
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 Tuesday, 14 June 2016 commencing at 6.00pm

Members attendance

Cr Jan Bonde (Mayor)
Cr Garry Carpenter
Cr Tony van Rooyen

Cr Shane Broad
Cr Kathleen Downie
Ms Sandra Ayton

Members apologies

Cr Philip Viney

Employees attendance

Director Community Services (Mr Cor Vander Vlist)

Public attendance

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

CONFIRMATION OF MINUTES OF THE COMMITTEE

13/2016 Confirmation of minutes

The Director Community Services reported as follows:

“The minutes of the previous meeting of the Development Support Special Committee held on 26 April 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.”

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- Cr Broad moved and Cr van Rooyen seconded, “That the minutes of the previous meeting of the Development Support Special Committee held on 26 April 2016 be confirmed.”

Carried unanimously

MAYOR’S COMMUNICATIONS

14/2016 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 van Rooyen moved and Cr Carpenter seconded, “That the Mayor’s report be received.”

Carried unanimously

PECUNIARY INTEREST DECLARATIONS

15/2016 Pecuniary interest declarations

The Mayor reported as follows:

“Members are requested to indicate whether they have, or are likely to have, a pecuniary 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

16/2016 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 6.03pm. The workshop having been concluded, the Mayor resumed the meeting at 6.11pm.

DEPUTATIONS

17/2016 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

18/2016 Residential (two lot subdivision) at 17 South Road, West Ulverstone – Application No. DA215020

The Director Community Services reported as follows:

“The Land Use Planning Group Leader has prepared the following report:

<i>DEVELOPMENT APPLICATION NO.:</i>	DA215020
<i>PROPOSAL:</i>	Residential (two lot subdivision)
<i>APPLICANT:</i>	Lynton Rowlands
<i>LOCATION:</i>	17 South Road, West Ulverstone
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	7 May 2016
<i>REPRESENTATIONS EXPIRY DATE:</i>	21 May 2016
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	26 May 2016 (extension of time to 20 June granted)
<i>DECISION DUE:</i>	14 June 2016
<i>PURPOSE</i>	

The purpose of this report is to consider an application for Residential (two lot subdivision) at 17 South Road, West Ulverstone.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation;
- . Annexure 4 – photographs;
- . Annexure 5 – TasWater Submission to Planning Authority Notice Reference No. TWDA 2015/01229-CC;
- . Annexure 6 – Statement of Compliance from Road Authority and Stormwater Authority.

BACKGROUND

Development description -

It is proposed to subdivide the existing 1,205m² lot into two lots, an existing house lot (Lot 1) being 675m² and balance vacant lot (Lot 2) to be 530m². Access to both lots would be from Amherst Street.

The existing dwelling (Lot 1) would continue to use an existing sewer pipeline to River Road through the adjacent property at 40 Amherst Street. Lot 1 would also be provided with a new water connection from South Road.

Lot 2 would use an existing water connection from South Road and be serviced with sewer and stormwater connections via new pipelines in the nature strip in Amherst Street, to existing mains in River Road.

Site description and surrounding area -

The site currently contains a single dwelling and large garden area at the side. The subdivision would split the site approximately in half with the existing dwelling on Lot 1 and the garden area on Lot 2.

The garden area contains some mature exotic trees which are dominant in the streetscape and make a positive contribution to it. Development of this area for a dwelling is the most likely scenario. Such development is likely to require the removal of most if not all the trees.

The surrounding area is predominantly residential in use and character, and includes a variety of housing styles and sizes.

History -

The application was first lodged on 23 July 2015. On 10 August 2015 and 19 August 2015, TasWater requested additional information from the applicant. From this date the statutory 42 day process stopped, until the information was provided on 19 April 2016. The assessment contained in this report is based on the version of the Scheme at the date the application was accepted as valid. Differences between that version and the current version are not significant in their impact on the proposed subdivision.

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	
10.3.1-(P1) Discretionary permit use must: (a) be consistent with local area objectives; (b) be consistent with any applicable desired future character statement; and (c) minimise likelihood for unreasonable impact on amenity for use on adjacent land in the zone.	Not applicable. Residential use is Permitted.
10.3.2 Impact of Use	
10.3.2-(A1) Use that is not a residential use must not occur on more than two adjoining sites.	Not applicable. Use would be residential.
10.3.2-(A2) The site for a use that is not a residential use must not require pedestrian or vehicular access from a no-through road.	Not applicable. Use would be residential.
10.3.2-(A3) Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.	Not applicable. Use is residential.

