
Minutes of an ordinary meeting of the Development Support Special Committee held in the Council Chamber of the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 14 November 2016 commencing at 6.00pm

Members attendance

Cr Jan Bonde (Mayor)	Cr Rowen Tongs
Cr Kathleen Downie (Deputy Mayor)	Cr Tony van Rooyen
Cr Philip Viney	Ms Sandra Ayton

Members apologies

Cr Shane Broad	Cr Garry Carpenter
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Employees attendance

Land Use Planning Group Leader (Mr Ian Sansom)

Employee apologies

Public attendance

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

CONFIRMATION OF MINUTES OF THE COMMITTEE

37/2016 Confirmation of minutes

The Director Community Services reported as follows:

“The minutes of the previous meeting of the Development Support Special Committee held on 10 October 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 van Rooyen seconded, “That the minutes of the previous meeting of the Development Support Special Committee held on 10 October 2016 be confirmed.”

Carried unanimously

MAYOR’S COMMUNICATIONS

38/2016 Mayor’s communications

The Mayor reported as follows:

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

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

In the event that items listed for consideration are referred, under the terms of the Committee’s appointment, to the Council (e.g. any matter the Committee cannot determine unanimously), or if the Committee is unable to make a determination within the relevant statutory time limit, such items will be referred to a meeting of the Council for a decision.”

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

Carried unanimously

DECLARATIONS OF INTEREST

39/2016 Declarations of interest

The Mayor reported as follows:

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

The Director Community Services reported as follows:

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

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

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

No interests were declared at this time.

ADJOURNMENT OF MEETING

40/2016 Adjournment of meeting

The Mayor reported as follows:

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

The workshop commenced at 6.01pm. The workshop having been concluded, the Mayor resumed the meeting at 6.03pm.

DEPUTATIONS

41/2016 Deputations

The Director Community Services reported as follows:

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

OPEN REPORTS

42/2016 Residential (multiple dwellings x two) – variation to side boundary setbacks and building envelope at 17 Main Street, Ulverstone – Application No. DA216054

The Director Community Services reported as follows:

“The Town Planner has prepared the following report:

<i>DEVELOPMENT APPLICATION NO.:</i>	DA216054
<i>PROPOSAL:</i>	Residential (multiple dwellings x two) – variation to side boundary setbacks and building envelope
<i>APPLICANT:</i>	Dr Sandhya Sharma
<i>LOCATION:</i>	17 Main Street, Ulverstone
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	4 October 2016
<i>REPRESENTATIONS EXPIRY DATE:</i>	19 October 2016
<i>REPRESENTATIONS RECEIVED:</i>	Two
<i>42-DAY EXPIRY DATE:</i>	9 November 2016 (extension of time until 21 November 2016)
<i>DECISION DUE:</i>	
<i>PURPOSE</i>	

The purpose of this report is to consider an application for the development of two, double-storey dwellings on land at 17 Main Street, Ulverstone.

Accompanying this report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representations;
- . Annexure 4 – photographs and aerial view;
- . Annexure 5 – Statement of Compliance from the Road Authority and Stormwater Authority; and
- . Annexure 6 – TasWater’s Submission to Planning Authority Notice TWDA 2016/01469-CC.

BACKGROUND

Development description -

Application is made for the demolition of an existing weatherboard dwelling and associated outbuildings and the development of two, double-storey dwellings. Both dwellings would be of a similar design, each with a lower floor area of 123.09m² and upper floor area of 123m²; equating to a total floor area of 246.09m² for each dwelling. The buildings would be of brick and rendered panel construction with a "Colorbond" roof.

Dwelling 1 would have a 62.5m² north facing, ground level area of private open space and a north facing, 13.5m² upper level balcony.

Dwelling 2 would have a 150m² north facing, ground level area of private open space and a north facing, 13.5m² upper level balcony.

Development requires the relocation of an existing TasWater sewer main that transects the site.

Access to the site would be via a single 6m wide crossover off Main Street.

The application is accompanied by supporting documentation including plans and elevations by Tas Laughlin and a "Traffic Access and Car Parking Layout Certification" by Protraffic.

Site description and surrounding area -

The site is a level, 753m² residential allotment that borders the commercial area of Ulverstone. The land supports a dilapidated weatherboard dwelling that was constructed in 1890 and associated outbuildings. Residential development adjoins the property to the west and north. A commercial, Heritage Tasmania listed building that is occupied by The Salvation Army, Tasmania Division, adjoins the subject property on the eastern boundary.

History -

There is no particular history of relevance to the current application.

DISCUSSION

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

10.0 General Residential Zone

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

	Residential use class.
10.3.2–(A3) Other than for emergency services, residential and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.	Not applicable. Residential use class.
10.4.1 Residential density for multiple dwellings	
10.4.1–(A1) Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 and shown on the planning scheme maps, that specified for the density area.	(a) Compliant. Site area per dwelling is 376.65m ² . (b) Not applicable.
10.4.2 Setbacks and building envelope for all dwellings	
10.4.2–(A1) Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less	(a) Compliant. Frontage setback would be 4.5m. (b) Not applicable. Satisfied by (a). (c) Not applicable. Satisfied by (a).

