance Report – January 2017 meeting

COMMUNITY SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Building and Plumbing	(220,000)	(110,020)	(137,647)	(104,532)	27,627	(82,353)	63%
Environment and Health	(70,200)	(35,142)	(37,355)	(30,939)	2,213	(32,845)	53%
Land–Use Planning	(156,000)	(78,060)	(82,026)	(66,850)	3,966	(73,974)	53%
Children's Services	(1,399,000)	(699,400)	(703,106)	(599,588)	3,706	(695,894)	50%
Social Planning and Development	(90,200)	(45,014)	(39,861)	(36,491)	(5,153)	(50,339)	44%
Community Services and Facilities	(786,800)	(393,392)	(480,176)	(425,525)	86,784	(306,624)	61%
Recreation Facilities	(547,000)	(245,902)	(228,625)	(190,238)	(17,277)	(318,375)	42%
Visitor Services	(118,000)	(58,978)	(69,705)	(63,352)	10,727	(48,295)	59%
Inspectorial Services	(189,000)	(94,380)	(91,655)	(86,325)	(2,725)	(97,345)	48%
	\$ (3,576,200)	\$ (1,760,288)	\$ (1,870,157)	\$ (1,603,841)	\$ 109,869	\$ (1,706,043)	

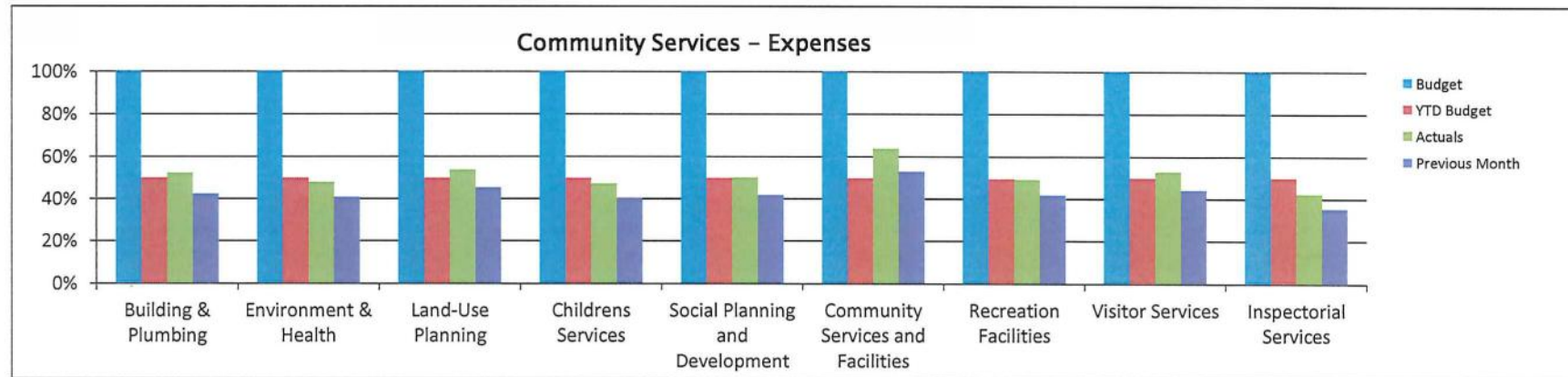


Variance

Building and Plumbing	Revenue greater than YTD budget – Revenue ahead of budget in general.
Environment and Health	Revenue greater than YTD budget – Revenue ahead of budget in general.
Land–Use Planning	Revenue greater than YTD budget – Revenue ahead of budget in general.
Children's Services	Revenue greater than YTD budget – Timing of contribution income.
Social Planning and Development	Revenue less than YTD budget – Timing in general.
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.
Inspectorial Services	Revenue less than YTD budget – timing in general.