10.4.1 Residential density for multiple dwellings	
<p>10.4.1–(A1) Multiple dwellings must have a site area per dwelling of not less than:</p> <p>(a) 325m²; or</p> <p>(b) if within a density area specified in Table 10.4.1 and shown on the planning scheme maps, that specified for the density area.</p>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>
10.4.2 Setbacks and building envelope for all dwellings	
<p>10.4.2–(A1) Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(b) if the frontage is not a primary frontage, at least 3.0m, or, if the setback from the frontage is less than 3.0m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</p>	<p>Compliant.</p> <p>(a) Existing house frontage setback is 2.6m but no change is proposed or would result from the subdivision. The new Lot 2 would be of sufficient size and dimension to accommodate the required frontage setback.</p> <p>(b) Not applicable in the case of the lot containing the existing dwelling [refer to (a)]. The new Lot 2 would be of sufficient size and dimension to accommodate the required secondary frontage setback.</p>

<p>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) not less than 50.0m if the development is on land that abuts the Bass Highway.</p>	<p>(c) Not applicable. Refer to (a) and (b).</p> <p>(d) Not applicable. Site does not abut 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>(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>Compliant.</p> <p>(a) No garage or carport is proposed and Lot 1 has no garage facing South Road. It has a garage underneath the house that is approximately 30m from the Amherst Street frontage.</p> <p>(b) The new Lot 2 would be of sufficient size and dimension to accommodate the required frontage setback.</p> <p>(c) Not applicable. Gradient not greater than 1 in 5 for a distance 10m 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</p>	<p>Compliant.</p> <p>(a) Western side wall of the dwelling on Lot 1 would remain at 1.5m and would be 3m from the new eastern boundary. The dwelling is single storey and would fit within the required building</p>

<p>10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at the side boundaries and a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level; and <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</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>envelope.</p> <p>The new Lot 2 would be of sufficient size and dimension to accommodate the required setback.</p> <p>(b) The new Lot 2 would be of sufficient size and dimension to accommodate the required frontage setback.</p>
<p>10.4.3 Site coverage and private open space for all dwellings</p>	
<p>10.4.3-(A1) Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 	<p>Compliant.</p> <ul style="list-style-type: none"> (a) Lot 1 with the existing house lot would have 27%

<p>0.6m); and</p> <p>(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</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>	<p>site coverage. The new Lot 2 is of sufficient size and dimension to contain a dwelling that complies with the site coverage standard.</p> <p>(b) Not applicable. No multiple dwellings proposed.</p> <p>(c) Proposed Lot 1 would have approximately 50% free from impervious surfaces. The proposed new Lot 2 is of sufficient size and dimension to accommodate the required impervious surfaces.</p>
<p>10.4.3-(A2) A dwelling must have an area of private open space that:</p> <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</p>	<p>Compliant.</p> <p>(a) Private open space for the existing dwelling on Lot 1 would be over 100m². The proposed new Lot 2 is of sufficient size and dimension to accommodate the required private open space.</p> <p>(b) Minimum horizontal dimension of private open space on Lot 1 would be 8m. The proposed new Lot 2 is of sufficient size and shape to accommodate the required private open space dimension.</p> <p>(c) The deck of the existing dwelling on Lot 1 would be directly accessible from a living area. The proposed new Lot 2 is of sufficient size and dimension to provide direct access to the private</p>

<p>above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	<p>open space.</p> <p>(d) The private open space of the dwelling on Lot 1 is located to the south of the dwelling but is of sufficient size to receive the required amount of sunlight. The proposed new Lot 2 is of sufficient size and dimension for an area of private open space to receive the required amount of sunlight.</p> <p>(e) The private open space of the dwelling on Lot 1 is located at the rear of the dwelling. The proposed new Lot 2 is of sufficient size and dimension to accommodate the required orientation of private open space.</p> <p>(f) Land on both lots is relatively flat and judged at being no steeper than 1 in 10.</p> <p>(g) The private open space of the dwelling on Lot 1 is partially used for access; 150m² of unused area would be available for private open space. The proposed new Lot 2 is of sufficient size and dimension to allow for the required area of private open space not used for vehicle access or parking.</p>
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10.4.4 Sunlight and overshadowing for all dwellings	
<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.</p> <p>The dwelling on Lot 1 currently exists; its orientation would not be affected by the proposed subdivision. The proposed new Lot 2 is of sufficient size and dimension to allow for the required orientation of a future dwelling.</p>
<p>10.4.4-(A2) A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <p 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>Not applicable.</p> <p>No multiple dwellings proposed.</p>