<p>than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(b) if the frontage is not a primary frontage, at least 3.0m, or, if the setback, from the frontage is less than 3.0m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) not less than 50.0m if the development is on land that adjoin the Bass Highway.</p>	<p>(d) Not applicable. Development does not adjoin the Bass Highway.</p>
<p>10.4.2-(A2) A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5m, or alternatively 1.0m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p>	<p>(a) Compliant. Nearest garage would be setback 6m from the frontage to Main Street.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Not applicable. Satisfied by (a).</p>

<p>(c) 1.0m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10.0m from the frontage.</p>	
<p>10.4.2-(A3) A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at the side boundaries and a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p>	<p>(a)(i) Compliant. Rear setback would be 5.4m.</p> <p>(a)(ii) Non-compliant. Double-storey Dwellings 1 and 2 would not be contained within building envelope 10.4.2-A3.</p> <p>Refer to "Issues" section below.</p> <p>(b)(i) Not applicable. No existing building is to be built on.</p> <p>(b)(ii) Non-compliant. Dwelling 1 would be setback 1.5m from the western side boundary for a length of 11.1m. Dwelling 2 would be setback 100mm from the eastern side boundary for a length of 10.46m.</p> <p>Refer to "Issues" section below.</p>

<ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary or the adjoining lot; or (ii) does not exceed a total length of 9.0m or one-third the length of the side boundary (whichever is the lesser). 	
<p>10.4.3 Site coverage and private open space for all dwellings</p>	
<p>10.4.3-(A1) Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and (b) for multiple dwellings, a total area of private open space of not less than 60.0m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces. 	<ul style="list-style-type: none"> (a) Compliant. Land area equals 753m². Dwellings equal 32.66% site coverage. Compliant as development does not exceed 50% site coverage. (b) Compliant. Dwellings 1 and 2 meet the Scheme standards. Dwelling 1 has 62.5m² of ground level private open space and an upper balcony of 12.5m². Dwelling 2 has 150m² of ground level private open space and an upper balcony of 12.5m². (c) Compliant. Approximately 28.15% of the site is free from impervious surfaces.
<p>10.4.3-(A2) A dwelling must have an area of private open space that:</p>	<ul style="list-style-type: none"> (a)(i) Compliant. Dwelling 1 has 62.5m² of ground level private open space and an upper balcony of 12.5m².

<p>(a) is in one location and is at least:</p> <p>(i) 24.0m²; or</p> <p>(ii) 12.0m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4.0m; or</p> <p>(ii) 2.0m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p>	<p>Dwelling 2 has 150m² of ground level private open space and an upper balcony of 12.5m².</p> <p>(a)(ii) Not applicable. Satisfied by (a).</p> <p>(b)(i) Compliant. Dwellings demonstrate private open space areas that have a minimum horizontal dimension of 4m.</p> <p>(b)(ii) Satisfied by (b)(i).</p> <p>(c) Compliant. All dwellings have access to private open space directly accessible from habitable rooms.</p> <p>(d) Compliant. All dwellings have north and north-west facing private open space.</p> <p>(e) Compliant. All dwellings have areas of private open space that is not located between the dwelling and the street frontage.</p> <p>(f) Compliant. The allotment is flat.</p>
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<p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	<p>(g) Compliant. All dwellings have private open space areas that do not include areas for car parking.</p>
<p>10.4.4 Sunlight and overshadowing for all dwellings</p>	
<p>10.4.4-(A1) A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>	<p>Compliant. All dwellings have alfresco, living, dining and kitchen areas facing either north or north-west.</p>
<p>10.4.4-(A2) A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and</p>	<p>(a)(i) Not applicable. Satisfied by (b).</p> <p>(a)(ii) Not applicable. Satisfied by (b).</p>

<p>30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <p style="padding-left: 40px;">(i) at a distance of 3.0m from the window; and</p> <p style="padding-left: 40px;">(ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal.</p> <p>(b) The multiple dwelling does not cause the habitable room to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <p style="padding-left: 40px;">(i) an outbuilding with a building height no more than 2.4m; or</p>	<p>(b) Compliant. Dwelling 2 does not cause the habitable room of Dwelling 1 to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) Not applicable. Satisfied by (b).</p>
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<p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.</p>	
<p>10.4.4-(A3) A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <p>(i) at a distance of 3.0m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal.</p> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p>	<p>(a)(i) Not applicable. Satisfied by (b).</p> <p>(a)(ii) Not applicable. Satisfied by (b).</p> <p>(b) Dwelling 2 does not cause the private open space of Dwelling 1 to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June. Dwelling 1 receives sunlight at 9.00am, losing sunlight by midday as the sun crosses the northern sky and receives sunlight again by 3.00pm.</p> <p>(c)(i) Not applicable. No outbuildings proposed.</p>

<p>(i) an outbuilding with a building height no more than 2.4m; or</p> <p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m from the multiple dwelling.</p>	
<p>10.4.5 Width of openings for garages and carports for all dwellings</p>	
<p>10.4.5-(A1) A garage or carport within 12.0m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6.0m or half the width of the frontage (whichever is the lesser).</p>	<p>Compliant. Site has 16.44m frontage. Total length of garage opening to the frontage is 5.2m.</p>
<p>10.4.6 Privacy for all dwellings</p>	
<p>10.4.6-(A1) A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1.0m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p>	<p>(a) Not applicable. The upper balconies of Dwellings 1 and 2 do not face side boundaries.</p> <p>(b) Compliant. Upper balcony of Dwelling 2 faces the rear boundary and would have a setback of 5.4m.</p> <p>(c) Compliant. Upper balcony of Dwelling 1 is setback 11m from Dwelling 2.</p>

<p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3.0m from the side boundary; and</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4.0m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6.0m:</p> <p style="padding-left: 40px;">(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p style="padding-left: 40px;">(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.</p>	
<p>10.4.6-(A2) A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1.0m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p>	<p>Dwelling 1</p> <p>(a) Not applicable. Satisfied by (b)(ii).</p> <p>(b)(i) Not applicable. Satisfied by (b)(ii).</p>

<p>(i) is to have a setback of at least 3.0m from a side boundary; and</p> <p>(ii) is to have a setback of at least 4.0m from a rear boundary; and</p> <p>(iii) if the dwelling is a multiple dwelling, is to be at least 6.0m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be at least 6.0m from the private open space of another dwelling on the same site.</p> <p>(b) The window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or</p> <p>(ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height</p>	<p>(b)(ii) Compliant. Dwelling would be setback 1.5m from side boundary and has an upper level dressing room window that is 1.7m above floor level.</p> <p>(b)(iii) Not applicable. Satisfied by (b)(ii).</p> <p>Dwelling 2</p> <p>(a)(i) Compliant. Western setback is 3.8m. Where setback on the eastern boundary is 100mm, there are no windows proposed.</p> <p>(a)(ii) Compliant. Rear setback would be 30m.</p> <p>(a)(iii) Compliant. Distance between dwellings would be 13.49m.</p> <p>(a)(iv) Compliant. Distance between private open spaces of dwellings would be approximately 15m.</p> <p>(b) Not applicable. Satisfied by (a).</p>
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<p>of at least 1.7 m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	
<p>10.4.6–(A3) A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5m; or</p> <p>(b) 1.0m if:</p> <p>(i) it is separated by a screen of at least 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.</p>	<p>(a) Compliant. Shared driveway is separated by a 5.5m high building wall along the eastern side of the lower floor of Dwelling 1, except for a window to an access stairwell that is not deemed to be a habitable room.</p> <p>(b) Not applicable. Satisfied by (a).</p>
<p>10.4.7 Frontage fences for all dwellings</p>	