Finance Report – January 2017 meeting

COMMUNITY SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Expenses							
Building and Plumbing	474,000	237,050	247,447	138,279	(10,397)	226,553	52%
Environment and Health	338,200	169,142	162,206	262,862	6,936	175,994	48%
Land-Use Planning	577,500	288,700	310,792	111,905	(22,092)	266,708	54%
Children's Services	1,388,000	694,010	656,594	556,351	37,416	731,406	47%
Social Planning and Development	824,900	412,294	414,334	346,761	(2,040)	410,566	50%
Community Services and Facilities	1,243,700	621,320	795,582	661,620	(174,262)	448,118	64%
Recreation Facilities	1,957,300	970,964	966,423	820,729	4,541	990,877	49%
Visitor Services	318,000	158,958	168,762	141,136	(9,804)	149,238	53%
Inspectorial Services	316,000	158,020	134,003	111,905	24,017	181,997	42%
	\$ 7,437,600	\$ 3,710,458	\$ 3,856,142	\$ 3,151,547	\$ (145,684)	\$ 3,581,458	

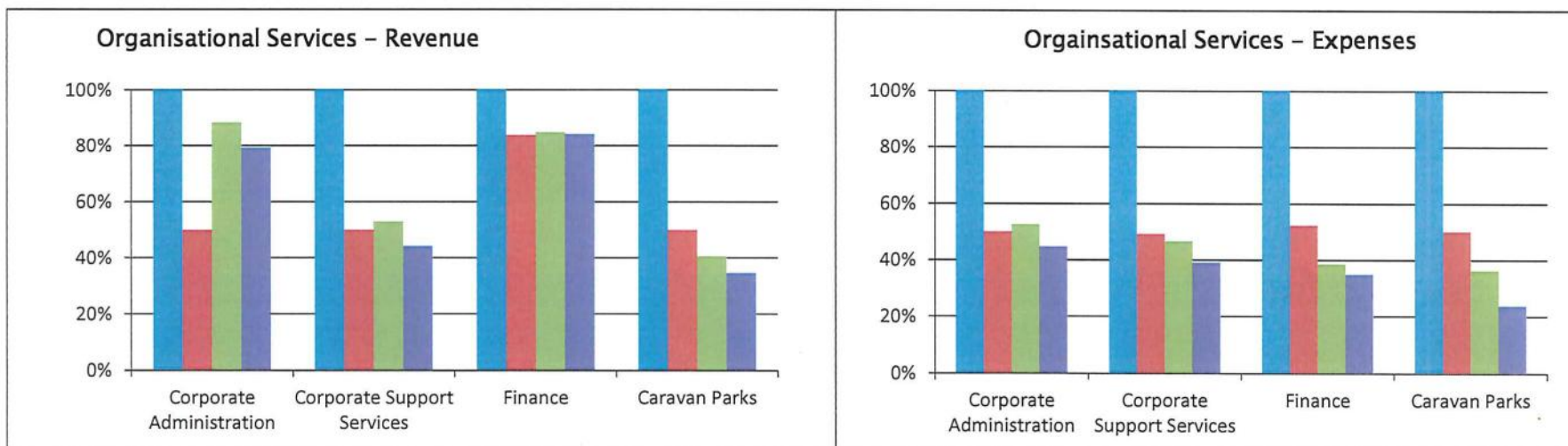


Variance

Building and Plumbing	Actuals greater than YTD budget – minimal variance.
Environment and Health	Actuals less than YTD budget – minimal variance.
Land-Use Planning	Actuals greater than YTD budget – minimal variance.
Children's Services	Actuals less than YTD budget – minimal variance.
Social Planning and Development	Actuals equal to YTD budget.
Community Services and Facilities	Actuals greater than YTD budget – Aged Persons Home Units changes.
Recreation Facilities	Actuals less than YTD budget – minimal variance.
Visitor Services	Actuals more than YTD budget – Due to increased show sale, there is an increase in payments to suppliers, off set by re
Inspectorial Services	Actuals less than YTD budget – Timing of costs in general.