<p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling. 	
<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> <ul style="list-style-type: none"> (i) at a distance of 3.0m from the northern edge of the private open space; and (ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal. <p>(b) The multiple dwelling does not cause 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>Not applicable.</p> <p>No multiple dwellings proposed.</p>

<p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m from the multiple dwelling. 	
<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.</p> <p>Existing garage on Lot 1 would be 30m from Amherst Street frontage.</p> <p>Proposed Lot 2 is of sufficient size and dimension to accommodate the required garage/carport width standards.</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</p>	<p>Compliant.</p> <ul style="list-style-type: none"> (a) The deck of the existing dwelling on Lot 1 is more than 1m above natural ground level. It would be setback 3m from the eastern boundary.

<p>uniform transparency of not more than 25% along the sides facing a:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3.0m from the side boundary; and</p> <p>(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>Proposed Lot 2 is of sufficient size and dimension to accommodate the required setback or screening.</p> <p>(b) The deck of the existing dwelling on Lot 1 is more than 1m above natural ground level. It would be setback 7.5m from the rear boundary. Proposed Lot 2 is of sufficient size and dimension to accommodate the required setback or screening.</p> <p>(c) Not applicable. There are no other dwellings on the same sites currently or proposed.</p>
<p>10.4.6-(A2) A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1.0m above, the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <p style="padding-left: 40px;">(i) is to have a setback of at least 3.0m from a side</p>	<p>Compliant.</p> <p>(a) The existing dwelling on proposed Lot 1 does contain habitable rooms with floor levels that are more than 1m above natural ground level. The setback of the windows to the new eastern boundary would be 4m. Proposed Lot 2 is of sufficient size and dimension to accommodate</p>

<p>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 of at least 1.7m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	<p>the required setback or screening.</p> <p>(b) Not applicable. Satisfied by (a).</p>
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<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>Not applicable.</p> <p>No multiple dwellings proposed.</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</p>	<p>Not applicable.</p> <p>No front fencing proposed.</p>

<p>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>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>(i) has a setback of at least 4.5m from a frontage; and</p> <p>(ii) is at least 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.</p>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>
<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>	<p>Compliant.</p>

<p>(a) have an area of not less than 330m² excluding any access strip; and</p> <p>(b) if intended for a building, contain a building area of not less than 10.0m x 15.0m:</p> <ul style="list-style-type: none"> (i) clear of any applicable setback from a frontage, side or rear boundary; (ii) clear of any applicable setback from a zone boundary; (iii) clear of any registered easement; (iv) clear of any registered right-of-way benefiting other land; (v) clear of any restriction imposed by a utility; (vi) not including an access strip; (vii) accessible from a frontage or access strip; and (viii) if a new residential lot, with a long axis within the range 30 degrees east of north and 20 degrees west of north. 	<p>(a) Both lots would be over 330m². Lot 1 would be 675m² (600m² not including the access strip) and Lot 2 would be 530m².</p> <p>(b) Lot 1 would provide a building area of 21m x 11m and for Lot 2, 16m x 17m which are:</p> <ul style="list-style-type: none"> (i) clear of front, side and rear setbacks; (ii) clear of zone boundary setback; (iii) clear of easements; (iv) clear of right-of-way; (v) clear of utilities; (vi) does not include access strip; (vii) accessible from the frontage; (viii) of suitable orientation.
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<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; or (c) by a right of way connecting to a road: <ul style="list-style-type: none"> (i) over land not required as the means of access to any other land; and (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 (d) with a width of frontage and any access strip or right of way of not less than: <ul style="list-style-type: none"> (i) 3.6m for a single dwelling development; or (ii) 6.0m for a multiple dwelling development or development for a non-residential use; and (e) the relevant road authority in accordance with the <i>Local</i> 	<p>Compliant.</p> <ul style="list-style-type: none"> (a) Exclusive frontage for Lot 1 would be 19m to South Road and 3.6m to Amherst Street. Exclusive frontage for Lot 2 would be 48m to South Road and Amherst Street. (b) Not applicable. Satisfied by (a). (c) Not applicable. Satisfied by (a). (d) Frontage for Lot 1 would be 19m to South Road and 3.6m to Amherst Street. Frontage for Lot 2 would be 48m to South Road and Amherst Street. (e) Access compliant (refer to Statement of Compliance).
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<p><i>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>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 is connected to the reticulated water system. The Council’s Planning Permit would require compliance with TasWater’s approval, included as an attachment to the Planning Permit.</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 waste water 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 approval, included as an attachment to the Planning Permit.</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. The Council’s Planning Permit would require compliance with its approval as a Stormwater Authority issued as a Statement of Compliance. The Statement of</p>