<p>10.4.7–(A1) A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>	<p>(a) Compliant. Frontage fence proposed would be 940mm high.</p> <p>(b) Not applicable. Satisfied by (a).</p>
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<p>10.4.8 Waste storage for multiple dwellings</p>	
<p>10.4.8–(A1) A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m² per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p>	<p>(a) Compliant. Waste storage areas are provided for exclusive use of each dwelling (and not at the front of dwellings).</p> <p>(b) Not applicable. Development satisfied by (a).</p>

<ul style="list-style-type: none"> (i) has a setback of at least 4.5m from a frontage; and (ii) is at least 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area. 	
<p>10.4.9 Suitability of a site or lot for use or development</p>	
<p>10.4.9–(A1) A site or each lot on a plan of subdivision must:</p> <ul style="list-style-type: none"> (a) have an area of not less than 330m² excluding any access strip; and (b) if intended for a building, contain a building area of not less than 10.0m x 15.0m: <ul style="list-style-type: none"> (i) clear of any applicable setback from a frontage, side or rear boundary; (ii) clear of any applicable setback from a zone boundary; 	<ul style="list-style-type: none"> (a) Compliant. Site has an area of 752m². (b) Compliant. Site is able to contain a building area of 10m x 15m. <ul style="list-style-type: none"> (b)(i) Clear of setback to a frontage. (b)(ii) Not applicable. Site does not adjoin a zone boundary. (b)(iii) Non-compliant. TasWater easement transects the site.

<ul style="list-style-type: none"> (iii) clear of any registered easement; (iv) clear of any registered right of way benefiting other land; (v) clear of any restriction imposed by a utility; (vi) not including an access strip; (vii) accessible from a frontage, or access strip; and (viii) if a new residential lot, with a long axis within the range 30 degrees east of north and 20 degrees west of north. 	<p>Refer to “Issues” section below.</p> <ul style="list-style-type: none"> (b)(iv) Not applicable. No registered right-of-way. (b)(v) Not applicable. No restriction imposed by a Utility. (b)(vi) Clear of access strip. (b)(vii) Development is accessible from Main Street. (b)(viii) Not applicable. Not a new residential allotment.
<p>10.4.9–(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <ul style="list-style-type: none"> (a) across a frontage over which no other land has a right of access; and (b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; 	<ul style="list-style-type: none"> (a) Compliant. Site has access from Main Street across which no other land has right of access. (b) Not applicable. Not an internal lot. (c) Not applicable. No right-of-way.

<p>or</p> <p>(c) by a right of way connecting to a road:</p> <p>(i) over land not required as the means of access to any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than:</p> <p>(i) 3.6m for a single dwelling development; or</p> <p>(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the</p>	<p>(d)(i) Compliant. Proposed access to Main Street would be 6m wide.</p> <p>(d)(ii) Not applicable. Satisfied by (d)(i).</p> <p>(e) Compliant. The development site has access to Main Street that is in accordance with the <i>Local Government (Highways) Act 1982</i> and satisfies the requirements of the Road Authority.</p>
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<p>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>10.4.9-(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p>	<p>Compliant.</p> <p>The site would connect to the reticulated water system. The Council's Planning Permit would require compliance with TasWater's Submission to Planning Authority Notice TWDA 2016/01469-CC dated 10 October 2016.</p>
<p>10.4.9-(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and wastewater to a sewage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p>	<p>Compliant.</p> <p>The site is connected to the reticulated sewerage system. The Council's Planning Permit would require compliance with TasWater's Submission to Planning Authority Notice TWDA 2016/01469-CC dated 10 October 2016.</p>
<p>10.4.9-(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>.</p>	<p>Compliant.</p> <p>The site is connected to the reticulated stormwater system.</p>
<p>10.4.10 Dwelling density for single dwelling development</p>	
<p>10.4.10-(A1)</p>	<p>Not applicable. Not a single dwelling development.</p>

<p>(a) The site area per dwelling for a single dwelling must:</p> <p>(i) be not less than 325m²; and</p> <p>(ii) be not more than 830m²; or</p> <p>(b) The site is approved for residential use on a plan sealed before this planning scheme came into effect.</p>	
<p>10.4.11 Development other than single or multiple dwelling.</p>	
<p>10.4.11.1 Location and configuration of development</p>	
<p>10.4.11-(A1) The wall of a building (other than for a dwelling) 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 adjoining sites;</p>	<p>Not applicable. Development is for multiple dwellings.</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) not less than 50.0m if the site abuts the Bass Highway.</p>	
<p>10.4.11.1–(A2) All buildings (other than for a dwelling) must be contained within a building envelope determined by:</p> <p>(a) the applicable frontage setback;</p> <p>(b) a distance of not less than 4.0m from the rear boundary or if an internal lot, a distance of 4.5m from the boundary abutting the rear boundary of the adjoining frontage site;</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>Not applicable. Development is for multiple dwellings.</p>

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|---|--|
| <p>(ii) less than 1.5m from a side boundary if:</p> <ul style="list-style-type: none">a. built against an existing wall of an adjoining building; orb. the wall or walls:<ul style="list-style-type: none">i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;ii. there is no door or window in the wall of the building; andiii. overshadowing does not result in 50% of the private open space of an adjoining dwelling receiving less than 3 hours of sunlight between 9.00am and 3.00pm on 21 June. | |
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(d) in accordance with any building envelope shown on a sealed plan of subdivision.