Finance Report – January 2017 meeting

ORGANISATIONAL SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Corporate Administration	(15,200)	(7,580)	(13,401)	(12,028)	5,821	(1,799)	88%
Corporate Support Services	(3,333,000)	(1,666,500)	(1,765,491)	(1,471,901)	98,991	(1,567,509)	53%
Finance	(21,083,000)	(17,675,220)	(17,891,516)	(17,756,848)	216,296	(3,191,484)	85%
Caravan Parks	(139,000)	(69,520)	(56,385)	(48,135)	(13,135)	(82,615)	41%
	\$ (24,570,200)	\$ (19,418,820)	\$ (19,726,793)	\$ (19,288,911)	\$ 307,973	\$ (4,843,407)	
Expenses							
Corporate Administration	571,600	285,750	300,952	138,279	(15,202)	270,648	53%
Corporate Support Services	4,230,000	2,082,540	1,973,997	1,645,889	108,543	2,256,003	47%
Finance	1,817,500	948,740	699,174	632,511	249,566	1,118,326	38%
Caravan Parks	84,000	42,000	30,374	19,914	11,626	53,626	36%
	\$ 6,703,100	\$ 3,359,030	\$ 3,004,497	\$ 2,436,593	\$ 354,533	\$ 3,698,603	



Variance

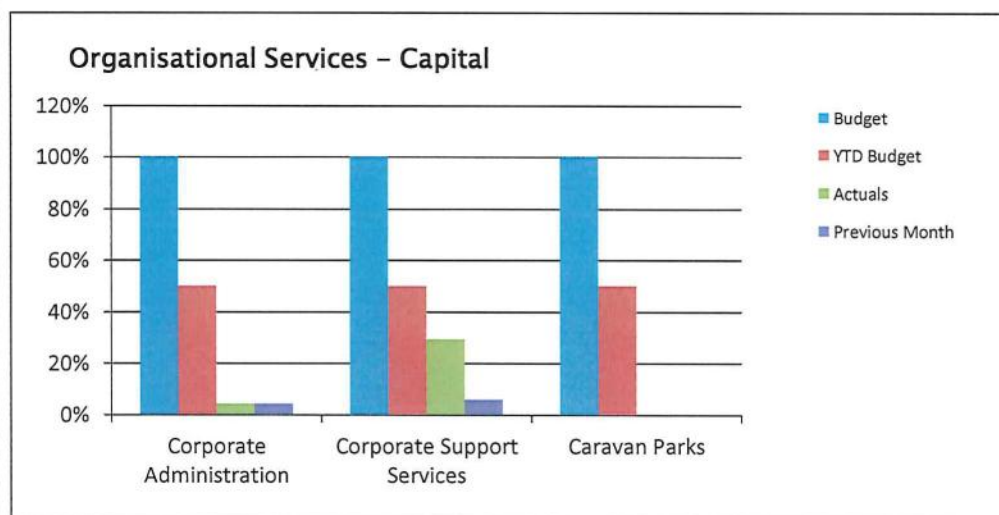
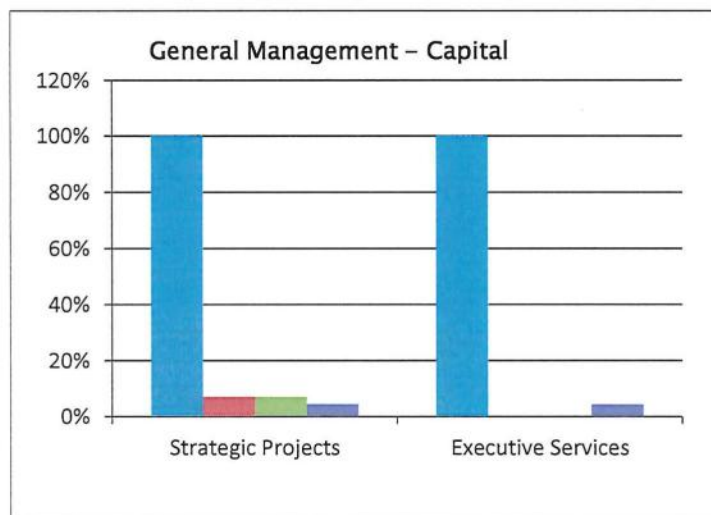
Corporate Administration	Revenue more than YTD Budget – small revenue area and Timing in general.
Corporate Administration	Expenses are more than Budget – Timing in general reflected in increased revenue.
Corporate Support Services	Revenue more than YTD Budget – Timing relating to reimbursements for parental leave.
Corporate Support Services	Expenses less than YTD Budget – Timing in general.
Finance	Revenue more than YTD Budget – Rates reflected at gross amount before rebates and discounts and Dulverton Dividend.
Finance	Expenses less than YTD Budget – Fire Service contribution paid in January.