	Compliance states that each lot must have a separate reticulated stormwater connection.
10.4.10 Dwelling density for single dwelling development	
<p>10.4.10-(A1)</p> <p>(a) The site area per dwelling for a single dwelling must –</p> <p style="padding-left: 40px;">(i) be not less than 325m²; and</p> <p style="padding-left: 40px;">(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>Compliant.</p> <p>(a)(i) Both lots exceed 325m².</p> <p>(a)(ii) Both lots are less than 830m².</p> <p>(b) Not applicable. Subdivision would not be sealed before the Scheme came into operation (19 October 2013).</p>
10.4.11 Other development	
10.4.11.1 Location and configuration of development	
<p>10.4.11-(A1) The wall of a building (other than for a dwelling) must be set back 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</p>	<p>Not applicable.</p> <p>Not “other” development.</p>

<p>existing building on adjoining sites;</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>(ii) less than 1.5m from a side boundary if:</p>	<p>Not applicable.</p> <p>Not “other” development.</p>

<ul style="list-style-type: none"> a. built against an existing wall of an adjoining building; or b. 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; and iii. overshadowing does not result in 50% of the private open space of an adjoining dwelling receiving less than three hours of sunlight between 9.00am and 3.00pm on 21 June; (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> <ul style="list-style-type: none"> (a) not be more than 50%; or (b) not be more than any building area shown on a sealed plan of subdivision. 	<p>Not applicable.</p> <p>Not “other” development.</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. Not “other” development.</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. Not “other” development.</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> <p>(i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site;</p> <p>(ii) be not less than 3.0m from a side boundary;</p>	<p>Not applicable. Not “other” development.</p>

<ul style="list-style-type: none"> (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> <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),</p>	<p>Not applicable.</p>

<p>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 “other” development.</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.</p> <p>Not “other” development.</p>
<p>10.4.12 Setback of development for sensitive use</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>Compliant.</p> <p>Adjoining land is General Residential. No required setback to this zone boundary.</p>

<p>10.4.12-(A2) Development for a sensitive use must be not less than 50.0m from:</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>Compliant.</p> <p>(a) Site is 1.2km to the Bass Highway.</p> <p>(b) Site is 250m to the Western Rail Line.</p> <p>(c) Not applicable. There is no land designated in the Scheme for future road or rail purposes.</p> <p>(d) Closest proclaimed wharf is Devonport which is 23km away.</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>Compliant.</p> <p>(a) Proposed new lot is for residential use.</p> <p>(b) Not applicable. Satisfied by (a)</p> <p>(c) Satisfied by (a).</p>
<p>10.4.13-(P2)</p> <p>(a) A lot must have a frontage to a road; or</p>	<p>Compliant.</p> <p>(a) Both lots have frontages to a road – South Road</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> <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>and Amherst Street.</p> <p>(b) Not applicable. No internal lot proposed.</p>
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10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision	
10.4.14-(A1) Electricity reticulation and site connections must be installed underground.	<p>Non-compliant.</p> <p>Electricity supply in the area is overhead. An additional connection to Lot 2 from overhead source would be appropriate.</p> <p>Refer "Issues" section below.</p>
CODES	
E1 Bushfire-Prone Areas Code	<p>Not applicable.</p> <p>Site is zoned General Residential and exempt from the Code requirements.</p>
E2 Airport Impact Management Code	<p>Not applicable.</p> <p>There is no Airport Impact Management Code in the Scheme.</p>
E3 Clearing and Conversion of Vegetation Code	<p>Not applicable.</p> <p>No significant clearing or conversion of native vegetation proposed.</p>

E4 Change in Ground Level Code	<p>Not applicable.</p> <p>No significant change in ground level proposed.</p>
E5 Local Heritage Code	<p>Not applicable.</p> <p>No places of local heritage significance listed in the Code.</p>
E6 Hazard Management Code	<p>Not applicable.</p> <p>Site not included within any natural hazard mapping for landslide or coastal erosion or inundation, and not of known or suspected contamination.</p>
E7 Sign Code	<p>Not applicable.</p> <p>No signage proposed.</p>
E8 Telecommunication Code	<p>Not applicable.</p> <p>No telecommunication facilities proposed.</p>
E9 Traffic Generating Use and Parking Code	
E9.2 Application of this Code	<p>Applies to all development.</p>