<p>10.4.11.1–(A3) Site coverage (other than for a dwelling) must:</p> <p>(a) not be more than 50%; or</p> <p>(b) not be more than any building area shown on a sealed plan of subdivision.</p>	<p>Not applicable. Development is for multiple dwellings.</p>
<p>10.4.11.1–(A4) A garage, carport or external parking area and any area for the display, handling, or storage of goods, materials or waste (other than for a dwelling), must be located behind the primary frontage of a building.</p>	<p>Not applicable. Development is for multiple dwellings.</p>
<p>10.4.11.1–(A5) Other than for a dwelling, the total width of openings in the frontage elevation of a garage or carport (whether freestanding or part of any other building) must be the lesser of:</p> <p>(a) 6.0m; or</p> <p>(b) half the width of the frontage.</p>	<p>Not applicable. Development is for multiple dwellings.</p>
<p>10.4.11.2 Visual and acoustic privacy for residential development</p>	

<p>10.4.11.2–(A1) A door or window to a habitable room or any part of a balcony, deck, roof garden, parking space or carport of a building (other than for a dwelling) 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; and(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>Not applicable. Development is for multiple dwellings.</p>
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<ul style="list-style-type: none"> (i) be off-set by not less than 1.5m from the edge of any door or window of another dwelling; (ii) have a window sill height of not less than 1.8m above floor level; (iii) have fixed glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above floor level; or (iv) have a fixed and durable external screen other than vegetation of not less than 1.8m height above the floor level with a uniform transparency of not more than 25% for the full width of the door, window, balcony, deck, roof garden, parking space, or carport. 	
<p>10.4.11.2-(A2) An access strip or shared driveway, including any pedestrian pathway and parking area (other than for a dwelling), 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. Development is for multiple dwellings.</p>
<p>10.4.11.3 Frontage fences</p>	

<p>10.4.11.3–(A1) The height of a fence, including any supporting retaining wall, on or within a frontage setback (other than for a dwelling) 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. Development is for multiple dwellings.</p>
<p>10.4.12 Setback of sensitive use development</p>	
<p>10.4.12–(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 in 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 required setback distance from the zone boundary.</p>	<p>(a) Compliant. Development does not adjoin a zone boundary.</p> <p>(b) Non-compliant. Development is not contained within required building envelope.</p> <p>Refer to “Issues” section below.</p>
<p>10.4.12–(A2) Development for a sensitive use must be not less than 50.0m from:</p>	<p>(a) Compliant. Development is greater than 2kms 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 is greater than 472m from a railway.</p> <p>(c) Not applicable. No land designated for future rail or road in the Scheme.</p> <p>(d) Not applicable. Nearest Proclaimed Wharf Area is in Devonport, some 15kms to the east.</p>
<p>10.4.13 Subdivision</p>	
<p>10.4.13-(P1) Each new lot on a plan of subdivision must be:</p> <p>(a) intended for residential use;</p> <p>(b) a lot required for public use by the State Government, a Council, a statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority; or</p> <p>(c) for a purpose permissible in the zone.</p>	<p>Not applicable. Development is not a subdivision.</p>

<p>10.4.13–(P2)</p> <p>(a) A lot must have a frontage to a road; or</p> <p>(b) An internal lot on a plan of subdivision must be:</p> <p>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots with a frontage imposed by:</p> <p>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>e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a watercourse; or</p>	<p>Not applicable. Development is not a subdivision.</p>
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<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>	
<p>10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision</p>	
<p>10.4.14-(A1) Electricity reticulation and site connections must be installed underground.</p>	<p>Not applicable. Development is not a subdivision.</p>
<p style="text-align: center;">CODES</p>	
<p>E1 Bushfire-Prone Areas Code</p>	<p>Not applicable. Not a subdivision, vulnerable or hazardous use or development.</p>
<p>E2 Airport Impact Management Code</p>	<p>Not applicable. No Code in the Scheme.</p>
<p>E3 Clearing and Conversion of Vegetation Code</p>	<p>Not applicable. No significant clearing or conversion of vegetation proposed.</p>
<p>E4 Change in Ground Level Code</p>	<p>Not applicable. No significant change in ground level proposed.</p>
<p>E5 Local Heritage Code</p>	<p>Not applicable. Site not listed as a place of historic heritage.</p>

E6 Hazard Management Code	Not applicable. Site not identified or suspected of contamination and not with an area of mapped natural hazard.
E7 Sign Code	Not applicable. No signs proposed.
E8 Telecommunication Code	Not applicable. No telecommunications proposed.
E9 Traffic Generating Use and Parking Code	
E9.2 Application of this Code	Applicable. Applies to all use or development.
E9.4 Use or development exempt from this Code	Not exempt. No Local Area Parking Scheme applies.
E9.5 Use Standards	
E9.5.1 Provision for parking	
E9.5.1-(A1) Provision for parking must be: (a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code.	(a) Compliant. The Scheme requires two car parking spaces for each dwelling on the site and one visitor space for every four dwellings. The development proposes two internal garage spaces per dwelling and one external visitor car parking space.
E9.5.2 Provision for loading and unloading of vehicles	
E9.5.2-(A1) There must be provision within a site for: (a) on-site loading area in accordance with the requirement in the	(a) Not applicable. On-site loading is not required in the General Residential zone.