Finance Report – January 2017 meeting

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
GENERAL MANAGEMENT							
Strategic Projects	6,258,000	3,128,916	434,241	276,596	2,694,675	5,823,759	7%
Executive Services	30,000	–	–	–	–	30,000	0%
	\$ 6,288,000	\$ 3,128,916	\$ 434,241	\$ 276,596	\$ 2,694,675	\$ 5,853,759	

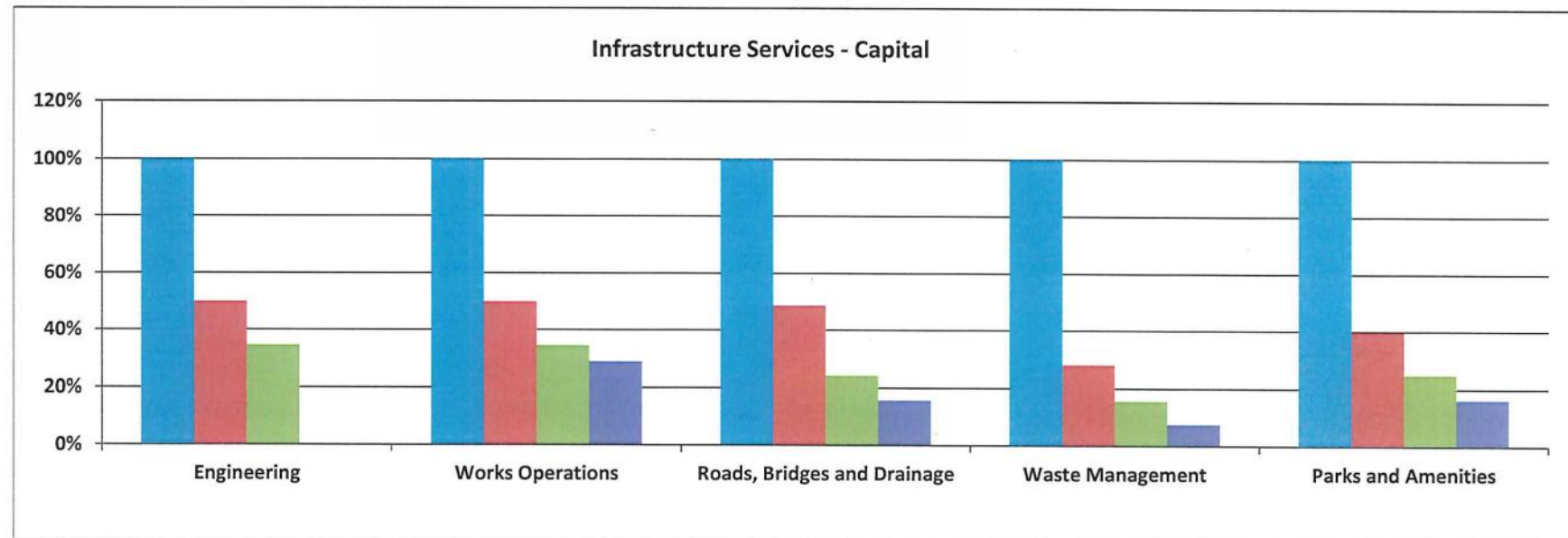
ORGANISATIONAL SERVICES

Corporate Administration	81,000	40,542	3,594	3,594	36,948	77,406	4%
Corporate Support Services	160,000	80,002	47,209	9,681	32,793	112,791	30%
Finance	–	–	–	–	–	–	0%
Caravan Parks	42,000	21,000	–	–	21,000	42,000	0%
	\$ 283,000	\$ 141,544	\$ 50,803	\$ 13,275	\$ 90,741	\$ 232,197	