E9.4 Use or development exempt from this Code	Not exempt – no Local Area Parking Scheme applies to the site.
E9.5 Use Standards	
E9.5.1 Provision for parking	
<p>E9.5.1–(A1) Provision for parking must be:</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p> <p>(b) motor bike parking at a rate of one space for every 20 vehicle parking spaces;</p> <p>(c) parking spaces for people with disabilities at the rate of one space for every 20 parking spaces or part thereof; and</p> <p>(d) bicycle parking at the rate of one space for every 20 vehicle parking spaces or part thereof.</p>	<p>Compliant.</p> <p>(a) Existing dwelling on Lot 1 currently provides and would retain two on-site car parking spaces. The new Lot 2 has sufficient area and dimension to be capable of providing two required on-site vehicle parking spaces.</p> <p>(b) Not applicable. Requirement only triggered when more than 20 parking spaces are required or provided.</p> <p>(c) Not applicable. Requirement only triggered when more than 20 parking spaces are required or provided.</p> <p>(d) Not applicable. Requirement only triggered when more than 20 parking spaces are required or provided.</p>

E9.5.2 Provision for loading and unloading of vehicles	
E9.5.2–(A1) There must be provision within a site for:	Not applicable.
(a) on-site loading area in accordance with the requirement in the Table to this Code; and	Not required for residential use on either lot.
(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.	
E9.6 Development Standards	
E9.6.1 Road access	
E9.6.1–(A1) There must be an access to the site from a carriageway of a road ^{R36} :	Compliant.
(a) permitted in accordance with the <i>Local Government (Highways) Act 1982</i> ;	(a) Existing and proposed accesses for both lots have been approved under the Statement of Compliance, subject to the driveways being separated by a distance of 2.5m.
(b) permitted in accordance with the <i>Roads and Jetties Act 1935</i> ; or	(b) Not applicable. Satisfied by (a).
(c) permitted by a license granted for access to a limited access road under the <i>Roads and Jetties Act 1935</i> .	(c) Not applicable. Satisfied by (a).

E9.6.2 Design of vehicle parking and loading areas	
<p>E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and</p>	<p>Compliant through condition.</p> <p>Stormwater collection and disposal details not shown on plan.</p> <p>Should be required as a condition on the Permit.</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>Compliant.</p> <p>(a) The existing dwelling on Lot 1 provides adequate on-site turning in accordance with AS/NZS 2890.1 – 2004 – Parking Facilities – Off-Street Car Parking. Lot 2 has sufficient area and dimension to be capable of satisfying the required standard.</p> <p>(b) Not applicable. Commercial vehicle parking not provided or required.</p> <p>(c) Not applicable. Bicycle parking not provided or required.</p> <p>(d) Not applicable. Disability parking not provided or required.</p> <p>(e) Compliant. Access to parking space on Lot 1</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>from driveway. Lot 2 has sufficient area and dimension to be capable of satisfying the required driveway access.</p> <p>(f) Compliant. Forward movement on and off Lot 1 is currently and would continue to be provided. Lot 2 has sufficient area and dimension to be capable of satisfying required turning.</p> <p>(g) Compliant through condition. The following condition is proposed:</p> <p style="padding-left: 40px;">“Vehicle parking and manoeuvring areas must be formed and constructed with compacted sub-base and provided with an all-weather surface and provide for the collection, drainage and disposal of stormwater.”</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>Provision does not apply in the General Residential zone.</p>

E10 Water and Waterways Code	Not applicable. The site is approximately 70m to the Leven River shoreline.
Specific Area Plans	Not applicable. No Specific Area Plans apply to this site.

Issues –

1 Overhead power supply connection –

Section 10.4.14 of the Scheme requires the connection of electricity be underground. The applicant indicates that the connection should be overhead because that is the nature of all power connections in the area.

The associated Performance Criteria allow for an alternative arrangement where it would be impractical, unreasonable or unnecessary to install site connections underground.

Power connection to proposed Lot 1 and surrounding dwellings is overhead. The additional overhead connection of Lot 2 would make little impact on the visual characteristics or amenity of the area. In this context, it is considered that to require an underground connection would be unnecessary and unreasonable.

Consequently it is considered that an exercise of discretion on the standard to allow an overhead electricity connection would be justified.