<p>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>(b) Not applicable. Passenger pick-up and set-down facilities not required for residential use.</p>
<p>E9.6.1 Design of vehicle parking and loading areas</p>	
<p>E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater.</p>	<p>Compliant by condition. Development should be required to connect to a reticulated stormwater system.</p>
<p>E9.6.2 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village Zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p>	<p>(a) Compliant. The Scheme requires two car parking spaces for each dwelling on the site and one visitor space for every four dwellings. The development proposes two internal garage spaces per dwelling and one external visitor car parking space. The application is accompanied by “Vehicular Access and Car Parking Layout Certification” by ProTraffic. The document certifies that access and on-site vehicular manoeuvrability meets Australia Standard.</p> <p>(b) Not applicable. No commercial parking required or proposed.</p> <p>(c) Not applicable. No bicycle parking proposed or required.</p>

<p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space;</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	<p>(d) Not applicable. No disabled parking proposed or required.</p> <p>(e) Compliant.</p> <p>(f) Compliant.</p> <p>(g) Compliant by condition.</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. Provisions do not apply as development is in the General Residential zone.</p>

Issues –

1 Side boundary setback and building envelope –

The Scheme's Acceptable Solution standard 10.4.2–(A3) "Setbacks and Building Envelope for all Dwellings" requires double-storey development to project a line at an angle of 45° from the horizontal at a height of 3m above natural ground level, at the side boundary, and to a building height of not more than 8.5m above natural ground level. Further, side boundary development may be less than 1.5m from the boundary if the dwelling does not exceed a total length of 9m.

Dwelling 1 would be setback 1.5m from the western side boundary for a length of 11.1m. The wall height of the dwelling would be approximately 5.5m.

Dwelling 2 would be setback 100mm from the eastern side boundary for a development length of 10.46m. The wall height of the dwelling would be approximately 5.5m.

Performance Criteria 10.4.2–(P3) states the siting and scale of a dwelling must:

- (a) not cause unreasonable loss of amenity by:
 - (i) reduction in sunlight to a habitable room; or
 - (ii) overshadowing the private open space of a dwelling on an adjoining lot; or
 - (iii) overshadowing an adjoining vacant lot; or
 - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and
- (b) provide separation between dwellings on adjoining lots that is comparable with that prevailing in the surrounding area.

The Performance Criteria requires that there is no unreasonable loss of amenity by overshadowing and visual impact and, that there is separation between buildings that is compatible with that prevailing in the surrounding area. The Performance Criteria is addressed below.

2 *Overshadowing* –

The application is accompanied by shadow pattern diagrams that demonstrate the shadow impact on adjoining property on 21 June at 9.00am, 12.00pm and 3.00pm. The diagrams take into account the existing wall of the adjoining commercial property to the east. That boundary wall height is approximately 8.5m.

The shadow diagrams show that the adjoining properties at 15 Main Street and 3 King Edward Street would receive shading at 9.00am, primarily by Dwelling 2, in addition to the existing shading caused by the commercial building at 19 Main Street. However, by 12.00pm the shadow has moved to result in no impact on the adjoining properties. At 3.00pm shadow would lie across the Salvation Army building at 19 Main Street, however, this building is developed to the side boundary for a length of 25m and a minimum height of 8.5m. Any overshadowing by the proposed development would not impact on habitable rooms or open space associated with this building.

The Scheme incorporates standards in other sections that require the habitable rooms and private open space of dwellings on the same site, and on adjoining sites, receive not less than three hours of sunlight between 9.00am and 3.00pm on 21 June. This is an appropriate standard to apply in this case. The shadow diagrams show that the shading impact of the proposed development would not result in a loss of more than three hours of sunlight to the adjoining dwellings.

3 *Visual impact* –

The Scheme requires that development outside the required building envelope not result in a visual impact due to the apparent scale, bulk or proportions of the dwellings when viewed from adjoining land.

In order to achieve privacy standards, the dwellings proposed would have eastern side walls (facing the Heritage Tasmania listed commercial building at 19 Main Street) approximately 5.4m high and 11.8m long, with minimal windows. The building would be of brick construction, with rendered panel infill to provide relief to a predominantly continuous brick material.

The western side walls of the dwellings would be of identical materials, with greater visual relief provided by the insertion of front porch and rear verandah openings.

The visual presence of the proposed development would be noticeable from both Main and King Edward Streets and from adjoining property, given the development is double-storey construction in an area that predominantly comprises single-storey dwellings.

The Scheme allows for double-storey multiple dwellings in the General Residential zone. The visual impact would be as expected of double-storey multiple dwelling development and on this basis is considered to be acceptable.

It is considered the Performance Criteria 10.4.2-(P3) (a)(i), (ii), (iv) and (b) are satisfied and an exercise of discretion, to allow the variations in side boundary setback development and building envelope, is justified.

4 *TasWater sewer line -*

A TasWater sewer line transects the site, running west to east. The development proposal includes the relocation of the infrastructure. TasWater have examined and approved the relocation of the infrastructure that will result in the line being located 1.2m inside the eastern side boundary and along the northern rear boundary of the allotment, approximately 600mm deep.

Referral advice -

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No comment.
Infrastructure Services	Refer to the Statement of Compliance from the Road Authority. Refer to Annexure 5.

TasWater	Refer to Submission to Planning Authority Notice TWDA
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	2016/01469-CC dated 10 October 2016. Refer to Annexure 6.
Department of State Growth	Not applicable.
Environment Protection Authority	Not applicable.
TasRail	Not applicable.
Heritage Tasmania	Not applicable.
Crown Land Services	Not applicable.
Other	Not applicable.

CONSULTATION

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

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

Representations -

Two representations, by a single representor, were received within the prescribed time, copies of which are provided at Annexure 3.

The representations are summarised and responded to as follows:

MATTER RAISED	RESPONSE
1 The representation asks how far will the relocated sewer line be from the adjoining fence and what are the dimensions of the pipe?	The Council's Town Planner consulted with TasWater and has advised the adjoining property owner that the sewer pipe would be located 1.2m inside the eastern side boundary of the subject lot. The sewer pipe would be 150mm wide and a minimum of 600mm deep.
2 The representation raises concern that the development	This is not a matter the Scheme can adequately address. Following the

may result in damage to the boundary fence.	issue of Planning and Building Permits, matters relating to on-site demolition and construction are the responsibility of the building contractor.
3 The representation queries why the Council does not require a bond to cover damage to adjoining property.	Following issue of the Planning and Building Permits, matters relating to on-site demolition and construction are the responsibility of the building contractor. Council would take a bond to cover damage to Council infrastructure, if works were to be undertaken in the road reserve.

RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure.