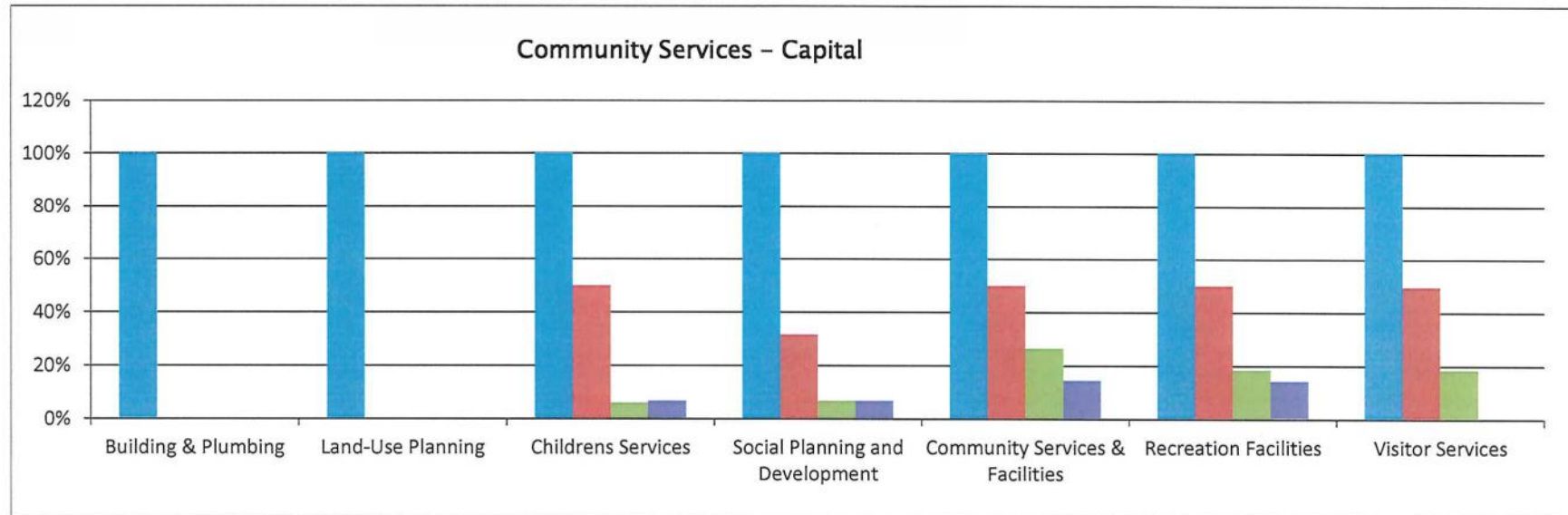
Finance Report – January 2017 meeting

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
INFRASTRUCTURE SERVICES							
Engineering	152,000	75,998	–	–	75,998	152,000	0%
Works Operations	3,899,000	1,949,504	1,348,341	1,128,629	601,163	2,550,659	35%
Roads, Bridges and Drainage	5,819,000	2,829,430	1,406,658	912,111	1,422,772	4,412,342	24%
Waste Management	510,000	142,398	79,724	38,288	62,674	430,276	16%
Parks and Amenities	859,000	341,958	211,813	138,312	130,145	647,187	25%
	\$ 11,239,000	\$ 5,339,288	\$ 3,046,536	\$ 2,217,341	\$ 2,292,752	\$ 8,192,464	