2 Subdivision –

Subdivision is Discretionary under the Scheme because there are no Acceptable Solutions in Section 10.4.13 of the Scheme. The development is also subject to numerous requirements under the Zone and Code provisions. The relevant Performance Criteria and Zone and Code provisions have all been satisfied in this case.

In addition to Scheme requirements, the *Local Government (Building and Miscellaneous Provisions) Act 1993* lists various matters that provide for the refusal of an application for subdivision. These are:

- (a) roads would not suit the public convenience;
- (b) drainage of land would be unsatisfactory;
- (c) land not suitable for effluent disposal;
- (d) site layout would make servicing unduly expensive;
- (e) whether it should be altered to include or omit alleys, public open space, road widening etc;

-
- (f) adjacent land should be included in the subdivision of land;
 - (g) lots are unsuitable for building on; and
 - (h) lots should not be sold because of easements, party wall easements or state of a party wall on its boundary.

In the case of the proposed subdivision, none of the listed matters apply and there is no reason, based on the Performance Criteria, why the proposal should not proceed.

3 *Public Open Space Contribution –*

The *Local Government (Building and Miscellaneous Provisions) Act 1993* also provides for the contribution of public open space. The details of such contributions are determined in the Council’s Public Open Space Contributions Policy (the Policy). For subdivisions involving less than five lots an assessment of existing provision in the vicinity of the subdivision, in accordance with the Council’s Policy, must be undertaken.

In this case, an assessment indicates that no additional land is required in the vicinity and that consequently a 5% financial contribution, based on the value of new lots created, should be paid.

It is appropriate that a public open space contribution is required and that such payment be a condition of the Council’s approval.

Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No conditions required.
Infrastructure Services	Conditions required. Refer to Statement of Compliance from the Road Authority and the Stormwater Authority.

TasWater	Refer to Submission to Planning Authority Notice Reference No. TWDA 2015/01229-CC.
Department of State Growth	No referral required.
Environment Protection Authority	No referral required.
TasRail	No referral required.
Heritage Tasmania	No referral required.
Crown Land Services	No referral required.
Other	No referral required.

CONSULTATION

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

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

Representations -

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 An additional property close by would interfere with privacy and serenity.	The development would be a minor increase in density and one being facilitated through the Scheme. An additional dwelling might increase site activity but probably only to a minor degree and unlikely to be unreasonable.

<p>2 Will cause an increase in motor vehicle noise causing stress.</p>	<p>While an additional vehicle access in Amherst Street might result in some increase in traffic and associated noise, it is not likely that the impact of a few more cars each day would cause an unreasonable impact.</p>
<p>3 Increased number of vehicles could adversely affect safety of joggers, dog walkers and school bus.</p>	<p>Amherst Street is a low speed and low volume traffic environment. The access points from the proposed lots provide adequate sight lines. The subdivision is unlikely to change these characteristics. Consequently, it is unlikely that any decrease in the safety of users would result.</p>
<p>4 Proposed sewer pipe in Amherst Street could damage trees representors have planted in the naturestrip. Relocate sewer to the road.</p>	<p>It is possible that the proposed sewer and stormwater pipes in Amherst Street could damage four small recently planted exotic trees in the naturestrip.</p> <p>The trees are planted above an existing stormwater pipeline and may be inappropriate for that reason, i.e. roots could disrupt the pipe.</p> <p>Also, the naturestrip is where underground services are usually placed, to limit disruption with maintenance and repair operations and avoid more costly excavation and sealing works involving the carriageway.</p> <p>In this case, the protection of existing infrastructure and placement of a new sewer pipe should take precedence over the trees.</p>

RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure.

CONCLUSION

The proposed subdivision is consistent with the subdivision provisions of the Scheme and with matters that the Council must consider under the *Local Government (Building and Miscellaneous Provisions) Act 1993*. Specifically, the two lots are consistent with the minimum lot size and would represent a more efficient use of land and services than is currently the case.

The concerns of the representors are acknowledged, but in relation to the matters raised, it is considered that the impact of a second dwelling on the site would not be unreasonable and is insufficient to halt the development.

On the two matters requiring exercises of discretion; subdivision and undergrounding of electricity connection, the application demonstrates compliance with statutory requirements under the Scheme and the *Local Government (Building and Miscellaneous Provisions) Act 1993*. Consequently, it is considered that exercises of discretion on these matters would be appropriate.