CONCLUSION

The representations received are deemed not to have sufficient merit on planning grounds to justify any specific site related measures by the Council. Matters relating to damage to adjoining property during construction and demolition remains the responsibility of the building contractor assigned to undertake works on the site.

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

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

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

The proposal is deemed to satisfy these Objectives, as well as key Acceptable Solutions and Performance Criteria. As a result, it is considered the exercise of discretion to allow the proposed development is justified, subject to conditions.

Recommendation –

It is recommended that the application for Residential (multiple dwellings x two) – variation to side boundary setbacks and building envelope at 17 Main Street, Ulverstone be approved subject to the following conditions:

- 1 The development must be substantially in accordance with the plans by Tas Laughlin, Job No. 0816-18, Drawings P1 to P9 dated 27 September 2016, unless modified by a condition of this Permit.
- 2 The development must be in accordance with the conditions of the Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2016/01469-CC (copy attached).
- 3 The development must be in accordance with the conditions of the “Statement of Compliance for Vehicular Access and Drainage Access” dated 13 October 2016, issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority (copy attached).
- 4 Demolition and construction works on-site must not occur before 7.00am and not after 7.00pm on any day.
- 5 Vehicular access and egress and on-site manoeuvrability must be in accordance with “Vehicular Access and Car Parking Layout Certification” by Protraffic, dated September 2016.
- 6 All parking and internal roadways must be formed and constructed with compacted sub-base and an all-weather surface.

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- 7 The development must provide for the collection and disposal of stormwater from vehicle parking and manoeuvring areas to an approved stormwater system.

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 Director Community Services further reported as follows:

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

■ Cr Tongs moved and Cr van Rooyen seconded, “That the application for Residential (multiple dwellings x two) – variation to side boundary setbacks and building envelope at 17 Main Street, Ulverstone be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans by Tas Laughlin, Job No. 0816-18, Drawings P1 to P9 dated 27 September 2016, unless modified by a condition of this Permit.
- 2 The development must be in accordance with the conditions of the Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2016/01469-CC (copy attached) (a copy being appended to and forming part of the minutes).
- 3 The development must be in accordance with the conditions of the “Statement of Compliance for Vehicular Access and Drainage Access” dated 13 October 2016, issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority (copy attached) (a copy being appended to and forming part of the minutes).
- 4 Demolition and construction works on-site must not occur before 7.00am and not after 7.00pm on any day.

-
- 5 Vehicular access and egress and on-site manoeuvrability must be in accordance with “Vehicular Access and Car Parking Layout Certification” by Protraffic, dated September 2016.
 - 6 All parking and internal roadways must be formed and constructed with compacted sub-base and an all-weather surface.
 - 7 The development must provide for the collection and disposal of stormwater from vehicle parking and manoeuvring areas to an approved stormwater system.

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

Closure

There being no further business, the Mayor declared the meeting closed at 6.05pm.

CONFIRMED THIS DAY OF , 2016.

Chairperson

(is:dl)

Appendices

Minute No. 42/2016 – Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2016/01469-CC – 17 Main Street, Ulverstone – Application No. DA216054

Minute No. 42/2016 – Statement of Compliance for Vehicular Access and Drainage Access dated 13 October 2016 – 17 Main Street, Ulverstone – Application No. DA216054

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 Development Support Special Committee 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

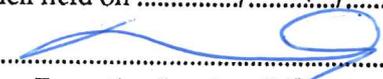
(ii) where any advice was directly given by a person who did not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.



Sandra Ayton
GENERAL MANAGER

Appendices

Annexure 5

CENTRAL COAST COUNCIL
I certify that this is <u>Annexure 5-</u> <u>Correspondence to S. Sharma</u> <u>from Central Coast Council</u> referred to in Minute No. <u>42/2016</u> of a meeting of the Council held on <u>14</u> / <u>11</u> / <u>16</u>  Executive Services Officer

13 October 2016

Our ref.: DA216054, paa:kaa
Doc ID: 254720

S Sharma
17 Main Street
ULVERSTONE TAS 7315

Dear Ms Sharma

LOCAL GOVERNMENT (HIGHWAYS) ACT 1982 AND URBAN DRAINAGE ACT 2013
STATEMENT OF COMPLIANCE FOR VEHICULAR ACCESS AND DRAINAGE ACCESS
MULTIPLE DWELLING DEVELOPMENT - 17 MAIN STREET, ULVERSTONE

I refer to your application DA216054 for a multiple dwelling development at 17 Main Street, Ulverstone, and based on the information supplied with the application make the following determination in respect to vehicular access, disposal of stormwater and Council infrastructure.

Access can be provided to the road network at 17 Main Street, Ulverstone subject to the following:

- R1 The existing 3.6m wide access shall be widened (to the west) to a 6.0m wide access generally as shown on the Tas Laughlin Site Works Development Plans Drawing No. P2 of Job No. 0816-18 dated 27 September 2016 (copy enclosed);
- R2 The widening of the access must be undertaken in accordance with Standard Drawing TSD-R09-v1 Urban Roads - Driveways (copy enclosed);
- R3 Prior to the issuing of the Building Permit a Roadworks Authority (RWA) must be signed by the developer/property owner for the Council to undertake the work relating to widening the kerb and channel crossover;
- R4 Clear sight lines, as shown in Figure 3.3 of AS/NZS 2890.1 (copy enclosed), must be provided at the property boundary lines for any access, where the height of any fence, structure or landscaping within the sight triangle must be less than 900mm;
- R5 Any work associated with roads, footpaths, kerb and channel, nature strips, or street trees will be undertaken by the Council, unless alternative arrangements are approved by the Council's Director Infrastructure Services or his representative;

- R6 Any damage or disturbance to roads footpaths, kerb and channel, nature strips, or street trees resulting from activity associated with the development must be rectified;
- R7 All works or activity listed above shall be completed to the satisfaction of the Council's Director Infrastructure Services or his representative;
- R8 All works or activity listed above shall be at the developer's/property owner's cost;
- R9 A separate conditioned approval from the Council acting in its capacity as the Road Authority will be required for any works or activity in the road reservation, and must be arranged prior to any work associated with the development being undertaken. Please contact the Council Public Safety Coordinator.