Finance Report – January 2017 meeting

	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	15,000	-	-	-	58,000	0%
Childrens Services	33,000	16,500	1,986	1,986	-	31,014	0%
Community Development	153,000	48,442	10,282	10,282	38,160	142,718	7%
Community Services & Facilities	359,300	179,450	95,267	51,721	84,183	264,033	27%
Recreation Facilities	453,000	226,344	83,258	64,319	143,086	369,742	18%
Environmental Health	30,000	15,000	-	-	15,000	30,000	0%
Visitor Services	5,000	2,480	-	-	2,480	5,000	0%
	\$ 1,121,300	\$ 503,216	\$ 190,792	\$ 128,307	\$ 282,909	\$ 930,508	



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 less than budget – Timing of projects on works program.
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 DECEMBER TO 31 DECEMBER 2016

Balance Brought Forward (30/11/2016)	12,585,880.00
Add, Revenue for month	818,995.87
	13,404,875.87

Less, Payments for month	1,986,964.56

Balance as at 31 December 2016	11,417,911.31

Balance as at Bank Account as at 31 December 2016	468,911.57
Less, Unpresented Payments	- 19,878.39

	449,033.18
Cash on Hand	- 81,278.64

Operating Account	367,754.54
Interest Bearing Term Deposits	11,050,156.77

	11,417,911.31



Andrea O'Rourke
ASSISTANT ACCOUNTANT

09-January-2017

Works Program 2016-2017

(Schedule indicates site construction only)

Status	Task Name	Budget	Notes	Scheduling Comments
	Works Schedule 2016-2017	\$22,326,996		
	CAPITAL WORKS PROGRAM 2016-17	\$18,701,996		
	Strategic Projects	\$5,618,000		
	Dial Regional Sports Complex - Detailed Design	\$0		
	Dial Regional Sports Complex - Construction	\$4,035,000		
	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	Awaiting further instruction...	
	Roads - Urban Sealed	\$2,729,000		
	Street Resealing	\$41,000	Deferred due to floods...	
	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, pedestrian crossings	
	McDonald Street	\$15,000	Retention sum only	
	Crescent Street/Reibey Street/Kings Parade	\$100,000		
	Kings Parade/Queen's Gardens	\$470,000		
	Jermyn Street/Leven Street Intersection	\$217,000	Roundabout construction	
	Main Road Pedestrian Crossing	\$115,000	Centre refuge & crossings	
	Roads - Rural Sealed	\$1,200,000		
	Road Resealing	\$0	Preparation works	
	Road Resealing	\$660,000	Sealing works	
	Pine Road Geofabric Re seal	\$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	\$0	Deferred due to floods...	
	Allport Street	\$50,000	Road drainage	
	Nine Mile Road	\$190,000	Bass Highway to Zig Zag Road	
	Intersection Improvements	\$20,000		
	Traffic Management	\$5,000		
	Footpaths	\$467,000		
	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	\$32,000	Replace damaged pavers	
	Bridges	\$60,000		
	Penguin Creek - Browns Lane	\$10,000	Road reservation transfer	
	Gawler River - Coxs Road	\$50,000	Completion of bridgework and seal to Isandula Rd	
	Gawler River - Isandula Road	\$0	Deferred - due to floods	
	Car Parks	\$736,000		
	Bannons Carpark	\$140,000	Regrade, resurface & linemark...	
	Disabled Parking Spaces	\$20,000		
	Car Park Signage	\$36,000	CBD linemarking	
	Parking Plan	\$90,000	Strategic items	
	Coles/Furners Carpark	\$450,000	Upgrade works	
	Drainage	\$302,000		
	Manhole/Side Entry Pits	\$30,000		
	Deviation Road	\$10,000	Improvements to capacity	

Works Program 2016-2017

(Schedule indicates site construction only)

[illegible]

Works Program 2016-2017

(Schedule indicates site construction only)

Status	Task Name	Budget	Notes	Scheduling Comments	July				August				September				October				November				December				January				February				March				April				May				June																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
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