Recommendation –

It is recommended that the application for Residential (two lot subdivision) at 17 South Road, West Ulverstone, be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the application for this Permit, unless modified by a condition of this Permit.
- 2 The development must be in accordance with the conditions of the Submission to Planning Authority Notice from TasWater, Reference

No. TWDA 2015/01229-CC (copy attached).

- 3 Payment to the Council of a sum equivalent to 5% of the unimproved value of Lot 2, being a contribution in lieu of public open space provision.
- 4 Vehicle parking and manoeuvring areas must be formed and constructed with compacted sub-base and provided with an all-weather surface and provide for the collection, drainage and disposal of stormwater.
- 5 The development must be in accordance with the conditions of the "Statement of Compliance for Vehicular Access and Drainage Access" dated 10 August 2015, issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority (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 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 an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Please liaise with the Council regarding the construction of the accesses and the associated street tree removal/replacement prior to undertaking any work on the accesses or in the road reservation.'

The report is supported."

The Director Community Services further reported as follows:

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

■ Cr van Rooyen moved and Cr Downie seconded, "That the application for the development of a Residential (two lot subdivision) at 17 South Road, West Ulverstone be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the

application for this Permit, unless modified by a condition of this Permit.

- 2 The development must be in accordance with the conditions of the Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2015/01229-CC (copy attached) (copy being appended to a forming part of the minutes).
- 3 Payment to the Council of a sum equivalent to 5% of the unimproved value of Lot 2, being a contribution in lieu of public open space provision.
- 4 Vehicle parking and manoeuvring areas must be formed and constructed with compacted sub-base and provided with an all-weather surface and provide for the collection, drainage and disposal of stormwater.
- 5 The development must be in accordance with the conditions of the "Statement of Compliance for Vehicular Access and Drainage Access" dated 10 August 2015, issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority (copy attached) (copy being appended to a 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 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 an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Please liaise with the Council regarding the construction of the accesses and the associated street tree removal/replacement prior to undertaking any work on the accesses or in the road reservation."

Carried unanimously

Closure

There being no further business, the Mayor declared the meeting closed at 6.12pm.

CONFIRMED THIS DAY OF , 2016.

Chairperson

(cvv:dl)

Appendices

- Minute No. 18/2015 - TasWater Submission to Planning Authority Notice Reference No. TWDA 2015/01229-CC
- Minute No. 18/2015 - Statement of Compliance from Road Authority and Stormwater Authority

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

Submission to Planning Authority Notice

Council Planning Permit No.	DA215020	Council notice date	6/08/2015
TasWater details			
TasWater Reference No.	TWDA 2015/01229-CC	Date of response	19/04/2016
TasWater Contact	Amanda Coleman	Phone No.	6237 8229
Response issued to			
Council name	CENTRAL COAST COUNCIL		
Contact details	planning.cmw@centralcoast.tas.gov.au		
Development details			
Address	17 SOUTH RD, WEST ULVERSTONE	Property ID (PID)	6956556
Description of development	Subdivision 2 Lots		
Schedule of drawings/documents			
	Prepared by	Drawing/document No.	Revision No.
	PDA Surveyors	Plan of Subdivision	--
			Date of Issue
			18/04/2016
Conditions			
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			
<ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections / sewerage system and connections to each lot of the development 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. 			
ASSET CREATION & INFRASTRUCTURE WORKS			
<ol style="list-style-type: none"> 3. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains. 4. Prior to applying for a Permit to Construct 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 water and sewerage to TasWater's satisfaction. 5. 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. 6. 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. 7. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, generally as shown on the concept servicing plan, are to be at the expense of the developer to the satisfaction of TasWater, with live connections performed by Taswater. 8. At practical completion of the sewerage works and prior to TasWater issuing a Consent to a Register 			

Legal Document 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) As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
9. 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.
10. 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.
11. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

12. Prior to the Sealing of the Final Plan of Survey, the developer must obtain a Consent to Register a Legal Document from TasWater and the certificate must be submitted to the Council as evidence of compliance with these conditions when application for sealing is made.
13. 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.

DEVELOPMENT ASSESSMENT FEES

14. The applicant or landowner as the case may be, must pay a development assessment fee to TasWater for this proposal of \$197.00 for development assessment as approved by the Economic Regulator and the fees will be indexed as approved by the Economic Regulator from the date of the Submission to Planning Authority Notice for the development assessment fee, until the date they are paid to TasWater. Payment is required within 30 days from the date of the invoice.