Access can be provided to the Council's stormwater network at 17 Main Street, Ulverstone to drain stormwater from the proposed development subject to the following:

- S1 A DN100 underground stormwater connection must be provided to the Lot for the disposal of stormwater from the new dwellings and associated hard surfaces;
- S2 Prior to the issuing of the Building Permit an Install Stormwater Connection Point authorisation form must be signed by the developer/property owner for the Council to undertake the work relating to the installation of any stormwater connection point;
- S3 On-site detention storage must be provided to limit the peak rate of piped stormwater discharge and overland flows from the site, to that generated by the site developed to a level of 40 per cent impervious for a 5% AEP storm event;
- S4 The on-site detention storage must be designed to accommodate a 1% AEP storm event for the fully developed site, unless it can be demonstrated that either a suitable designed overland flow path, or an alternative on-site storage mechanism is available;
- S5 The on-site detention storage system must be designed by a civil engineer eligible for membership of IE Aust or equivalent;

- S6 Prior to the issuing of the Building Permit, the plans and calculations for any on-site detention storage must be submitted to the Director Infrastructure Services, and be approved by the Director Infrastructure Services or his representative;
- S7 On completion, an "as constructed" plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design;
- S8 Stormwater and associated infrastructure shall be provided in accordance with the Tasmanian Subdivision Guidelines and the Tasmanian Standard Drawings, unless otherwise required or approved by the Council's Director Infrastructure Services;
- S9 Any work associated with existing stormwater infrastructure will be undertaken by the Council, unless alternative arrangements are approved by the Council's Director Infrastructure Services or his representative;
- S10 Any damage or disturbance to existing stormwater infrastructure resulting from activity associated with the development must be rectified;
- S11 All works or activity listed above shall be completed to the satisfaction of the Council's Director Infrastructure Services or his representative;
- S12 All works or activity listed above shall be at the developer's/property owner's cost.

In general the following shall apply in respect to the provision of infrastructure associated with the multiple dwelling development.

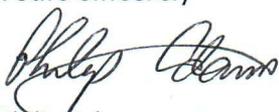
- I1 The provision, upgrading, re-routing, relocation or extension of Council infrastructure and services, required as a result of the development, shall be done in accordance with the relevant standards and to the satisfaction of the Council's Director Infrastructure Services or his representative;
- I2 The provision, upgrading, re-routing, relocation or extension of Council infrastructure and services, required as a result of the development, shall be at the property owner's/developer's cost;
- I3 Any required drainage and/or pipeline easements must be to the satisfaction of the Council's Director Infrastructure Services or his representative;
- I4 Any damage or disturbance to existing services resulting from activity associated with the development must be rectified at the property owner's/developer's cost.

This 'Statement of Compliance' is not an approval to create an access or work in the road reservation, nor is it a planning permit for the development. This 'Statement of Compliance' is valid for a period of 2 years from the date shown above.

A copy of this 'Statement of Compliance' has been provided to the Council's Land Use Planning Group for consideration with planning permit application DA216054.

Please contact me on tel. 6429 8977 should you have any further enquires.

Yours sincerely



Philip Adams

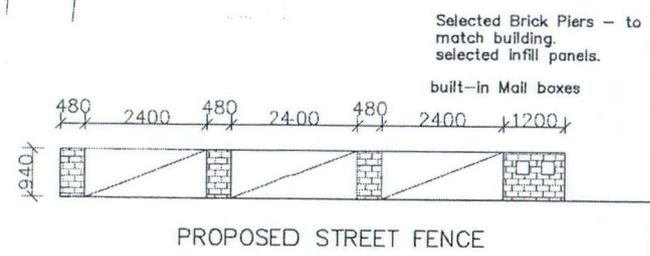
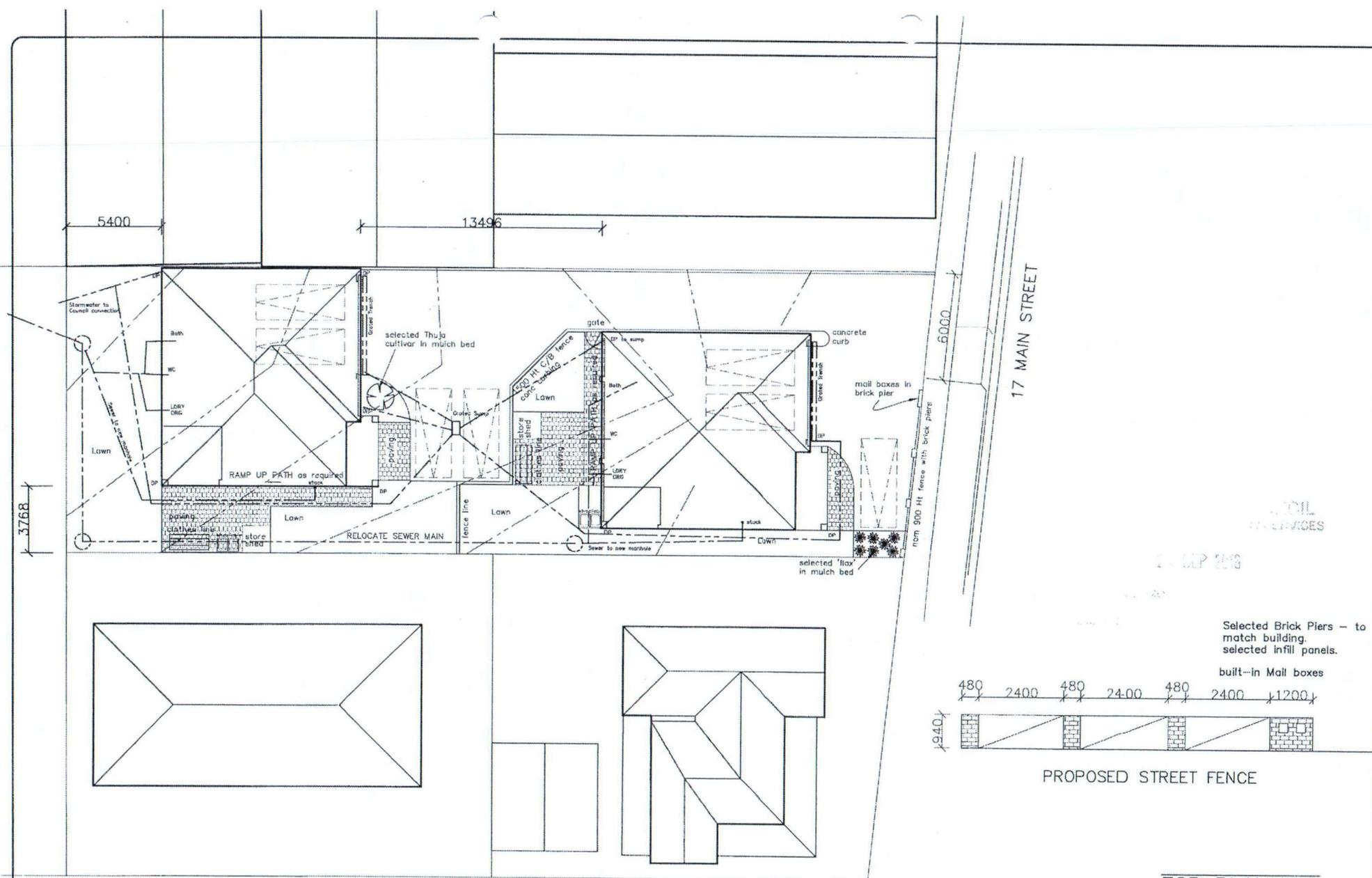
ENVIRONMENTAL ENGINEER