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

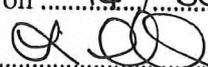
CENTRAL COAST COUNCIL

the TasWater Submission
to Planning Authority
Notice - Reference No. TUDA 2015/01229-CC
17 South Road, West Ulverstone -

I certify that this is

Application No. DA215020 referred to in

Minute No. 18/2016 of a meeting of the
Development Support Special Committee
Council held on 14/06/2016



Executive Services Officer

Annexure 6

CENTRAL COAST COUNCIL
I certify that this is ^{the Statement of} Compliance from the ^{the Road Authority and Stormwater Authority} 17 South Road, West Ulverstone -
Application No. DA215020 referred to in
Minute No. 18/2016 of a meeting of the Development Support Special Committee Council held on 14/06/2016
 Executive Services Officer

10 August 2015

Our ref.: DA215020, paa:kaa
Doc ID: 214978

L G Rowlands
PO Box 152
ULVERSTONE TAS 7315

Dear Lynton

LOCAL GOVERNMENT (HIGHWAYS) ACT 1982 AND URBAN DRAINAGE ACT 2013
STATEMENT OF COMPLIANCE FOR VEHICULAR ACCESS AND DRAINAGE ACCESS
PROPOSED 2 LOT SUBDIVISION - 17 SOUTH ROAD, WEST ULVERSTONE

I refer to your application DA215020 for a two lot subdivision at 17 South Road, West Ulverstone, and based on the information supplied with the application the following determination is made in respect to vehicular access and stormwater drainage.

Access can be provided to the road network at 17 South Road, West Ulverstone, subject to the following:

- R1 The existing access located on the southern side of the Amherst Street frontage shall be reconstructed and upgraded to concrete for the existing house lot;
- R2 A single 3.6m wide reinforced concrete access shall be provided to the created vacant lot and shall be located on the Amherst Street frontage to the north of the existing access, with 2.5m separation between the two driveway aprons;
- R3 The new single 3.6m wide access and the existing single 3.6m wide access shall be constructed in accordance with Standard Drawing TSD-R09-v1 Urban Roads - Driveways (copy enclosed);
- R4 The Council has no objection to the removal of the street trees along the Amherst Street property frontage provided that this done, along with the provision of replacement street trees, in consultation with the Council's Parks/Recreation Officer;
- R5 A Roadworks Authority (RWA) or Private Works Authority (PWA) shall be signed by the developer/property owner for the Council to undertake work relating to existing kerb and channel, footpaths, nature strips, street trees or other Council infrastructure prior to any work associated with the development being undertaken;

- R6 Any damage or disturbance to roads, footpaths, kerb and channel, nature strips, street trees or other existing services resulting from activity associated with the development must be rectified;
- R7 Any work associated with roads, footpaths, kerb and channel or street trees will be undertaken by the Council, unless alternative arrangements are approved by the Council's Director Engineering Services or his representative;
- R8 All works or activity listed above shall be completed to the satisfaction of the Council's Director Engineering Services or his representative;
- R9 All works or activity listed above shall be at the developer's/property owner's cost;
- R10 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 is to be arranged prior to any work associated with the development being undertaken.

Access can be provided to the Council's stormwater network at 17 South Road, West Ulverstone to drain stormwater from the proposed subdivision, subject to the following:

- S1 A separate reticulated stormwater connection shall be provided to each lot from the main located adjacent to the Amherst Street property frontage;
- S2 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 Engineering Services;
- S3 Any damage or disturbance to existing stormwater infrastructure resulting from activity associated with the subdivision must be rectified;
- S4 Any work associated with existing stormwater infrastructure will be undertaken by the Council, unless alternative arrangements are approved by the Council's Director Engineering Services or his representative;
- S5 All works or activity listed above shall be completed to the satisfaction of the Council's Director Engineering Services or his representative;
- S6 All works or activity listed above shall be at the developer's/property owner's cost;

- S7 A Private Works Authority (PWA) shall be signed by the developer/property owner for any Council work relating to the provision of the stormwater services prior to any work associated with the development being undertaken.

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

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

This 'Statement of Compliance' is not an approval to create any access, undertake roadworks or undertake stormwater drainage works, nor is it a planning permit for the subdivision. This 'Statement of Compliance' is valid for a period of 12 months 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 DA215020.

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

Yours sincerely

Philip Adams
ENVIRONMENTAL ENGINEER
Encl.

Administrative Assistant - Planning ✓
Public Safety Coordinator
Parks/Recreation Officer
A COPY FOR YOUR INFORMATION