Encl.

Administrative Assistant - Planning ✓
Regulatory Services Administration Officer
Public Safety Coordinator

Mr Tas Laughlin
PO Box 1092
DEVONPORT TAS 7310

A COPY FOR YOUR INFORMATION



FOR PLANNING

KING EDWARD STREET

PLANS by: **Tas Laughlin**
 ABN 83 849 671 093
 56 SUNBEAM CRES., E/DEV. Ph(03)64270898
 P.O. BOX 1092, DEVONPORT 7310.
 Building Practitioner Accreditation No. CC 379 P
 e-mail: tlaughli@bigpond.net.au
 GOD HAS A PLAN FOR EVERY LIFE

PROPOSED
2 x 2 STOREY TOWN HOUSES
 FOR Sandhya SHARMA
 AT 17 MAIN STREET
 ULVERSTONE 7315

NORTH 	DRAWING SITE WORKS		DRG No. P2 / -
	DEVELOPMENT PLANS		
	DATE 27/9/16	JOB No. 0816-18	
SCALE 1:200			

Submission to Planning Authority Notice

Council Planning Permit No.	DA216054	Council notice date	3/10/2016
TasWater details			
TasWater Reference No.	TWDA 2016/01469-CC	Date of response	10/10/2016
TasWater Contact	Anthony Cengia	Phone No.	(03) 6237 8243
Response issued to			
Council name	CENTRAL COAST COUNCIL		
Contact details	planning.cmw@centralcoast.tas.gov.au		
Development details			
Address	17 MAIN ST, ULVERSTONE	Property ID (PID)	6967431
Description of development	Multiple dwellings x 2		
Schedule of drawings/documents			
	Prepared by	Drawing/document No.	Revision No.
	Tas Laughlin	0816-18 Sheet P2	A
			Date of Issue
			7/10/16
Conditions			
SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
1. A suitably sized water supply with metered connections / sewerage system and connections to each dwelling unit must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.			
2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.			
3. Prior to commencing construction / use of the development, a boundary backflow prevention device and water meter must be installed, to the satisfaction of TasWater.			
ASSET CREATION & INFRASTRUCTURE WORKS			
4. Plans submitted with the application for Certificate(s) for Certifiable Work (Building and/or Plumbing) / Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains.			
5. Prior to applying for a Permit to Construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for sewerage to TasWater's satisfaction.			
6. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.			
7. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.			
8. Prior to the issue of a Certificate of Water and sewerage Compliance (Building and/or Plumbing) all			

additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.

9. After testing, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
10. At practical completion of the water and sewerage works and prior to TasWater issuing a Certificate of Water and Sewerage Compliance (Building and/or Plumbing), the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d. As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
11. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
12. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
13. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.
14. A construction management plan must be submitted with the application for TasWater Engineering Design Approval. The construction management plan must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.

EASEMENTS & ENDORSEMENTS

15. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.
16. Prior to the issue of a Certificate of Water & Sewerage Compliance (Building and or Plumbing) / Certificate of Practical Completion from TasWater, the applicant must submit a copy of the completed Transfer for the provision of a Pipeline and Services Easement(s) over the proposed TasWater infrastructure.

56W CONSENT

17. Prior to the issue of the Certificate for Certifiable Work (Building and/or Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development which is built within two metres of TasWater infrastructure.

The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) must show footings of proposed buildings located over or within 2.0m from TasWater pipes and must be designed by a suitably qualified person to adequately protect the integrity of TasWater's infrastructure, and to TasWater's satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater's pipes. These plans must also include a cross sectional view through the footings which clearly shows;

- a. Existing pipe depth and proposed finished surface levels over the pipe;
- b. The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;
- c. A note on the plan indicating how the pipe location and depth were ascertained.

DEVELOPMENT ASSESSMENT FEES

18. The applicant or landowner as the case may be, must pay a development assessment fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:

- a. \$201.93 for development assessment.

The payment is required within 30 days of the issue of an invoice by TasWater.

Advice

For information on TasWater development standards, please visit <http://www.taswater.com.au/Development/Development-Standards>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

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.

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
I certify that this is TASWATER - Sub-
mission to Planning Authority
Notice - Annexure 6 referred to in
Minute No. 42/2016 of a meeting of the
Council held on 14 / 11 / 16
.....
Executive Services Officer

